

2015-2016
ACADEMIC CATALOG



VERMONT
LAW SCHOOL

TABLE OF CONTENTS

| | |
|--|----|
| 1. Overview | 1 |
| 2. Accreditations, Approvals, Memberships | 2 |
| 3. Academic Regulations and Honor Code | 4 |
| I. Introduction to Academic Regulations | 4 |
| II. JD | 4 |
| A. Requirements for the Degree | 4 |
| B. Qualifications and Requirements for Clinics and Externships | 12 |
| C. Independent Research Projects | 13 |
| D. Grades and Academic Standards | 17 |
| III. A. Master of Environmental Law and Policy Degree (MELP) | 21 |
| 1. Requirements for the Degree | 21 |
| 2. Qualifications and Requirements for Externships | 26 |
| 3. Independent Research Projects | 28 |
| 4. Grades and Academic Standards | 28 |
| 5. Add/Drop & Withdrawal Policies | 30 |
| B. Master of Energy Regulation and Law Degree (MERL) | 31 |
| 1. Requirements for the Degree | 31 |
| 2. Externships | 33 |
| 3. Independent Research Projects | 35 |
| 4. Grades and Academic Standards | 35 |
| C. Master of Food and Agriculture Law and Policy Degree (MFALP) | 37 |
| 1. Requirements for the Degree | 37 |
| 2. Qualifications and Requirements for Externships | 40 |
| 3. Independent Research Projects | 41 |
| 4. Grades and Academic Standards | 41 |
| IV. Joint Degrees | 44 |
| A. Joint JD/MELP Degree | 44 |
| 1. Requirements for the Degree | 44 |
| B. Joint JD/Master of Energy Regulation and Law Degree (MERL) | 44 |
| 1. Requirements for the Degree | 44 |
| C. Joint JD/Master of Food and Agriculture Law and Policy Degree (MFALP) | 45 |
| D. Joint JD/LLM in Environmental Law Degree | 45 |
| 1. Requirements for the Degree | 45 |
| E. Joint JD/LLM in Energy Law Degree | 46 |
| 1. Requirements for the Degree | 46 |
| F. Joint JD/LLM in Food and Agriculture Law Degree | 47 |
| 1. Requirements for the Degree | 47 |
| V. Dual Degrees –JD Program | 47 |
| A. Admission | 47 |
| B. Registration and Records | 48 |
| C. Requirements for the Degree | 48 |
| D. Residence Requirement | 48 |
| E. Accelerated Scheduling Option | 48 |
| F. Academic Performance and Conduct | 48 |
| G. Withdrawal from a Dual Degree Program | 49 |
| H. Program Requirements | 49 |

| | |
|---|-----|
| VI. Dual Degrees – MELP Program | 54 |
| A. Admission | 54 |
| B. Registration and Records | 54 |
| C. Requirements for the Degree..... | 54 |
| D. Academic Performance and Conduct..... | 54 |
| E. Withdrawal from a Dual Degree Program..... | 55 |
| F. Program Requirements | 55 |
| VII. Dual Degrees – JD/MELP Programs with other law schools | 56 |
| A. Admission | 56 |
| B. Registration and Records | 56 |
| C. Requirements for the Degree..... | 56 |
| D. Academic Performance and Conduct..... | 56 |
| E. Withdrawal from a Dual Degree Program..... | 56 |
| F. Program Requirements | 57 |
| VIII. Master of Laws (LLM) Degree Programs..... | 60 |
| A. Master of Laws in Environmental Law Degree (LLM) | 60 |
| B. Master of Laws in American Studies (LLM) | 68 |
| C. Master of Laws in Energy Law Degree (LLM) | 71 |
| D. Master of Laws in Food and Agriculture Law Degree (LLM) | 78 |
| IX. Certificate Programs | 86 |
| A. Certificate in Dispute Resolution | 86 |
| B. Experiential Advocacy Program – Certificate Regulations | 87 |
| C. International and Comparative Law Certificate | 89 |
| D. Certificate in Climate Law | 91 |
| E. Certificate in Energy Law | 92 |
| F. Certificate in Land Use Law | 93 |
| G. Certificate in Water Resources Law | 94 |
| H. Certificate in Criminal Law | 95 |
| I. Certificate in Business Law | 96 |
| J. Certificate in Food and Agriculture Law | 98 |
| X. Miscellaneous Academic Regulations | 99 |
| A. General | 99 |
| B. Fall and Spring Semesters | 104 |
| C. Summer Session | 106 |
| XI. Vermont Law School Honor Code | 108 |
| XII. Committee on Standards Policies and Procedures | 116 |
| Code of conduct | 117 |
| XIII. Policy Against Harassment, Sexual Harassment, Discrimination, and Retaliation | 127 |
| XIV. Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy, Resources and Procedures | 135 |
| XV. Miscellaneous Policies and Procedures | 154 |
| 4. Course Catalog | 173 |
| 5. General Information | 233 |

1. AN OVERVIEW OF VERMONT LAW SCHOOL

Vermont Law School, founded in 1972, is one of a handful of independent, private law schools in the United States and is the only law school in Vermont. Vermont Law School offers a strong and varied Juris Doctor (JD) curriculum, experiential programs, and nationally recognized programs in environmental law. The JD curriculum emphasizes the public-serving role of lawyers. The law school also offers a Master of Environmental Law and Policy (MELP) and a Master of Energy Regulation and Law (MERL) for lawyers and non-lawyers alike. It also offers three post-JD degrees, the LLM in Environmental Law, the LLM in Energy Law, and the LLM in American Legal Studies (for international students). The MELP, MERL, LLM in Environmental Law, and LLM in Energy Law degrees are also offered online. Vermont Law School is dedicated to educating students in the understanding, skills, and values needed for private practice and public service. Emphasis is placed on developing professional responsibility and judgment, together with respect for the dignity of all people and the integrity of the national environment.

Vermont Law School Motto:

Lex pro urbe et orbe: “Law for the community and the world”

2. ACCREDITATIONS, APPROVALS, MEMBERSHIPS

New England Association of Schools and Colleges (NEASC)

Vermont Law School is accredited by the New England Association of Schools and Colleges, Inc. through its Commission on Institutions of Higher Education. Accreditation of an institution of higher education by the New England Association indicates that it meets or exceeds criteria for the assessment of institutional quality periodically applied through a peer review process. An accredited college or university is one which has available the necessary resources to achieve its stated purposes through appropriate educational programs, is substantially doing so, and gives reasonable evidence that it will continue to do so in the foreseeable future. Institutional integrity is also addressed through accreditation. Accreditation by the New England Association is not partial but applies to the institution as a whole. As such, it is not a guarantee of every course or program offered, or the competence of individual graduates. Rather, it provides reasonable assurance about the quality of opportunities available to students who attend the institution. Inquiries regarding the accreditation status by the New England Association should be directed to the administrative staff of the institution. Individuals may also contact:

Commission on Institutions of Higher Education New England Association of Schools and Colleges

209 Burlington Road, Suite 201
Bedford, MA 01730-1433
781-271-0022
cihe@neasc.org

American Bar Association (ABA)

Vermont Law School's Juris Doctor (JD) degree is approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association.

Council of the Section of Legal Education and Admission to
the Bar of the American Bar Association
321 North Clark Street
Chicago, IL 60654-7598
312-988-6738
www.abanet.org/legaled

Vermont Department of Education

Vermont Law School is approved by the Vermont Department of Education.

Vermont Department of Education
120 State Street
Montpelier, VT 05620-2501
802-828-3135

DOE-EdInfo@state.vt.us

Association of American Law Schools (AALS)

Vermont Law School is a member of the Association of American Law Schools.

Association of American Law Schools

1614 20th Street, NW

Washington, DC 20009

3. ACADEMIC REGULATIONS

Adopted April 20, 2000, as amended in 2009, 2011, 2012, 2013, 2014 and 2015.

I. INTRODUCTION

A. GENERAL

These regulations apply to all persons taking courses at, or through, Vermont Law School. They apply to students who are candidates for degrees, to students taking courses for credit, and to students auditing courses. All students taking courses at, or through, Vermont Law School are deemed to have notice of these regulations.

B. NOTICE

The official version of the academic regulations is posted on the Vermont Law school network at k:\course info\academic regulations. Any revisions made during the year will be posted at that site. The Academic Regulations are also included in the student handbook and course catalog and posted online. Those will be revised at the beginning of each academic year.

C. AMENDMENT

1. General

Except as provided in the following paragraph, amendments to these regulations may be made by a majority of the voting faculty at a regular or special faculty meeting provided a notice of the proposed amendment has been given to each individual member of the voting faculty at least seven calendar days before the meeting.

2. Conforming Amendments

The Registrar, in consultation with the Committee on Standards, may amend these regulations without faculty approval whenever necessary to conform these regulations to the addition or deletion of courses from the curriculum, to changes in course names, and to changes in title and position of faculty, staff, or administration. The Registrar may also amend these regulations without faculty approval to correct punctuation, grammar, spelling, typographical errors, and inconsistencies between approved amendments and existing regulations.

II. JURIS DOCTOR DEGREE (JD)

A. REQUIREMENTS FOR THE DEGREE

1. General

The degree of Juris Doctor (JD) is granted for regular attendance and satisfactory completion of the prescribed course of study which includes a minimum of eighty-seven¹ semester hours and a cumulative grade point average of 2.20.²

¹ The increase to 87 credits from 84 credits is effective for students entering the JD program in or after August 2005. Students who began the JD program before August 2005 were required to satisfactorily complete 84 credits.

2. Course Requirements

- (a) Of the 87 semester hours required for the degree, satisfactory completion of the following courses is required: Appellate Advocacy; Civil Procedure I and II; Constitutional Law and Public Law;³ Contracts; Criminal Law; Evidence;⁴ Professional Responsibility;⁵ Legal Analysis and Writing I, Legal Research; Legal Writing II: Theory & Practice; Property; and Torts.

Satisfactory completion of two of the following courses is also required: Corporations, Criminal Procedure (either Constitutional Criminal Procedure or Criminal Practice and Procedure), Estates, Family Law or General Practice Program I: Domestic Relations, Remedies, and Sales.⁶

Effective for students entering after May 1, 2014, all students shall be required to take at least six (6) experiential credits, as defined below. This requirement may be waived by the Committee on Standards for good cause shown. Experiential credits shall consist of credits in courses that are (i) clinics, both on and off campus, (ii) externships, including SiP offerings, and (iii) such other courses as may be expressly approved by the Curriculum Committee as appropriate for meeting this requirement. In helping students to meet this requirement, VLS cannot guarantee any particular placement.

Except as noted in subsections b, c, and d of this regulation and in regulation II.D.5.b., all other courses are elective.

- (b) Each student is also required to satisfactorily complete one perspective course. Perspective courses substantially and systematically expose students to the broader foundations of law, including its social, cultural, historical, philosophical, comparative, or scientific contexts. The courses which satisfy this requirement change from time to time; a list of courses which currently satisfy this requirement is published online each year on the registrar's site.
- (c) Satisfactory completion of the Advanced Legal Writing Requirement (AWR) is also a graduation requirement. A student must submit a written project which a regular faculty member determines would receive a grade of C or better were it the sole basis of grading in a course for two or more credits. The student may submit a project:

² The requirement of a 2.20 cumulative grade point average is effective for students who matriculate into the JD program after July 1, 2007. For students who matriculated into the JD program before this date, the required cumulative grade point average is 2.00.

³ For students who matriculated before April 2013, the required coursework is as follows: Appellate Advocacy; Civil Procedure I and II; Constitutional Law I and II; Contracts; Criminal Law; Evidence, Legal Profession; Legal Analysis and Writing I, Legal Research; Legal Writing II: Theory & Practice; Property; and Torts. Students who matriculated before April 2013 and did not complete Constitutional Law I and II before the end of the 2012 -2013 academic year will receive a waiver allowing them to satisfy the requirement through completion of Constitutional Law and Public Law.

⁴ Evidence is required for students who matriculate into the JD program after July 1, 2007.

⁵ In the spring of 2014 the faculty approved a recommendation of the Curriculum Committee to also allow students to meet the Professional Responsibility requirement through courses that meet a Professional Responsibility Distributional requirement. As those courses are developed and approved by the Curriculum Committee, a list of those courses will be provided in course registration materials.

⁶ These courses are required for students who matriculate into the JD program after July 1, 2007.

(1) In satisfaction of any written requirement in any course or Independent Research Project⁷ which a regular faculty member has certified as meeting the provisions of the Advanced Legal Writing Requirement; or in completion of any project, whether or not submitted for academic credit, which a regular faculty member has certified as meeting the provisions of the Advanced Legal Writing Requirement.

(2) In advance of the start of each student's fifth semester,⁸ the student must notify the Registrar in writing as to (1) whether the Advanced Legal Writing Requirement has been met, (2) how the student plans to satisfy the requirement, or (3) if no decision has been made as to how to satisfy the requirement, the fact that the student has spoken with a member of the faculty to discuss ways of satisfying the requirement, in which case the statement must be signed by the faculty member. In addition, every student must either satisfy the requirement prior to the beginning of the student's sixth semester or file with the Registrar a statement approved by a regular faculty member setting forth the particulars of the project which the student intends to complete to satisfy the requirement.

(3) **PURPOSE:** The purpose of the Advanced Legal Writing Requirement is to provide each student with an opportunity to enhance his or her writing skills on a more sophisticated project than is afforded in the first year and appellate advocacy writing programs, preferably in an area of law of his or her choosing, and with the assistance of detailed and individualized feedback from a member of the faculty. Close interaction between student and instructor is considered essential to the success of this requirement, the focus of which should include the substantive content of the student's work, the quality of his or her writing, and the process by which the student organizes and develops ideas, conducts research, and writes.

(4) **GENERAL GUIDELINES:** The following guidelines set forth the criteria to be used generally in designing a student's project and in structuring faculty supervision of the project. Both faculty and students are urged to abide by these guidelines except where special circumstances, which allow the goal of the AWR program to be served in some other way, justify variance from them. In this connection, the fact that an AWR project is written in conjunction with a seminar does not, without more, justify departure from these guidelines.

(a) **Genre:** A project need not culminate in any particular genre of legal writing to be satisfactory. Such diverse projects as law review articles, advanced moot court briefs, seminar papers, proposed statutes with comment, or other projects might serve as appropriate vehicles for demonstrating one's

⁷ Guidelines for Independent Research Projects are found at regulation II.C.

⁸ The usual period of study to obtain the JD degree is six semesters extended over three academic years. Regulation II.A.5.b. For students pursuing an accelerated or extended scheduling option or for students in certain joint or dual degrees, the term "sixth semester" as used throughout these regulations means the student's final semester in the JD program at the end of which the student is awarded the JD degree. The term "fifth semester" means the preceding the final semester in the JD program.

competence for Advanced Legal Writing. The determinative criteria are the project's requirements for research, analysis, and writing.

- (b) Length: No particular length is required, although most projects have been in the range of 20 to 30 pages. In any event, the length should be such that the student is required to demonstrate such fundamental writing skills as grammar, syntax, organization, clarity of expression, and ability to present fully the message of the project in a well-reasoned fashion.
- (c) Drafts: Each project should require, in addition to the final draft, at least one detailed outline and one preliminary draft, or two preliminary drafts of the final product. In addition, the student and the faculty supervisor should complete a written evaluation at the end of the term, focusing on the quality of the student's work, on improvement in the student's skills, and on the quality of the learning process. Outlines, if required, and preliminary and final drafts should be reviewed and critiqued by the certifying faculty member. The final product should reflect consideration of the comments and critiques of the faculty member.
- (d) Collaborative Efforts: Some projects may involve the collaborative efforts of two or more students. In such instances, the individual student must be able to identify his or her contributions to the research, analysis, and writing incorporated in the drafts and final project. The certifying instructor should take such steps as he or she deems necessary to insure that each student within the group has demonstrated competence in research, analysis, and writing.
- (e) Meeting: Every faculty supervisor and student may expect each other to be available for a minimum of four face-to-face meetings during the semester to discuss the student's project.
- (f) Supervision: Faculty supervision should be directed at improving the student's skills in the following areas, the attention paid to each item to be a function of the student's individual needs: (i) fundamentals of writing (grammar, syntax, organization, and clarity of expression), (ii) legal analysis, (iii) legal research and (iv) capacity for self-reflection and self-evaluation on both the quality of the student's work and the process of learning involved in the project.
- (g) Supervision by Adjuncts: Adjunct faculty may not supervise an advanced legal writing project unless (1) the project is done in satisfaction of course requirements in a course taught by the adjunct that the Deputy Vice Dean for Academic Affairs has approved in advance of the semester in which it is offered as appropriate for advanced legal writing credit or (2) the Deputy Vice Dean for Academic Affairs approves the specific project in advance of commencement of the project. In all such cases, the student must draft, and the adjunct faculty supervisor and the Deputy Vice Dean for Academic Affairs approve, a contract for the project containing the information required for independent legal research projects. See regulation II.C.3.

(e) Non-JD Courses

Except as noted below, JD students may enroll in only one non-law course. Credits so earned will be applied toward the 87 semester hours required for the Juris Doctor degree.

JD students may enroll in non-law courses in any joint or dual degree program or exchange program as approved by the faculty or the Committee on Standards.⁹

(f) Credits toward JD degree from study abroad programs

In accordance with ABA regulations, the total number of credits that may be applied to the JD degree from courses taken in study abroad programs shall not exceed one third of the credits required for that degree, i.e. 29 credits.

3. Course Load

The following restrictions apply to all JD students. No exceptions are allowed without prior written approval of the Committee on Standards.

The minimum course load is 10 hours per semester, and the maximum course load is 17 hours per semester.¹⁰

Although there is no per semester “classroom hour” requirement, students must in the course of six semesters complete a minimum of 65 credits of course work requiring attendance at regularly scheduled class sessions. For purposes of calculating attendance at regularly scheduled class sessions, all work done in connection with enrollment in the South Royalton Legal Clinic (SRLC) and the Environmental and Natural Resources Law Clinic (ENRLC) is considered to be in regular class sessions, whether in a classroom or not.

Courses taken through exchange and dual degree programs with the University of Cergy-Pontoise Faculty of Law, the Renmin University of China School of Law, the University of Trento Faculty of Law, the University of Seville, and the McGill University Faculty of Law are also counted toward satisfying the requirement of 65 credits of course work requiring attendance at regularly scheduled class sessions.

Academic credits awarded in the following do *not* count toward satisfying the requirement of 65 credits of course work requiring attendance at regularly scheduled class sessions:

- a. Courses taken at academic institutions, other than A.B.A. accredited schools, including courses taken at the Yale School of Forestry and Environmental Science,

⁹ The number of credits of non-law courses may be different depending on the joint or dual degree or exchange program. Students pursuing any of these programs should consult with the Deputy Vice Dean for Academic Affairs or the Director of International and Comparative Law Programs.

¹⁰ Students who must complete only 84 credits for the JD degree are limited to a maximum course load of 16 JD hours per semester.

The maximum course load of 17 credits is mandated by the American Bar Association and may not be waived.

Carnegie Mellon University, the Tuck School of Business at Dartmouth College, the Thunderbird School of Global Management, and the University of Cambridge.

- b. Independent Research Projects
 - c. Practicum portion of an externship
 - d. Practicum portion of Dispute Resolution, Criminal Law, and Land Use Clinic
 - e. Legislative Clinic
 - f. Vermont Law Review and the Vermont Journal of Environmental Law
4. Employment

A student may not be employed more than 20 hours per week in any week in which the student is enrolled in more than twelve class hours.

5. Residence Requirement

- a. Three years “residence” (six semesters) is required for the JD degree. To receive residence credit for a particular semester, the student must receive credit for at least 10 hours (the minimum course load).
- b. The usual period of study to obtain the JD degree is three years (six semesters).¹¹
 - (1) A student may extend this time period to four years (eight semesters) by taking a reduced course load or pursuing an extended scheduling option.
 - (2) A student may also extend this time period by requesting a leave of absence. The Registrar may grant leaves of absence, other than medical leaves of absence, for two semesters; all other requests for leaves of absence must be addressed to the Committee on Standards. Under no circumstances will the Committee on Standards grant a request for a leave of absence, including a medical leave of absence, that extends the period of study beyond seven years.
 - (3) A student pursuing the accelerated scheduling option must also complete a minimum of six semesters. (For purposes of this regulation, a summer session will count as one semester.)
- c. To obtain the degree from Vermont Law School, a student must be in residence at Vermont Law School, or at a school with which Vermont Law School has an exchange program, for the last four semesters.

¹¹ For students pursuing an accelerated or extended scheduling option or for students in certain joint or dual degrees, the term “sixth semester” as used throughout these regulations means the student’s final semester in the JD program at the end of which the student is awarded the JD degree. The term “fifth semester” means the preceding the final semester in the JD program.

A student pursuing the accelerated scheduling option must also be in residence for the last four semesters. (For purposes of this regulation, a summer session will count as one semester.)

No exceptions will be made except for an unforeseeable change of circumstance of an emergency nature.

- (1) A desire to enroll in an academic program not offered at Vermont Law School (or its exchange program) is not considered an unforeseeable change of circumstance of an emergency nature.
 - (2) A desire to avoid separation from a spouse or partner will not ordinarily be considered an unforeseeable change of circumstances of an emergency nature.
- d. No residence credit is granted for Vermont Law School's summer sessions or for attendance at another law school unless part of an exchange program as provided under 5.c. above or unless the student is pursuing the accelerated scheduling option.

6. Accelerated JD Program

The Accelerated JD Program allows for completion of the JD course of study in six consecutive terms (four regular semesters and two summer sessions). All academic regulations pertaining to the JD apply to the AJD except where modified by regulations contained in this subsection.

- a. Eligibility: only students admitted into the AJD program during the admissions process are allowed to participate in the AJD. Transfers from the JD program into the AJD are not permitted.
- b. Summer terms requirement: AJD participants may commence the program by enrolling in the AJD summer session and enroll in a second summer session, or commence in the fall semester of their first year and enroll in the next two summer sessions.
- c. First Year Program: AJD participants who start in the summer must complete the first year curriculum during the fall and spring semesters following the AJD summer session.
- d. Course load requirements:
 - (1) The minimum course load for the first AJD summer session is 12 credits and the maximum is 14.
 - (2) The minimum course load for the second AJD summer session is 10 credits and the maximum is 13.
 - (3) The minimum AJD course load for regular semesters is 15 credits and the maximum is 17.
- e. Residence requirement: AJD students are subject to the residence requirement described in II.A.5. For purposes of this regulation each summer session counts as a regular semester.¹²

¹² This regulation applies to students who are admitted to and matriculate into the AJD program after April 1, 2013. For students enrolled in the JD program prior to April 1, 2013, the following regulation applies:

6. Accelerated Scheduling Option

Vermont Law School offers a flexible scheduling option that will allow JD students to accelerate graduation. This option allows a limited number of students to complete the JD degree in five semesters plus at least one summer session or in four semesters and two summer sessions.

- f. GPA requirement: Students who begin the AJD program in the fall semester must achieve a 3.0 GPA at the end of the fall semester in order to remain in the accelerated program.

7. Extended Scheduling Option

Vermont Law School offers a flexible scheduling option that will allow JD students to extend the JD program over 8 semesters.

- a. Eligibility: Interested students should apply prior to the commencement of their first year in the JD program. After that, admission will be granted only in exceptional circumstances, upon petition to the Committee on Standards.
- b. The minimum course load for participants in the extended scheduling option is 10 credits. No exceptions are allowed without prior written approval of the Committee on Standards. The maximum load is 12 credits. The maximum load restriction may be modified by the Deputy Vice Dean for Academic Affairs or the Deputy Vice Dean's designee.
- c. The extended schedule course modifies the standard schedule as follows:
- First Year: Torts; Contracts; Property; Criminal Law; Legal Analysis and Writing I; Legal Research; and Legal Writing II.
 - Second Year: Constitutional Law; Public Law; Civil Procedure I and II; plus upper level courses. Students cannot enroll in Appellate Advocacy until completion of Constitutional Law and Public Law, except with prior approval of the Deputy Vice Dean of Academic Affairs and the Director of Legal Writing.
- d. Tuition: students agreeing to remain enrolled in the extended scheduling option for 8 semesters will be billed 80% of the standard tuition fee each semester.
- e. Impact on academic standing: students in the extended scheduling option will be ranked only after completion of their second year.
- f. Impact on extra-curricular activities: students in the extended scheduling option will be eligible for participation in Law Review, VJEL and extra-mural moot court competitions only after completion of their second year.

a. Eligibility:

- (1) Interested students should apply after completing their first semester of law school and no later than during the fall semester of their second year. After that, admission to the program will be granted only in exceptional circumstances, upon petition to the Committee on Standards.
- (2) Applicants must be in the upper half of the class at the time of application.
- (3) There is an enrollment limit of 50 students.
- (4) Preference will be given to students in VLS's dual degree programs.
- (5) Applicants must obtain financial counseling, career services counseling and academic counseling. Application without the signatures of the designated counselors will be rejected.

b. Tuition: summer sessions will be billed at the same rate as fall and spring semesters. Thus, the overall tuition cost for the accelerated option is the same as the regular JD program.

c. Impact on academic standing: students in the accelerated option will not receive a class rank and will not be eligible for the Learned Hand Award (granted to the student graduating with the highest grade point average at the end of the fifth semester).

d. Impact on extra-curricular activities: students in the accelerated option will not be eligible for participation in Law Review, VJEL, and extra-mural moot court competitions.

8. Transfer of Credit and Credit for Summer Courses

- a. A student accepted for transfer to Vermont Law School may receive equivalent course and residence credit for work at another ABA-approved law school. No more than one year's residence credit may be transferred and only courses for which the student has received a grade of C or better will transfer. The courses taken, grades, and credit earned at the prior law school will be noted on the Vermont Law School transcript but not included in the student's Vermont Law School grade point average.

If a student has not been enrolled in an ABA-approved law school within the two years preceding application to Vermont Law School, the student will not be accepted as a transfer student. Students who do not qualify as transfer students under this paragraph may apply for admission as first-year students.

- b. A student at Vermont Law School who takes courses at another ABA-approved law school or programs of such school may be granted credit provided the courses do not duplicate courses taken at Vermont Law School and meet the Vermont Law School grade and academic standards provided in these academic regulations. The courses taken, grades, and total credits earned will be recorded on the student's Vermont Law School transcript, but course grades will not be included in the student's Vermont Law School grade point average. The student must provide the Registrar with an official transcript showing the grades earned at the other institution. Students are strongly encouraged to consult the Registrar before enrolling in courses at another ABA-approved law school to ensure compliance with this regulation.
- c. A student at Vermont Law School will be granted credit for summer courses satisfactorily completed at Vermont Law School. Grades for such courses are noted on the Vermont Law School transcript and are included in the grade point average. No residence credit is granted except as provided in regulation II.A.6.
- d. A student will not be granted credit for courses completed prior to the student's matriculation as a candidate for the JD degree at an ABA-approved law school.

B. QUALIFICATIONS AND REQUIREMENTS FOR CLINICS AND EXTERNSHIPS

1. A student may participate in an externship in his or her fourth, fifth or sixth semester. Ordinarily, a student with a GPA below 2.4 will not be allowed to enroll. The externship program director has the discretion to deny admission to any student not prepared to enroll in the program.
2. Students are permitted to enroll in clinical courses in the fourth, fifth, or sixth semester.
3. All clinics and externships are limited enrollment courses with enrollment procedures established for each program. Details are included in the web-based registration materials.
4. A student may not:
 - a. Enroll in more than one clinic or externship course in any one semester;

- b. Enroll in a clinic or externship course that substantially repeats the experience gained in the same or another clinic or externship course;
- c. Except for a part-time JD externship, enroll in the same experiential course more than once;
- d. Enroll in an externship program with the same field supervisor or mentor or at the same site at which the student has been placed as an extern, had an employment relationship or has worked as a volunteer unless the program will provide a qualitatively different or broader learning experience than the student has had as a volunteer or an employee; or
- e. Receive a salary for an externship course for which academic credit is granted. (Remuneration for reasonable out-of-pocket expenses related to the field placement is permitted.)
- f. Externship mentors must have a law degree (or be admitted through clerkship in Vermont). This applies whether the mentor is working in a governmental agency, nonprofit organization, private law firm, for-profit corporation, or as a judge.
- g. Joint-degree and dual-degree students must receive prior approval from the joint-degree or dual-degree program director, or the director's designee, in addition to the full-time externship program director's approval, before enrolling in a full-time externship program.
- h. The number of credits available for a part-time externship shall be determined by the faculty sponsor in consultation with the field supervisor at the time of approval of the externship. Any number of credits from four to six may be set, depending upon the amount of student time required by the project, such credit to be figured at the rate of three hours of student time per week per credit. Credits greater than six require approval of the Deputy Vice Dean for Academic Affairs (after consultation between said Dean and the part-time externship program director). Such approval shall not ordinarily be granted.

C. INDEPENDENT RESEARCH PROJECTS

1. Goals

- a. To allow the participating student to engage in intensive research in an area of the law in which the participating student has a particular interest.
- b. To give the participating student experience in completing a major piece of legal writing.
- c. To encourage a faculty-student learning experience on a highly individualized basis by providing close supervision of the participating student by a faculty member in both the research and writing stages.

2. Basic Eligibility Requirements

- a. Any student may undertake an Independent Research Project in any semester during his or her second or third year of studies.
- b. In order to be eligible to undertake an Independent Research Project a student must find a faculty member willing to sponsor the student's project. The decision to sponsor a student's Independent Research Project is solely within the faculty member's discretion. In this exercise of his or her discretion, a faculty member may take into account, but is in no way limited to, the following criteria:
 - (1) The student's record in regularly structured classroom courses,
 - (2) The student's record in previously completed written work, and
 - (3) The student's total number of credits for non-classroom work in the current and prior semesters.
 - (a) Non-classroom credits include Independent Research Projects, the Vermont Law Review, the Legislative Clinic, Mediation Field Work, the Vermont Journal of Environmental Law, the part-time JD externship program, and the practicum (11 credits) of the full-time JD externship programs (the Semester in Practice and the Judicial Externship) and courses taken at academic institutions other than A.B.A. accredited law schools, including the Yale School of Forestry and Environmental Science, Carnegie Mellon University, the Tuck School of Business at Dartmouth College, the Thunderbird School of Global Management, and the University of Cambridge. (Courses taken through exchange and dual degree programs with the University of Cergy-Pontoise Faculty of Law, Renmin University of China School of Law, the University of Trento Faculty of Law, the University of Seville, and the McGill University Faculty of Law are, however, considered "classroom hours.")
 - (b) The ABA requires a minimum of 65 credits of classroom work requiring actual attendance at regularly scheduled sessions.

(A faculty member willing to sponsor a student's Independent Research Project is hereinafter referred to as a sponsor.)

3. Procedures for Developing Independent Research Projects

- a. In consultation with his or her sponsor, the student must prepare a contract.
- b. The contract shall be a typewritten document prepared by the student in consultation with the sponsor setting forth the obligations and expectations of each party. It shall include, as far as possible, the following provisions:
 - (1) a description of the nature of the project;

- (2) the goals which the student seeks to achieve by undertaking this particular project;
- (3) a brief description of the research resources necessary for this project;
- (4) a summary of the preliminary work already undertaken;
- (5) an estimate of the amount of time the student will spend undertaking the Independent Research Project;
- (6) a statement of expectations regarding the amount of time and effort the sponsor will devote to aiding the student in carrying out the project;
- (7) a timetable for completion of various stages of the project;
- (8) a description of the estimated size and scope of the final work product;
- (9) a statement as to the mode of evaluation of the final work product (see regulation II.C.5. below);
- (10) a statement as to the number of credits to be received (see regulation II.C.6. below);
- (11) a listing of the student's credits for non-classroom work in the current and prior semesters. (Non-classroom work is defined above at regulation II.C.2.b.(3)(a).)

c. Requirements of filing a form for the contract are as follows:

- (1) A copy of the contract, bearing the signature of the student and the faculty sponsor, shall be filed in the Registrar's Office by the student no later than the deadline for adding courses to student schedules for the semester. If a student fails to file the contract with all required signatures by this deadline, the Registrar will delete the independent research project from the student's registration.
- (2) Contracts without a sponsor currently holding the rank of assistant professor, associate professor, professor, assistant professor of legal writing, associate professor of legal writing, or professor of legal writing of the law school must be approved in writing in advance of the commencement of the project by the Deputy Vice Dean for Academic Affairs.
- (3) If the sponsor determines that there is good cause, a revision of a contract may be made after the deadline for adding courses, provided that:
 - (a) the revision will not violate any other provision of the Academic Regulations, and
 - (b) a copy of the revised contract, signed by the student and the faculty sponsor is submitted to the Registrar prior to the last day of classes for the semester in which the independent study is to be completed.

4. Requirements Concerning the Independent Research Paper

- a. A student taking part in the Independent Research Program is required to submit a paper based on the student's research.
- b. Unless otherwise stated in the contract, this paper shall in substance and form be the equivalent of a scholarly piece of legal writing.
- c. The student and faculty sponsor may agree to the submission of a different sort of final written product, provided that the substituted written work product itself clearly sets forth the underlying legal research engaged in by the student.

5. Evaluation

- a. The mode of evaluation is to be decided by the student and the faculty sponsor and incorporated in the contract. The following modes of evaluation are acceptable:
 - (1) by the sponsor and/or one or more other members of the faculty;
 - (2) by one or more members of the faculty and a highly qualified individual in the field of research covered by the Independent Research Project.
- b. The Independent Research Project shall be graded with a letter grade unless agreed to by the sponsor and incorporated into the contract that the project be evaluated on a pass/fail basis. If graded with a letter grade, the grade shall be included in the student's grade point average. The minimum acceptable grade shall be 1.67.

Notwithstanding an agreement not to grade an Independent Research Project, if a student elects to satisfy the AWR with an Independent Research Project, the sponsor must still determine that the written product would receive a grade of C or better were it the sole basis of grading a course for two or more credits in order for the student to satisfy the AWR requirement.¹³

6. Credit

- a. The normal procedure shall be for a student to contract for a three-credit Independent Research Project. Such a project should involve at least the same amount of time in research and writing as a student would spend in class and in preparation for class in a three-credit course.
- b. If a student and a sponsor agree that a project has merit, but will in their estimation involve less than or more than the amount of work normally devoted to a three-credit course, they may contract for fewer or more than three credits.

¹³ Guidelines for the Advanced Legal Writing Requirement are found at regulation II.A.2.d.

- c. The normal procedure shall be for a student to complete an Independent Research Contract in the academic semester. The Independent Research paper shall be due no later than the end of the last week of the examination period.
- d. If the student feels that he or she will be unable to complete his or her paper by this deadline, or if the student's paper does not meet the minimum standard set out in regulation II.C.5.b., he or she may petition his or her sponsor for an extension of time. A student may petition his or her sponsor only once for an extension, and the extension shall not exceed one additional academic semester. Such petition must be made by the end of the fourteenth week of the semester in which the project was initiated.
- e. Approval of the extension is solely in the sponsor's discretion. A faculty member may only grant one extension, and may not grant an extension which extends beyond the student's sixth semester. Extensions for more than one semester or that extend beyond the student's sixth semester require the approval of the Committee on Standards. If approval is granted, it is the responsibility of the student to transmit immediately to the Registrar, the sponsor's or the Committee's written approval of such extension.
- f. Upon receipt of such written approval, the Registrar shall enter an I (Incomplete) on the student's transcript. If the student fails to submit a satisfactory paper within the time limit permitted by the extensions, the I (Incomplete) will be changed to F-Wd.
- g. If the student and sponsor agree that the proposed project has merit, but that it will be difficult for the student to complete the proposed project in one semester, the student and sponsor may make special provision in the contract for a two-semester project. The student bears the responsibility of bringing this special provision to the Registrar's attention.
- h. The credits for such a two-semester project will accrue to the student during the second semester of the project. The Registrar shall enter a grade of Y on the student's transcript after the first semester.
- i. If the student fails to present a satisfactory paper at the end of the second semester or his or her paper is not yet complete, the same provisions for extension which exist for one-semester papers shall apply.

D. GRADES AND ACADEMIC STANDARDS

1. Grading System

Each student's academic standing is determined at the end of each semester and at the end of the academic year in accordance with the following grading system:

| | |
|----|---------------------|
| A | 4.000 ¹⁴ |
| A- | 3.666 |

¹⁴ These are the course grades; grade point averages are truncated to two decimal places.

| | |
|----|-------|
| B+ | 3.333 |
| B | 3.000 |
| B- | 2.666 |
| C+ | 2.333 |
| C | 2.000 |
| C- | 1.666 |
| D+ | 1.333 |
| D | 1.000 |
| F | 0.000 |

Pass-Honors (no effect on average).....P-H
 Pass (no effect on average)P
 Low-Pass (no effect on average).....L-P
 Unexcused absence from examination.....FABs

Unexcused failure to complete other course
 requirement including attendance, papers, etc. F-Wd

The passing grade in an individual course is....D (1.000)

2. Designations

Temporarily excused from completion of a requirement..... I
 [The student must complete the required work by the end of the spring semester in the case of a fall semester course, by the beginning of the fall semester in the case of a spring semester course, or by the end of the fall semester in the case of a summer session course or an additional grade of F-Wd will be entered.]¹⁵

Excused or voluntary withdrawal from a course..... Wd
 Year-long course Y
 Administrative Delay AD

3. The following courses are graded Pass-Honors/Pass/Low-Pass/Fail:

- Advanced Bar Studies
- Deans Fellows
- Environmental and Natural Resources Law Clinic
- Legal Analysis and Writing I
- Mediation Field Work
- South Royalton Legal Clinic

4. The following courses are graded Pass/Fail:

- Conservation Law Foundation Internship
- Part-Time JD Externships
- Judicial Externship practicum

¹⁵ If the faculty member submits the grade within this time period, the I designation will be removed from the transcript and the grade entered for the semester in which the student was originally registered for the course. Class rank, Dean's List, and other honors will not be changed for that semester.

If the student receives an extension or the faculty member does not submit the grade within this time period, the I designation will remain on the transcript and the grade will be entered for the semester in which the work was actually completed.

Law Review
Legislative Clinic
Semester in Practice practicum
Trial Practice
Vermont Journal of Environmental Law

5. Probation and Dismissal¹⁶

a. A student will be placed on academic probation if, at the end of the first semester, the student's cumulative average is between 1.5 and 2.20, or, at the end of other semesters, between 1.90 and 2.20.

b. A student who is on academic probation at the end of the first semester is required to take Legal Methods in place of one doctrinal class in the second semester. The student must meet with the Deputy Vice Dean for Academic Affairs, the Director of Academic Success, or the Assistant Director of Academic Success to determine what course to omit in the second semester.

c. A student who is on academic probation at the end of the second or third semester is required to take the following courses to obtain the JD degree: Corporations, Criminal Procedure, Estates, and Sales. The student's course schedule and any changes to it must be approved by the Deputy Vice Dean for Academic Affairs, the Director of Academic Success, or the Assistant Director of Academic Success.

d. Academic dismissal: A student will be dismissed from the law school if:

(1) the student has failed a total of eight credit hours in two consecutive semesters: no more than four credit hours of F from the first year, first semester will count in the application of this rule; or

(2) the student's cumulative average at the end of the first semester is at or below 1.50; or

(3) the student's cumulative average at the end of the second, third, fourth, or fifth semesters is below 1.90; or

¹⁶ This regulation applies to students who matriculate into the JD program after July 1, 2007. For students enrolled in the JD program prior to July 1, 2007, the following regulation applies:

5. Probation and Dismissal

a. To be in good academic standing, a student must have an overall average of at least 2.00.

b. Probation: A student will be placed on academic probation if, at the end of the first semester, the student's cumulative average is between 1.33 and 2.00, or, at the end of other semesters, between 1.67 and 2.00.

c. Academic Dismissal: A student will be dismissed from the law school if:

(1) the student has failed a total of eight credit hours in two consecutive semesters: no more than four credit hours of F from the first year, first semester will count in the application of this rule; or

(2) the student's cumulative average at the end of the first semester is at or below 1.33; or

(3) the student's cumulative average at the end of the second, third, fourth, or fifth semesters is below 1.67; or

(4) the student's cumulative average is below 2.00 at the end of any semester and if, at the end of any previous semester, the student was placed on academic probation; or

(5) the student's cumulative average is below 2.00 at the end of the student's final semester.

d. In unusual cases, exceptions to parts 1-5 of this regulation may be granted by the Committee of Standards. No exception will be made absent a clear showing by a student that extraordinary circumstances, beyond the student's control and unlikely to recur, prevented the student from meeting minimum academic standards.

- (4) the student has a semester grade point average of less than 1.67 in any two semesters; or
 - (5) the student's cumulative average is below 2.20 at the end of any semester and if, at the end of any previous semester, the student was placed on academic probation; or
 - (6) the student's cumulative average is below 2.20 at the end of the student's final semester.
- e. A student who would otherwise be dismissed under subparagraph 5.d.(5) will be allowed to continue for a second semester on academic probation if the student's grade point average for the first semester on academic probation, if repeated for the second semester on academic probation with a credit load of 12 credits, is sufficient to achieve the required cumulative average of 2.20 at the end of the second semester on academic probation. A student who is continued on academic probation is required to take the courses designated in regulation II.D.5.c. above.
 - f. A student who would otherwise be dismissed under subparagraph 5.d.(6) may petition the Committee on Standards to be allowed to continue on academic probation. No such petition will be granted absent clear and convincing evidence of (1) extraordinary circumstances beyond the student's control and unlikely to continue or recur prevented the student from maintaining a cumulative average of at least 2.20 and (2) a realistic and specific academic plan to raise the cumulative average to 2.20 or above in one additional academic term.
 - g. Except as provided in subsection 5.f., a student who is academically dismissed cannot petition the Committee on Standards for readmission earlier than one year after the date of academic dismissal. The Committee will grant readmission only if it finds that the student has satisfactorily addressed the factors that contributed to the academic dismissal. If the Committee grants a petition for readmission, it may impose any conditions such as retaking some or all of the first-year courses, taking a reduced course load, or taking specific courses. This regulation may not be waived by the Committee on Standards.

6. Degrees and Honors

- a. Degrees are awarded at the meetings of the Board of Trustees in the fall and winter and at the commencement held annually at the end of the spring semester. Students successfully completing degree requirements at other times may request a certificate of completion prior to the receipt of a diploma.
- b. Vermont Law School grants the JD degree with the Latin honors cum laude, magna cum laude, and summa cum laude, based on the following cumulative GPAs:¹⁷

cum laude3.50

¹⁷ For students who matriculated in the JD program prior to May 1, 2015, the GPAs required for the award of a degree with Latin honors are as follows: cum laude 3.25, magna cum laude 3.50 and summa cum laude 3.75.

| | |
|-----------------------|------|
| magna cum laude | 3.65 |
| summa cum laude | 3.80 |

Honors are determined at the end of either the final semester or the semester immediately preceding the final semester.¹⁸ If a student achieves a grade point average sufficient for honors at the end of the semester immediately preceding the final semester, the student will receive those honors even if the student’s grade point average decreases in the final semester.

III. MASTER’S DEGREE PROGRAMS

A. MASTER OF ENVIRONMENTAL LAW AND POLICY DEGREE (MELP)

1. REQUIREMENTS FOR THE DEGREE

a. General

- (1) The degree of Master of Environmental Law and Policy (MELP) is granted for regular attendance and satisfactory completion of the prescribed course of study. A minimum of 30 credits is required for the MELP degree. These credits must be selected from courses approved for the MELP program. A cumulative average of 2.20 is required for successful completion of the MELP degree.
- (2) MELP students must satisfy the following requirements:¹⁹

| Requirement | Courses that Satisfy the Requirement |
|--|--|
| Public Law | REQ7160 Public Law (3) |
| Environmental Law | ENV5115 Environmental Law (3) |
| Communications, Advocacy, and Leadership | ENV5122 Communications, Advocacy, and Leadership (3) |

- (3) In addition to the above, each student must satisfactorily complete at least three of the following five core courses:

| Requirement | Courses that Satisfy the Requirement |
|-------------------------------------|---|
| Natural Resources Law | ENV5235 Natural Resources Law (3) |
| Science for Environmental Law | ENV5112 Science for Environmental Law (3) |
| Environmental Economics and Markets | ENV5220 Environmental Economics and Markets (3) |
| Environmental Ethics | DIV7628 Indian Tribes as Governmental |

¹⁸ In most situations, the student’s “final semester” is the sixth semester so that honors may be earned either at the end of the fifth or the sixth semester.

¹⁹ Students who matriculated in the MELP program prior to May 2013 must satisfy the following requirements: Environmental Law, Administrative Law, Science for Environmental Law, an Environmental Ethics/Philosophy distributional requirement, and a Dispute Resolution distributional requirement. Students who matriculated in the MELP program prior to August 2012 may satisfy the Science for Environmental Law requirement with any of the following courses: ENV5112 Science for Environmental Law, ENV5430 Ecology, or ENV5110 Ecology of Food and Agriculture.

| | |
|---|--|
| (minimum of 2 credits) | Stewards of the Environment (2) ENV5406 Animal Rights Jurisprudence (2) ENV5305 Environmental Ethics Seminar (2) ENV5375 Global Energy Justice (2) ENV5385 Global Food Security (2) ENV5478 Global Food Security & Social Justice (3) ENV5408 The Law of Animals in Agriculture (3) ENV5446 Environmental Justice (2) ENV5521 Earth Law (2) JUR7330 Moral Philosophy for Professionals (2) JUR7333 Animal Law & Ethics (3) |
| Dispute Resolution (minimum of 2 credits) | ADR6410 Alternative Dispute Resolution (3) ADR6415 Environmental Dispute Resolution (3) ADR6425 Interviewing, Counseling & Negotiation (only JD/MELPs) (3) ADR6405 Arbitration (2) ADR6412 Mediation (2) ADR6412 Mediation Advocacy (2) ADR6420 Negotiation (2) ADR6450 Advanced Dispute Resolution Writing Seminar (2) ADR9405 Dispute Resolution Clinic |

Any MELP student having completed a JD degree or enrolled in a JD degree program may have the Public Law requirement waived. Although the requirement may be waived, the total number of credits required for degree completion remains unchanged.

- (4) Any remaining electives may be chosen from the courses and experiential options listed above and from the following list of approved courses.

| | |
|---------|---|
| ADR6405 | Arbitration |
| ADR6410 | Alternative Dispute Resolution |
| ADR6412 | Mediation |
| ADR6415 | Environmental Dispute Resolution |
| ADR6420 | Negotiation |
| ADR6425 | Interviewing, Counseling and Negotiation (JD students only) |
| ADR6450 | Dispute Resolution Writing Seminar |
| ADR6450 | Advanced Dispute Resolution Writing Seminar |
| BUS6262 | Social Enterprise Law |
| BUS6305 | Nonprofit Organizations |
| BUS6350 | Nonprofit Management |
| CLI9302 | Envl & Natural Resources Law Clinic (JD or LLM students only) |

| | |
|---------|---|
| CLI9326 | Advanced Envl & Natural Resources Law Clinic (JD or LLM only) |
| CLI9405 | Dispute Resolution Clinic I |
| CLI9427 | Energy Clinic |
| CLI9428 | Food and Agriculture Clinic |
| CLI9429 | CAFS Clinic Seminar |
| CLI9437 | Advanced Energy Clinic |
| CLI9450 | Land Use Clinic (JD or LLM students only) |
| DIV7620 | Native Americans & the Law |
| DIV7628 | Indian Tribes as Gov'l Stewards of the Environment |
| ENV5105 | Administrative Law |
| ENV5108 | Law & Policy of Agriculture, Food & Environment |
| ENV5110 | Ecology of Food & Agriculture |
| ENV5112 | Science for Environmental Law |
| ENV5115 | Environmental Law |
| ENV5125 | Land Use Regulation |
| ENV5205 | Air Pollution |
| ENV5209 | CERCLA Law & Policy |
| ENV5210 | CERCLA Liability & Cleanup |
| ENV5212 | Climate Change & the Law |
| ENV5214 | Climate Change Mitigation |
| ENV5218 | International Climate Change Law (COP) |
| ENV5220 | Environmental Economics & Markets |
| ENV5226 | Energy Law & Policy in a Carbon-Constrained World |
| ENV5228 | Energy Regulation, Markets & the Environment |
| ENV5235 | Natural Resources Law |
| ENV5239 | Land Transactions & Finance |
| ENV5245 | Water Resources Management |
| ENV5246 | Water Quality |
| ENV5250 | Watershed Management |
| ENV5303 | Advanced Energy Writing Seminar |
| ENV5304 | Comparative Environmental Law Research |
| ENV5305 | Environmental Ethics |
| ENV5310 | Environmental Health Law |
| ENV5335 | Extinction & Climate Change |
| ENV5336 | Climate Change, Extinction & Adaptation |
| ENV5342 | Legal Adaptations to Global Warming Impacts |
| ENV5343 | Climate Change Adaptation in Human Systems |
| ENV5344 | Alternative Fuels & Renewable Energy |
| ENV5346 | New Frontiers in Environmental Policy |
| ENV5349 | Regulating the Marine Environment |
| ENV5350 | Risk Assessment |
| ENV5356 | Scientific Controversies |
| ENV5365 | Climate Change: the Power of Taxes |

| | |
|---------|---|
| ENV5375 | Global Energy Justice |
| ENV5380 | Food Regulation & Policy |
| ENV5381 | Agriculture & Food Entrepreneurial Law |
| ENV5383 | Food System Justice & Sustainability |
| ENV5401 | Agricultural Environmental Law |
| ENV5405 | Ecosystem Conservation Strategies |
| ENV5406 | Animal Rights Jurisprudence |
| ENV5408 | Law of Animals in Agriculture |
| ENV5410 | The Modern Farm Bill |
| ENV5411 | Federal Regulation of Food & Agriculture |
| ENV5423 | Ocean and Coastal Law |
| ENV5430 | Ecology |
| ENV5446 | Environmental Justice |
| ENV5449 | Environmental Litigation Workshop |
| ENV5462 | Public Lands Management: Montana Field Study |
| ENV5468 | Oil and Gas Production and the Environment |
| ENV5469 | Oil & Gas Development & the Environment |
| ENV5474 | Land Conservation Law |
| ENV5476 | Nuclear Power and Public Policy |
| ENV5478 | Global Food Security and Social Justice |
| ENV5479 | Law and Policy of Local Food Systems |
| ENV5492 | Renewable Energy Law & Policy |
| ENV5498 | America's Energy Crisis |
| ENV5500 | Environmental Aspects of Business Transactions |
| ENV5510 | Three Essentials of the Electric Grid |
| ENV5521 | Earth Law |
| ENV5540 | Public Health Implications of US Ag & Food Policy |
| ENV5561 | Environmental Enforcement and Compliance |
| ENV5564 | Peace, War & the Environment |
| GPP7819 | GPP Env'l Issues in Business Transactions (JD students only) |
| INT7412 | Law of the EU |
| INT7413 | EU Law Trento |
| INT7421 | International Environmental Law |
| INT7440 | Comparative US-China Environmental Law |
| INT7446 | International Trade and the Environment |
| INT7448 | Comparative U.S.-France Land Use Field Study |
| INT7450 | Intl Investment Arbitration & the Environment |
| JUR7307 | Culture & the Environment |
| JUR7330 | Moral Philosophy Seminar |
| JUR7333 | Animal Law and Ethics |
| PUB7510 | Legislation |
| PUB7525 | Legislative Clinic |
| WRI7344 | Adv Legal Research (JD or LLM students only, must be env'l topic) |

b. Credits and Course Load

(1) MELP-only Students:

- (a) To satisfy the 30-credit requirement, a student must take a minimum of 24 credits at Vermont Law School. A MELP student may take a maximum of 36 credits selected from courses approved for the MELP program for completion of the degree; however, if a student has reached 30 credits and satisfied all degree requirements at the end of any semester, the degree must be awarded.
- (b) For students taking residential classes, the minimum course load is six credits per semester for full-time students. The maximum course load is 14 credits per semester. The maximum course load for summer session is 11 credits. No exceptions are allowed other than with the prior written approval of the Director of the Environmental Law Center or the Director's designee.
- (c) For students taking distance learning classes, the recommended course load is 3 credits per term. The distance learning program offers 6 terms per academic year and each term is seven weeks long.

(2) Joint-Degree Students

See regulation IV below.

(3) Dual Degree Students

See regulations VI and VII below.

(4) Transfer of Credits

A student enrolled in the MELP program may be granted credit for summer or regular semester courses satisfactorily completed at an ABA-approved law school or at another accredited graduate school. A student may transfer a maximum of six such credits to the MELP program with the approval of the Director of the Environmental Law Center or the Director's designee. Before granting such approval, the Director or his or her designee must determine that the course is offered at the graduate level and that the course is relevant and important to the student's overall program of study. Courses eligible as transfer credit include only those courses with specific environmental substance. The Registrar must receive an official transcript showing that the course has been completed and that a grade of C or better (as defined in the Academic Regulations) has been awarded. Transcripts from a foreign institution must be accompanied by a WES or AACRAO evaluation. Grades from transferred courses will be noted on the student's transcript but will not be used in computing the student's grade average. Once a student has enrolled as a degree candidate, prior approval must be obtained from the Director of the Environmental Law Center or the Director's designee to obtain credit for courses taken at another institution.

No transfer credit will be given for a course completed more than 5 years prior to matriculation into the MELP program.

(5) Courses taken Prior to Enrollment

Students wishing to take a course previously taken at a law school or college or graduate school, may register for the course with the prior approval of the Director of the Environmental Law Center or Director's designee, upon showing that the student would benefit from taking the course at Vermont Law School. Students may not take Administrative Law at Vermont Law School if they have taken it at another law school within the previous five years.

c. Duration of Program

- (1) To obtain the MELP degree, a student must complete the degree requirements within a period of five years from matriculation.
- (2) Students may usually enter the MELP program in the summer or fall semesters only. The Director of the Environmental Law Center shall have the discretion to allow students to enter the MELP program in the spring semester.
- (3) Distance Learning Students may enter the MELP program in any term offered throughout the academic year.

2. EXTERNSHIPS

The Masters Externship Program provides students with a field experience to test and develop their environmental law, policy, management, and /or science knowledge and skills.

a. Threshold Requirements for a MELP Externship

The Masters Externship Program provides students with a field experience to test and develop their environmental law, policy, management, and /or science knowledge and skills and, as such, the following requirements must be met:

- (1) Students must work primarily on site at the MELP Externship. Students may not receive MELP externship credit if their work is done by telecommuting.
- (2) MELP externships are by definition environmental in their subject focus, so students must assure that their work on-site relates to environmental issues.
- (3) Externships cannot be substituted for distributional requirements or required courses. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.
- (4) The maximum number of credits a student may earn in one or more MELP externship(s) is ten credits.

(5) The minimum number of credits a student may earn in a MELP externship is four credits.

b. Eligibility Requirements

- (1) Students in good academic standing may elect to enroll in a MELP externship.
- (2) Students may not earn JD credit through a MELP externship.
- (3) Students will not be allowed to enroll in an externship where they have previously worked as a volunteer or an employee unless the externship will provide a qualitatively different or more in depth learning experience.
- (4) Without prior approval from the Director of the Masters Externship Program, students enrolled for six or more credits in a MELP or JD externship during a given semester may not subsequently continue in that placement and receive credit toward a MELP externship as a consequence of that extended placement. Students seeking to extend such long-term experiences shall petition the Director of the Masters Externship Program in writing with supporting materials that demonstrate the following:

The student's experience during the subsequent MELP externship will be substantially different from the experience as a consequence of additional (and more difficult) responsibilities, new subject areas, or new skills to be developed.

c. Procedures for Enrolling in a MELP Externship

- (1) Fill out in its entirety, including all signatures, the contract form available at www.vermontlaw.edu/MastersExternships.
- (2) Submit the fully executed contract to the Director of the Masters Externship Program for approval of the externship opportunity.
- (3) All fully executed contracts must be submitted to the Director of the Masters Externship Program by the first day of classes of the semester in which the student will be doing her or his externship.
 1. The contract, once submitted to the Director of the Masters Externship Program, will be copied and distributed to the Mentor and the Faculty Supervisor.
 2. Students who do not submit final, signed contracts by this deadline will not be enrolled in the MELP externship and will not receive credit for their work.
- (4) The Director of the Masters Externship Program may decline any MELP externship contract or opportunity described therein that does not conform to these regulations.

d. Grades

- (1) All MELP externships are pass/fail.

- (2) Faculty Supervisors assign the grade based on the student’s journals, the Mentor’s letter of evaluation and other information such as work product, emails, telephone conversations and/or meetings and site visits with the student and Mentor.

3. INDEPENDENT RESEARCH PROJECTS

- a. Students who elect to undertake independent research projects shall follow the guidelines set forth in regulation II.C.
- b. Independent research projects cannot be substituted for distributional requirements or required courses. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director’s designee.

4. GRADES AND ACADEMIC STANDARDS

a. Grading System

Each student’s cumulative grade-point average is initially determined after completion of the first semester of course work, in accordance with the following grading system:

| | |
|----|---------------------|
| A | 4.000 ²⁰ |
| A- | 3.666 |
| B+ | 3.333 |
| B | 3.000 |
| B- | 2.666 |
| C+ | 2.333 |
| C | 2.000 |
| C- | 1.666 |
| D+ | 1.333 |
| D | 1.000 |
| F | 0.000 |

| | |
|---|-----------|
| Pass-Honors (no effect on average)..... | P-H |
| Pass (no effect on average)..... | P |
| Low-Pass (no effect on average)..... | L-P |
| Unexcused absence for examination | FABs |
| Unexcused failure to complete other course requirements including attendance, papers, etc. | F-Wd |
| The passing grade in an individual course is..... | D (1.000) |

b. Designations

Temporarily excused from completion of a requirement. I
 [The student must complete the required work by the end of the spring semester in the case of a fall semester course, by the beginning of the fall semester in the case of a spring

²⁰ These are the course grades; grade point averages are truncated to two decimal places.

semester course, or by the end of the fall semester in the case of a summer session course or an additional grade of F-Wd will be entered.]²¹

Excused or voluntary withdrawal from a course..... Wd
Year-long course Y
Administrative Delay AD

c. The following course is graded Pass-Honors/Pass/Low-Pass/Fail:
Environmental and Natural Resources Law Clinic

d. The following courses are graded Pass/Fail:
MELP Externships
Vermont Journal of Environmental Law

e. Probation and Dismissal

(1) To be in good academic standing, a student must have an overall average of at least 2.20.

(2) Probation: A student will be placed on academic probation if, at any time after the completion of the first semester of course work, the student's cumulative average is between 1.90 and 2.20.

(3) Academic dismissal: A student will be dismissed if:

(a) the student has failed six credit hours upon completion of the first semester of course work; or

(b) the student's cumulative average is below 1.90 at the end of any semester;

(c) the student's cumulative average is below 2.20 at the end of any semester and if, at the end of any previous semester, the student was placed on academic probation; or

(d) the student's cumulative average is below 2.20 at the completion of the program.

(4) A student who would otherwise be dismissed under subparagraph 4.e. (3) will be allowed to continue for a second semester²² on academic probation if the student's grade point average for the first semester on academic probation, if repeated for the second semester on academic probation with a credit load of 12 credits, is sufficient to achieve the required cumulative average of 2.20 at the end of the second semester on academic probation.

²¹ If the faculty member submits the grade within this time period, the I designation will be removed from the transcript and the grade entered for the semester in which the student was originally registered for the course. Class rank, Dean's List, and other honors will not be changed for that semester.

If the student receives an extension or the faculty member does not submit the grade within this time period, the I designation will remain on the transcript and the grade will be entered for the semester in which the work was actually completed.

²² For purposes of this regulation, the summer session shall be considered as a "semester."

- (5) A student who would otherwise be dismissed under subparagraph 4.e. (3)(d) may petition the Committee on Standards to be allowed to continue on academic probation. No such petition will be granted absent clear and convincing evidence of (1) extraordinary circumstances beyond the student's control and unlikely to continue or recur prevented the student from maintaining a cumulative average of at least 2.20 and (2) a realistic and specific academic plan to raise the cumulative average to 2.20 or above in one additional academic term.
- (6) Except as provided in subsection 4.e.(5), a student who is academically dismissed cannot petition the Committee on Standards for readmission earlier than one year after the date of academic dismissal. The Committee will grant readmission only if it finds that the student has satisfactorily addressed the factors that contributed to the academic dismissal. If the Committee grants a petition for readmission, it may impose any conditions it deems appropriate. This regulation may not be waived by the Committee on Standards.

f. Degrees and Honors

- (1) Degrees are awarded at the meetings of the Board of Trustees in the fall and spring and at the commencement held annually at the end of the spring semester.
- (2) Vermont Law School grants the MELP degree with distinction for those students who achieve a GPA of 3.50 or higher upon completion of the program.²³

5. Add/Drop and Withdrawal Policies

a. Residential Program:

Students taking residential classes should consult Academic Regulation X.B.1 (a-1) (Fall and Spring Semester) and X.C.1.b (1-4) (Summer Session) for the Add / Drop Policy and the Withdrawal Policy.

b. Distance Learning Program:

For students taking distance learning courses, the first week of classes is the Add/Drop period. The Add/Drop period will end on Friday at 11:59 p.m. Eastern Standard time of that same week. Courses may be added or dropped during this period without charge. Individual courses dropped during the Add/Drop period do not appear on the student's transcript. A course dropped after the end of Add/Drop period becomes a Withdrawal.

1. Students should inform Vermont Law School immediately of a decision to withdraw from a course, program, or take a leave of absence prior to the start of classes. After the term or semester starts, a student withdrawing from a course, program, or taking a leave of absence must complete an Official Withdrawal Form. Withdrawing from one or more

²³ For students who matriculated in the MELP program prior to 1, 2015, Vermont Law School grants degrees cum laude, magna cum laude and summa cum laude. The GPAs required for the award of a degree with Latin honors are as follows: cum laude 3.25, magna cum laude 3.50 and summa cum laude 3.75.

courses after the Add/Drop period will result in a “Wd” on the student’s transcript for each such course. If you are considering withdrawing or taking a leave of absence, we encourage you to consult with your academic advisor, the Business Office, and the Financial Aid Office.

2. A student *may* receive a tuition refund for the semester in which he/she withdraws minus the nonrefundable deposit and any non-refundable fees. For balance due, refunds, and return of Title IV funds, please refer to the Billing Office Policies.

B. MASTER OF ENERGY REGULATION AND LAW DEGREE (MERL)

1. REQUIREMENTS FOR THE DEGREE

a. General

- (1) The degree of Master of Energy Regulation and Law (MERL) is granted for regular attendance and satisfactory completion of the prescribed course of study. A minimum of 30 credits is required for the MERL degree. These credits must be selected from courses approved for the MERL program. A cumulative average of 2.20 is required for successful completion of the MERL degree.
- (2) MERL students must satisfy the following requirements:

| Requirement | Courses that Satisfy the Requirement |
|---|--|
| Energy Law and Policy | ENV5226 Energy Law & Policy in a Carbon-Constrained World (3) |
| Energy Regulation | ENV5228 Energy Regulation, Markets, and the Environment (3) |
| Environmental Economics | ENV5220 Environmental Economics and Markets (3) |
| Public Law | REQ7180 Public Law (3) |
| Project/Writing Requirement | CLI9427 Energy Clinic (4) CLI9437 Advanced Energy Clinic (4) ENV5303 Advanced Energy Writing Seminar (2) Independent Research Project or AWR on an energy topic MERL Externship (4–10) Participation in the Institute for Energy and the Environment research associate program |
| Energy Electives (minimum of 6 credits) | ENV5344 Alternative Fuels & Renewable Energy (3) ENV5375 Global Energy Justice (2) ENV5498 America’s Energy Crisis (2) ENV5476 Nuclear Power and Public Policy (2) ENV5468 Oil & Gas Production & the Environment (2) ENV5469 Oil & Gas Development & the Environment (3) |

| | |
|---|---|
| | ENV5492 Renewable Energy Law & Policy (2) ENV5550 Renewable Energy Project Finance & Development (2) ENV5510 Three Essentials of the Electric Grid - Engineering (1) ENV5511 Three Essentials of the Electric Grid - Business (1) ENV5512 Three Essentials of the Electric Grid - Legal (1) |
| General Electives (minimum of 3 credits) | ENV5105 Administrative Law (3) ENV5205 Air Pollution Law & Policy (3) any dispute resolution course (2-3) ENV5209 CERCLA Law & Policy (3) ENV5210 CERCLA Liability & Cleanup (2) ENV5212 Climate Change and the Law (3) ENV5365 Climate Change: The Power of Taxes (2) ENV5115 Environmental Law (3) ENV5125 Land Use Regulation (3) PUB7550 National Security Law (3) |

(3) Any remaining electives may be chosen from the courses and experiential options listed above and from the list of approved courses in section III.A.1.a. (4).

(4) The Director of the Environmental Law Center or Director's designee has the authority to waive any of these course requirements provided the student has had comparable experience or course work. Although requirements may be waived, the total number of credits required for degree completion remains unchanged.

a. Credits and Course Load

(1) MERL-only Students:

(a) To satisfy the 30-credit requirement, a student must take a minimum of 24 credits at Vermont Law School. A MERL student may take a maximum of 36 credits selected from courses approved for the MERL program for completion of the degree; however, if a student has reached 30 credits and satisfied all degree requirements at the end of any semester, the degree must be awarded.

(b) The minimum course load for full-time enrollment is six credits per semester. The maximum course load is 14 credits per semester. The maximum course load for summer session is 11 credits. No exceptions are allowed other than with the prior written approval of the Director of the Environmental Law Center or the Director's designee.

(2) Transfer of Credits

A student enrolled in the MERL program may be granted credit for summer or regular semester courses satisfactorily completed at an ABA-approved law school or at another accredited graduate school. A student may transfer a maximum of six such

credits to the MERL program with the approval of the Director of the Environmental Law Center or the Director's designee. Before granting such approval, the Director or his or her designee must determine that the course is offered at the graduate level and that the course is relevant and important to the student's overall program of study. Courses eligible as transfer credit include only those courses with specific environmental or energy substance. The Registrar must receive official transcript showing that the course has been completed and that a grade of C or better (as defined in the Academic Regulations) has been awarded. Grades from transferred courses will be noted on the student's transcript but will not be used in computing the student's grade average. Once a student has enrolled as a degree candidate, prior approval must be obtained from the Director of the Environmental Law Center or the Director's designee to obtain credit for courses taken at another institution. No transfer credit will be given for a course completed more than 5 years prior to matriculation into the MERL program.

(3) Courses taken prior to Enrollment

Students wishing to repeat a course previously taken at a law school or college or graduate school, may register for the course with the prior approval of the Director of the Environmental Law Center or Director's designee, upon showing that the student would benefit from taking the course at Vermont Law School. Students may not take Administrative Law at Vermont Law School if they have taken it at another law school within the previous five years.

c. Duration of Program

- (1) To obtain the MERL degree, a student must complete the degree requirements within a period of five years from matriculation.
- (2) Students may usually enter the MERL program in the summer or fall semesters only. The Director of the Environmental Law Center shall have the discretion to allow non-JD students to enter the MERL program in the summer or spring semesters.
- (3) Distance learning students may enter the MERL program in any term offered throughout the academic year.

2. EXTERNSHIPS

The MERL Externship Program provides students with a field experience to test and develop their energy law and policy knowledge and skills.

a. Threshold Requirements for a MERL Externship

The MERL Externship Program provides students with a field experience to test and develop their energy law and policy knowledge and skills and as such, the following requirements must be met:

- (1) Students must work primarily on site at the MERL Externship. Students may not receive MERL externship credit if their work is done by telecommuting.

- (2) MERL externships are by definition energy-related, so students must assure that their work on-site relates to energy issues.
- (3) Externships cannot be substituted for required courses. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.
- (4) The maximum number of credits a student may earn in one or more MERL externship(s) is ten credits.
- (5) The minimum number of credits a student may earn in a MERL externship is four credits.

b. Eligibility Requirements

- (1) Students in good academic standing may elect to enroll in a MERL externship.
- (2) Students may not earn JD credit through a MERL externship.
- (3) Students will not be allowed to enroll in an externship where they have previously worked as a volunteer or an employee unless the externship will provide a qualitatively different or more in depth learning experience.
- (4) Without prior approval from the director of Masters Externship Program, students enrolled for six or more credits in a MERL or JD externship during a given semester may not subsequently continue in that placement and receive credit toward a MERL externship as a consequence of that extended placement. Students seeking to extend such long-term experiences shall petition the director of Masters Externship Program in writing with supporting materials that demonstrate the following:

The student's experience during the subsequent MERL externship will be substantially different from the experience as a consequence of additional (and more difficult) responsibilities, new subject areas or new skills to be developed.

c. Procedures for Enrolling in an MERL Externship

- (1) Fill out in its entirety, including all signatures, the contract form available at www.vermontlaw.edu/MastersExternships.
- (2) Submit the fully executed contract to the director of Masters Externship Program for approval of the externship opportunity.
- (3) All fully executed contracts must be submitted to the director of Masters Externship Program by the first day of classes of the semester in which the student will be doing her or his externship.
 - (a) The contract, once submitted to the director of Masters Externship Program, will be copied and distributed to the Mentor and the Faculty Supervisor.

(b) Students who do not submit final, signed contracts by this deadline will not be enrolled in the MERL externship and will not receive credit for their work.

(4) The director of Masters Externship Program may decline any MERL externship contract or opportunity described therein that does not conform to these regulations.

d. Grades

(1) All MERL externships are pass/fail.

(2) Faculty Supervisors assign the grade based on the student's journals, the Mentor's letter of evaluation and other information such as work product, emails, telephone conversations and/or meetings and site visits with the student and Mentor.

3. INDEPENDENT RESEARCH PROJECTS

a. Students who elect to undertake independent research projects shall follow the guidelines set forth in regulation II.C.

b. Independent research projects cannot be substituted for required courses. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.

4. GRADES AND ACADEMIC STANDARDS

a. Grading System

Each student's cumulative grade-point average is initially determined after completion of the first semester of coursework, in accordance with the following grading system:

| | |
|----------|---------------------|
| A..... | 4.000 ²⁴ |
| A- | 3.666 |
| B+..... | 3.333 |
| B..... | 3.000 |
| B-..... | 2.666 |
| C+..... | 2.333 |
| C..... | 2.000 |
| C-..... | 1.666 |
| D+..... | 1.333 |
| D..... | 1.000 |
| F | 0.000 |

| | |
|---|------|
| Pass-Honors (no effect on average)..... | P-H |
| Pass (no effect on average)..... | P |
| Low-Pass (no effect on average)..... | L-P |
| Unexcused absence for examination | FABs |

²⁴ These are the course grades; grade point averages are truncated to two decimal places.

Unexcused failure to complete other course requirements including attendance, papers, etc..... F-Wd
The passing grade in an individual course is..... D (1.000)

b. Designations

Temporarily excused from completion of a requirement... I

[The student must complete the required work by the end of the spring semester in the case of a fall semester course, by the beginning of the fall semester in the case of a spring semester course, or by the end of the fall semester in the case of a summer session course or an additional grade of F-Wd will be entered.]²⁵

Excused or voluntary withdrawal from a course..... Wd

Year-long course Y

Administrative Delay AD

c. The following course is graded Pass/Fail:

MERL Externship

d. Probation and Dismissal

- (1) To be in good academic standing, a student must have an overall average of at least 2.20.
- (2) Probation: A student will be placed on academic probation if, at any time after the completion of the first semester of course work, the student's cumulative average is between 1.90 and 2.20.
- (3) Academic dismissal: A student will be dismissed if:
 - (a) the student has failed six credit hours upon completion of the first semester of course work; or
 - (b) the student's cumulative average is below 1.90 at the end of any semester;
 - (c) the student's cumulative average is below 2.20 at the end of any semester and if, at the end of any previous semester, the student was placed on academic probation; or
 - (d) the student's cumulative average is below 2.20 at the completion of the program.
- (4) A student who would otherwise be dismissed under subparagraph 4.d. (3) will be allowed to continue for a second semester²⁶ on academic probation if the student's

²⁵ If the faculty member submits the grade within this time period, the I designation will be removed from the transcript and the grade entered for the semester in which the student was originally registered for the course. Class rank, Dean's List, and other honors will not be changed for that semester.

If the student receives an extension or the faculty member does not submit the grade within this time period, the I designation will remain on the transcript and the grade will be entered for the semester in which the work was actually completed.

²⁶ For purposes of this regulation, the summer session shall be considered as a "semester."

grade point average for the first semester on academic probation, if repeated for the second semester on academic probation with a credit load of 12 credits, is sufficient to achieve the required cumulative average of 2.20 at the end of the second semester on academic probation.

- (5) A student who would otherwise be dismissed under subparagraph 4.d. (3)(d) may petition the Committee on Standards to be allowed to continue on academic probation. No such petition will be granted absent clear and convincing evidence of (1) extraordinary circumstances beyond the student's control and unlikely to continue or recur prevented the student from maintaining a cumulative average of at least 2.20 and (2) a realistic and specific academic plan to raise the cumulative average to 2.20 or above in one additional academic term.
- (6) Except as provided in subsection 4.d. (5), a student who is academically dismissed cannot petition the Committee on Standards for readmission earlier than one year after the date of academic dismissal. The Committee will grant readmission only if it finds that the student has satisfactorily addressed the factors that contributed to the academic dismissal. If the Committee grants a petition for readmission, it may impose any conditions it deems appropriate. This regulation may not be waived by the Committee on Standards.

e. Degrees and Honors

- (1) Degrees are awarded at the meetings of the Board of Trustees in the fall and spring and at the commencement held annually at the end of the spring semester.
- (2) Vermont Law School grants the MERL degree with distinction for those students who achieve a GPA of 3.50 or higher upon completion of the program.²⁷

C. MASTER OF FOOD AND AGRICULTURE LAW AND POLICY DEGREE (MFALP)

1. REQUIREMENTS FOR THE DEGREE

a. General

- (1) The degree of Master of Food and Agriculture Law and Policy (MFALP) is granted for regular attendance and satisfactory completion of the prescribed course of study. A minimum of 30 credits is required for the MFALP degree. These credits must be selected from courses approved for the MFALP program. A cumulative average of 2.20 is required for successful completion of the MFALP degree.
- (2) MFALP students must satisfy the following requirements:

²⁷ For students who matriculated into the MERL program prior to May 1, 2015, Vermont Law School grants degrees cum laude, magna cum laude and summa cum laude. The GPAs required for the award of a degree with Latin honors are as follows: cum laude 3.25, magna cum laude 3.50 and summa cum laude 3.75.

| Requirement | Courses that Satisfy Requirement |
|--|---|
| Required Courses | |
| ENV5180 | Law and Policy of Agriculture, Food, and the Environment (3) |
| REQ7180 | Public Law (3) |
| ENV5112 | Communications, Advocacy and Leadership (3) |
| Food and Agriculture Electives (minimum of 9 credits) | |
| ENV5401 | Agricultural Environmental Law (3) |
| ENV5381 | Agriculture and Food Entrepreneurial Law (3) |
| ENV5110 | Ecology of Food and Agriculture (3) |
| ENV5411 | Federal Regulation of Food and Agriculture (3) |
| ENV5380 | Food Regulation and Policy (3) |
| ENV5383 | Food System Justice and Sustainability (2) |
| ENV5385 | Global Food Security (2) |
| ENV5478 | Global Food Security and Social Justice (3) |
| ENV5408 | Law of Animals and Agriculture (3) |
| ENV5479 | Law and Policy of Local Food Systems (3) |
| ENV5410 | Modern Farm Bill (2) |
| ENV5540 | Public Health Implications of U.S. Agriculture and Food Policy (2) |
| General Electives (minimum of 3 credits) | |
| ENV5105 | Administrative Law (3) |
| ENV5115 | Environmental Law (3) |
| ENV5125 | Land Use Regulation (3) |
| ENV5246 | Water Quality (3) |
| ENV5245 | Water Resources Law (3) |
| ENV5250 | Watershed Management and Protection (3) |
| Experiential/Writing Requirement (at least one of the following; zero credit minimum) | |
| | Independent Research Project or AWR on a food/agriculture topic (1-6) |
| | Master's externship in food/agriculture law and policy (4-10) |
| | Semester in Practice in food/agriculture law and policy (13) |
| | Center for Agriculture and Food Systems research associate program |
| CLI9428 | Food and Agriculture Clinic (4) |

- (3) Any remaining electives may be chosen from the courses and experiential options listed above and from the list of approved courses in section III.A.1.a. (4).
- (4) The Director of the Environmental Law Center or Director's designee has the authority to waive any of these course requirements provided the student has had comparable experience or course work. Although requirements may be waived, the total number of credits required for degree completion remains unchanged.

a. Credits and Course Load

(1) MFALP-only Students:

- (a) To satisfy the 30-credit requirement, a student must take a minimum of 24 credits at Vermont Law School. A MFALP student may take a maximum of 36 credits selected from courses approved for the MFALP program for completion of the degree; however, if a student has reached 30 credits and satisfied all degree requirements at the end of any semester, the degree must be awarded.
- (b) The minimum course load for full-time enrollment is six credits per semester. The maximum course load is 14 credits per semester. The maximum course load for summer session is 11 credits. No exceptions are allowed other than with the prior written approval of the Director of the Environmental Law Center or the Director's designee.

(2) Transfer of Credits

A student enrolled in the MFALP program may be granted credit for summer or regular semester courses satisfactorily completed at an ABA-approved law school or at another accredited graduate school. A student may transfer a maximum of six such credits to the MFALP program with the approval of the Director of the Environmental Law Center or the Director's designee. Before granting such approval, the Director or his or her designee must determine that the course is offered at the graduate level and that the course is relevant and important to the student's overall program of study. Courses eligible as transfer credit include only those courses with specific environmental or food and agriculture substance. The Registrar must receive official transcript showing that the course has been completed and that a grade of C or better (as defined in the Academic Regulations) has been awarded. Grades from transferred courses will be noted on the student's transcript but will not be used in computing the student's grade average. Once a student has enrolled as a degree candidate, prior approval must be obtained from the Director of the Environmental Law Center or the Director's designee to obtain credit for courses taken at another institution. No transfer credit will be given for a course completed more than 5 years prior to matriculation into the MFALP program.

(3) Courses taken prior to Enrollment

Students wishing to repeat a course previously taken at a law school or college or graduate school, may register for the course with the prior approval of the Director of the Environmental Law Center or Director's designee, upon showing that the student would benefit from taking the course at Vermont Law School. Students may not take Administrative Law at Vermont Law School if they have taken it at another law school within the previous five years.

c. Duration of Program

- (1) To obtain the MFALP degree, a student must complete the degree requirements within a period of five years from matriculation.

- (2) Students may usually enter the MFALP program in the summer or fall semesters only. The Director of the Environmental Law Center shall have the discretion to allow non-JD students to enter the MFALP program in the summer or spring semesters.

2. EXTERNSHIPS

The Master's Externship Program provides students with a field experience to test and develop their food and agriculture law and policy knowledge and skills.

a. Threshold Requirements for a Master's Externship

The Master's Externship Program provides students with a field experience to test and develop their food and agriculture law and policy knowledge and skills and as such, the following requirements must be met:

- (1) Students must work primarily on site at the MFALP Externship. Students may not receive MFALP externship credit if their work is done by telecommuting.
- (2) MFALP externships are by definition food and agriculture -related, so students must assure that their work on-site relates to food and agriculture issues.
- (3) Externships cannot be substituted for required courses. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.
- (4) The maximum number of credits a student may earn in one or more MFALP externship(s) is ten credits.
- (5) The minimum number of credits a student may earn in a MFALP externship is four credits.

b. Eligibility Requirements

- (1) Students in good academic standing may elect to enroll in a MFALP externship.
- (2) Students may not earn JD credit through a MFALP externship.
- (3) Students will not be allowed to enroll in an externship where they have previously worked as a volunteer or an employee unless the externship will provide a qualitatively different or more in depth learning experience.
- (4) Without prior approval from the director of Masters Externship Program, students enrolled for six or more credits in a MFALP or JD externship during a given semester may not subsequently continue in that placement and receive credit toward a MFALP externship as a consequence of that extended placement. Students seeking to extend such long-term experiences shall petition the director of Masters Externship Program in writing with supporting materials that demonstrate the following:

The student's experience during the subsequent MFALP externship will be substantially different from the experience as a consequence of additional (and more difficult) responsibilities, new subject areas or new skills to be developed.

c. Procedures for Enrolling in an MFALP Externship

- (1) Fill out in its entirety, including all signatures, the contract form available at www.vermontlaw.edu/MastersExternships.
- (2) Submit the fully executed contract to the director of Masters Externship Program for approval of the externship opportunity.
- (3) All fully executed contracts must be submitted to the director of Masters Externship Program by the first day of classes of the semester in which the student will be doing her or his externship.
 - (a) The contract, once submitted to the director of Masters Externship Program, will be copied and distributed to the Mentor and the Faculty Supervisor.
 - (b) Students who do not submit final, signed contracts by this deadline will not be enrolled in the MFALP externship and will not receive credit for their work.
- (4) The director of Masters Externship Program may decline any MFALP externship contract or opportunity described therein that does not conform to these regulations.

d. Grades

- (1) All MFALP externships are pass/fail.
- (2) Faculty Supervisors assign the grade based on the student's journals, the Mentor's letter of evaluation and other information such as work product, emails, telephone conversations and/or meetings and site visits with the student and Mentor.

3. INDEPENDENT RESEARCH PROJECTS

- a. Students who elect to undertake independent research projects shall follow the guidelines set forth in regulation II.C.
- b. Independent research projects cannot be substituted for required courses. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.

4. GRADES AND ACADEMIC STANDARDS

a. Grading System

Each student's cumulative grade-point average is initially determined after completion of the first semester of coursework, in accordance with the following grading system:

| | |
|----------|---------------------|
| A..... | 4.000 ²⁸ |
| A- | 3.666 |
| B+ | 3.333 |
| B | 3.000 |
| B- | 2.666 |
| C+ | 2.333 |
| C | 2.000 |
| C- | 1.666 |
| D+ | 1.333 |
| D | 1.000 |
| F | 0.000 |

| | |
|--|-----------|
| Pass-Honors (no effect on average)..... | P-H |
| Pass (no effect on average)..... | P |
| Low-Pass (no effect on average) | L-P |
| Unexcused absence for examination | FABs |
| Unexcused failure to complete other course requirements including attendance, papers, etc..... | F-Wd |
| The passing grade in an individual course is..... | D (1.000) |

b. Designations

Temporarily excused from completion of a requirement. I
 [The student must complete the required work by the end of the spring semester in the case of a fall semester course, by the beginning of the fall semester in the case of a spring semester course, or by the end of the fall semester in the case of a summer session course or an additional grade of F-Wd will be entered.]²⁹

| | |
|--|----|
| Excused or voluntary withdrawal from a course..... | Wd |
| Year-long course | Y |
| Administrative Delay | AD |

c. The following course is graded Pass/Fail:

MFALP Externship

d. Probation and Dismissal

- (1) To be in good academic standing, a student must have an overall average of at least 2.20.

²⁸ These are the course grades; grade point averages are rounded off to two decimal places.

²⁹ If the faculty member submits the grade within this time period, the I designation will be removed from the transcript and the grade entered for the semester in which the student was originally registered for the course. Class rank, Dean’s List, and other honors will not be changed for that semester.

If the student receives an extension or the faculty member does not submit the grade within this time period, the I designation will remain on the transcript and the grade will be entered for the semester in which the work was actually completed.

- (2) Probation: A student will be placed on academic probation if, at any time after the completion of the first semester of course work, the student's cumulative average is between 1.90 and 2.20.
- (3) Academic dismissal: A student will be dismissed if:
 - (a) the student has failed six credit hours upon completion of the first semester of course work; or
 - (b) the student's cumulative average is below 1.90 at the end of any semester;
 - (c) the student's cumulative average is below 2.20 at the end of any semester and if, at the end of any previous semester, the student was placed on academic probation; or
 - (d) the student's cumulative average is below 2.20 at the completion of the program.
- (4) A student who would otherwise be dismissed under subparagraph 4.d. (3) will be allowed to continue for a second semester³⁰ on academic probation if the student's grade point average for the first semester on academic probation, if repeated for the second semester on academic probation with a credit load of 12 credits, is sufficient to achieve the required cumulative average of 2.20 at the end of the second semester on academic probation.
- (5) A student who would otherwise be dismissed under subparagraph 4.d. (3)(d) may petition the Committee on Standards to be allowed to continue on academic probation. No such petition will be granted absent clear and convincing evidence of (1) extraordinary circumstances beyond the student's control and unlikely to continue or recur prevented the student from maintaining a cumulative average of at least 2.20 and (2) a realistic and specific academic plan to raise the cumulative average to 2.20 or above in one additional academic term.
- (6) Except as provided in subsection 4.d.(5), a student who is academically dismissed cannot petition the Committee on Standards for readmission earlier than one year after the date of academic dismissal. The Committee will grant readmission only if it finds that the student has satisfactorily addressed the factors that contributed to the academic dismissal. If the Committee grants a petition for readmission, it may impose any conditions it deems appropriate. This regulation may not be waived by the Committee on Standards.

e. Degrees and Honors

- (1) Degrees are awarded at the meetings of the Board of Trustees in the fall and spring and at the commencement held annually at the end of the spring semester.

³⁰ For purposes of this regulation, the summer session shall be considered as a "semester."

- (2) Vermont Law School grants the MFALP degree with distinction for those students who achieve a GPA of 3.50 or higher upon completion of the program.³¹

IV. JOINT DEGREES

A. JOINT JD/MASTER OF ENVIRONMENTAL LAW AND POLICY (MELP) DEGREE

1. REQUIREMENTS FOR THE DEGREE

a. General

1. The JD and MELP degrees are awarded for the satisfactory completion of a program which includes the requirements of the JD program as well as those of the MELP program. The regulations in sections II and III above apply to joint degree students.³²
2. A joint-degree student may share credits between the two degree programs. A joint-degree student must take a minimum of 21 non-shared MELP credits at Vermont Law School. A joint-degree student may take a maximum of 35 MELP credits for completion of the MELP degree; however, if a student has reached 30 credits and satisfied all degree requirements at the end of any semester, the degree must be awarded. All credits must be selected from the list of courses approved for the MELP program.
3. A joint-degree student's course load may not exceed a total of 18 credits during the fall and spring semesters.
4. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.

B. JOINT JD/MASTER OF ENERGY REGULATION AND LAW (MERL) DEGREE

1. REQUIREMENTS FOR THE DEGREE

a. General

- (1) The JD and MERL degrees are awarded for the satisfactory completion of a program which includes the requirements of the JD program as well as those of the MERL program. The regulations in sections II and III above apply to joint degree students.
- (2) A joint-degree student may share credits between the two degree programs. A joint-degree student must take a minimum of 21 non-shared MERL credits at Vermont Law

³¹ For students who matriculated in the MFALP program prior to May 1, 2015, Vermont Law School grants degrees cum laude, magna cum laude and summa cum laude. The GPAs required for the award of a degree with Latin honors are as follows: cum laude 3.25, magna cum laude 3.50 and summa cum laude 3.75.

³² Students who matriculated in the MELP program prior to May 2013 must satisfy the following requirements: Environmental Law, Administrative Law, Science for Environmental Law, an Environmental Ethics/Philosophy distributional requirement, and a Dispute Resolution distributional requirement. Students who matriculated in the MELP program prior to August 2012 may satisfy the Science for Environmental Law requirement with any of the following courses: ENV5112 Science for Environmental Law, ENV5430 Ecology, or ENV5110 Ecology of Food and Agriculture.

School. A joint-degree student may take a maximum of 35 MERL credits for completion of the MERL degree; however, if a student has reached 30 credits and satisfied all degree requirements at the end of any semester, the degree must be awarded.

- (3) A joint-degree student's course load may not exceed a total of 18 credits during the fall and spring semesters.
- (4) No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.

C. JOINT JD/MASTER OF FOOD AND AGRICULTURE LAW AND POLICY (MFALP) DEGREE

1. REQUIREMENTS FOR THE DEGREE

a. General

- (1) The JD and MFALP degrees are awarded for the satisfactory completion of a program which includes the requirements of the JD program as well as those of the MFALP program. The regulations in sections II and III above apply to joint degree students.
- (2) A joint-degree student may share credits between the two degree programs. A joint-degree student must take a minimum of 21 non-shared MFALP credits at Vermont Law School. A joint-degree student may take a maximum of 35 MFALP credits for completion of the MFALP degree; however, if a student has reached 30 credits and satisfied all degree requirements at the end of any semester, the degree must be awarded. All credits must be selected from the list of courses approved for the MFALP program.
- (3) A joint-degree student's course load may not exceed a total of 18 credits during the fall and spring semesters.
- (4) No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.

D. JOINT JD/LLM IN ENVIRONMENTAL LAW DEGREE

1. REQUIREMENTS FOR THE DEGREE

a. General

1. The JD and LLM in Environmental Law (LLM) degrees are awarded for the satisfactory completion of a program which includes the requirements of the JD program as well as those of the LLM program. The regulations in sections II (JD) and VIII (LLM in Environmental Law) apply to joint degree students.
2. JD/LLM students must finish all requirements for the JD degree before beginning the LLM degree.

3. A JD/LLM student may transfer up to nine credits from the JD program to the LLM program. A JD/LLM student must take a minimum of 21 LLM credits at Vermont Law School. All credits must be selected from the list of courses approved for the LLM program. All credits to be transferred must be approved by the Director of the Environmental Law Center or the Director's designee.
4. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.

E. JOINT JD/LLM IN ENERGY LAW DEGREE

1. REQUIREMENTS FOR THE DEGREE

a. General

1. The JD and LLM in Energy Law (LLM) degrees are awarded for the satisfactory completion of a program which includes the requirements of the JD program as well as those of the LLM program. The regulations in sections II (JD) and VIII (LLM in Energy Law) apply to joint degree students.
2. JD/LLM students must finish all requirements for the JD degree before beginning the LLM degree.
3. A JD/LLM student may transfer up to nine credits from the JD program to the LLM program. A JD/LLM student must take a minimum of 21 LLM credits at Vermont Law School. All credits to be transferred must be approved by the Director of the Environmental Law Center or the Director's designee.
4. The Energy Electives and General Electives requirements shall not be waived for courses completed prior to matriculation in the LLM program. All LLM candidates must take four credits of Energy Electives and nine credits of General Electives from the above list provided they do not duplicate prior course work. If an LLM candidate is unable to fulfill this requirement without duplicating prior coursework, the candidate must submit an alternative coursework plan to be approved by the Director of the Environmental Law Center or the Director's designee.

The Project requirement shall not be waived because of prior completion of one of the listed options. LLM candidates who have completed one of the listed projects as part of a prior program must choose a different project to meet the LLM requirement.
- (5) No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.

F. JOINT JD/LLM IN FOOD AND AGRICULTURE LAW DEGREE

1. REQUIREMENTS FOR THE DEGREE

a. General

- (1) The JD and LLM in Food and Agriculture Law (LLM) degrees are awarded for the satisfactory completion of a program which includes the requirements of the JD program as well as those of the LLM program. The regulations in sections II (JD) and VIII (LLM in Food and Agriculture Law) apply to joint degree students.
- (2) JD/LLM students must finish all requirements for the JD degree before beginning the LLM degree.
- (3) A JD/LLM student may transfer up to nine credits from the JD program to the LLM program. A JD/LLM student must take a minimum of 21 LLM credits at Vermont Law School. All credits to be transferred must be approved by the Director of the Environmental Law Center or the Director's designee.
- (4) The Food and Agriculture Electives and General Electives requirements shall not be waived for courses completed prior to matriculation in the LLM program. All LLM candidates must take four credits of Food and Agriculture Electives and nine credits of General Electives from the above list provided they do not duplicate prior course work. If an LLM candidate is unable to fulfill this requirement without duplicating prior coursework, the candidate must submit an alternative coursework plan to be approved by the Director of the Environmental Law Center or the Director's designee.

The Project requirement shall not be waived because of prior completion of one of the listed options. LLM candidates who have completed one of the listed projects as part of a prior program must choose a different project to meet the LLM requirement.

- (5) No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.

V. DUAL DEGREES - JD PROGRAM

Vermont Law School, in conjunction with other institutions, offers the following dual degree options for JD students:

- JD/MEM (Yale School of Forestry and Environmental Studies)
- JD/Master I/II (Université de Cergy-Pontoise (Cergy))
- JD/MPhil (University of Cambridge)

Students are required to satisfy the graduation requirements of both institutions. The JD degree requirements, as described in regulation II. above, govern except as modified by this regulation.

A. ADMISSION

Each program has different criteria for admission. See Program Requirements, below.

The first school that the applicant applies to will be termed the “domicile” of the student, and the original admissions documents will be filed at that school. The other school will be termed the “secondary school” for that student. Vermont Law School and its partner institutions have agreed to share supporting documentation, such as transcripts, L.S.A.T. and G.R.E. reports, letters of recommendation, writing samples, personal statements, and the like. Photocopies of those documents, certified by the Registrar of the institution holding the original documents, will be deemed adequate for admissions purposes.

B. REGISTRATION AND RECORDS

The Registrar of each school will register dual degree candidates for courses taken at that school according to the academic schedule of each school. Each Registrar will also certify completion of courses and the assignment of credit. Transcripts of students in the program will bear a notation that the student is enrolled in the dual degree program.

Students are entitled to attend graduation at both schools. Students will receive separate diplomas.

C. REQUIREMENTS FOR THE DEGREE

Students are required to satisfy the graduation requirements of both institutions. The Vermont Law School JD degree requirements govern except as modified by each program’s specific regulation. See below.

D. RESIDENCE REQUIREMENT

Regulation II.A.5.c. requires that a student must be in residence at Vermont Law School for the last four semesters of the JD degree. For purposes of this regulation, one semester at the partner institution will count towards satisfaction of this residence requirement. Students enrolled in the JD/Master’s program with the University of Seville and in the dual degree programs with the University of Cergy-Pontoise may apply two semesters towards satisfaction of this requirement.

E. ACCELERATED SCHEDULING OPTION

Participants in dual degree programs are eligible for the accelerated scheduling option, which allows students to accelerate graduation by using a full summer session in lieu of a regular semester³³. Participants must follow the application procedures detailed therein. Dual degree applicants must meet with the dual degree advisor and must receive counseling on the academic and financial consequences of participating in the accelerated scheduling program.

F. ACADEMIC PERFORMANCE AND CONDUCT

A candidate for a dual degree is expected to comply fully with all academic and other applicable requirements of both Vermont Law School and the partner institution, even if they are different. Issues concerning academic performance or student conduct will be subject to the

³³ See Regulation II.6.e. for the regulations applicable to the accelerated scheduling option, which was available to students who matriculated into the JD program prior to April 1, 2013.

regulations and procedures of the school where the matter arose. See regulation II.D. above and regulations XI. and XII. below.

Students must be in good academic standing at both schools to remain in the program.

G. WITHDRAWAL FROM A DUAL DEGREE PROGRAM

Except as provided by Regulations V.H.2.c. and V.H. 3.c., if a student leaves a dual program or fails to complete the program requirements for the degree at the partner institution, the student will no longer be considered a dual degree student. As a result, the student will be required to meet the residence requirements of regulation II.A..5. above. Credits earned at the partner institution will not be transferred to the Vermont Law School transcript.

H. PROGRAM REQUIREMENTS

1. DUAL JD/MEM

Vermont Law School and the Yale School of Forestry and Environmental Studies offers a dual JD/MEM program to students from both institutions. The program enables students to earn both degrees concurrently over a four year period.

a. ADMISSION

A candidate for the dual degree must apply separately to, and be accepted by, both Vermont Law School and the Yale School of Forestry & Environmental Management (Yale). Information on application requirements and procedures for admission to the Yale School of Forestry & Management are available from Yale. Each school will admit students according to its own criteria for admission. Joint applications may be discussed and coordinated by admissions officials at both schools.

b. REQUIREMENTS FOR THE DEGREE

The JD requires 87 credits. A candidate for the dual JD/MEM degree must satisfactorily complete all the requirements for the JD degree as described in regulation II. above. A dual degree candidate may share a total of 12 (twelve) credits between the JD and MEM programs. This means that a Vermont Law School candidate for a dual JD/MEM degree may apply the equivalent of 12 (twelve) Vermont Law School credits of course work successfully completed at Yale to the JD degree, thereby reducing to 75 the number of JD credits taken at Vermont Law School required for the JD degree.

A dual-degree candidate may not satisfy the perspective requirement and the skills requirement with courses taken at Yale without the prior permission of the Deputy Vice Dean for Academic Affairs.

No credit toward the JD degree will be given for courses taken at Yale prior to the student's matriculation into the JD program at Vermont Law School.

2. DUAL JD/MASTER I and JD/MASTER II DEGREE

Vermont Law School and l'Université de Cergy-Pontoise (Cergy) offer to students from both institutions a dual JD/Master I and JD/Master II degree program in three areas of concentration: the law of business organizations (DJCE); the law of business ethics (DEA); and the law of international and European economic relations (DREIE). The program enables students to earn the JD/Master I concurrently over a three-year period and the JD/Master I and JD/Master II over a four-year period. Graduates of the program will be able to sit for the bar examination in the United States and France, according to each country's requirements.

a. ADMISSION/ELIGIBILITY

- (1) Vermont Law School students must begin the dual degree program at Vermont Law School.
- (2) Vermont Law School applicants must be in the top half of their class at the end of the semester preceding their application to the program and continue to be in the top half of their class through the completion of the semester prior to taking courses at Cergy.
- (3) Students must have a sufficient mastery of French to take courses and examinations in French. Level of competence in French will be determined by oral and written examination to the satisfaction of the Director of International and Comparative Law Programs.
- (4) A maximum of four Vermont Law School students will be admitted to either program during any one academic year.

b. REQUIREMENTS FOR THE DEGREE

1. The JD requires 87 credits. A candidate for a dual JD/MI or JD/MII degree may apply to the JD degree up to the equivalent of one third or 29 Vermont Law School credits of course work successfully completed at Cergy, thereby reducing to 58 the minimum number of JD credits that must be completed at Vermont Law School. The total credits that may be applied to the JD degree from study abroad is governed by regulation II.A.2.f.
2. A dual-degree candidate may satisfy the perspective requirement during study at Cergy.
3. Program participants beginning their studies at Vermont Law School must satisfactorily complete the following courses at Vermont Law School before beginning course work in France:
 - (a) Corporations
 - (b) At least one course in each of the following categories:

- Corporate Finance or Securities Regulation
 - Accounting and Business Fundamentals, Bankruptcy, Business Planning, Commercial Arbitration, Employment Law, Environmental Issues in Business Transactions, GPP III, International Business Transactions, International Regulation of Trade, Sales, Secured Transactions
 - Income Taxation or Business Taxation
- (4) Program participants beginning their studies at Vermont Law School must also satisfactorily complete courses that include the following subjects before matriculating in France:
- (a) A course in Introduction to the French Legal System, the French Civil Code, or French Legal Method
 - (b) French Corporate Law

Courses satisfying these requirements may be offered at Vermont Law School or at Cergy. These requirements may, with the prior permission of the Director of International and Comparative Law Programs, also be satisfied by summer study at another ABA-approved law school.

Other appropriate courses may be substituted for the courses listed in subpart (3)(b) and (4) of this regulation with the prior permission of the Director of International and Comparative Law Programs.

- (5) Program participants beginning their studies at Cergy will be admitted to the Vermont Law School JD degree program with advanced standing. Advanced standing and credit hours granted for foreign study may not exceed one-third (1/3) of the total credits required by Vermont Law School for its JD degree (*i.e.*, 29 credits). Courses that qualify for application to the JD degree for these students shall be determined by the Deputy Vice Dean for Academic Affairs at Vermont Law School in consultation with the Director of International and Comparative Law Programs.

Program participants beginning their studies at Cergy will ordinarily be required to complete the required first-year JD curriculum at Vermont Law School. Exceptions will be granted by the Deputy Vice Dean for Academic Affairs at Vermont Law School in consultation with the Director of International and Comparative Programs.

c. WITHDRAWAL FROM THE PROGRAM

If a student leaves the program or fails to complete the program requirements for either the Vermont Law School JD degree or the Cergy Master I or Master II degree, the student will no longer be considered a dual-degree student. As a result, the student will be required to meet the residence requirements of regulation

II.A.5. above. Credits earned at Cergy will not be transferred to the Vermont Law School transcript unless the student has earned a Cergy Master I or unless the credits may be transferred according to the usual rules applicable to transfer of foreign credits earned by participation in Vermont Law School study abroad programs. In advance of withdrawal, Vermont Law School students should consult with the Vermont Law School Office of Financial Aid to determine the impact of withdrawal on financial aid awards.

3. DUAL JD/LLM IN FRENCH AND EUROPEAN UNION LAW

Vermont Law School and the Université de Cergy-Pontoise (Cergy) offer this dual degree program which enables VLS students to earn both a JD and LLM degree in French and European Law.

a. ADMISSION/ELIGIBILITY

- (1) Vermont Law School students must begin the dual degree program at Vermont Law School.
- (2) Vermont Law School applicants must be in the top half of their class at the end of the semester preceding their application to the program and continue to be in the top half of their class through the completion of the semester prior to taking courses at Cergy.
- (3) Vermont Law School students must apply for admission to this program through Vermont Law School.

b. REQUIREMENTS FOR THE DEGREE

- (1) The JD requires 87 credits. In accordance with ABA regulations, students may apply to the JD degree the equivalent of one third, or 29 Vermont Law School credits, from course work successfully completed at foreign law institutions, thereby reducing to 58 the minimum number of JD credits that must be completed at Vermont Law School.
- (2) A dual degree candidate in this program may satisfy the perspective requirement through courses taken in the LLM portion of the program of study.
- (3) Program participants must satisfactorily complete the following course work at Vermont Law School before beginning course work at Cergy:
 - Comparative Law: Comparative Legal Systems; or
 - Both French Legal Method and French Corporate Law

Other appropriate courses may be substituted for the courses listed above with the prior permission of the Director of International and Comparative Law Programs.

c. WITHDRAWAL FROM THE PROGRAM

If a student leaves the program or fails to complete the program requirements for either the Vermont Law School JD degree or the Cergy LLM degree, the student will no longer be considered a dual-degree student. As a result, the student will be required to meet the residence requirements of regulation II.A.5. Credits earned at Cergy will not be transferred to the Vermont Law School transcript unless the credits may be transferred according to the usual rules applicable to transfer of foreign credits earned by participation in Vermont Law School study abroad programs. In advance of withdrawal, Vermont Law School students should consult with the Vermont Law School Office of Financial Aid to determine the impact of withdrawal on financial aid awards.

4. DUAL JD/M.Phil

Vermont Law School and the University of Cambridge offer this dual degree program which enables VLS students to earn both a JD and a Master's degree in one of the following fields: Real Estate Finance; Environmental Policy; and Planning, Growth and Regeneration.

a. ADMISSION/ELIGIBILITY

- a. Vermont Law School students must begin the dual degree program at Vermont Law School. A Vermont Law School candidate wishing to enroll in the program must apply in writing to the Director of the Environmental Law Center during the fall semester of the candidate's second year of law school.
- b. Vermont Law School applicants must be in the top half of their class at the end of the semester preceding their application to the program and continue to be in the top half of their class through the completion of the semester prior to taking courses at Cambridge.
- c. Students will be notified of acceptance before the conclusion of the fall semester in which they apply. A maximum of two Vermont Law School students will be admitted to the program during any one academic year. Applications may be discussed and coordinated by admissions officials at both schools.

b. REQUIREMENTS FOR THE DEGREE

- (1) The JD requires 87 credits. A candidate for the dual JD/Master's degree may apply to the JD degree the equivalent of 14 Vermont Law School credits of course work successfully completed at Cambridge, thereby reducing to 73 the minimum number of JD credits that must be completed at Vermont Law School. The total number of credits that may be applied to the JD degree from study abroad is governed by regulation II.A.2.f.

VI. DUAL DEGREES – MELP PROGRAM

A. ADMISSION

A candidate for a dual degree must apply separately to, and be accepted by, both Vermont Law School and the school conferring the second degree. Students may apply for admission to these dual degree programs at any time prior to the awarding of the degrees.

Each school will admit students according to its own criteria for admission. Joint applications may be discussed and coordinated by admissions officials at both schools.

The first school that the applicant applies to will be termed the “domicile” of the student, and the original admissions documents will be filed at that school. The other school will be termed the “secondary school” for that student. Vermont Law School and its partner institutions have agreed to share supporting documentation, such as transcripts and G.R.E. reports, letters of recommendation, writing samples, personal statements, and the like. Photocopies of those documents, certified by the Registrar of the institution holding the original documents, will be deemed adequate for admissions purposes.

B. REGISTRATION AND RECORDS

The Registrar of each school will register dual degree candidates for courses taken at that school, according to the academic schedule of each school. Each Registrar will also certify completion of courses and the assignments of credit. Transcripts of students in the program will bear a notation that the student is enrolled in the dual degree program.

Credits and grades for courses taken at the secondary school will appear on the Vermont Law School transcript; however, grades will not be included in the computation of the Vermont Law School grade point average.

Students are entitled to attend graduation at both schools. Students will receive separate diplomas

C. REQUIREMENTS FOR THE DEGREE

Students are required to satisfy the graduation requirements of both institutions. The Vermont Law School MELP degree requirements govern except as modified by each program’s specific regulation. See below.

D. ACADEMIC PERFORMANCE AND CONDUCT

A candidate for a dual degree is expected to comply fully with all academic and other applicable requirements of both Vermont Law School and the partner institution, even if they are different. Issues concerning academic performance or student conduct will be subject to the regulations and procedures of the school where the matter arose.

Students must be in good academic standing at both schools to remain in the program.

E. WITHDRAWAL FROM A DUAL DEGREE PROGRAM

If a student leaves a dual program or fails to complete the program requirements for the degree at the partner institution, the student will no longer be considered a dual degree student. Credits earned at the partner institution will not be transferred to the Vermont Law School transcript, except as allowed by regulation III.A.1.b.4. above.

F. PROGRAM REQUIREMENTS

1. DUAL MELP/MBA (Tuck School of Business)

Vermont Law School and the Tuck School of Business at Dartmouth College offer a dual MELP/MBA degree program to students from both institutions. The program enables students to earn both degrees concurrently.

The MELP is a 30 credit degree. A dual degree candidate may share a total of nine credits between the MELP and MBA programs. This means that a Vermont Law School candidate for a dual MELP/MBA degree may apply the equivalent of nine Vermont Law School credits of course work successfully completed at Tuck to the MELP degree, thereby reducing to 21 the number of credits required for the MELP degree.

Tuck courses that are relevant and important to the MELP candidate's overall course of study may be applied to the MELP degree. Courses that qualify for application to the MELP degree shall be determined by the Director of the Environmental Law Center, in consultation with the Dean of the Tuck School. A list of approved courses is available from the Environmental Law Center. A MELP candidate may request approval of a Tuck course that is not on the list by demonstrating how the course will enhance the candidate's course of study.

2. DUAL MELP/MS (Natural Resources)

Vermont Law School and the University of Vermont School of Natural Resources offer a dual MELP/MS degree program to students from both institutions. The program enables students to earn both degrees concurrently.

The MELP is a 30 credit degree. A dual degree candidate may share a total of nine credits between the MELP and MS (Natural Resources) programs. This means that a Vermont Law School candidate for a dual MELP/MS (Natural Resources) degree may apply nine credits of course work successfully completed at the University of Vermont School of Natural Resources, thereby reducing to 21 the number of MELP credits required for the MELP degree.

University of Vermont courses that are relevant and important to the MELP candidate's overall course of study may be applied to the MELP degree. Courses that qualify for application to the MELP degree shall be determined by the Director of the Environmental Law Center, in consultation with the program coordinator at the University of Vermont School of Natural Resources. A list of approved courses is available from the Environmental Law Center. Upon petition to the Director of the Environmental Law Center, or the Director's designee, an MELP candidate may seek approval of a University

of Vermont course that is not on the list by demonstrating how that course will significantly enhance the candidate's course of study.

VII. DUAL JD/MELP DEGREE PROGRAMS WITH OTHER LAW SCHOOLS

A. ADMISSION

A candidate for a dual degree must apply separately to, and be accepted by, both Vermont Law School and the school conferring the second degree.

B. REGISTRATION AND RECORDS

Registration for dual degree students at either school is according to the academic schedule of each school.

An official from each school must be provided to the Registrar of the other school. Credits and grades for courses taken at the other school will appear on the Vermont Law School transcript; however, grades will not be included in the computation of the Vermont Law School grade point average.

Students are entitled to attend commencement at both schools. Students will receive separate diplomas.

C. REQUIREMENTS FOR THE DEGREE

Students are required to satisfy the graduation requirements of both institutions. The Vermont Law School MELP degree requirements govern except as modified by each program's specific regulation. See below.

D. ACADEMIC PERFORMANCE AND CONDUCT

A candidate for a dual degree is expected to comply fully with all academic and other applicable requirements of both Vermont Law School and the partner institution, even if they are different. Issues concerning academic performance or student conduct will be subject to the regulations and procedures of the school where the matter arose.

Students must be in good academic standing at both schools to remain in the program.

E. WITHDRAWAL FROM A DUAL DEGREE PROGRAM

If a student leaves a dual program or fails to complete the program requirements for the degree at the partner institution, the student will no longer be considered a dual degree student. Credits earned at the partner institution will not be transferred to the Vermont Law School transcript, except as allowed by regulation III.A.1.b.4 above.

F. PROGRAM REQUIREMENTS

1. DUAL JD/MELP WITH THE UNIVERSITY OF SOUTH CAROLINA

Vermont Law School and the University of South Carolina School of Law offer a dual JD/MELP degree program that enables students to earn both degrees concurrently over a three-year period.

- a. Students are required to begin the dual degree program at the University of South Carolina School of Law.
- b. A candidate for the dual JD/MELP degree must satisfactorily complete all the requirements for the MELP degree as described in regulation III above. A dual degree candidate may transfer a total of 9 (nine) credits from his/her JD program to the MELP program.
- c. Vermont Law School will accept 9 (nine) credits of course work completed in the JD program at the University of South Carolina School of Law. Courses taken at U.S.C. that are to be applied toward the MELP degree must be approved by the Director of the Environmental Law Center or the Director's designee. Courses taken at U.S.C. will not be applied toward the MELP degree if they substantially duplicate a course taken at Vermont Law School.
- d. The total maximum number of credits a student enrolled in this dual degree may earn toward a MELP Externship is ten credits.
- e. The courses taken, the grades awarded, and the credits earned for courses transferred from the University of South Carolina School of Law will be noted on the Vermont Law School transcript, but the course grades will not be included in the student's Vermont Law School grade average. All passing grades (i.e., a grade of D or better) will be accepted.

2. DUAL JD/MELP WITH THE UNIVERSITY OF SOUTH DAKOTA

Vermont Law School and the University of South Dakota School of Law offer a dual JD/MELP degree program that enables students to earn both degrees concurrently over a three-year period.

- a. Students are required to begin the dual degree program at the University of South Dakota School of Law.
- b. A candidate for the dual JD/MELP degree must satisfactorily complete all the requirements for the MELP degree as described in regulation III above. A dual degree candidate may transfer a total of 9 (nine) credits from his/her JD program to the MELP program.
- c. Vermont Law School will accept 9 (nine) credits of course work completed in the JD program at the University of South Dakota School of Law. Courses taken at U.S.D. that are to be applied toward the MELP degree must be approved by the Director of the

Environmental Law Center or the Director's designee. Courses taken at U.S.D. will not be applied toward the MELP degree if they substantially duplicate a course taken at Vermont Law School.

- e. The total maximum number of credits a student enrolled in this dual degree may earn toward a MELP Externship is ten credits.
- f. The courses taken, the grades awarded, and the credits earned for courses transferred from the University of South Dakota School of Law will be noted on the Vermont Law School transcript, but the course grades will not be included in the student's Vermont Law School grade average. All passing grades (i.e., a grade of D or better) will be accepted.

3. DUAL JD/MELP WITH NORTHEASTERN UNIVERSITY

Through a combination of transfer credits and an environmental law co-op work placement that provides internship credit, Northeastern University School of Law (Northeastern) and Vermont Law School (VLS) will allow students who meet degree requirements at both schools to receive a dual degree of Juris Doctor (JD) and Master of Environmental Law and Policy (MELP) within the three year term of the JD degree.

- a. Students are required to begin the dual degree program at Northeastern.
- b. A candidate for the dual JD/MELP degree must satisfactorily complete all the requirements for the MELP degree as described in regulation III above. A dual degree candidate may transfer a total of 9 (nine) credits from his/her JD program to the MELP program.
- c. Vermont Law School will accept 9 (nine) credits of course work completed in the JD program at Northeastern School of Law toward completion of the MELP. Courses taken at Northeastern that are to be applied toward the MELP degree must be approved by the Director of the Environmental Law Center or the Director's designee. Courses taken at Northeastern will not be applied toward the MELP degree if they substantially duplicate a course taken at Vermont Law School.
- d. Northeastern will accept 12 credits toward the completion of the JD.
- e. MELP Externships and Co-op Work Quarters: Students may use one of Northeastern co-op experience as an MELP externship. Students must follow both Northeastern co-op and VLS Externship guidelines and application deadlines.
- f. The total maximum number of credits a student enrolled in this dual degree may earn toward a MELP Externship is ten credits.
- g. The courses taken, the grades awarded, and the credits earned for courses transferred from the Northeastern University School of Law will be noted on the Vermont Law School transcript, but the course grades will not be included in the student's Vermont

Law School grade average. All passing grades (i.e., a grade of D or better) will be accepted.

4. DUAL JD/MELP WITH QUINNIPIAC UNIVERSITY

Vermont Law School and Quinnipiac University School of Law offer a dual JD/MELP degree program that enables students to earn both degrees concurrently over a three-year period.

- a. Students are required to begin the dual degree program at Quinnipiac University School of Law.
- b. A candidate for the dual JD/MELP degree must satisfactorily complete all the requirements for the MELP degree as described in regulation III above. A dual degree candidate may transfer a total of 9 (nine) credits from his/her JD program to the MELP program.
- c. Vermont Law School will accept 9 (nine) credits of course work completed in the JD program at Quinnipiac University School of Law. Courses taken at QU that are to be applied toward the MELP degree must be approved by the Director of the Environmental Law Center or the Director's designee. Courses taken at QU will not be applied toward the MELP degree if they substantially duplicate a course taken at Vermont Law School.
- e. The total maximum number of credits a student enrolled in this dual degree may earn toward a MELP Externship is ten credits.
- f. The courses taken, the grades awarded, and the credits earned for courses transferred from Quinnipiac University School of Law will be noted on the Vermont Law School transcript, but the course grades will not be included in the student's Vermont Law School grade average. All passing grades (i.e., a grade of D or better) will be accepted.

5. DUAL JD/MELP WITH ELON UNIVERSITY

Vermont Law School and Elon University School of Law offer a dual JD/MELP degree program that enables students to earn both degrees concurrently over a three-year period.

- a. Students are required to begin the dual degree program at Elon University School of Law.
- b. A candidate for the dual JD/MELP degree must satisfactorily complete all the requirements for the MELP degree as described in regulation III above. A dual degree candidate may transfer a total of 9 (nine) credits from his/her JD program to the MELP program.
- c. Vermont Law School will accept 9 (nine) credits of course work completed in the JD program at Elon University School of Law. Courses taken at Elon that are to be applied

toward the MELP degree must be approved by the Director of the Environmental Law Center or the Director's designee. Courses taken at Elon will not be applied toward the MELP degree if they substantially duplicate a course taken at Vermont Law School.

- e. The total maximum number of credits a student enrolled in this dual degree may earn toward a MELP Externship is ten credits.
- f. The courses taken, the grades awarded, and the credits earned for courses transferred from Elon University School of Law will be noted on the Vermont Law School transcript, but the course grades will not be included in the student's Vermont Law School grade average. All passing grades (i.e., a grade of D or better) will be accepted.

VIII. MASTER OF LAWS (LLM) DEGREE PROGRAMS

A. MASTER OF LAWS IN ENVIRONMENTAL LAW DEGREE (LLM)

1. REQUIREMENTS FOR THE DEGREE

a. General

- (1) The degree of Master of Laws in Environmental Law (LLM) is granted for regular attendance and satisfactory completion of the prescribed course of study. A minimum of 30 credits is required for the LLM degree. These credits must be selected from courses approved for the LLM program. A cumulative grade point average of 2.20 is required for successful completion of the LLM degree.
- (2) Each student must satisfy the following requirements for the LLM degree:³⁴

| Requirement | Courses that Satisfy the Requirement |
|--------------------|--|
| Graduate Seminar | ENV9606 LLM Graduate Seminar (3 credits) |
| Environmental Law | ENV5115 Environmental Law (3 credits) |
| Administrative Law | ENV5105 Administrative Law (3 credits) |

With the approval of the Director of the Environmental Law Center or the Director's designee, an LLM candidate may waive Environmental Law or Administrative Law if the candidate has successfully completed equivalent course work in a JD program at an ABA accredited law school or comparable international academic institution. Although requirements may be waived, the total number of credits required for degree completion remains unchanged.

- (3) Any remaining electives may be chosen from the courses and experiential options listed above and from the list of approved courses in section III.A.1.a. (4).
- (4) Optional LLM Thesis or Project

³⁴ Students who matriculated in the LLM in Environmental Law program prior to May 2013 must satisfy the following requirements: the LLM Graduate Seminar, Environmental Law, Administrative Law, Science for Environmental Law, and Natural Resources Law. Students who matriculated in the LLM program prior to August 2012 may satisfy the Science for Environmental Law requirement with any of the following courses: ENV5112 Science for Environmental Law, ENV5430 Ecology, or ENV5110 Ecology of Food and Agriculture.

(a) Thesis

An LLM candidate may choose to write a thesis. Six credits will be given for the satisfactory completion of an LLM thesis. The thesis must be a substantial piece of written work of publishable quality. A 10-15 page thesis proposal must be approved by the LLM candidate's faculty supervisor and the Director of the Environmental Law Center before the thesis is begun.

A student will have three terms to complete the thesis. A student will register in the term in which the thesis project is begun. A student who writes a thesis must make an oral presentation to the Vermont Law School community of the thesis work and must deposit a copy of the thesis in the Vermont Law School Library. The grade will be entered on the transcript in the semester the thesis is completed. Ordinarily, an LLM student will begin the thesis in the spring semester. If a student extends the thesis project beyond three terms, regulation VIII.A.3.b.(below) "Temporarily excused from completion of a requirement" applies.

(b) Teaching Project

An LLM candidate may choose to undertake a teaching project. A minimum of 4 and a maximum of 6 credits will be given for a teaching project. To receive credit for teaching, a candidate must satisfactorily complete a teaching practicum under the guidance of a faculty supervisor and the appropriate number of hours of actual teaching in the classroom. A five-page teaching project proposal must be approved by the LLM candidate's faculty supervisor and the Director of the Environmental Law Center before the project is begun.

(c) An LLM candidate who is a Fellow of the Environmental and Natural Resources Law Clinic (ENRLC) may elect to undertake a second teaching project with the approval of the ENRLC Director. Each teaching project will be for a minimum of 4 credits and a maximum of 6 credits. The second teaching project must provide a qualitatively different experience from the first. The ENRLC Fellow must satisfactorily complete all aspects of each teaching project in accordance with the teaching project plan, subject to the ENRLC Director's approval.

(d) Research Project

An LLM candidate may choose to undertake a research project, either alone or as part of a joint effort with other LLM candidates. A minimum of 2 and a maximum of 6 credits will be given for a research project. An LLM project must be a substantial undertaking, involving significant legal and policy research. A five-page research project proposal must be approved by the LLM candidate's faculty supervisor and the Director of the Environmental Law Center before the project may be commenced. Students engaged in a joint project will be graded on their individual contribution to the project and on their teamwork skills.

A student will have two terms to complete the research project. A student will register in the term in which the project is begun. The grade will be entered on the transcript in the semester the project is completed. If a student extends the research project beyond two terms, regulation VIII.A.3.b. (below) “Temporarily excused from completion of a requirement” applies.

b. Credits

(1) Credit Requirements and Course Load

- (a) A minimum of 30 credits is required for the LLM degree. An LLM candidate may take a maximum of 36 credits from courses approved for the LLM degree; however, if a student has reached 30 credits and satisfied all degree requirements at the end of any semester, the degree must be awarded.
- (b) For students taking residential classes, the minimum course load for full-time LLM students is 6 credits per semester. The maximum course load in the fall or spring semester is 14 credits per semester. The maximum course load in the summer program is 11 credits. No exceptions are allowed other than with the prior approval of the Director of the Environmental Law Center or the Director’s designee.
- (c) For students taking distance learning classes, the recommended course load is 3 credits per term. The distance learning program offers 6 terms per academic year and each term is seven weeks long.

(2) Transfer of Credits - Non-Vermont Law School JD Graduates

A student enrolled in the LLM program may be granted credit for courses satisfactorily completed in an LLM program at an ABA-approved law school or at the graduate level of a comparable international academic institution. A student may transfer a maximum of 6 such credits to the LLM program with the approval of the Director or the Director’s designee. Before granting such approval, the Director of the Environmental Law Center or his or her designee must determine that the course is relevant and important to the student’s overall program of study. Only courses with environmental content are eligible for transfer credit. The Registrar must receive an official transcript showing that the course has been completed and that a grade of B minus or better (as defined in regulation VIII.A.3.a. has been awarded. Transcripts from a foreign institution must be accompanied by a WES or AACRAO evaluation. Grades from transferred courses will be noted on the student’s transcript but will not be used in computing the student’s grade average. Once a student has enrolled as an LLM candidate, prior approval must be obtained from the Director of the Environmental Law Center or the Director’s designee to obtain credit for courses taken at another institution. No transfer credit will be given for a course completed more than 5 years prior to matriculation into the LLM program.

(3) Transfer of Credits - Vermont Law School MELP Graduates

An LLM candidate who received the Master of Environmental Law and Policy (MELP) degree from Vermont Law School may transfer a maximum of 6 credits of Vermont Law School environmental course work to the LLM degree with the approval of the Director of the Environmental Law Center or the Director's designee. Before granting approval, the Director or his or her designee must determine that the course is relevant and important to the student's overall program of study. Only courses with environmental content are eligible for transfer of credit. The student must have achieved a grade of B minus or better (as defined in regulation VIII.A.3.a. below) for the course. Grades from transferred courses will be noted on the student's transcript but will not be used in computing the student's grade average. Once a student has enrolled as an LLM candidate, prior approval must be obtained from the Director of the Environmental Law Center or the Director's designee to obtain credit for courses taken at another institution. No transfer credit will be given for a course completed more than 5 years prior to matriculation into the LLM program.

c. Duration of Program

- (1) To obtain the LLM degree, a student must complete the degree requirements within a period of 5 years from matriculation.
- (2) Students may enter the LLM program in either summer or fall semester.
- (3) Distance Learning Students may enter the LLM degree program in any term offered throughout the academic year.

2. EXTERNSHIPS

The LLM in Environmental Law Externship Program provides students with a field experience to test and develop their environmental law, policy, management, and/or science knowledge and skills.

a. Threshold Requirements for an LLM Externship

The LLM Externship Program provides students with a field experience to test and develop their environmental law, policy, management, and/or science knowledge and skills and, as such, the following requirements must be met:

- (1) Students must work primarily on site at the LLM externship. Students may not receive LLM externship credit if their work is done by telecommuting.
- (2) LLM externships are by definition environmental in their subject focus, so students must assure that their work on site relates to environmental issues.
- (3) Externships cannot be substituted for distributional requirements or required courses. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.

- (4) LLM externships must be supervised by an attorney.
- (5) The maximum number of credits a student may earn in one or more LLM externships is ten credits.
- (6) The minimum number of credits a student may earn in an LLM externship is four credits.³⁵

b. Eligibility Requirements

- (1) Students in good academic standing may elect to enroll in an LLM externship.
- (2) Students will not be allowed to enroll in an externship where they have previously worked as a volunteer or an employee unless the externship will provide a qualitatively different or more in depth learning experience.
- (3) Without prior approval from the Director of the Masters Externship Program, students enrolled for six or more credits in an LLM or JD externship during a given semester may not subsequently continue in that placement and receive credit toward an LLM externship as a consequence of that extended placement. Students seeking to extend such long-term experiences shall petition the Director of the Masters Externship Program in writing with supporting materials that demonstrate the following:

The student's experience during the subsequent LLM externship will be substantially different from the experience as a consequence of additional (and more difficult) responsibilities, new subject areas, new skills to be developed, or other evidence that the additional credit hours will be equivalent to taking an "advanced course" after taking an introductory course.

c. Procedures for Enrolling in an LLM Externship

- (1) Fill out in its entirety, including all signatures, the contract form available at www.vermontlaw.edu/MastersExternships.
- (2) Submit the fully executed contract to the Director of the Masters Externship Program for approval of the externship opportunity.
- (3) All fully executed contracts must be submitted to the Director of the Masters Externship Program by the first day of classes of the semester in which the student will be doing her or his externship.
 - (a) The contract, once submitted to the Director of the Masters Externship Program, will be copied and distributed to the Mentor and the Faculty Supervisor.

³⁵ Students who matriculated into the LLM program prior to May 2012 may earn a minimum of two and a maximum of nine LLM externship credits.

- (b) Students who do not submit final, signed contract by this deadline will not be enrolled in the LLM externship and will not receive credit for their work. Students must petition the Committee on Standards for an exception to this rule.
- (4) The Director of the Masters Externship Program may decline any LLM externship contract or opportunity described therein that does not conform to these regulations.
- (5) For LLM students who anticipate practicing law in Vermont: If a student anticipates practicing law in Vermont, he or she may want to use the LLM externship to complete the clerkship requirement for admission to the Vermont Bar.
 - (a) If the externship is under the supervision of a Vermont attorney, students may be able to count the time toward the Vermont clerkship requirement. In entering into a Vermont legal internship the student should consult with the attorney/Mentor to determine whether he or she is willing to supervise the work in a manner that meets the Vermont Bar requirement.
 - (b) In order to meet this Vermont Bar requirement students must indicate their intention to the Vermont Board of Bar Examiners before engaging in the clerkship.

d. Grades

- (1) All LLM externships are pass/fail.
- (2) Faculty Supervisors assign the grade based on the student’s journals, the Mentor’s letter of evaluation and other information such as work product, emails, telephone conversations and/or meetings and site visits with the student and Mentor.

3. GRADES AND ACADEMIC STANDARDS

a. Grading System

Each student’s cumulative grade-point average is initially determined after completion of the first semester of course work, in accordance with the following grading system:

| | |
|----|---------------------|
| A | 4.000 ³⁶ |
| A- | 3.666 |
| B+ | 3.333 |
| B | 3.000 |
| B- | 2.666 |
| C+ | 2.333 |
| C | 2.000 |
| C- | 1.666 |

³⁶ These are the course grades; grade point averages are truncated to two decimal places.

D+ 1.333
D 1.000
F 0.000

Pass-Honors (no effect on average).. P-H
Pass (no effect on average)..... P
Low-Pass (no effect on average)L-P
Unexcused absence from examination FAbs

Unexcused failure to complete other course requirements
including attendance, papers, etc... F-Wd
The passing grade in an individual course is D (1.000)

b. Designations

Temporarily excused from completion of a requirement.... I
[The student must complete the required work by the end of the spring semester (in the case of a fall semester course), by the beginning of the fall semester (in the case of a spring semester course), or by the end of the fall semester (in the case of a summer session course) or an additional grade of F-Wd will be entered.]³⁷ (See regulation VIII.A.1.a.(4)(a) & (d) for the rules applicable to the thesis and research projects.)

Excused or voluntary withdrawal from a course Wd
Year-long course Y
Administrative Delay AD

c. The following course is graded Pass-Honors/Pass/Low-Pass/Fail:

- Environmental and Natural Resources Law Clinic

d. Probation and Dismissal

- (1) Good standing: To be in good academic standing, an LLM candidate must maintain an overall average of at least 2.20.
- (2) Probation: an LLM candidate will be placed on academic probation if, at any time after the completion of 6 credits of coursework, the student's cumulative average is between 1.90 and 2.20.
- (3) Academic dismissal: An LLM candidate will be dismissed if:
 - (a) the student has failed 6 credit hours of course work; or
 - (b) the student's cumulative average is below 1.90 at any time after the completion of 12 hours of course work;

³⁷ If the faculty member submits the grade within this time period, the I designation will be removed from the transcript and the grade entered for the semester in which the student was originally registered for the course. Class rank, Dean's List, and other honors will not be changed for that semester.

If the student receives an extension or the faculty member does not submit the grade within this time period, the I designation will remain on the transcript and the grade will be entered for the semester in which the work was actually completed.

- (c) the student's cumulative average is below 2.20 at the end of 12 credit hours of coursework and if, at the end of any previous semester, the student was placed on academic probation; or
 - (d) the student's cumulative average is below 2.20 at the completion of the LLM program.
- (4) A student who would otherwise be dismissed under subparagraph d. will be allowed to continue for a second semester³⁸ on academic probation if the student's grade point average for the first semester on academic probation, if repeated for the second semester on academic probation with a credit load of 12 credits, is sufficient to achieve the required cumulative average of 2.20 at the end of the second semester on academic probation.
 - (5) A student who would otherwise be dismissed under subparagraph 3.d. (3)(d) may petition the Committee on Standards to be allowed to continue on academic probation. No such petition will be granted absent clear and convincing evidence of (1) extraordinary circumstances beyond the student's control and unlikely to continue or recur prevented the student from maintaining a cumulative average of at least 2.20 and (2) a realistic and specific academic plan to raise the cumulative average to 2.20 or above in one additional academic term.
 - (6) Except as provided in subparagraph 3.d. (5), a student who is academically dismissed cannot petition the Committee on Standards for readmission earlier than one year after the date of academic dismissal. The Committee will grant readmission only if it finds that the student has addressed the factors that contributed to the academic dismissal. If the Committee grants a petition for readmission, it may impose any conditions it deems appropriate. This regulation may not be waived by the Committee on Standards.
- e. Degrees and Honors
- (1) Degrees are awarded at the meetings of the Board of Trustees in the fall and spring and at the commencement held annually at the end of the spring semester.
 - (2) Vermont Law School grants the LLM degree with distinction for those students who achieve a GPA of 3.50 or higher upon completion of the program.³⁹

³⁸ For purposes of this regulation, the summer session shall be considered as a "semester."

³⁹ For students who matriculated in the LLM program prior to May 1, 2015, Vermont Law School grants degrees cum laude, magna cum laude and summa cum laude. The GPAs required for the award of a degree with Latin honors are as follows: cum laude 3.25, magna cum laude 3.50 and summa cum laude 3.75.

4. Add/Drop and Withdrawal Policies

a. Residential Program:

Students taking residential classes should consult Academic Regulation X.B.1 (a-1) (Fall and Spring Semester) and X.C.1.b (1-4) (Summer Session) for the Add/Drop Policy and the Withdrawal Policy.

b. Distance Learning Program:

For students taking distance learning courses, the first week of classes is the Add/Drop period. The Add/Drop period will end on Friday at 11:59 p.m. Eastern Standard time of that same week. Courses may be added or dropped during this period without charge. Individual courses dropped during the Add/Drop period do not appear on the student's transcript. A course dropped after the end of Add/Drop period becomes a Withdrawal.

c. Students should inform Vermont Law School immediately of a decision to withdraw from a course, program, or take a leave of absence prior to the start of classes. After the term or semester starts, a student withdrawing from a course, program, or taking a leave of absence must complete an Official Withdrawal Form. Withdrawing from one or more courses after the Add/Drop Period will result in a "Wd" on the student's transcript for each such course. If you are considering withdrawing or taking a leave of absence, we encourage you to consult with your academic advisor, the Business Office, and the Financial Aid Office.

d. A student *may* receive a tuition refund for the semester in which he/she withdraws minus the nonrefundable deposit and any non-refundable fees. For balance due, refunds, and return of Title IV funds, please refer to the Billing Office Policies.

B. MASTER OF LAWS IN AMERICAN LEGAL STUDIES (LLM)

1. ELIGIBILITY

The Master of Laws in American Legal Studies is specifically designed for students who hold a law degree from an institution outside of the United States.

2. REQUIREMENTS FOR THE DEGREE

- a. A minimum of 28 credits is required for the LLM degree. An LLM candidate may take a maximum of 33 credits.
- b. Course load: The minimum course load for full-time LLM students is 10 credits. The maximum course load is 16 credits in the fall and 17 credits in the spring semester.
- c. Each LLM candidate must satisfactorily complete the following courses: Constitutional Law, Civil Procedure I and II, Contracts, Torts, Criminal Law,

Property, Legal Analysis and Writing I, and Legal Research. With the approval of the Director of International and Comparative Law Programs or the Director's designee, an LLM candidate may substitute a different course for Contracts, Torts, Criminal Law, or Property if the candidate has successfully completed a comparable course at another law school. Although course requirements may be waived, the total number of credits required for degree completion remains unchanged.

- d. LLM candidates have the option of enrolling in additional courses during their second semester, with prior approval of the Director of International Programs.
- e. A cumulative average of 2.20 is required for successful completion of the LLM degree.
- f. Residence requirement: To obtain this degree, students must be in residence at Vermont Law School for two semesters.

3. GRADES AND ACADEMIC STANDARDS

a. Grading System

Each student's academic standing is determined at the end of each semester and at the end of the academic year in accordance with the following grading system:

| | |
|---|---------------------|
| A..... | 4.000 ⁴⁰ |
| A-..... | 3.666 |
| B+..... | 3.333 |
| B..... | 3.000 |
| B-..... | 2.666 |
| C+..... | 2.333 |
| C..... | 2.000 |
| C-..... | 1.666 |
| D+..... | 1.333 |
| D..... | 1.000 |
| F..... | 0.000 |
| Pass-Honors (no effect on average)..... | P-H |
| Pass (no effect on average)..... | P |
| Low-Pass (no effect on average)..... | L-P |
| Unexcused absence from examination..... | FABs |
| Unexcused failure to complete other Course requirements including attendance, papers, etc. | F-Wd |

⁴⁰ These are the course grades; grade point averages are truncated to two decimal places.

The passing grade in an individual course is.....D (1.000)

b. Designations

Temporarily excused from completion of a requirement.....I
[The student must complete the required work by the end of the spring semester in the case of a fall semester course, by the beginning of the fall semester in the case of a spring semester course, or by the end of the fall semester in the case of a summer session course or an additional grade of F-Wd will be entered.]
Excused or voluntary withdrawal from a courseWd
Year-long course.....Y
Administrative DelayAD

c. Probation and Dismissal

- (1) To be in good academic standing, a student must have an overall average of at least 2.20.
- (2) Probation:
A student will be placed on academic probation if, at the end of the first semester, the student’s cumulative average is between 1.5 and 2.20.
- (3) Academic dismissal: A student will be dismissed from the law school if:
 - (a) the student has failed a total of eight credit hours; or
 - (b) the student’s cumulative average at the end of the first semester is at or below 1.50; or
 - (c) the student’s cumulative average is below 2.20 at the end of any semester and if, at the end of any previous semester, the student was placed on academic probation; or
 - (d) the student’s cumulative average is below 2.20 at the completion of the LLM program.

4. DEGREES AND HONORS

- a. Degrees are awarded at the meetings of the Board of Trustees in the fall and winter and at the commencement held annually at the end of the spring semester. Students successfully completing degree requirements at other times may request a certificate of completion prior to the receipt of a diploma.
- b. Vermont Law School grants the LLM degree with distinction for those students who achieve a GPA of 3.50 or higher upon completion of the program.⁴¹

⁴¹ For students who matriculated in the LLM program prior to May 1, 2015, Vermont Law School grants degrees cum laude, magna cum laude and summa cum laude. The GPAs required for the award of a degree with Latin honors are as follows: cum laude 3.25, magna cum laude 3.50 and summa cum laude 3.75.

C. MASTER OF LAWS IN ENERGY LAW DEGREE (LLM)

1. REQUIREMENTS FOR THE DEGREE

a. General

- (1) The degree of Master of Laws in Energy Law (LLM) is granted for regular attendance and satisfactory completion of the prescribed course of study. A minimum of 30 credits is required for the LLM degree. These credits must be selected from courses approved for the LLM program. A cumulative average of 2.20 is required for successful completion of the LLM degree.
- (2) Each student must satisfactorily complete the following requirements as part of the requirements for the LLM degree:

| Requirement | Courses that Satisfy Requirement |
|---|---|
| Energy Law and Policy | ENV5226 Energy Law & Policy in a Carbon-Constrained World (3) |
| Energy Regulation | ENV5228 Energy Regulation, Markets and the Environment (3) |
| Administrative Law | ENV5105 Administrative Law (3) |
| Graduate Seminar | LLM9606 LLM Graduate Seminar (3) |
| Project/Writing Requirement | CLI9427 Energy Clinic (4) CLI9437 Advanced Energy Clinic (4) ENV5303 Advanced Energy Writing Seminar (2) LLM thesis or research project on an energy topic (4-6) LLM externship in energy law (4-10) Participation in the Institute for Energy and the Environment's research associate program |
| Energy Electives (minimum of 4 credits) | ENV5344 Alternative Fuels & Renewable Energy (3) ENV5375 Global Energy Justice (2) ENV5498 America's Energy Crisis (2) ENV5476 Nuclear Power and Public Policy (2) ENV5468 Oil and Gas Production and the Environment (2) ENV5469 Oil & Gas Development & the Environment (3) ENV5492 Renewable Energy Law & Policy (2) ENV5550 Renewable Energy Project Finance & Development (2) ENV5510 Three Essentials of the Electric Grid - Engineering (1) ENV5511 Three Essentials of the Electric Grid - Business (1) ENV5512 Three Essentials of the Electric Grid - Legal (1) |
| General Electives (minimum of 9) | ENV5115 Environmental Law (3) ENV5205 Air Pollution Law & Policy (3) |

| | |
|----------|--|
| credits) | ENV5210 CERCLA Liability & Cleanup (2) ENV5212 Climate Change & the Law (3) ENV5214 Climate Change Mitigation (3) ENV5220 Environmental Economics & Markets (3) ENV5365 Climate Change: The Power of Taxes (2) BUS6235 Corporations (4) ENV5125 Land Use Regulation (3) PUB7550 National Security Law (3) |
|----------|--|

(3) Any remaining electives may be chosen from the courses and experiential options listed above and from the list of approved courses in section III.A.1.a. (4).

(4) With the approval of the Director of the Environmental Law Center or the Director’s designee, an LLM candidate may waive any of the required courses if the candidate has successfully completed equivalent course work in a JD program at an ABA accredited law school or comparable international academic institution. Although requirements may be waived, the total number of credits required for degree completion remains unchanged.

The Energy Electives and General Electives requirements shall not be waived for courses completed prior to matriculation in the LLM program. All LLM candidates must take four credits of Energy Electives and nine credits of General Electives from the above list provided they do not duplicate prior course work. If an LLM candidate is unable to fulfill this requirement without duplicating prior coursework, the candidate must submit an alternative coursework plan to be approved by the Director of the Environmental Law Center or the Director’s designee.

The Project requirement shall not be waived because of prior completion of one of the listed options. LLM candidates who have completed one of the listed projects as part of a prior program must choose a different project to meet the LLM requirement.

(5) LLM Thesis or Project

(a) Thesis

An LLM candidate may choose to write a thesis. Six credits will be given for the satisfactory completion of an LLM thesis. The thesis must be a substantial piece of written work of publishable quality. A 10-15 page thesis proposal must be approved by the LLM candidate’s faculty supervisor and the Director of the Environmental Law Center before the thesis is begun.

A student will have three terms to complete the thesis. A student will register in the term in which the thesis project is begun. The grade will be entered on the transcript in the semester the thesis is completed. Ordinarily, an LLM student will begin the thesis in the spring semester. If a student extends the thesis project beyond three terms, regulation X.C.2 (below) “temporarily excused from completion of a requirement” applies.

(b) Research Project

An LLM candidate may choose to undertake a research project, either alone or as part of a joint effort with other LLM candidates. A minimum of 2 and a maximum of 6 credits will be given for a research project. An LLM project must be a substantial undertaking, involving significant legal and policy research. A five-page research project proposal must be approved by the LLM candidate's faculty supervisor and the Director of the Environmental Law Center before the project may be commenced. Students engaged in a joint project will be graded on their individual contribution to the project and on their teamwork skills.

A student will have two terms to complete the research project. A student will register in the term in which the project is begun. The grade will be entered on the transcript in the semester the project is completed. If a student extends the research project beyond two terms, regulation X.C.2 (below) "temporarily excused from completion of a requirement" applies.

(6) Credits

(a) Credit Requirements and Course Load

- (i) A minimum of 30 credits is required for the LLM degree. An LLM candidate may take a maximum of 36 credits from courses approved for the LLM degree; however, if a student has reached 30 credits and satisfied all degree requirements at the end of any semester, the degree must be awarded.
- (ii) The minimum course load for full-time LLM students is 6 credits per semester. The maximum course load in the fall or winter semester is 14 credits per semester. The maximum course load in the summer program is 11 credits. No exceptions are allowed other than with the prior approval of the Director of the Environmental Law Center or the Director's designee.

(b) Transfer of Credits Non-Vermont Law School JD Graduates

A student enrolled in the LLM program may be granted credit for courses satisfactorily completed in an LLM program at an ABA-approved law school or at the graduate level of a comparable international academic institution. A student may transfer a maximum of 6 such credits to the LLM program with the approval of the Director or the Director's designee. Before granting such approval, the Director of the Environmental Law Center or his or her designee must determine that the course is relevant and important to the student's overall program of study. Only courses with environmental or energy content are eligible for transfer credit. The Registrar must receive an official transcript showing that the course has been completed and that a grade of B minus or better (as defined in regulation VIII.C.1.) has been awarded. Transcripts from a foreign institution must be accompanied by a WES or AACRAO evaluation. Grades from transferred courses will be noted

on the student's transcript but will not be used in computing the student's grade average. Once a student has enrolled as an LLM candidate, prior approval must be obtained from the Director of the Environmental Law Center or the Director's designee to obtain credit for courses taken at another institution. No transfer credit will be given for a course completed more than 5 years prior to matriculation into the LLM program.

(7) Duration of Program

- (a) To obtain the LLM degree, a student must complete the degree requirements within a period of 5 years from matriculation.
- (b) Students may enter the LLM program in either summer or fall semester.
- (c) Distance learning students may enter the LLM degree program in any term offered throughout the year.

2. EXTERNSHIPS

The LLM Externship Program provides students with a field experience to test and develop their energy law and policy knowledge and skills.

a. Threshold Requirements for an LLM Externship

The LLM Externship Program provides students with a field experience to test and develop their energy law and policy knowledge and skill, and, as such, the following requirements must be met:

- (1) Students must work primarily on site at the LLM externship. Students may not receive LLM externship credit if their work is done by telecommuting.
- (2) LLM externships are by definition focused on energy issues, so students must assure that their work on-site relates to energy issues.
- (3) Externships cannot be substituted for required courses. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.
- (4) LLM Externships must be supervised by an attorney.
- (5) The maximum number of credits a student may earn in one or more LLM externships is ten credits.
- (6) The minimum number of credits a student may earn in an LLM externship is four credits.

b. Eligibility Requirements

- (1) Students in good academic standing may elect to enroll in an LLM externship.

- (2) Students will not be allowed to enroll in an externship where they have previously worked as a volunteer or an employee unless the externship will provide a qualitatively different or more in depth learning experience.
- (3) Without prior approval from the Director of the Masters Externship Program, students enrolled for six or more credits in an LLM or JD externship during a given semester may not subsequently continue in that placement and receive credit toward an LLM externship as a consequence of that extended placement. Students seeking to extend such long-term experiences shall petition the Director of the Masters Externship Program in writing with supporting materials that demonstrate the following:

The student's experience during the subsequent LLM externship will be substantially different from the experience as a consequence of additional (and more difficult) responsibilities, new subject areas, new skills to be developed, or other evidence that the additional credit hours will be equivalent to taking an "advanced course" after taking an introductory course.

c. Procedures for Enrolling in an LLM Externship

- (1) Fill out in its entirety, including all signatures, the contract form available at www.vermontlaw.edu/MastersExternships.
- (2) Submit the fully executed contract to the Director of the Masters Externship Program for approval of the externship opportunity.
- (3) All fully executed contracts must be submitted to the Director of the Masters Externship Program by the first day of classes of the semester in which the student will be doing her or his externship.
 - (a) The contract, once submitted to the Director of the Masters Externship Program, will be copied and distributed to the Mentor and the Faculty Supervisor.
 - (b) Students who do not submit final, signed contracts by this deadline will not be enrolled in the LLM externship and will not receive credit for their work.
- (4) The Director of the Masters Externship Program may decline any LLM externship contract or opportunity described therein that does not conform to these regulations.
- (5) For LLM students who anticipate practicing law in Vermont: If a student anticipates practicing law in Vermont, he or she may want to use the LLM externship to complete the clerkship requirement for admission to the Vermont Bar.
 - (a) If the externship is under the supervision of a Vermont attorney, students may be able to count the time toward the Vermont clerkship requirement. In entering into a Vermont legal internship the student should consult with the

attorney/Mentor to determine whether he or she is willing to supervise the work in a manner that meets the Vermont Bar requirement.

(b) In order to meet this Vermont Bar requirement students must indicate their intention to the Vermont Board of Bar Examiners before engaging in the clerkship.

d. Grades.

(1) All LLM externships are pass/fail.

(2) Faculty Supervisors assign the grade based on the student's journals, the Mentor's letter of evaluation and other information such as work product, emails, telephone conversations and/or meetings and site visits with the student and Mentor.

3. GRADES AND ACADEMIC STANDARDS

a. Grading System

Each student's cumulative grade-point average is initially determined after completion of the first semester of course work, in accordance with the following grading system:

| | |
|----------|---------------------|
| A..... | 4.000 ⁴² |
| A- | 3.666 |
| B+ | 3.333 |
| B | 3.000 |
| B- | 2.666 |
| C+ | 2.333 |
| C | 2.000 |
| C- | 1.666 |
| D+..... | 1.333 |
| D..... | 1.000 |
| F | 0.000 |

Pass-Honors (no effect on average)..... P-H
Pass (no effect on average) P
Low-Pass (no effect on average).....L-P
Unexcused absence from examinationFABs

Unexcused failure to complete other course requirements including attendance, papers, etc. ... F-Wd

The passing grade in an individual course is D(1.000)

⁴² These are the course grades; grade point averages are truncated to two decimal places.

b. Designations

Temporarily excused from completion of a requirement.I. [The student must complete the required work by the end of the spring semester (in the case of a fall semester course), by the beginning of the fall semester (in the case of a spring semester course), or by the end of the fall semester (in the case of a summer session course) or an additional grade of F-Wd will be entered.]⁴³ (See regulation VIII.C.5.(a)-(b) for the rules applicable to the thesis and research projects.)

| | |
|--|----|
| Excused or voluntary withdrawal from a coursed | Wd |
| Year-long course | Y |
| Administrative Delay | AD |

c. Probation and Dismissal

- (1) Good standing: To be in good academic standing, an LLM candidate must maintain an overall average of at least 2.20.
- (2) Probation: an LLM candidate will be placed on academic probation if, at any time after the completion of 6 credits of coursework, the student's cumulative average is between 1.90 and 2.20.
- (3) Academic dismissal: An LLM candidate will be dismissed if:
 - (a) the student has failed 6 credit hours of course work; or
 - (b) the student's cumulative average is below 1.90 at any time after the completion of 6 hours of course work;
 - (c) the student's cumulative average is below 2.20 at the end of any semester and if, at the end of any previous semester, the student was placed on academic probation; or
 - (d) the student's cumulative average is below 2.20 at the completion of the LLM program.
- (4) A student who would otherwise be dismissed under subparagraph 3.c.(3). will be allowed to continue for a second semester⁴⁴ on academic probation if the student's grade point average for the first semester on academic probation, if repeated for the second semester on academic probation with a credit load of 12 credits, is sufficient to achieve the required cumulative average of 2.20 at the end of the second semester on academic probation.

⁴³ If the faculty member submits the grade within this time period, the I designation will be removed from the transcript and the grade entered for the semester in which the student was originally registered for the course. Class rank, Dean's List, and other honors will not be changed for that semester.

If the student receives an extension or the faculty member does not submit the grade within this time period, the I designation will remain on the transcript and the grade will be entered for the semester in which the work was actually completed.

⁴⁴ For purposes of this regulation, the summer session shall be considered as a "semester."

- (5) A student who would otherwise be dismissed under subparagraph 3.c. (3)(d) may petition the Committee on Standards to be allowed to continue on academic probation. No such petition will be granted absent clear and convincing evidence of (1) extraordinary circumstances beyond the student’s control and unlikely to continue or recur prevented the student from maintaining a cumulative average of at least 2.20 and (2) a realistic and specific academic plan to raise the cumulative average to 2.20 or above in one additional academic term.
- (6) Except as provided in subsection 3.c. (5), a student who is academically dismissed cannot petition the Committee on Standards for readmission earlier than one year after the date of academic dismissal. The Committee will grant readmission only if it finds that the student has addressed the factors that contributed to the academic dismissal. If the Committee grants a petition for readmission, it may impose any conditions it deems appropriate. This regulation may not be waived by the Committee on Standards.

d. Degrees and Honors

- (1) Degrees are awarded at the meetings of the Board of Trustees in the fall and winter and at the commencement held annually at the end of the spring semester. Students successfully completing degree requirements at other times may request a certificate of completion prior to the receipt of a diploma.
- (2) Vermont Law School grants the LLM degree with distinction for those students who achieve a GPA of 3.50 or higher upon completion of the program.⁴⁵

D. MASTER OF LAWS IN FOOD AND AGRICULTURE LAW DEGREE (LLM)

1. REQUIREMENTS FOR THE DEGREE

a. General

- (1) The degree of Master of Laws in Food and Agriculture Law (LLM) is granted for regular attendance and satisfactory completion of the prescribed course of study. A minimum of 30 credits is required for the LLM degree. These credits must be selected from courses approved for the LLM program. A cumulative average of 2.2 is required for successful completion of the LLM degree.
- (2) Each student must satisfactorily complete the following requirements as part of the requirements for the LLM degree:

| Requirement | Courses that Satisfy Requirement |
|-------------------------|--|
| Required Courses | |
| ENV5105 | Administrative Law (3) |
| ENV5180 | Law and Policy of Agriculture, Food, and the |

⁴⁵ For students who matriculated in the LLM program prior to May 1, 2015, Vermont Law School grants degrees cum laude, magna cum laude and summa cum laude. The GPAs required for the award of a degree with Latin honors are as follows: cum laude 3.25, magna cum laude 3.50 and summa cum laude 3.75.

| | |
|--|--|
| | Environment (3) |
| LLM9606 | LLM Graduate Seminar (3) |
| Food and Agriculture Electives (minimum of 6 credits) | |
| ENV5380 | Food Regulation and Policy (3) |
| ENV5381 | Agriculture and Food Entrepreneurial Law (3) |
| ENV5383 | Food System Justice and Sustainability (2) |
| ENV5385 | Global Food Security (2) |
| ENV5401 | Agricultural Environmental Law (3) |
| ENV5408 | Law of Animals and Agriculture (3) |
| ENV5410 | Modern Farm Bill (2) |
| ENV5411 | Federal Regulation of Food and Agriculture (3) |
| ENV5478 | Global Food Security and Social Justice (3) |
| ENV5479 | Law and Policy of Local Food Systems (3) |
| ENV5540 | Public Health Implications of U.S. Agriculture and Food Policy (2) |
| General Electives (minimum of 3 credits) | |
| ENV5115 | Environmental Law (3) |
| ENV5125 | Land Use Regulation (3) |
| ENV5246 | Water Quality (3) |
| ENV5245 | Water Resources Law (3) |
| ENV5250 | Watershed Management and Protection (3) |
| Experiential/Writing Requirement (at least one of the following; zero credit minimum) | |
| | LLM thesis or research project on a food/agriculture topic (2-6) |
| | LLM externship in food/agriculture law (4-10) |
| | Center for Agriculture and Food Systems research associate program |
| CLI9428 | Food and Agriculture Clinic (4) |

(3) Any remaining electives may be chosen from the courses and experiential options listed above and from the list of approved courses in section III.A.1.a. (4).

(4) With the approval of the Director of the Environmental Law Center or the Director's designee, an LLM candidate may waive any of the required courses if the candidate has successfully completed equivalent course work in a JD program at an ABA accredited law school or comparable international academic institution. Although requirements may be waived, the total number of credits required for degree completion remains unchanged.

The Food and Agriculture Electives and General Electives requirements shall not be waived for courses completed prior to matriculation in the LLM program. All LLM candidates must take four credits of Food and Agriculture Electives and nine credits of General Electives from the above list provided they do not duplicate prior course work. If an LLM candidate is unable to fulfill this requirement without duplicating prior coursework, the candidate must submit an alternative coursework plan to be approved by the Director of the Environmental Law Center or the Director's designee.

The Project requirement shall not be waived because of prior completion of one of the listed options. LLM candidates who have completed one of the listed projects as part of a prior program must choose a different project to meet the LLM requirement.

(5) LLM Thesis or Project

(a) Thesis

An LLM candidate may choose to write a thesis. Six credits will be given for the satisfactory completion of an LLM thesis. The thesis must be a substantial piece of written work of publishable quality. A 10-15 page thesis proposal must be approved by the LLM candidate's faculty supervisor and the Director of the Environmental Law Center before the thesis is begun.

A student will have three terms to complete the thesis. A student will register in the term in which the thesis project is begun. The grade will be entered on the transcript in the semester the thesis is completed. Ordinarily, an LLM student will begin the thesis in the spring semester. If a student extends the thesis project beyond three terms, regulation X.C.2 (below) "temporarily excused from completion of a requirement" applies.

(b) Research Project

An LLM candidate may choose to undertake a research project, either alone or as part of a joint effort with other LLM candidates. A minimum of 2 and a maximum of 6 credits will be given for a research project. An LLM project must be a substantial undertaking, involving significant legal and policy research. A five-page research project proposal must be approved by the LLM candidate's faculty supervisor and the Director of the Environmental Law Center before the project may be commenced. Students engaged in a joint project will be graded on their individual contribution to the project and on their teamwork skills.

A student will have two terms to complete the research project. A student will register in the term in which the project is begun. The grade will be entered on the transcript in the semester the project is completed. If a student extends the research project beyond two terms, regulation X.C.2 (below) "temporarily excused from completion of a requirement" applies.

(6) Credits

(a) Credit Requirements and Course Load

- (i) A minimum of 30 credits is required for the LLM degree. An LLM candidate may take a maximum of 36 credits from courses approved for the LLM degree; however, if a student has reached 30 credits and satisfied all degree requirements at the end of any semester, the degree must be awarded.

(ii) The minimum course load for full-time LLM students is 6 credits per semester. The maximum course load in the fall or winter semester is 14 credits per semester. The maximum course load in the summer program is 11 credits. No exceptions are allowed other than with the prior approval of the Director of the Environmental Law Center or the Director's designee.

(b) Transfer of Credits Non-Vermont Law School JD Graduates

A student enrolled in the LLM program may be granted credit for courses satisfactorily completed in an LLM program at an ABA-approved law school or at the graduate level of a comparable international academic institution. A student may transfer a maximum of 6 such credits to the LLM program with the approval of the Director or the Director's designee. Before granting such approval, the Director of the Environmental Law Center or his or her designee must determine that the course is relevant and important to the student's overall program of study. Only courses with environmental or food and agriculture content are eligible for transfer credit. The Registrar must receive an official transcript showing that the course has been completed and that a grade of B minus or better (as defined in regulation VIII.C.1.) has been awarded. Transcripts from a foreign institution must be accompanied by a WES or AACRAO evaluation. Grades from transferred courses will be noted on the student's transcript but will not be used in computing the student's grade average. Once a student has enrolled as an LLM candidate, prior approval must be obtained from the Director of the Environmental Law Center or the Director's designee to obtain credit for courses taken at another institution. No transfer credit will be given for a course completed more than 5 years prior to matriculation into the LLM program.

(7) Duration of Program

- (a) To obtain the LLM degree, a student must complete the degree requirements within a period of 5 years from matriculation.
- (b) Students may enter the LLM program in either summer or fall semester.

2. EXTERNSHIPS

The LLM Externship Program provides students with a field experience to test and develop their food and agriculture law and policy knowledge and skills.

a. Threshold Requirements for an LLM Externship

The LLM Externship Program provides students with a field experience to test and develop their food and agriculture law and policy knowledge and skills, and as such, the following requirements must be met:

- (1) Students must work primarily on site at the LLM externship. Students may not receive LLM externship credit if their work is done by telecommuting.

- (2) LLM externships are by definition focused on food and agriculture issues, so students must assure that their work on-site relates to food and agriculture issues.
- (3) Externships cannot be substituted for required courses. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.
- (4) LLM Externships must be supervised by an attorney.
- (5) The maximum number of credits a student may earn in one or more LLM externships is ten credits.
- (6) The minimum number of credits a student may earn in an LLM externship is four credits.

b. Eligibility Requirements

- (1) Students in good academic standing may elect to enroll in an LLM externship.
- (2) Students will not be allowed to enroll in an externship where they have previously worked as a volunteer or an employee unless the externship will provide a qualitatively different or more in depth learning experience.
- (3) Without prior approval from the Director of the Masters Externship Program, students enrolled for six or more credits in an LLM or JD externship during a given semester may not subsequently continue in that placement and receive credit toward an LLM externship as a consequence of that extended placement. Students seeking to extend such long-term experiences shall petition the Director of the Masters Externship Program in writing with supporting materials that demonstrate the following:

The student's experience during the subsequent LLM externship will be substantially different from the experience as a consequence of additional (and more difficult) responsibilities, new subject areas, new skills to be developed, or other evidence that the additional credit hours will be equivalent to taking an "advanced course" after taking an introductory course.

c. Procedures for Enrolling in an LLM Externship

- (1) Fill out in its entirety, including all signatures, the contract form available at www.vermontlaw.edu/MastersExternships.
- (2) Submit the fully executed contract to the Director of the Masters Externship Program for approval of the externship opportunity.
- (3) All fully executed contracts must be submitted to the Director of the Masters Externship Program by the first day of classes of the semester in which the student will be doing her or his externship.

- (a) The contract, once submitted to the Director of the Masters Externship Program, will be copied and distributed to the Mentor and the Faculty Supervisor.
 - (b) Students who do not submit final, signed contracts by this deadline will not be enrolled in the LLM externship and will not receive credit for their work.
- (4) The Director of the Masters Externship Program may decline any LLM externship contract or opportunity described therein that does not conform to these regulations.
- (5) For LLM students who anticipate practicing law in Vermont: If a student anticipates practicing law in Vermont, he or she may want to use the LLM externship to complete the clerkship requirement for admission to the Vermont Bar.
- (a) If the externship is under the supervision of a Vermont attorney, students may be able to count the time toward the Vermont clerkship requirement. In entering into a Vermont legal internship the student should consult with the attorney/ Mentor to determine whether he or she is willing to supervise the work in a manner that meets the Vermont Bar requirement.
 - (b) In order to meet this Vermont Bar requirement students must indicate their intention to the Vermont Board of Bar Examiners before engaging in the clerkship.

d. Grades.

- (1) All LLM externships are pass/fail.
- (2) Faculty Supervisors assign the grade based on the student’s journals, the Mentor’s letter of evaluation and other information such as work product, emails, telephone conversations and/or meetings and site visits with the student and Mentor.

3. GRADES AND ACADEMIC STANDARDS

a. Grading System

Each student’s cumulative grade-point average is initially determined after completion of the first semester of course work, in accordance with the following grading system:

| | |
|----------|---------------------|
| A..... | 4.000 ⁴⁶ |
| A- | 3.666 |
| B+..... | 3.333 |
| B | 3.000 |
| B-..... | 2.666 |
| C+..... | 2.333 |
| C..... | 2.000 |

⁴⁶ These are the course grades; grade point averages are rounded off to two decimal places.

C-.....1.666
D+.....1.333
D.....1.000
F0.000

Pass-Honors (no effect on average)..... P-H
Pass (no effect on average) P
Low-Pass (no effect on average).....L-P
Unexcused absence from examinationFABs

Unexcused failure to complete other course requirements
including attendance, papers, etc. ... F-Wd

The passing grade in an individual course is D (1.000)

b. Designations

Temporarily excused from completion of a requirement. [The student must complete the required work by the end of the spring semester (in the case of a fall semester course), by the beginning of the fall semester (in the case of a spring semester course), or by the end of the fall semester (in the case of a summer session course) or an additional grade of F-Wd will be entered.]⁴⁷ (See regulation X..A.1.(c) for the rules applicable to the thesis and research projects.) I

Excused or voluntary withdrawal from a course ...Wd
Year-long course Y
Administrative DelayAD

c. Probation and Dismissal

- (1) Good standing: To be in good academic standing, an LLM candidate must maintain an overall average of at least 2.20.
- (2) Probation: an LLM candidate will be placed on academic probation if, at any time after the completion of 6 credits of coursework, the student's cumulative average is between 1.90 and 2.20.
- (3) Academic dismissal: An LLM candidate will be dismissed if:
 - (a) the student has failed 6 credit hours of course work; or
 - (b) the student's cumulative average is below 1.90 at any time after the completion of 6 hours of course work;

⁴⁷ If the faculty member submits the grade within this time period, the I designation will be removed from the transcript and the grade entered for the semester in which the student was originally registered for the course. Class rank, Dean's List, and other honors will not be changed for that semester.

If the student receives an extension or the faculty member does not submit the grade within this time period, the I designation will remain on the transcript and the grade will be entered for the semester in which the work was actually completed.

(c) the student's cumulative average is below 2.20 at the end of any semester and if, at the end of any previous semester, the student was placed on academic probation; or

(d) the student's cumulative average is below 2.20 at the completion of the LLM program.

- (4) A student who would otherwise be dismissed under subparagraph 3.c.(3)(d) will be allowed to continue for a second semester⁴⁸ on academic probation if the student's grade point average for the first semester on academic probation, if repeated for the second semester on academic probation with a credit load of 12 credits, is sufficient to achieve the required cumulative average of 2.20 at the end of the second semester on academic probation.
- (5) A student who would otherwise be dismissed under subparagraph 3.c. (3)(d) may petition the Committee on Standards to be allowed to continue on academic probation. No such petition will be granted absent clear and convincing evidence of (1) extraordinary circumstances beyond the student's control and unlikely to continue or recur prevented the student from maintaining a cumulative average of at least 2.20 and (2) a realistic and specific academic plan to raise the cumulative average to 2.20 or above in one additional academic term.
- (6) Except as provided for in subsection 3.c. (5), a student who is academically dismissed cannot petition the Committee on Standards for readmission earlier than one year after the date of academic dismissal. The Committee will grant readmission only if it finds that the student has addressed the factors that contributed to the academic dismissal. If the Committee grants a petition for readmission, it may impose any conditions it deems appropriate. The Committee may not waive this regulation.

d. Degrees and Honors

(1) Degrees are awarded at the meetings of the Board of Trustees in the fall and winter and at the commencement held annually at the end of the spring semester. Students successfully completing degree requirements at other times may request a certificate of completion prior to the receipt of a diploma.

(2) Vermont Law School grants the LLM degree with distinction for those students who achieve a GPA of 3.50 or higher upon completion of the program.⁴⁹

⁴⁸ For purposes of this regulation, the summer session shall be considered as a "semester."

⁴⁹ For students who matriculated in the LLM program prior to May 1, 2015, Vermont Law School grants degrees cum laude, magna cum laude and summa cum laude. The GPAs required for the award of a degree with Latin honors are as follows: cum laude 3.25, magna cum laude 3.50 and summa cum laude 3.75.

IX. CERTIFICATE PROGRAMS

All certificates for JD students must be declared by the end of their 4th semester. For all other residential students the declaration must be made by the end of their first semester or after 12 credits for online students. Please see <http://www.vermontlaw.edu/academics/certificates> for more information.

A. CERTIFICATE IN DISPUTE RESOLUTION

1. General

The Certificate in Dispute Resolution seeks to provide students with the skills and substantive knowledge valuable to legal practice as well as a wide variety of problem-solving careers. The certificate requires coursework in arbitration, and mediation and/or negotiation, to build competency, writing skills, and practical experience.

2. Application Procedure

Students may declare in writing their intention to earn a Certificate in Dispute Resolution by signing a declaration form to be co-signed by the Director of the Dispute Resolution Program and the Registrar. Students may declare during any term. Completion of Certificate requirements will appear on the transcript.

3. Certificate Requirements

The Certificate in Dispute Resolution requires 15 credits with a cumulative GPA of 3.0 in all courses that count toward the certificate. For non-VLS students, four credits can come from non-VLS courses. Certificate courses may also be used to satisfy course requirements in the JD, MELP, and LLM degree programs.

| Requirement 15 credits | Courses that Satisfy Requirement |
|-------------------------------------|---|
| Competency: 9 Credits | |
| Choose one: | ADR 6410 Alternative Dispute Resolution (3) OR ADR 6415 Environmental Dispute Resolution (3) |
| Choose one: | ADR 6405 Arbitration (2) OR ADR 6406 International Commercial Arbitration (2) OR INT 7450 International Investment Arbitration and the Environment (2) |
| Choose four credits from this list: | ADR 6415 Negotiation (2) ADR 6410 Mediation (2) ADR 6413 Mediation Advocacy (2) ADR 6425 Interviewing, Counseling, and Negotiation (3) CLI 9405 Dispute Resolution Clinic I (4) |
| Writing: 2 Credits | |
| Choose One: | WRI 1205 Independent Research (2) OR ADR 6450 Advanced Dispute Resolution Writing Seminar (2) |

| | |
|----------------------|--|
| Practicum: 4 Credits | |
| Choose One: | CLI 9405 Dispute Resolution Clinic I (4) OR ADR 6490 Externship in Dispute Resolution (4) OR An equivalent clinical experience |

B. EXPERIENTIAL ADVOCACY PROGRAM CERTIFICATE

1. General

The Experiential Advocacy Program Certificate is a formal recognition that a student has pursued a concentrated course of study in the field of experiential advocacy.

2. Application Procedure

Students must declare in writing their intent to earn a Certificate in the Experiential Advocacy Program by submitting a Declaration Form to the Registrar's Office. Students must declare before the beginning of their final semester at VLS. Completion of certificate requirements will appear on the student's transcript.

3. Certificate Requirements

| Requirement | Courses that Satisfy the Requirement |
|---|--|
| Course Options (minimum of 16 credits) ⁵⁰ | ADR6425 Interviewing, Counseling & Negotiation (2)* ADR6424 Interviewing and Counseling (2)* ADR6413 Mediation Advocacy (2)* ADR6420 Negotiation (2)* BUS6226 Corporate Finance (2)** CRI7307 Criminal Practice & Procedure (2)* CRI7331 Impaired Driving (2)** FAM7715/7717 Family Law w/Optional Lab (2)** GPP7806 Domestic Relations (4)*** GPP7823 Bankruptcy, Collections, & Foreclosure/Landlord-Tenant (2) GPP7810 Commercial Transactions (2) GPP7817 Criminal Procedure: Bail to Jail/Criminal Law (2) GPP7816 Employment Law/Pre-Trial Litigation (2) GPP7819 Environmental Issues in Business Transactions (2) GPP7821 Estate Planning (2) GPP7814 International Intellectual Property (2) GPP7815 Municipal Law (2) |

⁵⁰ *Credit accepted for 2014-2015 academic year forward

**Credit accepted for 2015-2016 academic year forward

***Course no longer offered

| | | |
|--|---|-----|
| | GPP7812 Real Estate Transactions (2) GPP7818 Representing Entrepreneurial Business (2) GPP7830 Legal Activism: Lawyering for Social Change (2)** LIT7220 Trial Practice (2)* Hactivist Boot Camp (2)** Enrollment in any VLS clinic or participation in an Externship/SiP may be substituted for one semester of XAd courses (4) | The |
|--|---|-----|

Experiential Advocacy Certificate requires 16 credits and a cumulative GPA of 3.00 in all courses that count toward the certificate. Certificate courses may also be used to satisfy course requirements in the JD, MELP, MERL, MFALP, and LLM degree programs. At the discretion of the Director, there may be additional non-curricular requirements that students must meet in order to receive the Certificate. These requirements may include but are not limited to attendance at professional and related events, keeping of journals, submission of Practice of Law Memos and other reflective work.

4. Director Discretion

For good cause shown, the Director retains discretion to substitute equivalent course(s) or to alter the distribution, but not the number, of credits required for the Certificate.

GENERAL PRACTICE PROGRAM–CERTIFICATE REQUIREMENTS

Students who were accepted into the General Practice Program prior to March 1, 2015, may choose to pursue either a Certificate in the Experiential Advocacy or a Certificate in General Practice. A Certificate in General Practice shall be available upon completion of the following:

1. GPP 7806
2. A minimum of 12 additional credits of General Practice Program (GPP) courses.
3. To complete the required 16 credits, students shall take 4 credits of courses approved for GPP credit during each semester of their participation in the program.
4. After completion GPP 7806, and 4 additional credits of GPP courses, students may substitute a clinic or externship (of at least 4 credits) in lieu of enrollment in General Practice Program courses for one semester.
5. At the discretion of the Director, there may be additional non-curricular requirements that students must meet in order to receive the Certificate. These requirements may include but are not limited to attendance at professional and related events, and keeping of journals and other reflective work.
6. For good cause shown, the Director retains discretion to substitute equivalent course(s) or to alter the distribution, but not the number, of credits required for the Certificate.

| Requirement 16 credits | Courses that satisfy the requirement |
|--|---|
| GPP 7806 | GPP 7806 (4 credits) |
| 12 credits of GPP approved courses | GPP 7810 (2 credits) GPP 7812 (2 credits) GPP 7814 (2 credits) GPP 7815 (2 credits) GPP 7816 (2 credits) GPP 7817 (2 credits) GPP 7818 (2 credits) GPP 7819 (2 credits) GPP 7821 (2 credits) GPP 7823(2 credits) Clinic or Externship Participation (4 credits) |

C. INTERNATIONAL AND COMPARATIVE LAW CERTIFICATE

The International and Comparative Law (ICL) Certificate formally acknowledges a student's academic concentration in international and comparative law.

1. Requirements

To earn the International and Comparative Law Certificate, each student must satisfactorily complete the following requirements:

- a. Minimum of 18 credits in international, foreign and comparative law courses.

In the minimum 18 credits of courses, the following courses are required:

- i. International Law;
- ii. a Comparative or Foreign Law course, from the list of approved courses designated in the registration materials as meeting this requirement; and
- iii. a Study Abroad course, from the list of courses designated in the registration materials as meeting this requirement.

The remainder of the 18 credits may be taken from a list of international and comparative law courses approved for this purpose by Director of International and Comparative Law Programs; a list of courses that satisfy this requirement is published each year in the registration materials.

- b. No more than 12 of the 18 required credits for this Certificate may be counted toward the 87 credits for the JD degree, so that a minimum of 93 credits is required to earn this Certificate with the JD degree.

- c. Cumulative GPA of 3.00 or above in all courses that count towards the Certificate.
 - d. Grade of B or above in both International Law and in the course that is used to meet the Comparative or Foreign Law course requirement of the certificate.
2. Pass/fail credits: No more than 10 credits taken on a pass/fail basis may be used to satisfy the Certificate's credit requirement.
 3. No more than 10 credits from a qualifying Semester-in-Practice may be used to satisfy the Certificate's credit requirement.
 4. Courses taken at an ABA-approved summer study-abroad program must have the prior approval of the Director of International Programs for the course to be used to satisfy the study-abroad requirement, and prior approval of the Registrar to determine that VLS will accept the credits.
 5. Number of credits for courses taken at foreign institutions: Many foreign law schools determine the number of credits differently than U.S. law schools. The number of credits earned for courses taken at a foreign institution will be determined in accordance with the ABA regulation for determining course credits.
 6. Declaration
Students wanting to earn the ICL Certificate must file an approved Declaration form with the Registrar as soon as possible but no later than the first day of classes of the Fall semester of their 3L JD year.
 7. Checklist of courses meeting the certificate requirements.

| | |
|---|--|
| 1. INT7425 International Law (must earn B or above in this course) | |
| 2. Take at least one course from each of the following two categories | Courses that satisfy the requirement |
| a) Comparative or Foreign Law Course (must earn B or above) | INT7407 Comparative Law INT7426 Comparative Constitutional Law INT7413 European Union Law INT7437 Introduction to Chinese Law |
| b) Study Abroad Course | INT7430 Spanish Constitutional Law |
| | INT7414 European Union Law -Trento |
| | International SiP ⁵¹ (max. 10 credits towards Certificate) |
| | Semester Study at McGill University ⁵² |
| | Semester Study at University of Trento ²⁷ |
| | Semester Study at Renmin University ²⁷ |

⁵¹ Credit maximum: A maximum of 10 credits from this course may be used to satisfy the course credit requirements for the Certificate in International and Comparative Law; however, all of the credits earned may apply to satisfy the J.D. requirements.

⁵² Number of credits for courses taken at foreign institutions: The number of credits earned for courses taken at a foreign institution will be determined in accordance with the ABA regulation for determining course credits.

| | |
|---|---|
| | Semester Study at the University of Cergy-Pontoise ²⁷ |
| | ABA-approved Summer Course ⁵³ |
| | An independent research project (IRP) conducted abroad, if based upon international work experience during law school, including summers, as long as prior approval of the project for this purpose is obtained from the Director of International and Comparative Law Programs |
| | Other such courses approved by the Director of International and Comparative Law Programs |
| 3. Additional courses to meet the 18-credit requirement | Courses meeting this requirement are produced each year and are found in the web-based registration materials. |

Official transcripts and translations or foreign evaluations as required must be submitted prior to the credits being accepted and noted on the transcript.

D. CERTIFICATE IN CLIMATE LAW

1. General

The Certificate in Climate Law is a formal recognition that a student has pursued a concentrated course of study in the field of climate law.

2. Application Procedure

Students must declare in writing their intent to earn a Certificate in Climate Law by submitting a Declaration Form to the Registrar's Office. Students must declare before the beginning of their final semester at VLS. Completion of certificate requirements will appear on the student's transcript.

3. Certificate Requirements

The Certificate in Climate Law requires 14 credits and a cumulative GPA of 3.00 in all courses that count toward the certificate. Certificate courses may also be used to satisfy course requirements in the JD, MELP, MERL, MFALP, and LLM degree programs.

| Requirement | Courses that Satisfy the Requirement |
|--|--|
| Required Courses (minimum of 6 credits) | ENV5212 Climate Change and the Law (3) ENV5226 Energy Law & Policy in Carbon-Constrained World (3) |
| Climate Electives (minimum of 4 credits) | ENV5205 Air Pollution Law & Policy (3) ENV5214 Climate Change Mitigation (3) ENV5218 International Climate Change Law (3) ENV5335 Extinction & Climate Change (2) |

⁵³ Courses taken at an ABA-approved summer study-abroad program must have the prior approval of the Director of International Programs for the course to be used to satisfy the study-abroad requirement, and of the Registrar to determine that VLS will accept the credits.

| | |
|--|---|
| | ENV5342 Legal Adaptations to Global Warming Impacts (2) ENV5336 Climate Change, Extinction & Adaptation (3) ENV5343 Climate Change Adaptation in Human Systems (3) ENV5365 Climate Change: The Power of Taxes (2) |
| General Electives (minimum of 3 credits) | ENV5112 Science for Environmental Law (3) ENV5228 Energy Regulation, Markets & the Env (3) ENV5375 Global Energy Justice (2) ENV5468 Oil & Gas Production & the Environment (2) ENV5469 Oil & Gas Development & the Environment (3) ENV5476 Nuclear Power and Public Policy (2) ENV5492 Renewable Energy Law & Policy (2) ENV5498 America's Energy Crisis (2) ENV5510 Three Essentials of the Electric Grid (3) ENV5550 Renewable Energy Project Finance & Development (2) |
| Experiential/Writing Requirement (minimum of 1 credit) | Advanced Writing Requirement on a climate topic Independent Research Project on a climate topic LLM thesis or research project on a climate topic Master's or JD externship on a climate topic |

E. CERTIFICATE IN ENERGY LAW

1. General

The Certificate in Energy Law is a formal recognition that a student has pursued a concentrated course of study in the field of energy law.

2. Application Procedure

Students must declare in writing their intent to earn a Certificate in Energy Law by submitting a Declaration Form to the Registrar's Office. Students must declare before the beginning of their final semester at VLS. Completion of certificate requirements will appear on the student's transcript.

Students in the Master of Energy Regulation and Law (MERL) and LLM in Energy Law degree programs may not pursue the Certificate in Energy Law.

3. Certificate Requirements

The Certificate in Energy Law requires 14 credits and a cumulative GPA of 3.00 in all courses that count toward the certificate. Certificate courses may also be used to satisfy course requirements in the JD, MELP, MFALP, LLM in Environmental Law, and LLM in Food and Agriculture Law degree programs.

| Requirement | Courses that Satisfy the Requirement |
|---|--|
| Required Courses (minimum of 6 credits) | ENV5226 Energy Law & Policy in a Carbon-Constrained World (3) ENV5228 Energy Regulation, Markets and the Environment (3) |
| Energy Electives (minimum of 4 credits) | CLI9427 Energy Clinic (4) CLI9437 Advanced Energy Clinic (4) ENV5344 Alternative Fuels and Renewable Energy (3) ENV5468 Oil and Gas Production and the Environment (2) ENV5469 Oil & Gas Development & the Environment (3) ENV5476 Nuclear Power and Public Policy (2) ENV5492 Renewable Energy Law & Policy (2) ENV5498 America's Energy Crisis (2) ENV5510 Three Essentials of the Electric Grid (1-3) ENV5550 Renewable Energy Project Finance & Development (2) |
| General Electives (minimum of 3 credits) | ENV5205 Air Pollution Law & Policy (3) ENV5210 CERCLA Liability & Cleanup (2) ENV5212 Climate Change & the Law (3) ENV5365 Climate Change: The Power of Taxes (2) BUS6226 Corporate Finance: Mergers & Acquisitions (3) BUS6235 Corporations (4) ENV5125 Land Use Regulation (3) PUB7550 National Security Law (3) |
| Experiential/Writing Requirement (minimum of 1 credit) | ENV5303 Advanced Energy Writing Seminar (2) Advanced Writing Requirement on an energy topic Independent Research Project on an energy topic LLM thesis or research project on an energy topic Master's or JD externship on an energy topic |

F. CERTIFICATE IN LAND USE LAW

1. General

The Certificate in Land Use Law is a formal recognition that a student has pursued a concentrated course of study in the field of land use law.

2. Application Procedure

Students must declare in writing their intent to earn a Certificate in Land Use Law by submitting a Declaration Form to the Registrar's Office. Students must declare before the beginning of their final semester at VLS. Completion of certificate requirements will appear on the student's transcript.

3. Certificate Requirements

The Certificate in Land Use Law requires 14 credits and a cumulative GPA of 3.00 in all courses that count toward the certificate. Certificate courses may also be used to satisfy course requirements in the JD, MELP, MERL, MFALP, and LLM degree programs.

| Requirement | Courses that Satisfy the Requirement |
|---|--|
| Required Courses (minimum of 6 credits) | ENV5125 Land Use Regulation (3) ENV5239 Land Transactions and Finance (3) |
| Land Use Electives (minimum of 4 credits) | ENV5345 Land & the Law of Takings (2) ENV5430 Ecology (3) ENV5405 Ecosystem Conservation Strategies (2) ENV5472 Law of Ecosystem Management (2) ENV5474 Land Conservation Law (2) ENV5462 Public Lands Management: Montana Field Study ENV5250 Watershed Management & Protection (3) INT7448 Comparative US-France Land Use Field Study (3) |
| General Electives (minimum of 3 credits) | ENV5105 Administrative Law (3) ENV5401 Agricultural Environmental Law (3) ENV5235 Natural Resources Law (3) ENV5423 Ocean & Coastal Law (3) PUB7580 State & Local Government (2) |
| Experiential/Writing Requirement (minimum of 1 credit) | Advanced Writing Requirement on a land use topic CLI9450 Land Use Clinic (LLM or JD) Independent Research Project on a land use topic LLM thesis or research project on a land use topic Master's or JD externship on a land use topic |

G. CERTIFICATE IN WATER RESOURCES LAW

4. General

The Certificate in Water Resources Law is a formal recognition that a student has pursued a concentrated course of study in the field of water resources law.

5. Application Procedure

Students must declare in writing their intent to earn a Certificate in Water Resources Law by submitting a Declaration Form to the Registrar's Office. Students must declare before the beginning of their final semester at VLS. Completion of certificate requirements will appear on the student's transcript.

6. Certificate Requirements

The Certificate in Water Resources Law requires 14 credits and a cumulative GPA of 3.00 in all courses that count toward the certificate. Certificate courses may also be used to satisfy course requirements in the JD, MELP, MERL, MFALP, and LLM degree programs.

| Requirement | Courses that Satisfy the Requirement |
|--|---|
| Required Course (6 credits) | ENV5245 Water Resources Law (3) ENV5246 Water Quality (3) |
| Water Electives (minimum of 4 credits) | ENV5250 Watershed Management & Protection (3) ENV5349 Regulating the Marine Environment (2) ENV5405 Ecosystem Conservation Strategies (2) ENV5423 Ocean and Coastal Law (3) ENV5472 Law of Ecosystem Management (2) ENV5561 Environmental Enforcement & Compliance (2) |
| General Electives (minimum of 3 credits) | ENV5235 Natural Resources Law (3) ENV5401 Agricultural Environmental Law (3) ENV5430 Ecology (3) ENV5474 Land Conservation Law (2) |
| Experiential/Writing Requirement (minimum of 1 credit) | Advanced Writing Requirement on a water topic Independent Research Project on a water topic LLM thesis or research project on a water topic Master's or JD externship on a water topic |

H. CERTIFICATE IN CRIMINAL LAW

1. General

The Certificate in Criminal Law is a formal recognition that a student has pursued a concentrated course of study in the field of criminal law.

2. Application procedure

Students must declare in writing their intent to earn a Certificate in Criminal Law by submitting a Declaration Form to the Registrar's Office. Students must declare before the beginning of their final semester at VLS. Completion of certificate requirements will appear on the student's transcript.

3. Certificate Requirements

The Certificate in Criminal Law requires 18 credits and a cumulative GPA of 3.00 in all courses that count toward the certificate.

| Requirement 18 credits | Courses that Satisfy Requirement |
|--|---|
| Doctrinal Requirements (10-11 credits) | REQ7140 Criminal Law (3 credits) CRI7262 Constitutional Criminal Procedure (3 credits) or CRI7307 Criminal Practice & Procedure (4 credits) LIT7210 Evidence (4 credits) |

| | |
|---|---|
| Skills/Experiential Requirements (8-16 credits) | |
| | <p>LIT7220 Trial Practice (3 credits) or LIT7318 Intensive Trial Practice (2 or 3 credits depending on whether students are selected to compete in the Texas Young Lawyers' Association Trial Competition).</p> <p>CRI7350 Criminal Law Clinic or a part-time externship or full-time SIP in a prosecutor's or defender's office or part-time or full-time judicial externship where 50% or more of student's time is spent on criminal matters (6-13 credits depending on whether placement is part-time or full-time).</p> |
| Writing Requirement (0-3 credits) | |
| | <p>A law review note written on a criminal law topic and submitted for AWR credit (2 credits) or a seminar, to be chosen from the following list, in which the student fulfills his/her AWR requirement (2-3 credits):</p> <p>CRI7305 Advanced Criminal Law Seminar CRI7313 Capital Punishment Seminar CRI7319 Juvenile Justice Seminar CRI7314 Narcotics Law and Policy Seminar CRI7304 Sex Crimes Seminar</p> <p style="text-align: center;">Or</p> <p>An Accepted Brief in conjunction with the Criminal Law Clinic</p> |

I. CERTIFICATE IN BUSINESS LAW

1. General

The Certificate in Business Law is a formal recognition that a student has pursued a concentrated course of study in the field of business law.

2. Application procedure

Students must declare in writing their intent to earn a Certificate in Business Law by submitting a Declaration Form to the Registrar's Office. Students must declare before the beginning of their final semester at VLS. Completion of certificate requirements will appear on the student's transcript.

3. Certificate Requirements

The Certificate in Business Law requires 15 credits and a cumulative GPA of 3.00 in all courses that count toward the certificate.

| Requirement 15 credits | Courses that Satisfy Requirement |
|--|--|
| Required: 7 Credits | |
| Take both: | Corporations (4) Securities Regulation (3) |
| General Electives: 7 Credits | |
| Take seven credits from this list. Refer to vermontlaw.edu/registrar for current list. | ADR6410.A Alternative Dispute Resolution (3) ADR 6405.A Arbitration (2) Bankruptcy (3) GPP7823.A Bankruptcy/Landlord-Tenant (GPP) (2) GPP7810.A Commercial Transactions (GPP) (2) Climate Change and the Power of Taxes (2) Digital Drafting (3) BUS6245.A Employment Law (3) Employment Law/Pretial Litigation (GPP) (2) ENV5220.A Environmental Economics and Markets (3) GPP7819.A Environmental Issues in Business Transactions (GPP) (2) FAM7710.A Estates (4) INT7411.A French Corporate Law (1) BUS6255.A Income Taxation (4) BUS6260.A Intellectual Property (2) INT7416.A International Business Transactions (3) GPP7814.A International Intellectual Property (GPP) (2) Land Transactions and Finance (3) Mediation (2) ADR6420.A Negotiation (2) BUS6305.A Non-Profit Organizations (3) Real Estate Transactions (GPP) (2) Representing Entrepreneurial Business (GPP) (2) BUS6280.A Sales (2) BUS6285.A Secured Transactions (3) BUS6262.A Social Enterprise Law (2) White Collar Crime (3) |
| Writing Requirement (0-3 credits) | |
| Students must complete a business law-related IRP or AWR | |

J. CERTIFICATE IN FOOD AND AGRICULTURE LAW

1. General

The Certificate in Food and Agriculture Law is a formal recognition that a student has pursued a concentrated course of study in the field of food and agriculture law.

2. Application Procedure

Students must declare in writing their intent to earn a Certificate in Food and Agriculture Law by submitting a Declaration Form to the Registrar's Office. Students must declare before the beginning of their final semester at VLS. Completion of certificate requirements will appear on the student's transcript.

3. Certificate Requirements

The Certificate in Food and Agriculture Law requires 14 credits and a cumulative GPA of 3.00 in all courses that count toward the certificate. Certificate courses may also be used to satisfy course requirements in the JD, MELP, MERL, and LLM in Environmental Law, and LLM in Energy Law degree programs.

| Requirement | Courses that Satisfy the Requirement |
|---|---|
| Required Courses (3 credits) | ENV5108 Law & Policy of Agriculture, Food & the Environment (3) |
| Food & Agriculture Electives (minimum of 7 credits) | ENV5110 Ecology of Food and Agriculture (3) ENV5380 Food Regulation and Policy (3) ENV5381 Agriculture and Food Entrepreneurial Law (3) ENV5383 Food System Justice and Sustainability (2) ENV5385 Global Food Security (2) ENV5401 Agricultural Environmental Law (3) ENV5408 Law of Animals and Agriculture (3) ENV5410 Modern Farm Bill (2) ENV5411 Federal Regulation of Food and Agriculture (3) ENV5478 Global Food Security & Social Justice (3) ENV5479 Law and Policy of Local Food Systems (3) ENV5540 Public Health Implications of U.S. Ag & Food Policy (2) |
| General Electives (minimum of 3 credits) | ENV5125 Land Use Regulation (3) ENV5235 Natural Resources Law (3) ENV5245 Water Resources (3) ENV5246 Water Quality (3) ENV5250 Watershed Management & Protection (3) ENV5310 Environmental Health Law (3) ENV5405 Ecosystem Conservation Strategies (2) ENV5406 Animal Rights Jurisprudence (2) ENV5474 Land Conservation Law (2) ENV5561 Environmental Enforcement & Compliance (2) JUR7333 Animal Law & Ethics (3) |
| Experiential/Writing | CLI9428 Food and Agriculture Clinic (4) |

| | |
|---|--|
| Requirement (minimum of 1 credit) | Advanced Writing Requirement on a food and agriculture topic Independent Research Project on a food and agriculture topic LLM thesis or research project on a food and agriculture topic Master's or JD externship on a food and agriculture topic |
|---|--|

X. MISCELLANEOUS ACADEMIC REGULATIONS

The regulations in this section apply to all persons taking courses at, or through, Vermont Law School. They apply to students who are candidates for degrees, to students taking courses for credit, and to students auditing courses. The regulations in subsection A apply to all students at all times; the regulations in subsection B apply to all students taking courses in the fall and spring semesters; the regulations in subsection C apply to all students taking courses in the summer session. See regulation XI. for provisions of the Vermont Law School Honor Code.

A. GENERAL

1. Regular Attendance

Students are required to attend all classes except where religious observance, serious illness, personal emergency, or a reason that is adequate in the judgment of the professor prevents attendance.

- b. If a student is absent from twenty (20%) percent of the regularly scheduled classes without adequate excuse, the student shall be automatically withdrawn from the course with a grade of F-Wd. Such withdrawal shall not be effective unless the student has been personally warned by the instructor. Personal notice shall include, but is not limited to, notice placed in the student's Vermont Law School mailbox or notice sent to the student's Vermont Law School e-mail address. In summer session, a student may not be absent for more than one class.
- c. Individual faculty may adopt a more stringent attendance policy than specified in paragraph a, provided that students are given notice of that policy.
- d. If a course instructor does not arrive within ten minutes of the scheduled beginning of class, and if no contrary notice has been given, students may disperse, and the class will not meet.

2. Leave of Absence

Requests for leaves of absence should be directed to the Registrar. Ordinarily, no leave will be granted before the completion of the first semester of the first year; leaves may be granted for up to one year. Requests for medical leaves of absence must be directed to the Committee on Standards.

3. Examinations

- a. Students should use examination identification numbers assigned by the Registrar rather than their names on all examination and course papers unless requested to do otherwise.

- b. Students are required to take a regularly scheduled examination in each course; in some courses, seminars, clinical programs, and the like, papers and other assigned work may be substituted.
- c. Students are permitted to have in their possession in the examination room only material authorized by the instructor. Possession of any other materials is grounds for a grade of F and for action under the Vermont Law School Honor Code.
- e. After an examination has been turned in, a faculty member may require of any student whose paper is found to be illegible that a typed copy of the examination be substituted for grading purposes. At the student's expense the student will be provided by the Registrar with a photocopy of the student's examination paper. The substitute copy of the examination, along with the typed copy, must be returned within ten days, or such shorter period designated by the faculty member. The typed copy must bear the signed certification of the student and typist that it is "an exact, true, and unedited copy of the original."
- f. Take-home examinations may be given at the discretion of the instructor. Any examination extending beyond a full day (9 a.m. to 5 p.m.) is considered a take-home examination. The time for a take-home examination in a first-year course is determined by the instructor and the Registrar. Take-home examinations in other courses will be scheduled for the entire examination period.⁵⁴ Take-home examinations in summer school extend for the period designated by the Director of the Environmental Law Center or the Director's designee.
- g. An unexcused failure to take such an examination will result in an automatic F-Abs grade for the course. If a satisfactory explanation for the absence is approved by the Committee on Standards, an I (incomplete) is recorded; the regular course grade earned in a subsequent examination will be added to the permanent record when it becomes available.
- h. Except as provided below, students are required to take final examinations at the regularly scheduled examination time unless extraordinary circumstances exist to justify departure from this policy. Extraordinary circumstances are defined as serious personal illness or other personal emergency which will prevent the student from taking the examination at its regularly scheduled time. Personal travel plans outside of an emergency situation will not constitute extraordinary circumstances.

Requests for permission to take a make-up examination must be made to the Deputy Vice Dean for Academic Affairs in advance of the regular examination. If a student is prevented by sudden illness or other cause from submitting a written request, an oral request before the examination should be made to the Deputy Vice Dean for Academic Affairs or the Registrar. Requests alleging illness or other medical problems must include a physician's statement concerning the medical condition.

⁵⁴ The examination period in the spring semester is shorter for upper division courses than for first-year courses.

A request made after the regularly scheduled examination will generally not be granted, unless unforeseeable emergency circumstances prevented the student from making a pre-examination request.

- i. When the Deputy Vice Dean or the Committee on Standards has excused an absence from an examination, a make-up examination shall be arranged by the Registrar and the instructor. Make-up examinations will be given no later than two weeks following the regular examination period unless the Deputy Vice Dean or the Committee on Standards determines that the circumstances justifying the excused absence will continue to prevent the student from taking the examination during that time period.
- j. A student seeking accommodation for disability must contact the Deputy Vice Dean for Academic Affairs and follow the procedures outlined in the Vermont Law School Policy and Procedures for the Provision of Services to Students with Disabilities. The Deputy Vice Dean for Academic Affairs will notify the Registrar of the appropriate accommodations to be provided a student. The Registrar will notify the student of the time and place for each examination.
- k. A student seeking accommodation for a temporary disability must contact the Deputy Vice Dean for Academic Affairs or the Director of Academic Success prior to the beginning of the examination period. (If the condition arises during the examination period, the student must contact the Deputy Vice Dean or the Registrar as soon as possible within the examination period.) The Deputy Vice Dean or the Registrar may require medical documentation of the temporary disability. The Registrar, in consultation with the Deputy Vice Dean for Academic Affairs or the Director of Academic Success will provide appropriate accommodation and notify the student of the time and place for each examination as well as the nature of the accommodation provided. Accommodation for a temporary disability will be provided only for examinations during one semester (or one summer session). A student seeking accommodation beyond one term should contact the Deputy Vice Dean for Academic Affairs.
- l. A student who is unable to take a regularly scheduled examination for religious reasons should contact the Registrar. The Registrar will move the examination to the first day, following the scheduled day, when that student is not taking another examination.
- m. A student seeking additional time on examinations or other accommodation because English is not the student's native language must contact the Deputy Vice Dean for Academic Affairs. The student must provide the Deputy Vice Dean with appropriate documentation supporting his or her request. The Deputy Vice Dean will notify the Registrar of the appropriate accommodations to be provided a student. The Registrar will notify the student of the time and place for each examination.
- n. A student should not be required to take more than one examination per day or three examinations on consecutive days.
 - (1) Two Examinations on the Same Day: A student with two examinations scheduled on the same day may request a rescheduling of the examination for the course with the lower enrollment to the first day, following the scheduled day, when that student is not taking another examination.

- (2) Three Examinations on Consecutive Days: A student scheduled to take three examinations on consecutive days may request that one examination (usually in the course with the lowest enrollment) be rescheduled to the next available examination date. The next available examination date may be a Saturday.
- o. Other Rescheduling Requests: Any request to take an examination early, or to reschedule an examination for any reason other than described in Subsection m.(1) and (2), above, must be submitted to the Committee on Standards for approval.
- p. Requests made to reschedule examinations under Subsection m.(1) and (2) must be presented in writing to the Registrar's Office, on the form available in the Registrar's Office.

All other rescheduling requests, including all requests to reschedule an examination on a day earlier than the regularly scheduled examination, must be made by submitting a written petition to the Committee on Standards.

- q. Upon approval of a request by the Registrar or the Committee on Standards, the student will be notified of the rescheduled day and time, and of the procedure for picking up and turning in the examination. A rescheduled examination may not be given on a day *earlier than* the regularly scheduled examination without the express consent of the faculty member. (Examinations with extended time may begin at a *time* earlier than the regularly scheduled examination if the examination is given on the same day as the regularly scheduled examination.)
- r. The Registrar will maintain a list of rescheduled examinations showing the students and courses for which examinations have been rescheduled. The Registrar will note on the list the date each examination is administered and the date the completed examination is given to the professor.
- s. A student taking a rescheduled examination must certify in writing that, at the time she/he receives the examination, he/she has not looked at the examination or discussed it with anyone.

4. PASS/FAIL OPTION

A student who experiences the death of a spouse, life partner, child, parent, brother, or sister any time after the beginning of the semester may elect to complete any or all of the particular semester's course requirements on a pass/fail basis. The student must provide the Registrar's Office with written notice prior to the administration of each examination or the due date of other required work for which this option is selected.

5. Grading Procedure

- a. The recommended average grade for all first-year courses, other than Legal Writing II and Legal Methods, and for all other courses with an enrollment of 40 or greater is a B. For purposes of this regulation a B is equivalent to a numerical score of 2.84 to 3.17.

- b. Once grades have been turned in to the Registrar, no grade change may be made without the approval of the Committee on Standards and ordinarily only if the instructor certifies that the change is necessary because of mathematical error.
- c. The Committee on Standards may also undertake to review the substance of the work product of a course, or cause other members of the faculty or outside experts to undertake a review of the work product of a course, if, but only if, a student who complains about a grade:
 - (1) Receives a grade below a C for the course; and
 - (2) Alleges that the grade was based in whole or in part on factors other than the merits of the student's performance in the course; and
 - (3) Produces clear and convincing evidence extrinsic to the work product that the grade was based in whole or in part on factors other than the merits of the student's performance in the course.
 - (4) "Work product" includes, but is not limited to, an examination, take-home examination, research paper, empirical study, brief, memorandum of law, or oral exercise which has been electronically recorded.
 - (5) "Factors other than the merits of the student's performance in the course" are limited to prejudice against the student based upon the student's race, color, religious belief, national origin, political belief, sex or sexual orientation, or personal animosity toward the student, or upon the personal, political, religious, moral, or ethical views of the faculty member.
 - (6) If, and only if, the student satisfies the requirements of (1), (2), and (3) of this section, the Committee shall review, or cause the review of, the work product on its merits and make a determination as to whether the grade for the work product was justified. The standard shall be whether any reasonable faculty member teaching in the subject area would have given the grade complained of. If the Committee finds that a reasonable faculty member could have given the grade, the grade shall stand; if the Committee finds that no reasonable faculty member could have given the grade, the grade shall be removed from the student's transcript and shall be replaced by a grade of pass.
- d. It is explicitly recognized that, subject to the limitations described in this section, members of the faculty have very broad discretion to set academic standards and award grades and nothing herein shall be construed to otherwise limit that discretion.

6. Use of Name of Vermont Law School in a Representative Sense

Students in Vermont Law School shall not, without the consent of the President and Dean, either individually or collectively, use the name of Vermont Law School in a representative sense in any activity of any kind outside the regular work of the school. Violations of this rule are regarded as sufficient cause for dismissal.

7. Repetition of Failed Courses

Students who are in good academic standing or who are on academic probation are permitted to repeat for credit a course in which they earned a final grade of D or lower. A course may only be repeated once. When a course is repeated, the original course and grade will remain on the student's transcript; however, course credit will count only once and only the grade for the repeated course will be used in the computation of the student's grade-point average. The course instructor has the option to refuse permission for a student to retake their class unless it is a required course. Class ranking will not be retroactively adjusted. Once a degree has been awarded, a course cannot be repeated. Federal financial aid or scholarship awards may not be available for repeating courses so students are advised to check with the Financial Aid Office before repeating a course.

8. Tutoring in Basic English

Any student who has significant difficulty with basic English may be required to work in a tutorial program at the student's expense.

B. FALL AND SPRING SEMESTERS

1. Changes and Withdrawals

- a. Courses may not be added after the sixth class day of the semester without the written permission of the professor.
- b. A student may drop an elective course no later than the end of the sixth day of classes.
- c. A student who is added to a class from the waitlist on the sixth day of classes shall be permitted to drop any other course until the end of the seventh day of classes.
- d. A student may not withdraw from a required course, an externship, clinical offerings, or Experiential Advocacy courses. A student may withdraw from a limited enrollment course or seminar only with the written permission of the professor no later than the last day of classes for the semester. A student may withdraw from other elective courses no later than the last day of classes for the semester. A student may not withdraw from any course or seminar after the instructor has submitted a grade, including a grade of F-Wd, to the Registrar. If a student withdraws after the time limitations in subsections b. and c. (above) the course will appear on the student's transcript with the notation "Wd." A student who has received a "Wd" for a particular course may not take that course for credit without first obtaining the written permission of the instructor giving the course for credit.
- e. No student may drop or add the South Royalton Legal Clinic or the Environmental and Natural Resources Law Clinic after the first day of classes. However, if the program is determined by the Director of the South Royalton Legal Clinic or the Environmental and Natural Resources Law Clinic to be under enrolled, a student may add the course, with the Director's permission, within the first calendar week of classes.

- f. No student may drop or add the Legislative Clinic after the last day of classes of the fall semester.
 - g. No student may drop or add Mediation Field Work after the required training session.
 - h. For any addition, drop, or voluntary withdrawal to be effective, written notice must be received by the Registrar before the close of office hours on the day indicated above.
 - i. A student may not withdraw from any course, seminar, internship, or clinic in the student's final semester.
 - j. A JD student may not voluntarily withdraw from a course if doing so reduces the student's course load to less than 10 credit hours.⁵⁵ A MELP or a LLM student may not voluntarily withdraw from a course if doing so reduces the student's course load to less than the minimum required to remain in the program.
 - k. A student who has registered for a course and who has not withdrawn from the course under the above regulations is expected to complete all requirements of the course.
 - l. Preferences for assignments to oversubscribed, limited enrollment courses, and seminars are determined by the Registrar under rules promulgated by the Vice Dean for Academic Affairs.
2. Special Students⁵⁶

Vermont Law School permits enrollment by students who are not enrolled in a degree program at Vermont Law School or another law school, provided that such individuals have obtained a bachelor's degree or completed substantially all of the work required for a bachelor's degree. Permission to take a particular class as a non-degree student rests in the discretion of the Vice Dean for Academic Affairs and the Professor teaching the course. Non-degree students are required to fulfill the same course requirements as degree candidates. They will be graded and receive Vermont Law School credit upon completion of the course. Non-degree students are subject to the same rules and regulations as degree candidates, and they have access to the Vermont Law School library and other Vermont Law School facilities.

Courses taken as a non-degree student may not be transferred into the JD program for credit and do not satisfy the residence requirement of regulation II.A.5. Vermont Law School does not grant credit toward the JD degree for courses completed prior to the student's matriculation as a candidate for the JD degree at an ABA-accredited law school. (See regulation II.A.8.d.)

Courses taken as a non-degree student may be transferred into the MELP program at the discretion of the Director of the Environmental Law Center or the Director's designee. See regulation III.A.1.b.

Non-degree students are required to pay tuition on a per credit basis.

⁵⁵ Audited courses do not count toward this total.

⁵⁶ For summer school courses see regulation X.C.2.

3. Auditing⁵⁷

- a. A regularly enrolled student may audit free of tuition a maximum of two courses each semester provided (1) the student has completed the first year and is in good academic standing; (2) the student is taking for credit the minimum load of 10 semester hours; (3) the instructor consents; and (4) there is a seat available according to the Registrar's records. The fact that a student has audited a course will be noted on the student's record. A student who has audited for more than three weeks shall not be permitted to take the course for credit without first obtaining the permission of the instructor giving the course for credit. A student may change his registration to "audit" no later than the last day of classes for the semester if the instructor consents. Should a student decide to discontinue an audited course or the instructor determines the student has not satisfied the requirements to maintain audit status, the course will be removed from the student's registration.
- b. Auditing by non-Vermont Law School students is allowed with the consent of the Deputy Vice Dean for Academic Affairs and the instructor, under terms prescribed by them and upon payment of the required fee. Any certification of auditing of this type shall state that Vermont Law School makes no representation as to the individual's (1) qualifications, (2) attendance, or (3) comprehension of the materials.

C. SUMMER SESSION

1. Course Load, Changes and Withdrawals

The following restrictions apply to all students.

- a. **Course Load:** The maximum course load in the summer program is eleven credits. No exceptions are allowed other than with prior written approval of (1) the Director of the Environmental Law Center or the Director's designee for students pursuing an MELP, MERL, LLM in Environmental Law, or LLM in Energy Law degree or (2) the Deputy Vice Dean for Academic Affairs or the Vice Dean's designee for students pursuing a JD degree.
- b. **Changes and Withdrawals:**
 - (1) Students are not permitted to add or drop a summer course after the start of the second class period.
 - (2) A student may not withdraw from a required course or an internship. A student may withdraw from a limited enrollment course or seminar only with the written permission of the instructor no later than the last day of class of that course or seminar. A student may withdraw from other elective courses no later than the last day of class of that course. A student may not withdraw from an elective course after the instructor has submitted a grade, including a grade of F-Wd, to the Registrar. If a student withdraws after the time limitation in subsection (1)

⁵⁷ For summer school courses see regulation X.C.2.

(above), the course will appear on the student's transcript with the notation "Wd." A student who has received a "Wd" for a particular course may not take that course for credit without first obtaining the written permission of the instructor giving the course for credit. A student who withdraws from an elective course after the time limitations in subsection (1) (above), will receive a tuition credit only in the amount allowed by the tuition refund schedule for withdrawals. (A copy of this schedule is contained in the Tuition and Expense section of the Vermont Law School summer bulletin.)

- (3) A student who has registered for a course and who has not dropped or withdrawn from the course under the above regulations is expected to complete all requirements of the course.
- (4) For an addition, drop, or voluntary withdrawal to be effective, written notice must be received by the Registrar before the close of office hours on the day indicated above.

2. Special Students

The Environmental Law Center permits course enrollment during summer session by students enrolled in other colleges and universities who can thereby advance their learning in their major field of study provided they receive the permission of the Director of the Environmental Law Center or Director's designee. Such students shall be non-degree candidates but shall be graded and receive Vermont Law School credits upon successful completion of such a course.

3. Auditing

- a. A regularly enrolled student may audit free of tuition one course during the summer session provided (1) the instructor consents, and (2) there is a seat available according to the Registrar's records. The fact that a student has audited a course will be noted on the student's record. A student who has audited for more than two class periods shall not be permitted to take the course for credit without first obtaining the permission of the instructor giving the course for credit. A student may change his registration to "audit" no later than the last day of the course if the instructor consents. Should a student decide to discontinue an audited course or the instructor determines the student has not satisfied the requirements to maintain audit status, the course will be removed from the student's registration.
- b. Auditing of summer session courses by students not enrolled in a Vermont Law School degree program is allowed with the consent of the Director of the Environmental Law Center or the Director's designee and the instructor under terms prescribed by them and upon payment of the required fee.

XI. VERMONT LAW SCHOOL HONOR CODE

ARTICLE I. AN HONOR CODE FOR ACADEMIC INTEGRITY & HONESTY

A. Statement of principles

Vermont Law School is a community of adults and professionals committed to the principles of academic integrity and honesty which are the underpinnings for the responsible exercise of academic freedom. As an expression of this commitment, Vermont Law School has developed this Honor Code with attendant procedures to deal with instances of academic dishonesty and misconduct which may occur in connection with any aspect of a student's work and performance in curricular (e.g. courses, experiential programs) or co-curricular (e.g. law review, moot court) endeavors. It is the duty and responsibility of all members of the Vermont Law School community to report any known or suspected violations of this Honor Code. The Honor Code seeks to preclude the following forms of academic dishonesty and misconduct:⁵⁸

1. Any conduct pertaining to academic matters that evidences fraud, deceit, dishonesty, or an intent to obtain unfair advantage over other students, and
2. Any conduct that violates Vermont Law School academic regulations or written policies not inconsistent with this Honor Code, and
3. Any other conduct pertaining to academic matters that raises serious doubts about the accused student's honesty, integrity, or fitness to practice law.

B. Prohibited Conduct

This Honor Code recognizes two classes of violations which may attract the sanctions described in Article V below. To assist students in understanding their responsibilities under the Honor Code, the following is a list of conduct pertaining to academic matters which violates this Honor Code.

CLASS ONE VIOLATIONS:

The following offenses shall qualify as Class One Violations under Article V:

1. A student shall not plagiarize. Plagiarism is knowingly appropriating another's words or ideas and representing them in writing as one's own. Whenever a student submits written work, including an examination, as his or her own, the student shall not use the words of another without acknowledging the source. If the words of another are paraphrased or the ideas of another are used, there must be a clear attribution of the source.
2. A student shall not invade the security maintained for the preparation and storage of examinations.
3. While taking an examination, a student shall neither possess nor refer to any material not authorized by the instructor for use during the examination.

⁵⁸ Non-academic matters are governed by a separate Code of Non-Academic Conduct.

4. In connection with an examination or an academic assignment, a student shall neither give, receive, nor obtain information or help in any form not authorized by the instructor or the person administering the examination or assignment.
5. A student who is taking or has taken an examination shall not discuss any part of that examination with another student who is taking the examination or will be taking a deferred examination when such a discussion is likely to endanger the security of the examination questions.
6. A student shall not submit any written work, or part thereof, prepared, submitted or used by him or her for any other purpose (such as work prepared for or submitted in another course, work prepared for a law journal, clinic, law firm, government agency, or other organization), or prepared by another, except upon specific disclosure of the facts and receipt of permission from the instructor to whom the work is submitted.
7. A student shall not take or copy materials of an academic nature belonging to another student without the express consent of the latter.

CLASS TWO VIOLATIONS:

The following offenses will qualify as Class Two Violations under Article V:

1. A student shall not make a false statement regarding an academic matter to a law school faculty member, administrator or to the Honor Committee.
2. With respect to the Law School Library, a student shall not knowingly (a) mark, mutilate or destroy library material; (b) hide, misshelve, or misfile library material; or (c) remove library material from the library without authorization.
3. A student shall not obstruct the Honor Code process.
4. A student shall not engage in any other conduct which in determination of the Deputy Vice Dean and the Honor Committee evidences dishonesty or a manifest lack of fitness to practice law.

C. Standard of Proof

Before a student may be found to have violated this Honor Code, there must be clear and convincing evidence that the accused committed the acts constituting the violation. This burden of proof shall apply in both the informal and the formal processes.

Unless otherwise specified in the examples above, a student is guilty of a violation of the Honor Code if she or he acted purposely, knowingly or recklessly. A student acts purposely if it is the student's conscious object to engage in prohibited conduct or to cause a prohibited result. A student acts knowingly when that student knows that such conduct is prohibited or knows that his or her conduct will cause a prohibited result. A student acts recklessly when that student consciously disregards a substantial and unjustifiable risk that his or her conduct will fall within prohibited conduct or cause a harmful result.

It is not a defense to charges of violating this Honor Code for a student to claim he or she has not received, read or understood this Honor Code, or is otherwise ignorant of its provisions. A student is held to have notice of this Honor Code by enrolling in a Vermont law school class.

ARTICLE II. ADMINISTERING THE HONOR CODE

- A. Principal responsibility for administering the policies and procedures of this Honor Code shall lie with the Deputy Vice Dean for Academic Affairs and/or an Honor Committee duly constituted as described below.
- B. The Honor Committee consists of six members who shall represent the student body, the faculty and the Administration and which shall act according to procedures as set forth below in Article IV.
- C. The makeup of the Honor Committee shall be as follows: (a) the Deputy Vice Dean for Academic Affairs as Ex Officio member⁵⁹; (b) Four students, one elected from each of the JD classes and one from the MELP, MERL, and LLM classes combined; (c) Two faculty members appointed by the President and Dean of the Law School.

ARTICLE III. TERM OF OFFICE

- A. All student members shall be elected to serve one year terms with no bar to reelection for a subsequent term. If for any reason a student member is unable to complete his or her term or to participate in the resolution of a particular matter (See, Article III, Paragraph 3) an alternate student member shall complete the term or participate as necessary. The alternate student member shall be appointed by the President of the Student Bar Association (SBA), or by the Vice-President of the SBA, or by the Treasurer of the SBA, or by the Secretary of the SBA, if the President already serves on the Honor Committee.
- B. All faculty members shall be appointed for one year terms. If for any reason a faculty member is unable to complete his or her term or to participate in the resolution of a particular matter (See, Article III, Paragraph 3), an alternate faculty member, appointed by the President and Dean of the Law School, shall complete the term or participate as necessary.
- C. Any member of the Honor Committee (including the chair) who believes that he or she may be unable to render an impartial decision in any case shall excuse himself/herself from such case; alternatively, the Honor Committee may remove any Honor Committee member from a case if a majority of the remaining Honor Committee members believes that member may be unable to render an impartial decision in the case. Because Vermont Law School is a small community, knowledge of or acquaintance with the accused student and/or witnesses in a hearing, awareness of a case, participation in campus issues related to the subject matter of a case, or participation in the disciplinary process prior to the hearing of the case shall not automatically be grounds for disqualification. Any concern an accused student may have about the ability of any Honor Committee member or alternate to render an impartial decision in his or her case must be submitted in writing to the chair. This submission must include any supporting materials and must be submitted at least 72 hours in advance of the formal hearing.

⁵⁹ Ex Officio in this context means the Deputy Vice Dean for Academic Affairs participates, but does not vote, on matters before the Honor Committee. The Deputy Vice Dean participates in hearings before the Honor Committee under the Formal Process as described in IV (C).

ARTICLE IV. PROCEDURES

A. Initial Charge

1. A person who wishes to make a charge of a violation of the Honor Code against a student must report the violation to the Deputy Vice Dean for Academic Affairs. Such a report must be made in writing. An anonymous report of a violation will not be sufficient to initiate an investigation or hearing under this Honor Code.
2. As soon as practicable, but no later than fifteen working days (defined as periods during which all administrative offices of the Vermont Law School are open and operating under regular business hours) after receiving the written report of the violation, the Deputy Vice Dean shall notify the accused student in writing that a complaint has been filed. In addition, the Deputy Vice Dean will inform the accused student of his/her rights under the Honor Code, including the appointment of an advocate for the accused student. The Deputy Vice Dean will also inform the student that a preliminary investigation into the matter will be conducted by a named investigator whose report will be submitted to the Deputy Vice Dean.
3. At the same time as the Deputy Vice Dean notifies the accused student of the complaint, the Vice Dean shall notify the remaining Honor Committee members of the alleged violation and shall provide the Honor Committee with a preliminary timetable whether the matter proceeds under the formal or informal process.
4. The Deputy Vice Dean for Academic Affairs shall appoint an investigator from among the faculty, staff administration, or students. When the investigator appointee may be a student, this appointment shall be made in consultation with the President of the SBA (unless s/he is serving on the Honor Committee, in which case the consultation may be with the Vice-President of the SBA, or the Treasurer of the SBA, or the Secretary of the SBA). The investigator may speak with the accused student, and other witnesses, and may obtain statements and any evidence or facts necessary to report to the Deputy Vice Dean for Academic Affairs. The investigator shall submit a report about the matter to the Deputy Vice Dean within twenty-one (21) calendar days following his/her appointment as investigator unless good cause exists to warrant a reasonable extension of time.
5. The Deputy Vice Dean for Academic Affairs shall appoint an advocate for the accused student from among the faculty, staff, administration, or student body. When the advocate appointee may be a student, this appointment shall be made in consultation with the President of the SBA (unless s/he is serving on the Honor Committee, in which case the consultation may be with the Vice-President of the SBA, or Treasurer of the SBA, or Secretary of the SBA). The advocate will serve as advisor to the accused. The advocate may also speak for the accused to the Honor Committee and act on the accused's behalf at the formal hearing. The accused student may prefer to have an advocate other than the appointed person in which event, the appointed advocate shall serve as an advisor on Honor Code procedure to the advocate of choice.

B. Informal Process

1. After receiving the investigator's report, the Vice Dean for Academic Affairs may: (a) determine that even if the facts alleged are true, no violation of the Honor Code has taken place; or (b) determine that it is more probable than not that a violation has taken place and may proceed to take action as outlined in paragraph 2 below. Either determination shall be communicated to the accused student in writing within a reasonable time following the Deputy Vice Dean's receipt of the investigator's report.
2. If the Deputy Vice Dean for Academic Affairs determines that it is more probable than not that a violation of the Honor Code has occurred, the Deputy Vice Dean may proceed as follows. A discussion of the charges and the formal process as outlined below in Section C shall be held with the accused student. The student will be given the option of going forward with the formal process or agreeing in writing to abide by both the decision of the Deputy Vice Dean as to whether a violation of the Honor Code occurred and the penalty assessed by the President and Dean of the Law School upon recommendation of the Deputy Vice Dean. Such an agreement by the student will constitute a waiver of any right to the formal process including the right to appeal. The accused student does not waive the right to make public the outcome of the informal process. In this informal process, the President and Dean of the Law School retains the right to accept, reject or modify any recommendation which may be made by the Deputy Vice Dean. The decision of the President and Dean of the Law School is final.

C. Formal Process

1. If the Deputy Vice Dean for Academic Affairs concludes that the facts warrant a finding that it is more probable than not that a violation of the Honor Code has taken place and that the case is not one which will be dealt with informally above, the Deputy Vice Dean will notify the Honor Committee in writing of the nature of the complaint and of her or his conclusions. The Deputy Vice Dean will also notify the student accused in writing that the case is being referred to the Honor Committee for further proceedings. This notice shall include the names of all members of the Honor Committee.
2. The Deputy Vice Dean may request that the investigator conduct further investigation in preparation for the formal hearing.
3. The Honor Committee as described in Article II (3) shall conduct a formal hearing of this matter at a meeting scheduled not more than thirty (30) calendar days after the Deputy Vice Dean has reported a probable violation of the Honor Code to the Honor Committee. The Honor Committee shall meet to elect a chair for the hearing. It shall be the chair's responsibility, prior to the formal hearing, to (1) distribute a copy of the investigator's report to each member of the Honor Committee; and (2) to ensure that each member of the Honor Committee has received from the Deputy Vice Dean for Academic Affairs the written notice of the nature of the complaint and the Deputy Vice Dean's conclusions. The Deputy Vice Dean for Academic Affairs is not a member of the Honor Committee when it sits in formal hearing.
4. Formal Hearing

The Deputy Vice Dean, along with the appointed investigator, shall present the matter to the Honor Committee. This hearing is not intended to be adversarial in nature (e.g. a prosecution and defense role). Rather, the purpose of the hearing is for the Honor Committee to gather

information to enable it to make a factual determination as to whether or not a violation of the Honor Code has occurred, and if so, to recommend a penalty. To that end, the Honor Committee will call and question witnesses and receive any relevant documents. Because this is not a trial, rules of evidence may be more relaxed in the interest of gathering all relevant information. The accused student will be entitled to have counsel present at the hearing, in addition to his/her advocate. The accused student or any such counsel or advocate will also have the right to call and question witnesses, the right of access to any and all documents offered as evidence, and the right to examine such documents.

After hearing all witnesses and considering all evidence presented, the Honor Committee shall decide whether a violation of the Honor Code has occurred. A majority vote of the six Honor Committee members voting shall be necessary for a finding of violation and the imposition of any sanction. *However, a recommendation of expulsion or a recommendation that an awarded degree be withdrawn shall require unanimity.*

After the formal hearing is concluded, the chair of the Honor Committee shall assign one member of the Honor Committee to prepare a written report stating: (1) the essential findings of fact upon which the committee's determination of violation or no violation is based; (2) the conclusions of law which are necessary to support the determination; and (3) the recommended sanction if a determination of violation is made. Concurring and dissenting members may prepare reports explaining their positions. Copies of the report(s) shall be given to the accused student and to the President and Dean of the Law School.

The Honor Committee shall tape record the hearing in each case. The recording, documents received and the opinion of the Honor Committee shall be retained in the President and Dean's Office. This record may be referred to by the Honor Committee for any purpose and by the President and Dean of the Law School in the case of appeal, but the confidentiality of the record should otherwise be maintained. The accused student shall have the right to make public the results of the formal hearing. At any time after three years, the Honor Committee may destroy the record except for the final report/opinion of the Honor Committee and the opinion of the President and Dean of the Law School, if any.

If the accused student does not appeal the decision of the Honor Committee within seven days after receiving the written report of the Honor Committee pursuant to Article VI, the decision of the Honor Committee shall become final and binding upon all parties, and the President and Dean of the Law School shall proceed to consider implementation of the recommended penalty. In so doing, the President and Dean of the Law School shall have plenary power to accept, reject or modify the recommended penalty. The decision of the President and Dean of the Law School is final.

D. Resolution of the Case Without a Hearing

At any time the accused shall have the right to make a proposal for resolution of the matter to the Deputy Vice Dean for Academic Affairs or to the Honor Committee. Any such proposal shall include acknowledgment by the accused student of a violation, and shall include a waiver of all rights to the formal process including the right to appeal under the Honor Code with the understanding that the President and Dean of the Law School can modify all agreed to sanctions.

E. Time Limitation

No complaint may be filed more than sixty (60) days after the occurrence of the alleged violation or sixty (60) days after the day that the alleged violation and/or the identity of the accused student should have reasonably been discovered.

A. The Power to Appoint Alternates

Should it become necessary at any point during the informal or formal processes, the President and Dean of the Law School shall have the power to appoint alternates to serve the role(s) of the Deputy Vice Dean(s).

B. Notice

Notice to the accused student shall be given through the United States mail to the local address contained in the accused student's educational file. If there is no local address, notice will be sent to the accused student's permanent address.

Notice to members of the Honor Committee required by this Honor Code can be provided either through the Vermont Law School campus mail system (the notice is thereby placed in the individual's campus mailbox) or through the United States mail.

Notice will be considered given on the date the notice is placed in the mail.

ARTICLE V. SANCTIONS

If through the informal or formal process it is determined that the accused student has violated one or more of the provisions of this Honor Code, the Honor Committee members or the Deputy Vice Dean shall recommend a sanction⁶⁰ in accordance with the provisions below:

Class One Sanctions: If the Honor Committee members or the Deputy Vice Dean conclude that the student has committed a Class One violation of the Honor Code as defined in Article III, Section B, the recommended penalty shall be suspension, expulsion or withdrawal of an awarded degree, *unless* the Honor Committee members or Vice Dean find substantially mitigating circumstances warrant a lesser penalty as set out in the following paragraph. *A recommendation of expulsion or a recommendation that an awarded degree be withdrawn shall require unanimity*

Class Two Sanctions: If the Honor Committee members or Deputy Vice Dean conclude that the student has committed a Class Two violation of the Honor Code as defined in Article III, Section B, the Honor Committee members or Deputy Vice Dean shall recommend such lesser penalty as they deem appropriate, including, but not limited to: a warning; a fine; probation; reference to counseling; or notation in the student's permanent file, *unless* the Honor Committee members or Vice Dean find substantially aggravating circumstances warrant a harsher penalty as set out in the preceding paragraph.

⁶⁰ Grade adjustments have been excluded from the list of sanctions. Grading is solely a faculty function. A faculty member may consider a determination that a student violated the Honor Code, for example by cheating or plagiarism, in assigning a grade. The President and Dean of the Law School cannot, however, compel the faculty member to adjust a grade based on the result of an Honor Code determination.

Notation on Official Transcript: The fact of a violation, whether subject to a Class One or Class Two sanction, shall in the usual case be noted on the student's official transcript. For purposes of this section, the official transcript means the official record of the student's academic history at Vermont Law School in all programs (e.g. JD, MELP, MERL, LLM, or joint-degree) in which the student is enrolled at the time of the violation.

ARTICLE VI. APPEALS

- A. The accused student may appeal the decision of the Honor Committee directly to the President and Dean of the Law School. Within seven days after receiving the written report of the Honor Committee, any accused student wishing to appeal shall give written notice of such intention to the President and Dean of the Law School. The accused student shall include a statement of the basis for such an appeal with the written notice. The review shall be on the record.
- B. The President and Dean of the Law School shall notify the Honor Committee and the involved faculty member, if any, of the appeal.
- C. The Honor Committee shall make available to the President and Dean of the Law School a copy of the tape recording of the hearing and copies of any documents received by the Honor Committee.
- D. The President and Dean of the Law School shall schedule a meeting with the accused student within a reasonable time after receiving the written notice of appeal. The President and Dean of the Law School shall allow the accused student, the student's counsel or advocate, the Deputy Vice Dean for Academic Affairs and/or the investigator, to present arguments at that meeting.
- E. Factual findings of the Honor Committee shall not be overturned on appeal absent a showing that the findings are not supported by relevant evidence. Deference shall be accorded determinations of credibility made by the Honor Committee. Determinations of what constitutes relevant evidence shall be overturned only for abuse of discretion.

Conclusions of law, including interpretations and applications of this Honor Code, may be overturned upon a showing that the conclusions are erroneous.

The President and Dean of the Law School shall have the plenary power to accept, reject, or modify the recommended penalty. The decision of the President and Dean of the Law School is final.

ARTICLE VII. AMENDMENT OF THE HONOR CODE

- A. This Honor Code may be amended upon the initiative of (1) a majority vote of the members of the Honor Committee; (2) a majority vote of the faculty; or (3) a petition signed by 50 or more Vermont Law School students. Any amendment must be approved both by a majority of the student members of the Honor Committee together with the members of the Student Bar Association voting as one body and by the faculty. If a student is both a member of the governing body of the Student Bar Association and the Honor Code Committee, the student shall have only one vote.

- B. Amendments to this Honor Code shall be effective upon approval by the faculty and by the student members of the Honor Committee together with the Student Bar Association.

XII. COMMITTEE ON STANDARDS POLICIES AND PROCEDURES

The faculty has delegated responsibility for administration of the Academic Regulations to the Committee on Standards. Any student who seeks a discretionary decision provided for under the regulations, or the waiver of a regulation, must petition the Committee; students should not contact individual members of the Committee concerning any matter which may come before the Committee.

A. MEETINGS OF THE COMMITTEE

1. Regular meetings of the Committee are ordinarily held monthly. The schedule of regular meetings will be posted on the official bulletin board at the beginning of each semester. Special meetings are held at the discretion of the chair. The Committee may meet telephonically or electronically.
2. Three members of the Committee shall constitute a quorum for the Committee to take action upon student petitions.
3. The deadline for submission of petitions shall be on the Friday preceding the meeting of the Committee at which the student seeks a decision. The Committee may, in its discretion, consider late petitions or consider petitions telephonically or electronically outside a regularly scheduled meeting provided a quorum of Committee members acts on the petition(s).
4. The Registrar and Director of Academic Procedures or designee shall serve as Secretary to the Committee on Standards.

B. PETITIONS AND PERSONAL APPEARANCE

1. The student shall submit a typewritten petition to the Registrar via email, mail, or in person, setting forth in detail the student's request and the reasons why the Committee should make an exception to the Academic Regulations and grant the request.
2. In any case which may result or has resulted in suspension or dismissal from the school, the student has a right to a personal appearance before the Committee. Such personal appearance must be requested at the time of the student's original petition, and the student shall appear at the time the petition is being considered by the Committee. In any other case, the student may request a personal appearance, which shall be granted only by unanimous consent of the members of the Committee. Such requests should be made in writing and submitted to the Registrar no later than the Friday preceding the Committee meeting at which the student petition will be considered.

C. NOTICE OF ACTIONS

The Committee shall notify the students of its decisions in writing by mail or email. In addition, the Committee shall notify the following parties in writing of its action when appropriate: Registrar, President and Dean, student's instructor, Business Office.

D. PETITIONS FOR REHEARING

If a student's petition is denied in whole or in part, the student may request reconsideration of the petition. Such a request will ordinarily be granted only upon presentation of new information which was not available at the time of submission of the original petition. Students requesting rehearing shall make this request in writing by the Friday preceding the Committee meeting at which the student would like the petition to be reconsidered.

XIII. CODE OF CONDUCT

Adopted 10/10/94

Amended 6/7/06

Amended 4/14/10

Amended 5/8/15

Effective Date May 8, 2015. *The policies, procedures and information outlined herein supersede previous Vermont Law School policies, procedures and information on the same topics.*

ARTICLE I. STANDARDS OF CONDUCT

"I pledge that I will uphold the highest standards of academic excellence, honesty, professionalism, and integrity. In my academic and professional life, I will treat others with dignity, respect, and courtesy. I commit myself to zealous advocacy for justice and to ethical service without prejudice."

This oath is sworn before a Vermont Supreme Court justice by all Vermont Law School students upon their first morning of school. Vermont Law School students are citizens of an academic and social community whose members are expected to show respect for the person, property, and rights of others. Students seeking admission to the Vermont Bar, as well as most other state bars, must meet a standard of conduct set by the bar. Vermont Law School is required to certify a student's character and fitness for the bar and for clearance by the FBI and other investigators for positions with the federal government. Therefore, all students are expected to maintain the standards set in this Code of Conduct.

ARTICLE II. APPLICATION OF THE CODE OF CONDUCT

This Code governs all matters of conduct not covered by the Vermont Law School Honor Code. It applies to the conduct of all students of Vermont Law School (VLS) with regard to their actions in connection with the application and admissions process, educational activities, career services, employment, or other law school-related activities, when those actions occur on VLS property or in the use of VLS facilities (including the computer network and telephone and email systems). This Code applies to all students taking classes on campus, as well as all students taking distance learning classes and students participating in off-campus programs, such as externships or SIPs. This Code also applies when those actions occur off campus in connection with events sponsored by VLS or VLS-approved organizations, or in connection with official business undertaken for VLS, or in other circumstances

where an action could have a significant impact on the educational or employment environment or the reputation or integrity of VLS or could pose a threat to the safety or other interests of VLS or members of the VLS community.

This Code of Conduct does not govern interactions between members of the Vermont Law School community that do not involve violations of its provisions. An employer-employee dispute, a contract dispute, a landlord-tenant dispute, a domestic dispute, or other civil dispute between two individuals who happen to be members of the Vermont Law School community is governed by local, state, or federal law rather than this Code except insofar as the dispute also involves actions by the parties that independently are violations of the Code.

Conduct covered by this Code may also violate local, state, and federal laws. This Code will not be used merely to duplicate the function of those laws, but where Vermont Law School's distinct interests as an academic community are involved, the Law School may pursue enforcement of its own policies whether or not legal proceedings involving the same incident are underway or anticipated. Vermont Law School may use information from third-party sources, such as law enforcement agencies and the courts, to initiate or adjudicate proceedings under this Code of Conduct. Conversely, Vermont Law School will not shield law students from the law, nor will it intervene as a party in legal proceedings against a law student. In general, this Code prohibits:

1. Any conduct that evidences fraud, deceit, dishonesty, any intent to harm or to obtain unfair advantage over another, or a gross disregard for the rights of others; and
2. any conduct that violates Vermont Law School regulations or policies contained in the Vermont Law School Student Handbook; and
3. any other conduct or activities that raise serious doubts about the student's honesty, integrity, or fitness to practice law, regardless of whether the conduct occurred on campus or off campus, and regardless of whether classes were in session or during semester breaks.

A student violates this Code of Conduct if he or she acts purposely, knowingly, or recklessly. A student acts purposely if it is the student's conscious object to engage in prohibited conduct or to cause a prohibited result, whether or not the student knows the conduct is prohibited. A student acts knowingly when that student knows that such conduct is prohibited or knows that his or her conduct will cause a prohibited result. A student acts recklessly when that student consciously disregards a substantial and unjustifiable risk that his or her conduct will fall within prohibited conduct or cause a harmful result.

It is not a defense to charges of violating this Code of Conduct and related policies for a student to claim that she or he has not received, read or understood this Code, or is otherwise ignorant of its provisions. Students will be held accountable for policy violations that take place between the time they first arrive in South Royalton to begin their Law School career and their graduation, or the Law School's confirmation of their withdrawal. Distance learning students will be held to have notice of this Code of Conduct and to be bound by its provisions upon their enrollment in a VLS course or program. The Law School may also initiate charges with respect to alleged misconduct of the sort described herein that occurs before matriculation, if it appears that such alleged misconduct may have an effect on the student's fitness to remain a part of the Law School community or fitness to practice law, or that reflects negatively on the student's honesty or integrity. Further, the Law School reserves the right to pursue withdrawal of a degree, if it is determined that the degree was in part procured through academic dishonesty, fraud, or other misconduct. **Violations of the Code of Conduct include, but are not limited to:**

- Alcohol policy violation
- Alteration, misuse, or forgery of documents, records, ID's, or keys
- Any and all felonies and misdemeanors, excluding minor traffic violations
- Arson
- Attempting to improperly influence the decision of the VLS Disciplinary Board
- Conduct off campus that is incongruent with the mission and goals of VLS
- Deliberate tampering with fire safety equipment on campus
- Desecration, profanation, misuse of any VLS property
- Disruptive behavior
- Drug policy violation
- Failure to present proper identification of oneself or one's guest when asked by VLS personnel or campus security; failure to comply with the directives of VLS personnel, including Fitz Vogt staff, or knowingly furnishing false information to VLS personnel
- Harassment, Sexual Harassment, Discrimination, and Retaliation Policy violation
- Lewd, indecent, or obscene conduct
- Lying
- Misuse of VLS fire equipment, VLS ID card, the VLS computer network, the VLS email system or telephones (including pay phones)
- Obstruction or disruption of educational activities, administrative functions, or other activities of the Law School
- Physical assault
- Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy violation
- Theft, attempted theft, or sale of VLS property or property belonging to others
- Unauthorized entry into any VLS sponsored event or club/organization activity
- Unauthorized entry into or use of VLS or student facilities or property
- Use or possession of firearms, explosives, knives, ammunition, or other lethal devices on campus
- Verbal abuse
- Willful damage
- Reading, copying, altering, or deleting computer files in another user's account without permission of that user; willfully modifying or disabling computer files, programs, or equipment provided by the Computer Center for general use; using VLS computing facilities for outside business purposes
- Any of the behaviors listed above and exhibited in electronic form are also prohibited.

Each student is responsible for keeping informed of any changes in this Code. Ignorance of regulations and changes to regulations are not an excuse for violations of the VLS Code of Conduct.

ARTICLE III. STUDENT'S DUTY TO REPORT

Vermont Law School is required to certify students' and graduates' good character and fitness to state bar examiners. Students are responsible for informing themselves on the character and fitness requirements of the bar in the state or states where they intend to practice. Students have a duty to promptly report to the Associate Dean for Student Affairs and Diversity any charges, arrests or convictions of a violation of any civil or criminal law, other than a minor parking violation or parking ticket. In their application to Vermont Law School, students are required to disclose such events, as well as any prior disciplinary action by an educational institution, government, or administrative agency (including any branch of the Armed Forces). Students who failed to disclose such in their application materials must report to the Associate Dean for Enrollment Management. A failure to disclose events

which occurred prior to or during Law School may lead to more serious consequences than the event itself. Any failure to report is a violation of the Code of Conduct.

ARTICLE IV. PROCEDURE

A. GENERAL PROVISIONS

1. The procedures for investigating and resolving complaints under this Code include voluntary informal resolution, mediation, informal process and formal process. Additional specific provisions governing the handling of alleged violations of the “Harassment, Sexual Harassment, Discrimination and Retaliation Policy” and the “Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy, Resources and Procedures” by students are set forth in those policies. Such specific provisions will apply to complaints that allege harassment, discrimination, retaliation, sexual misconduct, domestic violence, dating violence and stalking within the scope of those policies, to the extent that such specific provisions differ from the provisions outlined in these more general procedures. The availability of these procedures does not restrict the authority of the President and Dean to take whatever action he or she deems necessary to maintain good order within the Law School or to determine whether harassment or discrimination is occurring and ensure that any such action cease.

B. COMPLAINT AND PRELIMINARY PROCEEDINGS

1. Any person may initiate a proceeding under this Code by making a complaint to the Associate Dean for Student Affairs and Diversity (the Associate Dean) alleging a violation of the Code. The complaint may be oral or written. Upon receiving a complaint that this Code has been violated, the Associate Dean shall meet with the complainant, outline the possible courses of action, and explain the operation of these procedures. The Associate Dean shall discuss the allegations with the complainant to determine whether all pertinent facts have been alleged. The Associate Dean may conduct a further investigation.
2. If the Associate Dean determines that the facts alleged, if true, would not establish a violation of the Code, the Associate Dean shall dismiss the complaint. When a complaint is dismissed for this reason, the Associate Dean may ask the complainant and the student complained against to meet in an effort to resolve differences between them. The fact that a complaint has been filed and dismissed will not be publicly disclosed by the Associate Dean or any party unless all parties agree.
3. If the Associate Dean determines that the facts alleged, if true, would establish a violation of the Code, he or she shall notify the student complained against of the substance of the complaint, meet with the student, outline the possible courses of action, and explain the operation of the procedures. The Associate Dean at his or her discretion may appoint advisors for the complainant and the student complained against. The appointed advisors serve as advisors only, and do not give legal advice. There is no attorney/client privilege between students and advisors. The students may retain legal counsel at their own expense. The Associate Dean shall give the

student the opportunity to tell her or his side of the story. If it is appropriate in the circumstances, the Associate Dean may ask the parties to participate in voluntary informal resolution of the complaint as provided in subsection IV.C. and may take other actions designed to clarify and resolve issues for the parties and the Law School community.

4. If the Associate Dean does not request voluntary informal resolution, or that procedure does not result in resolution of the complaint, the Associate Dean shall appoint a Preliminary Investigator to conduct a preliminary investigation of the facts and submit a written report to the Associate Dean. When conducting a preliminary investigation, the Preliminary Investigator shall make every effort to avoid disclosing sensitive information, although full confidentiality cannot be guaranteed because some information may need to be shared with witnesses and otherwise as necessary in order to complete the preliminary investigation.
5. The Preliminary Investigator shall complete the investigation and submit her or his report within 30 working days after the date of appointment unless the time is extended by the Associate Dean for reasonable cause. Upon receipt of the Preliminary Investigator's report, the Associate Dean may direct such further investigation as he or she deems necessary. The report may be given, as appropriate, to the parties, to the mediator under subsection IV.D., to the Deputy Vice Dean for Academic Affairs (Deputy Vice Dean) under subsection IV.E. or to the Chair of the Disciplinary Board and the President and Dean of the Law School (President and Dean) under subsection IV.F. The report will be included in the President and Dean's confidential file under subsection IV.L., but will not otherwise be distributed or disclosed to anyone.
6. At the conclusion of the preliminary investigation, and after consulting with the complainant and the student complained against, the Associate Dean will determine whether there are reasonable grounds to believe that a violation of this Code has occurred. If there are not reasonable grounds to believe that a violation has occurred, the Associate Dean shall dismiss the complaint. If the complaint is dismissed on this ground, the Associate Dean may ask the parties to meet in an effort to resolve differences between them and may take other actions designed to clarify and resolve issues for the parties and the Law School community.
7. If the Associate Dean finds reasonable grounds to believe that a violation of this Code has occurred, he or she shall determine whether the complaint is to be resolved by mediation as provided in subsection IV.D., informal process as provided in subsection IV.E., or formal process as provided in subsection IV.F. and shall take the steps necessary to initiate the procedure selected. Pending resolution of the complaint by one of these procedures, the Associate Dean, or the President and Dean, is authorized to take whatever interim measures he or she deems necessary to maintain good order within the Law School or to ensure that any harassment or discrimination complained of ceases.
8. The Associate Dean shall issue a written statement of reasons for any decision that he or she makes under this subsection and shall provide a copy of that statement to the parties and to the President and Dean.

C. VOLUNTARY INFORMAL RESOLUTION

With the agreement of the parties, the Associate Dean may work with them to reach an informal resolution of the complaint. Other members of the Law School community or outside individuals with appropriate experience or expertise may be asked to participate in an informal resolution process.

1. Voluntary informal resolution must be completed within 20 working days after the parties have signified their agreement to participate unless the Associate Dean extends the time for reasonable cause. If the process does not result in a resolution satisfactory to the parties and approved by the Associate Dean within the allotted time, the Associate Dean shall resume the proceeding at the point at which voluntary informal resolution was undertaken.
2. A written report of a voluntary informal resolution that reaches a result satisfactory to the parties and approved by the Associate Dean shall be provided to the President and Dean and made part of the confidential file of the complaint. The resolution reached shall not be disclosed by the Associate Dean or any party unless the parties agree.
3. An informal resolution of the complaint by the parties does not affect the power and responsibility of Vermont Law School to take whatever action may be necessary to ensure past and future compliance with all policies and regulations of the Law School.

D. MEDIATION

1. If the Associate Dean determines that mediation is appropriate, then the Associate Dean, or another mediator selected by the Associate Dean, may undertake mediation with the complainant and the student complained against. Mediation shall not be undertaken unless both parties agree.
 - a. During mediation, each party may be accompanied by counsel or another person of his or her own choice and at his or her own expense.
 - b. Possible resolutions through mediation include, but are not limited to, an apology (public or private); promise to cease the behavior complained about; counseling; limitations on contact; assurance of no retaliation; and/or notation in the student's personal file.
 - c. Mediation will be completed within 30 working days after the parties have signified their agreement to participate unless the Associate Dean, on the representation of the mediator that a mediated resolution is probable, extends the time.
2. A complaint shall be deemed resolved by mediation when both parties have signed a settlement agreement indicating their acceptance of the resolution reached in the mediation procedure, the mediator has approved and signed the agreement, and the Associate Dean has approved the agreement and dismissed the complaint with any necessary conditions.
3. If a complainant believes that a mediated settlement agreement has been breached, she or he shall make a complaint to the Associate Dean. If the Associate Dean decides that the mediation agreement has been breached, he or she shall undertake appropriate further proceedings or may recommend an appropriate sanction or

disciplinary action to the President and Dean. The President and Dean may accept, reject, or modify the recommended sanction or disciplinary action.

4. Either party may withdraw from mediation at any time before resolution. If a party withdraws from mediation, the mediator will report the status of the mediation to the Associate Dean. The Associate Dean may dismiss the complaint or may reopen the preliminary investigation or may determine that the complaint should be resolved in another resolution procedure under this Code.

E. INFORMAL PROCESS

1. If the Associate Dean finds that mediation is not appropriate or mediation has not resulted in an approved settlement agreement and that the violation is subject only to Class Two Sanctions (as set out in Article V), he or she shall proceed as follows. The Associate Dean shall discuss the charges, the potential consequences, and the operation of the informal process with the student complained against. After discussion with the student and deliberation, the Associate Dean shall make a decision as to whether a violation has occurred and shall make a recommendation concerning sanctions to the President and Dean. In this recommendation, the Associate Dean is limited to Class Two Sanctions.
2. The student may appeal the decision and recommendation of the Associate Dean to the President and Dean. No other appeal is available. If the student does appeal, the President and Dean may affirm, reverse, or modify the decision of the Associate Dean, and may accept, reject, or modify any recommended sanction that may be made by the Associate Dean, provided that only a Class Two Sanction may be imposed. The President and Dean may confer with the Associate Dean during this process. The decision of the President and Dean is final.
3. If the student does not appeal, the President and Dean shall approve the recommended sanction.
4. The complainant will be informed of the final decisions and the sanctions, if any, that have been imposed upon the student complained against, to the extent permitted by applicable law.

F. FORMAL PROCESS

1. If the Associate Dean finds that mediation is not appropriate or has not resulted in an approved settlement agreement and that the violation is one the sanctions for which are not limited to Class Two Sanctions (as set out in Article V), he or she shall discuss the charges, the potential consequences, and the formal process with the student complained against. The student will be given the option of going forward with the formal process or agreeing in writing to abide both by the decision of the Associate Dean as to whether a violation of this Code of Conduct has occurred and by the sanction imposed by the President and Dean upon the recommendation of the Associate Dean. Such agreement by the student will constitute a waiver of any right to the formal process. In this process, the President and Dean may accept, reject, or modify any recommendation which may be made by the Associate Dean. The President and Dean may confer with the Associate Dean during this process. The decision of the President and Dean is final. In this process, the Associate Dean and the President and Dean are not limited to Class Two Sanctions.

2. If the student decides to proceed with the formal process, the Associate Dean will schedule a hearing before the Vermont Law School Disciplinary Board and shall give notice to all parties and the President and Dean. The hearing shall be held within 20 working days after notice is given unless the time is extended by the Associate Dean for reasonable cause. The notice shall include the date, time, and location of the hearing and a summary of the elements of the complaint.
3. The Vermont Law School Disciplinary Board shall be composed of the Associate Dean as a non-voting chair, three members of the Vermont Law School faculty committee on standards, administration or staff appointed by the President and Dean, and two of the five students elected by the student body during the fall elections.
4. The hearing shall not be a formal adversarial one in the sense that there will be a prosecution versus a defense. The purpose of the hearing is to gather information to enable the Disciplinary Board to make a factual determination and if necessary to recommend a sanction. To that end, the Associate Dean shall conduct the proceeding and shall have the right to call witnesses and present documents as evidence. The Associate Dean and all members of the Disciplinary Board shall have the right to question witnesses and examine documents offered as evidence. The Law School may have counsel present at the proceeding.
5. Because this is not a trial, rules of evidence may be more relaxed in the interest of gathering relevant information.
6. The student complained against will be entitled to have counsel or another person of his or her own choosing at the hearing. The student or any such counsel or person will also have the right to call and question witnesses and the right to introduce and examine documents offered as evidence. The Law School may also choose to have counsel present on its behalf to call and question witnesses and to introduce and examine documents offered as evidence.
7. After hearing all witnesses and considering all evidence presented, the Disciplinary Board shall decide whether a violation of the Code of Conduct has occurred. A majority vote shall be necessary for a finding of a violation and the recommendation of any sanction. However, a recommendation of expulsion or a recommendation that an awarded degree be withdrawn shall require unanimity. The Associate Dean shall appoint a member of the Disciplinary Board to prepare a written report stating: (1) the essential findings of fact upon which the Board's determination of violation or no violation is based; (2) the conclusions which are necessary to support the determination; and (3) the recommended sanction if a determination of violation is made. Concurring and dissenting members may prepare reports explaining their positions. Copies of the report(s) shall be given to the student complained against and to the President and Dean.
8. The Disciplinary Board shall tape record the hearing in each case. The recording, the documents received, and the opinion of the Board shall be retained in the President and Dean's Office. This record may be referred to by the Board for any purpose, but the confidentiality of the record should otherwise be maintained. At any time after three years, the Board may destroy the record except for the final report/opinion of the Board and the opinion of the President and Dean, if any, unless there is a pending request for production of the record or some other reason why, in the Board's discretion, the record should be maintained.
9. If the student complained against does not appeal the decision of the Disciplinary Board within fourteen days after receiving the written report of the Board, the decision of the Disciplinary Board on the merits shall become final and binding upon

all parties, and the President and Dean shall proceed to consider implementation of the recommended penalty. In so doing, the President and Dean may confer with the Associate Dean and shall have plenary power to accept, reject, or modify the recommended penalty. The decision of the President and Dean is final.

10. The student may appeal the decision of the Disciplinary Board directly to the President and Dean. If the student appeals, the President and Dean may affirm, reverse, or modify the decision of the Disciplinary Board and may accept, reject, or modify any recommended sanction. The President and Dean may confer with the Associate Dean during this process. The decision of the President and Dean is final.
11. The complainant will be informed of the final decisions and the sanctions, if any, that have been imposed upon the student complained against, to the extent permitted by applicable law.

G. CONFIDENTIALITY

1. All proceedings under this Code are confidential from the initial complaint through the final decision of the President and Dean. The identity of the complainant and other witnesses will be disclosed to the student complained against, unless the Associate Dean decides otherwise.
2. The Law School has the right to investigate incidents or situations brought to its notice.
3. All hearings and meetings are confidential and are not open to persons not directly involved in the proceedings.
4. The President and Dean has discretion to report violations of local, state, and federal law to the appropriate authorities. The President and Dean also has discretion to report the results to the Vermont Law School community, to the extent permitted by applicable law. The Associate Dean and the Disciplinary Board may recommend public acknowledgment of wrongdoing by an accused student as a sanction. The student complained against has the right to release only the results of the proceeding.
5. These confidentiality provisions cannot be waived except as provided in this subsection.

H. RETALIATION

“Retaliation” is defined as an adverse action taken against any person for making a good faith complaint of a violation of the Code of Conduct or of having participated in an investigation of such a complaint. Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop or not support the complaint, or adversely altering that person’s educational, living, or work environment. Retaliation may be unlawful and may constitute a violation of this policy depending on the circumstances, whether or not the complaint is ultimately found to have merit.

I. STANDARD OF PROOF

Before a student may be found to have violated this Code of Conduct, the Associate Dean or the Disciplinary Board must find that the student committed the acts constituting the violation by a preponderance of the evidence.

J. TIME LIMITATION

No complaint under this policy may be brought more than one hundred and eighty (180) days after the occurrence of the alleged violation or one hundred and eighty (180) days after the alleged violation should have reasonably been discovered by the Administration. If an individual has begun a proceeding under the Vermont Law School Honor Code, this time limitation shall be tolled during that proceeding.

K. THE POWER TO APPOINT ALTERNATES

Should it become necessary at any time during proceedings under this Code, the President and Dean shall have the power to appoint alternates to serve either in the role of the Associate Dean or as members of the Disciplinary Board. The President of the Student Bar Association also has the power to appoint alternate students to serve on the Disciplinary Board.

L. NOTICE

If written notice must be given to a student complained against, it shall be given by U.S. certified mail to the local address contained in the student's educational file. If there is no local address, notice will be sent by U.S. certified mail to the student's permanent address. Notice will be considered given on the date the notice is placed in the mail.

M. RECORDS

Records of all complaints and proceedings for their resolution shall be retained by the President and Dean in a confidential file and/or as described above.

ARTICLE V. SANCTIONS

Following the determination that the student complained against has violated one or more of the provisions of this Code of Conduct, the Associate Dean or the members of the Disciplinary Board shall recommend a sanction in accordance with the provisions below:

A. CLASS ONE SANCTIONS

If the Associate Dean or the members of the Disciplinary Board conclude that the student has committed a serious violation of the Code of Conduct, the recommended sanction shall be suspension, expulsion, or that the President and Dean recommend to the Board of Trustees withdrawal of an awarded degree, unless there are substantially mitigating circumstances that warrant a lesser penalty as set out in the following paragraph.

B. CLASS TWO SANCTIONS

If the Associate Dean or the members of the Disciplinary Board conclude that the student has committed a lesser violation of the Code of Conduct, the recommended sanction shall be such lesser penalty as is deemed appropriate, including, but not limited to a warning, a fine, restitution, community service, probation, reference to counseling, or notation in the student's permanent file, unless there are substantially aggravating circumstances that warrant a harsher penalty as set out in the preceding paragraph.

C. NOTATION IN THE STUDENT'S OFFICIAL FILE

If the student complained against receives either a Class One sanction or a Class Two sanction the fact of the violation and the sanction shall be noted in the student's official file, unless the President and Dean decides otherwise.

D. NOTATION ON OFFICIAL TRANSCRIPT

If the student complained against receives a Class One sanction, the fact of the violation and the sanction shall be noted on the student's official transcript.

E. STUDENT STATUS

Ordinarily a student will not be permitted to graduate, or to withdraw with the expectation of returning to the Law School, while a disciplinary matter is pending. The disciplinary matter shall be held in abeyance until the matter is resolved. If a student withdraws with a disciplinary matter pending, the withdrawal will be considered a resignation from the Law School and the student will have given up any opportunity to return to the School. A notation to this effect will be made in the student's permanent record. The Law School reserves the right to adjudicate disciplinary matters even after a student has withdrawn with a disciplinary matter pending.

ARTICLE VI. AMENDMENT

This Code of Conduct may be amended at any time by the President and Dean after consultation with the Student Services Committee, the Deputy Vice Dean and the Associate Dean. Notice of amendments shall be given by posting on the official campus bulletin board, email, and/or through the campus mail.

XIV. POLICY AGAINST HARASSMENT, SEXUAL HARASSMENT, DISCRIMINATION, AND RETALIATION

Adopted 10/28/94

Amended 6/7/06

Amended 7/1/13

Amended 5/8/15

Effective Date: 5/8/15. The policies, procedures and information outlined herein supersede previous Vermont Law School policies, procedures and information on the same topics.

A. GENERAL PROVISIONS

1. **Introduction:** This policy applies to all Vermont Law School (VLS) employees, officers, trustees, and students with regard to their actions in connection with the application or admissions process, educational activities, career services, employment, or other law school-related activities when those actions occur on VLS property or in the use of VLS facilities (including the computer network and telephone and email systems). This policy also applies when those actions occur off campus in connection with events sponsored by VLS or VLS-approved organizations, or in connection with official business undertaken for VLS, or when the alleged conduct of concern involves interactions between VLS employees, officers, trustees and/or students, or in other circumstances where an action could have a significant impact on the educational or employment environment or the reputation or integrity of VLS, and/or could pose a threat

to the safety or other interests of VLS or members of the VLS community. This policy also applies to the actions of VLS agents and contractors in the circumstances set forth in this paragraph to the extent that VLS can control their conduct.

In addition to this Policy, VLS also maintains a Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy (“SMDVS Policy”). Sexual misconduct as defined by the Law School (which includes, for example, sexual exploitation and sexual assault) will usually also be a form of sexual harassment. Reports of sexual harassment that fit within the definition of sexual misconduct in the SMDVS Policy will be handled under the SMDVS Policy. Reports of sexual harassment that fit within the definition of sexual harassment in this Policy Against Harassment, Sexual Harassment, Discrimination and Related Retaliation (“HSHDR Policy”) but do not fit within the definition of sexual misconduct in the SMDVS Policy will be handled under this HSHDR Policy. In some cases, alleged behavior may violate both policies. In such cases, the procedures outlined in the SMDVS Policy will be followed in general, though some procedural variation may be necessary where deemed appropriate by the Title IX Coordinator, the Associate Dean for Student Affairs and Diversity, and/or the Deputy Vice Dean for Academic Affairs.

2. **Notice of Non-Discrimination:** Vermont Law School is committed to promoting an employment and educational environment free from unlawful harassment, sexual harassment, discrimination, and retaliation. Unlawful harassment or discrimination on the basis of age, race, color, creed, ethnicity, national origin, place of birth, ancestry, religion, sex/gender, gender identity/expression, sexual orientation, marital status of students, service in the armed forces of the United States, HIV-positive status, genetic information, or against qualified individuals with disabilities on the basis of disability, as defined by applicable law, or other characteristics as defined and protected by applicable law (“protected characteristics”) is prohibited and will not be tolerated. In compliance with Title IX of the Education Amendments of 1972 (“Title IX”) and applicable state law, Vermont Law School does not discriminate on the basis of sex in its education programs and activities or in employment, and it is required by Title IX to not discriminate on that basis. Discrimination on the basis of sex prohibited by Title IX includes sexual harassment and sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion (sexual assault is addressed separately in VLS’s SMDVS Policy), as well as retaliation connected with a person’s exercise of any right or privilege secured by Title IX, defined more fully below. The Law School will take all necessary steps to end conduct prohibited by this policy, to prevent its recurrence, and to address its effects.
3. **Title IX Coordinator:** Pursuant to Title IX of the Education Amendments of 1972 and the U.S. Department of Education’s implementing regulations at 34 C.F.R. Part 106, the Law School’s Title IX Coordinator has primary responsibility for coordinating the Law School’s efforts to comply with and carry out its responsibilities under Title IX. Sexual harassment against students and employees can be a form of sex discrimination under Title IX.

Vermont Law School has designated Shirley Jefferson, Associate Dean for Student Affairs and Diversity, (802) 831-1333, to serve as its Title IX Coordinator. Chantelle Blake, Director, Human Resources, (802) 831-1308, will act as Dean Jefferson’s Deputy Title IX Coordinator when Dean Jefferson is unavailable, or in the event of a conflict of interest. The Title IX Coordinator is responsible for coordinating VLS’s compliance with

Title IX, including overseeing all complaints of sex discrimination and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. The Law School's Title IX Coordinator also oversees, in collaboration with other Law School offices as necessary, the Law School's response to reports and complaints of sexual misconduct, domestic violence, dating violence and stalking involving Law School students and employees. Inquiries concerning Title IX may be referred to the Law School's Title IX Coordinator or to the United States Department of Education's Office of Civil Rights.

A student or employee should contact the Title IX Coordinator or Deputy Title IX Coordinator(s) in order to:

- seek information or training about students' rights and courses of action available to resolve reports or complaints that involve potential sex discrimination, including sexual misconduct,
- file a complaint or make a report of sex discrimination, including sexual misconduct,
- notify the Law School of an incident or policy or procedure that may raise potential Title IX concerns,
- get information about available resources (including confidential resources) and support services relating to sex discrimination, including sexual misconduct,
- ask questions about the Law School's policies and procedures related to sex discrimination, including sexual misconduct, and
- seek or provide information about any of these issues as they relate to domestic violence, dating violence or stalking involving Law School students or employees.

In the event that the incident, policy, or procedure about which the student or employee seeks to file a report or complaint creates the appearance of a conflict of interest with the Title IX Coordinator, students or employees may contact the Deputy Title IX Coordinator. If an individual perceives a conflict of interest with the Title IX Coordinator and the Deputy Title IX Coordinator, the individual may contact the President and Dean's Office. The President and Dean or designee will appoint another person to handle the Law School's Title IX-related responsibilities, as appropriate.

Inquiries or complaints that involve potential violations of Title IX may also be referred to the U.S. Department of Education's Office for Civil Rights, which can be reached at [contact information for regional office: <https://wdcrobcolp01.ed.gov/cfapps/OCR/contactus.cfm>] or the Educational Opportunities Section of the Civil Rights Division of the U.S. Department of Justice (DOJ): <http://www.justice.gov/crt/complaint/#three>. See attached [Addendum A](#) for a detailed outline of the Title IX Coordinator's functions and responsibilities.

4. **Definitions:**

- a. "Unlawful Harassment" is defined as verbal or physical conduct that, on the basis of a protected characteristic, has the purpose or effect, from the point of view of a reasonable person, either of interfering with an individual's employment or educational performance or of creating an intimidating, hostile or offensive employment or educational environment. Unlawful harassment may include, but is not limited to, the following actions if, as isolated acts or as part of a pattern,

they have the prohibited purpose or effect on employment or educational performance or environment: jokes, derogatory expressions, or comments; the display of graphics, cartoons, or objects; sending or forwarding electronic mail messages; and other conduct offensive to a reasonable person possessing a particular protected characteristic.

- b. “Sexual Harassment” is defined as a particular type of unlawful harassment, defined generally as unwelcome conduct of a sexual nature. In addition to conduct described in the preceding paragraph that is of a sexual nature, sexual harassment includes conduct that a reasonable person would judge to be unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct explicitly or implicitly affects employment or educational decisions concerning an individual, or when the conduct has the purpose or effect of substantially interfering with an employee’s performance or a student’s educational experience, or creating an intimidating, hostile or offensive employment or educational environment because of the employee’s or student’s gender. Sexual harassment specifically includes: (a) statements or threats which imply a link between an individual’s sexual conduct and his or her academic or employment status, advancement potential, salary treatment, grading treatment, participation in VLS programs or activities, or other employment or educational actions; (b) basing an employment decision such as hiring, promotion, retention, or compensation, or an educational decision such as admission, a grade, or participation in any VLS program or activity, on whether an employee, a student, or an applicant submits to sexual advances. Sexual harassment may occur regardless of the genders of the individuals involved.
- c. “Discrimination” is defined as making a decision or taking an action that affects the terms or conditions of a person’s employment or education at VLS, or participation in or access to the benefits of any VLS program or activity, on the basis of a protected characteristic of that person.
- d. “Retaliation” is defined as an adverse action taken against any person for making a good faith complaint of unlawful harassment, sexual harassment, or discrimination or for having participated in an investigation of such a complaint. Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop or not support the complaint, or adversely altering that person’s educational, living, or work environment. Retaliation may be unlawful and may constitute a violation of this policy depending on the circumstances, whether or not the complaint is ultimately found to have merit.
- e. “Complainant” is defined as a student, employee, or third party involved in some way in an academic or extracurricular program of the Law School who has allegedly been subjected to conduct in violation of this policy by a student or employee respondent. For ease of reference and consistency, the term “complainant” is used hereafter in this policy to refer to a person who believes that he or she has been subjected to harassment, sexual harassment, discrimination or retaliation, or who is believed by another to have been subjected to such conduct.
- f. “Respondent” is defined as an individual (student, faculty, staff, or third party over whom the Law School has some form of jurisdiction) who is reported to have violated the Law School’s Harassment, Sexual Harassment, Discrimination, and Retaliation Policy.

- g. “Responsible Employee” is defined as a Law School employee who has the authority to address conduct that violates this policy, or whom an individual could reasonably believe has this authority or duty. Law School administrators, staff, and student employees whose job responsibilities include working with students, and Law School faculty, are considered to be “responsible employees,” as are (where the complainant is an employee) supervisors, administrators, and individuals working in Human Resources.⁶¹ Responsible employees are respectful of an individual’s wishes to the extent appropriate and are discreet, but they need to convey information about reported conduct in violation of this policy to the Law School’s Title IX Coordinator.

General inquiries or questions about this policy may remain private, do not have to be reported, and the Law School will strive to protect the privacy interests of individuals to the extent it can while maintaining its obligations to uphold relevant policies and regulations and/or to take reasonable steps to promote the safety of members of the Law School community. Otherwise, once any responsible employee learns of an incident that may violate this policy, written or unwritten, the responsible employee must immediately notify the Title IX Coordinator of such complaint. The responsible employee must report all relevant details about the incident (such as the name of the complainant and respondent, any witnesses, and other relevant facts, such as the date, time and specific location of the alleged incident). Such notice to the Law School generally obligates the Law School to investigate the incident and take appropriate steps to address the situation.

5. **Academic Freedom:** In the establishment and enforcement of this policy against unlawful harassment, VLS recognizes and affirms that free, honest intellectual inquiry, debate, constructive dialogue, and the open exchange of ideas are essential to the Law School’s academic mission and must be respected even when the views expressed are unpopular or controversial. Respect for speech in all its forms is, therefore, an important element in the “reasonable person” standard to be used in judging whether harassment has occurred. This policy is meant neither to proscribe nor to inhibit discussions or presentations of differing points of view, in or out of the classroom, concerning complex, controversial, or sensitive matters, including sex, sexual orientation, gender identity or expression, race, ethnicity, religious orientation, age, physical ability, or other protected characteristics, when in the judgment of a reasonable person, those discussions or presentations are conducted appropriately and with respect for the dignity of others. VLS also recognizes, however, that verbal conduct can be used specifically to intimidate or coerce and to inhibit genuine discourse, free inquiry, and learning. Such abuses are unacceptable. If someone believes that another’s speech or writing is offensive, wrong, or hurtful, he or she is encouraged to express that judgment in the exercise of his or her own freedom of speech or to seek an appropriate remedy under the Law School’s procedures for enforcing this policy.
6. **Outside Agencies:** All members of the VLS community have the right to pursue discrimination and harassment complaints, including sexual harassment and sexual misconduct complaints, and complaints of retaliation, beyond the Law School. Such

⁶¹ “Responsible employee” does not include the confidential resources as defined in the Law School’s Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy.

outside agencies include local, state and federal enforcement agencies, including local and state police as appropriate, as set forth below. Complainants may pursue an internal complaint under this policy or with an external agency, or pursue both at the same time.

The following agencies have jurisdiction over student complaints:

- Vermont Human Rights Commission, 14-16 Baldwin Street, Montpelier, VT 05633-6301, Tel: (800) 426-2010 ext. 25 (voice), TTY: (877) 294-9200, Fax: (802) 828-2481, Email: human.rights@state.vt.us
- United States Department of Education, Office of Civil Rights, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921, Tel: (617) 289-0111, Fax: (617) 289-0150, Email: OCR.Boston@ed.gov

Employees may contact the following agencies:

- Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, Vermont 05609-1001; Tel: (802) 828-3171 or (888) 745-9195, TTY: (802) 828-3665, Fax: (802) 828-3187, Email: civilrights@atg.state.vt.us
- Equal Employment Opportunity Commission (EEOC), Boston Area Office, John F. Kennedy Federal Building, Government Center, Room 475, Boston, MA 02203, Tel: (617) 565-3200, TTY: (617) 565-3204, Email: info@ask.eeoc.gov

The Vermont Attorney General's Office and the EEOC can conduct investigations, facilitate conciliation, and, if either finds that there are reasonable grounds to believe that unlawful conduct has occurred, take the case to court. There are certain time deadlines for filing complaints with these state and federal agencies and/or in state or federal court.

7. **Other Resources:** There are many resources available to individuals affected by sexual harassment, inappropriate sexual misconduct, and/or sexual assault. A list of these resources is set forth in the Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy.
8. **Questions:** If any person has questions or concerns regarding this policy, he or she should talk with the VLS Title IX Coordinator, Director of Human Resources, the Associate Dean for Students Affairs and Diversity, and/or the Deputy Vice Dean for Academic Affairs.

B. PROCEDURES FOR HANDLING COMPLAINTS OF HARASSMENT, SEXUAL HARASSMENT, DISCRIMINATION, OR RETALIATION

All information in the following sections applies to students, staff or faculty of Vermont Law School or covered third parties⁶² who wish to report a complaint of harassment, sexual harassment, discrimination, or retaliation. Vermont Law School is committed, and required by law, to take action when it learns of potential harassment or discrimination. The Law School will take all necessary steps to ensure that complaints are promptly investigated and addressed, so it is important that such complaints or concerns

⁶² Under Title IX, third parties are protected from sexual harassment arising out of the Law School's programs or activities. Accordingly, any third party who participates in any Vermont Law School program or activity ("covered third party") may report a complaint of sexual harassment and/or sexual violence under this Policy. Also, the Law School will take appropriate action, to the extent practicable, in response to a report or complaint that a third party has engaged in sexual harassment toward a VLS student, faculty member or staff member.

be presented in a timely fashion. A person who feels harassed or discriminated against is primarily responsible for bringing these concerns to the Law School's attention, but employees and students are also encouraged, and supervisors and all other responsible employees are required, to report incidents or patterns of prohibited harassment or discrimination to appropriate Law School personnel.

1. **Complaints.** Any Vermont Law School student, faculty member or staff member who has reasonable cause to believe that a student, faculty member, staff member, officer, trustee, agent, or contractor of Vermont Law School has engaged in conduct prohibited by this policy or who believes that he or she has been subjected to retaliation for having brought or supported a good faith complaint covered by this policy, or for having participated in an investigation of such a complaint, is encouraged to bring this information to the immediate attention of the Title IX Coordinator, an employee's supervisor, the Director of Human Resources, any Dean or Vice President, or the President and Dean of the Law School (President and Dean). The complainant will be encouraged, though not required, to provide a written statement of the factual basis for the complaint and requested remedial action (if any). Any supervisor or responsible employee having first-hand knowledge of conduct prohibited by this policy shall immediately make such a complaint.
2. **Handling of Complaint.** When a complaint is made, the person receiving the complaint should assure the complainant that the complaint will be investigated promptly by the Law School, that appropriate corrective action will be taken, and that the complainant will not suffer retaliation as a result of making a good faith complaint of unlawful harassment, sexual harassment, discrimination or related retaliation. The person to whom a complaint has been made shall immediately inform the Deputy Vice Dean for Academic Affairs ("Deputy Vice Dean") of the complaint and transmit the written complaint or other material concerning the matter to the Deputy Vice Dean. The Deputy Vice Dean will inform the Title IX Coordinator of complaints that involve reports of sexual harassment, sex discrimination or related retaliation. The Deputy Vice Dean will appoint a Vice President, Associate or Assistant Dean, or Director to undertake the investigatory responsibilities set forth in paragraph 3. If a complaint involves the Deputy Vice Dean, the person to whom it is made shall inform the President and Dean, who will appoint another dean or director to undertake those responsibilities. If a complaint involves the President and Dean or another officer or Trustee, the Deputy Vice Dean shall inform the Chair of the Board of Trustees, who will appoint a Trustee to undertake those responsibilities. If a complaint involves the Chair, the Vice Chair will appoint a Trustee to undertake those responsibilities. With the approval of the President and Dean, or the Chair or Vice Chair of the Board of Trustees if appropriate, a qualified individual from outside the Law School community may be appointed to undertake or assist in those responsibilities.

The Title IX Coordinator's responsibilities include overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. The Title IX Coordinator or her or his designee will be available to meet with students as needed.

3. **Investigation.** The person appointed by the Deputy Vice Dean under paragraph 2 (the "Investigator") will promptly make an initial determination as to whether the complaint alleges conduct prohibited by this policy. Absent extenuating circumstances, this initial

determination will occur within five business days of receipt of the complaint. The complainant and respondent will be provided with notice of the identity of the appointed Investigator, and will be informed that any objections to the service of the appointed Investigator on grounds of conflict of interest or a lack of impartiality should be submitted in writing to the Deputy Vice Dean within 3 days of notice of the appointment. The Deputy Vice Dean will decide promptly whether the appointed Investigator will or will not continue to conduct the investigation. Any materials collected or notes prepared by the Investigator during the objection period will be turned over to any replacement Investigator. The replacement Investigator will decide whether to use such materials or not. If the Investigator determines that the complaint falls within this policy, he or she will, individually or in conjunction with other Law School officers or individuals (including, if warranted, outside investigators), promptly and equitably conduct or supervise an investigation of the complaint, as appropriate under the circumstances. The investigation will be conducted in a thorough, impartial and expeditious manner. The parties will not be permitted to question or cross-examine each other directly during the course of the investigation. The nature and scope of the investigation is within the discretion of the Investigator. Absent extenuating circumstances, the investigation of a complaint under this policy will ordinarily be completed within 30 calendar days. If the complainant or respondent requests an extension of this general 30 day period, he or she should make a written request for an extension to the Investigator, who will make a decision on the request after having provided the other party notice of the request and an opportunity to respond.

4. **Intermediate Remedial Action.** The Title IX Coordinator, Investigator or other school official may take interim remedial action, including by way of example only, issuance of no contact orders or temporary changes in assignment of duties, classes or housing (where requested and reasonably available), as deemed necessary and appropriate to protect complainants on an interim basis.
5. **Informal Resolution.** The Investigator may recommend and participate in voluntary alternative dispute resolution such as informal meetings or mediation sessions with the parties. A complainant will not be required to participate in alternative dispute resolution and may end the alternate dispute resolution process at any time. The Law School may also decide, at its discretion, not to pursue or to discontinue informal resolution. Mediation between the complainant and the respondent will not be pursued in cases involving allegations of sexual assault (addressed below).
6. **Investigator's Report.** After the investigation is completed, the Investigator shall issue a report to the Deputy Vice Dean, together with recommended findings, based upon the preponderance of the evidence standard, *i.e.*, whether it is more likely than not that the policy was violated. The report may be issued orally or in writing, depending upon the nature and complexity of the information. The Investigator's report is advisory in nature.
7. **Determination.** The Deputy Vice Dean is not bound by the Investigator's report and may accept or reject the Investigator's recommended finding in whole or in part, and/or may request additional relevant information before making a final determination. The Deputy Vice Dean should avoid duplicating the efforts of the Investigator and should not accept the Investigator's recommended findings without first conducting a careful review of all of the evidence. Either party may choose to meet individually with the Deputy

Vice Dean prior to his/her final determination. Equally, the Deputy Vice Dean may request an individual meeting with either party or any other person(s) as appropriate. After reviewing the Investigator's report and recommended finding, the Deputy Vice Dean shall issue a final determination as to whether conduct prohibited under this policy occurred. The final determination will be based on a preponderance of the evidence standard. Absent extenuating circumstances, the Deputy Vice Dean will issue the final determination within ten business days after receipt of the Investigator's report. The complainant and respondent will ordinarily be notified of the final determination of the Deputy Vice Dean as to whether this policy was violated. In sexual harassment or sexual misconduct cases involving student-complainants, both parties will be notified of the final determination concurrently in writing, to the extent permitted by law. However, information regarding discipline or sanctions will not be shared with any complainant under this policy except as required and/or permitted by law.

8. **Adjudication.** The Deputy Vice Dean will work with those Law School officials who have authority over the individuals involved in the matter and the Law School will promptly take any necessary and remedial action to prevent recurrence of any harassment, discrimination or retaliation and to correct its discriminatory effects on the complainant and others, as appropriate. If the Deputy Vice Dean determines that a staff or faculty member has engaged in conduct in violation of this policy, he/she will report the determination to the appropriate supervisory authority, in accordance with the applicable provisions of §§ II.G and H of the Vermont Law School Staff Handbook (July 1, 2005) and § V.F of the Vermont Law School Faculty Handbook (January 2011). The appropriate supervisory authority shall consider the initiation of disciplinary proceedings and/or action up to and including termination of employment. If the Deputy Vice Dean determines that the President and Dean, another officer or Trustee, or an agent or contractor of the Law School engaged in conduct in violation of this policy, he/she will make recommendations for action appropriate in the circumstances to the Chair or Vice Chair of the Board of Trustees, or to the administrative officer responsible for the relevant agency or contractual relationship. If the Deputy Vice Dean determines that a student has engaged in conduct in violation of this policy, he/she will refer the matter to the Associate Dean for Student Affairs and Diversity for disciplinary action, up to and including expulsion. The hearing procedures followed will be the same as the hearing procedures set forth in the "Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy, Resources and Procedures" at Article IV, Section C, §§ 7-11.

XIV. SEXUAL MISCONDUCT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING POLICY, RESOURCES AND PROCEDURES

Adopted: May 8, 2015

Effective Date: May 8, 2015. *The policies, procedures and information outlined herein supersede previous Vermont Law School policies, procedures and information on the same topic.*

ARTICLE I. VLS SEXUAL MISCONDUCT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING POLICY

A. **Purpose**

Sexual misconduct, domestic violence, dating violence and stalking violate Vermont Law School's Code of Conduct and often constitute a crime. The purpose of this Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy, Resources and Procedures ("SMDVS Policy") is to make clear that sexual misconduct, domestic violence, dating violence, and stalking, as defined herein, violate Vermont Law School's Code of Conduct, and to provide members of the VLS community who may have been subject to conduct that violates this policy with information about reporting incidents of prohibited conduct and available resources.

B. **Notice of Non-Discrimination**

Vermont Law School maintains and publishes in several publications a Notice of Nondiscrimination. For example, this Notice is included in the VLS Policy Against Harassment, Sexual Harassment, Discrimination and Related Retaliation ("HSHDR Policy"), available at <http://www.vermontlaw.edu/resources> and, in its printed handbook, as stated above. That Notice is incorporated into this Policy by reference. Any questions regarding sexual misconduct may be referred to the Law School's Title IX coordinator or to the Office of Civil Rights (contact information is provided in the HSHDR Policy).

C. **Title IX Coordinator**

Pursuant to Title IX of the Education Amendments of 1972 and the U.S. Department of Education's implementing regulations at 34 C.F.R. Part 106, the Law School's Title IX Coordinator has primary responsibility for coordinating the Law School's efforts to comply with and carry out its responsibilities under Title IX, which include the Law School's efforts to respond to reports of sexual misconduct. Vermont Law School has designated Shirley Jefferson, Associate Dean for Student Affairs and Diversity, (802) 831-1333, to serve as its Title IX Coordinator. Chantelle Blake, Human Resources and Payroll Manager, (802) 831-1308, will act as Dean Jefferson's alternate Title IX Coordinator when Dean Jefferson is unavailable. More detail about the duties the Title IX Coordinator and Deputy Title IX Coordinator is provided in the HSHDR Policy, which is incorporated herein by reference.

Reports or concerns regarding sexual misconduct, domestic violence, dating violence or stalking may also be reported to Stephanie Willbanks, Vice Dean for Administration and Student Affairs, 802-831-1277 and any safety concerns should be reported immediately, to Vice President of Finance, Lorraine Atwood, 802-831-1204

In the event that the incident, policy, or procedure about which the student or employee seeks to file a report or complaint creates the appearance of a conflict of interest with the Title IX Coordinator, students or employees may contact the President and Dean's Office. The President and Dean or designee will appoint another person to handle the Law School's related responsibilities, as appropriate.

D. **Definitions**

"**Sexual Misconduct**" is a broad term that, as explained within this policy, encompasses sexual exploitation and sexual assault. Sexual misconduct usually constitutes a form of sexual harassment. Sexual harassment that does not fit within the definition of sexual

misconduct stated in this SMDVS Policy will be handled under the Law School's HSHDR Policy, unless reported incidents involve alleged sexual harassment that would fit into both policies, in which case the procedures outlined in this SMDVS Policy will be followed in general, though some procedural variation may be necessary where deemed appropriate by the Title IX Coordinator, the Associate Dean for Student Affairs and Diversity, and/or the Deputy Vice Dean for Academic Affairs. The Law School prohibits a broad range of inappropriate sexualized activity through this sexual misconduct policy. The prohibitions of this policy apply regardless of the sex, sexual orientation or gender identity of any involved individual.

“Complainant” is defined as a student, employee, or third party involved in some way in an academic or extracurricular program of the Law School who has allegedly been subjected to conduct in violation of this policy by a student or employee respondent. In some cases (such as, for example, cases in which a student, employee, or third party involved in an alleged incident of sexual misconduct, domestic violence, dating violence or stalking does not wish to participate in the process but the Law School decides that the alleged misconduct needs to be investigated and addressed), the Law School may move forward with an investigation and/or related disciplinary proceedings. In such cases, the Law School may extend the full rights of a complainant as defined in this policy to affected parties as deemed appropriate by the Law School. For ease of reference and consistency, the term “complainant” is used hereafter in this policy to refer to a person who believes that he or she has been subjected to harassment, sexual harassment, discrimination or retaliation, or who is believed by another to have been subjected to such conduct.

“Respondent” is defined as an individual (student, faculty, staff, or third party over whom the Law School has some form of jurisdiction) who is reported to have violated the Law School's SMDVS Policy.

“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 behavior that could rise to the level of sexual exploitation include but are not limited to: 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. Sexual exploitation may occur regardless of whether sexual activity takes place.

“Sexual assault” is defined as engaging in a sexual act with another person by any of the following means:

- Without his or her consent; or
- By physically forcing, threatening, intimidating or coercing the other person; or
- By placing the other person in fear that any person will suffer imminent bodily injury; or

- When the person knows, or reasonably should know based on an objective standard, that the other person’s ability to give or withhold consent is impaired: 1) by the consumption of drugs, alcohol or other intoxicants; or 2) because the other person is subject to a physical or mental incapacity such as sleep or unconsciousness.

“**Sexual Act**” is defined as conduct between persons consisting of:

- Contact between the penis and the vulva.
- Contact between the penis and the anus.
- Contact between the mouth and the penis.
- Contact between the mouth and the vulva.
- Any intrusion, however slight, by any part of a person's body or any object into the genital or anal opening of another.

“**Consent**” is defined under Vermont law as “words or actions by a person indicating a voluntary agreement to engage in a sexual act.” At the foundation of this policy is the understanding that in order to engage in behavior of a sexual nature there must be clear, knowing and voluntary consent prior to and during sexual activity. For purposes of the Law School’s SMDVS Policy, the following is true of consent:

- Consent is informed, active, and freely given and is grounded in rational and reasonable judgment. It requires clear communication between all persons involved in the sexual encounter.
- Consent can be communicated verbally or by action(s). Consent must be mutually understandable by all parties involved in the sexual experience, which a reasonable person would interpret as a willingness to participate in agreed-upon sexual conduct.
- The person initiating the sexual contact is always responsible for obtaining consent from their partner(s). It is not the responsibility of one party to resist or communicate “no” to the sexual advances of another.
- Consent is not the absence of resistance. Silence is an inactive behavior and does not constitute consent. If a partner is inactive (for example, silent or physically still) sexual activity must stop until both partners have communicated clearly with each other about what, if any, sexual activity is mutually desired.
- Consent to one form of sexual activity does not imply consent to another form of sexual activity. Each new sexual act requires new consent. Consent can be rescinded at any time.
- Consent at one time and to one sexual act does not imply consent at any other time to that or any other sexual act at a later date and regardless of previous relations.
- Consent to engage in sexual activity with one person does not imply to consent to engage in sexual activity with another;
- Consent cannot be given by minors, mentally disabled individuals, or by incapacitated persons. A person may be incapacitated as a result of alcohol or other drug use. A person who is unconscious, unaware, or otherwise physically helpless cannot give consent to sexual activity.
- A person will be considered unable to give valid consent, for example, if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing.
- Imbalance of power (supervisor- supervisee, faculty member-student, etc.) may lead to confusion about consent.

- Consent cannot result from force, or threat of force, coercion, fraud, intimidation, incapacitation (due to drunkenness for example), or imbalance of power. The Law School will use an objective standard when determining incapacitation-related questions; that is, the Law School will determine whether from the standpoint of a reasonable person, the respondent knew or should have known that the complainant could not effectively consent because he or she was incapacitated.

It should be noted that ignorance of the policy noted above, or the intoxication of the respondent, will not (particularly given the Law School's objective standard) be considered an excuse for violating this policy.

As a matter of VLS policy, VLS strictly prohibits conduct that would constitute sexual misconduct under VLS policy as defined above, and as defined by Vermont law. The Law School encourages complainants who believe they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the Law School through the procedures described below, and to seek the support of the Law School and/or external resources identified in this Policy.

“Domestic violence” includes violence committed (1) by a current or former spouse of the complainant, (2) by a person with whom the complainant shares a child in common, (3) by a person who is cohabitating with or has cohabitated with the complainant as a spouse, (4) by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Vermont, or (5) by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of Vermont.

Under Vermont law, it is unlawful to attempt to cause or to willfully or recklessly cause bodily injury to a family or household member, or to willfully cause a family or household member to fear imminent serious bodily injury. “Household members” are defined as those persons who, for any period of time, are living or have lived together, are sharing or have shared occupancy of a dwelling, and are engaged in or have engaged in a sexual relationship, or minors or adults who are dating or have dated.

As a matter of VLS policy, VLS strictly prohibits conduct that would constitute domestic violence under VLS policy as defined above, and as defined by Vermont law. The Law School encourages complainants who believe they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the Law School through the procedures described below, and to seek the support of the Law School and/or external resources identified in this Policy.

“Dating violence” is defined as violence by a person who is or has been in a social relationship of a romantic or sexual nature with the complainant. The factors that will be considered in determining whether a dating relationship exists or existed, include: (a) the nature of the relationship; (b) the length of time the relationship has existed; (c) the frequency of the interaction between the parties; (d) the length of time since the relationship ended, if applicable; and e) the complainant's statement as to whether a dating relationship exists or existed. Under Vermont law, it is unlawful to attempt to cause or to willfully or recklessly cause bodily injury to a person one is dating or has

dated, or to willfully cause such person to fear imminent serious bodily injury, and such conduct is prohibited by Law School policy.

As a matter of VLS policy, VLS strictly prohibits conduct that would constitute dating violence under VLS policy as defined above, and as defined by Vermont law. The Law School encourages complainants who believe they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the Law School through the procedures described below, and to seek the support of the Law School and/or external resources identified in this Policy.

Stalking” as defined by federal law means engaging in a course of conduct (a pattern of conduct composed of two or more acts over a period of time, however short, evidencing a continuity of purpose) directed at a specific person that would cause a reasonable person to: fear for one’s safety or the safety of others; or suffer substantial emotional distress.

Under Vermont law, “stalking” is defined to mean engaging in a course of conduct which consists of one of the following, when such conduct serves no legitimate purpose and would cause a reasonable person to fear for one’s physical safety or health or would cause a reasonable person to suffer emotional distress.

- a. **Following** - defined as maintaining over a period of time a visual or physical proximity to another person in such a manner as would cause a reasonable person to have a fear of unlawful sexual conduct, unlawful restraint, bodily injury or death.
- b. **Lying in wait for** – defined as hiding or being concealed for the purpose of attacking or harming another person, or
- c. **Harassing** - defined as actions directed at a specific person, or a member of the person’s family, which would cause a reasonable person to fear unlawful sexual conduct, unlawful restraint, bodily injury, or death, including but not limited to verbal threats, written, telephonic, or other electronically communicated threats, vandalism, or physical contact without consent.

When part of a pattern of behavior that falls within the definition of stalking described above, examples of stalking behaviors or activities may include, but are not limited to:

- a. Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, text messages, written letters, gifts, or any other communications that are unwelcome.
- b. Use of online, electronic or digital technologies in connection with such communication, including but not limited to:
 - Posting of pictures or text in chat rooms or on websites;
 - Sending unwanted/unsolicited e-mail or talk requests;
 - Posting private or public messages on Internet sites, social networks, and/or school bulletin boards
 - Installing spyware on a person’s computer;
 - Using Global Positioning Systems (GPS) or similar technology to monitor a person.
- c. Pursuing, following, waiting, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the person.
- d. Surveillance or other types of observation including staring or “peeping”
- e. Trespassing

- f. Vandalism
- g. Non-consensual touching
- h. Direct verbal or physical threats
- i. Gathering information about an individual from friends, family, or co-workers
- j. Accessing private information through unauthorized means
- k. Threats to harm self or others
- l. Using a third party or parties to accomplish any of the above.

As a matter of VLS policy, VLS strictly prohibits conduct that would constitute stalking under VLS policy as defined above, and as defined by Vermont law. The Law School encourages individuals who believe that they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the Law School through the procedures described below, and to seek the support of the Law School and/or external resources identified in this Policy.

Retaliation is defined as an adverse action taken against any person for making a good faith complaint of conduct that would violate this policy or for having participated in an investigation of such a complaint. Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop or not support the complaint, or adversely altering that person's educational, living, or work environment. Retaliation may be unlawful and may constitute a violation of this policy depending on the circumstances, whether or not the complaint is ultimately found to have merit. Retaliation is strictly prohibited.

E. **Scope and Required Information**

The Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy applies to conduct on VLS property and/or in connection with VLS-sponsored programs and events, including student group events. The policy also applies in other circumstances where the alleged conduct: could have a significant impact on the educational or employment environment or the reputation or integrity of VLS; involves interactions between VLS employees, officers, trustees and/or students; or indicates that someone could pose a threat to the safety or other interests of VLS and its community. Further, because the Code of Conduct prohibits "any conduct that raises serious doubts about the student's honesty, integrity, or fitness to practice law" VLS may in certain cases investigate and address any sexual misconduct, domestic violence, dating violence or stalking complaint against a law student, regardless of the circumstances of the alleged misconduct.

Disciplinary proceedings regarding reports of sexual misconduct, domestic violence, dating violence or stalking will involve prompt, fair and impartial investigations and resolutions, will be conducted by VLS officials and/or appointees who receive annual training on the issues related to domestic violence, dating violence, sexual misconduct and stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. VLS will not publish the name or other identifying information about a person who was reportedly subject to such misconduct when creating publicly-available records about criminal incidents, to the extent permissible by law. The Law School prohibits retaliation, intimidation, coercion, threats, coercion or other discrimination against any individual for exercising their rights or responsibilities as outlined in this SMDVS Policy.

F. **Reporting**

VLS strongly encourages any student or employee who feels that he or she has been subjected to sexual misconduct, domestic violence, dating violence or stalking to contact local authorities. Reporting the incident does not obligate you to prosecute, but helps preserve your options in the event that you choose to pursue criminal prosecution or an order of protection. Delayed reporting will diminish the possibility of collecting potentially crucial evidence. Nevertheless, VLS will accept reports when they are made, and it is never too late to seek support and medical attention.

G. **Leniency**

Sometimes, individuals are reluctant to come forward to report perceived violations of this policy out of fear that they may be charged with violations of Code of Conduct standards (for example, because they engaged in illegal drug use at the time of the incident). It is of paramount importance to the Law School that all perceived violations of this policy be reported, so that those affected can receive the support and resources needed. Therefore, in order to facilitate reporting, the Law School may choose to not charge students who report violations of this policy with violations of Code of Conduct standards.

H. **Confidentiality**

VLS will strive to maintain confidentiality in responding to a complaint under this policy, including inquiries regarding the investigation, the disciplinary process, and the final outcome of any disciplinary proceeding – although, by law, both the respondent and the complainant will be informed in writing of the outcome of disciplinary proceedings involving a report of sexual assault, domestic violence, dating violence or stalking.

Confidentiality is not absolute, however. Where criminal conduct has occurred, or where the health and/or safety of others in the community may be in danger, it may be necessary for VLS to take appropriate steps to protect the safety of its students and employees, including the person who has reported the misconduct. Please do not be discouraged to come forward: your reporting of misconduct covered by this policy may help prevent other misconduct, and information will be shared only to the extent necessary to protect our community's safety and facilitate investigations and adjudications.

Counselors and medical providers are confidential resources. This means that, in most cases, these confidential resources will not share the substance of any such communications or that such communications occurred with the complainant's consent. Individuals who wish to talk about sexual misconduct, domestic violence, dating violence or stalking-related issues confidentially, with the understanding that the Law School will not take any action based on such confidential communications, are encouraged to contact one of these confidential resources.

Confidential resources may, however, have an obligation to disclose otherwise-privileged information where they perceive an immediate and/or serious threat to a person and/or property. This is a limited exception to the privileged nature of communications with confidential resources. Reports or records maintained by VLS (including the Counseling Service records), and other confidential, non-privileged records may, however, be subject to subpoena if civil or criminal charges are filed in court.

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, these confidential resources **will not** report Clery crimes they learn about through confidential communications for purposes of the Law School’s compilation of campus crime statistics. Even if a student wishes to maintain confidentiality, the confidential resources will still assist the individual in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working, transportation or academic accommodations.

Contact information for confidential resources is as follows:

- Vermont State Wide Emergency Number 1-800-489-RAPE
This number automatically connects the caller with the local domestic violence/sexual assault program.
- For victims with disabilities.....1-800-489-7273
Connect with local program for crisis intervention, peer counseling, court advocacy, referral and other services.
- Legal Assistance
 - Vermont Legal Aid800-889-2047
or <http://www.vtlegalaid.org>
 - Vermont Bar Association..... <https://www.vtbar.org>
 - Clara Martin Center802-728-4466

I. Non-Confidential Resources: Responsible Employees

Many staff and faculty members are “responsible employees” for purposes of this policy and the Law School’s HSHDR Policy. As defined in more detail in the HSHDR Policy, a “responsible employee” is defined as a Law School employee who has the authority to address conduct that violates this policy or the HSHDR Policy, or whom an individual could reasonably believe has this authority or duty. Law School administrators, staff, and student employees whose job responsibilities include working with students, and Law School faculty, are considered to be “responsible employees,” as are (where the complainant is an employee) supervisors, administrators, and individuals working in Human Resources.⁶³ Responsible employees are respectful of an individual’s wishes to the extent appropriate and are discreet, but they need to convey information about reported conduct in violation of this policy to the Law School’s Title IX Coordinator.

General inquiries or questions about this policy may remain private, do not have to be reported, and the Law School will strive to protect the privacy interests of individuals to the extent it can while maintaining its obligations to uphold relevant policies and regulations and/or to take reasonable steps to promote the safety of members of the Law School community. Otherwise, once any responsible employee learns of an incident that may violate this policy, written or unwritten, the responsible employee must immediately notify the Title IX Coordinator of such complaint. The responsible employee must report all relevant details about the incident (such as the name of the complainant and respondent, any witnesses, and other relevant facts, such as the date, time and specific location of the alleged incident). Such notice to the Law School generally obligates the Law School to investigate the incident and take appropriate steps to address the situation.

⁶³ “Responsible employee” does not include the confidential resources as defined above.

J. **Vermont Law School Disciplinary Sanctions**

A student who violates the Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy will be subject to disciplinary proceedings under this Policy independently of whether legal proceedings involving the same incident are underway or anticipated. See Article IV of this Policy.

An employee of VLS who violates either the Standards of Professional Conduct or who violates the Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy will be subject to disciplinary action up to and including the termination of employment. If the Associate Dean determines that the President and Dean, another officer or Trustee, or an agent or contractor of the Law School has engaged in conduct in violation of this policy, he/she will make recommendations for action appropriate in the circumstances to the Chair or Vice Chair of the Board of Trustees, or to the administrative officer responsible for the relevant agency or contractual relationship. VLS will encourage and assist a complainant in reporting any illegal conduct to the appropriate authorities, and may have to do so independently where it determines that the circumstances pose an ongoing threat to a member or members of the VLS community.

ARTICLE II. MATERIALS AVAILABLE REGARDING SEXUAL ASSAULT AND SEXUAL OFFENSES

Educational materials concerning rape, sexual assault, and sexual harassment are available from the Associate Dean for Student Affairs and Diversity, the Title IX Coordinator, and the Deputy Title IX Coordinator. These materials are available for the purpose of creating awareness and prevention of sexual assault acts and to provide resources if you, a friend, or a relative become the victim of rape or sexual assault.

You can also obtain educational materials confidentially by contacting any of the rape crisis centers listed in Section III (D) of this document.

ARTICLE III. RESOURCES FOR VICTIMS OF SEXUAL MISCONDUCT, DOMESTIC VIOLENCE, DATING VIOLENCE OR STALKING

The Law School will support individuals in making referrals to, contacting, and/or providing the options and support resources outlined below, regardless of whether an individual wishes to report covered misconduct to law enforcement authorities.

A. Obtaining Support

You are in control to decide whether you want to talk with somebody about the incident and with whom you want to talk. The choice to report a crime to the police is also yours, though VLS may be required to report a crime to the police in contradiction to the complainant's wishes if VLS determines that the circumstances pose an ongoing threat to a member or members of the VLS community. If you are unsure about what to do immediately after an incident of sexual assault, domestic violence, dating violence or stalking, these are some of your options:

1. Call a rape-crisis hotline.
 - Safeline 1-800-639-7233
 - WISE (Women's Information Services) 603-448-5525

Safeline and WISE trained counselors are available 24 hours a day. They can who talk with you about your options, and they can accompany you through any or all stages of the process including going to the hospital and reporting to the police.

2. Go to a friend's house or any place where people can give you emotional support.
3. Call the Associate Dean for Student Affairs and Diversity at (802) 831-1333 or Deputy Vice Dean at 802-831-1226.
4. Call Clara Martin Center 24-hour Emergency Service at (800) 639-6360.
5. Call a domestic violence support provider
 - Vermont 211. Get Help. Give Help. Discover options. A free and confidential service.
 - SafeSpace Vermont 866-869-7341 or 802-863-0003 for LGBTQA survivors www.rul2.org/safespace.
 - www.rainn.org Rape, Abuse, Incest National Network, lots of info 24/7 hotline.
 - Deaf Vermonters Advocacy Services, videophone or hearing 802-661-4091.
 - www.mailsurvivor.org overcoming sexual victimization for boys and men.
 - Women Safe 24-hour hotline 1-800-388-4205 provides crisis intervention and emotional support to survivors of physical, sexual, and/or emotional abuse.

B. Obtaining Medical Attention

It is important to seek medical attention, even if you do not have visible injuries.

1. Seeking medical attention immediately or shortly after an assault provides the most options in the prevention of pregnancy and sexually transmitted infections.
2. You do not need to make a report or talk to the police in order to seek medical attention.
3. **Gifford Medical Center** (728-4441) in Randolph and **Dartmouth- Hitchcock** (603-650-5000) in Lebanon are the only area hospitals that possess necessary medical tests for rape/sexual assault incidents.
4. Do not bathe, shower, douche, brush your teeth, change your clothes or clean up before you obtain medical attention.
5. You will need to bring a change of clothes with you, because your clothing will be collected as evidence,
6. You can get evidence collected anonymously and have it kept for at least six months so you can decide whether filing a report with police is right for you.

C. Obtaining Emergency Contraception

Emergency contraception (EC) can prevent pregnancy after unprotected vaginal intercourse. It is also called "morning-after" contraception, emergency birth control, or backup birth control. EC dramatically reduces the risk of pregnancy when started within 72 hours (3 days) after unprotected intercourse. It must be started prior to 120 hours (five days) in order to reduce the risk of pregnancy. The sooner it is started, the better. The hospital may provide this upon your visit. If it does not, or if you do not wish to go the hospital, EC is available over-the-counter at local pharmacies and drug stores.

Pharmacies known to carry EC:

- Rite Aid Pharmacy, Gifford Family Health Center, Route 107, Bethel. Closed Saturday and Sunday (802) 234-5289
- Walgreens Drug Store, 3 Airport Rd., W. Lebanon, NH (Exit 20 off I89S.) Open 24 Hours a Day (603) 298-5796

D. Reporting the rape or assault

As a legal adult, the decision of whether or not to report the crime is yours, absent circumstances described above in A. Law enforcement may be reached at:

- State Police (Bethel office): (802) 234-9933
- South Royalton Police Department: (802) 763-7776 or 911.

If you want assistance in making this report, see the Associate Dean for Student Affairs and Diversity who will be happy to talk with you about it, be there when you call, or accompany you, if you so choose. Your options include: notifying law enforcement authorities; being assisted by VLS in notifying law enforcement authorities, if you choose to have VLS's support in notifying law enforcement authorities; and declining to notify such authorities.

E. Seeking Counseling

1. VLS provides up to three free short-term confidential counseling service visits to Vermont Law School students. For evaluation, consultation and/or referral, contact our counseling service: Clara Martin Center 802-728-4466.
2. Alternatively, you may want to contact a community mental health center near you (see General Area Information).
3. Or you may prefer to use a specialized support line such as
 - Safeline 1-800-639-7233
 - WISE (Women's Information Services) 603-448-5525
 - SafeSpace (for LGBTQQ survivors of violence) 1-866-869-7341
 - Clara Martin Center 24-hour Emergency Service (800) 639-6360

F. Get assistance from the Law School

1. For initial counseling and referral to counseling and legal reporting sources, and/or if, in the aftermath of sexual assault, domestic violence, dating violence or stalking, you are having difficulty concentrating on your work at school or effectively dealing with various aspects of your life, see the Associate Dean for Student Affairs and Diversity or the Title IX Coordinator. The Law School may make reasonable accommodations to assist you, including issuance of no contact orders and assistance with changes in your academic schedule and/or living, working or transportation arrangements, should such changes be required and reasonably available. Depending on your needs, you may be eligible for academic accommodations such as leave of absence, reduced course load, or rescheduling of exams.
2. If you feel close to another faculty or staff member at the Law School, talk to that person about what you are experiencing and what options may be available. They can assist you in completing a Sexual Assault Incident Report. You and/or that faculty or staff member (with your permission) can then consult with the Associate Dean for Student Affairs and Diversity. Please understand, though, that these individuals will be responsible employees as defined above so will be required to inform the Title IX Coordinator of information you provide; if you wish to have a confidential conversation, you should speak with a confidential resource (i.e., a medical or mental health provider), as described above.
3. The Law School will assist complainants who wish to pursue the issuance of orders of protection (e.g., relief from abuse orders) in contacting appropriate authorities, will issue no-contact and no-trespass orders as necessary and

appropriate, and will facilitate the implementation of judicially-ordered protective measures to the extent that it has the jurisdiction to do so on its campus and/or in connection with its programs.

- G. Preserving Evidence. In addition to preserving evidence of a sexual assault as described above, you should also, to allow you to preserve your options to seek criminal prosecution, an order of protection, or disciplinary action by the Law School, preserve any other physical, documentary, photographic or other evidence that might be relevant to an incident or incidents of sexual assault, domestic violence, dating violence or stalking. This would include electronically-stored information such as text messages, emails, or video and audio files.

ARTICLE IV. VERMONT LAW SCHOOL DISCIPLINARY ACTION

- A. Sexual misconduct, domestic violence, dating violence, and stalking are violations of the Vermont Law School Code of Conduct. The Code applies to conduct:
1. by students of VLS with regard to their actions in connection with the application and admissions process, educational activities, career services, employment, or other law school-related activities;
 2. by students of VLS with regard to their actions in connection with law school related activities when those actions occur on VLS property or in the use of VLS facilities (including the computer network, telephone, and email systems);
 3. that occurs off campus in connection with events sponsored by VLS or VLS approved organization, or in connection with official business undertaken for VLS or in other circumstances on campus or off campus, while classes are in session or during semester breaks; and
 4. in any circumstances where the reputation or policies of VLS would be involved or in other circumstances where an action could have a significant impact on the educational or employment environment or the reputation or integrity of VLS (such as, by way of example but not limitation, where alleged conduct involves interactions between VLS employees, officers, trustees and/or students).
- B. A person who believes she or he has been subjected to conduct that violates this policy by another member of the Law School community, may, in addition to any other available legal remedy, make a report about that conduct to the Law School.
- C. The following procedural rules apply to reported violations of this Policy:
1. **Complaint.** The Associate Dean for Student Affairs and Diversity (the Associate Dean) will meet with the complainant, who will make a written or oral complaint describing the incident. The complaint should include the date of the alleged assault, the name of the person who allegedly committed the assault (hereinafter, the respondent), and should describe the circumstances of the alleged assault. The complainant should also identify any witnesses who may have knowledge of the circumstances. The Associate Dean will make an initial determination as to whether or not the complaint alleges conduct prohibited by this policy. The complainant may request that charges be withdrawn at any time and the Law School will attempt to honor the wishes of the complainant. However, to accommodate cases where compelling evidence suggests significant individual or

community safety concerns, the decision whether to discontinue an investigation or dismiss charges rests within the sole discretion of the Law School. Safety for the student and the campus community as a whole is of primary concern.

2. **Advisors and Support Persons.** The Associate Dean may, at his or her discretion, appoint advisors for the complainant and respondent. The appointed advisors serve as advisors only, and do not give legal advice. There is no attorney/client privilege between the students and the advisors. The students may retain legal counsel at their own expense. The complainant and respondent are entitled to be accompanied by an advisor of their choice whenever meeting with the investigator or during any meetings related to the investigation. Such persons may, but need not, be the student's appointed advisor or retained legal counsel. Support persons can confer privately with the complainant or respondent, but cannot act as advocates or address the investigator.
3. **Investigation Overview.** If the Associate Dean determines that the complaint as reported does fall within this policy, he/she will appoint an investigator to investigate the facts and prepare a written report. The Investigator may be a Vermont Law School employee or official or may be an external investigator with appropriate experience or expertise. The complainant and respondent will be provided with notice of the identity of the appointed Investigator, and will be informed that any objections to the service of the appointed Investigator on grounds of conflict of interest or a lack of impartiality should be submitted in writing to the Associate Dean within 3 days of notice of the appointment. The Associate Dean will decide promptly whether the appointed Investigator will or will not continue to conduct the investigation. Any materials collected or notes prepared by the Investigator during the objection period will be turned over to any replacement Investigator. The replacement Investigator will decide whether to use such materials or not. Absent extenuating circumstances, this initial determination and appointment of an Investigator will occur within five business days of receipt of the complaint. The Associate Dean will advise the respondent that charges have been filed against him/her and are being investigated. Should a respondent who has been notified of an investigation fail to cooperate with the investigator, the investigation may proceed, a finding may be reached, and a sanction may be imposed based upon the information available. The parties will be given periodic status updates throughout the investigation. At no point will the complainant be forced to be in contact or be in the same room as the respondent.
4. **Interim Remedial Measures.** During the investigation, the Associate Dean or Title IX Coordinator may issue interim remedial measures, such as issuance of a no-contact order to restrict contact and communication between the complainant and the respondent. Other preventative measures may be taken where requested and reasonably available, such as room changes, class changes or, in particularly serious cases, interim removal of a student from campus.
5. **Additional Violations.** If, prior to or during the investigation, Vermont Law School becomes aware that additional violations have allegedly occurred or additional policies have allegedly been violated, additional charges may be added to and resolved through this investigation or separately, as determined at the

discretion of the Associate Dean. In the event that additional charges are added to the investigation, the Associate Dean will notify the respondent of the additional charges promptly and in writing.

6. **The Investigation.** The investigation will be conducted in a prompt, thorough, impartial, and equitable manner. Absent extenuating circumstances, the investigation of a complaint under this policy will ordinarily be completed within 30 calendar days. If the complainant or respondent requests an extension of this general 30 day period, he or she should make a written request for an extension to the Investigator, who will make a decision on the request after having provided the other party notice of the request and an opportunity to respond.

The complainant and respondent will be asked to identify all relevant witnesses they would like the Investigator to interview. Both parties may provide, if they wish, a list of questions they would like the Investigator to ask of particular witnesses or of each other. The Investigator is not required to interview any particular witness, even if identified by one of the parties. Nor is the Investigator required to ask questions provided by either party. At the conclusion of the investigation, the Investigator will share the witness statements and relevant materials with both the complainant and the respondent. Both will have the opportunity to respond to this information in writing within five business days. The deadline for the receipt of such responses is also the deadline for receipt by the Investigator of character reference letters for each party. If new evidence is gathered at any stage, it will be shared with both the complainant and the respondent and each will have an opportunity to submit a written response within a time frame set by the Associate Dean. When the final responses, if any, have been received from the complainant and respondent, the Associate Dean will share each party's response with the other party. The Investigator will submit a final report to the Associate Dean. The final report will include all investigation materials, the responses from the complainant and respondent, any character references, and the Investigator's recommended finding of whether this SMDVS Policy (or, where the procedure is being used to adjudicate alleged violations of the Policy Against Harassment, Sexual Harassment, Discrimination, and Retaliation ("HSHDR Policy")) has been violated, based on a preponderance of the evidence standard, *i.e.* whether it is more likely than not that the policy was violated, along with the Investigator's rationale for this recommendation.

7. **Sexual Misconduct Review Panel.** Upon receipt of the Investigator's report, the Associate Dean will convene a Sexual Misconduct Review Panel. This Panel will ordinarily consist of five members drawn from a pool. The pool includes five faculty members selected by the Deputy Vice Dean of Academic Affairs, five staff members selected by the Dean and President, and five students appointed by the President of the Student Bar Association. The Associate Dean will choose five panel members from this pool to attend the hearing and make determinations. Each panel will have at least one member from each of the three groups listed and, if possible, gender diversity will be considered when selecting the panel. All pool members will receive annual training by the Title IX coordinator or her alternate.

The claimant and/or respondent may challenge the participation of any member of the review panel for conflict of interest or other good cause. Familiarity alone does not create a bias issue. Only where there is a determination that a panel member will not be able to provide an unbiased and impartial decision should an alternate be selected by the Associate Dean.

8. **Hearing.** The Panel will be provided with the Investigator's complete report and supporting materials but is not bound by his/her recommended finding. Absent extenuating circumstances, the Sexual Misconduct Review Panel will hold a closed hearing on whether the Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy (or, where this procedure is being used to adjudicate an alleged violation of the HSHDR Policy) has been violated. The Sexual Misconduct Review Panel will hold this hearing within fifteen business days after receipt of the Investigator's complete report. The complainant and respondent shall be notified concurrently of the date, time, and location of the hearing. The complainant and the respondent will have an equal opportunity to present relevant witnesses and other evidence, to have an advisor of their choice present, to access information to be used at the hearing, and to present character witnesses. The hearing shall not be a formal adversarial one in the sense that there will be a prosecution versus a defense. The purpose of the hearing is to gather information to enable the Sexual Misconduct Review Panel to determine whether SMDVS Policy (or, as applicable, the HSHDR Policy) has been violated. To that end, the Sexual Misconduct Review Panel, as well as the complainant and respondent, shall have the right to call witnesses, question witnesses and examine documents offered as evidence. Neither the complainant nor the respondent will be permitted to question or cross-examine each other, either directly or through counsel, but may submit questions to the Panel. Neither party's advisor person may address the Panel or the witnesses. The Panel shall have full discretion to decide whether to ask the requested questions or not. Either the complainant or the respondent may request physical separation from the other at the hearing, including visual separation, such as through the use of a screen, video-conferencing or other such technology. Because this is not a civil or criminal trial, the rules of evidence may be more relaxed in the interest of gathering relevant information. It should be noted that extraneous information such as the complainant's or the respondent's prior sexual history with others may not be included, and not considered by the Panel in its deliberations on whether the charged misconduct occurred. A respondent's involvement in other incidents may, however, be considered by the Panel in its determination of sanctions, as discussed below.
9. **Finding and Sanction.** The Panel will issue a finding regarding whether the SMDVS Policy (or as applicable, the HSHDR Policy) has been violated, based upon the preponderance of evidence standard. Absent extenuating circumstances, the Sexual Misconduct Review Panel will issue its findings, in writing, within 10 business days after the Hearing. A majority of the Panel members must find that a policy violation occurred for a finding of responsibility. The Associate Dean will notify the complainant and respondent concurrently and in writing of the finding to the extent permitted by law. If a finding is made that no policy has been violated, the respondent will have no record of the charge or its outcome in his/her permanent file. Complainants may appeal a finding of no responsibility and respondents may appeal a finding of responsibility, as set forth below. If the Panel determines that there has

been a policy violation, the complainant may submit an Impact Statement to the Panel and the respondent may submit a Sanction Statement to the Panel, within three business days of the notification. The Panel will reconvene, consider the Impact Statement and Sanction Statement if any have been submitted, and determine a sanction.

10. **Sanctions.** A violation of the Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy will be subject to Class One sanctions. Class One sanctions include, expulsion or withdrawal of an awarded degree. A violation of the Harassment, Sexual Harassment, Discrimination, and Retaliation Policy will be subject to Class Two sanctions. Class Two sanctions include expulsion, suspension, or withdrawal of an awarded degree, a fine, restitution, community service, probation, reference to counseling, termination of employment, or other action as deemed appropriate under the circumstances. If the student complained against receives either a Class One sanction or a Class Two sanction the fact of the violation and the sanction shall be noted in the student's official file, unless the President and Dean decides otherwise. If the student complained against receives a Class One sanction the fact of the violation and the sanction shall be noted on the student's official transcript. Prior conduct and judicial history may be taken into account in determining a sanction. Respondents should also be advised that additional non-disciplinary outcomes, such as (by way of example but not limitation) extending and modifying no-contact orders, may also be imposed regardless of the finding. The Associate Dean will notify the complainant and respondent simultaneously and in writing of any sanction to the extent permitted by law. Absent extenuating circumstances, the Sexual Misconduct Review Panel will issue a decision regarding sanctions, if applicable, within 5 business days after receipt of an Impact Statement and/or Sanction Statement, if any. If neither Statement is submitted, the Panel will issue a decision on sanctions within 8 business days of issuing its finding.
11. **Appeals.** The complainant and respondent both have the right to appeal the decision of the Sexual Misconduct Panel to the President and Dean. The purpose of the appeal is to review the adjudication process. Appeals may be made on the basis of one or more of the following: discovery of significant new factual material not available to the Sexual Misconduct Review Panel that could have affected the original outcome (but omission of factual information by the appealing party that was or should reasonably have been available to the appealing party before the hearing is not grounds for appeal), or violation of procedure where the violation prevented fundamental fairness. The right of appeal is only available to a complainant or respondent who participated in the investigative process. An appeal must be made in writing within 5 business days of receipt of the finding in cases where no violation is found and within 5 business days of receipt of the sanction in cases where a policy violation has been found. The appeal must include the grounds for appeal and provide an outline of supporting evidence. The President and Dean will notify the Associate Dean and the other student of the appeal and will request his or her response to the appeal. The Associate Dean and the other student may provide a written response within five business days of the request. The President and Dean may deny the appeal or, if the appeal grounds have been met, may return the case to the Sexual Misconduct Review Panel for reconsideration, or convene a new Sexual Misconduct Review Panel. If the case is returned to the Sexual

Misconduct Review Panel, the President and Dean shall identify which aspects of the case merit further review. Absent extenuating circumstances, the President and Dean will notify the complainant and respondent concurrently, in writing, of his/her determination within 15 business days, to the extent permitted by law, and will notify the Associate Dean, in writing, with instructions for any further action. All decisions by the President and Dean are final.

The Law School will notify the parties of any change to the results of a disciplinary decision that occurs prior to the time that such results become final, and when such results become final.

12. **The Record.** The Sexual Misconduct Review Panel will tape record the hearing in each case. The recording, the documents received, and the findings and action shall be retained in the President and Dean's Office. This record may be referred to by the Panel for any purpose, but the confidentiality of the record will otherwise be maintained. At any time after 6 years, the President and Dean's Office may destroy the record except for the final determination, unless there is a pending request for the record or the President and Dean determines that there is some need to continue to maintain the record confidentially. Additional information on sanctions, notations in student files and status if a student withdraws while disciplinary action is pending is set forth in Article V of the Code of Conduct.

Addendum A: **Title IX Coordinator's Functions and Responsibilities**

The following is a non-exhaustive list of the Title IX coordinator's functions and responsibilities.

(1) Training for Students, Faculty, and Staff

The Title IX Coordinator provides or facilitates ongoing training, consultation, and technical assistance on Title IX for all students, faculty and staff, including:

- regular training for faculty and staff outlining their rights and obligations under Title IX, including the appropriate response to reports of sexual misconduct, the obligation to report sexual misconduct to appropriate Law School officials, and the extent to which counselors and advocates may keep a report confidential, and
- regular training for students outlining their rights under Title IX; with regard to sexual misconduct, this training will include what constitutes sexual misconduct and when it creates a hostile environment, the definition of consent, reporting options (including reports to responsible employees, campus and local law enforcement, and confidential reporting to counselors or advocates), the grievance procedures used to process complaints, applicable disciplinary code provisions relating to sexual misconduct and the consequences of violating those provisions, the role of alcohol and drugs in sexual misconduct, the effects of trauma, strategies and skills for bystander intervention, the offices or individuals with whom students can speak confidentially, the offices or individuals who can provide support services, the employees who must report incidents to the Title IX coordinator, and Title IX's protections against retaliation.

(2) Investigations

The Law School will conduct adequate, reliable, and impartial investigations of reports and complaints of sexual misconduct. The Title IX Coordinator oversees many aspects of this response, including:

- determining whether the report or complaint alleges conduct that may, upon investigation, constitute prohibited sexual misconduct,
- appointing an investigator or investigators upon such determination,
- making certain that individual reports and complaints are handled properly and in a prompt and timely manner,
- informing all parties regarding the grievance process,
- confirming that all parties have been notified of grievance decisions and of the right to, and procedures for, appeal,
- maintaining information and documentation related to the investigation in a secure manner, and
- monitoring compliance with timeframes specified in the grievance procedures.

The Title IX Coordinator evaluates requests for confidentiality by those who report or complain about sexual misconduct in the context of the Law School's responsibility to provide a safe and nondiscriminatory environment for all students and employees. Confidentiality issues are discussed in more detail in the Law School's Policy Against Harassment, Sexual Harassment, Discrimination and Related Retaliation, and its Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy.

(3) Remedies, Including Interim Measures

Upon learning of a report or complaint of sexual misconduct, the Title IX Coordinator promptly takes steps to ensure the complainant's equal access to the Law School's programs and activities and protect the complainant as necessary. Such steps include taking interim measures before the final outcome of any investigation, providing remedial measures after the final outcome of an investigation, and making the complainant aware of all available resources, including resources such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance. Interim measures are discussed in more detail below.

Upon a finding of prohibited sexual misconduct, the Title IX Coordinator determines whether campus-wide remedies should be adopted in response, including, by way of example but not limitation, review and revision of the Law School's sexual misconduct policies, increased monitoring, supervision or security at locations where sexual misconduct is reported to occur, and increased education and prevention efforts, including to targeted populations.

XV. MISCELLANEOUS POLICIES AND PROCEDURES

ACCIDENTS, SAFETY HAZARDS AND EMERGENCIES

Accidents occurring on the grounds of Vermont Law School should be reported to the Vice President for Finance, and an Incident Report should be filed. Minor repairs, requests, and suspected safety hazards should also be reported to the Vice President for Finance in Debevoise Hall, or a member of the Safety Committee. Emergency information is also posted on the Safety Bulletin Board in Oakes Hall.

The VLS campus is private property. Please note that all campus facilities are primarily for the use of our faculty, staff, and students. The Law School reserves the right to ask people who are not members of the VLS community to leave. Under the VLS Code of Conduct, students may be asked to present their student ID. Failure to present your ID may result in your being asked to leave. Other campus visitors may be asked to identify themselves and provide ID. If you see someone using our facilities whose actions cause concern, please notify Dean Jefferson at extension 1238, Chantelle Blake at extension 1308, or Buildings & Grounds at extension 1261 or after hours at 802-356-4328.

ALCOHOL POLICY

Amended 4/14/2010

I. Introduction

Vermont Law School's Alcohol Policy is congruent with Vermont State Law, local regulations, and the Mission of Vermont Law School, and is promulgated to assure the appropriate distribution and consumption of alcoholic beverages on the campus. The administration and interpretation of the Alcohol Policy ultimately rests with the Dean or designee, who in this instance, are the Deans.

II. Alcohol and Substance Abuse

Any student who feels he or she may have a problem with alcohol or drugs is encouraged to contact the VLS Counselor or the Associate Dean for Student Affairs and Diversity for a discussion of options. The Vermont Lawyers Assistance Program (VTLAP) provides confidential assistance to law students, lawyers, judges and their families in coping with alcoholism and other addictions, depression, or other personal or professional crisis. VTLAP is exempt from reporting professional misconduct under Rule 8.3. Information between VTLAP volunteers, and a lawyer, judge or law student who seeks assistance, is strictly confidential and will not be disclosed except upon express authority of the affected person. For more information, please see their website www.lapvt.org.

The Student Bar Association and/or the Student Ambassadors maintain a SafeRide program on Thursday, Friday and Saturday nights from 10pm to 3am. The SafeRide cell phone numbers are 802-299-1117 and 802-299-1116. SafeRide volunteers will pick students, staff, or faculty up from any location in South Royalton and take them to Bethel, Randolph, Royalton, South Royalton, and Tunbridge. If there is any doubt in your mind that you have had too much to drink, please call SafeRide at 802-299-1117 or 802-299-1116. No questions will be asked or judgments made, no records will be kept, and you will be taken home safely.

Students are responsible for informing themselves on the character and fitness requirements of the bar in the state or states they intend to practice. Vermont Law School is required to certify a student's character and fitness for the bar. Students have a duty to promptly report to the Associate Dean for Student Affairs and Diversity any charges, arrests or convictions of a violation of any civil or criminal law, other than a parking violation or parking ticket.

Students who attend classes, meetings, or any academic or professional function on campus while intoxicated will be asked to leave by the professor or event sponsor. If the student resists, the

professor or event organizer shall call the Associate Dean for Student Affairs or the local police at 763-7776 or 911. If the student is disruptive or violent, the Associate Dean or Campus Security will take the appropriate steps, including calling law enforcement for assistance. If the student is disruptive or violent, the incident will be investigated as a violation of the Code of Conduct and sanctions may be imposed.

III. Alcohol on Campus

A. Basic Regulations

- (1) Consumption of alcoholic beverages on Vermont Law School property is a privilege accorded under specified conditions to individuals of legal age according to Vermont Law School.
- (2) Recognizing that not all individuals may choose to consume alcoholic beverages and recognizing the social emphasis of all events, any function providing an alcoholic beverage must also provide two non-alcoholic beverages.
- (3) The sponsoring individual or organization must furnish information concerning the program, facility arrangements, food service needs, and the type and amount of beverages to be served, as directed on the Student Organization Event Form and Alcohol Planning Document. Forms are available in the Dean's Office or on the K drive under <http://vermontlaw.edu/events>.
- (4) All recognized organizations and sponsors of registered social events are prohibited from providing alcohol to minors. Consistent with, and related to this restriction, the serving of kegs, beerballs, and alcoholic punch drinks/wine may only be served by our Food Services Director, a licensed caterer.
- (5) Any event which includes alcohol as part of its program should focus as much as possible upon the social nature of the event in its promotional campaign and not over emphasize the sale or availability of alcohol beverages at social events.
- (6) The safe occupancy level of the approved space must be determined and steps taken to insure compliance with the fire safety code of VLS and the state of Vermont.
- (7) No alcohol may be carried into or consumed in campus buildings, including outdoor areas at recreational events, (See Section I(A)(1) above) with the exception of approved designated areas, without the submission and approval of the Alcohol Event Planning Document and Student Organization Event Form.
- (8) Scheduled events must remain within the approved designated area (see Section III(C) for further requirements).
- (9) A charge of no less than \$100 will be billed to the organization/individual sponsoring an event if the facility used is not properly cleaned within eight hours after the function has ended.

IV. Organized Private Parties

- A. Organized private parties are considered events that involve an approved number of invited guests and have alcohol being served by the sponsors within an approved area in a manner consistent with applicable laws.
- B. Alcohol may not be sold under any conditions at private parties.
- C. The events require the submission and approval of the Alcohol Planning Document six (6) weeks prior to the event.

V. Campus-Wide, Licensed Events:

- A. The sponsoring organization/individual must complete and have approved the Student Organization Event Form and Alcohol Planning Event Document at least six (6) weeks prior to

the event. These forms are available from the Deans Office. Completion of the form indicates an understanding of the Alcohol Policy, and a responsibility to fulfill the regulations therein.

- B. The sponsoring organization or individuals must assume financial responsibility for all associated cost (*i.e.*, security, damages, etc.)
- C. The sponsoring organization or individuals must post easily visible signs that read “No alcohol beyond this point” to ensure that no alcohol may be carried into or consumed in campus buildings, including outdoor areas at recreational events, outside of the approved designated areas (see I(A)(7), (8) above).

VI. Responsibility and Liability

For any party or other event, the persons who sign the required application or registration forms are responsible for the safe conduct of the event. Staff persons involved in clearance procedures are responsible for ensuring that the event is conducted in a safe and acceptable fashion and for monitoring the event for the general safety of the participants. Situations determined to be in non-compliance with regulations of the Alcohol Policy may be immediately suspended by appropriate VLS staff. Responsibility for any adverse consequences that may occur as the result of a party or other event may implicate any person or group involved with that event, in particular, those planning and monitoring its outcome. Any violation of this policy shall be reported to the appropriate Dean.

PROGRAM FOR THE ELIMINATION OF ALCOHOL AND SUBSTANCE ABUSE

The Federal Drug-Free Schools and Communities Act Amendments of 1989, requires that Vermont Law School implement a program for the elimination of drug and alcohol abuse. The federal law mandates that “...as a condition of receiving funds or any other form of financial assistance under any Federal program [including aid funds], an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees” on the Law School property or at school-sponsored activities. At a minimum, the law specifically requires that our program include:

1. Annual distribution in writing to each employee and student of:
 - Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use of distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.
 - A description of the applicable legal sanctions under local, state or federal law for the unlawful possession or distribution of illicit drugs and alcohol.
 - A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
 - A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, state and federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.
2. A biennial review by the institution of its program to:
 - Determine its effectiveness and implement changes, if needed.
 - Ensure that its disciplinary sanctions are consistently enforced.

SANCTIONS

In compliance with federal requirements, the unlawful possession, use, or distribution of illicit drugs and alcohol by students or employees on Vermont Law School property or as a part of any Vermont Law

School activity is a violation of not only the law but the Law School regulations. Possession, use, or distribution of certain non-prescription drugs, including marijuana, amphetamines, heroin, cocaine, and non-prescription synthetics procurement or distribution of alcohol if one is under 21 years of age; and provision of alcohol to anyone under 21 years of age are considered serious breaches of policy. Vermont Law School will respond to violations of its drug and alcohol abuse policy with action consistent with school disciplinary and personnel policies and local, state, or federal law. Sanctions may include: substance abuse counseling; referral to or mandatory participation in an appropriate drug assistance or rehabilitation program; disciplinary action including reprimand, probation, expulsion or termination of employment; and/or possible referral for prosecution. State penalties for illicit manufacture, use, and distribution of controlled substances are outlined in **Vermont Statutes (Title 18, Chapter 84)**

Possession and Control of Regulated Drugs

<http://www.leg.state.vt.us/statutes/fullchapter.cfm?Title'18&Chapter'084>.

A copy of the complete federal regulations is available from the Associate Dean for Student Affairs and Diversity, who can respond to inquiries and clarify VLS policy.

DRUG USE AND INELIGIBILITY FOR FEDERAL FINANCIAL AID

Students denied eligibility for an indefinite period can regain it after successfully completing a rehabilitation program (as described by law), passing two unannounced drug tests from such a program, or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility.

The Law School is committed to educating students and employees about the implications of substance abuse; to promoting institutional programs with those objectives; and to supporting the efforts of individuals to overcome substance abuse problems. To this end, students and employees should familiarize themselves with the possible behavioral and medical consequences of substance abuse described below. The school psychologist can provide confidential counseling and referrals to appropriate drug and alcohol counseling, treatment, and rehabilitation programs accessible in the vicinity of the Law School.

The Law School's current policy is intended to meet minimum legal requirements and to allow for modifications and refinement as necessary. It is not meant to restrain dissent of the free and open discussion of issues surrounding drug and alcohol use and abuse or of related Federal laws and policies. As an educational institution, we encourage inquiry and dialogue. A truly workable approach to eliminating drug and alcohol abuse is based on fairness and information, not merely punishment.

SPECIFIC DRUGS AND THEIR EFFECTS:

SOURCE: Network of Colleges & Universities Committed to the Elimination of Drug and Alcohol Abuse

TOBACCO

The smoking of tobacco products is the chief avoidable cause of death in our society. Smokers are more likely than nonsmokers to contract heart disease – some 170,000 die each year from smoking-related coronary heart disease. Lung, larynx, esophageal, bladder, pancreatic, and kidney cancers also strike smokers at increased rates. Some 30 percent of cancer deaths (130,000 per year) are linked to smoking. Chronic obstructive lung diseases such as emphysema and chronic bronchitis are 10 times more likely to occur among smokers than among nonsmokers.

Smoking during pregnancy also poses serious risk. Spontaneous abortion, preterm birth, low birth weights, and fetal and infant deaths are all more likely to occur when the pregnant woman or mother is a

smoker. Cigarette smoke contains some 4,000 chemicals, several of which are known carcinogens. Other toxins and irritants found in smoke can produce eye, nose, and throat irritations. Carbon monoxide, another component of cigarette smoke, combines with hemoglobin in the blood stream to form carboxyhemoglobin, a substance that interferes with the body's ability to obtain and use oxygen.

Perhaps the most dangerous substance in tobacco smoke is nicotine. Although it is implicated in the onset of heart attacks and cancer, its most dangerous role is reinforcing and strengthening the desire to smoke. Because nicotine is highly addictive, addicts find it very difficult to stop smoking, of 1,000 typical smokers, fewer than 20 percent succeed in stopping on the first try. Although the harmful effects of smoking cannot be questioned, people who quit can make significant strides in repairing damage done by smoking. For pack-a-day smokers, the increased risk of heart attack dissipates after 10 years. The likelihood of contracting lung cancer as a result of smoking can also be greatly reduced by quitting.

ALCOHOL

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

CANNABIS

All forms of cannabis have negative physical and mental effects. Several regularly observed physical effects of cannabis are a substantial increase in the heart rate, bloodshot eyes, a dry mouth and throat, and increased appetite. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time, and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Research also shows that students do not retain knowledge when they are "high". Motivation and cognition may be altered making the acquisition of new information difficult. Marijuana can also produce paranoia and psychosis. Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana is damaging to the lungs and pulmonary system. Marijuana smoke contains more cancer-causing agents than tobacco. Long-term users of cannabis may develop psychological dependence and require more of the drug to get the same effect. The drug can become the center of their lives.

INHALANTS

The immediate negative effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrite cause rapid pulse, headaches, and involuntary passing of urine and feces. Long-term use may result in hepatitis or brain damage. Deeply inhaling the vapors, or using large amounts over a short time, may result in disorientation, violent

behavior, unconsciousness, or death. High concentrations of inhalants can cause suffocation by displacing the oxygen in the lungs or by depressing the central nervous system to the point that breathing stops. Long-term use can cause weight loss, fatigue, electrolyte imbalance, and muscle fatigue. Repeated sniffing of concentrated vapor over time can permanently damage the nervous system.

COCAINE

Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature. Occasional use can cause a stuffy or runny nose, while chronic use can lacerate the mucous membrane of the nose. Injecting cocaine with contaminated equipment can cause AIDS, hepatitis, and other diseases. Preparation of freebase, which involves the use of volatile solvents, can result in death or injury from fire or explosion. Cocaine can produce psychological and physical dependency, a feeling that the user cannot function without the drug. In addition, tolerance develops rapidly. Crack or freebase rock is extremely addictive, and its effects are felt within 0 seconds. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures. The use of cocaine can cause death by cardiac arrest or respiratory failure.

OTHER STIMULANTS

Stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. In addition, users may experience sweating, headache, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause a rapid or irregular heartburn, tremors, loss of coordination, and even physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure. In addition to physical effects, users report feeling restless, anxious, and moody. Higher doses intensify the effects. Persons who use large amounts of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, delusions, and paranoia. These symptoms usually disappear when drug use ceases.

DEPRESSANTS

The effects of depressants are in many ways similar to the effects of alcohol. Small amounts can produce calmness and relaxed muscles, but somewhat larger doses can cause slurred speech, staggering gait, and altered perception. Very large doses can cause respiratory depression, coma, and death. The combination of depressants and alcohol can multiply the effects of the drugs, thereby multiplying the risks. The use of depressants can cause both physical and psychological dependence. Regular use over time may result in a tolerance to the drug, leading the user to increase the quantity consumed. When regular users suddenly stop taking large doses, they may develop withdrawal symptoms ranging from restlessness, insomnia, and anxiety to convulsions and death. Babies born to mothers who abuse depressants during pregnancy may be physically dependent on the drugs and show withdrawal symptoms shortly after they are born. Birth defects and behavioral problems also may result.

HALLUCINOGENS

Phencyclidine (PCP) interrupts the functions of the neocortex, the section of the brain that controls the intellect and keeps instinct in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.

The effects of PCP vary, but users frequently report a sense of distance and estrangement. Time and body movements are slowed down. Muscular coordination worsens and senses are dulled. Speech is blocked and incoherent. Chronic users of PCP report persistent memory problems and speech difficulties. Some of these effects may last 6 months to a year following prolonged daily use. Mood disorders – depression, anxiety, and violent behavior – occur. In later stages of chronic use, users often

exhibit paranoid and violent behavior and experience hallucinations. Large doses may produce convulsions and coma, as well as heart and lung failure. Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness, and tremors. Sensations and feelings may change rapidly. It is common to have a bad psychological reaction to LSD, mescaline, and psilocybin. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even after use has ceased.

NARCOTICS

Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea, and vomiting. Users also may experience constricted pupils, watery eyes, and itching. An overdose may produce slow and shallow breathing, clammy skin, convulsion, coma, and possible death. Tolerance to narcotics develops rapidly and dependence is likely. The use of contaminated syringes may result in disease such as AIDS, endocarditis, and hepatitis. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who experience severe withdrawal symptoms.

DESIGNER DRUGS

Illegal drugs are defined in terms of their chemical formulas. To circumvent these legal restrictions, underground chemists modify the molecular structure of certain illegal drugs to produce analogs known as designer drugs. These drugs can be several hundred times stronger than the drugs they are designed to imitate. Many of the so-called designer drugs are related to amphetamines and have mild stimulant properties but are mostly euphorants. They can produce severe neurochemical damage to the brain. The narcotic analogs can cause symptoms such as those seen in Parkinson's disease: uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage. Analogs of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating, and faintness. Psychological effects include anxiety, depression, and paranoia. As little as one dose can cause brain damage. The analogs of phencyclidine cause illusions, hallucinations, and impaired perception.

ANABOLIC STEROIDS

Anabolic steroids are a group of powerful compounds closely related to the male sex hormone testosterone. Developed in 1930s, steroids are seldom prescribed by physicians today. Current legitimate medical uses are limited to certain kinds of anemia, severe burns, and some types of breast cancer. Taken in combination with a program of muscle-building exercise and diet, steroids may contribute to increase in body weight and muscular strength. Because of these properties, athletes in a variety of sports have used steroids since the 1950s, hoping to enhance performance. Today, they are being joined by increasing numbers of young people seeking to accelerate their physical development. Steroid users subject themselves to more than 70 side effects ranging in severity from liver cancer to acne and including psychological as well as physical reactions. The liver and the cardiovascular and reproductive systems are most seriously affected by steroid use. In males, use can cause withered testicles, sterility, and impotence. In females, irreversible masculine traits can develop along with breast reduction and sterility. Psychological effects in both sexes include very aggressive behavior—"roid and rage"—and depression. While some side effects appear quickly, others, such as heart attacks and strokes, may not show up for years. Signs of steroid use include weight and muscle gains (if steroids are being used in conjunction with a weight training program); behavioral changes, particularly increased aggressiveness and combativeness; jaundice; purple or red spots on the body; swelling of feet or lower legs; trembling; unexplained darkening of the skin; and persistent unpleasant breath odor. Steroids are produced in tablet or capsule form for oral ingestion, or as a liquid for intramuscular injection.

CONFIDENTIALITY OF STUDENT RECORDS FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

I. Confidentiality Policy

VLS maintains the confidentiality of student educational records as required by the federal Family Educational Rights and Privacy Act (FERPA).

- A. Persons Outside Vermont Law School. No one outside VLS shall have access to, nor will VLS disclose any information from, a student's educational records without the written consent of the student except, pursuant to FERPA, to officials of other institutions in which the student seeks to enroll, to persons or organizations providing a student financial aid or enforcing provisions of student financial aid received, to accrediting agencies carrying out their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health or safety of students or other persons.
- B. Persons within VLS. School officials must demonstrate a "need to know" before personally identifiable student information, located outside their immediate domain, may be released to them. Such releases are documented in the student file.
 - 1. School officials are those members of VLS who act in the student's educational interest within the limitations of their need to know, which includes deans, faculty, administrators, clerical and professional employees, and other persons who manage student record information.
 - 2. Within the VLS community, only those persons, individually or collectively, acting in student's educational interest are allowed access to a student's educational records. This includes persons in the Offices of the Registrar, Admissions, Comptroller, Financial Aid, and Business Services, and academic personnel within the limitations of their need to know. In addition, the Vice Dean for Academic Affairs, the Assistant Dean for Academic Affairs, and the Director of the Academic Success Program have full access to student information contained in the administrative computer system.
- C. Directory Information. At its discretion, VLS may provide such information, in accordance with the provision of FERPA, to include: student name, mailing address and telephone number, date of birth, dates of attendance, class year, full-time or part-time status, degrees and awards received, and the most recent previous educational agency or institution attended by the student.
 - 1. A student may withhold directory information by notifying the Registrar in writing within two weeks after the first day of classes for the fall semester.
 - 2. Requests for nondisclosure will be honored by Vermont Law School for a student's entire enrollment. Any changes to the request for nondisclosure must also be made in writing to the Registrar's Office. Students who opt for nondisclosure will not have their names in Commencement programs.

II. Student Inspection of Records

FERPA provides each student with the right to inspect and review information contained in his/her education records, to challenge the contents of his/her education records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in his/her file if the decision of the hearing panel is unacceptable.

- A. Written Request. The Registrar has been designated to coordinate the inspection and review procedures for student education records, which will include admissions, academic, and financial files; and academic cooperative education, and placement records.

1. A student wishing to review her/his education records must make a written request to the Registrar using the "Request for Copies of Documents in File" form available outside the Registrar's Office. In some circumstances, a copy will not be made (e.g., an academic record for which a financial "hold" exists, or a transcript of an original or source document which exists elsewhere). Copies are made at the student's expense at prevailing rates which are listed on the form.
 2. Records covered by the Act will be made available within forty-five days of the request.
- B. Exceptions and Exclusions. As provided by the Act:
1. Education records do not include records of instructional, administrative, and educational personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute; employment records; or alumni records.
 2. A student may not inspect or review financial information submitted by his/her parents; confidential letters and recommendations associated with admissions, employment, job placement or honors and to which he/she has waived his/her rights of inspection and review; or education records containing information about more than one student, in which case VLS will permit access only to that part of the record which pertains to the inquiring student.
 3. VLS is not required to permit a student to inspect and review letters of recommendation to which the right to access was waived.
- C. Correction Records. A student who believes that his/her education records contain information that is inaccurate or misleading, or is otherwise in violation of his/her privacy or other rights, may discuss his/her problems informally with the Office of the Registrar.
1. If the decision is in agreement with the student's requests, the appropriate records will be amended. If not, the student will be notified within a reasonable period of time that the records will not be amended, and she/he will be informed by the Office of the Registrar of his/her right to a formal hearing.
 2. A student's request for a formal hearing must be made in writing to the Vice Dean for Academic Affairs who, within a reasonable period of time after receiving such requests, will inform the student of the date, place, and time of the hearing. A student may present evidence relevant to the issues raised and may be assisted or represented at the hearing by one or more persons of his/her choice, including attorneys, at the student's expense. The hearing panel, which will adjudicate such challenges, will be the Committee on Standards.
 3. Decisions of the hearing panel will be final, will be based solely on the evidence presented at the hearing, will consist of written statements summarizing the evidence and stating the reasons for the decision, and will be delivered to all parties concerned.
 4. The education record will be corrected or amended in accordance with the decision of the hearing panel, if the decision is in favor of the student.
 5. If the decision is unsatisfactory to the student, the student may place with the education record statements commenting on the information in the record, or statements setting forth any reasons for disagreeing with the decision of the hearing panel. The statements will be placed in the education record, maintained as part of the student's records, and released whenever the records in question are disclosed.
 6. A student who believes that the adjudication of his/her challenge is unfair or not in keeping with the provisions of the Act may request, in writing, assistance from the Dean of Vermont Law School to aid him/her in filing complaints with The Family

Educational Rights and Privacy Act Office, Department of Education, Room 4074,
Switzer Building, Washington, DC 20202.

Revisions and clarifications of this policy will be published as experience warrants.

DIRECTORY OF RECORDS

- **Office of Admissions (Abbott House):** Records in the Office of Admissions are not covered under FERPA. These records receive FERPA protection and gain student access only upon the applicant's matriculation.
- **Office for External Relations (Curtis House):** Any student who has completed one full semester at VLS becomes a member of the Alumni Association at the time their student status ceases. The Alumni Office records may include both home and business addresses and telephone numbers, name of spouse or significant other, name and address of parents, and history of contributions to Vermont Law School. Directory information for "alums" is no longer protected by FERPA, but alumni are afforded the opportunity to withhold release of directory information by contacting the Office for Institutional Advancement. All other information contained in their records is for internal use only.
- **Office for External Relations (Curtis House):** This office solicits information directly from students, including name, address, class, degree program(s), degree completion, previous education, gender, date of birth, race, cumulative grade point average/class rank, honors such as *Law Review* and/or Moot Court Advisory Board, and work-study eligibility. Any information forthcoming from students is available only to personnel in the department.
- **Office of the Comptroller/Business Office (Abbott House):** The Business Office maintains an accounting of a student's financial obligations to VLS. Failure to meet this obligation will result in the Business Office withholding approval of release of a student's transcript, bar certification, and/or diploma. Therefore, the general information of indebtedness will be shared with the Registrar's Office and the Dean's Office and/or holds are placed on the student information system. In addition, the Business Office maintains the record of a student's VLS parking sticker number in conjunction with the student's license plate number. None of this personally identifiable information will be disclosed to anyone outside the institution. In addition, students are given the opportunity to authorize other individuals to make inquiries of their accounts by completing a Business Office/Financial Aid Office Release Authorization Form. This form is considered in effect until further notice, i.e., the student submits an updated form. It is assumed that a student not completing this form does not consent to any release of information.
- **Environmental Law Center (Debevoise Hall):** Summer Session applicants are processed by the ELC and records are transferred to the Registrar's Office upon the student's registration.
- **Office of Financial Aid (Abbott House):** A student's financial aid file contains their Institutional Student Information Report (ISIR), notice of financial aid eligibility and awards, loan applications, and other pertinent information requested to assess eligibility for financial assistance. Federal Perkins promissory notes and collection information is also kept in the Financial Aid Office for graduates who receive these loans. Copies of educational loan deferment forms are placed in the student's file prior to being sent to the lending agencies. A student has access to all this information. The Office of Financial Aid will release to scholarship committees the level of a student's financial need (e.g., none, high, etc.), but will not share any specific information. The Office of Financial Aid is notified by various agencies when a student/alum is in default on an educational loan and will inform the Registrar's Office of this default status when a student/alum has requested the release of a transcript or bar certification.
- **Office of the Registrar (Abbott House):** *Upon matriculation, electronic copies of some of a student's application file become accessible to the Registrar's Office.* At that time, these records

(electronic or paper) fall under the protection of FERPA. This record may contain the following application materials: application for admission, LSDAS summary report or GRE report, letters of recommendation, personal statement, letter of acceptance, and transcripts reflecting all post-secondary education. A student may review and/or request copies for his/her own use except any letters of recommendation to which he/she has waived the right to access. Official copies of transcripts from other institutions are also in the student record. As a student progresses through his/her educational program, the electronic educational record will include requests for release of information, copies of letters reflecting any probationary and/or disciplinary action, and other status changes. The Registrar's Office maintains electronic records of student academic progress with an official transcript (showing course names, grades, semester and cumulative grade point average and class rank, where applicable.) A notice of loan default may be appended to the student's official transcript if received. Independent of a student's individual record, the Registrar's Office maintains archives of student petitions to the Committee on Standards, with a copy of the decision electronically maintained. Release of most information in the Registrar's Office requires a student's written permission, with the following exceptions: 1) When a student is being placed on academic probation, the Deputy Vice Dean for Academic Affairs, the student's faculty advisor, the head of the program for Academic Success, and the Director of Financial Aid are notified; 2) when a student has been academically dismissed, the same people as listed in #1 above, with the exception of the head of the program for Academic Success, are again notified; in addition, the Library, Office of Career Services, the Alumni Office, and all deans are notified of a student's "withdrawal," without mention of the circumstances; 3) when a student voluntarily withdraws or is granted a leave of absence, all people listed above, again with the exception of the head of the program for Academic Success, are notified; 4) if a student petitions the Committee on Standards, the committee members may be provided full access to the educational records maintained in the Registrar's Office; 5) the Director of Financial Aid needs to know class rank and probation status to determine the continued eligibility for scholarships and/or work-study funds; therefore, the class rank list is provided to the Director of Financial Aid; 6) if a member of the faculty needs to be reminded of a grade they issued a student, this information will be given with the understanding that it cannot be shared with a third party.

DISABILITY POLICY AND PROCEDURES

I. INTRODUCTION

Vermont Law School, as an institution, assumes the ultimate administrative responsibility for ensuring compliance with the mandates of section 504 of the Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990. It is the responsibility of the Deputy Vice Dean for Academic Affairs to certify student disabilities and to recommend reasonable and appropriate accommodations in light of the nature of a student's disability and academic program requirements. The Deputy Vice Dean for Academic Affairs will serve as a liaison between and resource to, the students and faculty.

- A. The law school recognizes its legal obligation to make reasonable accommodations designed to provide overall educational program accessibility for otherwise qualified persons with disabilities. It is a law school policy that students with disabilities who have been admitted to the law school through the normal admissions process and have thus been deemed qualified to undertake the academic program be given reasonable accommodations.

- B. To the extent deemed reasonably possible and readily achievable, the location of programs within the physical plant will provide equal access to mobility - and visually - impaired students.
1. The law school physical plant is an eight-acre complex of buildings, many of which were built at the turn of the century. Some areas within older buildings are inaccessible to mobility-impaired students or difficult to access. All buildings are accessible on the first floor, either through a ground-level entrance or a ramp. Whenever a mobility-impaired student needs to meet with faculty or staff whose offices are in limited-access areas, the law school will provide an alternative space for the meeting.
 2. Information concerning law school facilities that are accessible to and usable by mobility-impaired students is appended to this policy.
- C. The law school seeks to accommodate students with disabilities on an individual basis. Individual students are given reasonable and necessary accommodations based on specific information and assessment data documented by a professional from outside the law school who, in the judgment of the school, is qualified to provide such information and assessments.
- D. While the law school will strive to accommodate students as fully as possible, reasonable accommodations do not include measures that fundamentally alter the academic program of the law school or that place undue administrative or financial burdens on the law school.
- E. The faculty have the responsibility for maintaining the integrity of the academic program. When course accommodations are required for a student, the intent is to provide that student with equal access to the essential course content and to mitigate the impact of the disability on the student's learning and/or academic performance without compromising course or program integrity. Accommodations may involve modification of the way in which material is presented or how learning is evaluated; however, accommodations that compromise the essential integrity of the course shall not be required of faculty by Vermont Law School. Faculty may not dispute the fact, nature, and/or extent of a disability that has been recognized by the Deputy Vice Dean for Academic Affairs. Faculty do, however, have the right to ask the Deputy Vice Dean for Academic Affairs for clarification of recommended accommodations and to suggest alternative accommodations perceived to be more appropriate in light of the nature of the course or program. Alternative accommodations must be appropriate and effective as those recommended in mitigating the disability. Alternative accommodations may not be implemented until they are approved by the Deputy Vice Dean for Academic Affairs. Faculty who are dissatisfied with the accommodations recommended may consult with the Vice Dean for Faculty. Faculty are encouraged to share with the Deputy Vice Dean for Academic Affairs information about the course and/or program, so that the Deputy Vice Dean is best able to make appropriate accommodation recommendations. Faculty are to implement the accommodation as soon as possible, but in no case more than five academic days after the notification has been received. If no further consultation occurs between faculty, student, and the Deputy Vice Dean for Academic Affairs, Vermont Law School assumes that accommodations will be provided as delineated in the notification. Time is of essence in implementation of any academic accommodations. Delays in the negotiations or the implementation of accommodations can be construed as a form of discrimination.

II. ADMISSIONS POLICY

- A. The law school does not discriminate on the basis of disability. No limitations are placed on the number or proportion of persons with disabilities who may be admitted or enrolled.
- B. Any information concerning an applicant's disability provided during the admissions process is voluntary or optional and is maintained in accordance with laws relating to confidentiality.
- C. Students should not assume that because their application to law school indicates the presence of a disability that this information is known to the Deputy Vice Dean for Academic Affairs. New students should inform the Deputy Vice Dean for Academic Affairs, under the procedure in Part IV, below, of the need for accommodations well in advance of their matriculation.

III. POLICY OF REASONABLE ACCOMMODATIONS FOR ENROLLED STUDENTS

- A. The law school will provide, as necessary, reasonable and readily achievable accommodations, including academic adjustments and auxiliary aids, to ensure otherwise qualified students with disabilities access to the school's services, programs, and activities. To the extent necessary to accommodate a student with a particular disability, and to the extent deemed reasonable and consistent with the academic program, course loads, course examinations, and other methods of evaluating academic achievement will be adapted and administered so as to minimize the effect of the disability and accurately measure academic achievement in the course.
- B. Accommodations will not be provided if they fundamentally alter the nature of the program or if they would be unduly burdensome either financially or administratively to the law school.
- C. All accommodations are prospective; there no retroactive accommodations for work completed before the submission of a request for accommodations and all required documentation.

IV. PROCEDURE FOR REQUESTING REASONABLE ACCOMMODATIONS

- A. Identifying the Need for Accommodations: Students with disabilities who require accommodations are responsible for making these needs known to the Deputy Vice Dean for Academic Affairs in a timely fashion and for providing any required documentation and evaluations.
 - 1. Students should not assume that because their application to law school indicated the presence of a disability that this information is known to the Deputy Vice Dean for Academic Affairs. A student seeking accommodation for a disability should make a direct request to the Deputy Vice Dean for Academic Affairs by visiting www.vermontlaw.edu and completing the online disability request form. Technical assistance with this form can be provided by the Office of the Deputy Vice Dean for Academic Affairs.
 - 2. In cases where only minor accommodations are required (such as requesting to sit in the front row because of a visual or hearing impairment), the student may simply make a request of the faculty member. If requests for minor accommodations are not responded to adequately, the student should make the request to the Deputy Vice Dean for Academic Affairs.
 - 3. Students who do not require accommodations need not make their disabilities known.

- B. Verification of Disability:
- 1.A student who makes a request for accommodation due to a physical, mental, or learning disability must provide current professional verification documentation to the Deputy Vice Dean for Academic Affairs.
 - 2.The cost of obtaining the professional verification will be borne by the student.
 - 3.The documentation required varies, depending on the nature of the disability.
 - 4.If the law school requires an additional assessment for purposes of obtaining a second opinion by an appropriate professional of the law school's choosing, then the law school shall bear the cost not covered by any third party payor.
- C. Additional Information: Students seeking reasonable accommodations for a disability will be asked to submit to the Deputy Vice Dean for Academic Affairs a history of academic adjustments and accommodations received in postsecondary institutions or in places of employment. Such a history of adjustments and accommodations will be subject to verification.
- D. Verification of Temporary Disability: Students seeking accommodations on the basis of a temporary disability must provide documentation to the Deputy Vice Dean for Academic Affairs or Director of the Academic Success Program verifying the nature of the condition, stating the expected duration of the condition, and describing the accommodations deemed necessary.
- 1.Verification must be provided by a professional health care provider who, in the opinion of the law school, is qualified in the diagnosis of such conditions.
 - 2.The assessment or verification of disability must reflect the student's current level of disability, and shall be no older than 60 days.
 - 3.The cost of the professional verification will be borne by the student.
 - 4.If the initial verification is incomplete or inadequate to determine the extent of the disability and appropriate accommodations, the law school will have the discretion to require supplemental assessment of a temporary disability. The cost of the supplemental assessment will be borne by the student.
 - 5.If the law school requires an additional assessment for purposes of obtaining a second opinion by an appropriate professional of the law school's choosing, then the law school shall bear the cost not covered by any third party payor.
- E. Determination of Reasonable Accommodations: The Deputy Vice Dean for Academic Affairs has authority to decide whether accommodations will be granted in individual cases. The Deputy Vice Dean for Academic Affairs will review all documents submitted to verify a disability and may conduct a personal interview to explore the personal and academic needs of the student in the law school setting.
- 1.A student must immediately report any dissatisfaction with an accommodation to the Deputy Vice Dean for Academic Affairs. After the accommodation has been in place, each student receiving accommodations may meet upon request with the Deputy Vice Dean for Academic Affairs to evaluate the effectiveness of the accommodation.
 - 2.Accommodations will be subject to review and possible termination upon any change in the nature of the student's disability or the student's failure to properly utilize the services provided.
 - 3.Services for students who improperly procure accommodations under this policy will be immediately terminated and the student may be subject to disciplinary action under the Vermont Law School Code of Conduct.
 - 4.Subject to applicable rule of confidentiality, the Deputy Vice Dean for Academic Affairs shall provide information to appropriate administrative staff and faculty

when necessary to arrange for efficient administration of academic adjustments and accommodations.

- F. Records and Privacy: Information concerning a student's disability and accommodations made is treated as confidential under applicable laws and law school policies and is provided only to individuals who are privileged to receive such information on a need to know basis. Faculty members who are informed of a disability are advised that this information is confidential.

1. The law school will maintain confidential records relating to accommodations based on disability within the Office of the Deputy Vice Dean for Academic Affairs. The records will include documentation submitted to verify the disability. The Registrar's Office will receive a copy of the Deputy Vice Dean for Academic Affairs letter to the student detailing the accommodations that have been found reasonable and justified in light of the student's needs. Upon graduation or termination of enrollment, these records shall be archived apart from official educational records.

2. All documents produced by consultants in the performance of services for the law school will remain the property of the law school.

V. GRIEVANCE AND APPEAL PROCEDURES

- A. Students who request accommodations and believe that such accommodations have been impermissibly denied, should bring this matter to the attention of the Vice Dean for Faculty.

- B. If the Vice Dean for Faculty is unable to resolve the matter informally, or if the student is dissatisfied with the resolution, the Vice Dean for Faculty will ask the President and Dean to review the accommodation request and the accommodation will be granted or denied.

1. The President and Dean may affirm, reverse, or modify the finding and/or recommendation of accommodation. The President and Dean may confer with the Dean of Faculty during this process.

2. The appeal decision of the President and Dean is final.

- C. Students who believe that they have been discriminated against on the basis of their disability in matters other than an accommodation request should use the procedure described in the Vermont Law School Policy Against Harassment, Sexual Harassment and Discrimination.

VI. ACADEMIC DISMISSAL AND READMISSION

Students who are academically dismissed sometimes raise a disability as the basis for the academic difficulty. The burden is on the student to clarify why the disability was not brought to the attention of the administration, if it had not been previously, to explain why accommodations were not requested, or to explain why accommodations that had been provided were inadequate.

Readmission petitions should be discussed with the Deputy Vice Dean for Academic Affairs.

The Committee on Standards considers and decides on such petitions.

VII. POST-GRADUATION POLICY AND SERVICES

- A. The law school will assist students in documenting accommodations received during law school as an aid in requesting accommodations for bar examinations.

- B. The Office of Career Services will assist all graduates, with or without disabilities, in developing career opportunities after the completion of studies at Vermont Law School.

VIII. DEFINITIONS

- A. A. “Person with a disability” means a person who (1) has a physical or mental impairment which substantially limits one or more major life activities; (2) has a record of such impairments; or (3) is regarded as having such impairment.
- B. “Otherwise qualified person with a disability” means an individual with a disability who meets the academic and technical standards requisite to admission and participation in the law school’s educational program and activities.

Adopted August 28, 1995

Revised July 30, 1997

Revised June 30, 1999

Revised June 30, 2000

Revised June 25, 2001

Revised April 5, 2002

Revised April 28, 2009

Revised May 3, 2011

Revised May 5, 2014

DOGS ON CAMPUS

If you have a dog, please obey these rules. The safety and cleanliness of public areas in town and the law school campus are important to all who use them. This policy was established out of respect for the health and safety concerns of students, employees, and visitors, and in an effort to reduce property damage caused by unattended dogs.

Campus Policy

- With the exception of service dogs, dogs may not be brought into school buildings.
- Dogs brought on campus should be leashed at all times.
- Clean up after your dog and properly dispose of all waste.
- In the interest of safety and the welfare of your dog, please do not leave it unattended in your car, or tie your dog to trees, doors, benches, etc.

Town of Royalton Ordinances

- All dogs 6 months or older must be licensed. To be licensed, your dog must have had a rabies vaccination within the past 24 months (or within the past 12 months for a dog 6 months to 1 year old). License applications are available at the Town Clerk’s Office.
- Dogs within the village limits, including Vermont Law School property, must be leashed at all times.
- Dogs are prohibited on the village green and the Carpenter Recreation Fields, whether leashed or not. Violation of this ordinance can result in impoundment of the dog and a \$25 fine, plus impoundment fees.
- The Water District has prohibited dogs from the path to Kent’s Ledge as well as the Fire District property within the source protection area to protect the watershed.

SERVICE ANIMAL POLICY

Policy Statement

Vermont Law School (VLS) recognizes the importance of service animals to individuals with disabilities. VLS is committed to allowing people with disabilities the use of a service animal on campus to facilitate their full-participation and equal access to the law school's programs and activities. With this in mind, the law school has established the following policy regarding service animals and animals in training to assist people with disabilities. Set forth below are specific requirements and guidelines concerning the appropriate use of and protocols associated with service animals. VLS reserves the right to amend this policy at its discretion.

Under this policy and the Americans with Disabilities Act (ADA), service animals must be allowed to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. In cases where physical access is impossible, an alternative appropriate meeting location will be provided.

Individuals and Entities Impacted by this Policy

All employees, students, and visitors to campus

Policy Implementation

The Associate Dean for Student Affairs & Diversity (for students) and the Director of Human Resources (for employees) are responsible for implementing this policy. Success requires the cooperation of all students, staff and faculty.

Definitions

The Americans with Disabilities Act (ADA)

A service animal as defined by the Americans with Disabilities Act (ADA) as any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, alerting and protecting a person who is having a seizure, pulling a wheelchair, or fetching dropped items.

Dogs or other animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

Procedures

Students: Student requests for accommodations, including having a service animal on campus are reviewed by the Deputy Vice Dean for Academic Affairs. The Deputy Vice for Academic Affairs (or designee) will evaluate the disability limitations to determine appropriate accommodations and/or services. The Deputy Vice Dean will then coordinate implementation of the accommodation with the Associate Dean for Student Affairs and Diversity.

Employees: Employee requests for disability accommodations, including requests to have a service animal at work, are handled through the appropriate disability accommodation policy and procedures as stated in the Staff and Faculty handbooks. Employees should contact the Director of Human Resources for information and assistance.

Requirements: To ensure VLS's ability to meet the needs of students and employees requesting the accommodation of a service animal on campus, the following is required:

Qualifications

The service animal must have individualized training related to the specific limitations of the disability (i.e. there must be a formal nexus between the student's or employee's disability and animal's training, duties and function that affords the student/employee access to the postsecondary programs, facilities, and activities).

Restricted Areas

In compliance with the ADA, service animals are welcome in all buildings on campus and may attend any class, meeting, or other event. VLS may prohibit the use of service animals in certain locations due to health or safety restrictions, where service animals may be in danger, or where their use may compromise the integrity of research or other work performed on campus. In these cases, an appropriate alternative meeting location will be provided.

Compliance & Control Requirements

A service animal on campus must comply with all state & local licensure and vaccination requirements, including but not limited to appropriate identification tags, leash laws, waste clean-up, care, supervision and control. The animal must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents these devices, in which case other effective controls (e.g. voice or signal) must be used.

Conflicts

When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, they should both be accommodated by assigning them, if possible, to different locations within the room or facility. Allergies and/or fear of dogs are not valid reasons for denying access or refusing service to people with service animals.

Housing Accommodations

If individuals reside in VLS subsidized or VLS arranged housing, they must give advance notice to the VP of Finance & Administration for the service animal to reside in that housing. If another resident suffers from medical conditions/allergies due to or exacerbated by the service animal, the VP of Finance & Administration will require that such resident provide him/her with medical documentation to determine whether an accommodation is necessary. The VP will resolve all such matters expeditiously.

Removal of Service Animals

A service animal may be removed from law school grounds or facilities if it is disruptive (e.g. barking, wandering, displaying aggressive behavior) and the behavior is outside the duties of the service animal. Ill, unhygienic, and/or unsanitary service animals are not permitted in public campus areas. The individual responsible for such an animal may be required to remove the animal.

Revised: April 15, 2014

FACILITIES ACCESSIBLE TO DISABLED STUDENTS

Designated Parking

- Between Curtis House and Rogers House (3)
- Parking circle in front of Oakes Hall (3)
- Behind Abbott House (2)

Facilities Accessible at first floor (ramp or ground level entry)

- Abbott House (main entrance)
- Anderson House (rear entrance)
- Chase Center (through hall connecting to Classroom Building)
- Cornell Library (via halls to Chase Center, and ramp at front of library)
- Curtis House (street side and quad side of building)
- Eaton House (ramp at front of building)
- The Café (lift in hallway or back entry)
- Magic Mountain Day Care (ramp at front of building)
- Oakes Hall
- Debevoise Hall (driveway at the back of building & connector hallway at both ends)
- South Royalton Legal Clinic (ramp at back of building)
- Waterman Hall (main entrance)
- 190 Chelsea
- Fitness Center

Facilities accessible above first floor

- Debevoise Hall (elevator to all floors)
- Technology Department (lift in hallway)
- Library (elevator to all floors)
- Oakes Hall (elevator to all floors)
- Waterman Hall (elevators to all floors)
- Center for Legal Services (elevator to all floors)

Accessible bathroom facilities are provided on each floor of the library, Debevoise and Oakes Hall and the first floor of

- Abbott House
- Curtis House
- Waterman Hall

Any student who for reasons of physical disability is unable to meet in an office that is not accessible should contact that office to arrange to meet in an accessible location.

4. COURSE CATALOG

This Course Catalog contains the generic course descriptions for courses currently offered by VLS. For specific information about classes offered during a given semester, please consult registration information and individual class descriptions, available on Campus Web.

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|--------------|---------------|--------------------------------|--|----------------------|
| ADR | 6405 | Arbitration | Examines the nature of the arbitration process, rules governing hearings, the relationship between arbitration and the court system, the enforceability of agreements to arbitrate, and judicial review of arbitration award. This course also explores the controversial areas of arbitration such as requiring arbitration in employment and consumer contracts. | 2 |
| ADR | 6410 | Alternative Dispute Resolution | This course presents the theory and practice of negotiation, mediation, and arbitration that constitute the foundation of alternative dispute resolution (ADR) through lecture and simulations. Examines the different theories and approaches to ADR, as well as the wide range of issues that arise in the selection and application of these dispute resolution techniques. | 3 |
| ADR | 6412 | Mediation | Examines the nature of mediation and explores theoretical and practical aspects of the process. The course analyzes each component of the mediation process and provides students with the opportunity to apply theories and skills in simulation exercises. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|----------------------------------|--|-----------------------------|
| ADR | 6413 | Mediation Advocacy | Designed to teach students how to be effective advocates in the mediation setting. Students will learn to counsel clients for mediation, how to prepare a mediation plan, select a mediator, as well as effective participation in mediation. | 2 |
| ADR | 6415 | Environmental Dispute Resolution | Explores the range of processes that are used to resolve environmental disputes with particular emphasis on consensual processes such as negotiation and mediation. Instruction will be based on lectures and discussions of the theory of dispute resolution and environmental law and simulations to practice the skills needed to resolve environmental disputes. | 3 |
| ADR | 6420 | Negotiation | A hands-on introduction to the theory and practice of negotiation. Explores the tension that is created in every negotiation between cooperating to create value with the other side and competing to claim value against the other side. While there is a lecture component of this course, instruction relies heavily on the use of simulations. | 2 |
| ADR | 6424 | Interviewing & Counseling | TBD | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---|--|-----------------------------|
| ADR | 6425 | Interviewing, Counseling and Negotiation | This simulation-based course introduces knowledge and behaviors needed to accomplish interviewing and counseling and negotiation tasks successfully. Topics include working relationships with clients, gathering information from clients effectively, and helping clients make decisions in both dispute resolving and transactional contexts. | 3 |
| ADR | 6450 | Advanced Dispute Resolution Writing Seminar | This seminar provides an opportunity to explore emerging issues in dispute resolution through research and writing. The goal is to produce a publishable quality article. | 2 |
| BUS | 6235 | Corporations & Other Business Associations | Provides a basic understanding of the different organizational forms for businesses, including corporations, limited liability companies and partnerships, general partnerships and sole proprietorships. The course also examines the law of agency, and surveys selected topics, such as basic accounting principles, business formation, financing, dissolution, and securities regulation. | 4 |
| BUS | 6245 | Employment Law | Examines areas of federal and state labor law which regulate the employment relationship and which provide minimum protection outside of collective bargaining. Major topics considered include wrongful discharge, post-employment liability, employee privacy, genetic and drug testing, and employee welfare and retirement benefits (ERISA). | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-----------------------|--|-----------------------------|
| BUS | 6255 | Income Taxation | An introduction to federal income taxation. Topics include: the concept of income; exclusions from income; deductions and credits available to individual non-business taxpayers and business taxpayers; sales and other dispositions of property; capital gains and losses. | 4 |
| BUS | 6260 | Intellectual Property | A basic introduction to the law of patents, copyrights, trademarks and trade secrets. | 2 |
| BUS | 6262 | Social Enterprise Law | Explores which legal rules can best further enterprises that are designed to engage in profit-making activities for the purpose of promoting social goals. Will examine ways to define social enterprises; and ask whether traditional for-profit or non-profit business forms can accommodate these dual mission companies or whether a new hybrid business form is needed. | 2 |
| BUS | 6280 | Sales | Covers primarily Article 2 of the Uniform Commercial Code governing the sale of goods, including formation and modification of contracts for sale, Article 2's statute of frauds, warranties, parole evidence, risk allocations when goods are stored or transported, breach, remedies for sellers and buyers, and contractual limitations on remedies. The course includes references to consumer rights as well as comparisons between the common law of contract and the Code's rules and concepts. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--------------------------|---|-----------------------------|
| BUS | 6285 | Secured Transactions | An examination of the structure of the law of security interests in personal property from both practical and economic perspectives. The course covers the interests of all parties in secured transactions, particularly as a way of financing business. | 3 |
| BUS | 6290 | Securities Regulation | A study of federal law and the rules of the Securities and Exchange Commission concerning the registration, distribution and trading of securities, and legal and regulatory aspects of the securities industry. The course considers the responsibilities and liabilities of issuers of securities, its officers and directors, brokers, attorneys, and other participants in the distribution and trading processes, as well as issues regarding "insider" trading. | 3 |
| BUS | 6305 | Non-Profit Organizations | Examines nonprofit law, policy and practice. The course focuses on the issues surrounding the creation of a tax-exempt charitable organization at the state and federal levels, raising money for that organization, unrelated business income, lobbying and political activity, board of directors and managerial liability, and dissolution of the organization. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-----------------------|---|-----------------------------|
| BUS | 6330 | Sports Law | An interdisciplinary course that provides students with both practical and theoretical approaches to legal issues that affect professional and amateur sports leagues, conferences, team, and players. Topics include torts, antitrust, labor, agency, criminal, contract, immigration, and anti-discrimination laws. | 2 |
| BUS | 6331 | US Amateur Sports Law | An examination of legal issues arising in youth sports, high school sports, and college sports. The course addresses the role of sport as a cultural phenomenon in the United States and its relationship to law, politics, and economics. Cases studied will implicate tort, contract, constitutional, antitrust, and intellectual property law. | 2 |
| BUS | 6332 | Pro Sports and Law | Covers various legal issues affecting professional sports industries and the relationship between leagues, teams, players and affected third-parties. Topics include related issues in antitrust, labor, contracts, torts, property, environmental/energy, criminal, immigration, disability, anti-discrimination, regulation of private associations, regulation of athlete agents and their ethical duties, intellectual property and sports broadcasting. Pursuit of employment in sports law is also covered. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|----------------------------|---|-----------------------------|
| BUS | 6350 | Nonprofit Management | An overview of management subjects facing nonprofit organizations, including resource development, leadership and governance, staffing, planning and policy, resource management and reporting, communications and stewardship. | 2 |
| BUS | 6360 | Introduction to eLawyering | Focuses on how new technologies affect legal drafting, and surveys the historical background of law and technology; the logical basis for such legal documents as contracts, wills, statutes and regulations; and the theory of embedding law in code. The course also considers the secondary effects on law, lawyering and the legal profession likely to arise from the digitization of many legal tasks. In addition to the reading and class discussions, students will create a demonstrative virtual law practice and undertake drafting projects. | 3 |
| BUS | 6361 | eLaw: eDiscovery Data | Litigation often involves the collection, production, management and analysis of electronically store information (ESI). An enormous amount of data (Big Data) exists that may help make a case or predict the outcomes of approaches and legal rulings. This course considers the legal and operational issues associated with managing electronic information. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|---|-----------------------------|
| CLI | 9302 | Environmental & Natural Resources Law Clinic | The ENRLC is a public interest environmental law firm. Student clinicians work on behalf of environmental and conservation organizations under the supervision of clinical faculty. In addition to work on cases, students attend weekly staff meetings and a weekly seminar. | 6-9 |
| CLI | 9310 | So. Royalton Legal Clinic - FT | An on-campus clinic dedicated to serving Vermont residents who cannot afford private counsel. Students work under supervising attorneys representing real clients in civil cases in state and federal courts in Vermont and before administrative agencies. | 10 |
| CLI | 9311 | So. Royalton Legal Clinic - Summer | An on-campus clinic dedicated to serving Vermont residents who cannot afford private counsel. Students work under supervising attorneys representing real clients in civil cases in state and federal courts in Vermont and before administrative agencies. | 4 |
| CLI | 9312 | So. Royalton Legal Clinic-PT | An on-campus clinic dedicated to serving Vermont residents who cannot afford private counsel. Students work under supervising attorneys representing real clients in civil cases in state and federal courts in Vermont and before administrative agencies. | 3 |
| CLI | 9315 | South Royalton Legal Clinic Class | Please see class descriptions by term for registration information. | 3 |
| CLI | 9316 | So. Royalton Legal Clinic Class - Summer | Please see class descriptions by term for registration information. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---|---|-----------------------------|
| CLI | 9326-9329 | Advanced Environmental & Natural Resources Law Clinic | Students will further develop their understanding of law, broad philosophical, economic and scientific underpinnings of their work, and lawyering skills introduced in their initial ENRLC experience. Students will be expected to take greater responsibility for cases and to mentor novice clinicians. Enrollment is by permission of the clinic director. Credits awarded are appropriate for the number of clinic hours worked. | 6-9 |
| CLI | 9333-9339 | Advanced So. Royalton Legal Clinic | Students will further develop their understanding of law, broad philosophical, economic and scientific underpinnings of their work, and lawyering skills introduced in their initial SRLC experience. Students will be expected to take greater responsibility for cases and to mentor novice clinicians. Enrollment is by permission of the clinic director. Credits awarded are appropriate for the number of clinic hours worked. | 6-13 |
| CLI | 9350 | Criminal Law Clinic | In this clinic students have the option of working either in the prosecution or in the defense of criminal law matters, under the supervision of experienced prosecutors and defense attorneys in Vermont. All clinicians, regardless of assignment, meet together for a joint classroom component. Cross Referenced with CRI7350. | 6 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-----------------------------|--|-----------------------------|
| CLI | 9405 | Dispute Resolution Clinic I | Trains students to mediate disputes through participation in local court mediation programs. Weekly seminars focus on conflict theory, mediation techniques, litigation strategies, public policy and social justice issues, as well as ethical and licensing concerns. A portion of each class devoted to clinic-style rounds, enabling students to present the cases they have mediated for discussion and feedback. | 4 |
| CLI | 9411 | Semester in Practice (SIP) | A full-time external clinic, appropriate for students interested in self-directed learning under the supervision of an experienced mentor. Field-mentors are experienced lawyers who work with and within government, NGO's, non-profit organizations, corporations and law firms. | 11 |
| CLI | 9412 | Semester In Practice Class | The first (a required orientation) of the 10 seminar classes that make up the classroom component of the SiP/ESW is held at the end of the semester prior to that in which the student is enrolled. Other classes are conducted on-line during the practicum semester. | 2 |
| CLI | 9425 | JD Part-Time Externship | Provides an opportunity to obtain field based experience on a part-time basis. Students must work three hours per week for 15 weeks for each credit earned, and may earn from two to six credits depending on the time committed. Students meet regularly with their faculty sponsors for evaluation and reflection of their experience. | 4 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|------------------------------|---|-----------------------------|
| CLI | 9427 | Energy Clinic | Provides an opportunity to obtain field based experience on a part-time basis. | 4 |
| CLI | 9428 | Food and Agriculture Clinic | Provides an opportunity to obtain field based experience on a part-time basis. | 4 |
| CLI | 9429 | Food and Agriculture Seminar | Seminar: In the Food and Agriculture Clinic seminar, students explore the substantive laws and advocacy skills that underlie their clinic project work. | 2 |
| CLI | 9430 | Judicial Externship | Places students in judges' chambers, where students learn about the process of judicial decision making by observing the function of a court. Students work with the supervising judge to develop legal skills such as writing, research, and analytical skills. All judicial externship students complete an Academic Component which concentrates on judicial and legal ethics, judicial philosophy and history; decision making and judicial discretion; and judicial opinion writing. | 11 |
| CLI | 9431 | Judicial Externship Seminar | Please see class descriptions by term for registration information. | 2 |
| CLI | 9437 | Advanced Energy Clinic | TBD | 4 |
| CLI | 9440 | MELP Externship | Provide MELP students with field experience in the environmental area. Under the supervision of a faculty sponsor and an on-site supervisor, students can intern in non-profit groups; international, federal, state and local government agencies; law firms, and consulting firms all over the world. | 4 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-----------------------------------|---|-----------------------------|
| CLI | 9450 | Land Use Clinic | Provides an opportunity to develop lawyering skills, particularly as applied in the area of land use practice. The classroom component introduces relevant land use law, practice, and competencies needed for effective representation. The placements build on the class providing students a significant practical experience in land use law. | 6 |
| CRI | 7262 | Constitutional Criminal Procedure | A basic course on Constitutional Criminal Procedure, with comprehensive consideration of topics under the Fourth, Fifth, Sixth and Eighth Amendments to the U.S. Constitution. Among the topics considered are search and seizure law including probable cause to search and arrest, the warrant requirement and its exceptions, and the exclusionary rule; custodial interrogation, confessions and the privilege against self-incrimination; double jeopardy; the right to counsel and effective assistance of counsel; the death penalty and the Eighth Amendment prohibition against cruel and unusual punishments; lineups and other forms of pretrial identification. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|--------------|---------------|-------------------------------|---|----------------------|
| CRI | 7307 | Criminal Practice & Procedure | Skills-based course focused on the Federal Rules of Criminal Procedure, the 4th, 5th, 6th and 8th amendments to the U.S. Constitution and the corresponding sections of the Vermont and New Hampshire Constitutions. This course will give students the opportunity to develop insight into the theoretical underpinnings of constitutional criminal law and procedure while at the same time learning the practical application of theory to practice. | 4 |
| CRI | 7313 | Capital Punishment Seminar | This seminar examines capital punishment as a legal process, using interdisciplinary materials and theory, litigation documents including briefs and recordings of oral arguments, and appellate opinions. The seminar also employs written narratives, movies, and popular cultural images and artifacts to explore this subject matter. | 2 |
| CRI | 7318 | White Collar Crime | White Collar Crime balances black letter law with current, high-profile examples of corporate felonies and fiascos. Topics include: conspiracy, mail fraud, wire fraud, securities fraud, perjury, obstruction of justice, RICO, tax fraud, money laundering, and environmental crimes. In addition, administrative investigations, grand jury investigations, pleas, trials and sentencing will be covered. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--------------------------------------|---|-----------------------------|
| CRI | 7350 | Criminal Law Clinic | In this clinic students have the option of working either in the prosecution or in the defense of criminal law matters, under the supervision of experienced prosecutors and defense attorneys in Vermont. All clinicians, regardless of assignment, meet together for a joint classroom component. | 6 |
| DIV | 7606 | Civil Rights Seminar | Using PBS video series "Eyes on the Prize" and companion readings, this course examines the civil rights movement that began in the years before Brown v. Board of Education and continued throughout the 1950's and 1960's. Provides social, cultural, and historical perspectives on the civil rights movement and the legal developments that grew out of that movement. | 2 |
| DIV | 7610 | Race & the Law Seminar | Provides an introduction to race as it relates to and is reflected in the law. The seminar focuses on the role and experience of African-Americans, Asian-Americans, Latin-Americans, and Native-Americans in American society, with attention to questions concerning critical race theory, class, family, and feminism. | 2 |
| DIV | 7615 | Sexual Orientation & the Law Seminar | A look at the way law and the legal systems affect the lives of lesbian, gay, bisexual, and transgendered people. The class will explore domestic and international laws that sanction discrimination against the LGBT community and the struggle for equality by this community. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|---|-----------------------------|
| DIV | 7620 | Native Americans & the Law | This course focuses on the constitutional, statutory and jurisprudential rules of law which make up the field of Federal Indian Law. Attention will be given to the historical framework from which the rules were derived. The course will consider subject-specific areas of Indian Law like hunting and fishing rights, stewardship of natural resources, economic development and protection of religion and cultural lifestyles. | 3 |
| DIV | 7628 | Indian Tribes as Govt. Stewards of Environment | Examines the unique body of law governing Indian country, the geographic areas recognized by the federal government as the homelands of sovereign American Indian tribes. Major topics include the history of federal-tribal relations, tribal property rights, tribal court systems, and the balance of governmental power between tribes, states, and the federal government. | 2 |
| ENV | 5105 | Administrative Law | Provides students with a working knowledge of the general principles of administrative law; implementation of legislative policy through administrative agencies, including the role of administrative agencies in the governmental process, rulemaking, adjudication, and judicial review of agency actions. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---|--|-----------------------------|
| ENV | 5110 | Ecology of Food & Agriculture | A critical examination of several case studies drawn broadly from the science, law, politics, economics and policy of food and agriculture. The course also has the broader goals of teaching the student to critically read the scientific literature, and to effectively apply science in diverse legal and political settings. | 3 |
| ENV | 5112 | Science for Environmental Law | Introduces students to the science critical to environmental law and policy, including climate science, air pollution, toxicology, and natural resource management. It also introduces students to scientific thinking and culture, and explores some of the challenges involved in effectively using science in legal and policy decision-making. | 3 |
| ENV | 5115 | Environmental Law | An introduction to the broader categories of protecting human health and the environment -to both assess the successes and failures of environmental protection in the U.S. and gain more detailed substantive knowledge of several key statutes. | 3 |
| ENV | 5122 | Communications, Advocacy and Leadership | Designed to provide students with the knowledge and skills to operate effectively in a variety of environmental careers. Topics include communications to achieve public policy aims; development and implementation of legislative and policy campaigns; and management of environmental enterprises. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|------------------------------|--|-----------------------------|
| ENV | 5125 | Land Use Regulation | A basic course in land use law. Covers planning and all manner of private and public land use regulation from common interest communities, to subdivisions, to zoning, to variances, to planned development districts, to transit-oriented development, to traditional neighborhood design, to form-based codes, to growth management. | 3 |
| ENV | 5205 | Air Pollution Law and Policy | An exploration of the major programs and regulatory strategies embodied in the Clean Air Act that are used to address conventional air pollution, toxic air pollution, and greenhouse gas pollution. | 3 |
| ENV | 5210 | CERCLA Liability and Cleanup | Students will become familiar with the statute that authorizes the cleanup of hazardous sites. Traditional tort concepts of strict, joint and several liability will be examined in the context of hazardous site cleanup. Related issues such as corporate structure, settlement, divisibility, apportionment, contribution and allocation of liability will also be addressed. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|--------------|---------------|-----------------------------------|---|----------------------|
| ENV | 5212 | Climate Change and the Law | <p>This course integrates the emerging science and law of climate change along with economic and inter-generational equity aspects of the problem. The course considers how existing federal laws such as the Clean Air Act and NEPA may be used to address climate change as well as how new more comprehensive laws may be fashioned. The course studies different policy instruments and examines cases from different sectors. State and regional approaches will be considered along with questions of federalism and preemption. Corporate responsibility, risk disclosures, and the role of socially responsible institutional investors will be examined. The development of new international agreements in a "post-Kyoto" world will be reviewed.</p> | 3 |
| ENV | 5220 | Environmental Economics & Markets | <p>Introduces students to the discipline of environmental economics and expose them to debates over the use of market-based instruments in environmental and energy policy. It also introduces students to basic economics and finance concepts, examines key principles, and applies these basic elements and concepts to common environmental problems and actual case studies.</p> | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---|---|-----------------------------|
| ENV | 5226 | Energy Law & Policy in a Carbon-Constrained World | Examines key issues in American energy policy and searches for ways to ease the strains which that policy puts upon environmental sustainability. The course reviews fundamental facts about our energy demands and sample regulatory orders and legal writings that address many of those elements from the perspective of a legal review. | 3 |
| ENV | 5228 | Energy Regulation and the Environment | Builds on the course Energy Law and Policy in a Carbon-Constrained World by exposing students to the legal, economic, and structural issues involved in energy regulation and energy markets, focusing on electricity. The course examines the evolution, theory and techniques of monopoly regulation; the current processes for rate setting; and the development of competitive, market-based alternatives. The course exposes students to the latest approaches to managing the electric grid, to renewable energy strategies and procurement, energy efficiency, demand side management and green markets. | 3 |
| ENV | 5235 | Natural Resources Law | Examines the statutes and regulations governing the management of the federal lands and their resources. Considers the historical, political, and ecological influences on the law and management of these resources, and includes an introduction to the agencies with jurisdiction over the components of the federal estate. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-----------------------------|--|-----------------------------|
| ENV | 5239 | Land Transactions & Finance | An introduction to land transaction and finance, covering the study of the title system, title insurance and land contracts, the private development process, and modern real estate financing, including private financing and public financing. The course also introduces the public-private development process including redevelopment, military base conversion and Brownfield's redevelopment. | 3 |
| ENV | 5245 | Water Resources Law | Taking "ecosystem approach" to the study of watersheds and the laws that attempt to restore and maintain them, the course contrasts the current fragmented approach of pollution control and land use law with the kind of integration that is needed to deal more effectively with the problems affecting watersheds. Topics include the public trust doctrine, water allocation, pollution control, floodplains and wetlands conservation, storm water controls, "factory farms," endangered species preservation, and ecological restoration. | 3 |
| ENV | 5246 | Water Quality | An in depth analysis of the Clean Water Act, the Safe Drinking Water Act and the Ocean Dumping Act, along with relevant regulations, policies and case law. Other federal statutes are covered more selectively, along with state laws. Regulation of groundwater contamination is included as well as tort claims for damages. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-----------------------------------|--|-----------------------------|
| ENV | 5250 | Watershed Management & Protection | Taking "ecosystem approach" to the study of watersheds and the laws that attempt to restore and maintain them, the course contrasts the current fragmented approach of pollution control and land use law with the kind of integration that is needed to deal more effectively with the problems affecting watersheds. Topics include the public trust doctrine, water allocation, pollution control, floodplains and wetlands conservation, storm water controls, "factory farms," endangered species preservation, and ecological restoration. | 3 |
| ENV | 5303 | Advanced Energy Writing Seminar | This seminar provides students an opportunity to produce a significant written paper based on sophisticated research and thinking about a key area in energy policy and law. Seminar topics include proposals for reducing the economic and environmental costs of meeting energy needs. Efforts to reduce costs through more efficient delivery and end-use are assessed, with specific attention to the statutory, regulatory, and contractual techniques for creating sound incentives. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|--------------|---------------|--|---|----------------------|
| ENV | 5304 | Comparative Environmental Law Research Seminar | A research and writing seminar that provides a framework and faculty supervision for students to engage in comparative environmental law research. While the seminar is designed primarily to support VLS students participating in the US-China joint student research projects and will focus generally on China, the seminar is sufficiently broad to accommodate students interested in researching the environmental law systems of other countries. | 2 |
| ENV | 5305 | Environmental Ethics Seminar | Explores the ethical foundations of environmental reasoning, including: intrinsic value, biocentrism, utilitarianism, eco-feminism, deep ecology, social ecology, and religious/spiritual foundations of environmental reasoning. These theoretical approaches are applied to concrete environmental policy issues. A central goal of the course is to assist students in developing a personal and professional environmental ethic. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|---|-----------------------------|
| ENV | 5306 | Comparative Environmental Law Research | A research and writing seminar that provides a framework and faculty supervision for students to engage in comparative environmental law research. While the seminar is designed primarily to support VLS students participating in the US-China joint student research projects and will focus generally on China, the seminar is sufficiently broad to accommodate students interested in researching the environmental law systems of other countries. | 1 |
| ENV | 5335 | Extinction and Climate Change | Examines the ecological, social and ethical consequences of biological impoverishment and considers various legal and policy options to address the phenomenon of climate change. The course addresses the extent to which laws like the Endangered Species Act of 1973 and some international laws can be used to address both conventional threats to species as well as the threat of climate change. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|------------------------------------|---|-----------------------------|
| ENV | 5342 | Legal Adaptation to Global Warming | Using global warming adaptation as an example of how the law and legal institutions evolve in response to major social changes, the course examines the legal challenges raised by the need for our society to adapt to the impacts of global warming. Topics include the need for alternative tools for dealing with eroding coastal shores and higher flooding risks, strategies for relocating urban populations to higher ground, modifications to the Endangered Species Act and other wildlife laws, federal and state property insurance policies, and techniques for reallocating water supplies. | 2 |
| ENV | 5345 | Land and the Law of Takings | Traces the development of the constitutional regulatory takings doctrine in the United States; why it developed, what lines it draws, what voids have not yet been filled, how existing case law applies to various types of situations and whether the lines need to be redrawn by the courts or by legislatures to meet more fully the complex, competing needs of our society. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---|---|-----------------------------|
| ENV | 5346 | New Frontiers in Environmental Policies | Explores the proposition that successfully coping with current environmental threats requires deeper challenges to our prevailing system of political economy than mainstream environmentalism in the United States has been willing to mount. The course develops the idea that a new American environmentalism is needed and with it new environmental policy and law that go beyond the traditional realm of environmental affairs. | 2 |
| ENV | 5349 | Regulating the Marine Environment | Examines the interaction of state, federal, and international regimes in the regulation of the marine environments through the examination of issues such as the marine environment as a source of energy; the nonrenewable resources of the seabed; and the winds, waves, currents, and temperatures of the sea itself. | 2 |
| ENV | 5356 | Scientific Controversies | Through case studies, this course explores the manipulation of scientific information underpinning some public policy controversies such as global climate change, abortion, homosexuality, DNA forensics, evolution, genetically modified organisms, and debates over the safety and effectiveness of prescription drugs. The course also has the broader goals of teaching the student to critically read and identify political or social bias on scientific literature. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|---|-----------------------------|
| ENV | 5365 | Climate Change: The Power of Taxes | This seminar explores the ways in which tax systems can effect change in the energy consumption behavior of business, industry, and consumers. The seminar addresses issues of theory, policy, politics, and law and -- while focusing on climate change-- provides students with a framework for understanding how and when to use tax measures to address other environmental problems. | 2 |
| ENV | 5375 | Global Energy Justice | This course revolves around a central question: how can justice theory help people make meaningful decisions about the production, the delivery, the use, and the effects of energy? | 2 |
| ENV | 5380 | Food Regulation and Policy | Presently, the United States is experiencing a resurgence in public concern over the safety of our food supply due to biotechnology, pesticide use, and unsafe food packaging, etc. This course will introduce students to the laws and policies that govern food regulation and policy in the United States. | 3 |
| ENV | 5381 | Agriculture and Food Entrepreneurial Law | Teaches the nuts and bolts of providing legal services to farmers and food entrepreneurs (producers/retailers/restaurants), drawing from the rich examples of farmer and food entrepreneurs locally. Such skills are needed to equip students with real world legal knowledge for those students seeking to provide legal services in this area or who wish to start an entrepreneurial career in food and agriculture. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|--|-----------------------------|
| ENV | 5383 | Food System Justice and Sustainability | This is a seminar on the impacts of our current globalized food system on the struggling margins that are impacted by individual production methods and inequitable distribution of healthy food. The course will examine the policy and program options that could help create a Good Food environment, where food is healthy, affordable, and sustainably and fairly produced. | 2 |
| ENV | 5385 | Global Food Security | This course explores the legal landscape of global hunger: the definition of "food security"; food security risks; global food governance organizations and legal instruments; assessing and monitoring food security; food related human rights concerns; the current status of global food security; and the international NGO's strategies for policy advocacy against hunger.. | 2 |
| ENV | 5401 | Agricultural Environmental Law | Land used for agricultural purposes (timer land excepted) accounts for nearly 53% of the total land area of the United States - the largest category of land use by far. This course addresses the complex and interconnected relationship of environmental and agricultural law, its historical roots and modern developments. | 3 |
| ENV | 5405 | Ecosystem Conservation Strategies | Focuses on the conservation theory behind landscape scale projects and specific implementation actions. Case studies draw conclusions for lawyers and practitioners. Materials draw on actual cases and projects involving The Nature Conservancy and others. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|--------------|---------------|-----------------------------------|--|----------------------|
| ENV | 5406 | Animal Rights Jurisprudence | A discussion of legal rights for nonhuman animals, the sources and characteristics of fundamental rights, why nonhuman animals are presently denied them, why all humans are presently entitled to them, whether they should be available for nonhumans under the common law and, and what strategies are available for obtaining them. | 2 |
| ENV | 5408 | The Law of Animals in Agriculture | Covers the evolution and regulation of animal agriculture in America, contrasted with farmed animal welfare policies in other developed nations. Will evaluate the long-term sustainability of CAFO food production specifically and animal food production generally. Students will explore the pressures from increased international trade in agricultural products. | 3 |
| ENV | 5410 | The Modern Farm Bill | Introduces students to the breadth of policies and legal authorities included in the Farm Bill that Congress re-evaluates every 5 years. Time will be spent on farm safety nets, conservation and nutrition policies. This course will also demonstrate the depth that a modern farm bill reaches with impacts on private working lands and consumers. International trade, clean energy, forestry, rural development, and overall food policies will be reviewed. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-----------------------|---|-----------------------------|
| ENV | 5423 | Ocean & Coastal Law | A review of domestic and international laws and treaties relating to coastal management, pollution, protected areas, endangered species, fish, marine mammals, wetlands, and seabed mineral and hydrocarbon resources. The course considers how effectively these legal authorities blend together to provide rational and comprehensive management and protection of marine resources. | 3 |
| ENV | 5430 | Ecology | Explores the principles of ecology using an interdisciplinary approach and field-based work. Course work stresses the inventorying of biotic and physical components of a landscape, examining how these components are distributed, and determining what forces drive these patterns. Topics include interpreting the natural and cultural histories of a landscape, biodiversity conservation, and the scientific method, among others. | 3 |
| ENV | 5446 | Environmental Justice | Examines the issues of environmental justice from an environmental law perspective and from a civil rights law perspective. Explores how environmental justice issues are framed, addressed, and resolved through litigation and mediation in the U.S. and internationally. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|---|-----------------------------|
| ENV | 5449 | Environmental Litigation Workshop | This course will provide students with intensive, practical experience with application of the Federal Rules of Civil Procedure in the context of civil environmental litigation. | 2 |
| ENV | 5462 | Public Lands Mgt: Montana Field Study | A comparative approach to competing legal mandates and diverse philosophies that make federal land management a lively topic not only in the West, but throughout the country. Resource extraction, preservation, and sustainable/multiple-use concepts are addressed. | 3 |
| ENV | 5468 | Oil and Gas Production & the Environment | A review of the major contracts used to explore for and produce oil and gas in the U.S. and internationally. The course covers leasing practices on public lands in the U.S. and the acquisition of host government contracts from foreign governments, and provides an understanding of the future of petroleum as a resource, the technology used to produce it, and the externalities of production. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-----------------------|---|-----------------------------|
| ENV | 5474 | Land Conservation Law | <p>Increasingly important in our efforts to preserve ecological diversity, historic places, working lands, scenic viewsheds, open space, and public uses of land are conservation tools and processes such as donation of conservation easements, purchase of sensitive lands, and private/public partnerships for land conservation. Students will research and review the swiftly developing body of law and legal issues accompanying the use of conservation easements, and will gain an understanding of both the legal and practical dimensions of land conservation transactions involving conservation easements. In addition, students will actively be engaged in a progressive conservation transaction, beginning with early negotiations, drafting, and financial analysis, and proceeding along a spectrum to donation, modification, and enforcement of terms of a conservation easement. Each student will be responsible for role playing exercises throughout the conservation transaction process and will assess various financial scenarios, identify and resolve disputes related to the conservation transaction, and negotiate and draft a conservation easement.</p> | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|---|-----------------------------|
| ENV | 5492 | Renewable Energy Law & Policy | This course explores the expanding field of renewable and alternative energy supplies. It reviews local, state and federal laws and policies that promote (and impede) such sources, and considers emerging distributed generation models. Turning to technology-specific evaluations, it surveys the range of emerging technologies and looks in depth into some specific models of high potential or value, concluding with consideration of proposed strategies for reducing greenhouse gases. | 2 |
| ENV | 5498 | America's Energy Crisis - Solutions | This course addresses the fundamental crisis in which growing energy demands are threatening the buffering capacity of our global atmosphere, while also producing the greatest emissions of most primary pollutants, and the struggle to identify and create the legal elements necessary to promote and ensure solutions. | 2 |
| ENV | 5510 | Essentials of Electric Grid: Engineering | The engineering realities of electric power grids and natural gas pipelines greatly constrain the choices that lawyers and policy analysts might otherwise make. This module covers the engineering fundamentals inherent in the current and expected energy infrastructure. | 1 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---------------------------------------|--|-----------------------------|
| ENV | 5511 | Essentials of Electric Grid: Business | Introduces the major financial and economic factors that energy companies use in making production and investment decisions, and how emerging environmental regulations might affect these decisions. The module will also cover deregulated market structures in the petroleum, natural gas, and electric power industries. | 1 |
| ENV | 5512 | Essentials of Electric Grid: Legal | Provides an overview of the fundamentals of energy law in both the U.S. and the European Union and addresses some of the most important problems faced by energy project development, including facility siting, environmental issues, and authority fragmentation. | 1 |
| ENV | 5521 | Earth Law | Examines assumptions underlying environmental, constitutional, corporate, and other laws, and how those assumptions impede our ability to live cooperatively and sustainably with the natural world. Identifies legal, governance, and economic systems that better recognize the inherent rights of all people and the natural world. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|--|-----------------------------|
| ENV | 5540 | Public Health Implications of US Agriculture | An in depth exploration of agricultural and food laws and policies and the regulatory mechanisms supporting them. The course covers public health issues including Farm Bill nutrition assistance programs, food access, obesity and malnutrition, food safety and food-borne diseases, genetically modified foods, organic and other certification schemes, and the debate about food systems and sustainability. | 2 |
| ENV | 5561 | Environmental Enforcement and Compliance | Introduction to the enforcement of federal pollution control laws and a discussion of the basic regulatory structure of those laws and the enforcement tools available to regulators. Covers civil and criminal enforcement and alternatives to traditional command-and-control regulation and enforcement for gaining compliance with environmental standards. | 2 |
| ENV | 5564 | Peace, War and the Environment | This course explores environmental protection during armed conflict and analyzes the role of environmental management in peacekeeping and state reconstruction. It considers current challenges in the Middle East, Africa and Asia and discusses how environmental obligations may be incorporated into the laws of new states. | 2 |
| FAM | 7705 | Estate & Gift Taxation | Examines the fundamental principles of federal gift, estate, and generation skipping taxes, including an introduction to basic estate planning techniques. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|------------------------------|--|-----------------------------|
| FAM | 7710 | Estates | Examines the fundamental principles of federal gift, estate, and generation skipping taxes, including an introduction to basic estate planning techniques. | 4 |
| FAM | 7715 | Family Law | This course examines the roles of law and of private ordering in family law contexts. Topics may include marriage and divorce, child custody and support, alimony, property division, tax consequences of divorce, and family violence. The course will also look at various means of dispute resolution in the domestic relations area. | 3 |
| GPP | 7806 | GPP: Domestic Relations | A simulation-based introduction to the substantive law of domestic relations, including divorce, domestic violence, parental rights and responsibilities, child support, spousal maintenance, property settlements, tax consequences, and ethical considerations. | 4 |
| GPP | 7810 | GPP: Commercial Transactions | A simulation-based introduction to the negotiation, drafting, performance and enforcement of such agreements in a simulation context, with a particular emphasis on the interpretation and understanding of Article 2 of the Uniform Commercial Code, and an overview of the impact of U.C.C. Articles 9 (secured transactions) and 3 (negotiable instruments) as they impact on these transactions. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|--|-----------------------------|
| GPP | 7812 | GPP: Real Estate Transactions | A simulation-based survey of real estate transactions. Students search, review, and analyze titles; counsel clients; negotiate real estate transactions; and draft of documents for real estate closings. | 2 |
| GPP | 7814 | GPP: International Intellectual Property | An introduction to the legal issues involved in the production of creative and artistic works across national boundaries. Students advise simulated clients on substantive international copyright policy issues and a complete a cross border transaction relevant to the creation of an artistic work. | 2 |
| GPP | 7815 | GPP: Municipal Law | A simulation-based introduction to the various issues faced by lawyers representing local government entities. Students will participate in and become familiar with the procedures for challenging or defending actions taken by municipalities. | 2 |
| GPP | 7816 | GPP Employment Law/Pre-Trial Litigation | Explores the anatomy of a lawsuit by challenging students to learn substantive employment principles and apply those principles to an employment dispute. Students learn pretrial strategies by representing either the employer or the employee from the initial client contact until the eve of trial. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|--|-----------------------------|
| GPP | 7817 | GPP: Criminal Law | This simulation-based course provides exposure to the process and procedure of criminal trial court. Students act as prosecutors and defense attorneys in a criminal matter, from arraignment and bail hearing through plea bargain. Students draft motions, engage in plea negotiations, and perform bail, plea, and sentencing hearings. | 2 |
| GPP | 7818 | GPP: Representing Entrepreneurial Business | Explores the basic stages of setting up an entrepreneurial business, raising finance for it, and selling it as a going concern. Issues addressed will include understanding the basic concerns of business planning from the client perspective, choosing the form of entity, dealing with the regulatory requirements for raising capital, and questions relating to the attorney-client relationship. Projects will include the drafting of documents for a number of simulated business transactions. | 2 |
| GPP | 7819 | GPP: Environmental Issues in Business Transactions | Designed to explore the types of environmental risks that are commonly confronted in a variety of business transactions. Special focus is devoted to how the environmental issues in transactions are identified, managed, and addressed in the course of a deal. The unique environmental issues associated with the purchase and redevelopment of contaminated properties or so-called "Brownfield sites" are also covered. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|--------------|---------------|---------------------------------|--|----------------------|
| GPP | 7821 | GPP: Estates/Personal Injury | A simulation-based introduction to estate planning and probate including the law of wills, testamentary and inter vivos trusts, basic probate of wills, basic income and estate tax considerations, powers of attorney, and ethical and malpractice issues. Using a simulated personal injury action, this course also exposes students to the discovery mechanisms available in civil litigation, to effective assessment of the evidence uncovered, and to the strategic use of the evidence in litigation or negotiation of settlements. | 2 |
| GPP | 7823 | GPP: Bankruptcy/Landlord-Tenant | A simulation-based introduction to consumer bankruptcy. Students interview prospective bankruptcy client, prepare bankruptcy schedules, learn about the role of the bankruptcy trustee, determine the appropriate bankruptcy chapter for each client; discern whether any litigation may arise within the bankruptcy case; and argue motions on behalf of their clients. A hands-on introduction to Landlord/Tenant law is also offered. Students will complete several tasks, such as negotiating a lease agreement, and exchanging eviction pleadings. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---|---|-----------------------------|
| HIS | 7555 | American Legal History/Search for National Identity | A historical approach to questions about American identity that have arisen regularly in the history of the Constitution. Are we a single people, or an uneasy gathering of different cultural groups? One republic, or a confederation? What are American values? Is a secular government appropriate, or should the American constitution reflect the spirituality of its people? | 2 |
| INT | 7405 | Canadian Legal System | The Canadian Legal System course represents comparative law at work. It provides an understanding of the form and substance of Canadian constitutional law through comparison with the United States in three critical areas: the locus of sovereignty and the separation of powers, the structure of federalism, and the recognition and enforcement of individual rights and liberties. At the same time, the course will take a jurisprudential and historical look at broader social concerns such as race, gender, and nationality that have been shaped by, and have shaped, those key constitutional elements. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|--|-----------------------------|
| INT | 7407 | Comparative Law: Comparative Legal Systems | Explores how different countries within the Western Legal Tradition understand sources of law, the relationship between codes and cases, and constitutional design, including questions of federalism, judicial review and balance of powers. The course will study selected aspects of legal systems, focusing on France and Germany, with some discussion of "mixed" common/civil law jurisdictions (e.g. Louisiana, South Africa), as well as some aspects of the European Union. | 3 |
| INT | 7410 | French Legal Method | Taught by a French law professor (in English), this course provides an introduction the French law and legal system, and French legal methodology. | 1 |
| INT | 7411 | French Corporate Law | Taught by a French law professor (in English), this course addresses the substantive law and underlying policies of the law of French business corporations and the ways in which the law differs from U.S. corporate law. | 1 |
| INT | 7412 | Law of the European Union | Provides a basic introduction to the institutional architecture and jurisprudence of the European Union, with special focus on key treaty provisions and important judgments of the European Court of Justice. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-------------------------------------|--|-----------------------------|
| INT | 7414 | European Union Law Trento | Optional component to European Union Law I taught in Italy during the semester break by European Union law experts at the University of Trento Faculty of Law. Classes address selected topics in European Union law such as labor law, environmental law, criminal law and procedure, and non-discrimination law. IMPORTANT: This course entails a \$300 administrative fee. | 1 |
| INT | 7415 | Immigration Law | Covers the basics of immigration law; family and employment-based immigration categories; citizenship issues, grounds of inadmissibility/deportability; detention; removal and relief from removal. Special emphasis is placed on the immigration consequences of criminal convictions and humanitarian relief under asylum law and under the Violence Against Women Act. | 3 |
| INT | 7416 | International Business Transactions | Using a problem-solving method, this course provides a practice-based introduction to private cross-border transactions, such as purchase/sale of goods; licensing of intellectual properties; and investment of capital in foreign countries in a service business. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|---|-----------------------------|
| INT | 7420 | International Criminal Law | Explores International Criminal Law, broadly defined to include criminal issues that arise in the international setting and international issues that arise in the context of national criminal law. This broad definition encompasses the prosecution of crimes in international tribunals as well as transnational crimes such as terrorism, organized crime, trafficking in drugs and persons, and cybercrimes, which will be prosecuted in domestic/national courts. | 3 |
| INT | 7421 | International Environmental Law & Policy | Provides an overview of the structure and basic principles of international environmental law and policy. The course considers the challenge of addressing global environmental problems; the regulatory limitations of U.S. law; and the basic structure and principles of international environmental law. The course examines in detail the structure of the Montreal Protocol regime and covers other areas, including treaties related to climate change, biodiversity and wildlife protection, and the intersection of international trade and the environment. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|----------------------------|--|-----------------------------|
| INT | 7424 | International Human Rights | Provides an introduction to international law and the international legal system. Using real-world examples, it examines the processes through which international law is made, interpreted and applied, exploring the role of states as well as that of international bodies, non-governmental organizations, and corporations. The application of international law in domestic legal systems is examined, as is the reach of domestic law in the international arena. | 3 |
| INT | 7425 | International Law | This course provides an introduction to international law and the international legal system. Using real-world examples, it examines the processes through which international law is made, interpreted and applied, exploring the role of states as well as that of international bodies, non-governmental organizations, and corporations. The application of international law in domestic legal systems is examined, as is the reach of domestic law in the international arena. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-----------------------------------|---|-----------------------------|
| INV | 7426 | Comparative Constitutional Law | Uses a comparison of the Spanish and the U.S. constitutional systems to introduce students to the study of comparative constitutional law. We will compare and contrast the constitutional structures established by the two countries, the different procedures employed for constitutional review, and the different approaches to constitutional review and adjudication. Important Notice: This course entails a \$300 supplemental fee to cover the additional expenses of the course. | 2 |
| INT | 7428 | International Regulation of Trade | An introduction to the field of international trade regulation. Focused primarily on the interpretation and application of key provisions of the major trade treaties falling under the jurisdiction of the World Trade Organization, the course also examines arbitral decisions interpreting and applying provisions of separate bi-lateral and multi-lateral trade treaties such as NAFTA. | 3 |
| INT | 7432 | Applied Human Rights Research | An advanced international human rights law course in which students engage in research on cutting-edge issues in human rights law and policy for non-governmental organizations and inter-governmental organizations under the supervision of the professor. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|--------------|---------------|--|--|----------------------|
| INT | 7437 | Introduction to Chinese Law | An introduction to contemporary Chinese legal system and institutions in historical and comparative perspective. Studies diverse aspects in the legal development of the PRC, including the legislature, sources of law, the legal profession and the judiciary, administrative law, the criminal justice system, dispute resolution, and the efforts and challenges of addressing environmental degradation and energy problems in China through law. | 2 |
| INT | 7440 | Comparative US-China Environmental Law | An overview of the tremendous environmental challenges for the 1.3 billion people in China and the efforts to address them through law and regulation. After an introduction to the political and legal system and cultural background of the largest greenhouse gas emitter in the world, we will survey the basic regulatory schemes managing air quality, water resources and quality, natural resources, environmental impact assessments, and pending legislation concerning waste management and energy conservation. If there is sufficient interest, we may offer an additional, optional, one-credit session in China immediately following the class, to let students experience firsthand the environmental conditions and lectures and meetings with leading Chinese environmental scholars and activists. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---------------------------------------|--|-----------------------------|
| INT | 7441 | China Field Study | Following completion of the Comparative U.S. - China Environmental Law course, students may participate in an additional field trip to China. This trip will enable students to experience directly environmental conditions in China and to meet leading Chinese environmental scholars and activists. | 1 |
| INT | 7446 | International Trade & the Environment | Examines the intersection between trade liberalization and environmental protection. The course addresses protection of natural resources through unilateral trade-based measures, the legality of multilateral environmental agreements employing trade measures, utilization of science-based trade tests, and environmental impacts of foreign investment liberalization. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|---|-----------------------------|
| INT | 7448 | Comparative US-France Land Use Field Study | <p>This field study course will explore and compare land use planning and law in three jurisdictions: California, Vermont and France. The course will examine pressing land use planning issues including the management of contaminated sites, infill development and public transit development, carbon reduction initiatives and the tension between local and state direction. This 14-day course will commence in South Royalton with presentations and summaries on California and Vermont land use planning and statutory requirements. The class will fly to Paris, France, to meet with French attorneys and land use experts and visit one of the Paris suburbs to view and learn about land use planning. The class will then travel by train to Gordes in Provence where they will stay for the remainder of the course and meet with local land use planning officials and observe land use practices, including efforts to maintain agricultural and forest landscapes.</p> | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|--|-----------------------------|
| INT | 7450 | International Investment Arbitration and the Environment | Covers particular themes where human rights, environmental, and investment law interact, such as the right to health, due process and denial of justice, property rights and expropriation, and stabilization clauses and positive human rights obligations. The course places special emphasis on ongoing negotiations, as well as on investment, human rights, and environmental cases decided by international tribunals. | 2 |
| JUR | 7303 | Federal Courts | An analysis of the sources of and limitations on the federal judicial power. Particular emphasis is placed upon the relationship between the state and federal judicial system. | 3 |
| JUR | 7310 | Remedies | Studies the legal and equitable methods available to redress an infringement of legal rights, such as those rights provided by the laws of contracts, torts, equity, constitutional law, and civil procedure. | 3 |
| JUR | 7320 | Judicial Opinion Writing | Explores the opinion-writing process from several theoretical and practical perspectives. Students draft law clerk memos and judicial opinions based on the briefs and records in actual state and federal cases. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---------------------------|---|-----------------------------|
| JUR | 7323 | The Law & Popular Culture | Explores images of law and lawyers in popular films as well as the influences of popular film upon legal practice. Topics studied through the films include Legal Actors and Institutions --such as Law Students, Lawyers and Legal Ethics, Clients, Witnesses, Judges and Juries-- and legal subject matter areas, such as Tort Law, Criminal Law, Constitutional Law, Family Law, Business Law, International Law and Military Law. | 2 |
| JUR | 7333 | Animal Law and Ethics | Covers American law on domesticated animals in the criminal, tort, wills, contract, and constitutional legal contexts. Also considers wildlife and species law and its relationship to the law on individual animals. Students regularly consider ethical issues related to animals as a foundation for current law and possible reform. | 3 |
| JUR | 7350 | Women & the Law Seminar | Explores the interaction of the law and gender via an in-depth study of legal responses to domestic violence. Includes discussions of family law, the civil and criminal systems, and the international human rights dimensions of this issue. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|------------------------|--|-----------------------------|
| JUR | 7390 | Jurisprudence Tutorial | Modeled after the Oxford-Cambridge tutorial system in which the student and faculty member follow a course of reading and meet to discuss, this tutorial provides an opportunity for students to master a field of law and/or philosophy, or explore a particular author's writings in depth, or resolve a particular problem. The preferred subjects are philosophy, jurisprudence, social and political philosophy, ethics, land use, population, environmental, and tort law. | 1 |
| LIT | 7210 | Evidence | Considers the rules governing the admissibility of testimonial, physical, documentary, and demonstrative evidence in trials and other formal legal proceedings. Topics considered include relevance, prejudice, competency, hearsay, opinion, impeachment, and privilege. | 4 |
| LIT | 7211 | Evidence Lab | A required component of Evidence during the Fall and Spring semesters, the lab requires students to apply the rules of Evidence in a courtroom simulation. | 0 |
| LIT | 7220 | Trial Practice | This skills course covers the important aspects of a trial, including jury selection, opening statements, direct and cross examination, exhibits, objections, expert witnesses, and closing arguments. The course culminates in a full, simulated trial. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---------------------------|---|-----------------------------|
| LIT | 7318 | Intensive Trial Practice | Simulates the experience of preparing for trial under the supervision of experienced trial lawyers. Involves intensive review of the Federal Rules of Evidence and applicable trial practice concepts, as well as significant factual analysis, focus, preparation and practice on one detailed problem in order to best replicate the experience of a real trial. A number of students will be selected to compete in extramural trial competitions. | 2 |
| LLM | 9606 | L.L.M. Seminar | Explores diverse advanced topics and viewpoints over environmental law and policy, through discussion and lectures from environmental scholars who will present their scholarship to the seminar. | 3 |
| LLM | 9610 | L.L.M. Research Project | Provides an individual student with an opportunity to undertake a research project in an area of law in which the student has a particular interest. Projects require intensive research and the completion of a major piece of legal writing under the supervision of a faculty sponsor. | 1 |
| LLM | 9650 | LL.M. Seminar II (thesis) | The thesis must be a substantial piece of written work of publishable quality. A 10-15 page thesis proposal must be approved by the LL.M. candidate's faculty supervisor and the Director of the Environmental Law Center before the thesis is begun. A student who writes a thesis must make a public oral presentation of the thesis work. | 6 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--|--|-----------------------------|
| MSC | 7905 | Dean's Fellow | This program allows a group of selected third-year students to teach Legal Writing I under the supervision of legal writing faculty. The program requires attendance to a weekly training seminar. | 4 |
| MSC | 7910 | Exchange Program | Please see registration materials for conditions of participation in exchange programs. | 14 |
| MSC | 7911 | Exchange Uconn School of Law | Please see registration materials for conditions of participation in exchange programs. | 14 |
| MSC | 7912 | Exchange UNH Law | Please see registration materials for conditions of participation in exchange programs. | 14 |
| MSC | 7913 | Exchange UC Hastings College of Law | Please see registration materials for conditions of participation in exchange programs. | 14 |
| MSC | 7914 | Exchange Howard Univ. School of Law | Please see registration materials for conditions of participation in exchange programs. | 14 |
| MSC | 7916 | Exchange New York Law School | Please see registration materials for conditions of participation in exchange programs. | 14 |
| MSC | 7917 | Exchange University of Puerto Rico | Please see registration materials for conditions of participation in exchange programs. | 14 |
| MSC | 7918 | Exchange Tuck School of Business | Please see registration materials for conditions of participation in exchange programs. | 3 |
| MSC | 7920 | Yale MEM Program | Please consult with the Associate Director Environmental Law Center. | 12 |
| MSC | 7921 | l'Universite de Cergy-Pontoise - dual degree | Please consult with International and Comparative Law Programs. | 14 |
| MSC | 7922 | Cambridge MPhil Program | Please consult with the Associate Director Environmental Law Center. | 14 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---------------------|--|-----------------------------|
| PUB | 7500 | First Amendment Law | Covers the core issues of First Amendment law: free speech, free press, free exercise of religion, the establishment clause, and freedom of association. | 3 |
| PUB | 7510 | Legislation | Examines legislative law and the legislative process. Topics include: the nature and history of legislative power, legislative structure and procedure, legislative advocacy, drafting statutory law, statutory construction, legislative history, legislative oversight, and the role of legislative attorneys in the process and the development of public policy. | 3 |
| PUB | 7525 | Legislative Clinic | Provides an opportunity for students to work in a standing committee of the Vermont General Assembly under the supervision of the committee's chair and a legislative counsel. Students are required to be in attendance at the General Assembly in Montpelier and to complete legal research and drafting projects relating to their committee's pending legislation. | 6 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-----------------------|--|-----------------------------|
| PUB | 7550 | National Security Law | Explores lawyers' involvement in the formulation and implementation of United States foreign and national defense policy through the examination variety of domestic, constitutional, and international law issues such as authority for the wars in Iraq and Afghanistan, intelligence gathering at home and abroad, detention and interrogation of terrorist suspects, planning for the next terrorist attack, protection of sensitive government information, and other current topics. | 3 |
| REQ | 7103 | Civil Procedure II | Continues the study of the procedural rules governing civil actions in the state and federal courts, from commencement through appeal, including jurisdiction over parties, joinder of parties and claims, contents of pleadings, pretrial motions and discovery, conduct of trial, post-trial motions, res judicata, collateral estoppel, and conflicts between the state and federal judicial systems. | 3 |
| REQ | 7104 | Civil Procedure I | Covers the procedural rules governing civil actions in the state and federal courts, from commencement through appeal, including jurisdiction over parties, joinder of parties and claims, contents of pleadings, pretrial motions and discovery, conduct of trial, post-trial motions, res judicata, collateral estoppel, and conflicts between the state and federal judicial systems. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|------------------------------|--|-----------------------------|
| REQ | 7112 | Constitutional Law | This course focuses on the historical development of major constitutional doctrines, including the Commerce, Due Process, and Equal Protection Clauses. The course also studies the process of constitutional decision-making, and explores major techniques of constitutional interpretation." | 4 |
| REQ | 7120 | Legal Analysis and Writing I | Introduction to the building blocks of legal analysis and legal writing. Students are taught to read critically, and how to apply critical reading and thinking skills to common law and statutory analysis. Students also learn the fundamentals of legal writing - accuracy, brevity, and clarity - through a series of typical exercises typical of assessments given to new lawyers. | 1 |
| REQ | 7122 | Legal Research | Introduction to legal research tools and strategies relevant for law school as well as legal practice. Topics include legal authority, the use of primary and secondary sources, effective use of LexisNexis, Westlaw, and other electronic databases, the role of the Internet in legal research, and a brief introduction to environmental and international legal research. Emphasis is placed on appropriate and effective research strategies and evaluation of sources, both print and electronic. | 1 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|-------------------------------------|--|-----------------------------|
| REQ | 7125 | Legal Writing II: Theory & Practice | Develops fundamental legal writing, reasoning, and research skills in the context of the analysis of a specific subject matter. This course also provides the transition from predictive to persuasive legal writing and advocacy and an introduction to other legal problem-solving skills. | 3 |
| REQ | 7130 | Contracts | This course examines the requisite elements of a valid contract, while analyzing the effects of contracts on third parties and the impact of outside forces on contracting parties. | 4 |
| REQ | 7140 | Criminal Law | This course focuses on the foundation of our system of substantive criminal law, with emphasis upon mental state, responsibility, justification and excuse, inchoate crimes, and liability for the conduct of another. | 3 |
| REQ | 7150 | Torts | This course presents the study of the legal protection afforded against interference by others with the security of one's person, property, or intangible interests. | 4 |
| REQ | 7160 | Property | An introduction to the concept of ownership and its legal implications: rights to control, enjoy, and transfer real and personal property, including public and private restrictions on use; estates in land; concurrent ownership; adverse possession; easements and licenses; and landlords and tenants. | 4 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|--------------------|---|-----------------------------|
| REQ | 7170 | Legal Methods | Focuses on building and reinforcing the analytical, writing, and reasoning skills essential for success in law school. | 3 |
| REQ | 7180 | Public Law | Provides a comprehensive introduction to public law, focusing on the constitutional structure of government, the legislative process and statutory interpretation, the nature and authority of public administrative agencies, the methods agencies use to establish regulations and other legal rules, and the process for judicial review of agency action. | 3 |
| REQ | 7255 | Appellate Advocacy | An exercise in appellate brief writing and oral argument using a case pending before the United States Supreme Court. Classes focus on the appellate process, complex research and analysis, preparation of briefs, critical writing skills, and oral argument. | 3 |
| REQ | 7265 | Legal Profession | The study of a lawyer's professional obligations based on the ABA's Model Rules, ethical rules from selected jurisdictions, and other laws and traditions governing professional conduct. Students develop the knowledge and skills necessary to identify ethical dilemmas and acquire the tools to help resolve them. | 3 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---------------------------------------|---|-----------------------------|
| WRI | 7344 | Advanced Legal Research Seminar | This seminar focuses on statutory law including legislative history, administrative law, municipal law, and case law as well as secondary sources not covered in the introductory research course. The seminar will review specialized resources for topics such as international law, tax law, and interdisciplinary research. | 1 |
| WRI | 7345 | Advanced Regulatory Research | This seminar focuses on statutory law including legislative history, administrative law, municipal law, and case law as well as secondary sources not covered in the introductory research course. The seminar will review specialized resources for topics such as international law, tax law, and interdisciplinary research. | 1 |
| WRI | 7346 | Advanced International Legal Research | Provides in-depth exposure to the most useful research strategies and resources for researching international, comparative and foreign law competently. The goal of the seminar is to produce a research guide on an international, foreign, or comparative law topic. | 1 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|------------------------------|--|-----------------------------|
| WRI | 7350 | Advanced Skills for Practice | Prepares students for legal research in various work settings by teaching advanced practice oriented skills as well as exposing students to new resources they are likely to encounter after graduating. While the course gives students a chance to explore highly specialized databases on Lexis and WestlawNext, the course focuses on cost effective alternatives to Lexis and Westlaw such as FastCase, CaseMaker, BloombergLaw and others. | 1 |
| WRI | 7352 | Advanced Legal Analysis | Skills-development course designed to provide students with the analytical, test-taking, writing, and study skills that are critical to students' success on the bar exam and in the practice of law. The course consists of an intensive substantive and analytical review of major multistate bar exam subjects and of numerous writing and practice assignments. | 3 |
| WRI | 7360 | Advanced Appellate Advocacy | Refines and strengthens the written and oral advocacy skills acquired in Appellate Advocacy, and prepares students to represent VLS in extramural moot court competitions. Successful participants will become members of competing teams and/or members of VLS's Moot Court Advisory Board. | 2 |

| Subject Code | Course Number | Title | Description | Default Credit Hours |
|---------------------|----------------------|---|---|-----------------------------|
| WRI | 7380 | Adv. Environmental Legal Research | Provides in-depth exposure to the most useful, efficient strategies and resources for environmental law research, including highly specialized information databases, advanced administrative law research, legislative history, and environmental news/updating services. | 1 |
| WRI | 7900 | Independent Research Project | Working under the supervision of working faculty sponsor, the IRP provides an individual student with an opportunity to research and write about an area of law in which the student has a particular interest. Students must follow the guidelines for Independent Research Projects contained in the Academic Regulations (see Student Handbook). | 1 |
| WRI | 7950 | Law Review I | | 2 |
| WRI | 7951 | Law Review II | | 1 |
| WRI | 7960 | Vermont Journal of Environmental Law I | | 2 |
| WRI | 7961 | Vermont Journal of Environmental Law II | | 1 |

5. GENERAL INFORMATION

ADMISSIONS

Application to Vermont Law School's Juris Doctor (JD), Master of Environmental Law and Policy (MELP), or Master of Energy Regulation and Law (MERL) programs is open to any person who has earned a bachelor's degree from a regionally accredited institution and who meets other entrance requirements. Application to the Masters of Law (LLM) programs must have earned a Juris Doctor (JD) or an equivalent international degree.

Factors that are considered in admission are: grade point average from undergraduate and any graduate schools; standardized test scores (LSAT is required for the JD program); work history after completion of an undergraduate degree; essay and personal statement; letters of recommendation; and resume.

Students must submit official transcripts from all schools where they earned a degree. It is recommended that transcripts from all schools where academic credit was received be submitted to enhance the application.

Please see the application for detailed instructions and information regarding application requirements, deadlines, and letters of recommendation.

STANDARDIZED TESTING

The Law School Admissions Test (LSAT) is required for all Juris Doctor (JD) candidates. It is not required for applicants to other degree programs.

The Graduate Record Ex (GRE) or other standardized tests are optional and are not required for admission to the Master or LLM programs. Any scores from standardized tests should be sent from the testing agency directly to the law school (GRE School Code: 3946) for consideration.

TOEFL OR IELTS, INTERNATIONAL CREDENTIALS, AND INTERNATIONAL STUDENTS

Test Scores: If English is not your primary language, you must submit official test of English as a foreign languages (TOEFL, IELTS, or PTE) scores with your application. (TOEFL School Code: 3946). The minimum scores are: TOEFL – 600 (paper based) or 250 (computer based) or 100 (internet based); IELTS – 6.5; PTE – 68. International students who received a bachelor's degree from an accredited United States institution are exempt from this requirement. Candidates that have lived and worked in an English speaking country for more than two years should contact the Admissions Office for potential waiver of this requirement.

International Credentials: Applicants with international credentials must obtain and submit an official transcript evaluation through the Law School Admissions Council (LSAC at www.lsac.org) if applying to the JD program or through an evaluation agency such as World Education Services (www.wes.org) or Educational Credential Evaluators Inc. (www.ece.org) if applying to the Master of LLM programs. In addition to the agency evaluation, all official graduate and undergraduate transcripts must be submitted.

Students applying for the JD OR LLM may use the Law school Admission Council (LSAC) foreign credential evaluation services (www.lsac.org).

International Students: International students must submit a completed application by the general consideration deadline. This will allow sufficient time to obtain the additional documentation required to study in the United States. In addition, once accepted, international students must submit the International Student Information form, a copy of their passport, and financial documentation showing sufficient funding for at least one year of study and all living expenses. This documentation must be submitted at least two months prior to the start of the semester in order to allow sufficient time for the school to issue an I-20 for the student to obtain and F-1 visa, if needed. The I-230 visa will not be issued without this documentation.

DEFERRED ADMISSION

Deferred admission for one year is considered only after an offer of admission has been made. Admission in one academic year does not ensure admission in a subsequent year. Offers of financial aid cannot be deferred.

REAPPLICATION

Vermont Law School keeps application materials on file for one year. Individuals who applied more than one year ago should follow regular application instructions. Individuals who applied with the past year must file a new application, new financial aid forms, and pay the \$60 application fee; re-subscribe to the Law School Data Assembly Service (If a JD applicant); submit at least one new letter of recommendation from someone who has not written previously; and submit transcripts covering any academic work undertaken since the time of the last application.

TRANSFER STUDENTS

Vermont Law School admits JD transfer students to begin student in the fall and spring semesters of the second year. Transfer students must be in residence for two full years at Vermont Law School to earn the JD degree.

EXCHANGE STUDENTS

Students enrolled at other law schools that participate in the Law School Exchange Program (see the Vermont Law School application form) should contact their home law school exchange coordinator for application instructions.

VISITING STUDENTS

Visiting students from other law schools are considered for one or two semesters of study at Vermont Law School. Attendance requires approval of the home institution.

APPLICANT NOTIFICATION

Vermont Law School reviews applications on a rolling basis. Once review begins, complete applications will be considered by the Admissions Committee and applicants will be notified regarding the admissions decision. Vermont Law School does not share information or provide any feedback regarding admissions decisions.

If a student is offered admission, a total non-refundable tuition deposit of \$500 will be required by the deposition deadlines indicated in the offer of admission in order to secure a place in the incoming class. The non-refundable deposit will be applied in full toward the student's tuition upon enrollment.

ADMISSIONS QUESTIONS

Please contact Vermont Law School if you have questions about admission or programs. It is easiest for us to respond quickly if you telephone or email us.

Office of Admission, Vermont Law School
PO Box 96, 168 Chelsea Street
South Royalton, VT 05068-0096

Toll Free: 888-277-5985

Telephone: 802-831-1239

Fax: 802-831-1174

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