



2020-2021

ACADEMIC CATALOG

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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 four masters degrees—Master of Environmental Law and Policy (MELP), Master of Energy Regulation and Law (MERL), Master of Food and Agriculture Law and Policy (MFALP), and Master of Arts in Restorative Justice; and four post-JD degrees—LLM in Environmental Law, LLM in Energy Law, LLM in Food and Agriculture Law, and LLM in American Legal Studies (for international students). The MELP, MERL, MFALP, MARJ, LLM in Environmental Law, LLM in Energy Law, and LLM in Food and Agriculture 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”

ACCREDITATIONS, APPROVALS, MEMBERSHIPS

American Bar Association (ABA)
Section of Legal Education and Admissions to the Bar
321 N. Clark Street, 21st Floor
Chicago, IL 60654
Phone: 312-988-6738
Fax: 312-988-5681
Email: legaled@americanbar.org

Vermont Law School's Juris Doctor (JD) degree is accredited by the Council of the American Bar Association (ABA) Section of Legal Education and Admissions to the Bar (Council). The Council is recognized by the United State Department of Education (ESDE) as the accreditor of first-professional degree in Law (JD) programs.

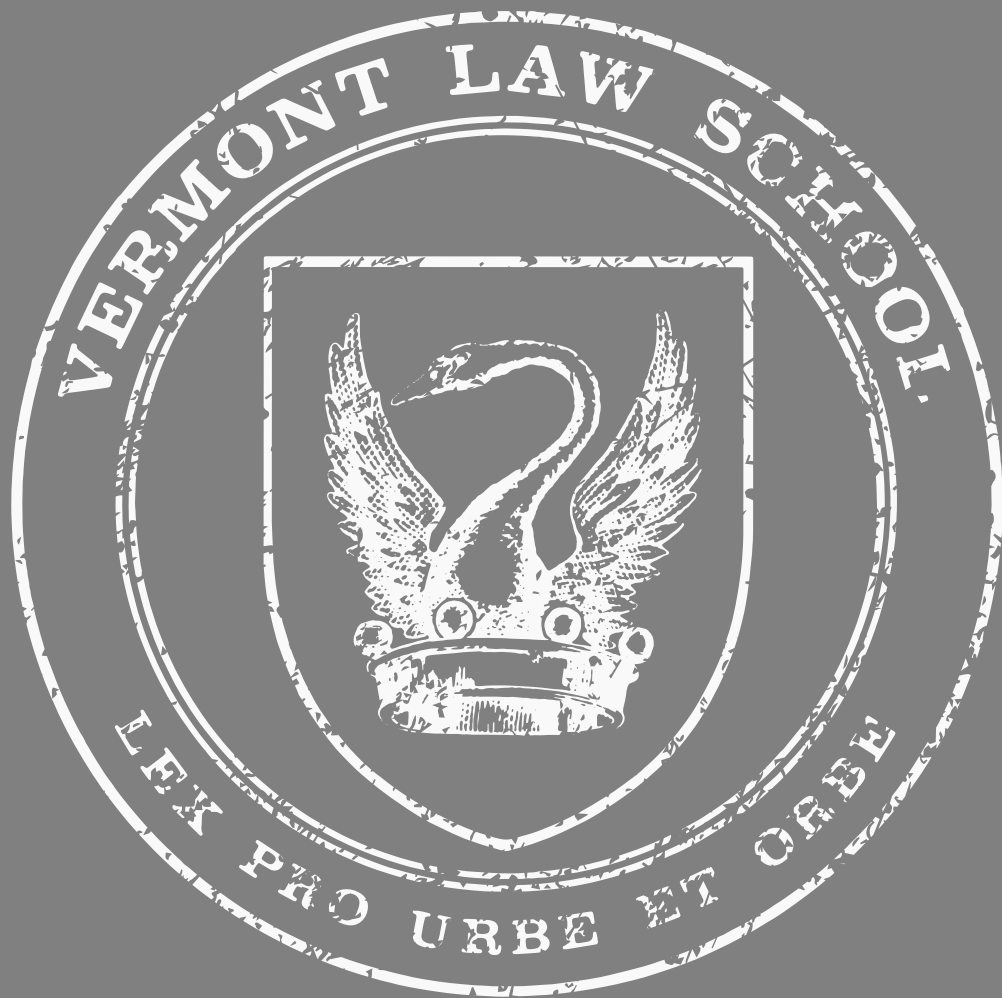
Association of American Law Schools (AALS)
1614 20th St NW
Washington, DC 20009-1001
Phone: 202-296-8851
Fax: 202-296-8869
Vermont Law School is a member of the American Association of Law Schools.

New England Commission on Higher Education (NECHE)
3 Burlington Woods Drive, Suite 100
Burlington, MA 01803-4514
Phone: 781-425-7785
Fax: 781-425-1001

The New England Commission of Higher Education (NECHE) accredits all degrees offered at Vermont Law School. NECHE is evaluated regularly by the Department of Education and the Council for Higher Education Accreditation (CHEA). This evaluation results in the Commission being "recognized" by the Department of Education and by CHEA.

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

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



ACADEMIC REGULATIONS

Revisions to the Academic Regulations may be made only by vote of the faculty.

The official version of the Academic Regulations is included in the student handbook and course catalog and posted on the Vermont Law School website. Those documents will be revised at the beginning of each academic year. Vermont Law School reserves the right to make revisions to these Academic Regulations without prior notice except as provided in Regulation I.C.2. Any revisions made during the year will be posted on the Vermont Law School website.

ACADEMIC REGULATIONS

Adopted April 14, 2016; revised May 4, 2018, August 2019, and August 2020.

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 included in the student handbook and the course catalog and posted on the Vermont Law School website. Those documents will be revised at the beginning of each academic year. Any revisions made during the year will be posted on the Vermont Law School website.

C. AMENDMENT

1. GENERAL

Vermont Law School reserves the right to make amendments to these academic regulations without prior notice except as provided in regulation I.C.2.

2. FACULTY VOTE

Except as provided in regulation I.C.3., amendments to these regulations may be made by a majority of the voting faculty at a regular or special faculty meeting provided notice of the proposed amendment has been given to each individual member of the voting faculty at least seven calendar days before the meeting.

3. 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. GENERAL PROVISIONS

The regulations in this section apply to all students enrolled in courses at Vermont Law School. See regulation XII for provisions of the Vermont Law School Honor Code. The Code of Conduct is also published in the Student Handbook.

A. ATTENDANCE

1. REGULAR ATTENDANCE

- a. 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. Students are also required to complete all required hours for clinical and externship work. Clinics and externships will establish appropriate policies governing absence due to religious observance, serious illness, and personal emergency and notify students in writing of those policies.

- b. If a student is absent from twenty (20%) percent of the regularly scheduled classes without adequate excuse during the fall or spring semester, the student shall be automatically withdrawn from the course with a grade of F-Wd. If a student is absent from a clinic or externship in violation of the clinic or externship attendance policy, the student shall be automatically withdrawn from the clinic or externship 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.
- c. During the summer term, a student will be automatically withdrawn from the course with a grade of F-Wd if the student is absent without adequate excuse from any class if the class meets for fewer than four days; from two classes if the class meets for between four and twelve days; and from three classes if the class meets for more than twelve days.
- d. Individual faculty may adopt a more stringent attendance policy than specified in paragraphs b and c, provided that students are given written notice of that policy.
- e. 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. LEAVES OF ABSENCE

Requests for leaves of absence should be directed to the Registrar. Except as noted below, leaves may be granted for up to one year. Ordinarily, no leave will be granted before the completion of the first semester of the first year.

A student in the Accelerated JD program must apply to the Committee on Standards for any leave of absence. Petitions must be submitted by March 15 for summer term, by August 15 for fall term, and by November 15 for spring term. See also regulation III.A.7.

Requests for leaves of absence beyond one year must be addressed to the Committee on Standards. Requests for medical leaves of absence must be directed to the Vice Dean for Students. See also regulation III.A.6.b.(2).

3. STUDENTS WHO ARE NOT CANDIDATES FOR A VERMONT LAW SCHOOL DEGREE

- a. Except for visiting and exchange students, this regulation applies only to students who are taking courses for credit at Vermont Law School who are not candidates for a degree from Vermont Law School. This includes students who are candidates for degrees at other academic institutions as well as students who are not candidates for degrees at any academic institution. Regulations II.B.6. and 7. apply to students who are auditing courses.
- b. An individual who is not a candidate for a degree or Professional Certificate at Vermont Law School may enroll in courses for up to six credits only with permission. Permission to take a particular class rests in the Vice Dean for Faculty or the Vice Dean's designee. Application procedures are available on the Vermont Law School website at: vermont-law.edu/admissions/apply-now/courses-for-credit-for-non-degree-students.
- c. Students who are not candidates for a Vermont Law School degree 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. Such 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.
- d. Transfer of Credits
 - (1) Transfer of credit to an academic institution other than Vermont Law School is governed by the regulations of the other academic institution.
 - (2) Courses taken for credit by a student who has not matriculated into the Vermont Law School JD program or the JD program of another ABA approved law school may not be transferred into the Vermont Law School

JD program for credit and do not satisfy the residence requirement of regulation III.A.6. 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 III.A.9. for provisions governing the transfer of credit into the JD program.

- (3) Courses taken for credit by a student who has not matriculated in to the Vermont Law School LLM program or the LLM program of another ABA approved law school may not be transferred into the Vermont Law School LLM program. See regulation IX.A.4. for provisions regarding the transfer of credit into the LLM program.
 - (4) Courses taken for credit may be transferred into the Vermont Law School Master's degree programs at the discretion of the appropriate Program Director or the Director's designee. See regulation IV.A.4. for provisions governing the transfer of credit into the Master's program.
- e. Non-degree students are required to pay tuition on a per credit basis.

B. COURSE ENROLLMENT

1. COURSE LOAD IN THE JURIS DOCTOR (JD) DEGREE

- a. Fall and Spring Semesters
Except for students in the Accelerated Juris Doctor (AJD) program¹ the minimum course load is 10 credits per semester, and the maximum course load is 17 credits per semester.²

For students in the AJD program, the minimum course load is 15 credits, and the maximum course load is 17 credits.

- b. Summer Session
Except for students in the AJD program, the maximum course load is 11 credits.

For students in the AJD program, the minimum course load for the first AJD summer is 12 credits and the maximum course load is 14 credits. The minimum course load in the second AJD summer is 10 credits, and the maximum course load is 13 credits.

2. COURSE LOAD IN THE MASTER'S DEGREES AND MASTER OF LAW (LLM) DEGREES

- a. Except as provided in subsection IX.H.2. with respect to the LLM in American Legal Studies, the following paragraphs apply to all master's degrees and all master of law degrees.
- b. For students taking residential classes, the minimum course load for full-time students is six credits per semester. The maximum course load for full-time students 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 appropriate Program Director or the Director's designee.
- c. For students taking online learning classes, the recommended course load is three credits per term. The online learning program offers six terms per academic year.
- d. For students enrolled full-time in the Master of Law in American Legal Studies degree, the minimum course load is 10 credits, and the maximum course load is 16 credits in the fall and 17 credits in the spring.

3. CHANGES AND WITHDRAWALS: FALL AND SPRING SEMESTERS RESIDENTIAL COURSES

- 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.

¹ See Regulation III A.7.

² The maximum course load of 17 credits is mandated by the American Bar Association and may not be waived.

- 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 without the written permission of the Vice Dean for Students.
- e. A JD student may not voluntarily withdraw from a course without the written permission of the Vice Dean for Students if doing so reduces the student's course load to less than 10 credit hours.³
- f. A MELP, MERL, MFALP, MARJ or 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.
- g. A student may not withdraw from any course or seminar in the student's final semester.
- h. A student may not withdraw from an externship, a clinical offering, or General Practice Program course.
- i. Acceptance of an invitation to be a member of the *Vermont Law Review* or the *Vermont Journal of Environmental Law* is a commitment to serve until graduation. A student may not withdraw from the Law Review or Journal during any semester. A student who chooses not to enroll in any semester will receive a "Wd" on his or her transcript for that semester.
- j. No student may drop or add the South Royalton Legal Clinic, the Environmental Advocacy Clinic, the Environmental Justice Clinic, the Energy Clinic, or the Food and Agriculture Clinic after the first day of classes. However, if the program is determined by the Clinic Director to be under enrolled, a student may add the course, with the Director's permission, within the first calendar week of classes.
- k. No student may drop or add the Legislative Clinic after the last day of classes of the fall semester.
- l. 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. If the course or seminar is scheduled to end before the last week of the semester, a student may withdraw no later than the last day of classes for that course or seminar.
- m. A student may withdraw from other elective courses no later than the last day of classes for the semester. If the course or seminar is scheduled to end before the last week of the semester, a student may withdraw no later than the last day of classes for that course or seminar.
- n. 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.
- o. 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.
- p. 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.
- q. 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. Failure to complete all course requirements will result in a grade of F or F-Wd.

4. CHANGES AND WITHDRAWALS: SUMMER SESSION RESIDENTIAL COURSES

- a. Students are not permitted to add or drop a summer course after the start of the second class period.
- b. A student may not withdraw from a required course or an externship.

³ Audited courses do not count toward this total.

- c. 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.
- d. A student may withdraw from other elective courses no later than the last day of class of that course.
- e. 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.
- f. If a student withdraws after the time limitation in subsection a., 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.
- g. 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. Failure to complete all course requirements will result in a grade of F or F-Wd.
- h. 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.

5. CHANGES AND WITHDRAWALS: ONLINE LEARNING PROGRAM

For students taking online learning courses, the deadline to add a class is Friday at 12 p.m. Noon Eastern Standard Time (EST) of the week prior to the first day of classes. The Drop period will end on Friday at 11:59 p.m. EST of the first week of classes. Individual courses dropped during the Drop period do not appear on the student's transcript. A course dropped after the end of Drop period becomes a Withdrawal and will result in a "Wd" on the student's transcript for each course.

Students should inform Vermont Law School immediately of a decision to withdraw from a course, program, or to take a leave of absence. 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.

6. AUDITING: FALL AND SPRING SEMESTERS

- a. A regularly enrolled student may audit free of tuition a maximum of two courses, other than an online course, each semester provided (1) the student is in good academic standing; (2) the student is taking for credit the minimum load of 10 semester hours if enrolled in the JD program or six semester hours if enrolled in any other degree program; (3) the instructor consents; and (4) there is a seat available according to the Registrar's records. If the student is enrolled in the JD program, the student must have satisfactorily completed at least 28 credits. The instructor may require specific conditions, such as attendance, class participation, or the like. The student must register as an auditor within the add/drop period.

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 in a subsequent semester or summer term without first obtaining the permission of the instructor giving the course for credit. 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 Vice Dean for Students 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.

7. AUDITING: SUMMER SESSION

- a. A regularly enrolled student may audit free of tuition one course, other than an online course, during the summer session provided (1) the instructor consents, and (2) there is a seat available according to the Registrar's records. If the student is enrolled in the JD program, the student must have satisfactorily completed at least 28 credits. The instructor may require specific conditions, such as attendance, class participation, or the like. The student must register as an auditor within the add/drop period.

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 in a subsequent summer term or semester without first obtaining the permission of the instructor giving the course for credit. 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.

8. 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 F or F-Wd. A course may only be repeated once. When a course is repeated, the original course and grade will remain on the student's transcript; the original course grade and 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.

9. ENROLLMENT PREFERENCES

Preferences for assignments to oversubscribed, limited enrollment courses, and seminars are determined by the Registrar under rules promulgated by the Vice Dean for Students.

C. 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 ⁴
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 failure to complete course requirements including attendance, examinations, papers, etc.	F-Wd
Excused or voluntary withdrawal from a course	Wd
Year-long course	Y
Administrative Delay	AD

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

⁴ These are the course grades; grade point averages are truncated to two decimal places.

2. DESIGNATIONS

Temporarily excused from completion of a requirement I

A designation of I will only be given for extraordinary circumstances beyond the student's control. The professor giving an I should provide written notice to the Registrar by the last day of the semester (or term) of (a) the reason for the designation of I, and (b) the date by which the student is expected to complete the course requirements. The student must complete the required work no later than the end of the spring semester in the case of a fall semester course, no later than the beginning of the fall semester in the case of a spring semester course, or no later than the end of the fall semester in the case of a summer session course or an additional grade of F-Wd will be entered. A professor may require that work be completed earlier.

3. THE FOLLOWING COURSES ARE GRADED PASS-HONORS/PASS/LOW-PASS/FAIL:

Bar Examination Skills and Tactics
Deans Fellows
Energy Clinic
Environmental Advocacy Clinic
Food and Agriculture Clinic
JD Part-Time Externship
Judicial Externship
Judicial Externship Seminar
Legal Analysis and Writing I
Legal and Policy Writing
Semester in Practice (SIP)
Semester in Practice Class
South Royalton Legal Clinic

4. THE FOLLOWING COURSES ARE GRADED PASS/FAIL:

Law Review
Legal Methods
Legislative Clinic
LLM Externships
MARJ Externships
MELP Externships
MERL Externships
MFALP Externships;
Practicum Trial Practice
Vermont Journal of Environmental Law

5. 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.

6. GRADING PROCEDURE

- a. The recommended average grade for all first-year courses, other than Legal Writing, 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, gender expression or identity, disability, or personal animosity toward the student, or upon the personal, political, religious, moral, or ethical views of the faculty member.
 - (6) A petition to review the work product of a course must be submitted no later than 90 days after the due date for grades for the semester (or term) in which the work was completed.
 - (7) If, and only if, the student satisfies the requirements of (1), (2), (3), and (6) 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.

7. 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:⁵

Cum laude	3.50
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.⁶ 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.

- c. Vermont Law School grants the MELP, MERL, MFALP, MARJ, LLM in Environmental Law, LLM in Energy Law, LLM in Food and Agriculture Law, and LLM in American Legal Studies degrees with distinction for those students who achieve a GPA of 3.50 or higher upon completion of the program.
- d. Faculty members may designate on their faculty grading sheets the top one or two students in each class. The student(s) so designated receive the "Academic Excellence Award" for that particular class, an honor that can be included on resumes, cover letters, or job applications, etc. Faculty have discretion to refrain from designating the top student. This regulation shall not apply to students in IRPs, Directed Study, Law Review class, the Vermont Journal of Environmental Law class, or the classroom component of Externships or SIPs.

⁵ 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.

⁶ 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.

D. EXAMINATIONS

1. Students should use the VLS assigned student identification numbers rather than their names on all examination and course papers unless requested to do otherwise.
2. 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.
3. 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.
4. Faculty members may require that students submit papers, written projects, take-home examinations, and similar work product electronically or through hard copy. Students should keep a copy of all work submitted whether electronic or in hard copy.
5. 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."
6. 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 must be distributed no later than the first day and due by the close of business on the last day of regularly scheduled exams for the fall and spring final examination periods. Take-home examinations in summer school extend for the period designated by the Director of the Environmental Law Center or the Director's designee.
7. An unexcused failure to take such an examination will result in an automatic F-Wd. 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.
8. Except as provided below, students are required to take 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 Vice Dean for Students 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 Vice Dean for Students or the Registrar. Requests alleging illness or other medical problems must include a physician's statement concerning the medical condition.

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.

9. When the Vice Dean for Students 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 Vice Dean for Students 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.
10. A student seeking accommodation for disability must contact the Vice Dean for Students and follow the procedures outlined in the Vermont Law School Policy and Procedures for the Provision of Services to Students with Disabilities. The Vice Dean for Students 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.

11. A student seeking accommodation for a temporary disability must contact the Vice Dean for Students prior to the beginning of the examination period. (If the condition arises during the examination period, the student must contact the Vice Dean for Students or the Registrar as soon as possible within the examination period.) The Vice Dean for Students or the Registrar may require medical documentation of the temporary disability. The Registrar, in consultation with the Vice Dean for Students, 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 Vice Dean for Students.
12. 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.
13. A student seeking additional time on examinations or other accommodation because English is not the student's native language must contact the Vice Dean for Students. The student must provide the Vice Dean with appropriate documentation supporting his or her request. The 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.
14. A student should not be required to take more than one examination per day or three examinations on consecutive days.
 - a. 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.
 - b. 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.
 - c. Requests made to reschedule examinations under this subsection must be presented in writing to the Registrar's Office, on the form available in the Registrar's Office.
15. Other Rescheduling Requests: Any request to take an examination early, or to reschedule an examination for any reason other than described in subsection 14.a. and b., above, must be submitted in writing to the Committee on Standards for approval.
16. 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.
17. 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.)
18. 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.
19. 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.

E. MISCELLANEOUS

1. 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.

2. 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.

III. 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 87 semester hours and a cumulative grade point average of 2.20.⁷

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; Contracts; Criminal Law; Legislation and Regulation; Evidence; Professional Responsibility;⁸ Legal Analysis and Writing I; Legal Research; Legal Writing II: Theory and Practice; Property; and Torts.⁹

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; First Amendment Law; and Sales.

Effective for students entering after May 1, 2014, all students shall be required to take at least six (6) experiential credits, as defined below. 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. Clinics, both on and off campus, and externships taken for master's degree credit do not satisfy this requirement.

Except as noted in subsection c of this regulation and in regulations III.G.2.b., all other courses are elective.

- b. 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 B or better were it the sole basis of grading in a course for two or more credits. The student may submit a project:
 - (1) In satisfaction of any written requirement in any course or Independent Research Project 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) Every student must either satisfy the requirement prior to the beginning of the student's sixth semester¹⁰ or file with the Registrar a statement

⁷ Effective May 2021, students must have a grade point average of 2.30 or above to be in good standing.

⁸ 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 online at vermontlaw.edu under JD degree requirements in the academic catalog.

⁹ 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, now known as Legislation and Regulation.

¹⁰ The usual period of study to obtain the JD degree is six semesters extended over three academic years. Regulation III.A.6. 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 semester preceding the final semester in the JD program.

- 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 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 ensure 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, other than individuals who are full-time employees of Vermont Law School, 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 Vice Dean for Students has approved in advance of the semester in which it is offered as appropriate for advanced legal writing credit, or (2) the Vice Dean for Students 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 Vice Dean for Students approve, a contract for the project containing the information required for independent legal research projects.
- c. Satisfactory completion of the 1L Preliminary Bar Examination is also a graduation requirement. A student must sit for the Preliminary Bar Examination no later than the first week of the beginning of the student's second fall semester enrolled at VLS. A student shall have satisfactorily completed this requirement under either of the following:
- (1) The student earns a passing score on three of the seven sections of the Preliminary Bar Examination no later than the first week of the beginning of the student's second fall semester enrolled at VLS with at least one passing score on a multiple choice section and one on a writing section; or
 - (2) If a student does not meet the requirements of subsection (1), the student must (a) meet with the Director of the Academic Success Program or the Director's designee two times following the Preliminary Bar Examination, (b) sit for the Preliminary Bar Examination a second time during the student's second spring semester, and (c) enroll in either one additional bar course or the Bar Exam Strategies and Tactics course.

A student who transfers to VLS following the 1L year shall be deemed to have completed this requirement upon taking the Preliminary Bar Examination no later than the first week of the beginning of the student's second fall semester enrolled at VLS.

3. NON-LAW COURSES AND COURSES NOT APPROVED FOR JD CREDIT

- a. Except as provided in subsection 3.b. 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.
- b. 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.¹¹
- c. JD students may enroll only in courses approved for JD credit.

4. 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 credit required for that degree, i.e. 29 credits.

5. COURSE LOAD

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

- a. The minimum course load is 10 hours per semester, and the maximum course load is 17 hours per semester.¹²
- b. Although there is no per semester "classroom hour" requirement, students must in the course of six semesters complete a minimum of 64 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 connec-

¹¹ 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 Vice Dean for Faculty or the Vice Dean for Students or their designee.

¹² The maximum course load of 17 credits is mandated by the American Bar Association and may not be waived.

tion with enrollment in the South Royalton Legal Clinic (SRLC), the Environmental Advocacy Clinic (EAC), the Environmental Justice Clinic, the Food and Agriculture Clinic, and the Energy Clinic or advanced clinics listed above 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, University of Paris Panthéon-Sorbonne Faculty of Law, the University of Trento Faculty of Law, and the McGill University Faculty of Law are also counted toward satisfying the requirement of 64 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 64 credits of course work requiring attendance at regularly scheduled class sessions:

- (1) Courses taken at academic institutions, other than A.B.A. accredited schools, including courses taken at the Yale School of Forestry and Environmental Science, Carnegie Mellon University, the Tuck School of Business at Dartmouth College, the University of Vermont, and the University of Cambridge
- (2) Independent Research Projects
- (3) Directed Study
- (4) Practicum portion of an externship
- (5) Legislative Clinic
- (6) Vermont Law Review and the Vermont Journal of Environmental Law
- (7) Non-law courses and courses not approved for JD credit.

6. 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).¹³
 - (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. Except as provided in regulation III.A.7.g. with respect to students in the Accelerated JD program, the Registrar may grant leaves of absence, other than medical leaves of absence, for two semesters; all other requests for leaves of absence, other than medical leaves of absence, must be addressed to the Committee on Standards. The Vice Dean for Students may grant requests for medical leaves of absence upon submission of appropriate documentation from a health care professional. Under no circumstances will a request for a leave of absence, including a medical leave of absence, be granted that extends the period of study beyond seven years. A student who is on academic probation at the end of the first semester and who requests a leave of absence will be required to complete the second semester of first year JD courses, including Legal Methods, before taking upper division courses.
 - (3) A student pursuing the accelerated scheduling option must also complete a minimum of six residential semesters. (For purposes of this regulation, a summer session will count as one residential semester.)
 - (4) A student may not extend the period of study to obtain the JD degree beyond seven years from the date of matriculation.
- 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.

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.)

¹³ 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 semester preceding the final semester in the JD program.

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.

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 6.c. above, unless the student is pursuing the accelerated scheduling option, or the student is pursuing the extended scheduling option and has received permission from the Committee on Standards (see regulation III.A.8.c.).

7. 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: First year students are admitted into the AJD program during the admissions process to start in summer or fall terms. Transfers from the VLS JD program into the AJD are permitted only at the beginning of the spring term in the first year. Transfers from other ABA approved law schools are permitted at the beginning of the summer or fall semesters following the completion of the first year.
- b. Summer terms requirement: AJD participants may commence the program by enrolling in the first AJD summer session and then enrolling in a second summer session, or they may commence in the fall or spring semester of their first year and enroll in the next two summer sessions. Transfer students from other ABA approved law schools may commence the program in the summer session and enroll in a second summer session or may begin in the fall semester and enroll in only one summer session.
- 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 first 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 fall and spring semesters is 15 credits and the maximum is 17, unless the AJD student has enrolled in the Semester in Practice program.
- e. Residence requirement: AJD students are subject to the residence requirement described in III.A.6. For purposes of this regulation each summer session counts as a regular semester.¹⁴
- f. GPA requirement: Students who begin the AJD program in the fall or spring semester must achieve a 3.0 GPA at the end of the fall semester in order to remain in the accelerated program. Transfer students from other ABA approved law schools must have a 3.0 GPA to be admitted to the AJD program.
- g. If a student in the AJD program seeks a leave of absence, he or she must apply to the Committee on Standards. Petitions must be submitted by March 15 for a leave of absence in the summer term, by August 15 for a leave of absence in the fall term, and by November 15 for a leave of absence in the spring term. A leave of absence will be granted only for good cause and may result in decelerating from the AJD program.

¹⁴ This regulation applies to students who are admitted to and matriculate into the AJD program after April 1, 2013.

- h. A student in the AJD program may decelerate at any time by notifying the Registrar in writing. A student will be involuntarily removed from the AJD program (“decelerated”) if
 - (1) the student registers for less than the minimum course load specified in regulation II.A.7.d. or
 - (2) it becomes impossible for a student to complete the JD requirements in six semesters. Once a student has left the AJD program, whether voluntarily or involuntarily, the student must petition the Committee on Standards for re-admission to that program. The Committee on Standards will only grant such petitions in extraordinary circumstances.

8. EXTENDED SCHEDULING OPTION

Vermont Law School offers a flexible scheduling option that will allow JD students to extend the JD program over eight semesters. Such students must be in residence (as defined in regulation III.A.6.) for eight 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 Vice Dean for Students or the Vice Dean’s designee.
- c. Extended scheduling option students must petition the Committee on Standards to have summer session count as a residence semester prior to enrollment in summer session.
- d. The extended schedule course modifies the standard schedule as follows:
 - (1) First Year: Torts; Contracts; Property; Criminal Law; Legal Analysis and Writing I; Legal Research; and Legal Writing II
 - (2) Second Year: Constitutional Law; Legislation and Regulation; Civil Procedure I and II; plus upper level courses.
- e. Tuition: students agreeing to remain enrolled in the extended scheduling option for eight semesters will be billed 80% of the standard tuition fee each semester. Students taking classes in summer sessions that have not been approved as a residence semester will be billed at the per credit rate.
- f. Impact on academic standing: students in the extended scheduling option will be ranked only after completion of the fall semester of their second year.
- g. Impact on extracurricular activities: students in the extended scheduling option will be eligible for participation in Law Review, VJEL and extramural moot court competitions only after completion of their second year.

9. 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. Pass/Fail grades and grades for externships will not transfer. The courses taken, grades, and credit earned, other than pass/fail grades and externships grades, at the prior law school will be noted on the Vermont Law School transcript but will not be 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. Only courses for which

the student has received a grade of C or better will transfer. Pass/Fail grades and grades for externships will not transfer. The courses taken, grades, and total credits earned, other than Pass/Fail and externships grades, 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 III.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.

10. EXCHANGE PROGRAMS WITH ABA-APPROVED LAW SCHOOLS

- a. Vermont Law School has exchange agreements with the following ABA-approved law schools to enable students to enroll in courses that are not otherwise available at Vermont Law School:

Howard School of Law
New York Law School
University of California Hastings School of Law
University of Connecticut School of Law
University of New Hampshire School of Law
University of Puerto Rico School of Law

- b. Students must be in the upper-half of their class at the time of application and at the time of enrollment in the program.
- c. Students must apply to the Vice Dean for Students, or the Vice Dean's designee, by the deadline set by the Vice Dean. The number of students allowed to participate in the exchange program is governed by the agreement with the exchange school. If there are insufficient slots for all interested students, the Vice Dean for Students will determine who may participate in the program. Ordinarily students will be allowed to participate in an exchange program only for one semester.
- d. Vermont Law School is the home institution and the other ABA-approved law school is the host institution. Students participating in the exchange program are subject to all the rules, regulations, policies, and procedures of both the home institution and the host institution. Students pay all fees and tuition to the home institution.
- e. Enrollment in an approved exchange program satisfies the residency requirement in regulation III.A.6.
- f. The courses taken, grades, and total credits earned will be recorded on the student's transcript and will be included in calculating the student's grade point average. Failing grades will be included. Grades for externships, pass/fail grades, and grades other than letter grades will not transfer and will not be recorded on the student's Vermont Law School transcript. A student who participates in an exchange program should consult with the Vice Dean for Students or the Registrar prior to registering for courses at the host institution.

B. QUALIFICATIONS AND REQUIREMENTS FOR CLINICS AND EXTERNSHIPS

- 1. Enrollment in a clinic or externship requires permission of the Director, or the Director's designee.
- 2. A student may participate in an externship in the fourth, fifth or sixth semester.¹⁵ Ordinarily, a student with a GPA below 2.4 will not be allowed to enroll.

¹⁵ Summer school does not count as a semester unless the student is pursuing the Accelerated JD or the extended scheduling option. See, Regulations III.A.7. and III.A.8.c.

3. Students are permitted to enroll in clinical courses after satisfactory completion of 28 credits.
4. All clinics and externships are limited enrollment courses with enrollment and application procedures established for each program.
5. 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;¹⁶
 - d. Enroll in an externship program with the same 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;
 - e. Enroll in a clinic or externship that presents a significant possibility of a conflict of interest based on the student's enrollment in a different clinic or externship, the student's prior or current employment relationship, or the student's prior or current work as a volunteer, unless the conflict can be effectively managed by the clinic or externship;
 - f. Extern under the supervision of mentors not admitted to practice law. This requirement applies whether the mentor is working in a governmental agency, non-profit organization, private law firm, for-profit corporation, or as a judge. The only exception is in the fields of lobbying or policy work. For those externships, the mentor must have a law degree but need not be actively licensed to practice law; or
 - g. Receive compensation for work performed in an externship course for which academic credit is granted, unless the Director of JD Externships determines that compensation is not likely to diminish the educational experience.
6. 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.
7. The number of credits available for a part-time externship shall be determined by the externship director, or director's designee, in consultation with the mentor at the time of approval of the externship. Any number of credits from four to eight may be set, depending upon the amount of student time required by the project and upon approval of the Director or her designee and mentor, such credit to be figured at the rate of three hours of student time per week per credit.

C. VERMONT JOURNAL OF ENVIRONMENTAL LAW AND OFF-CAMPUS PROGRAMS

1. For the purpose of this regulation, an off-campus program means any clinical, academic or experiential program offered by Vermont Law School or any other institution that requires or allows the participant to work outside of South Royalton.
2. Every VJEL editor participating in an off-campus program is required to fully carry out their assigned VJEL duties while in the off-campus program.
3. The editor in chief, the administrative editor, and the senior managing editor are not permitted to participate in an off-campus program. The senior notes editor is not permitted to participate in an off-campus program during the fall semester, and a symposium editor is not permitted to participate in an off campus program in the semester in which the symposium is held. Staff editors are not permitted to participate in an off-campus program during their first semester on VJEL.

¹⁶ This regulation does not preclude a student from enrolling in an advanced clinic because advanced clinic is a separate course offering that is distinct from the related clinic course.

4. In all other instances, VJEL editors may participate in an off-campus program with advance approval by majority vote of the Executive Board. A member of the Executive Board seeking permission to participate in an off-campus program shall not be eligible to vote on whether to grant the permission.
5. A student who accepts a position on VJEL prohibiting or restricting participation in an off-campus program who subsequently participates in an off-campus program in violation these regulations shall receive an F grade from VJEL.

D. VERMONT LAW REVIEW AND OFF-CAMPUS PROGRAMS

1. For the purpose of this regulation, an off-campus program means any clinical, academic, or experiential program offered by Vermont Law School or any other institution that requires or allows the participant to work outside of South Royalton.
2. Every VLR editor participating in an off-campus program is required to fully carry out their assigned VLR duties while in the off-campus program.
3. The editor in chief, the business manager, the senior managing editor, and the senior notes editor are not permitted to participate in an off-campus program. A symposium editor is not permitted to participate in an off campus program in the semester in which the symposium is held. Staff editors are not permitted to participate in an off-campus program during their first semester on VLR.
4. In all other instances, VLR editors may participate in an off-campus program with advance approval by majority vote of the Senior Editorial Board. A member of the Senior Editorial Board seeking permission to participate in an off-campus program shall not be eligible to vote on whether to grant the permission.
5. A student who accepts a position on VLR prohibiting or restricting participation in an off-campus program who subsequently participates in an off-campus program in violation these regulations shall receive an F grade from VLR.

E. 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. See regulation III.A.5.b.

3. PROCEDURES FOR DEVELOPING INDEPENDENT RESEARCH PROJECTS

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

- 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;
 - (10) a statement as to the number of credits to be received;
 - (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 III.A.5.b.)
- c. If the Independent Research Project includes interviewing or surveying individuals or otherwise involves human participants, the student must comply with the Vermont Law School Policies and Procedures for Research Involving Human Participants and obtain prior approval from the Vice Dean for Faculty or the Vice Dean's designee.
- d. 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 Vermont Law School assistant professor, associate professor, or professor of law must be approved in writing in advance of the commencement of the project by the Vice Dean for Students unless they are adjunct faculty who are full-time employees of Vermont Law School.
 - (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 Project 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 C-.

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. See regulation III.A.2.b.

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.
- 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 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.
- e. The credits for such a two-semester project must be allocated between the two semesters and a grade submitted at the end of each semester.

F. DIRECTED STUDY

1. GOALS

- a. To allow the participating student to enroll in a course in an area of the law in which the participating student has a particular interest when the course is not offered in that academic year and to allow the title of that course to appear on the student's transcript.
- b. To encourage a faculty-student learning experience on a highly individualized basis by providing close supervision of the participating student by a faculty member throughout the semester.

2. ELIGIBILITY REQUIREMENTS

- a. Any student may undertake a Directed Study in any semester during his or her second or third year of studies, but only if the course is not offered during that academic year.
- b. A student may undertake a Directed Study only of a course in the VLS database.
- c. A student must find a faculty member willing to sponsor the student's Directed Study. The decision to sponsor a student's Directed Study is solely within the faculty member's discretion subject to 2.a. and 2.b. above. 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 and non-classroom work, including the number of credits for non-classroom work (see regulation III.A.5.b.) and
 - (2) The faculty member's expertise, workload, and other professional obligations.
- d. In consultation with the faculty supervisor, the student must prepare a written contract setting forth the obligations and expectations of each party. It shall include, as far as possible, the following provisions:

- (1) the title and registration number of the course;
 - (2) the goals which the student seeks to achieve by undertaking the Directed Study;
 - (3) an estimate of the amount of time the student will spend undertaking the Directed Study (the amount of time should be the same as that required for a course with the same number of credits);
 - (4) a statement of expectations regarding the amount of time and effort the faculty supervisor will devote to direct interaction with the student;
 - (5) a timetable for completion of various stages of the project;
 - (6) a statement as to the mode(s) of evaluation;
 - (7) a listing of the student's credits for non-classroom work in the current and prior semesters. (Non-classroom work is defined at regulation III.A.5.b.)
- e. 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 Directed Research from the student's registration.
 - (2) Contracts without a sponsor currently holding the rank of Vermont Law School assistant professor, associate professor, or professor of law must be approved in writing in advance of the commencement of the Directed Study by the Vice Dean for Students unless the adjunct faculty member is a full-time employee of Vermont Law School. Such approval will be granted only in extraordinary circumstances.

3. CREDIT

The credits allocated to the Directed Study will be the same as those allocated to the course of the same title.

4. EVALUATION

- a. The mode of evaluation is to be decided by the student and the faculty sponsor and incorporated in the contract.
- b. The Directed Study shall be graded with a letter grade.

5. GRADUATION REQUIREMENTS

- a. If the student and sponsor agree, the Directed Study may satisfy the Advanced Legal Writing Requirement. In this case, the method of assessment must satisfy the requirements of the AWR in regulation III.A.2.b. including the requirement that the written product would receive a grade of B or better were it the sole basis of grading a course for two or more credits.
- b. A Directed Study may not be used to satisfy any other graduation requirement including a required course, or the experiential requirement.

G. GRADES AND ACADEMIC STANDARDS

See regulation II.C. for grading standards and procedures.

1. GOOD STANDING

To be in good academic standing, a student must have an overall average of at least 2.20¹⁷, be eligible to return for the next academic semester or term, and have no pending Honor Code, Code of Conduct, or other disciplinary proceedings.

2. ACADEMIC PROBATION

- 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 2.20,¹⁸ or, at the end of any other semester or summer session (even if summer session is not a residence semester for the student), between 1.90 and 2.20.

¹⁷ Effective May 2021, 2.20 will change to 2.30

¹⁸ Effective May 2021, a student will be on academic probation if, at the end of the first semester, the student's cumulative average is between 1.5 and 2.3, or at the end of any other semester or summer session (even if summer session is not a residence semester for the student), between 1.90 and 2.30. All references to 2.20 will be changed to 2.30 effective then, including III.G.1; G.2.a; G.3.a(5); G.3.a(6); G.3.a(7); G.3.b; G.3.c(1) and (2); and G.5; IV.A.2; IV.E.2.b; IV.E.3; IV.E.3.c(1) and (2); IV.D.2.b; IX.D.3.a(3); IV.D.3.a(4); IX.D.3.b; IV.D.3.c; IX.H.2.3; IXH.3.a; IX.H.3.b; and IX.H.3.c.

- 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. A student who is on academic probation at the end of the first semester is also required to complete the second semester of JD courses, including Legal Methods, before enrolling in upper division courses. A student who is on academic probation at the end of the first, second or third semester is required to take the following courses to obtain the JD degree: Corporations, Criminal Procedure or Constitutional Criminal Procedure, Estates, Sales, and Bar Exam Skills and Tactics (BEST). Students shall take BEST during their last semester.
- c. Any student who is on academic probation must have their course schedule and any changes to it be approved by the Vice Dean for Students, the Director of Academic Success, or their designee.
- d. A student who is on academic probation is not permitted to run for election to, or serve on the executive board of, the Student Bar Association. A student who is on academic probation is not permitted to run for election to, or serve in a leadership position (such as an officer or chair) of, any other co-curricular or extracurricular student group. A student who is on academic probation will be assigned a Faculty Mentor and must meet with the Faculty Mentor regularly until graduation. The exact meeting schedule and requirements will be determined by the Faculty Mentor. A student who has been on academic probation may not do a full time Semester in Practice or Externship during their last semester. A student who has been on academic probation may not participate in a class which has a travel component requiring students to miss any other regularly scheduled class.

3. ACADEMIC DISMISSAL

- a. 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
 - (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;
 - (6) the student has failed a required course twice; or
 - (7) the student's cumulative average is below 2.20 at the end of the student's final semester.
- b. A student who would otherwise be dismissed under subparagraph 3.a.(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 III.G.2.b.
- c. A student who would otherwise be dismissed under subparagraph 3.a.(7) 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.
- d. Except as provided in subsection 3.c., 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.

4. FOR PURPOSES OF REGULATIONS, III.G.2 AND III.G.3., summer session does not count as a permission to treat summer session as a residence semester. As a result, a student on academic probation is not required to achieve a cumulative grade point average of 2.20 unless summer is a residence semester for that student. See regulations III.A.7 and III.A.8.c.

5. EARLY INTERVENTION STATUS

A student who has a GPA at or between 2.20 and 2.60 at the end of their first or second semester, and who has not previously been on academic probation, shall go into “Early Intervention Status (EIS).” This designation shall not go on the student’s transcript. Students in EIS are subject to the following requirements.

- a. If the student is placed in EIS after the first semester, they must take Legal Methods in place of one doctrinal class in the second semester. The student must meet with the Vice Dean for Students, the Director of Academic Success, or their designee, to determine what course to omit in the second semester. A student who is placed in EIS after the first semester is required to complete the second semester of JD courses, including Legal Methods, before enrolling in upper division courses.
- b. A student in EIS is required to take the following courses to obtain the JD degree: Corporations, Criminal Procedure or Constitutional Criminal Procedure, Estates, Sales, and Bar Exam Skills and Tactics (BEST). Students shall take BEST during their last semester.
- c. A student who is in EIS will be assigned a Faculty Mentor and must meet with the Faculty Mentor regularly until graduation. The exact meeting schedule and requirements will be determined by the Faculty Mentor.
- d. A student who is in EIS is not permitted to run for election to, or serve in a leadership position (such as officer or chair) of more than one co-curricular or extracurricular student group. A student who has been in EIS may not do a full time Semester in Practice or Externship during their last semester. A student who has been on EIS may not participate in a class which has a travel component requiring students to miss any other regularly scheduled class.

6. CLASS RANK

- a. Students in the JD program will receive a class rank only after grades are submitted at the end of the fall and spring semesters. Class rank will not be calculated at any other time. Students will be ranked based on anticipated completion date, with all students whose final semester ends in May, August, or December of the same calendar year being ranked as one cohort. Completion date is the end of the semester in which the student has completed all degree requirements.
- b. With the exception of JD students in the Extended Scheduling Option, JD students will be ranked at the completion of the fall semester of their first year. Extended Schedule JD students will be ranked at the completion of the fall semester of their second year. Students will be ranked based on anticipated completion date.
- c. Class rank calculated at the end of the spring semester in the year¹⁹ of completion of degree requirements is final even if the student does not complete the degree requirements until the end of summer or fall semester of that year.
- d. Class rank for a semester will not be recalculated at any time, including after completion of academic work for which the student has received a grade of I (temporarily excused from completion of a requirement), after a student has retaken a course in which the student had earned a final grade of D or lower, or after completion of all degree requirements at the end of summer or fall.

7. DEAN’S LIST

“Dean’s List” will be noted on the transcript for each semester that a JD student achieves a semester grade point average of 3.33 for the satisfactory completion of at least 10 graded credits.

¹⁹ For purposes of this regulation, “a year” refers to a calendar year not an academic year.

8. THE LEARNED HAND AWARD FOR ACADEMIC EXCELLENCE is given to the JD student with the highest cumulative grade point average at the end of the spring semester who has completed either five or six semesters.

IV. MASTER'S DEGREE PROGRAMS

A. GENERAL PROVISIONS

The provisions in regulations IV.A., IV.B., IV.C. and IV.D. apply to the MELP, MERL, MFALP, and MARJ degrees.

1. GENERAL LIMITATION

A student may only obtain one master's degree from Vermont Law School.

2. CREDITS AND COURSE LOAD

The master's degree is granted for regular attendance and satisfactory completion of the prescribed course of study as indicated below. A minimum of 30 credits is required for each master's degree. These credits must be selected from courses approved for the specific master's degree program. A cumulative grade point average of 2.20 is required for successful completion of a master's degree.

a. Master's-only Students:

- (1) To satisfy the 30-credit requirement, a student must take a minimum of 24 credits at Vermont Law School. A master's student may take a maximum of 36 credits selected from courses approved for the specific master's 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.
- (2) 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 appropriate Program Director or the Director's designee.

- (3) For students taking online learning classes, the recommended course load is three credits per term. The online learning program offers six terms per academic year.

b. Joint-Degree Students

See Regulation V below.

c. Dual Degree Students

See regulations VI, VII, and VIII below.

3. DURATION OF PROGRAM

- a. To obtain a master's degree, a student must complete the degree requirements within a period of five years from matriculation.
- b. Students may usually enter the master's program in the summer or fall semesters only. The appropriate Program Director shall have the discretion to allow students to enter the master's program in the spring semester.
- c. Online Learning Students may enter the master's program in any term offered throughout the academic year.

4. TRANSFER OF CREDITS

A student enrolled in a master's 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 master's program with the approval of the appropriate Program Director 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 relevant 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. Pass/Fail grades and grades for externships will not transfer. Transcripts from a foreign institution must be accompanied by a WES or AACRAO evaluation. Grades from transferred courses, other than pass/fail and externship grades, 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 appropriate Program Director 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 five years prior to matriculation into the master's 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 appropriate Program Director 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.

6. COURSES TAKEN AT VERMONT LAW SCHOOL PRIOR TO MATRICULATION

Students who have taken courses at Vermont Law School prior to matriculation into a master's degree program or Professional Certificate may transfer a maximum of six credits into the degree program. Grades from transferred courses earned will be used in computing the student's grade average.

If a student has taken more than six credits, only the most recent six credits will transfer. The student's date of matriculation will be retroactive to the beginning of the semester in which the earliest of the transferred credits was awarded.

7. ADD/DROP AND WITHDRAWAL POLICIES

See regulations II.B.3., II.B.4., and II.B.5.

B. EXTERNSHIPS

1. OBJECTIVES

The Master's Externship Program provides students with experience to test and develop their legal, policy, management, or science knowledge and skills as specified in each master's degree program regulations below.

2. THRESHOLD REQUIREMENTS

The following requirements must be met:

- a. Students are encouraged to work primarily on site at the Master's Externship. If a student is working remotely, the student must attend teleconference meetings with their supervisor at least once a week.
- b. Externships cannot be substituted for distributional requirements or required courses. No exceptions are allowed other than with prior written approval of the appropriate Program Director or the Director's designee.
- c. The maximum number of credits a student may earn in one or more master's externship(s) is 10 credits. For the MARJ externship, the maximum number of credits is four.
- d. The minimum number of credits a student may earn in a master's externship is four credits.

3. ELIGIBILITY REQUIREMENTS

- a. Students in good academic standing may elect to enroll in a master's externship.
- b. Students may not earn JD credit through a master's externship.
- c. 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.
- d. Without prior approval from the Director of the Master's Externship Program, students

enrolled for six or more credits in a master's or JD externship during a given semester may not subsequently continue in that placement and receive credit toward a master's externship as a consequence of that extended placement. Students seeking to extend such long-term experiences shall petition the Director of the Master's Externship Program in writing with supporting materials that demonstrate the following:

The student's experience during the subsequent master's 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.

4. PROCEDURES FOR ENROLLING IN A MASTER'S EXTERNSHIP

- a. Fill out the application in its entirety, including all signatures. The application is available on the VLS website.
- b. Submit the fully executed contract to the Director of the Master's Externship Program for approval of the externship opportunity.
- c. All fully executed contracts must be submitted to the Director of the Master's 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 Master's 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 master's externship and will not receive credit for their work.
- d. The Director of the Master's Externship Program may decline any master's externship contract or opportunity described therein that does not conform to these regulations.

5. GRADES

- a. All master's externships are pass/fail.
- b. 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.

C. INDEPENDENT RESEARCH PROJECTS

- a. Students who elect to undertake independent research projects shall follow the guidelines set forth in regulation III.E.
- 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 appropriate Program Director or the Director's designee.

D. DIRECTED STUDY

- a. Students who elect to undertake directed study shall follow the guidelines set forth in regulation III.F.
- b. Directed study cannot be substituted for distributional requirements or required courses. No exceptions are allowed other than with prior written approval of the appropriate Program Director or the Director's designee.

E. GRADES AND ACADEMIC STANDARDS

See Regulation II.C. for grading standards and procedures.

1. GOOD STANDING

To be in good academic standing, a student must not be on academic probation, be eligible to return for the next academic semester or term, and have no pending Honor Code, Code of Conduct, or other disciplinary proceedings.

2.ACADEMIC PROBATION²⁰

- a. A student will be placed on academic probation if, after the completion of six credits and before completion of 12 credits, the student's cumulative average is between 1.00 and 1.90.

²⁰ For purposes of regulations E.2. and E.3., "completion" includes grades of F. and F.Wd. but not Wd.

- b. A student will be placed on academic probation if, at any time after the completion of 12 or more credits, the student’s cumulative average is between 1.90 and 2.20.
- c. A student who is on academic probation may not enroll in more than nine credits or audit any course except with the written permission of the appropriate Program Director or the Director’s designee.
- d. A student who is on academic probation is not permitted to run for election to, or serve on the executive board of, the Student Bar Association. A student who is on academic probation is not permitted to run for election to, or serve in a leadership position (such as an officer or chair) of, any other co-curricular or extra-curricular student group.

3. ACADEMIC DISMISSAL

- a. A student will be dismissed if:
 - (1) the student has a cumulative average of 1.0 or below at the completion of six credits; or
 - (2) the student’s cumulative average is below 1.90 at any time after the completion of 12 credits; or
 - (3) the student’s cumulative average is below 2.20 at any time after the completion of 15 credits and if, at the end of any previous semester, the student was placed on academic probation; or
 - (4) the student’s cumulative average is below 2.20 at the completion of the program.
- b. A student who would otherwise be dismissed under subparagraph 3.a.(3) will be allowed to continue for a second semester²¹ 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.
- c. A student who would otherwise be dismissed under subparagraph 3.a.(4) 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.
- d. Except as provided in subsection 3.c., 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. MASTER OF ENVIRONMENTAL LAW AND POLICY DEGREE (MELP)

1. REQUIRED CURRICULUM²²

- a. MELP students must satisfy the following requirements²³:

REQUIREMENT	COURSES THAT SATISFY THE REQUIREMENT
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²¹ For purposes of this regulation, the summer session shall be considered as a “semester.”

²² Students enrolled in the online learning program are required to satisfy the same degree requirements, but the availability of elective courses is limited. Students should consult the Program Planning Guide lines for the online learning program to ensure that all graduation requirements are met.

²³ 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

Legislation and Regulation Survey	REQ7186 Legislation and Regulation Survey (3)
Environmental Law	ENV5115 Environmental Law (3)
Communication, Advocacy and Leadership	ENV5122 Communication, Advocacy and Leadership (3)

- b. 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)
Environmental Science	ENV5112 Science for Environmental Law (3) ENV5430 Ecology (3)
Environmental Economics	ENV5220 Environmental Economics and Markets (3) ENV5229 Environmental Issues in Business Transactions (2) ENV5235 Environmental Governance and the Private Sector
Environmental Ethics	(minimum of 2 credits)
DIV7628	Indian Tribes as Governmental Stewards of the Environment (2)
ENV5305	Environmental Ethics Seminar (2)
ENV5310	Environmental Health Law (2)
ENV5375	Global Energy Justice (2)
ENV5383	Food Justice and Sustainability (2)
ENV5385	Global Food Security (2)
ENV5406	Animal Rights Jurisprudence (2)
ENV5408	The Law of Animals in Agriculture (3)
ENV5422	Animal Welfare Law (2)
ENV5446	Environmental Justice (2)
ENV5478	Global Food Security and Social Justice (3)
ENV552	Earth Law (2)
JUR7330	Moral Philosophy for Professionals (2)
JUR7333	Animal Law and Ethics (3)
Dispute Resolution	(minimum of 2 credits)
ADR6410	Alternative Dispute Resolution (3)
ADR6415	Environmental Dispute Resolution (3)
ADR6405	Arbitration (2)
ADR6412	Mediation (2)
ADR6413	Mediation Advocacy (2)
ADR6420	Negotiation (2)
ADR6450	Advanced Dispute Resolution Writing Seminar (2)
INT7450	International Investment Arbitration (2)

Any MELP student having completed a JD degree or enrolled in a JD degree program may have the Legislation/Regulation Survey and the Legal and Policy Writing Seminar requirements waived. Although the requirement may be waived, the total number of credits required for degree completion remains unchanged.

- c. Any remaining electives must be chosen from the courses and experiential options listed above and from the following list of approved courses.

REQUIREMENT	COURSES THAT SATISFY THE REQUIREMENT
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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.

DIV7628	Indian Tribes as Governmental Stewards of the Environment (2)
ENV5235	Environmental Governance and the Private Sector
ENV5305	Environmental Ethics Seminar (2)
ENV5310	Environmental Health Law (2)
ENV 5361	Forest Policy and Law
ENV5375	Global Energy Justice (2)
ENV5383	Food Justice and Sustainability (2)
ENV5385	Global Food Security (2)
ENV5406	Animal Rights Jurisprudence (2)
ENV5408	The Law of Animals in Agriculture (3)
ENV5422	Animal Welfare Law (2)
ENV5425	Clean Transportation Law and Policy
ENV5446	Environmental Justice (2)
ENV5478	Global Food Security and Social Justice (3)
ENV5122	Communication, Advocacy and Leadership (3)
ENV5521	Earth Law (2)
ENV5550	Renewable Energy Project, Finance, and Development (2)
JUR7330	Moral Philosophy for Professionals (2)
JUR7333	Animal Law and Ethics (3)
WRI7301	Advanced Writing Seminar (3)
Dispute Resolution	(minimum of 2 credits)
ADR6410	Alternative Dispute Resolution (3)
ADR6415	Environmental Dispute Resolution (3)
ADR6405	Arbitration (2)
ADR6412	Mediation (2)
ADR6413	Mediation Advocacy (2)
ADR6420	Negotiation (2)
ADR6450	Advanced Dispute Resolution Writing Seminar (2)
INT7450	International Investment Arbitration (2)

Any MELP student having completed a JD degree or enrolled in a JD degree program may have the Legislation/Regulation Survey and the Legal and Policy Writing Seminar requirements waived. Although the requirement may be waived, the total number of credits required for degree completion remains unchanged.

- c. Any remaining electives must be chosen from the courses and experiential options listed above and from the following list of approved courses.

ADR6405	Arbitration (2)
ADR6410	Alternative Dispute Resolution (3)
ADR6412	Mediation (2)
ADR6415	Environmental Dispute Resolution (3)
ADR6420	Negotiation (2)
ADR6425	Interviewing, Counseling and Negotiation (JD students only) (3)
ADR6450	Advanced Dispute Resolution Writing Seminar (2)
BUS6262	Social Enterprise Law (2)

BUS6305	Nonprofit Organizations (3)
BUS6350	Nonprofit Management (2)
CLI9302	Environmental Advocacy Clinic (JD or LLM students only) (6)
CLI9326	Environmental Advocacy Clinic (JD or LLM only) (6)
CLI9405	Advanced Dispute Resolution Clinic (4)
CLI9427	Energy Clinic (3)
CLI9428	Food and Agriculture Clinic (6)
CLI9429	CAFS Clinic Seminar (2)
CLI9437	Advanced Energy Clinic (6)
DIV7620	Native Americans and the Law (3)
DIV7628	Indian Tribes as Governmental Stewards of the Environment (2)
ENV5105	Administrative Law (3)
ENV5108	Introduction to Agriculture and Food Law and Policy (3)
ENV5112	Science for Environmental Law (3)
ENV5115	Environmental Law (3)
ENV5125	Land Use Regulation (3)
ENV5205	Air Pollution (3)
ENV5209	The Law of Toxics and Hazardous Substances (3)
ENV5210	CERCLA Liability and Cleanup (2)
ENV5212	Climate Change and the Law (3)
ENV5214	Climate Change Mitigation (3)
ENV5218	International Climate Change Law (COP) (3)
ENV5220	Environmental Economics and Markets (3)
ENV5223	Environmental Governance in the Developing World (2)
ENV5226	Energy Law and Policy in a Carbon-Constrained World (3)
ENV5228	Energy Regulation, Markets and the Environment (3)
ENV5230	Global Energy Law and Policy (2)
ENV5235	Natural Resources Law (3)
ENV5239	Land Transactions and Finance (3)
ENV5245	Water Resources Management (3)
ENV5246	Water Quality (3)
ENV5250	Watershed Management (3)
ENV5303	Advanced Energy Writing Seminar (2)
ENV5304	Comparative Environmental Law Research (2)
ENV5305	Environmental Ethics (2)
ENV5310	Environmental Health Law (2)
ENV5335	Extinction and Climate Change (2)
ENV5336	Climate Change, Extinction and Adaptation (3)
ENV5342	Legal Adaptations to Global Warming Impacts (2)
ENV5343	Climate Change Adaptation in Human Systems (3)
ENV5344	Alternative Fuels and Renewable Energy (3)
ENV5346	New Frontiers in Environmental Policy (2)
ENV5349	Regulating the Marine Environment (2)
ENV5350	Risk Assessment (3)
ENV5356	Scientific Controversies (2)

ENV5365	Climate Change: the Power of Taxes (2)
ENV5375	Global Energy Justice (2)
ENV5380	Food Regulation and Policy (3)
ENV5381	Local Farm and Food Law in Practice (3)
ENV5383	Food Justice and Sustainability (2)
ENV5401	Agriculture and the Environment (3)
ENV5405	Ecosystem Conservation Strategies (2)
ENV5406	Animal Rights Jurisprudence (2)
ENV5408	Law of Animals in Agriculture (3)
ENV5410	The Farm Bill (2)
ENV5411	Federal Regulation of Food and Agriculture (3)
ENV5362	Representing Farmers and Food Producers (3)
ENV5422	Animal Welfare Law (2)
ENV5423	Ocean and Coastal Law (3)
ENV5430	Ecology (3)
ENV5446	Environmental Justice (2)
ENV5449	Environmental Litigation Workshop (2)
ENV5462	Public Lands Management: Montana Field Study (3)
ENV5468	Oil and Gas Production and the Environment (2)
ENV5469	Oil and Gas Development and the Environment (3)
ENV5474	Land Conservation Law (2)
ENV5478	Global Food Security and Social Justice (3)
ENV5479	Law and Policy of Local Food Systems (3)
ENV5497	End Use Energy Efficiency (2)
ENV5500	Environmental Aspects of Business Transactions (2)
ENV5510	Three Essentials of the Electric Grid (1)
ENV5521	Earth Law (2)
ENV5540	Public Health and Food and Agriculture Policy (2)
ENV5561	Environmental Enforcement and Compliance (2)
ENV5564	Peace, War and the Environment (2)
GPP7819	Environmental Issues in Business Transactions (JD students only) (2)
INT7412	Law of the European Union (2)
INT7413	European Union Law Trento (3)
INT7421	International Environmental Law (3)
INT7440	Comparative U.S.-China Environmental Law (2)
INT7446	International Trade and the Environment (2)
INT7450	International Investment Arbitration and the Environment (2)
JUR7307	Culture and the Environment (2)
JUR7330	Moral Philosophy for Professionals (2)
JUR7333	Animal Law and Ethics (3)
PUB7510	Legislation (3)
PUB7525	Legislative Clinic (6)
PUB7585	State and Local Governance and Finance (3)
WRI7380	Advanced Environmental Legal Research (1)

2. EXTERNSHIPS

The Master’s Externship Program provides students with a field experience to test and develop their environmental law, policy, management, and/or science knowledge and skills. MELP externships are by definition environmental in their subject focus, so students must assure that their work on-site relates to environmental issues. See regulation IV.B. for externship requirements and procedures.

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

1. REQUIRED CURRICULUM²⁴

- a. MERL students must satisfy the following requirements:

REQUIREMENT	COURSES THAT SATISFY THE REQUIREMENT
Energy Law and Policy	ENV5226 Energy Law and 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)
Legislation and Regulation Survey	REQ7186 Regulation and Legislation Survey (3)
Project/Writing Requirement	CLI9427 Energy Clinic (3-6) CLI9437 Advanced Energy Clinic (3-6) ENV5303 Advanced Energy Writing Seminar (2) WRI7301 Advanced Writing Seminar 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)
ENV5230	Global Energy Law and Policy (2)
ENV5344	Alternative Fuels and Renewable Energy (3)
ENV5375	Global Energy Justice (2)
ENV5425	Clean Transportation Law and Policy
ENV5468	Oil and Gas Production and the Environment (2)
ENV5469	Oil and Gas Development and the Environment (3)
ENV5497	End Use Energy Efficiency (2)
ENV5550	Renewable Energy Project Finance and 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)

- b. Any remaining electives must be chosen from the courses and experiential options listed above and from the list of approved courses in regulation IV.F.1.c.
- c. 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.

2. EXTERNSHIPS

²⁴ Students enrolled in the online learning program are required to satisfy the same degree requirements, but the availability of elective courses is limited. Students should consult the Program Planning Guidelines for the distance learning program to ensure that all graduation requirements are met.

The MERL Externship Program provides students with a field experience to test and develop their energy law and policy knowledge and skills. MERL externships are by definition energy-related, so students must assure that their work on-site relates to energy issues. See regulation IV.B. for externship requirements and procedures.

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

1. REQUIRED CURRICULUM²⁵

a. MFALP students must satisfy the following requirements

REQUIREMENT	COURSES THAT SATISFY THE REQUIREMENT
Required Courses	
ENV5180	Introduction to Agriculture and Food Law Policy (3)
REQ7186	Legislation and Regulation Survey (3)
ENV5122	Communications, Advocacy and Leadership (3)
Food and Agriculture Electives	(minimum of 9 credits)
ENV5401	Agriculture and the Environment (3)
ENV5381	Local Farm and Food Law in Practice (3)
ENV5362	Representing Farmers and Food Producers (2)
ENV5380	Food Regulation and Policy (3)
ENV5383	Food Justice and Sustainability (2)
ENV5385	Global Food Security (2)
ENV5478	Global Food Security and Social Justice (3)
ENV5408	Law of Animals and Agriculture (3)
ENV5410	The Farm Bill (2)
ENV5411	Federal Regulation of Food and Agriculture (3)
ENV5479	Law and Policy of Local Food Systems (3)
ENV5540	Public Health and Food and Agriculture Policy (2)
ENV5307	Animals and the Law (3)
ENV5246	Water Quality (3)
ENV5902	Forestry Policy and the Law (2)
INT7446	International Trade and the Environment (2)
ENV5245	Water Resources Law (3)
ENV5238	Global Sustainability Field Study (1)
General Electives	(minimum of 3 credits)
ENV5105	Administrative Law (3)
ENV5115	Environmental Law (3)
ENV5125	Land Use Regulation (3)
ENV5212	Climate Change and the Law (3)
ENV5235	Natural Resources Law (3)
ENV5349	Regulating the Marine Environment (2)
ENV7380	Advanced Environmental Legal Research (1)
ENV5239	Land Transactions and Finance (3)
ENV5446	Environmental Justice (2)
ENV5474	Land Conservation Law (2)

²⁵ Students enrolled in the online learning program are required to satisfy the same degree requirements, but the availability of elective courses is limited. Students should consult the Program Planning Guidelines for the online learning program to ensure that all graduation requirements are met.

ENV5310	Environmental Health Law (2)
ENV5423	Ocean and Coastal Law (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)
ENV 5301	Advanced Food Writing Seminar (2)
WRI7301	Advanced Writing Seminar (3)

- b. Any remaining electives may be chosen from the courses and experiential options listed above and from the list of approved courses in regulation IV.F.1.c.
- c. 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.

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. MFALP externships are by definition food and agriculture-related, so students must assure that their work on-site relates to food and agriculture issues. See regulation IV.B. for externship requirements and procedures.

I. MASTER OF ARTS IN RESTORATIVE JUSTICE (MARJ)

1. REQUIRED CURRICULUM

- a. MARJ students must satisfy the following requirements:

REQUIREMENT	COURSES THAT SATISFY THAT REQUIREMENT
Required Courses	
RSJ7115	Principles of Restorative Justice (3) or
RSJ7110	Restorative Justice Theory and Practice (2) or
RSJ7120	Origins, Evolution, and Critical Issues in Restorative Justice (3)
REQ7186	Legislation and Regulation (3) or
REQ7186	Legislation and Regulation Survey (3)
Writing Requirement	(minimum of 3 credits) (see c. below)
RSJ7215	Narrative Writing Seminar (3)
WRI7301	Advanced Writing Seminar (3)
RSJ5122/ENV5122	Communications, Advocacy and Leadership (3)
Core Electives	(minimum of 9 additional credits)
RSJ7330	Restorative Justice in Educational Institutions (3)
REQ7140	Criminal Law (3)t
CRI7305	Advanced Criminal Law Seminar: Alternative Programs (2)

RSJ7350	Ethics and Restorative Justice (3)
RSJ7210	Adversity, Trauma, and Victimization (3)
ADR6420	Negotiation (2)
RSJ7320	New Approaches to Domestic and Sexual Violence (3)
RSJ7250	Global Restorative Justice (3)
RSJ7230	Restorative Justice in Indigenous Communities (3)
RSJ7270	Clemency, Pardon, and Expungement (3)
CRI7333	Juvenile Justice and Law (3)
RSJ7325	Advanced Restorative Practices (2)
RSJ7360	Advanced Victim Rights Seminar (3)
RSJ7140	Applied Criminal Justice (3)
RSJ7315	Peacemaking Courts (3)t
RSJ7340	Race, Crimes, and Restorative Justice (3)
CRI7380	Pleas, Sentencing and Accountability (3)
CLI9446	RJ Externship (4)
Elective Courses	(remaining general elective courses may be chosen from the following approved courses)
INT7424	International Human Rights (3)
DIV7610	Race and the Law Seminar (2)
ADR6415	Environmental Dispute Resolution (2)
ENV5446	Environmental Justice (2)
DIV7615	Sexual Orientation and the Law (2)
GPP7827	Improv for Advocates (1)
CLI9405	Dispute Resolution Clinic (2)
GPP7817	GPP: Criminal Procedure – Bail to Jail (2)
CRI7313	Capital Punishment Seminar (2)
JUR7350	Women and the Law Seminar (2)
WRI7900	Independent Research Project (3)
DIV7620	Native Americans and the Law (3)
ENV5105	Administrative Law (3)
ENV5113	Legal and Policy Writing (1)
ENV5902	Environmental Crimes (2)

- b. The Director of the Center for Justice Reform 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.
- c. JD students who pursue a joint degree will waive out of the MARJ writing requirement upon passing Legal Writing I and completing Legal Writing II with a GPA of 2.66 or higher.
- d. Any course not selected as a required course may be taken as a core elective.

2. EXTERNSHIPS

The Master's Externship Program provides students with a field experience to develop their Restorative Justice knowledge and skills. See regulation IV.B. for externship requirements and procedures.

V. JOINT DEGREES

A. JOINT JD/MASTER'S DEGREES

Vermont Law School awards joint JD/MELP, joint JD/MERL, joint JD/MFALP and joint JD/MARJ degrees. The requirements in regulation V.A.1. apply to all four joint degrees.

1. REQUIREMENTS FOR THE JOINT DEGREE

- a. The joint JD and Master's degrees are awarded for the satisfactory completion of a program which includes the requirements of the JD program as well as those of the specific Master's program. The regulations in sections III and IV above apply to joint degree students.
- b. A joint-degree student may share credits between the two degree programs. A joint-degree student must take a minimum of 21 non-shared Master's degree credits at Vermont Law School. A joint-degree student may take a maximum of 36 Master's degree credits for completion of the joint 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 specific Master's degree program.
- c. A joint-degree student's course load may not exceed a total of 18 credits during the fall and spring semesters.
- d. No exceptions are allowed other than with prior written approval of the appropriate Program Director or the Director's designee.

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

The joint 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.²⁶

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

The joint 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.

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

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.

5. JOINT JD/MASTER OF ARTS IN RESTORATIVE JUSTICE (MARJ) DEGREE

The JD and MARJ degrees are awarded for the satisfactory completion of a program which includes the requirements of the JD program as well as those of the MARJ program.

B. JOINT JD/LLM DEGREE

Vermont Law School awards joint JD/LLM in Environmental Law, joint JD/LLM in Energy Law, and joint JD/LLM in Food and Agriculture Law degrees. The requirements in regulation V.B.1. apply to all three joint degrees.

1. REQUIREMENTS FOR THE DEGREE

- a. The joint JD and 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 III and IX apply to joint degree students.

²⁶ 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.

- b. Joint JD/LLM students must finish all requirements for the JD degree before beginning the LLM degree.
- c. A joint JD/LLM student may transfer up to nine credits from the Vermont Law School 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.
- d. No exceptions are allowed other than with prior written approval of the Director of the Environmental Law Center or the Director's designee.

2. JOINT JD/LLM IN ENVIRONMENTAL LAW DEGREE

Joint JD/LLM in Environmental Law degree students must satisfy all the requirements in section B.1.

3. JOINT JD/LLM IN ENERGY LAW DEGREE

Joint JD/LLM in Energy Law degree students must satisfy all the requirements in section B.1.

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.

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

Joint JD/LLM in Food and Agriculture Law degree students must satisfy all the requirements in section B.1.

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.

VI. 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/LLM in French and European Law (Université de Cergy-Pontoise (Cergy)), and JD/MPhil (University of Cambridge).

Students are required to satisfy the graduation requirements of both institutions. The JD degree requirements, as described in regulation III. 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 III.A.6. 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 dual degree programs with the University of Cergy-Pontoise may apply two semesters towards satisfaction of this requirement.

E. 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.

F. WITHDRAWAL FROM A DUAL DEGREE PROGRAM

Except as provided by regulations VI.G.2.c. and VI.G.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 III.A.6. Credits earned at the partner institution will not be transferred to the Vermont Law School transcript.

G. 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

- (1) 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 III. 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.

- (2) A dual-degree candidate may not satisfy the experiential requirement with courses taken at Yale without the prior permission of the Vice Dean for Students.
- (3) With the permission of the Committee on Standards, a dual-degree candidate may receive residency credit for classes taken during one summer session.
- (4) 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 III.A.4.
- (2) 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) Income Taxation; and
 - (c) At least one course in each of the following categories:
 - (i) Corporate Finance or Securities Regulation;
 - (ii) Bankruptcy, Business Planning, Commercial Arbitration, Employment Law, Environmental Issues in Business Transactions, International Business Transactions, International Intellectual Property, International Trade and the Environment, International Regulation of Trade, Sales, Secured Transactions;
- (3) 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 Vice Dean for Faculty, Vice Dean for Students, or their designee, also be satisfied by summer study at another ABA-approved law school.

Other appropriate courses may be substituted for the courses listed in subpart

(2) and (3) of this regulation with the prior permission of the Vice Dean for Faculty.

- (4) 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 Vice Dean for Students at Vermont Law School in consultation with the Vice Dean for Faculty.

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 Vice Dean for Students at Vermont Law School in consultation with the Vice Dean for Faculty.

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.6. 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) 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 III.A.6. 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

- (1) 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.
- (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 Cambridge.
- (3) 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 III.A.4.
- (2) With the permission of the Committee on Standards, a dual-degree candidate may receive residency credit for classes taken during one summer session.
- (3) No credit toward the JD degree will be given for courses taken at the University of Cambridge prior to the student's matriculation into the JD program at Vermont Law School.

VII. 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 regulations. 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 IV.A.4.

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, a 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.

VIII. 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 transcript 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 regulations.

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 IV.A.4. above.

F. PROGRAM REQUIREMENTS

Vermont Law School offers a dual JD/MELP with the following law schools:

The University of South Carolina School of Law
The University of South Dakota School of Law
Northeastern University School of Law
Quinnipiac University School of Law
Elon University School of Law
Boston College Law School

Except as noted below in this subsection, the requirements in subsection F.1. apply to all dual JD/MELP programs.

1. REQUIREMENTS

- a. Students are required to begin the dual degree program at the law school conferring the JD degree.
- b. A candidate for the dual JD/MELP degree must satisfactorily complete all the requirements for the MELP degree as described in regulation IV above. A dual degree candidate may transfer a total of nine credits from his/her JD program to the MELP program.

- c. Vermont Law School will accept nine credits of course work completed in the JD program at the law school conferring the JD degree. Courses taken at the law school 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 law school 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 10 credits.
- e. The courses taken, the grades awarded, and the credits earned for courses transferred from the law school conferring the JD degree 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 C or better) will be accepted.

2. 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.

3. 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.

4. 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 will allow students who meet degree requirements at both schools to receive a dual degree of Juris Doctor and Master of Environmental Law and Policy within the three year term of the JD degree.

Northeastern will accept 12 credits toward the completion of the JD.

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.

5. 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.

6. 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.

7. DUAL JD/MELP WITH BOSTON COLLEGE LAW SCHOOL

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

IX. MASTER OF LAWS (LLM) DEGREE PROGRAMS

Except for the Master of Laws in American Legal Studies in regulation IX.H., the requirements in subsections A, B, C, and D of this regulation apply to all Master of Laws degrees.

A. GENERAL REQUIREMENTS

1. GENERAL LIMITATION

A student may only obtain one master of laws degree from Vermont Law School.

2. REQUIREMENTS FOR THE DEGREE

The degree of Master of Laws 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.

3. CREDITS 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 six 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 online learning classes, the recommended course load is three credits per term. The online learning program offers six terms per academic year.

4. 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. A student may transfer a maximum of six 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 C or better has been awarded. Pass/Fail grades and grades for externships will not transfer. Transcripts from a foreign institution must be accompanied by a WES or AACRAO evaluation. Grades earned from transferred courses will be noted on the student's transcript, other than pass/fail and externships grades, 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 five years prior to matriculation into the LLM program.

5. DURATION OF PROGRAM

- a. To obtain the LLM degree, a student must complete the degree requirements within a period of five years from matriculation.
- b. Residential students may enter the LLM program in either summer or fall semester.
- c. Online Learning Students may enter the LLM degree program in any term offered throughout the academic year.

6. ADD/DROP AND WITHDRAWAL POLICIES

See regulations II.B.3., II.B.4., and II.B.5.

B. EXTERNSHIPS

1. THRESHOLD REQUIREMENTS FOR AN LLM EXTERNSHIP

The following requirements must be met:

- a. Students are encouraged to work primarily on site at the LLM externship. If a student is working remotely, the student must attend teleconference meetings with their supervisor at least once a week.
- b. 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.

- c. LLM externships must be supervised by an attorney.
- d. The maximum number of credits a student may earn in one or more LLM externships is ten credits.
- d. The minimum number of credits a student may earn in an LLM externship is four credits.²⁷

2. ELIGIBILITY REQUIREMENTS

The eligibility requirements for an LLM externship are the same as for a Master's externship. See regulation IV.B.

3. PROCEDURES FOR ENROLLING IN AN LLM EXTERNSHIP

The procedures for enrolling in an LLM Externship are the same as for a Master's externship. See regulation IV.B.

4. GRADES

- a. All LLM externships are pass/fail.
- b. 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.

C. DIRECTED STUDY

- a. Students who elect to undertake directed study shall follow the guidelines set forth in regulation III.D.
- b. Directed study 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.

D. GRADES AND ACADEMIC STANDARDS

See Regulation II.C. for grading standards and procedures.

1. GOOD STANDING

To be in good academic standing, a student must not be on academic probation, be eligible to return for the next academic semester or term, and have no pending Honor Code, Code of Conduct, or other disciplinary proceedings.

2. ACADEMIC PROBATION²⁸

- a. A student will be placed on academic probation if, at any time after the completion of six credits and before completion of 12 credits, the student's cumulative average is between 1.00 and 1.90.
- b. A student will be placed on academic probation if, at any time after the completion of 12 or more credits, the student's cumulative average is between 1.90 and 2.20.
- c. A student who is on academic probation may not enroll in more than nine credits or audit any course except with the written permission of the Director of the Environmental Law Center or the Director's designee.
- d. A student who is on academic probation is not permitted to run for election to, or serve on the executive board of, the Student Bar Association. A student who is on academic probation is not permitted to run for election to, or serve in a leadership position (such as an officer or chair) of, any other co-curricular or extra-curricular student group.

²⁷ 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.

²⁸ For the purposes of regulations D.2. and D.3., "completion" includes grades of F. and F.Wd. but not Wd.

3. ACADEMIC DISMISSAL

- a. A student will be dismissed if:
 - (1) the student has a cumulative average of 1.0 or below at the completion of six credits; or
 - (2) the student's cumulative average is below 1.90 at any time after the completion of 12 credits; or
 - (3) the student's cumulative average is below 2.20 at any time after the completion of 15 credits and if at the end of any previous semester, the student was placed on academic probation; or
 - (4) the student's cumulative average is below 2.20 at the completion of the program.
- b. A student who would otherwise be dismissed under subparagraph 3.a(3) will be allowed to continue for a second semester²⁹ 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.
- c. A student who would otherwise be dismissed under subparagraph 3.a(4) 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.
- d. Except as provided in subsection 3.c., 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. MASTER OF LAWS IN ENVIRONMENTAL LAW DEGREE (LLM)

1. REQUIREMENTS FOR THE DEGREE³⁰

Each student must satisfy the following requirements for the LLM degree

REQUIREMENT	COURSES THAT SATISFY THE REQUIREMENT
Graduate Seminar	ENV9606 LLM Graduate Seminar (3)
Environmental Law	ENV5115 Environmental Law (3)
Administrative Law	ENV5105 Administrative Law (3)

- b. 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.
- c. Any remaining electives may be chosen from the courses and experiential options listed above and from the list of approved courses in regulation IV.F.1.c.

²⁹ For purposes of this regulation, the summer session shall be considered as a "semester."

³⁰ Students enrolled in the online learning program are required to satisfy the same degree requirements, but the availability of elective courses is limited. Students should consult the Program Planning Guidelines for the online learning program to ensure that all graduation requirements are met.

2. OPTIONAL 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. 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 II.C.2. "Temporarily excused from completion of a requirement," applies.

B. TEACHING PROJECT

An LLM candidate may choose to undertake a teaching project. A minimum of four and a maximum of six 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 Advocacy Clinic (EAC) may elect to undertake a second teaching project with the approval of the EAC Director. Each teaching project will be for a minimum of four credits and a maximum of six credits. The second teaching project must provide a qualitatively different experience from the first. The EAC Fellow must satisfactorily complete all aspects of each teaching project in accordance with the teaching project plan, subject to the EAC 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 two and a maximum of six 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 II.C.2. "Temporarily excused from completion of a requirement," applies.

3. 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. LLM externships are by definition environmental in their subject focus, so students must assure that their work on site relates to environmental issues.

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

1. REQUIREMENTS FOR THE DEGREE³¹

³¹ Students enrolled in the online learning program are required to satisfy the same degree requirements, but the availability of elective courses is limited. Students should consult the Program Planning Guidelines for the online learning program to ensure that all graduation requirements are met.

- a. Each student must satisfactorily complete the following requirements as part of the requirements for the LLM degree:

REQUIREMENT	COURSES THAT SATISFY THE REQUIREMENT
Energy Law and Policy	ENV5226 Energy Law and 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 (3-6)
CLI9437	Advanced Energy Clinic (3-6)
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)
ENV5230	Global Energy Law and Policy (2)
ENV5344	Alternative Fuels and Renewable Energy (3)
ENV5375	Global Energy Justice (2)
ENV5468	Oil and Gas Production and the Environment (2)
ENV5469	Oil and Gas Development and the Environment (3)
ENV5497	End Use Energy Efficiency (2)
ENV5550	Renewable Energy Project Finance and 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)

- b. Any remaining electives may be chosen from the courses and experiential options listed above and from the list of approved courses in regulation IV.F.1.c.
- c. 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 requirement shall not be waived for courses completed prior to matriculation in the LLM program. All LLM candidates must take four credits of Energy 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.

2. LLM THESIS OR PROJECT

A. THESIS

The provisions of regulation IX.E.2.a. apply

B. RESEARCH PROJECT

The provisions of regulation IX.E.2.d. apply.

3. EXTERNSHIPS

The LLM Externship Program provides students with a field experience to test and develop their energy law and policy knowledge and skills. LLM externships are by definition focused on energy issues, so students must assure that their work on-site relates to energy issues.

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

1. REQUIREMENTS FOR THE DEGREE³²

Each student must satisfactorily complete the following requirements as part of the requirements for the LLM degree:

REQUIREMENT	COURSES THAT SATISFY THE REQUIREMENT
Required Courses	
ENV5105	Administrative Law (3)
ENV5180	Introduction to Agriculture and Food Law and Policy (3)
LLM9606	LLM Graduate Seminar (3)
Food and Agriculture Electives	(minimum of 6 credits)
ENV5362	Representing Farmers and Food Producers (2)
ENV5380	Food Regulation and Policy (3)
ENV5381	Local Farm and Food Law in Practice (3)
ENV5383	Food Justice and Sustainability (2)
ENV5385	Global Food Security (2)
ENV5401	Agriculture and The Environment (3)
ENV5408	Law of Animals and Agriculture (3)
ENV5410	The Farm Bill (2)
ENV5411	Federal Regulation of Food and Agriculture (3)
REQUIREMENT	COURSES THAT SATISFY THE REQUIREMENT
Required Courses	
ENV5105	Administrative Law (3)
ENV5180	Introduction to Agriculture and Food Law and Policy (3)
LLM9606	LLM Graduate Seminar (3)
Food and Agriculture Electives	(minimum of 6 credits)
ENV5362	Representing Farmers and Food Producers (2)
ENV5380	Food Regulation and Policy (3)
ENV5381	Local Farm and Food Law in Practice (3)
ENV5383	Food Justice and Sustainability (2)
ENV5385	Global Food Security (2)
ENV5401	Agriculture and The Environment (3)
ENV5408	Law of Animals and Agriculture (3)
ENV5410	The Farm Bill (2)
ENV5411	Federal Regulation of Food and Agriculture (3)

³² Students enrolled in the online learning program are required to satisfy the same degree requirements, but the availability of elective courses is limited. Students should consult the Program Planning Guidelines for the online learning program to ensure that all graduation requirements are met.

- b. Any remaining electives may be chosen from the courses and experiential options listed above and from the list of approved courses in regulation IV.F.1.c.
- c. 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.

2. LLM THESIS OR PROJECT

A. THESIS

The provisions of regulation IX.E.2.a. apply.

B. RESEARCH PROJECT

The provisions of regulation IX.E.2.d. apply.

3. 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. 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.

H. 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, Professional Responsibility and Legal Research. With the approval of the Vice Dean for Students, 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 Vice Dean for Students.
- 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

See regulation II.C. for grading standards and procedures.

- a. **Good Standing**

To be in good academic standing, a student must have an overall average of at least 2.20, be eligible to return for the next academic semester or term, and have no pending Honor Code, Code of Conduct, or other disciplinary proceedings.

- b. **Academic 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.

- c. **Academic Dismissal**

A student will be dismissed from the law school if:

- (1) the student has failed a total of eight credit hours; 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 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
- (4) the student's cumulative average is below 2.20 at the completion of the LLM program.

X. PROFESSIONAL CERTIFICATE PROGRAMS

Vermont Law School awards Professional Certificates as described below. Professional Certificates differ from the certificates earned by JD students as part of their JD concentrated field of study.

A. PROFESSIONAL CERTIFICATE IN RESTORATIVE JUSTICE

1. GENERAL

The Professional Certificate in Restorative Justice provides working professionals and students with the Restorative Justice skills and substantive knowledge valuable to their field.

2. REQUIREMENTS

- A. The Professional Certificate in Restorative Justice requires a minimum of 9 credits and a maximum of 12 credits. The Professional Certificate course credits may be transferred to the MARJ degree program. JD students who want to pursue the Professional Certificate need to earn the certificate credits independently of and in addition to any other courses they take.
- B. A student who matriculates into the Professional Certificate program must complete the program requirements in no longer than two years from the date of matriculation. A matriculated student enrolled in the Professional Certificate program who decides to pursue the Master of Arts in Restorative Justice will have five (5) years from the date of original matriculation to complete the Master's degree.
- C. Students pursuing the Professional Certificate may elect their courses in either a residential or online format or both from the following list of approved courses. The Director of the Center for Justice Reform or Director's designee has the authority to waive the required course provided the student has had comparable experience or course work. Although the course requirement may be waived, the total number of credits required for certificate completion remains unchanged.

REQUIREMENT	COURSES THAT SATISFY THAT REQUIREMENT
Required Courses	
RSJ7115	Principles of Restorative Justice (3)
RSJ7110	Restorative Justice Theory and Practice (2)
RSJ7120	Origins, Evolution, and Critical Issues in Restorative Justice (3)
Elective Courses	
RSJ7330	Restorative Justice in Educational Institutions (3)
REQ7140	Criminal Law (3)
CRI7305	Advanced Criminal Law Seminar: Alternative Programs (2)
RSJ7350	Ethics and Restorative Justice (3)
RSJ7210	Adversity, Trauma, and Victimization (3)
ADR6420	Negotiation (2)
RSJ7320	New Approaches to Domestic and Sexual Violence (3)
RSJ7250	Global Restorative Justice (3)
RSJ7230	Restorative Justice in Indigenous Communities (3)
RSJ7270	Clemency, Pardon, and Expungement (3)
CRI7333	Juvenile Justice and Law (3)
RSJ7325	Advanced Restorative Practices (2)
RSJ7360	Advanced Victim Rights Seminar (3)
WRI7301	Advanced Writing Seminar (3)
RSJ7140	Applied Criminal Justice (3)
RSJ7315	Peacemaking Courts (3)
RSJ7340	Race, Crimes, and Restorative Justice (3)
CRI7380	Pleas, Sentencing and Accountability (3)
RSJ5122/ENV5122	Communications, Advocacy and Leadership (3)
REQ7186	Legislation and Regulation or
REQ7186	Legislation and Regulation Survey (3)

XI. CONCENTRATION PROGRAMS

All concentrations for JD students must be declared by the end of their fourth 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 vermontlaw.edu/academics/concentrations for more information.

A. GENERAL

1. A student may only obtain one concentration.³³
2. All concentrations require a cumulative grade point average of 3.00 in all courses that count toward the concentration.
3. Students must declare their intention to pursue a concentration by filing a written declaration with the Registrar. The declaration must be signed by the student and by the director of the concentration program.

³³ This regulation is effective for students matriculating after May 1, 2016.

All certificates for JD students must be declared by the end of their fourth semester.

All concentrations for other residential students must be declared by the end of the second semester or after 12 credits for online students.

4. Prior to filing the concentration declaration, the student must meet with and obtain the permission of the director of the concentration program or the director's designee.
5. Completion of the concentration requirements will be noted on the student's transcript.

B. GENERAL PRACTICE PROGRAM CONCENTRATION

1. GENERAL

The General Practice Program Concentration is a formal recognition that a student has pursued a concentrated course of study in the legal fields of study traditionally associated with solo or small firm practice.

2. REQUIREMENTS

The General Practice Concentration requires 16 approved credits during a student's second and third years. At least eight credits of the 16-credit requirement must come from GPP courses (see below), including at least four credits from GPP Practice Labs. Students are also encouraged to participate in an externship, internship, a Semester in Practice (SiP), or a Legal Clinic, approved by the director; these experiences fulfill up to six credits of the 16-credit requirement. Concentration courses may also be used to satisfy course requirements in the JD, MELP, MERL, MFALP, MARJ, and LLM degree programs. At the discretion of the director, there may be additional non-curricular or professional requirements that students must meet in order to receive the concentration.

3. DIRECTOR DISCRETION

The director has discretion to alter the distribution of required GPP course credits between GPP Practice Labs and other GPP courses, taking into account the availability of GPP Practice Labs during any particular time-frame. The list below includes the Practice Labs and GPP courses as well as other courses in the VLS curriculum, which may have substantial simulation content and may be used to complete the requirements.

REQUIREMENT	COURSES THAT SATISFY THE REQUIREMEN
GPP Course Options	*(must complete eight credits)
FAM7717	Family Law Practice Lab (1)
GPP7823	Bankruptcy Law Practice Lab (1)
GPP7810	Commercial Transactions (2)
GPP7816	Employment Law (2)
BUS6246	Employment Law Practice Lab (1)
ENV5381	Representing Farmers and Food Producers (2)
GPP7821	Estate Planning Practice Lab (1)
GPP7815	Municipal Law (2)
GPP7830	Legal Activism: Lawyering for Social Change (2 of 3)*
GPP7827	Improv for Advocates(1)
GPP7828	Writing for Practice (1)
REQUIREMENT	COURSES THAT SATISFY THE REQUIREMENT
Non-GPP Course Options	*(can count for up to eight credits)
ADR6425	Interviewing, Counseling and Negotiation (2 of 3)
ADR6424	Interviewing and Counseling (2)
ADR6412	Mediation (2)
ADR6413	Mediation Advocacy (2)
ADR6420	Negotiation (2)

CRI7307	Criminal Practice and Procedure (2 of 4)
CRI7331	Impaired Driving (2 of 3)
FAM7715	Family Law (2 of 4)
LIT7220	Trial Practice (2)
BUS6372	Hactivist Boot Camp (2 of 3)
BUS6361	E-Lawyering, E-Discovery and Big Data (2 of 3)
BUS6362	E-Lawyering-Practice Management (2)
WRI7350	Advanced Skills for Practice (1)

Enrollment in a VLS clinic or participation in an Externship/SiP involving live client representation and approved by GPP Director (up to 6).

C. INTERNATIONAL AND COMPARATIVE LAW CONCENTRATION

1. GENERAL

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

2. REQUIREMENTS

To earn the International and Comparative Law Concentration, each student must satisfactorily complete the following requirements in addition to those noted in regulation XI.A:

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

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

- (1) International Law;
- (2) a Comparative or Foreign Law course, from the list of approved courses designated in the table below in subsection C.7. as meeting this requirement; and
- (3) a Study Abroad course, from the list of courses designated in the table below in subsection C.7. 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 the Vice Dean for Faculty, Vice Dean for Students, or their designee.

- b. 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 concentration.

3. PASS/FAIL CREDITS: No more than 10 credits taken on a pass/fail basis may be used to satisfy the Concentration's credit requirement.

4. No more than 10 credits from a qualifying Semester-in-Practice may be used to satisfy the Concentration's credit requirement.

5. Courses taken at an ABA-approved summer study-abroad program must have the prior approval of the Vice Dean for Faculty or her designee 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.

6. 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.

7. List of courses meeting the concentration requirements:

REQUIRED COURSE INT7425	(must earn B or above in this course) International Law (3)
INTERNATIONAL ELECTIVES	
INT7424	International Human Rights (3)
INT7415	Immigration Law (3)
INT7421	International Environmental Law and Policy (3)
INT7428	Trade Law and Policy (3)
ENV5423	Ocean and Coastal Law (3)
ENV5230	Global Energy Law and Policy (2)
INT7446	International Trade and the Environment (2)
ENV5564	Peace, War, and the Environment (2)
ENV5385	Global Food Security (2)
Take at least one course from each of the following two categories:	
COMPARATIVE OR FOREIGN LAW COURSE (must earn B or above)	COURSES THAT SATISFY THE REQUIREMENT
INT7440	Law of the European Union (2)
INT7440	Comparative U.S. China Environmental Law (2)
ENV5223	Environmental Governance in the Developing World (2)
STUDY ABROAD ELECTIVE (minimum 1 course)	
INT7414	European Union Law – Trento (1)
INT7441	China Field Study (1)
	Semester Study at McGill University ³⁴
	Semester Study at University of Trento
	Semester Study at the University of Cergy-Pontoise
	Semester Study at Paris 1
	ABA-approved Summer Course ³⁵
	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 Vice Dean for Students, the Vice Dean for Faculty, or their designee.
	Other such courses approved by the Vice Dean for Students, the Vice Dean for Faculty, or their designee

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

D. CONCENTRATION IN CLIMATE LAW

1. GENERAL

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

³⁴ 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

³⁵ Courses taken at an ABA-approved summer study-abroad program must have the prior approval of the Vice Dean for Faculty for the course to be used to satisfy the study-abroad requirement, and of the Registrar to determine that VLS will accept the credits.

2. REQUIREMENTS

The Concentration in Climate Law requires 14 credits. Concentration 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 and Policy in Carbon-Constrained World (3)
Climate Electives	(minimum of 4 credits)
ENV5205	Air Pollution Law and Policy (3)
ENV5214	Climate Change Mitigation (3)
ENV5218	International Climate Change Law (3)
ENV5230	Global Energy Law and Policy (2)
ENV5335	Extinction and Climate Change (2)
ENV5342	Legal Adaptations to Global Warming Impacts (2)
ENV5336	Climate Change, Extinction and 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 and the Environment (3)
ENV5346	New Frontiers in Environmental Policy (3)
ENV5375	Global Energy Justice (2)
ENV5468	Oil and Gas Production and the Environment (2)
ENV5469	Oil and Gas Development and the Environment (3)
ENV5510	Three Essentials of the Electric Grid (3)
ENV5550	Renewable Energy Project Finance and 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. CONCENTRATION IN ENERGY LAW

1. GENERAL

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

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

2. REQUIREMENTS

The Concentration in Energy Law requires 14 credits. Concentration 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 and Policy in a Carbon-Constrained World (3)

ENV5228	Energy Regulation, Markets and the Environment (3)
Energy Electives	(minimum of 4 credits)
CLI9427	Energy Clinic (3-6)
CLI9437	Advanced Energy Clinic (3-6)
ENV5230	Global Energy Law and Policy (2)
ENV5344	Alternative Fuels and Renewable Energy (3)
ENV5468	Oil and Gas Production and the Environment (2)
ENV5469	Oil and Gas Development and the Environment (3)
ENV5510	Three Essentials of the Electric Grid (1-3)
ENV5550	Renewable Energy Project Finance and Development (2)
General Electives	(minimum of 3 credits)
ENV5105	Administrative Law (3)
ENV5205	Air Pollution Law and Policy (3)
ENV5209	The Law of Toxics and Hazardous Substances (3)
ENV5210	CERCLA Liability and Cleanup (2)
ENV5212	Climate Change and the Law (3)
ENV5365	Climate Change: The Power of Taxes (2)
ENV5375	Global Energy Justice (2)
ENV5497	End Use Energy Efficiency (2)
BUS6226	Corporate Finance: Mergers and Acquisitions (3)
BUS6235	Corporations (4)
ENV5125	Land Use Regulation (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. CONCENTRATION IN LAND USE LAW

1. GENERAL

The Concentration 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. REQUIREMENTS

The Concentration in Land Use Law requires 14 credits. Concentration 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 and 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 and Protection (3)
General Electives	(minimum of 3 credits)
ENV5105	Administrative Law (3)
ENV5401	Agriculture and the Environment (3)
ENV5235	Natural Resources Law (3)
ENV5423	Ocean and Coastal Law (3)
PUB7580	State and Local Government (2)
Experiential/Writing Requirement (minimum of 1 credit)	Advanced Writing Requirement on a land use topic 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. CONCENTRATION IN WATER RESOURCES LAW

1. GENERAL

The Concentration 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.

2. REQUIREMENTS

The Concentration in Water Resources Law requires 14 credits. Concentration 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)
ENV5245	Water Resources Law (3)
ENV5246	Water Quality (3)
Water Electives	(minimum of 4 credits)
ENV5250	Watershed Management and 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 and Compliance (2)
General Electives	(minimum of 3 credits)
ENV5235	Natural Resources Law (3)
ENV5401	Agriculture and The Environment (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. CONCENTRATION IN CRIMINAL LAW

1. GENERAL

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

2. REQUIREMENTS

The Concentration in Criminal Law requires 18 credits.

REQUIREMENT	COURSES THAT SATISFY THE REQUIREMENT
Doctrinal Requirements	(10-11 credits)
REQ7140	Criminal Law (3)
CRI7262	Constitutional Criminal Procedure (3) or
CRI7307	Criminal Practice and Procedure (4)
LIT7210	Evidence (4)
Skills/Experiential Requirements	(8-16 credits)
LIT7220	Trial Practice (3) 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). 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).
Writing Requirements (0-3 credits)	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):
CRI7305	Advanced Criminal Law Seminar (2)
CRI7313	Capital Punishment Seminar (2)
CRI7319	Juvenile Justice Seminar (2)
CRI7314	Narcotics Law and Policy Seminar (2)
CRI7304	Sex Crimes Seminar (2)

I. CONCENTRATION IN BUSINESS LAW

1. GENERAL

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

2. REQUIREMENTS

The Concentration in Business Law requires 15 credits.

REQUIREMENT (15 CREDITS)	COURSES THAT SATISFY THE REQUIREMENT
Required TAKE BOTH	(7 credits)
BUS6235	Corporations (4)
BUS6290	Securities Regulation (3)
General Electives TAKE SEVEN CREDITS FROM THIS LIST	(7 credits) Refer to vermontlaw.edu/registrar for current list
ADR6410.A	Alternative Dispute Resolution (3)
ADR6405.A	Arbitration (2)
ADR6412	Mediation (2)
ADR6420.A	Negotiation (2)
BUS6280.A	Sales (2)
BUS6285.A	Secured Transactions (3)
BUS6262.A	Social Enterprise Law (2)

BUS6255.A	Income Taxation (4)
BUS6260.A	Intellectual Property (2)
BUS6305.A	Non-Profit Organizations (3)
BUS6238	Digital Drafting (3)
BUS6245.A	Employment Law (3)
BUS6210	Bankruptcy (3)
CRI7318	White Collar Crime (3)
ENV5365	Climate Change and the Power of Taxes (2)
ENV5239	Land Transactions and Finance (3)
ENV5220.A	Environmental Economics and Markets (3)
FAM7710.A	Estates (4)
INT7411.A	French Corporate Law (1)
INT7416.A	International Business Transactions (3)
BUS7819.A	Environmental Issues in Business Transactions (2)
GPP7814.A	International Intellectual Property (XAD) (2)
GPP7823.A	Bankruptcy/Landlord-Tenant (XAD) (2)
GPP7810.A	Commercial Transactions (XAD) (2)
GPP7816	Employment Law/Pretrial Litigation (XAD) (2)
GPP7812	Real Estate Transactions (XAD) (2)
GPP7818	Representing Entrepreneurial Business (XAD) (2)
	Students must complete a business law-related IRP or AWR

J. CONCENTRATION IN FOOD AND AGRICULTURE LAW

1. GENERAL

The Concentration 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. REQUIREMENTS

The Concentration in Food and Agriculture Law requires 14 credits. Concentration 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 (15 credits)	COURSES THAT SATISFY THE REQUIREMENT
Required Courses (3 credits)	(3 credits)
ENV5108	Introduction to Agriculture and Food Law and Policy (3)
Food and Agriculture Electives	(minimum of 7 credits)
ENV5380	Food Regulation and Policy (3)
ENV5381	Local Farm and Food Law in Practice (3)
ENV5383	Food Justice and Sustainability (2)
ENV5385	Global Food Security (2)
ENV5401	Agriculture and The Environment (3)
ENV5408	Law of Animals and Agriculture (3)
ENV5410	The 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 (3)
ENV5540	Public Health and Food and Agriculture Policy (2)
ENV5307	Animals and the Law (3)
ENV5246	Water Quality (3)
ENV5902	Forestry Policy and the Law (2)
INT7446	International Trade and the Environment (2)
ENV5245	Water Resources Law (3)
ENV5238	Global Sustainability Field Study (1)
TBD	Representing Farmers and Food Producers (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 and 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 and Compliance (2)
ENV5212	Climate Change and the Law (3)
ENV5349	Regulating the Marine Environment (2)
ENV7380	Advanced Environmental Legal Research (1)
ENV5239	Land Transactions and Finance (3)
ENV5446	Environmental Justice (2)
ENV5423	Ocean and Coastal Law (3)
JUR7333	Animal Law and Ethics (3)
Experiential/Writing Requirement (minimum of 1 credit)	<p>CLI9428 Food and Agriculture Clinic (4)</p> <p>Advanced Writing Requirement on a food and agriculture topic</p> <p>Independent Research Project on a food and agriculture topic</p> <p>LLM thesis or research project on a food and agriculture topic</p> <p>Master's or JD externship on a food and agriculture topic</p>

XII. VERMONT LAW SCHOOL HONOR CODE

ARTICLE I. AN HONOR CODE FOR ACADEMIC INTEGRITY AND 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 misconduct³⁶:

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.
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.

³⁶ Non-academic matters are governed by a separate Code of Conduct.

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 Vice Dean for Students 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 Vice Dean for Students 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 Vice Dean for Students as Ex Officio member³⁷; (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 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.

³⁷ Ex Officio in this context means the Vice Dean for Students participates, but does not vote, on matters before the Honor Committee. The Vice Dean for Students participates in hearings before the Honor Committee under the Formal Process as described in IV (C).

- 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, 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.

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 Vice Dean for Students. 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 15 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 Vice Dean for Students shall notify the accused student in writing that a complaint has been filed. In addition, the Vice Dean for Students will inform the accused student of his/her rights under the Honor Code, including the appointment of an advocate for the accused student. The Vice Dean for Students 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 Vice Dean for Students.
3. At the same time as the Vice Dean for Students 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 Vice Dean for Students 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 Vice Dean for Students. The investigator shall submit a report about the matter to the Vice Dean for Students 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 Vice Dean for Students 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 Students 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 Vice Dean's receipt of the investigator's report.
2. If the Vice Dean for Students determines that it is more probable than not that a violation of the Honor Code has occurred, the 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 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 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 Vice Dean for Students. The decision of the President and Dean of the Law School is final.

C. FORMAL PROCESS

1. If the Vice Dean for Students 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 Vice Dean will notify the Honor Committee in writing of the nature of the complaint and of her or his conclusions. The 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 Vice Dean for Students may request that the investigator conduct further investigation in preparation for the formal hearing.
3. The Honor Committee as described in Article II (C) shall conduct a formal hearing of this matter at a meeting scheduled not more than thirty (30) calendar days after the Vice Dean for Students 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 Vice Dean for Students the written notice of the nature of the complaint and the Vice Dean's conclusions. The Vice Dean for Students is not a member of the Honor Committee when it sits in formal hearing.
4. **Formal Hearing**
The Vice Dean for Students, 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 Vice Dean for Students 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.

F.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 Vice Dean(s).

G.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 Vice Dean for Students shall recommend a sanction³⁸ in accordance with the provisions below:

CLASS ONE SANCTIONS: If the Honor Committee members or the Vice Dean for Students 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 Vice Dean for Students 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 Vice Dean for Students 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.

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, MFALP, MARJ, 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 Vice Dean for Students 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.

³⁸ 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.

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. 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.

XIII. 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.

1. MEETINGS OF THE COMMITTEE

- 1. Regular meetings of the Committee are ordinarily held monthly. 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.

2. PETITIONS AND PERSONAL APPEARANCE

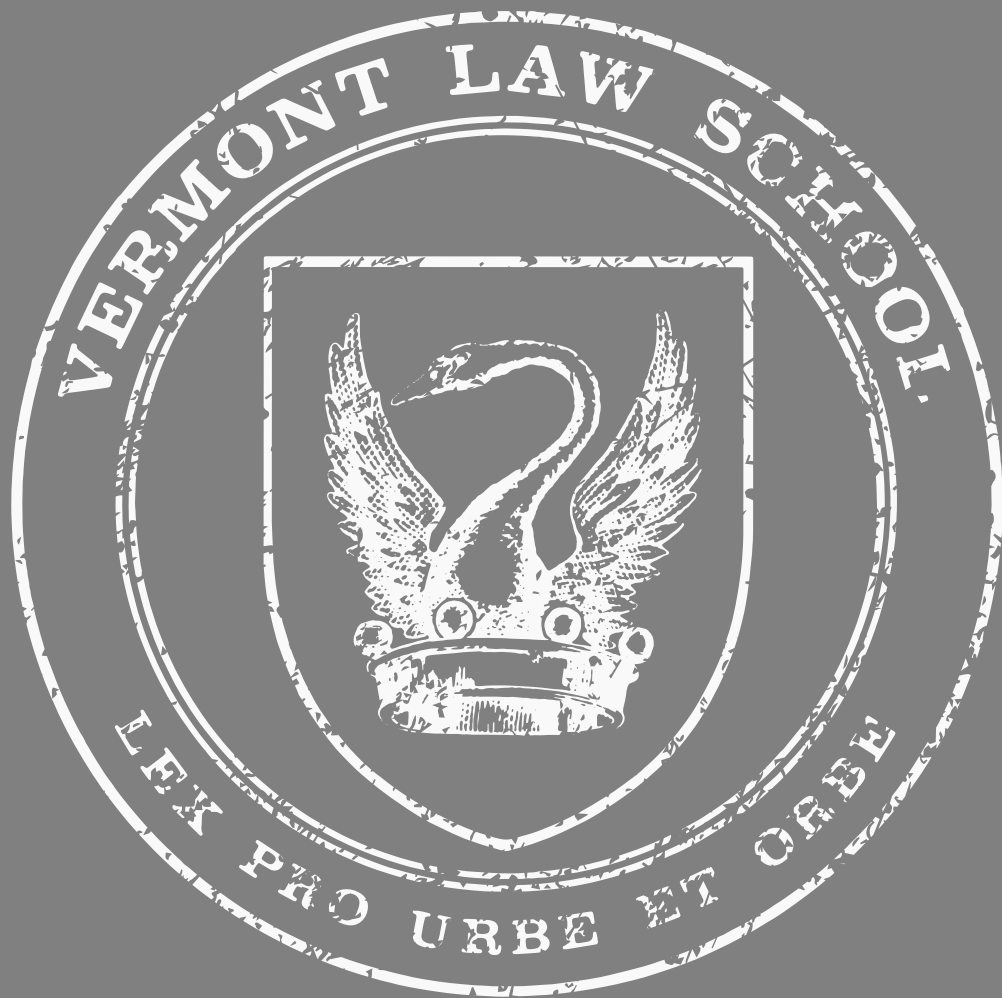
- 1. The student shall submit a typewritten petition to the Registrar via email, mail, or in person, setting forth in detail the student's request and the reasons why the Committee should make an exception to the Academic Regulations and grant the request.
- 2. In any case which may result or has resulted 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.



CODE OF CONDUCT

The Code of Conduct may be amended at any time by the President and Dean after consultation with the Student Services Committee, the Vice Dean for Students, and the Associate Dean for Student Affairs and Diversity. Notice of amendment shall be given by posting on the official campus bulletin board, email, and through the campus mail.

CODE OF CONDUCT

ADOPTED 10/10/94

AMENDED 8/14/20

The effective date of this policy is 8/14/20.

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 and to act with professionalism at all times. Professionalism is the strict adherence to courtesy, civility, honesty, and responsibility when interacting with other students, faculty, staff, or other individuals in the community.

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, professionalism, 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. Online 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 Aladdin 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 Harassment, Domestic Violence, Dating Violence, and Stalking Prohibited by Title IX Policy violation
- Sexual Exploitation as defined below
- Stalking as defined below
- 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.

For purposes of the Code of Conduct, the following definition applies. "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.

"Sexual Exploitation" is taking 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, re, and for the purpose of arousing or gratifying sexual desire. Sexual exploitation may occur regardless of whether sexual activity takes place. Sexual act, for purposes of the definition of sexual exploitation under this policy, is defined as: conduct between persons consisting of (A) contact between the penis and the vulva, (B) contact between the penis and the anus, (C) contact between the mouth and the penis, (D) contact between the mouth and the vulva, and/or (E) any intrusion, however slight, by any part of a person's body or any object in the genital or anal opening of another.

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 Vice President 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 Harassment, Domestic Violence, Dating Violence, and Stalking Prohibited by Title IX Policy” are set forth in those policies. Such specific provisions will apply to complaints that allege harassment, discrimination, retaliation, 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 **must be in writing**. 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 Associate Dean for Student Affairs and Diversity 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

1. 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.
2. 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.
3. 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.
4. 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.

- b. 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.
2. 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.
3. 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. 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. 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. 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 Vice Dean for Students and the Associate Dean for Student Affairs and Diversity. Notice of amendments shall be given by posting on the official campus bulletin board, email, and/or through the campus mail.

INVOLUNTARY WITHDRAWAL OR SEPARATION

Vermont Law School is committed to providing a safe environment for students, staff, faculty, and community members. Subject to the limitations regarding emergency removal set forth in the Sexual Harassment, Domestic Violence, Dating Violence, and Stalking Prohibited by Title IX Policy, VLS reserves the right to involuntarily withdraw or separate a student whose conduct VLS reasonably believes, based upon a case-by-case objective assessment, poses a threat to the health or safety of the student or other members of the VLS community, or demonstrates medical or behavioral needs requiring a level of support that cannot reasonably be provided while participating in an academic program. This includes, but is not limited to:

Conduct that a student engages in, or is at significant risk of engaging in, that could reasonably be anticipated to result in physical or emotional harm to self or others;

Conduct that manifests an inability to attend to personal needs related to food, shelter, personal safety, medical and emotional care, and general well-being;

Conduct that poses a reasonable possibility of serious physical harm or property damage;

Conduct that demonstrates an abuse of alcohol or drugs on the Vermont Law School campus or at Vermont Law School sponsored events;

Conduct that interferes substantially with the regular daily activities of members of the VLS or South Royalton community;

Conduct that interferes substantially with the educational and employment environment or the orderly operation of the law school and activities conducted on its campus; or

Conduct that significantly or unreasonably burdens VLS's human and/or financial resources.

VLS also reserves the right to exclude at any time a student who poses a substantial risk to the health of others, for example, because of a contagious disease or similar condition.

A student will be involuntarily withdrawn or separated on the recommendation of two of the following administrators: the Vice Dean for Faculty, the Vice Dean for Students, the Associate Dean for Student Affairs and Diversity, and the President and Dean.

A student who is involuntarily withdrawn is terminated from all VLS academic programs. A student who is involuntarily separated may return to campus at the discretion of the Vice Dean for Students. Such decision shall only be made after the Vice Dean for Students or designee receives and accepts documentation demonstrating that the student no longer poses a threat to the health or safety of the law school community. The student must also agree in writing to abide by any conditions imposed by the Vice Dean for Students.

Vermont Law School financial aid and refund policies apply to a student who is involuntarily withdrawn or terminated.

POLICY AGAINST HARASSMENT, SEXUAL HARASSMENT, DISCRIMINATION, AND RETALIATION

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 Harassment, Domestic Violence, Dating Violence, and Stalking Prohibited by Title IX Policy ("SHDVS Policy"). Reports of sexual harassment that fit within the definition of prohibited conduct in the SHDVS Policy will be handled under the SHDVS 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 prohibited conduct in the SHDVS 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 SHDVS Policy will be followed.

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. 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 Beth McCormack, Vice Dean for Students and Professor of Law, 802-831-1004, to serve as its Title IX Coordinator. The Director of Human Resources, 802-831-1225, will act as the Deputy Title IX Coordinator when the Vice Dean 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 reports of sex discrimination and identifying and addressing any patterns or systemic problems that arise during the review of such reports. 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 of sexual harassment, 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 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, file a complaint, or make a report of sex discrimination,
- 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,
- ask questions about the Law School’s policies and procedures related to sex discrimination, 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: www2.ed.gov/about/offices/list/ocr/index.html] or the Educational Opportunities Section of the Civil Rights Division of the U.S. Department of Justice (DOJ): www2.ed.gov/about/offices/list/ocr/addresses.html.

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
Office for Civil Rights, Boston Office
U.S. Department of Education
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Telephone: (617) 289-0111
Facsimile: (617) 289-0150
Email: OCR.Boston@ed.gov

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. Responsible employees are respectful of an individual's wishes to the extent appropriate and are discreet, but they may need to convey information about reported conduct in violation of this policy to the Law School's Title IX Coordinator.

h. 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 or report. 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. “Responsible employee” does not include the confidential resources as defined in the Law School’s Sexual Harassment, Domestic Violence, Dating Violence, and Stalking Prohibited by Title IX Policy.

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 complaints, and complaints of retaliation, beyond the Law School. Such 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, Mass. 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, Vt. 05609-1001; Tel: 802-828-3171 or 888-745-9195, TTY: 802-828-3665, Fax: 802-828-3187, Email: ivilrights@atg.state.vt.us
- **Equal Employment Opportunity Commission (EEOC)**, Boston Area Office, John F. Kennedy Federal Building, Government Center, Room 475, Boston, Mass. 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. **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 Associate Dean for Student Affairs and Diversity.

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 parties 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 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 respon-

sible 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 Associate Dean for Student Affairs and Diversity of the complaint and transmit the written complaint or other material concerning the matter to the Associate Dean for Student Affairs and Diversity. The Associate Dean for Student Affairs and Diversity will inform the Title IX Coordinator of complaints that involve reports of sexual harassment, sex discrimination or related retaliation. The Associate Dean for Student Affairs and Diversity will appoint a Vice President, Associate Dean, or Director to undertake the investigatory responsibilities set forth in paragraph 3. If a complaint involves the Associate Dean for Student Affairs and Diversity, 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 Associate Dean for Student Affairs and Diversity 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 Associate Dean for Student Affairs and Diversity 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 Associate Dean for Student Affairs and Diversity within three days of notice of the appointment. The Associate Dean for Student Affairs and Diversity 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 Associate Dean for Student Affairs and Diversity 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 Associate Dean for Student Affairs and Diversity 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 Associate Dean for Student Affairs and Diversity 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 Associate Dean for Student Affairs and Diversity prior to his/her final determination. Equally, the Associate Dean for Student Affairs and Diversity 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 Associate Dean for Student Affairs and Diversity 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 Associate Dean for Student Affairs and Diversity will issue the final determination within 10 business days after receipt of the Investigator's report. The complainant and respondent will ordinarily be notified of the final determination of the Associate Dean for Student Affairs and Diversity as to whether this policy was violated. In sexual harassment 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 Associate Dean for Student Affairs and Diversity 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 Associate Dean for Student Affairs and Diversity 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. The appropriate supervisory authority shall consider the initiation of disciplinary proceedings and/or action up to and including termination of employment. If the Associate Dean for Student Affairs and Diversity 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 Associate Dean for Student Affairs and Diversity determines that a student has engaged in conduct in violation of this policy, he/she will determine an appropriate sanction, up to and including expulsion. The procedures followed will be the same as the procedures set forth in the Code of Conduct.

SEXUAL HARASSMENT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING PROHIBITED BY TITLE IX POLICY

I. ARTICLE I. POLICY OVERVIEW

This policy sets forth Vermont Law School's obligations under the 2020 Title IX Regulations.

Our Title IX Coordinator is:

Beth McCormack, Vice Dean for Students and Professor of Law
bmccormack@vermontlaw.edu
802-831-1004
164 Chelsea Street, P.O. Box 96, South Royalton, VT, 05068

Our Deputy Title IX Coordinator is:

Betsy Erwin, Director of Human Resources
berwin@vermontlaw.edu
802-831-1225
164 Chelsea Street, P.O. Box 96, South Royalton, VT 05068

Questions about Title IX may be referred to the Title IX Coordinator, Deputy Title IX Coordinator, or to the assistant secretary for civil rights through the Boston office:

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

Any person may report conduct prohibited by this policy to the Title IX Coordinator/Deputy or to: the Associate Dean for Student Affairs and Diversity, the Vice Dean for Students, the Vice President of Finance, the Vice Dean for Faculty, or the Dean. These are the only individuals with authority to institute corrective measures on behalf of VLS under this policy.

A complaint about the Title IX Coordinator or Deputy Coordinator may be made to the Vice Dean for Faculty or to the Dean and President.

II. ARTICLE II. STATEMENT OF NON-DISCRIMINATION

VLS does not discriminate on the basis of sex in its educational programs and activities, including employment and admission. Complaints of discrimination on the basis of sex will be handled under VLS's Policy Against Harassment, Sexual Harassment, Discrimination, and Related Retaliation ("HSHDR Policy"), which applies to all employees, officers, trustees, and students. The HSHDR Policy is available in our Student Handbook.

III. ARTICLE III. SCOPE

This policy applies to all students, faculty, and staff who experience prohibited sexual harassment in VLS's education programs or activities. This includes locations, events, or circumstances over which VLS exercised substantial control over both the Respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by VLS. VLS has other policies and procedures that may be applicable if the conduct does not meet the definition of prohibited sexual harassment under this policy or otherwise fall within the scope of this policy, including the HSHDR Policy available in the Student Handbook and the Code of Conduct.

Conduct that meets the definition of prohibited sexual harassment under this policy will be handled under this policy.

IV. ARTICLE IV. PROHIBITED SEXUAL HARASSMENT

In accordance with its obligations under the Title IX Regulations of 2020, VLS prohibits sexual harassment, which is conduct on the basis of sex, including gender identity, gender expression, or sexual orientation, that satisfies one or more of the following definitions:

A. QUID PRO QUO CONDUCT. An employee conditions the provision of an aid, benefit, or service of VLS on an individual's participation in unwelcome sexual conduct;

B. UNWELCOME CONDUCT. Unwelcome conduct that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to VLS's education program or activity; or

C. SEXUAL ASSAULT. An offense classified as a forcible or nonforcible sex offense. This category of prohibited conduct includes the following:

1. **Sex Offenses**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent. Sexual act is defined as conduct between persons consisting of:
a. Contact between the penis and the vulva. b. Contact between the penis and the anus. c. Contact between the mouth and the penis. d. Contact between the mouth and the vulva. e. Any intrusion, however slight, by any part of a person's body or any object in the genital or anal opening of another.

2. **Non-Consensual Penetration**—Actual or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This includes forcible penetration and/or penetration against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of their temporary or permanent mental or physical incapacity.

3. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of their youth or because of their temporary or permanent mental or physical incapacity.

4. **Incest**—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

5. **Statutory Rape**—Nonforcible sexual intercourse with a person who is under the statutory age of consent.

D. DATING VIOLENCE. Violence committed by a person— (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship.

E. DOMESTIC VIOLENCE. A felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Vermont or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state 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.

F. STALKING. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to— (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

V. ARTICLE V. DEFINITIONS

- A. **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 the purposes of this 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 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. VLS will use an objective standard when determining incapacitation-related questions; that is, VLS 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 the Complainant was incapacitated.
- It should be noted that ignorance of the policy noted above, or the intoxication of the Respondent will not (particularly given VLS’s objective standard) be considered an excuse for violating this policy.
- B. **COMPLAINANT** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment under this policy.
- C. **FORMAL COMPLAINT** means a document filed by a Complainant or signed by the Title IX Coordinator/Deputy alleging sexual harassment against a Respondent and requesting that VLS investigate the allegation of sexual harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the education program or activity of VLS with which the Formal Complaint is filed.
- D. **GRIEVANCE PROCESS** means the fact-finding process from the time of the filing of the Formal Complaint through the final determination of an appeal (if any).

- E. **RESPONDENT** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under this policy.
- F. **SUPPORTIVE MEASURES** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to VLS's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or VLS's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Supportive measures may also include written notification about available services both within the institution and the community and options for available assistance as required by the Clery Act. Supportive measures are not disciplinary measures.

VI. ARTICLE VI. REPORTING PROHIBITED SEXUAL HARASSMENT

- A. **NOTICE OF ALLEGATIONS.** VLS has notice of sexual harassment or allegations of sexual harassment when such conduct is reported to the Title IX Coordinator, Deputy Title IX Coordinator, or any official of VLS who has authority to institute corrective measures on behalf of VLS. The Associate Dean for Student Affairs and Diversity, the Vice Dean for Students, the Vice President of Finance, the Vice Dean for Faculty, and the Dean are the only individuals with authority to institute corrective measures on behalf of VLS under this policy.

However, all employees are encouraged to report sexual harassment, as defined and prohibited by this policy, to the Title IX Coordinator or Deputy Title IX Coordinator, consistent with the requests of the Complainant.

- B. **RESPONSE TO A REPORT.** With or without a Formal Complaint, upon a report of sexual harassment, the Title IX Coordinator or Deputy Title IX Coordinator will promptly contact the Complainant to discuss the availability of Supportive Measures, consider the Complainant's wishes with respect to Supportive Measures, inform the Complainant of the availability of Supportive Measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint.
- C. **INFORMATION PACKET.** Upon a receipt of a report of sexual assault, dating violence, domestic violence or stalking, VLS shall provide information that contains procedures to follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—
 - a. The importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;
 - b. How and to whom the alleged offense should be reported;
 - c. Options regarding law enforcement and campus authorities, including notification of the option to:
 - i. notify proper law enforcement authorities, including on-campus and local police;
 - ii. be assisted by campus authorities in voluntarily notifying law enforcement authorities; and
 - iii. decline to notify such authorities;
 - d. Where applicable, their rights and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court;
 - e. Information about appropriate and available services both at the institution and in the community; and

- f. Options for, available reasonably available assistance and accommodations and how to request them.

VLS's information for victims of sexual assault, dating violence, domestic violence and stalking is located in our student handbook or in the student services office, or available from the Title IX Coordinator or Deputy Title IX Coordinator.

- D. **IMPLEMENTATION OF SUPPORTIVE MEASURES.** VLS shall treat parties equitably by offering Supportive Measures to the Complainant, and by following a grievance process that complies with this policy before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures as against the Respondent. VLS will maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of VLS to provide the Supportive Measures. The Title IX Coordinator/Deputy is responsible for coordinating the effective implementation of Supportive Measures. The Title IX Coordinator/Deputy should record and retain records regarding requests and provision of Supportive Measure in accordance with the requirements set out at XIV. Record Keeping, below.
- E. **EMERGENCY REMOVAL.** Nothing in this policy precludes VLS from removing a Respondent from VLS's education program or activity on an emergency basis, provided that VLS undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.
- F. **ADMINISTRATIVE LEAVE.** VLS reserves the right to place a non-student employee Respondent on paid or unpaid administrative leave during the pendency of a grievance process.
- 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 VLS that all perceived violations of this policy are reported so that those affected can receive the support and resources needed. Therefore, in order to facilitate reporting, VLS may choose not to charge students who report violations of this policy with violations of Code of Conduct standards.

VII. ARTICLE VII. PROCEDURES FOR RESOLVING COMPLAINTS OF PROHIBITED SEXUAL HARASSMENT

A. INFORMAL RESOLUTION

Consistent with the requirements of this section, at any time prior to reaching a determination regarding responsibility VLS may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that VLS

1. Provides to the parties a written notice disclosing:
 - i. The allegations,
 - ii. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint, and
 - iii. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process; and
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

4. Completes the informal resolution process within 60 days of receiving the Formal Complaint, unless unusual or complex circumstances exist.

VLS does not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of Formal Complaints of sexual harassment under this policy. VLS shall not require the parties to participate in an informal resolution process and will not offer an informal resolution process unless a Formal Complaint is filed.

B. FORMAL COMPLAINT AND THE GRIEVANCE PROCESS

1. **FILING A FORMAL COMPLAINT.** A Formal Complaint may be filed with the Title IX Coordinator or Deputy Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator/Deputy Title IX Coordinator above. A “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by VLS) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator/Deputy signs a Formal Complaint, the Title IX Coordinator/Deputy is not a Complainant or otherwise a party. A Formal Complaint shall trigger an investigation except as specified below. The Formal Complaint should include the date(s) of the alleged incident(s), the name of the Respondent, and should describe the circumstances of the incident(s), where known.
2. **DISMISSAL OF A FORMAL COMPLAINT.** VLS shall investigate the allegations in a Formal Complaint, except as follows:
 - a. **Mandatory Dismissal.** VLS shall dismiss the Formal Complaint if the conduct alleged in the Formal Complaint
 - i. would not constitute sexual harassment as defined by this policy, even if proved,
 - ii. did not occur in VLS’s education program or activity,
 - iii. or did not occur against a person in the United States.
 - iv. This dismissal does not preclude action under another policy or procedure of VLS, including but not limited to the Code of Conduct and HSHDR Policy.
 - b. **Discretionary Dismissal.** VLS may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:
 - i. A Complainant notifies the Title IX Coordinator or Deputy Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
 - ii. The Respondent is no longer enrolled in or employed by VLS; or
 - iii. Specific circumstances prevent VLS from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.
 - iv. Occurred prior to August 14, 2020, in which case VLS’s Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy adopted May 8, 2015 shall be used.
 - c. Upon a dismissal required or permitted under this section, VLS will promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.
3. **CONSOLIDATION OF FORMAL COMPLAINTS.** VLS may consolidate Formal Complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one Complainant or more than one Respondent, references in this section to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable.

4. NOTICE OF CHARGES

- a. Initial Notice of Charges. Upon receipt of a Formal Complaint, prior to commencing the investigation, VLS shall provide the following written notice to the parties who are known. This notice shall include:
 - i. This policy (as a link or attachment).
 - ii. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment under this policy, and the date and location of the alleged incident, if known.
 - iii. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
 - iv. Notification to the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney.
 - v. Notification to the parties that they may inspect and review evidence, as set forth in this policy.
 - vi. Any provision in VLS's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
 - vii. Describes the standard of evidence that will be used.
 - viii. Lists all possible sanctions the institution may impose.
- b. Amended Notice of Charges. If, in the course of an investigation, VLS decides to investigate allegations about the Complainant or Respondent that are not included in the initial notice of charge, VLS must provide notice of the additional allegations to the parties whose identities are known.

5. PRINCIPLES FOR THE GRIEVANCE PROCESS

Under this grievance process, VLS shall:

- a. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on VLS and not on the parties provided that VLS cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless VLS obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then VLS must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3).
- b. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- c. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- d. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the Complainant or Respondent in any meeting or grievance proceeding; however, VLS may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties. For the purposes of this policy, the role of the advisor is limited to the following: the advisor may attend any interview of meeting connected with the grievance process, but may not actively participate in interviews nor provide testimony or argument on behalf of the party. The

advisor may attend the live hearing and may conduct cross-examination of the other party and any witness at the hearing; otherwise the advisor may not actively participate in the hearing.

- e. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- f. Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence— and provide that credibility determinations may not be based on a person’s status as a Complainant, Respondent, or witness.
- g. Require that any individual designated as a Title IX Coordinator, investigator, decisionmaker, or any person to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent. VLS may use internal personnel or external parties in the informal resolution process or the grievance process, provided that they meet this requirement.
- h. Include a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- i. Use the following standard of evidence to determine responsibility for allegations in a Formal Complaint of sexual harassment: the preponderance of the evidence standard. The standard of evidence shall be the same for Formal Complaints against students as for Formal Complaints against faculty and staff.
- j. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

6. EXTENSIONS OF THE GRIEVANCE PROCESS

The Title IX Coordinator/Deputy may grant or deny requests from either party to temporarily delay the grievance process or may issue the limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

Good cause may include considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

7. INVESTIGATION OF FORMAL COMPLAINTS

If not serving as the Investigator, the Title IX Coordinator/Deputy will appoint an Investigator, who may be a employee or official of VLS or may be an external investigator with appropriate experience or expertise. The parties 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 Title IX Coordinator/Deputy within three days of notice of the appointment. The Title IX Coordinator/Deputy 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.

When investigating a Formal Complaint VLS shall, through the Investigator within 60 calendar days of receiving the Formal Complaint, unless unusual or complex circumstances exist:

- a. Engage in fact-gathering of all relevant facts. Credibility resolutions and fact-finding shall be conducted in the live hearing phase of the grievance process.

- b. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which VLS does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- c. Prior to completion of the investigative report, send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.
- d. Make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and
- e. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing or other time of determination regarding responsibility, the Title IX Coordinator/Deputy shall send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. Upon finalization of the investigative report, the Title IX Coordinator/Deputy shall provide it to the decision-maker(s).

VIII. ARTICLE VIII. LIVE HEARINGS UNDER THE GRIEVANCE PROCESS

A. REQUIREMENT OF A LIVE HEARING FOR FACT-FINDING AND DETERMINING RESPONSIBILITY.

1. Following the investigation, within 30 days of sending the final investigative report to the parties, unless unusual or complex circumstances exist, VLS shall conduct a live hearing for the purposes of determining responsibility for allegations of sexual harassment in the Formal Complaint. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator/Deputy or the investigator(s). The Title IX Coordinator/Deputy will convene a Review Panel. This Panel will ordinarily consist of five members drawn from a pool. The pool includes five faculty members selected by the Vice Dean for Faculty, five staff members selected by the Dean and President, and five students appointed by the President of the Student Bar Association. The Title IX Coordinator/Deputy will choose five panel members from its 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 as specified by this policy. The parties each may challenge the participation of any member of the review panel for conflict of interest or other good cause. The Title IX Coordinator/Deputy will make the final decision whether to select an alternate upon a challenge from a party
2. The Title IX Coordinator/Deputy will appoint a member of the Review Panel to be Chair of the Panel.
3. The live hearing will be closed and will occur within fifteen days of completion of the investigative report. The only individuals permitted to participate in the hearing are as follows: the Complainant and Respondent, the decision-maker(s), the advisor for each party, any witnesses (only while being questioned), and any individual providing authorized accommodations or assistive services.

4. If a party does not have an advisor present at the live hearing, VLS shall provide without fee or charge to that party, an advisor of VLS's choice, who may be, but is not required to be, an attorney, to conduct cross examination on behalf of that party. VLS is obligated to ensure each party has an advisor, either of the party's or VLS's choice regardless of whether or not the party is present at the hearing. To ensure timely proceedings, a party shall alert the Title IX Coordinator/Deputy as soon as practicable if the party will need an advisor. If a party's selected advisor is unavailable for a hearing date, the live hearing date may be postponed for good cause.

Many advisors may also be licensed attorneys. It is the policy of VLS that when providing an advisor to a party under this policy, no attorney-client relationship shall be created that results solely from the designation of an advisor for a party. Further, the parties should be aware that an advisor provided by VLS is not a confidential resource. An advisor is not required to report to the Title IX Coordinator any information learned while advising a party. However, an advisor may be legally compelled to testify in external proceedings absent a legal privilege or may be required to report externally in the case of child or elder abuse or otherwise required by law.

5. Live hearings may be conducted with all parties physically present in the same geographic location or, at VLS's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
6. At the request of either party, VLS shall provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.
7. VLS shall create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review. Any other recording is prohibited and violations may result in discipline.

B. QUESTIONING AT THE LIVE HEARING

- i. At the live hearing, the Review Panel must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.
- ii. The members of the Review Panel also have the right to question a party or witness.
- iii. Only relevant cross examination and other questions may be asked of a party or witness.
- iv. Cross examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding VLS's ability to otherwise restrict the extent to which advisors may participate in the proceedings.
- v. Before the Complainant, Respondent, or witness answers a cross-examination or other question, the Chair must first determine whether the question is relevant. The Chair must explain to the party or individual proposing the questions any decision to exclude a question as not relevant.
- vi. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

C. USE OF WITNESS STATEMENTS

1. If a party or witness does not submit to cross examination at the live hearing, the Review Panel must not rely on any statement of that party or witness in

reaching a determination regarding responsibility but may reach a determination based on evidence that does not constitute a statement by the party.

2. The Review Panel cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.

D. WRITTEN DETERMINATION OF THE REVIEW PANEL

1. The Review Panel shall issue a written determination regarding responsibility, which the Chair shall have primary responsibility for drafting. To reach this determination, the Review Panel must apply the standard of evidence required by this policy (i.e. the preponderance of the evidence standard).
2. A majority of the Panel members must find that a policy violation occurred for a finding of responsibility and a majority of the Panel members must assent to the sanction(s) imposed, if any.
3. The written determination must include:
 - a. Identification of the allegations potentially constituting sexual harassment as defined by this policy;
 - b. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
 - c. Findings of fact supporting the determination;
 - d. Conclusions regarding the application of VLS's policy to the facts;
 - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to VLS's education program or activity will be provided to the complainant; and
 - f. The procedures and permissible bases for the Complainant and Respondent to appeal, as set forth in this policy.
4. VLS shall provide the written determination to the parties simultaneously.
5. The determination regarding responsibility becomes final either on the date that VLS provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

IX. ARTICLE IX. APPEALS

Within five days of receiving the written determination, either party may appeal from a determination regarding responsibility, and from VLS's dismissal of a Formal Complaint or any allegations therein, on the following grounds:

- | | |
|-----------|---|
| Ground 1: | Procedural irregularity that affected the outcome of the matter; |
| Ground 2: | New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and |
| Ground 3: | The Title IX Coordinator/Deputy, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. |

An appeal must be made in writing to the Title IX Coordinator/Deputy within five days of receipt of the written determination. An appeal must include the ground(s) for the appeal and describe the supporting evidence.

As to all appeals, the Title IX Coordinator/Deputy (or designee) shall:

- A. Notify the other party in writing immediately when an appeal is filed and implement appeal procedures equally for both parties;
- B. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator/Deputy;
- C. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in this policy;
- D. Give the non-appealing party an opportunity to submit a written statement in response to the appeal within five days of receiving the appeal, which shall be transmitted within 2 business days to the Appeal Officer, who may be either the President or Dean;

Within 20 days of receiving the appeal and the response, the Appeal Officer shall issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties. The Reviewing Officer may deny the appeal or, if the appeal ground(s) has or have been met, may return the case to the Review Panel for reconsideration, or convene a new Review Panel. If the Review Panel case is returned to the Review Panel, the Review Officer shall identify which aspects merit further review.

X. ARTICLE X. REMEDIES AND SANCTIONS

Remedies must be designed to restore or preserve equal access to VLS's education program or activity. A student found responsible for a violation of this policy will be subject to sanction(s) regardless of whether legal proceedings involving the same incident or underway or anticipated. An employee of VLS found responsible for a violation of this policy will be subject to sanction(s) up to and including termination of employment.

Possible sanctions and remedies VLS may implement following any determination of responsibility include: expulsion, withdrawal of an awarded degree, written warning, suspension, a fine, restitution, community service, probation, reference to counseling, termination of employment, and notation in the Respondent's official student or personnel file of the fact of a violation and the sanction.

The Title IX Coordinator/Deputy is responsible for effective implementation of any remedies.

XI. ARTICLE XI. RETALIATION PROHIBITED

No one may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right established by this policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of sexual harassment, for the purpose of interfering with any right under this Policy constitutes retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this section.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination in the HSHDR Policy available in the Student Handbook.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not con-

stitute retaliation prohibited under of this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

XII. ARTICLE XII. CONFIDENTIALITY

Consistent with the requirements of this policy, VLS shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

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 without the Complainant's consent. Individuals who wish to talk about issues related to sexual harassment or sexual misconduct confidentially, with the understanding that VLS 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 Counseling Service records), and other confidential, non-privileged records may, however, be subject so 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 VLS's compilation of campus crime statistics. Even if a student wishes to maintain confidentiality, the confidential resources can assist the individual in receiving Supportive Measures. In addition, when appropriate and legally permissible, VLS shall conduct record-keeping on reports of dating violence, domestic violence, stalking and sexual assault, such as that collected for legally required disclosures, that excludes personally-identifiable information of any Complainants.

XIII. ARTICLE XIII. REQUIRED TRAININGS

The Title IX Coordinator/Deputy, investigators, decision-makers, and any person who facilitates an informal resolution process (whether internal or external) shall receive training on the definition of sexual harassment under this policy, the scope of VLS's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. These individuals shall receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Decision-makers shall receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators shall receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of sexual harassment.

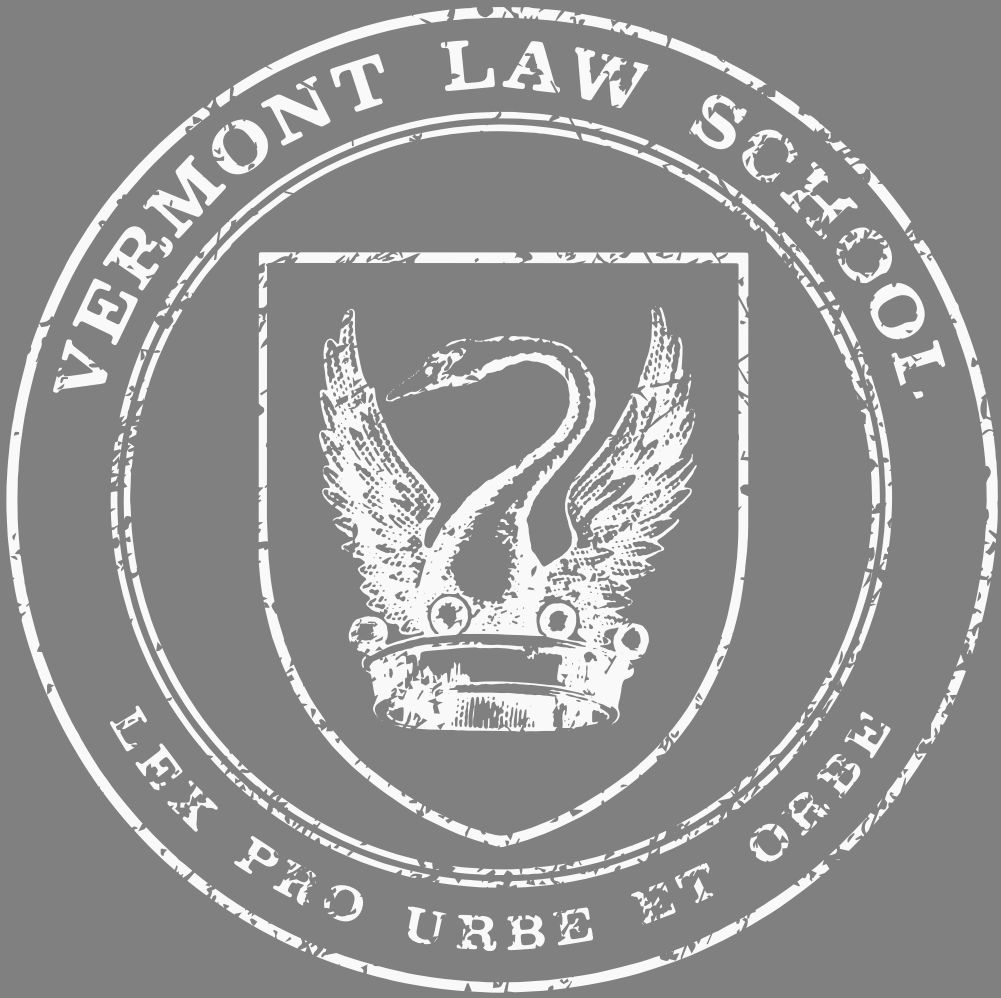
XIV. ARTICLE XIV. RECORDKEEPING.

VLS shall maintain for a period of seven years records of— (A) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under this policy, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to VLS's education programs or activities; (B) Any appeal and the result therefrom; (C) Any informal resolution and the result therefrom; and (D) All materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process. VLS shall make these training materials publicly available on its website.

VLS shall create, and maintain for a period of seven years, records of any actions, including any Supportive Measures, taken in response to a report or Formal Complaint of sexual harassment. In each instance, VLS will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to VLS's education program or activity. If VLS does not provide a complainant with Supportive Measures, then VLS must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit VLS in the future from providing additional explanations or detailing additional measures taken.

XV. EFFECTIVE DATE; REVISIONS.

This policy is effective as of August 14, 2020.



2020-2021

COURSE CATALOG

Academic Catalog Courses 2020-2021

Alternative Dispute Resolution				
Div	Code	Title	Description	Credits
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
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	This interactive workshop examines the dynamics, constraints, and skills of the negotiation process. It focuses equally on the use of negotiation in planning and dispute resolution. Students learn specific techniques through simulation experiences, and issues related to the use of negotiation are addressed through classroom discussions.	2
Business				
BUS	6218	Introduction to Start Ups	This course offers an introduction to the legal skills and knowledge needed to provide entrepreneurs and emerging start-ups with legal guidance. Using innovative legal tools and processes, the course simulates the legal guidance considerations necessary to launch an enterprise through simulated exercises with triple bottom line companies. The concentration on triple bottom line companies that impact environmental issues and social justice creates the opportunity to explore public benefit enterprise concepts that bring both mainstream and distinct legal concerns to light. A focus on providing innovative legal solutions and tools for offering affordable legal services will deepen students' understanding of legal practice and business as catalysts for environmental and social change.	2
BUS	6219	Entrepreneur Practice Lab	Vsell Practicum. Prerequisite: BUS6218. Enrollment by application	2-12
BUS	6235	Corporations and 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 regulations.	4
BUS	6237	Debtor-Creditor Law & Bankruptcy	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.	3
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
BUS	6246	Employment Law Practice	Employment Law Practicum is a one credit simulation-based module designed to provide students with opportunities for transactional learning in addition to those already contained in Employment Law. It will also include a professional development component that focuses on the employment law practitioner.	1
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	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
BUS	6290	Securities Regulations	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	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	eLawyering: eDiscovery Data	Litigation often involves the collection, production, management and analysis of electronically stored 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
BUS	6362	eLawyering: Practice Management	Legal practices are using practice management and litigation software. Courts have also moved in the direction of e-filing and calendaring. Students will gain the theoretical and practical background to understand these changes and to positively impact their employer's responses to such change. Students will use matter management software, prepare e-filings and use technology to strengthen and present a closing argument.	2
BUS	6371	eLawyering: Cyber Security	Organizations and individuals face a multitude of complex threats to the confidentiality, availability and integrity of their information in today's cyber environs. Against the backdrop of recent cyber warfare efforts, data breaches, FISA courts and Snowden revelations eLawyering: Cybersecurity provides in-depth examination of the law dealing with the security of information and data and its corresponding technology.	3
Clinics				
CLI	9302	Environmental Advocacy 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.	12
CLI	9310	South Royalton Legal Clinic Full Time	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.	12
CLI	9311	South 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.	4-8
CLI	9312	South Royalton Legal Clinic Part Time	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.	4-8
CLI	9318	Environmental Justice Clinic	This clinic works on behalf of community-based organizations on administrative cases and projects: administrative complaints, petitions, and comments; litigation; and legislation. The docket includes cases under civil rights and environmental statutes, and supports community based movements challenging the impacts of industrial agriculture and other contamination on communities of color and low-income communities.	6-12
CLI	9319	Climate Justice Practicum	The Climate Justice Practicum is a collaboration between VLS and Yale School of Public Health and the Yale School of Environment Studies. Students work in interdisciplinary teams, with partner organizations, on applied projects involving law, public policy, and public health that address the full range of climate justice issues.	4
CLI	326-932	Advanced Environmental Advocacy 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.	6-12
CLI	333-933	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	6-12
CLI	9411	Semester in Practice	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.	12
CLI	9412	Semester in Practice Seminar	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 four to six credits depending on the time committed. Students meet regularly with their faculty sponsors for evaluation and reflection of their experience.	4-8
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.	4-10
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.	12
CLI	9431	Judicial Externship Seminar	Required companion course for all students enrolled in CLI9430.	2
CLI	9432	LLM Externship	Provides students with a first-hand field experience in the environmental area. Non-profit groups; international, federal, state and local government agencies; law firms, and consulting firms are among the many organizations from all over the world to sponsor LLM internships. All internships are supervised by a faculty sponsor and an on-site supervisor.	4-10
CLI	9437	Advanced Energy Clinic	Provides an opportunity to obtain field based experience on a part-time basis.	4-8
CLI	9438	Advanced Food and Agriculture Clinic	Provides an opportunity to obtain field based experience on a part-time basis.	4-8
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.	4-10
CLI	9442	MERL Externship	Provide MERL 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.	4-10
CLI	9444	MFALP Externship	Provide MFALP 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.	4-10
CLI	9446	MARJ Externship	Provide MARJ 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
Criminal Law				
CRI	7262	Constitutional Criminal Procedure	A basic course on Constitutional Criminal Procedure, with a 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. A JD Bar course	3
CRI	7305	Advanced Criminal Law Seminar	This seminar will focus on Alternative Criminal Justice Programs and Responses. Using a national template known as the Sequential Intercept Model, students will be introduced to evidence-based approaches and programs at every stage of the criminal justice system that provide effective alternatives to the traditional model from arrest through release from incarceration. Students will not only gain an in depth knowledge of regional, national and international alternative criminal justice approaches, they will also meet with and learn from leading alternative justice practitioners. An AWR course.	2
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. A JD Bar course.	4
CRI	7313	Capital Punishment	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 culture 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
CRI	7331	Impaired Driving Seminar		3
CRI	7333	Juvenile Justice	Explores the historical and current administration of juvenile justice in the US, including the legal and policy justifications for having a separate system for young offenders, and whether this division continues to make sense today	3
Diversity Courses				
DIV	7606	Civil Rights Seminar	This seminar 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. This examination is based on the PBS video series "Eyes on the Prize" and additional readings. The videos and the readings provide social, cultural, and historical perspectives on the civil rights movement and the legal developments that grew out of that movement.	2

DIV	7610	Race and 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 and 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
DIV	7620	Native Americans and 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
Environmental Courses				
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
ENV	5108	Introduction to Agriculture & Food	Feeding a growing global population—9.6 billion by 2050—without destroying our planet is one of the critical challenges of our time. Overlay the impacts of climate change, international trade, and the influence of corporations on agricultural production, and this is one of the most complex areas of the law and policy. It is also one of the fastest growing areas, fueled by the food movement both domestically and internationally, greater public awareness of food issues and concerns related to the healthfulness of our food. Indeed, this is an exciting time to be studying food systems law. Food and agriculture touch everyone in a multitude of ways. Because of this, students can access the study of food systems from different legal disciplines such as animal welfare, social justice (including immigration and labor), health, environment, and trade.	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	5113	Legal & Policy Writing Seminar	This course will introduce students to key principles of clear and precise writing, familiarize them with legal organization and IRAC (Issue, Rule, Analysis, Conclusion), and teach them the basics of legal research. These basic skills help students succeed in their other classes, as well as in their professional careers. For Masters Students Only	1
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	Communication, Advocacy and Leadership	Designed to provide students with the knowledge and skills to operate effectively in a variety of careers. Topics include communications to achieve public policy aims; development and implementation of legislative and policy campaigns; and management of enterprises. Offered as both ENV and RSJ	3
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	5209	Law of Toxics and Hazardous Waste	Examines CERCLAs broad liability and cost recovery provisions, emergency response and cleanup requirements that extend beyond the usual Superfund sites. Brownfields, natural resources damages, community involvement, recent Supreme Court decisions and statutory amendments will also be addressed. The course will examine how parties escape or limit liability through due diligence, defenses, pollution prevention, settlement, and cost allocation.	3
ENV	5212	Climate Change & the Law	Climate change is the most profound social and environmental issue of the 21st century. This course will integrate the emerging science and law of climate change along with economic and inter-generational equity aspects of the problem. We will consider 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. Different policy instruments will be considered including carbon taxes and emissions trading. State and regional approaches will be considered along with questions of federalism and preemption. Both supply-side and demand-side energy options will be evaluated, along with the transportation and land use sectors. Measures to reduce tropical deforestation and wetland loss will be included. Corporate responsibility, risk disclosures, and the role of socially responsible institutional investors will be examined.	3
ENV	5214	Climate Change Mitigation	Addresses current legal, policy, and economic incentives and problems in our attempt to mitigate our carbon footprint and reduce greenhouse gasses to a more tolerable level. Examines on-going controversies and initiatives at the local, state, regional, national, and international level.	3

ENV	5218	International Climate Change Law	Classes offered under this designation explore special areas of interest, including newly developing areas of law, or specialties of visiting faculty and fellows. Students should consult registration information specific to this course	3
ENV	5220	Environmental Economics and Marketing	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.	3
ENV	5223	Environmental Governance in the Developing World	This course is designed to introduce students to the unique challenges regarding the development, implementation, and enforcement of good environmental governance systems in the developing world. To that end, this course will generally eschew discussions of international environmental law and multilateral environmental agreements, and will instead focus on the domestic environmental law of developing countries, with a focus on China and South East Asia. Due to our work at the US-Asia Partnerships for Environmental Law, this course will draw from a variety of case studies from China and the lower Mekong region to illustrate key points. That said, students will be encouraged to research other areas of the world as part of the research they will conduct in this course. An AWR course.	2
ENV	5225	Environmental Governance Field Study	This course can only be taken in conjunction with ENV5223.	1
ENV	5226	Energy Law and 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. Background readings will include ethical issues of social justice in siting projects and meeting or limiting energy demand, the statutory schemes underlying traditional regulation, and an introduction to wholesale electric markets.	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	5229	Environmental Issues in Business Transactions	An exploration the types of environmental risks and issues that are commonly confronted in a variety of business-related transactions such as the acquisition of all of the stock of a company, asset purchases, real estate deals, leases and financings. Special focus on how the environmental issues in transactions are identified and managed 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
ENV	5230	Global Energy Law	Global Energy Law and Policy explores the current policy framework in a particular region outside of the United States with a focus on clean energy policies. The course will explore the regions policy development process, the current energy policy framework, policies implementing global and regional climate commitments and emerging issues.	2
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
ENV	5238	Global Sustainability Field Study	The Cuban Farm and Energy Tour.	1
ENV	5239	Land Transactions and 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	5242	Resilience and Sustainability	There is a rapidly growing global movement to integrate "resilience" and/or "sustainability" into decision making at all levels in the public and private sectors. In this course, we will explore the law's role in this movement, and how it can serve as a mechanism for positive change. We will see how far we can push the law to help promote a more resilient and sustainable future. We have three primary objectives (and six core competencies described below), 1) to understand the theory and concept of resilience and sustainability, including their applicability to many disciplines, 2) to learn a set of broadly applicable skills necessary to apply the theory of resilience and sustainability to real world legal situations, and 3) to hone your writing and presentation skills as future lawyers and advocates.	3
ENV	5245	Water Resources Law	Water is the planet's most precious natural resource. Deciding how it will be shared among competing demands is one of a society's most challenging questions. Water Resources Law is a review of the law and policies concerned with the allocation of water resources in the United States. This course will examine the three main systems of water law in the United States: Eastern riparian systems, the prior appropriation doctrine of the West, and the nationally diverse laws regulating the use of groundwater. The course will also review federal water allocation issues, interstate water disputes, tribal water rights matters, and will highlight contemporary water allocation dilemmas throughout the country.	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
ENV	5304	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. An AWR class.	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.AWR.	2
ENV	5307	Animals and the Law	This course considers the tensions inherent in trying to serve the needs of humans and animals, plus constitutional limitations of justifiability, due process, and First Amendment guarantees. Students become familiar with litigation tools commonly used in animal law practice.	3
ENV	5310	Environmental Health Law Seminar	Using federal environmental law and state public health law this seminar addresses human health impacts resulting from exposure to physical, chemical, biological, and social factors in the environment. Coverage includes toxic torts, lead poisoning prevention, food protection, and pesticides. Public policy, and the role of government as policymaker and regulator, are emphasized. AWR	2
ENV	5322	Public Lands and Tribal Rights	This course provides a specialized field setting in which students will learn about the statutes, regulations, and other legal mechanisms (like tribal treaty rights and governmental rights) that govern protected public lands, such as National Parks and National Monuments. It will also give students an in-depth legal, cultural, and historical perspective on the various rights and interests held by the indigenous peoples who ancestors occupied these lands for thousands of years prior to European settlers arriving on the Colorado Plateau. The readings and other course materials will prepare students for a week in the field, visiting various sites on protected and unprotected public lands (around Moab, Utah, and points south), and meeting with tribal advocates and their representatives on the "front line" of the battle to protect irreplaceable public lands and natural resources in the (current and former) Bears Ears National Monument, which was partially rescinded by President Trump in 2017. Prerequisite: ENV5235 Natural Resources	1
ENV	5324	Conservation Agriculture		3
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. An AWR class.	2
ENV	5336	Climate Change, Extinction & Adaptation	Students examine the ecological, social and ethical consequences of climate change impacts on the natural world. After reviewing climate disruption's potential to invoke significant habitat modification and biological impoverishment, students consider various legal and policy options to address both the phenomenon of climate change and its effects.	3
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. An AWR Class.	2
ENV	5343	Climate Change Adaptation in Human Systems	Examines the legal challenges raised for society to adapt to the impacts of climate change. Students will examine the confusion and inadequacy of current legal and policy structures to address new risks, and the need for alternative tools in light of rapidly changing circumstances.	3
ENV	5344	Alternative Fuels and Renewable Energy	With an eye toward the impacts of climate change on both natural systems and possible interference on current energy production, this course considers emerging distributed generation models, surveys the range of emerging energy technologies, and examines the local, state and federal laws and policies that govern transition to renewable energy sources.	3
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. An AWR class.	2

ENV	5361	Forest Policy & Law	This course will introduce students to the significant policy and legal issues affecting forests and forest management, using the forests of New England as a case study. Topics to be discussed include the management of forests on private and public lands, forest fragmentation and biodiversity loss, the impact of invasive species, recreational and other evolving forest uses, and the implications and impact of climate change.	1
ENV	5365	Climate Change and 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. An AWR class	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	5401	Agriculture and the Environment	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	5410	The 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
ENV	5411	Federal Regulation of Food and Agriculture		3
ENV	5422	Animal Welfare	A broad and rapidly evolving field of law has developed concerning the welfare of animals that are used for a variety of human purposes, including food, entertainment, research, and companionship. Animals used for these purposes often endure a wide range of abuses that diminish animal welfare while also having an impact on humans. Public views about such uses of animals are rapidly changing. The class will combine traditional principles of animal welfare lws and advocacy with laws typically applied in the wildlife conservation context, such as the Endangered Species and Marine Mammal Protection Act. This class will examine the role of law in understanding and reforming the relationship between humans and animals and improving the condition of animals maintained for human profit and entertainment.	2
ENV	5423	Ocean and 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	5424	Current Issues in Western Resource Litigation	The vast majority of the United States' public lands – National Parks, National Forests, National Wildlife Refuges – are located in the West. Increasing conflicts over resource use, such as extraction versus preservation and motorized versus non-motorized recreation, has led to thousands of court cases in the last three decades. Courts play a major role in public land management. This class explores the intersection of environmental and administrative law with public land management. We take a close look at how NEPA, the ESA, judicial review under the APA, and judicial interpretation of statutes that govern specific public lands (e.g., National Park Service Organic Act, National Forest Management Act) shape and control how are public lands are managed and used.	2
ENV	5425	Clean Transportation Law & Policy	Transportation is the leading source of climate pollution in the United States. This course focuses on a key pathway to reduce those harmful emissions: the electrification of our cars, tracks and buses. We will examine the current federal landscape for regulation of tailpipe emissions and the range of clean transportation poicy options, with a particular focus on the role of electric utilities and how electric vehicles can support a smarter, cleaner electricity grid.	2
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	5442	Human Rights and the Environment	Explores the links in theory and in law between the enjoyment of internationally recognized human rights and protection of the environment through the study of case law finding environmental degradation to constitute a breach of established human rights, and through the analysis of the value and limits of procedural rights and remedies in environmental law.	2
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 n the U.S. and internationally.	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	5469	Oil and Gas Development & and the Environment	Examines the legal and regulatory framework of domestic and international upstream and downstream oil and gas activities.Explores key domestic statutory and common law sources, regulations, and industry standards. Surveys selected international and comparative materials such as oil spill prevention agreements, arbitral decisions, and technical regulations.	3
ENV	5472	Law of Ecosystem Development	The concept of ecosystem management is sweeping through federal and state resource agencies, altering their orientation toward resource use and conservation issues, but what is the law of ecosystem management? This course explores that question beginning with an introduction to the concept of ecosystem management-its history, principles, and current state of play in concrete policy settings. The course then explores laws and regulations relating to the six types of ecosystems often described in ecosystem management literature-forests, grasslands, freshwater, coastal and marine, fragile and human dominated. Perspectives of agencies, resource users, environmental groups and other interest groups will be explored.	2
ENV	5474	Land Conservation Law	Examines the tools available to preserve ecological diversity, historic places, working lands, scenic viewsheds, and open space, such as conservation easements, purchase of sensitive lands, and private/public partnerships for land conservation. The course provides a practical understanding of both the legal and nonlegal dimensions of land conservation transactions involving conservation easements.	2
ENV	5478	Global Food Security & Social Justice	This course addresses the legal landscape of global hunger, and the ways in which climate change, population growth and economic inequality intersect with food security law and policy challenges. We'll address how "food security" and "hunger" are defined and measured for policy-making purposes.	3
ENV	5479	Law and Policy of Local Food	This course explores state and local policies that impact distribution of food, restaurant regulation, and comparisons of state-level initiatives to bolster local food markets. Students will be exposed to specific skills for small and mid-size producers and entrepreneurs working in the agricultural and food industries. Finally, students will examine the state and local food laws and emerging entrepreneurial trends in food production.	3
ENV	5547	Energy Efficiency	This course provides an overview of the energy efficiency policies, programs and measures at the federal and state levels. It covers systems, policies and legal frameworks enabling energy efficiency to serve as an energy resource to the energy system and electric grid. It also highlights new approaches to program design.	3
ENV	5510	Essentials of the 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
ENV	5511	Essentials of the 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 the 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	5550	Renewable Energy Project Finance & Development	An in-depth look at the legal and regulatory issues associated with the development and project financing of renewable energy projects such as wind, hydro, solar, and geothermal, and the basic terms and conditions of the contracts that are necessary for a successful project financing, such as power purchase agreements, engineering contracts, fuel supply arrangements, and operation and maintenance agreements.	2
ENV	5901	ENV Special Topics	Classes offered under this designation explore special areas of interest, including newly developing areas of law, or specialties of visiting faculty and fellows.	1
ENV	5902	ENV Special Topics	Classes offered under this designation explore special areas of interest, including newly developing areas of law, or specialties of visiting faculty and fellows.	2
ENV	5903	ENV Special Topics	Classes offered under this designation explore special areas of interest, including newly developing areas of law, or specialties of visiting faculty and fellows.	3
ENV	6122	Communication, Leadership and Advocacy-China	This course is designed to introduce students to the broad spectrum of strategies and institutions through which public and environmental policy are developed and changed in China, with a special focus on how civil society organizations can play effective roles to enable changes to protect social public interest. Nonprofit environmental nongovernmental organizations (NGOs) experienced rapid growth during China's reform and opening-up era.	2

ENV	6223	Ecological Governance in China	This course will introduce students to current ecological governance, law and operational regulatory requirements in China and Chinese government's idea and efforts to transform economic development to a more green, just, innovative and inclusive growth.	2
ENV	6225	Ecology in Practice-China	Ecology is the study of living organisms and their environments — and the interrelationships between the two. This course aims to enhance students' knowledge on ecological principles and applications through online and classroom teaching on key ecological concepts and integrative field investigations of the Dianchi Lake, Yunnan Province, or Beihai Wetland Ecosystem in Tengchong Country, Yunnan Province of China.	2
ENV	6310	Environmental Law Practice-China	This course teaches the actual practice of environmental law in China, focusing on mechanisms for raising and resolving controversies and disputes through administrative and judicial processes. This course aims to prepare students to be able to work as a staff attorney for an environmental NGO in China, but it can also equip students to work as a private attorney or public environmental law officer.	2
ENV	7380	Advanced 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/updates services.	1
Family Law Courses				
FAM	7710	Estates	This course examines gratuitous transfers by intestate succession, wills, trusts, and other techniques; execution and revocation of wills; will substitutes; administration of estates; family survivors' rights; the nature of trusts and fiduciary relationships; powers of appointment; and future interests. A JD bar class. Prerequisite: REQ7160-Property.	4
FAM	7711	Estates Lab		1
FAM	7715	Family Law	This course will examine the roles of law and of private ordering in family law contexts. Topics which may be included are 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, including negotiation, mediation, and litigation. The course will include simulations and other exercises designed to develop practical skills and to consider substantive law through skill exercises.	3
FAM	7717	Family Law Practice Lab	Family Law Practice is a one-credit simulation-based module designed to provide students with opportunities for transactional learning in addition to those already contained in Family Law. It will also include a professional development component that focuses on the family law practitioner.	1
FAM	7720	Health Care Law	This survey course focuses on the core of current health care litigation and regulation in the United States, namely the issues surrounding liability and quality, and health care organization and finance. By examining common law, state and federal statutes, and interdisciplinary sources, this course covers public health care programs like Medicaid and Medicare; private health care finance and insurance system, including managed care; liability of health care providers and institutions, and its relationship to quality control; information privacy and physician-patient confidentiality; tax status and business forms; and the international context for the unique United States health care system.	3
General Practice Program Courses				
GPP	7810	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
GPP	7813	Real Estate Practice Lab	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.	1
GPP	7815	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	7817	GPP:Criminal Law Bail to Jail	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	7823	GPP:Bankruptcy Lab	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.	1

International Law Courses				
INT	7410	French Legal Methods	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	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
INT	7413	EU 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.	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 placed on the immigration consequences of criminal convictions and humanitarian relief under asylum law and under the Violence Against Women Act.	3
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
INT	7424	International Human Rights	This seminar provides an introduction to international human rights law and procedures. It examines what are "human rights" and explores the law of treaty interpretation, how human rights law is incorporated into domestic legal systems, and the role of international governmental organizations, international and regional courts, and non-governmental organizations in protecting human rights. Students gain experience in researching international law and in international legal analysis. An AWR class.	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
INT	7428	Trade Law and Policy	An introduction to trade law and policy, with particular focus on how U.S. trade policy affects, among other things, jobs for American workers, global prosperity and income distribution, access to needed medicines, and indigenous cultures. We will examine how current WTO rules either advance or sabotage progress toward establishment of a more prosperous and egalitarian world economic order and consider proposed reforms of the investor protection provisions in NAFTA and other regional free trade agreements. AWR class.	3
INT	7432	Applied Human Rights	Students engage in research and advocacy on cutting-edge issues in international human rights law, working directly with non-governmental organizations (NGOs) and inter-governmental organizations under the supervision of the professor. The course has two components: a classroom component of two hours per week, and regular meetings with each student.	3
INT	7443	Forced Migration Crisis	This course will take as its focus the greatest instance of forced migration in Europe since the immediate aftermath of World War II. More than just an examination of the protection of migrants and refugees in general, this course will consider how the enormity of this particular migrant crisis has revealed the considerable fault lines in the law of this area. Students will be introduced to the overall international law framework for dealing with migrants and refugees, the regional frameworks that work in conjunction with that international law, and domestic laws that implement these international and regional norms.	3
INT	7451	Human Rights and the United Nations	An optional addition to the International Human Rights course: Field study of a week at the United Nations in Geneva, to observe first-hand the work of the Human Rights Council, and meet with Special Rapporteurs, NGOs, state delegations to the UN, and UN human rights treaty body members.	1
INT	7455	International Comparative Environmental Law		3
INT	7491	Special Topics International Law	Classes offered under this designation explore special areas of interest, including newly developing areas of law, or specialties of visiting faculty and fellows.	1
INT	7492	Special Topics International Law	Classes offered under this designation explore special areas of interest, including newly developing areas of law, or specialties of visiting faculty and fellows.	2

INT	7493	Special Topics International Law	Classes offered under this designation explore special areas of interest, including newly developing areas of law, or specialties of visiting faculty and fellows.	3
Jurisprudence Law Courses				
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	7307	Culture and the Environment	Interdisciplinary seminar that combines the study of cultural ecology with legal anthropology. The course examines the historical roots of the current environmental crisis in the development of agriculture, urbanization and industrialization. The course focuses on the political and cultural challenges of climate change in other historical periods and the challenges that global warming presents in different parts of the world. AWR	2
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
JUR	7323	Law and 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. An AWR	2
Litigation Courses				
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 on campus 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
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.	3
LLM Courses				
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.	1-6
LLM	9620	L.L.M. Teaching Practicum		1-6
Miscellaneous Law Courses				
MSC	7905	Dean's Fellows	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	7914	Howard University Exchange		14
MSC	7920	Yale University Exchange		14
MSC	7921	University Cergy-Pontoise Exchange		14
	7922	Cambridge Mphil Exchange		14
MSC	7926	McGill Exchange		14
Public Law Courses				
PUB	7500	First Amendment	Covers the core issues of First Amendment law: free speech, free press, free exercise of religion, the establishment clause, and freedom of association. A JD bar class.	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	7522	Election Law	This seminar examines legislative and judicial regulation of the political process. It stresses two main themes: 1) the ways in which Congress and the state legislatures regulate campaigns, elections, and participants in the political process and 2) the ways in which courts can justifiably intervene in that process.	2
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.	10
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. An AWR	3
PUB	7580	State and Local Governments	Examines the interaction between federal, state and local governments, with particular attention to resource management, pollution control, and human rights. The course also covers non-state jurisdictions such as the District of Columbia, Puerto Rico, and Indian Country. An AWR	2
Required Courses				
REQ	7102	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.	3
REQ	7105	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.	2
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	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
REQ	7125	Legal Writing II	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
REQ	7170	Legal Methods	Focuses on building and reinforcing the analytical, writing, and reasoning skills essential for success in law school.	3
REQ	7175	Foundations of Legal Analysis	Focuses on building and reinforcing the analytical, writing, and reasoning skills essential for success in law school.	3

REQ	7185	Legislation/Regulation	This course will provide students an introduction to the legislative process, regulatory agencies, and agency law-making. Students will learn to navigate modern U.S. government institutions and processes, with a particular emphasis on the legislative process and the administrative state. Key topics include the structure and animating principles of the U.S. For JD students only.	3
REQ	7186	Legislation/Regulation Survey	This course will provide students an introduction to the legislative process, regulatory agencies, and agency law-making. Students will learn to navigate modern U.S. government institutions and processes, with a particular emphasis on the legislative process and the administrative state. Key topics include the structure and animating principles of the U.S. For Masters students only.	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	Professional Responsibility	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
Research Courses				
RES	7355	Advance Legal Research Practice	Students will conduct practice area specific research in the following areas: client background and development; litigation preparation; business and industry trends; and federal and state legislative and regulatory history. Students will evaluate online legal research databases and make recommendations for use in their selected practice area and jurisdiction.	3
Restorative Justice Courses				
RSJ	5122	Communication, Advocacy and Leadership	Designed to provide students with the knowledge and skills to operate effectively in a variety of careers. Topics include communications to achieve public policy aims; development and implementation of legislative and policy campaigns; and management of enterprises. Offered as both ENV and RSJ	3
RSJ	7115	Principles of Restorative Justice		3
RSJ	7120	Origins and Evolution of RSJ	This course covers the evolving definitions and history of restorative justice and related regulatory and relational practices and approaches. Faculty and students will consider the ways concepts and debates in restorative justice are evolving and being used to tackle some of society's most challenging problems.	3
RSJ	7140	Applied Criminal Justice	This course explores the use of criminal legal systems to address social and environmental harms. After an introductory section on criminal law and procedure, the course explores conventional and alternative criminal justice approaches to address harms against people, animals, and the environment.	3
RSJ	7210	Adversity, Trauma Victimization	This course will explore the legal, historical, cultural, and psychological frameworks underlying victim rights law, as well as best practices for effective victim/survivor engagement across the American criminal justice system.	3
RSJ	7215	Narrative Writing Seminar		3
RSJ	7270	Clemency Pardon Expungement		3
RSJ	7330	Restorative Justice in Education Institutions	This course explores how restorative justice approaches can provide important alternatives to more traditional responses to harm within educational settings.	3
RSJ	7340	Race, Crimes and Restorative Justice	This course focuses on race, the criminal justice system, and the potential role of restorative justice in healing racial divides and discriminatory injustice. Beginning with our founding documents, the course traces the disparate impact of the criminal justice system on people of color. No prerequisite but Criminal Law is highly recommended.	3
RSJ	7350	Ethics and Restorative Justice	This course provides a brief review of ethical codes of conduct applicable in various professional disciplines and analyzes the possible tension between modern codes of conduct and a pure restorative approach to harm and conflict. Students will be presented with a series of ethical dilemmas by guest practitioners across various disciplines and will be asked to analyze the ethical issues in each problem. The course will draw upon philosophical underpinnings and will analyze and explore how to discern a proper path in complex ethical situations.	3
RSJ	7360	Advanced Victim Rights	This course builds upon the foundation of Adversity, Trauma and Victimization to explore deeply the legal interplay between victim rights and the criminal justice system. Students will engage in detailed analysis of victim rights law and their juxtaposition with constitutional and other protections for criminal defendants.	3
Writing Courses				
WRI	7301	Advanced 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 policy and law related to the student's degree and/or certificate requirement. AWR class. Also meets the writing requirement for MERL, MFALP, LLM-Energy and LLM-Food and Ag.	3

WRI	7352	Bar Exam Skills	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
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). An AWR class	1-3
WRI	7950	Law Review I		2
WRI	7951	Law Review II		1
WRI	7960	Environmental Law Journal I		2
WRI	7961	Environmental Law Journal II		1
WRI	7970	February Early Bar	February Early Bar ("FEB") Course is a six-credit course designed to prepare students to sit for the Vermont (UBE) February bar exam prior to graduating in May. No additional commercial bar preparation class will be needed. FEB covers the 12 subjects tested on the UBE and Kaplan's full bar prep course and VLS professors provide additional instruction and practice.	6
WRI	7975	July Early Bar	July Early Bar ("JEB") Course is a six-credit course designed to prepare students to sit for the Vermont (UBE) July bar exam prior to graduating. No additional commercial bar preparation class will be needed. JEB covers the 12 subjects tested on the UBE and Kaplan's full bar prep course and VLS professors provide additional instruction and practice.	6



GENERAL INFORMATION

GENERAL INFORMATION

ADMISSIONS

Application to Vermont Law School's Juris Doctor (JD), Master of Environmental Law and Policy (MELP), Master of Energy Regulation and Law (MERL), Master of Food and Agriculture Law and Policy (MFALP), Master of Arts in Restorative Justice (MARJ), or Professional Certificate in Restorative Justice 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.

Vermont Law School is required by Section 504 of the Rehabilitation Act and the American with Disabilities Act (ADA) to provide reasonable accommodations for students and prospective students with disabilities if such accommodations are necessary to provide equitable access to our programs and services. If a student requires accommodations during the application process, they should visit vermontlaw.edu/community/students/academic-success/accommodations for more information.

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 lsac.org) if applying to the JD program or through an evaluation agency such as World Education Services (wes.org), Spantran (spanside.secure.force.com), or Educational Credential Evaluators Inc. (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 (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 an F-1 visa, if needed. The I-230 visa will not be issued without this documentation.

DEFERRED ADMISSION

Vermont Law School does not offer deferred admission to admitted or deposited applicants. We encourage all applicants to apply to Vermont Law School in the year they wish to enroll.

REAPPLICATION

Vermont Law School keeps application materials on file through the end of each academic year. Individuals who applied for admission during a previous academic year should follow regular application instructions for the academic year during which they would like to start which includes: filing a new application, submitting new financial aid forms, and paying the \$60 application fee. Additionally, they should 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 \$750 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 Admissions, 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
admiss@vermontlaw.edu
vermontlaw.edu