

# ACADEMIC POLICIES

## Academic Policies Guide

This guide describes the procedures and rules that will ordinarily govern academic and student life at the New York University School of Law.

No effort has been made, nor could one be made, to anticipate all issues that might arise in the course of the academic career of all students.

These procedures and rules may be amended from time to time by the Law School Administration, Law School committees, or the faculty of the Law School.

The rules and procedures in the handbook may also be superseded, suspended, or complemented by the Law School or University administrators as they may deem it necessary and proper, in particular extenuating circumstances, in the discharge of their responsibility to protect the Law School's academic objectives and reputation, including its learning environment and the safety of its students, faculty and staff.

Nothing in this handbook is intended to create, nor shall anything be understood to create, contractual or legally enforceable rights.

## Honors and Awards

### Honors

New York University School of Law does not rank students and does not maintain records of cumulative averages for its students. For the specific purpose of awarding scholastic honors, however, unofficial cumulative averages are calculated by the Office of Records and Registration.

The office is specifically precluded by faculty rule from publishing the averages and no record thereof will appear upon any transcript issued. In addition, the Office of Records and Registration may not verify the results of a student's endeavor to define his or her own cumulative average or class rank, including confirmation to prospective employers. Only grades posted by May 31 will be considered when calculating grade point average for Scholars, the Order of Coif, and Latin honors. This deadline may be extended by the Vice Dean only if grades for an entire class have not yet been submitted.

### Scholars

At the end of the first year, as soon as spring grades are available, the ten students with the top cumulative grades from the first year will be designated as Pomeroy Scholars.<sup>1</sup>

Following the first four semesters registered in the Law School (equivalent to a minimum of 54 law credits), the following designations will be made. These honors are not available to students who transferred to NYU School of Law in their second year.

- The ten students with the top cumulative grades after four semesters will be designated as Butler Scholars.<sup>1</sup>
- The top 10% of students based on their cumulative four semester averages (other than Butler Scholars) will be designated as Florence Allen Scholars.<sup>1</sup>
- The top 25% of students based on their cumulative four semester averages (other than Butler and Allen Scholars) will be designated as Robert McKay Scholars.<sup>1</sup>

<sup>1</sup>These designations were introduced beginning with the Class of 1999.

## Cum Laude, Magna Cum Laude and Summa Cum Laude

The following honors are awarded each year to members of the graduating class:

- Cum laude: to graduates whose grade point average places them in the top 25% of their class.
- Magna cum laude: to graduates whose grade point average places them in the top 10% of their class.
- Summa cum laude: to the very few students (if any in a particular year) who, in the judgment of the Executive Committee, have compiled a truly outstanding academic record.

## Prizes

The following prizes and honors will be listed on transcripts:

- Summa Cum Laude, Magna Cum Laude, or Cum Laude Graduation
- Order of the Coif
- Convocation Awards
- Staff and editorial positions of these organizations:
  - Annual Survey of American Law
  - Environmental Law Journal
  - Journal of Intellectual Property & Entertainment Law
  - Journal of International Law and Politics
  - Journal of Law & Business
  - Journal of Law & Liberty
  - Journal of Legislation and Public Policy
  - Law Review
  - Moot Court
  - Review of Law & Social Change

## Residency Requirements

Rules of the American Bar Association, the New York State Court of Appeals, other state high courts, and the Law School itself all require regular classroom attendance. Students are advised that excessive absenteeism can result without warning in:

1. grade lowering or
2. denial of permission to complete course work and/or sit for the exam or receipt of a grade of WD (withdrawn) or FAB (failed for absence).

Missing more than one-fifth of classes is presumptively excessive. Any student who finds himself or herself at risk of missing more than one-fifth of classes for any course should immediately speak with the instructor and/or Dean of Students. Please note that these rules supersede the policy that a student may drop a course up until the last day of the class without receiving a WD on his or her transcript.

Faculty members may establish a higher standard of regular attendance than that described above, and may also take this higher standard of attendance, class participation, and the quality of class performance into account in determining the student's grade as long as the faculty member has, during the first week of classes, announced an intention to do so or has included that intention in the syllabus or other class materials distributed in the first week of class.

The student's obligation to be in regular attendance derives both from faculty rule and the rule of state bar examiners. As a prerequisite to a student's admission to the bar, the Dean must certify to state boards of law examiners that the student has been in regular attendance. The

Law School must be the student's principal commitment during each semester. Extensive employment is disfavored because of its tendency to interfere with the student's academic life at the Law School. In no event may a student devote more than 20 hours in any week to such employment during the semester.

JD students must complete six full-time semesters within five years of their initial registration at and through the Law School unless extended or modified by the Vice Dean or vote of the Executive Committee, consistent with ABA and Court rules. This requirement is a prerequisite to receipt of the Juris Doctor (JD) degree. Certification of attendance and graduation is a prerequisite for admission to the bar examination.

LLM students must complete their degree requirements within five years of their initial registration at and through the Law School unless extended or modified through the Vice Dean or vote of the Executive Committee. This requirement is a prerequisite to receipt of the Master of Laws (LLM) degree. If the LLM is needed for bar eligibility, certification of attendance and graduation is a prerequisite for admission to the bar examination. Further, note that if the LLM is needed for New York bar eligibility, the rules of the New York Court of Appeals require the degree to be completed within two years.

Students will not be registered for courses with overlapping times. This is against the attendance policies of the ABA and the Court of Appeals.

## Graduation

### Applying for Graduation

Degrees from New York University School of Law are awarded in May, September, and January. In order for students to be eligible for the JD, LLM, or JSD degree and sit for the appropriate bar examination, they must have completed all graduation requirements and timely submitted all required forms. Part-time students must place his or her name on the degree list by applying for graduation using Albert. (Note: The Office of Records and Registration will enter the graduation applications in Albert for full-time JD and LLM students.) Instructions can be found on the University Registrar's (<http://www.nyu.edu/registrar/graduation/apply.html>) website. Please ensure that your address and phone number are current. This application ensures that you are on the degree list and that you receive all mailings relevant to graduation. Students who do not apply for graduation (part-time students) will not have their name printed in the Convocation Program and will not be processed for degree clearance.

See Applying for Graduation (<https://www.nyu.edu/students/student-information-and-resources/registration-records-and-graduation/graduation-and-diplomas/graduation-information.html#Graduation>) for application dates and deadlines.

### Course Requirements for Graduation and Bar Certification

It is the student's responsibility to meet all program and graduation requirements. Completion of requirements includes having a grade recorded for every course for which the student has registered. All students must complete incomplete work from prior semesters no later than May 1 of their final semester. Students graduating in other semesters should contact the appropriate program office for the deadline. Students must complete all work from their final semester by the last day of the exam period for that semester. Students who have

not met all graduation requirements, including satisfying all financial obligations, WILL NOT be certified for the Bar examination.

### Financial Arrears at Time of Graduation

A student who, at the time of graduation, is financially obligated to the Bursar for tuition, housing (including summer housing after the final semester), any NYU library or other departments will have a 'STOP' placed on their account and will not be certified for state bar examinations, have official transcripts issued, or have a diploma issued until all arrears have been paid. It is the student's responsibility to make sure all accounts are cleared prior to June 10 since the deadline for some state Bars is July 1 and time is needed to process paperwork.

### New York State Health Law Compliant at Time of Graduation

A student who, at the time of graduation, is not in compliance with New York State Health Law requirements for immunization against Measles, Mumps and Rubella and/or the requirement for either agreeing to waive the Meningitis vaccination or provide proof of same, will not be certified (and transcript and diploma will not be printed).

### Undergraduate Transcript and College Questionnaire

A student, who, at the time of graduation, has not provided both the final undergraduate transcript and the completed college questionnaire, will not be certified for the bar and transcript and diploma will not be printed.

### Diploma

If you would like your name to appear differently on your diploma than it does on Albert, you must make changes through the University Registrar. See Paper and Electronic Diplomas (<https://www.nyu.edu/students/student-information-and-resources/registration-records-and-graduation/graduation-and-diplomas/diplomas.html#nameondiploma>) for more information. The diploma cannot be re-issued if you would like your name to appear differently after it has been printed. Also review your permanent address on Albert; this is the address to which your diploma will be mailed approximately two months after graduation. A recipient of a May degree can expect to receive this diploma by mail in September.

## JD

### Certification for Bar Examination

It is the student's responsibility to complete all work and meet all graduation requirements. Unless an extension is granted by the Vice Dean's office in consultation with the faculty member, students must complete incomplete work from prior semesters no later than May 1st of their final semester. Students must complete all work from their final semester by the last day of the exam period. All grades must be entered by the University Registrar's Office before a student can be certified to take the Bar Examination.

It is the student's responsibility until the date of the Bar Examination to update all contact information on Albert (e.g., address, phone number, etc.). We must be able to contact you if questions arise.

A student who, at the time of graduation, is financially obligated to the University for tuition, housing (including summer housing after the final semester), library, or other services, or who are not in compliance with University Health Center immunization requirements, will have a "HOLD" placed on their account, will not be cleared for graduation, be certified for state bar examinations, have official transcripts issued, or have a diploma

issued until all arrears have been paid. It is the student's responsibility to make sure all accounts are cleared and all Stops/Holds are removed.

## LLM

### Graduation Eligibility

Please note that you are not responsible for applying for graduation, but you are responsible for making sure that you fulfill all requirements prior to graduation. Neither the Records Office nor the Office of Graduate Affairs is able to monitor the transcripts or curricular choices of every student. Prior to registration for your final term, it is your responsibility to review these requirements to ensure that you will have satisfied all of them. It is highly advisable to have the requirements in mind as you make your course selections. If you have questions about requirements, please contact the Office of Graduate Affairs.

### Certification for Bar Examination

It is the student's responsibility to complete all work and meet all graduation requirements. Unless an extension is granted by the Vice Dean's office in consultation with the faculty member, students must complete incomplete work from prior semesters no later than May 1 of their final semester. Students must complete all work from their final semester by the last day of the exam period. All grades must be entered by the University Registrar's Office before a student can be certified to take the bar examination.

It is the student's responsibility until the date of the bar examination to update all contact information on Albert (e.g., address, phone number, etc.). We must be able to contact you if questions arise.

A student who, at the time of graduation, is financially obligated to the University for tuition, housing (including summer housing after the final semester), library (fines of \$100.00 or more or lost books), or other services, or who is not in compliance with University Health Center immunization requirements, will have a "HOLD" placed on his or her account, will not be cleared for graduation, will not be certified for state bar examinations, will not have official transcripts issued, nor have a diploma issued until all arrears have been paid. It is the student's responsibility to make sure all accounts are cleared and all Stops/Holds are removed. For specific inquiries on the bar examination, review the information posted online in the Bar Exams section of the Records and Registration website.

## Transfer and Articulation Agreements

At the discretion of the Vice Dean, a candidate for the LLM degree may be allowed to transfer credit for courses taken at another institution if:

1. the courses were taken as graduate courses at a law school accredited by the Section of Legal Education of the American Bar Association or an equivalent non-US school;
2. the courses were taken after the candidate received his or her first degree in law;
3. the courses were completed with a grade point average of 3.0 or better (on a 4.0 scale); and
4. the candidate received no credit for these courses toward any other degree.

Grades from courses taken at another institution or other divisions of NYU are not used in computing grade point averages.

University regulations require every candidate to complete 16 credit hours in residence at the NYU School of Law in order to qualify for the LLM degree. In addition, Law School regulations require a student to

successfully complete the minimum number of in-field credits required for such student's degree program.

Subject to the foregoing limitations, transfer credit can be obtained for work done either before or after a student's initial matriculation at the Law School. If a presently enrolled student plans to take a course at another school for transfer credit, the course must be directly related to the study of law in order for credit to be applied towards the LLM degree. Few courses in other disciplines can meet this standard. The student should consult with the Office of Graduate Affairs about his or her plans before registering for the course.

## Grading

### Grading System and Academic Standards

To a great degree, a student's final grade in many of the courses offered at NYU School of Law is dependent upon the grade received on the final examination. As a result, adequate preparation for the examination cannot be recommended too highly. No grade will be recorded for a course or section of a course in which the student is not officially registered and retroactive registration is not permitted.

### Grading System

The grading system used for JDs beginning Fall 1990 and LLMs beginning Summer 1987 through Summer 2008 was

Grade	Description
A	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C	2.0
D	1.0
F	0

The grading system used for JDs and LLMs effective Fall 2008 through Summer 2018 is

Grade	Description
A+	4.33
A	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C	2.0
D	1.0
F	0

The grading system for JDs and LLMs effective Fall 2018 is

Grade	Description
A+	4.333
A	4.000
A-	3.667
B+	3.333
B	3.000
B-	2.667

C	2.000
D	1.000
F	0.000

Other symbols used on Law School transcripts are:

### CR (Credit)

This symbol is used

1. to show successful completion of participation on student publications or as Teaching Assistants (J.D. students only),
2. in specified courses in which the student has elected the Credit/Fail option, rather than a grade (JD students only),
3. in cases where a student in good standing withdraws for military service, provided he or she does not receive a tuition refund and has continued in attendance through two-thirds of the semester for which credit is sought, and
4. in other cases where a student receives credit for completion of a course but the Executive Committee has decided that it would be impossible or improper to assign a grade to such work (e.g., a lost examination paper).

A grade of Credit cannot be granted for required courses and/or Directed Research. A grade of Credit is awarded for certain zero credit LLM courses and the JD Lawyering course.

### EXC (Excused)

This symbol reflects an absence from an examination that has been excused by the Office of the Vice Dean for good cause. Where practical, the absence should be approved before the examination is scheduled to be given. If excused from the scheduled exam, the student may take the exam at the next time regularly scheduled during the student's tenure at the Law School. If the course is required, the student must take the exam.

### FAB (Fail/Absence)

This symbol denotes an un-excused absence from an examination or an un-excused failure to hand in a take-home examination or paper in the time allowed by the instructor. If an excuse for absence is accepted as satisfactory by the Office of the Vice Dean or the Executive Committee, "FAB" will be replaced by "EXC." If this absence is not excused, the grade of "FAB" will become final.

### FX

This symbol denotes failure due to cheating or plagiarism or violation of other rules governing academic honesty. See the discipline rules beginning at page 46.

### INC (Incomplete) / IP (In Progress)

In the following situations, students received an "INC" prior to fall 2009; beginning fall 2009 students receive a grade of "IP." This symbol is used in seminar courses, directed research, or similar study when the student has made prior arrangements with the instructor to submit work later than the end of the semester in which the course is given. Third-year students who have grades of incomplete in courses from prior semesters must complete and submit all work required for the course no later than May 1 of their sixth semester or at such earlier date as the faculty member requires. Full-time LLM students must submit a final version of incomplete work no later than May 1 of their second semester. The May 1 deadline is necessary to enable faculty sufficient time to evaluate the student's work and submit a grade and for the School to be able to certify the student for graduation and to sit for the July bar exam. It is the student's responsibility to arrange a submission schedule with the

instructor. An extension may only be granted by the Office of the Vice Dean in consultation with the faculty member.

January graduates must submit all work required for the course by January 5, and September graduates by September 1. Please note that if these dates occur on a weekend, the work is required to be submitted by the preceding Friday.

Part-time LLM students must adhere to the work submission deadline of the term in which they are graduating. If the work remains incomplete at the end of this period, students will not be certified to graduate nor certified to sit for the bar UNLESS they have sufficient credits to graduate without the credit for the incomplete course. If the student has sufficient credits to graduate, the "INC" will be replaced by "WD." The course work cannot be completed after the student has been certified to graduate.

If the work remains incomplete at the end of this period, and the student does not have sufficient credits to graduate, the "INC" or "IP" will remain on the transcript for two years after which the "INC" or "IP" will be replaced by "FAB."

Because the faculty member who will be grading the student's work may not be in residence at the School during the student's final semester, students are advised to ascertain the expected whereabouts of any faculty member for whom they have yet to complete work and make arrangements for timely submission of their work so it can be graded in time for graduation and bar certification. This is the student's responsibility. Students are advised that faculty members may be absent from the School for many reasons. For example, the faculty member may be on sabbatical or leave; or he or she may have been a visitor to the School or a Global Faculty Member who teaches intermittently and resides in a foreign country.

### WD (Withdrawn)

This symbol denotes a withdrawal in writing from a course. Students who withdraw from a course by the last day of classes in the semester will not have a "WD" noted on their transcript. Thereafter, the student must take an examination or produce a paper (where the course is graded on the basis of a paper or the instructor agrees to allow a paper in lieu of examination). Failure to take an examination or produce a paper will result in an "FAB" unless for good cause, on timely application, the Executive Committee is willing to change the grade to a "WD." A faculty member may require withdrawal with a grade of "WD" for poor attendance or for failure to make satisfactory progress.

## Grading Guidelines as of Fall 2008; Further Amended and Effective as of Fall 2020

Grading guidelines for JD and LLM students were adopted by the faculty effective fall 2008. These guidelines represented the faculty's collective judgment that ordinarily the distribution of grades in any course will be within the limits suggested. An A+ grade was also added.

Effective fall 2020, the first-year J.D. grading curve has been amended to remove the previous requirement of a mandatory percentage of B minus grades. B minus grades are now permitted in the J.D. first year at 0-8% but are no longer required. This change in the grading curve was proposed by the SBA and then endorsed by the Executive Committee and adopted by the faculty. Grades for JD and LLM students in upper-level courses continue to be governed by a discretionary curve in which B minus grades are permitted at 4-11% (target 7-8%).

The guidelines for first-year JD courses are mandatory and binding on faculty members; again noting that a mandatory percentage of B minus

grades are no longer required. In addition, the guidelines with respect to the A+ grade are mandatory in all courses. In all other cases, the guidelines are only advisory.

With the exception of the A+ rules, the guidelines do not apply to all seminar courses, defined for this purpose to mean any course in which there are fewer than 28 students.

In classes in which credit/fail grades are permitted, these percentages should be calculated only using students taking the course for a letter grade. If there are fewer than 28 students taking the course for a letter grade, the guidelines do not apply.

## JD & LLM

### First-Year JD (Mandatory)

- A+: 0-2% (target = 1%) (see note 1 below)
- A: 7-13% (target = 10%)
- A-: 16-24% (target = 20%)
- Maximum for A tier = 31%
- B+: 22-30% (target = 26%)
- Maximum grades above B = 57%
- B:  
remainder
- B-: 0-8%\*
- C/D/F: 0-5%

### All Other JD and LLM (Non-Mandatory)

- A+: 0-2% (target = 1%) (see note 1 below)
- A: 7-13% (target = 10%)
- A-: 16-24% (target = 20%)
- Maximum for A tier = 31%
- B+: 22-30% (target = 26%)
- Maximum grades above B = 57%
- B: remainder
- B-: 4-11% (target 7-8%)
- C/D/F: 0-5%

## Important Notes

The cap on the A+ grade is mandatory for all courses. However, at least one A+ can be awarded in any course. These rules apply even in courses, such as seminars, where fewer than 28 students are enrolled.

The percentages above are based on the number of individual grades given – not a raw percentage of the total number of students in the class.

Normal statistical rounding rules apply for all purposes, so that percentages will be rounded up if they are above .5, and down if they are .5 or below. This means that, for example, in a typical first-year class of 89 students, 2 A+ grades could be awarded.

As of fall 2020, there is no mandatory percentage of B minus grades for first-year classes.

## Submission of Grades by Faculty

Except in unusual circumstances, and with permission from the Office of the Vice Dean, grades must be submitted to the Office of Records and Registration (FH 400) in accordance with the following schedule. Grades are deemed submitted when the Office of Records and Registration receives the final grade roster in the form appropriate for submission to the University Registrar.

1. For Fall Semester
  - a. for full-semester courses,
    - i. All first-year examinations and any upper-level class with 100 or less exams  
Grades will be due no later than January 16 (or if a weekend day or holiday then the first immediately preceding business day); since January 16, 2024, is NOT a holiday, all grades for first-year classes are due Tuesday, January 16, 2024. All grades for upper-level classes with 100 or less exams are also due on Tuesday, January 16, 2024.
    - upper-level examinations
    - ii. for instructors with between 101 and 159 examinations, all grades are due no later than the Tuesday after Martin Luther King Jr. Day or three days before the International Students Interview Program (or if a weekend day or holiday then the first immediately preceding business day), whichever is later. In 2024, Martin Luther King Jr. holiday is January 15, and the International Students Interview Program is January 25-26. Therefore, these grades are due January 22, 2024.
    - iii. for instructors with 160 or more examinations, grades in one of the classes are due as in paragraph (b) and in the other class ten calendar days thereafter (or if a weekend day, the first business day thereafter) (i.e. February 1, 2024).
    - iv. provided however that all first-year grades are due as prescribed in paragraph 1 (a).
  - b. for courses that end four or more weeks before the last day of classes, no later than the last day of final examinations.
2. For Spring Semester
  - a. For full-semester courses, no later than May 24, 2024.
  - b. For courses that end four or more weeks before the last day of classes, no later than the last day of final examinations.
3. For Summer Semester
  - a. For Summer 2023 semester, all grades are due by Friday, August 25, 2023.
  - b. For Summer 2024 semester, all grades are due by Friday, August 23, 2024.

## Changing Grades

After a professor has submitted a grade to the Office of Records and Registration, the professor may not change the grade unless he or she certifies in writing that it was incorrect as a result of a mechanical computation or transcription error. If a grade is changed as a result of mechanical computation or transcription error the professor must send a memo to the student explaining the reason for the grade change with a copy to the Office of Records and Registration. A grade may not be changed as a result of a reevaluation of a student's work. Under University rule grades may not be changed for any reason after the student has graduated.

## Objecting to a Grade; Appeal of a Grade

As explained in the above section on "Changing Grades," a professor cannot change an already-submitted grade unless the professor certifies in writing that the grade was incorrect as a result of a mechanical computation or transcription error; a grade may not be changed as a result of a reevaluation of a student's work; grades cannot be changed for any reason after the student has graduated.

If a student wishes to object to or question a grade, the student should always go to the professor in the first instance. Determination of

grades – and review of grades for errors – are within the functions and responsibilities of the teacher of the course.

If a student believes that a grade is erroneous due to mechanical computation or transcription error – or if the student believes there is some other basis for objecting to a grade that allows a grade change pursuant to the above rule on “Changing Grades” – the student should first raise the issue with the professor. In order to ensure timely resolution of issues, the student must bring the matter to the professor’s attention by no later than 30 days after the grade was posted.

If the professor concludes that the original grade is correct and should remain, the student can appeal the decision to the Vice Dean for Curriculum (currently Randy Hertz, reachable at [randy.hertz@nyu.edu](mailto:randy.hertz@nyu.edu)). An appeal to the Vice Dean must be made by no later than 30 days after the professor informs the student that the grade will not be changed.

If the student is dissatisfied with the Vice Dean’s decision, the student can request that the Vice Dean submit the matter to the Executive Committee for resolution. A request for Executive Committee resolution must be made no later than 30 days after the Vice Dean sends a decision to the student. Although the Vice Dean normally sits as a member of the Executive Committee, the Vice Dean will be recused from Committee review of the Vice Dean’s decision. A decision of the Executive Committee constitutes the final resolution of the matter. There are no further appeals within the Law School or the University.

## Reporting of Grades

Grades may be obtained by logging onto Albert through NYUHome after the exam period is over and once grades have been entered. Grade distribution information will be posted online on our website as soon as possible after it is received by the Records Office.

## Internships

No credit is given for internships.

## Computation of Credit Hours

According to ABA Rules, a “credit hour” is an amount of work that reasonably approximates:

1. not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time; or
2. at least an equivalent amount of work as required in subparagraph (1) of this definition for other academic activities as established by the institution, including simulation, field placement, clinical, co-curricular, and other academic work leading to the award of credit hours.

For purposes of this Standard, fifty minutes suffices for one hour of classroom or direct faculty instruction. An “hour” for out-of-class student work is sixty minutes. The fifteen-week period may include one week for a final examination.

For courses taken elsewhere in the University toward a Law degree, Law students will earn credits calculated as above (rounded down to the nearest quarter credit).

# Academic Standing and Progress

## JD Division

### General Requirements

- Credit requirements
- Class Attendance and Residence Requirements
- Time Allowed for Completing Degree Requirements
- Leave of Absence/Requirement of Continuous Registration

### Program Requirements

- Full-time Status
- Required Courses
- Overall Caps (Including Adjunct Credit Cap)
- Regularly Scheduled Class Sessions (at the Law School)
- Non-Classroom Credit Caps

### Academic Progress

- Required grades for graduation
- Grades of F-Failure, Re-Registration and Substitution
- Satisfactory Academic Progress
- Dismissal for Academic Reasons
- Certification for the Bar Examination

### Non-Classroom Credits

- Directed Research
- Fellowships
- Journals and Moot Court Board
- Research Assistantships
- Teaching Assistantships

### Cross-Registration and Dual Degree Programs

- Columbia Law School/NYU School of Law Exchange
- Dual Degree Programs
- Language Courses in the College of Arts & Science
- Other Divisions at the University
- Stern School of Business Preferential Courses

### Letters of Concern and Warning

Each semester, the Office of the Vice Dean reviews the records of students in academic difficulty. At the discretion of the Vice Dean, letters of concern may be sent to those students informing them that the Law School expects improvement in academic performance in the future semesters. Letters of warning may be sent to students whom the Vice Dean deems to be in academic difficulty of a more serious nature indicating the necessity for immediate remedial action. Receipt of a letter of concern or warning does not constitute academic probation.

### Dismissal for Academic Reasons

A student may be dismissed for academic reasons only by the faculty members of the Executive Committee. The basic standard used by the Executive Committee in determining the question of academic dismissal is the likelihood of the student’s failing to meet the graduation requirements in the normal number of semesters. A student who has accumulated a sufficient number of F, uncompensated D, or INC grades to indicate that he or she is not reasonably able to meet the graduation requirements in six full-time semesters without exceeding the 15 credit per semester maximum will be dismissed, unless extraordinary reasons are shown for extending the time period.

Further in determining academic dismissal the Executive Committee will also consider the limits set forth in the section above entitled "Re-registration and Substitution."

### Required Grades for Graduation

The Law School does not count toward the credits needed for graduation more than 8 hours of uncompensated D grades. In order to be counted, D grades in excess of 8 hours must be compensated for by grades of B or better. One hour of B compensates for one hour of D; one hour of B+ compensates for one-and-a-half hours of D; one hour of A- or A compensates for 2 hours of D.

D grades accumulated during the student's first semester of Law School are not included in D grades for which there must be compensation, but A, A-, B+, and B grades for the first semester can compensate for D grades earned thereafter.

### Grades of F-Failure, Re-Registration and Substitution

- A student cannot graduate without having obtained a grade of D or better in all required courses.
- Students who fail a required course must re-register for the course.
- Students who fail an elective course may re-register for the course, or substitute the lost credits by registering for another elective course.
- A full-time student who registers for a failed or substitute course during a following semester, and who does not exceed the cap on total credits earned while at the Law School (90 credits over six semesters), may pay the flat tuition fee for that semester, provided however, that a student who registers for a failed or substitute course during a seventh or later semester must pay tuition for the course on a per credit basis.
- Once a grade has been entered, it cannot be changed by the instructor unless the instructor certifies in writing that a mechanical error was made in computing the component parts of the examination into the final grade or in transcribing the grade onto the course report sheet. Under University rule grades may not be changed for any reason after the student has graduated.

### Satisfactory Academic Progress

All students must maintain satisfactory academic progress. For JD students, satisfactory academic progress is understood to mean:

- Completion of the required first-year curriculum during the first year of enrollment with a grade of D or better in all courses, and no more than eight (8) credit hours of "uncompensated" D grades in the Spring semester.
- Thereafter, completion (with a grade of D or better and no more than eight hours of "uncompensated" D grades) of sufficient credits of course work in each semester to allow for accumulation of a total of at least 83 (or if applicable 82) credits including 30 accumulated in the first year by the end of the third year. A minimum of 12 credits must be completed each semester. (Completion of courses requiring papers is subject to the rules regarding the grade of "INC".)
- Leaves of absence or other exceptions to the rules regarding satisfactory progress may be granted only by a Dean or the Executive Committee. A student who takes an approved leave of absence will be considered to be making satisfactory progress, assuming that student is otherwise doing so. Letters of Concern and Warning Each semester, the Office of the Vice Dean reviews the records of students in academic difficulty. At the discretion of the Vice Dean, letters of concern may be sent to those students informing them that the Law School expects improvement in academic performance in the future semesters. Letters of warning may be sent to students whom the

Vice Dean deems to be in academic difficulty of a more serious nature indicating the necessity for immediate remedial action. Receipt of a letter of concern or warning does not constitute academic probation.

## LLM

### Requirement of Continuous Registration/Leave of Absence

Every candidate for the LLM degree must be in continuous attendance by successfully completing at least one course each semester (excluding the summer session), unless a leave of absence is granted before the start of the semester by the Dean of Students. Leaves of absence are granted only for adequate reason and only to students who are in good academic standing. Students who have not completed their first term at the School of Law are not eligible for a leave of absence. Such students may request withdrawal only, and will be required to reapply to the School of Law in the event they wish to return. A maintenance of matriculation and services fee is charged for each semester a student is on leave of absence.

A leave of absence does not extend the five-year period allotted for obtaining the LLM degree. Please contact the Office of Student Affairs for detailed information.

### Change of Status

In rare cases, LLM students may change their status from full-time to part-time or part-time to full-time. Newly accepted students must petition the Office of Graduate Admissions; continuing students must petition the Office of Graduate Affairs. For part-time students, tuition rates will be assessed on a per credit basis, and students should consult the Office of Financial Services for information on the financial implications of a change.

### Change of Program

If you wish to change your program, you must submit a petition via e-mail to the Office of Graduate Affairs to initiate this process. You may only transfer from the program to which you have been admitted into another program with the approval of the Director of the program into which you want to transfer. Following the end of the add/drop period for the Spring semester, requests for a change of program by full-time students will only be considered in exceptional circumstances and with the consent of the Faculty Director and the Vice Dean. Requests for change of program by part-time students who have already completed 12 credits will also only be considered in exceptional circumstances and with the consent of the program Director and Vice Dean.

### Grading

Please refer to [Grading System & Academic Standards](#) for detailed information

### Credit/Fail Exception for LLM Students

\*LLM students are not permitted to elect to take classes on a credit/fail basis.\*

### Non-Classroom Activities for LLM students (Journals, Moot Courts, Teaching and Research Assistantships)

Credits earned during the relatively short span of the LLM are to focus on classroom work. Graduate students are not eligible to receive academic credit for participation in Journals or moot courts. Students who participate in Journals will receive a notation on their transcripts.

Graduate students are not eligible for teaching assistantships. Faculty members may offer LLM students the opportunity to work as research assistants for monetary compensation or, if the professor deems it appropriate based on the nature of the work, for academic credit. For

further details, review the information on serving as a research assistant for faculty.

### Academic Progress

Please refer to Graduate Division: Academic Progress for further details.

Topics covered include:

- LLM Required Grade Point Average
- LLM Re-Registration and Substitution
- Letters of Concern and Warning
- Dismissal for Academic Reasons

### Auditing

With the permission of the instructor and subject to such conditions as the instructor may impose, a student may audit a course.

For any advanced Taxation course with an online component, such as “combined,” “parallel,” or “online-only” courses, students who wish to audit must officially register for the course on an audit basis. Please note: part-time, certificate and Executive LLM in Taxation students who register for any such course on an audit basis will be charged tuition and fees for each course.

Courses that are closed (filled) may not be audited. Auditing courses is considered “unofficial,” and students:

- do not enroll in those courses,
- do not take examinations in those courses, and
- do not write papers for those courses.

Audited courses do not appear on the student’s transcript. Please note that graduate students may not audit JD-only courses.

### Tax Law Courses (for Students in Other Specializations)

An LLM student who is not enrolled in the Graduate Tax program may not register for more than a total of eight credits of courses in Taxation. Full-time LLM students may not register for online courses offered as part of the Law School’s Executive LLM in Taxation Program except in exigent circumstances. Part-time students may register for a limited number of credits of online courses; foreign-educated students should be aware that online classes are not considered professional law courses for purposes of qualifying to sit for the New York Bar and that they may cause visa issues.

### Graduation Eligibility

Please note that you are not responsible for applying for graduation, but you are responsible for making sure that you fulfill all requirements prior to graduation. Neither the Records Office nor the Office of Graduate Affairs is able to monitor the transcripts or curricular choices of every student. Prior to registration for your final term, it is your responsibility to review these requirements to ensure that you will have satisfied all of them. It is highly advisable to have the requirements in mind as you make your course selections. If you have questions about requirements, please contact the Office of Graduate Affairs.

### Certification for Bar Examination

It is the student’s responsibility to complete all work and meet all graduation requirements. Unless an extension is granted by the Vice Dean’s office in consultation with the faculty member, students must complete incomplete work from prior semesters no later than May 1 of their final semester. Students must complete all work from their final semester by the last day of the exam period. All grades must be entered

by the University Registrar’s Office before a student can be certified to take the bar examination.

It is the student’s responsibility until the date of the bar examination to update all contact information on Albert (e.g., address, phone number, etc.). We must be able to contact you if questions arise.

A student who, at the time of graduation, is financially obligated to the University for tuition, housing (including summer housing after the final semester), library (fines of \$100.00 or more or lost books), or other services, or who is not in compliance with University Health Center immunization requirements, will have a “HOLD” placed on his or her account, will not be cleared for graduation, will not be certified for state bar examinations, will not have official transcripts issued, nor have a diploma issued until all arrears have been paid. It is the student’s responsibility to make sure all accounts are cleared and all Stops/Holds are removed. For specific inquiries on the bar examination, review the information posted online in the Bar Exams section of the Records and Registration website.

### Classroom Performance

For non-seminar courses (other than those with 28 or fewer students, including students taking the course on a credit/fail basis, and for which the instructor elects seminar treatment as described below), classroom performance may be a factor in determining the final grade of a student, in the discretion of the faculty member, provided that (a) oral or written notice is given to the class in the first week of class and (b) the student’s grade shall not, on the basis of such performance, be raised or lowered more than one step (except that a grade may be raised from an “F” to a “D”), and in no event lowered to an “F”

Any faculty member wishing to exercise this discretion shall (after his/her final examination papers have been blind graded and tentative grades submitted) receive a list of identifying student information from the Records Office. The faculty member shall then provide to the Records Office a list of such students whose grades may have been raised or lowered. It shall be the faculty member’s responsibility to prepare and transmit to the Records Office a list of his/her final grades.

For seminar courses, classroom performance may be used as a basis for the final grade without limitation on the weight accorded to the participation and without notice to students.

For lecture courses of 28 or fewer students (counting those who take the course on a credit/fail basis), the instructor may elect to grade the class as if it were a seminar and thus may use classroom performance as a basis of the final grade without limitation on the weight accorded, provided that the instructor provides oral or written notice of this election during the first week of class.

In all cases, if an examination is given it must be administered and graded anonymously according to standard practice.

### JSD Program

#### Time to Complete Degree

JSD students have a maximum of five years in which to complete their degree. Eligibility for the JSD degree terminates after five years.

#### Maintenance of Matriculation

All students must maintain full-time equivalency during the entire duration of the JSD degree program. Following the completion of all coursework requirements during the first and second year of the JSD program, the JSD Office registers students for “Maintenance of Matriculation,” a registration code which enables candidates to maintain



access to University resources through degree completion. Maintenance of Matriculation and fees are covered by the Tuition Scholarship through the fifth year. After the fifth year, candidates are responsible for all tuition and fees, including Maintenance of Matriculation fees.

### Leave of Absence

Typically, no leaves of absence is granted during a student or candidate's time in the program. In rare occasions, should a personal circumstance arise for such a leave, the student should submit a formal request to the Chair of the JSD Program who will decide on its merits.

The JSD Committee will only consider requests for leave of absence for health related reasons if they are accompanied by formal medical documentation

In case of child birth or adoption, a student\candidate is allowed up to a full year of parental leave of absence. This leave will not be counted towards the 5 years completion limit

## Withdrawals

A withdrawal does not extend the five-year period allotted for obtaining the JD, LL.M., or MS CRS degree or the four-year period allotted for the Tax Certificate.

If your withdrawal request is approved, you will receive a letter via email and regular mail explaining the necessary next steps after withdrawing (such as contacting Financial Services or Law School Housing if you are a recipient of either).

## Standards of Conduct

### New York University School of Law Policies for Formal Student Discipline and Informal Resolution of Concerns or Complaints

Pursuant to applicable New York University by-laws and disciplinary procedures, the faculty of the New York University School of Law voted on May 8, 2019, to amend the section addressing informal resolution of issues raised by or against students. These amendments do not alter the procedures for formal student discipline described in Part V and approved by vote of the Law School Faculty on October 27, 1989 and in subsequent amendments. The procedures described below are not exclusive, and are not intended to prevent the Dean from acting independently in cases involving emergencies, severe violation of university policy, or imminent danger to community safety.

### Introduction

In a large, diverse, and vibrant community such as NYU Law, students may encounter issues that require assistance to resolve. Some such issues may involve serious misconduct, while others relate to ministerial matters. Examples of the range of complaints, concerns, or questions that might arise include:

- A faculty member or student alleges that another student plagiarized a paper
- A group of students seek a curricular change
- A student alleges that a faculty member repeated an exam given in a prior year
- A student alleges that a recruiter made a racially charged remark
- A bar owner alleges that a student at an NYU law-sponsored event defaced property at the bar
- A student group seeks a change in Law School policy

- A student alleges that a faculty member uses terminology the student deems offensive
- A student alleges that another student threatened and assaulted them

This policy provides guidance about NYU Law's community standards of conduct (Part I), the resources available when students have concerns or complaints (Part II), the option to pursue formal or informal measures to address such issues (Part III) and the informal measures (Part IV) or formal process (Part V) that may apply.

## Community standards

### A. General code of conduct

As reflected in the University Student Conduct Policy (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/university-student-conduct-policy.html>), New York University School of Law is an academic institution committed to the principles of "free inquiry, free expression, and free association." The Law School is part of "a community where the means of seeking to establish truth are open discussion and free discourse" and one that "thrives on debate and dissent."

As an educational institution, NYU Law is further committed to establishing a learning environment in which every member has the opportunity to flourish. The Law School endeavors to foster an equitable and inclusive educational environment, even as community members engage in spirited dialogue around difficult, contested, and deeply felt views. As stated in the university policy on Academic Integrity for Students at NYU (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/academic-integrity-for-students-at-nyu.html>):

[A] commitment to excellence, fairness, honesty, and respect within and outside the classroom is essential to maintaining the integrity of our community. By accepting membership in this community, students take responsibility for demonstrating these values in their own conduct and for recognizing and supporting these values in others. In turn, these values will create a campus climate that encourages the free exchange of ideas, promotes scholarly excellence through active and creative thought, and allows community members to achieve and be recognized for achieving their highest potential.

All members of the NYU Law School community are expected to follow state and federal laws; to adhere to the standards of behavior set out in university and Law School policies; and to hold themselves to the highest standards of honesty and civility.

### B. Specific disciplinary standards

The university sets out numerous policies (<https://www.nyu.edu/students/student-information-and-resources/student-community-standards/university-student-conduct-policies.html>) outlining the general rules of conduct that apply to all students in the university community, including a University Student Conduct Policy (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/university-student-conduct-policy.html>), the Non-Discrimination and Anti-Harassment Policy and Procedures for Students (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/non-discrimination-and-anti-harassment-policy-and-complaint-proc.html>), the Rules for the Maintenance of Public Order (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/rules-for-the-maintenance-of-public-order.html>) and an Academic Integrity (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/academic-integrity-for-students-at-nyu.html>) policy.

The university also prescribes rules regarding specific areas, such as described in the Sexual Misconduct, Relationship Violence, and Stalking Policy (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/sexual-misconduct-relationship-violence-and-stalking-policy.html>), which applies to all members of the university community. NYU maintains a comprehensive, searchable database (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines.html>) of university policies.

Specific policies (<https://www.nyu.edu/faculty/governance-policies-and-procedures/faculty-handbook/selected-university-policies.html>) expressly govern the conduct of faculty, staff, and administrators, including the Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Employees (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/anti-harassment-policy-and-complaint-procedures.html>), the Code of Ethical Conduct (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/code-of-ethical-conduct.html>), and the promise of Academic Freedom (<https://www.nyu.edu/faculty/governance-policies-and-procedures/faculty-handbook/the-faculty/other-faculty-policies/academic-freedom.html>).

These university policies cover a wide range of conduct. As regards students, they generally govern four areas of concern, which in some cases may be overlapping:

- academic integrity (such as plagiarism, cheating, or altering a transcript)
- general student behavior (such as abuse of alcohol, misuse of technology, or destruction of property)
- bias and harassment (such as adverse treatment on the basis of a protected status or display or electronic transmission of hostile or degrading images)
- sexual misconduct and harassment (such as sex- or gender-based discrimination, sexual assault and sexual harassment)

Certain of these policies merit special emphasis. Because these policies undergo periodic revision, students are advised to consult the most current version of these policies, as found on the university's and Law School's web pages, to verify the precise governing language.

1. *Academic integrity.* The Academic Integrity (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/academic-integrity-for-students-at-nyu.html>) policy expressly defines and prohibits plagiarism, or "presenting others' work without adequate acknowledgement of its source, as though it were one's own." It also lists examples of cheating that include:

- bringing or accessing unauthorized materials during an examination
- submitting the same or substantially similar work in multiple courses
- providing assistance to acts of academic misconduct/dishonesty
- altering or forging academic documents

In addition to the University-wide Academic Integrity for Students at NYU Policy, the Law School adopts the following policy. The Law School expressly prohibits cheating, plagiarism, forgery of academic documents, or submission of substantially the same work for duplicate credits with intent to defraud. Each of these constitutes an academic crime and a serious breach of Law School rules. Faculty and students are obligated to report cases of plagiarism to the Vice Dean for Curriculum for appropriate action. Among the possible sanctions for plagiarism are expulsion, suspension, grade reduction (including a grade of "FX" indicating a failure for plagiarism), and a statement of censure placed in the student's file.

All disciplinary code violations will be made available to bar admission committees and others on proper waiver of confidentiality.

A student's submission of work (including journal submissions) under the student's name constitutes a representation that the research, analysis, and articulation of the work is exclusively that of the student, except as expressly attributed to another in the work, and that it has been prepared exclusively for the particular course, seminar, or use entitling the student to credit.

Plagiarism occurs when one, either intentionally or through gross negligence, passes off someone else's words as one's own, or presents an idea or product copied or paraphrased from an existing source without giving credit to that source.

Although not within the definition of plagiarism, it is also forbidden, without permission of the instructor, to submit the same work or a portion of the same work for academic credit in more than one setting, whether the work was previously submitted at this school or elsewhere. Submission of a paper or written work, or portion thereof, for credit, of work that has been previously submitted in identical or similar form in another course, or any other forum, either within the Law School, or any other setting, is forbidden without permission of the instructor.

What follows are some examples -- by no means exhaustive -- of common situations in which plagiarism (or other conduct prohibited by this policy) has occurred. These are meant to be purely illustrative and in no sense establish floors or minimal requirements.

- Example 1: A student submits work in which portions are copied verbatim from another text without quotation marks and a citation.
- Example 2: A student rearranges or paraphrases portions of the copied material, but still fails to put verbatim language in quotations or to cite the source for material that has been paraphrased.
- Example 3: A student uses part of a paper previously submitted in another course, without the permission of the instructor to whom the student is submitting the paper.
- Example 4: A student relies on the discussion of Source A that is contained in Source B but fails to cite Source B.
- Example 5: A student takes notes from various sources onto note cards or a computer; the notes include both verbatim quotes and the student's own thoughts. The student transfers information from the note cards or computer without preserving quotation marks. Even if the student was pressed for time, or wrote the paper hurriedly, plagiarism has occurred.
- Example 6: A student downloads work from the Internet and modifies it in important respects to conform to a specific topic without acknowledging the original source.

Students are advised to steer clear of the border line. It is never a problem to recognize that ideas and arguments were derived from another source or to use quotation marks for words or phrases borrowed from someone else's work. Where doubts exist, students should seek advice from their instructor.

2. *General student behavior.* The University Student Conduct Policy (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/university-student-conduct-policy.html>) governs the standards of conduct for all students at the University, including the Law School. The policy requires students to refrain from a number of types of conduct defined in detail in that policy, including violations related to alcohol and drugs; bullying, threatening, and abusive behavior; destruction of property; discrimination and harassment; disorderly

conduct; failure to comply; fire safety; conduct while studying abroad; guests and visitors; hazing; information technology; misrepresentation; retaliation; residence halls; sexual misconduct; smoking; theft and unauthorized taking; misuse of University properties; weapons and related items; and violation of other University policies.

The University Student Conduct Policy applies fully to students at the Law School and would prohibit, among other things, the following examples of misconduct:

- Physical assault, intentional acts of physical violence, malicious injury to the property of others, conduct which intentionally or recklessly imperils the safety of any person or of Law School premises, or threats to commit any of the above
- Intentional disruption of a lecture hall, classroom, or any other premises used for academic purposes
- Theft of library materials, or destruction of all or part of a library book or archival document
- Intentional interference with access to lecture halls, classrooms, or academic offices
- Intentional physical detention or restraint of a student, instructor, staff member or administrator while that person is attempting to exercise Law School duties

The Law School additionally specifically forbids: engaging in any violation of law, or school rule, or other conduct that adversely reflects on fitness as a law student or fitness to practice law.

**3. Bias and harassment.** The Non-Discrimination and Anti-Harassment (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/non-discrimination-and-anti-harassment-policy-and-complaint-proc.html>) policy states that “[p]rohibited discrimination and prohibited harassment undermine the character and purpose of NYU and may violate the law.” As specifically defined and explained further in the policy, NYU prohibits adverse treatment and unwelcome conduct based on a student’s protected characteristic. The Non-Discrimination and Anti-Harassment policy protects students at the Law School and would prohibit, among other things, the following examples of misconduct:

- Verbal abuse or hostile behavior, which could include insulting, teasing, mocking, degrading, or ridiculing another person or group
- Inappropriate physical contact, comments, questions, advances, jokes, epithets, or demands
- Physical assault or stalking
- Displays or electronic transmission of derogatory, demeaning, or hostile materials
- Physically threatening or intimidating, or otherwise harassing, behavior which is overtly and intentionally directed towards a person or group of persons on grounds of a protected characteristic as defined in the policy

**4. Consensual relationships; Sexual misconduct and harassment.** The Policy on Consensual Intimate Relationships (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/policy-on-consensual-intimate-relationships.html>) proscribes certain sexual relationships based on the status of the individuals involved. It specifically prohibits intimate relationships between a “faculty member and a graduate student in the same discipline or academic program,” as well as between a “teaching assistant and a student in the teaching assistant’s class.”

The Sexual Misconduct, Relationship Violence, and Stalking Policy (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/sexual-misconduct--relationship-violence-and-stalking-policy.html>) defines and proscribes sexual misconduct, and prohibits retaliation against those who file complaints. There are also detailed procedures for filing and adjudicating a complaint against employees (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/reporting--investigating--and-resolving-sexual-misconduct--relat.html>) or students (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/test-reporting--investigating--and-resolving-sexual-misconduct--rela.html>). The policy sets out a lengthy definition of prohibited conduct, including sexual or gender-based harassment, sexual assault, sexual exploitation, relationship violence, and stalking.

### **C. Retaliation**

Many University conduct policies also prohibit retaliation against a person who makes a good faith report of an alleged violation of an NYU policy. Retaliation can constitute a separate violation of the applicable policy.

Specifically with respect to any policy of the Law School not otherwise addressed by a University policy, retaliation is forbidden and constitutes a separate violation of Law School Policy. Retaliation means an adverse action taken against a student because a student pursued an informal or formal complaint, or participated or assisted in the resolution of a complaint.

## **Disciplinary Measures**

### **Availability of Informal Measures versus Formal Process**

Some concerns or complaints may require more concentrated attention. In such cases, issues may be addressed through either formal process or informal measures.

Informal measures are available to resolve alleged violations of Law School or university policies, as well as to address a broader set of concerns. For instance, informal measures are available to address conduct that implicates community standards, but does not implicate a particular violation of policy. Informal measures are also an appropriate means by which a student might seek to initiate conversation about organizational policies or practices, community standards, or other areas of interest that do not entail assignment of blame or fact-finding, but rather contemplate collaborative dialogue, mutual agreement, and prospective change.

Formal procedures are available to resolve complaints that allege a violation of Law School or university policies. Formal procedures are required whenever the sanction or remedy will include formal discipline of any kind, such as expulsion, suspension, or notations on academic or other official records.

### **A. Applicability of informal measures and formal process as defined in Parts IV and V.**

#### **1. Allegations of sexual misconduct, relationship violence, or stalking excluded.**

The NYU Policy on Sexual Misconduct, Relationship Violence, and Stalking (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/sexual-misconduct--relationship-violence--and-stalking-policy.html>) applies to all members of the NYU Law community, whether student or employee, and defines prohibited

behaviors. All complaints or concerns covered by that policy must be governed exclusively by that policy and its associated procedures (which are described in documents that address complaints against employees (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/reporting-investigating-and-resolving-sexual-misconduct-relat.html>) or students (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/test-reporting-investigating-and-resolving-sexual-misconduct-rela.html>)).

NYU requires Responsible Employees (those Employees in a leadership or supervisory position, or who have significant responsibility for the welfare of students or employees) to immediately report any known or suspected violations of the policy to the university Title IX Coordinator, even if such a report is against the wishes of the complainant. The policy also details privacy and confidentiality protections applicable to complainants and members of the community who receive notice of or witness a violation, and expressly forbids retaliation. NYU provides information on policies and procedures related to Title IX (<https://www.nyu.edu/about/policies-guidelines-compliance/equal-opportunity/title9.html>) that describes these rules and procedures in greater detail, and also provides various guides, examples of available remedies and accommodations, and information about support and resources available through the Wellness Exchange.

## 2. Availability of formal process versus informal measures

Apart from allegations of Sexual Misconduct, Relationship Violence, or Stalking that must be handled as described in III.A.1, student questions, complaints, or concerns typically fall into one of four categories:

- Complaints or concerns involving conduct or actions of NYU Law students
- Complaints or concerns involving conduct or actions of NYU students not affiliated with the Law School
- Complaints or concerns involving conduct or actions of NYU employees, including faculty, staff, and administrators of NYU Law
- Complaints or concerns involving conduct or actions of members of the NYU community who are neither students nor employees

This subsection explains the available approaches for each of these categories. Subsection B, which follows, explains the factors that might influence the decision to seek informal or formal resolution of an issue, when both options are available. This policy does not address complaints or concerns raised *by* employees of NYU Law *against the university*, which are typically handled through direct petition to the Dean of the Law School or relevant university officials, or through policies (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines.html>) specifically applicable to NYU employees.

### a. Conduct or actions of *NYU Law students* (1)

Complaints or concerns *involving conduct or actions of an NYU Law student* are typically resolved according to the informal measures outlined in Part IV, or the formal procedures outlined in Part V. Both approaches are available to resolve questions, complaints, or concerns about the conduct of an NYU Law student whether raised by:

- another NYU Law student
- a member of the Law School community, such as faculty, staff or administrators
- a non-member of the Law School community, such as a vendor, employer, or contractor; in these cases, however, the Dean of Students in consultation with the Dean of the Law School shall

determine whether the matter is of concern to the Law School, and if so, initiate formal process or informal measures as appropriate

### b. Conduct or actions of *NYU students not affiliated with NYU Law*

Complaints against NYU students not affiliated with the Law School are generally resolved at the university level. For example, the Student Conduct Procedures (<https://www.nyu.edu/students/student-information-and-resources/student-community-standards/studentconductprocedures.html>) outline the manner in which alleged violations of the University Student Conduct Policy (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/university-student-conduct-policy.html>) shall be addressed. The Non-Discrimination and Anti-Harassment Policy for Students (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/non-discrimination-and-anti-harassment-policy-and-complaint-proc.html>) outlines procedures applicable when the alleged violation involves discrimination or harassment against a student. Additional procedures for specific situations, such as those applicable when a violation involves a NYU residential housing, may be found in the NYU Overview of Student Conduct Policies (<https://www.nyu.edu/students/student-information-and-resources/student-community-standards/university-student-conduct-policies.html>).

### c. Conduct or actions of *university employees, including NYU Law faculty, staff, and administrators*

Complaints or concerns against employees of NYU, including faculty, staff, and administrators of NYU Law, must be resolved consistent with applicable federal and state law, collective bargaining agreements, employment contracts, and university policy.

For many such complaints or concerns, the measures for informal resolution as outlined in Part IV are available. But in some cases, more formal procedures may be required, including any allegation for which formal sanction or discipline is sought.

When formal procedures are invoked or required, the precise nature of those processes are detailed in an array of policies (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines.html>) tailored to the nature of the complaint (e.g., bias and harassment committed against an employee (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/anti-harassment-policy-and-complaint-procedures.html>), bias and harassment committed against a student (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/anti-harassment-policy-and-complaint-procedures.html>), research misconduct (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/researchmisconduct.html>), conflicts of interest (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/academic-conflict-of-interest-and-conflict-of-commitment.html>), revocation of tenure (<https://www.nyu.edu/faculty/governance-policies-and-procedures/faculty-handbook/the-faculty/policies-applicable-to-tenured-and-tenure-track-faculty/academic-freedom-and-tenure/title-iii.html>), etc.) and the university's legal obligations. A Student Grievance Procedure (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/student-grievance-procedure.html>) is also available for complaints that the student seeks to lodge at the university level, typically pertaining to general compliance with university practices or policies rather than a specific person's conduct or behavior. Finally, as described in III.A.1, any and all allegations of Sexual Misconduct, Relationship Violence, or Stalking must be handled according to the NYU Policy on Sexual

Misconduct, Relationship Violence, and Stalking (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/sexual-misconduct-relationship-violence-and-stalking-policy.html>).

d. Conduct or actions of *members of the NYU Law community who are neither students nor employees*

Complaints or concerns against members of the NYU Law community (such as vendors or recruiters) who are not employees or students of NYU are governed by the informal measures detailed in Section IV.

## B. Choosing between formal process and informal measures

Generally speaking, the determination to proceed formally or informally rests primarily with the student who wishes to raise the issue, concern, or complaint. However, regardless of the identities of the parties, complaints or concerns that do not allege any rule or policy violation may be addressed only through informal measures.

In rare cases, an allegation may involve such a clear and severe violation of university or Law School policy that it requires resolution through formal procedures. In such instances, the decision to address the issue formally will be made with the cooperative consultation of the student alleging the violation, but the Dean retains the ultimate discretion to invoke the formal procedure process. Examples of situations that may result in removal to formal proceedings include: serious violations of academic integrity or threats or acts that imminently endanger members of the community.

Typically, however, the initial determination to pursue informal resolution of an issue or complaint rests within the sole discretion of the student. Because informal measures are voluntary and cooperative in character, the respondent may refuse to participate in an informal process; either party may also opt out or terminate informal measures at any time. In either event, formal procedures may be invoked so long as the complaint involves an alleged violation of a campus rule or policy.

When either formal process or an informal measure is available, the considerations that might guide whether a student elects a particular approach include:

- *The nature of the complaint or concern.* Issues alleging serious, intentional, or pervasive violations of campus policies or codes of conduct, particularly those indicating that other students may be at risk, typically require formal procedures. In contrast, issues arising from unintentional or inadvertent acts, an isolated violation of policy that is amenable to voluntary correction, or institutional or structural concerns may be better suited to informal resolution.
- *Assignment of blame.* Informal measures are restorative and educational in tone and character. Although accusations of blameworthiness may occur, the informal process is not focused on establishing wrong-doing; rather, its primary object is to identify routes of reconciliation and mutual understanding or agreement.
- *The remedy sought.* Certain remedies are available only through formal procedures (such as another student's expulsion, suspension, or official transcript notation; an investigation or findings that clearly implicate character and fitness evaluations by the bar; or an employee's sanction or termination).
- *Privacy and confidentiality.* Formal procedures require a student to file a written complaint, and afford certain rights to the respondent (such as the right to be present during the taking of evidence); they also involve adjudication by a multi-member disciplinary committee composed of faculty and a student representative. Accordingly, although formal procedures are typically confidential to the extent

feasible (see Section V.B.5), the complaint is necessarily shared with others and formally recorded. Because informal measures do not include any formal factfinding, there is often greater flexibility to maintain the anonymity or privacy of the parties involved. The assumption is that informal measures will preserve confidentiality as appropriate under the circumstances. Aggregate information about concerns raised may be tracked by select administrators (e.g., the Dean, Dean of Students, and Assistant Dean for Diversity and Inclusion) as a means of assessing community climate, but, where appropriate, such information is stripped of identifying data.

- *Records.* Because the purpose of an informal approach is to resolve the issue without formal adjudicative procedures, informal measures do not include any formal or individualized factfinding or the deliberate creation of official Law School records. There is no policy to generate or maintain any kind of documentation regarding informal measures, although the administration also cannot guarantee that informal records (e.g., electronic communications, notes, etc.) will be routinely destroyed. Aggregate data about informal complaints may be noted or shared, but stripped of any identifying data where appropriate.

(1) As used herein, "student" includes students enrolled in any academic program of the Law School as well as a student organization belonging to or affiliated with the Law School. Some students may also be employed by the Law School, such as paid teaching or research assistants. Generally, the policies and processes that apply depend upon what role the individual was acting in – i.e., student or employee – at the time of any alleged misconduct; certain conduct may implicate both student and employee policies. NYU reserves its discretion to determine which policies apply.

## Formal Procedures

### A. Discipline Committee

Each year the Dean shall designate five faculty members who shall constitute the Discipline Committee. The Dean shall designate one faculty member of the committee as the chair. The faculty members of the committee shall not be members of the Executive Committee. A hearing panel of the committee shall consist of two of the five faculty members and one student who is a member of the Executive Committee.

The faculty members of a hearing panel shall be chosen by the chair and may include the chair. The student member shall be chosen by lot. If the chair of the discipline committee is on the panel, he or she shall chair the panel; otherwise, he or she shall designate a faculty member as chair. If the chair of the committee cannot serve because of a conflict, the senior full-time faculty member on the committee shall be acting chair. The Vice Dean shall give the members of the panel a copy of the charge and the answer.

### B. Formal Procedures

1. Any person (a "complainant") may inform the Vice Dean of an apparent violation of the rules contained in Part I (B) or the University Student Conduct Policy (<https://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/university-student-conduct-policy.html>) (collectively "a Part B rule") by another person (a "respondent"). A complaint shall be filed in writing not later than 45 days after the complainant knows or reasonably should have known the facts giving rise to the subject of the complaint. In computing these periods, the days between the last day of class in each semester and the first day of class in the following semester shall not be counted. The Vice Dean shall conduct such investigation as is reasonably necessary to determine whether there is reason to believe that a Part B rule has been

violated and that a formal or informal response is appropriate. If the Vice Dean determines that the allegations in the complaint warrant an investigation, he or she shall provide the respondent with a copy of the complaint. The investigation shall be completed within 20 days subject to the agreement of the respondent or a majority of faculty members of the Executive Committee to extend the period of the investigation. This investigation may include speaking with the complainant, speaking with other witnesses if any, and speaking with the respondent. The respondent shall be informed that statements offered in this investigation can be used in the investigation and any disciplinary proceeding. After conducting this investigation, the Vice Dean shall proceed as described hereafter. In cases where the perpetrator is unidentified, the Vice Dean shall conduct such investigation as he or she deems appropriate for the purpose of identifying the perpetrator. This investigation shall be completed in 30 days. At the conclusion of such an investigation, the Vice Dean shall inform the complainant of the results of his/her investigation.

A complaint may be filed by any person within 30 days of the conclusion of the investigation. The Vice Dean may designate another member of the tenured faculty to act in his or her stead with regard to the authority given to the Vice Dean in this Part B. If the Vice Dean is the complainant or otherwise has a conflict, the Dean shall designate another tenured member of the faculty to perform the duties assigned to the Vice Dean in this Part B.

2. If after an investigation the Vice Dean concludes that the circumstances do not warrant further action, he/she shall dismiss the complaint and inform the complainant and respondent forthwith. The Vice Dean may make this determination because the facts do not constitute a rules violation, because the allegations lack sufficient credibility, or because in the Vice Dean's discretion no further action is warranted. The Vice Dean may accompany any such decision with an oral or written caution to the respondent and an explanation of the requirements of the rule allegedly violated. Any such caution is not discipline and no record of it shall be kept in the respondent's file. If the Vice Dean decides that no further action is warranted, whether before or after an investigation, the complainant may appeal that decision to the dean within ten days of receiving notice of the Vice Dean's decision. The Dean, after reviewing the record and hearing the parties and any witnesses he/she may choose, may affirm the Vice Dean's decision or reverse it. If the Dean reverses the Vice Dean's decision, the Dean shall appoint a tenured member of the faculty to perform all of the tasks of the Vice Dean hereafter described. Except as provided in this paragraph, a decision of the Vice Dean that no further action is required is not subject to further review.

3. If after conducting the investigation identified in Paragraph B1 the Vice Dean determines that dismissal is not appropriate, he or she shall attempt to resolve the matter without formal hearing. The respondent may insist on a hearing before the discipline committee at any time after the Vice Dean determines that dismissal is not appropriate (or the Dean so decides on appeal of a decision of the Vice Dean to dismiss). Resolution without a hearing will usually entail an agreed statement of facts and a sanction. The Vice Dean shall keep the complainant informed of any progress toward a resolution and shall take the complainant's views into consideration, but the nature of any resolution shall be decided between the Vice Dean and the respondent. In evaluating whether a dismissal is appropriate, and, if not, whether to seek a resolution of the complaint without formal hearing and the nature of the resolution, the Vice Dean may consult with any member of the faculty or administration other than faculty members of the Discipline Committee. A resolution without formal hearing requires the agreement of a majority of the faculty members of the Executive Committee. The respondent may have the

assistance of any adviser, whether from inside the Law School or not, in negotiation of a resolution or in the event of a formal hearing as hereafter described. If a resolution without a hearing is not possible, the Vice Dean shall proceed as described hereafter.

4. If the matter is not resolved without hearing as described above, the Vice Dean (or his or her designee) shall prosecute the alleged rules violation against the respondent. From this point in the proceeding, the "parties" are the prosecutor and the respondent. If the Vice Dean is not the prosecutor, he or she shall provide the prosecutor with the file and consult as requested by the prosecutor. The complainant and respondent shall be informed of the identity of the prosecutor. The Vice Dean shall notify the chair of the Discipline Committee and he or she shall convene a hearing panel pursuant to paragraph A. The Vice Dean shall provide the hearing panel with a copy of his or her file in the matter, including the results of the investigation, but not the terms proposed for resolving the matter without a hearing. The prosecutor shall prepare a document ("the charge") describing the conduct that allegedly constitutes a rules violation and shall specify the rule violated. The charge shall be served on the respondent in person or by registered or certified mail or an express mail service at the respondent's local address on file with the law school and if school is not in session, at the respondent's permanent address on file with the law school. The charge shall be served within 20 days of the date that the respondent exercises the right to a formal hearing or the faculty members of the Executive Committee or the respondent inform the Vice Dean that a resolution without a formal hearing is not possible. The allegations and the charge shall be deemed denied by the respondent, but the respondent may serve an answer to the allegations in the charge within fourteen days after the charge is served. The answer shall be served on the prosecutor in person or by registered mail or an express mail service to his or her law school office. The answer may simply deny the accusations or specify the respondent's position. The hearing shall commence two weeks after the charge is served or a reasonable time thereafter unless (a) the respondent waives a hearing and the hearing panel concludes that no hearing is needed, or (b) a party shows the discipline committee good cause why the hearing should be postponed, or (c) both parties and the chair of the hearing panel agree to a postponement.

5. Unless otherwise stated in these rules or required by law, all proceedings described in this Part B shall be confidential except for participants to the proceedings and others whose assistance is reasonably necessary to effectuate the purpose of these rules. The respondent may elect in writing to the Vice Dean to waive confidentiality generally or for a particular person or entity. Confidentiality shall not extend to reports to the law school community to the extent described in paragraph 9.

6. The purpose of the hearing is to determine fairly and accurately the facts and the appropriate sanction, if any, in the event a violation of the rules is found. The rules governing the formal hearing shall be interpreted to advance these goals. The hearing shall be conducted according to the following procedures:

a. The respondent (and his or her adviser) and the prosecutor shall have the right to be present at the taking of all evidence, to make opening and closing statements, and to be present whenever the other is addressing a member of the discipline panel on the subject of the hearing.

b. The panel may pose written questions to the parties and witnesses at the hearing or thereafter, but it does not have the power to compel testimony or production of documents. The faculty strongly urges members of the law school community to cooperate with requests

from the hearing panel or from a party, for testimony and production of documents. The panel may draw negative inferences from a party's failure to cooperate.

c. All three members of a panel shall be present at the hearing. All actions shall be by majority vote.

d. Any hearing panel member may excuse himself or herself sua sponte from hearing a particular charge. Any party may request that a hearing panel member disqualify himself or herself for cause from hearing a charge. Such a request will be resolved by the hearing panel. Each party is also entitled to one peremptory challenge. If, as a result of the exercise of challenges and recusals, there are insufficient replacements to constitute the Discipline Committee, the Dean shall designate additional persons so that the hearing panel can be composed of two faculty members and one student.

e. The rules of evidence may inform but are not binding on the hearing panel. The parties may present written and oral evidence but each party shall have the right to respond to written evidence submitted by the other.

The chair of the hearing panel will determine the mode and order of the parties' presentations. The parties may examine and cross-examine each witness, either by putting questions directly to the witness or by asking questions through members of the hearing panel. The method of questioning is determined by the hearing panel and may be altered by the hearing panel at any time during the hearing. The prosecutor has the burden of production and the burden of persuasion. The standard of proof is clear and convincing evidence.

f. The proceedings shall be recorded on audio tape or by such other method (including videotape or stenographic record) as the hearing panel may direct.

g. The hearing panel shall make a written report which sets forth findings of fact, together with the hearing panel's conclusions and reasons, within fourteen days of the completion of the hearing. Copies of the report shall be served in person or by certified or registered or express mail on the prosecutor, the respondent (at the addresses in paragraph 4), the respondent's adviser if any, and the Vice Dean (if not the prosecutor).

h. If the hearing panel dismisses the charge, the record shall be kept confidential except to the extent that disclosure may be required by law.

i. If the charge is sustained in any respect, the hearing panel's report shall designate one or more of the following sanctions, as may be more fully described elsewhere in this handbook and as provided in Section IV of the University Student Conduct Procedures (<https://www.nyu.edu/students/student-information-and-resources/student-community-standards/the-judicial-process.html>), including but not limited to:

1. Warning
2. Censure
3. Denial of academic honors
4. Disciplinary probation [1]
5. Restitution
6. Monetary fine
7. A grade of FX for the class
8. Suspension for a specified period
9. Dismissal
10. Revocation of degree according to University Rules

The panel may also impose one of the listed sanctions but suspend it on condition that the student accepts another sanction not on the list

but appropriate in the panel's opinion. If the disciplinary violation is in connection with a class and the panel's sanction does not provide for a grade of FX, the faculty member shall determine the grade for the class.

The panel has no authority to impose a grade for the class other than a grade of "FX."

7. The investigation and determination described in this Part B shall be conducted with appropriate speed taking into consideration the nature of the charge, the availability of witnesses, and the time of the academic year in which the allegation is made, including whether class is in session and whether examinations are imminent or in progress. In the ordinary course, any hearing before a hearing panel should be held not later than the last day of classes in the semester in which the allegation is made, unless in the opinion of the hearing panel in consultation with the Vice Dean and the parties' further delay is warranted. Time limits contained in this Part B except those in paragraph 1 can be extended by the hearing panel chair for good cause.

8. The respondent may appeal to the Dean from any adverse determination of the hearing panel. Notice of appeal shall be filed with the panel chair, the Vice Dean, and the prosecutor within seven days of the action from which the appeal is taken by registered or certified mail or express mail or in person. Within seven days of receipt of the notice of appeal or such reasonably longer time if necessary to transcribe the record, the panel chair shall forward to the Dean the entire record of the proceedings on the charge. The respondent and the prosecutor may make written submissions to the Dean and reply to the submissions of the other, and may make oral arguments, according to a time schedule the Dean shall determine. Each party has the right to reply to the oral or written submissions of the other party. The Dean may affirm the hearing panel's action, reverse it, or reverse it and return the charge for further proceedings by the hearing panel. In a case where the Dean affirms a hearing panel action sustaining a charge, or where the appeal is limited to the recommended sanction, the Dean may reduce but may not increase the sanction recommended by the hearing panel. If a hearing panel finds against a respondent and its findings or sanction are not appealed as described in this paragraph, they shall be final.

9. The Vice Dean shall prepare an annual written report of any discipline imposed under these rules during the prior academic year and issue it to the faculty and student body at the beginning of each academic year. The report shall generally describe the nature of any violations and sanctions but shall not contain names of parties or witnesses or give details that will identify the parties or witnesses.

[1]Disciplinary probation is a decision that the underlying conduct will be revisited for a sanction (or a harsher sanction) if the student is found culpable of another infraction under these rules during the remainder of his or her time in school or if the student fails to abide by conditions the panel imposes as part of its sanction.

## Redress of Grievances

### Informal Measures

Informal measures are available to resolve a wide array of questions, complaints, or concerns raised by NYU Law students or against NYU Law students, with the exception of those pertaining to sexual misconduct which must be handled as detailed in Part III.A.1. This includes issues raised:

- *by a student* against any member of the Law School community, including other students, faculty, staff members, administrators, employees, as well as campus recruiters, alumni, contractors, or vendors
- *against an NYU law student* by any person, whether a member of the Law School community or not

The goal of an informal approach is to attempt to reach a resolution that is acceptable to all parties. It provides a means to address concerns without formal investigation, discipline, castigation, or even blame. Informal measures prioritize educational and conciliatory approaches over adversarial confrontation and contestation of facts. Informal measures also have greater flexibility to maintain the parties' anonymity or privacy, as described in Section III above. A participant in informal measures may terminate it at any time and, if the complaint involves an alleged rule violation, elect to proceed formally.

#### **A. Initiating informal measures.**

A student may initiate the informal process by email, phone call, or an in-person meeting as follows.

*Any issue* may be raised with Dean of Students or any member of the Office of Student Affairs or Office of Graduate Affairs. If a concern falls into one of following categories, a student might also elect to contact the office or representatives listed below.

1. *Bias, discrimination, inclusion and belonging*
  - (a) The Assistant Dean for Diversity and Inclusion.
  - (b) Any faculty, staff, or administrative member of the Inclusion and Diversity Committee directly, or by emailing [diversity@mercury.law.nyu.edu](mailto:diversity@mercury.law.nyu.edu). The IDC is composed of the Dean of Students, the Assistant Dean for Diversity and Inclusion, the Director of the Lawyering program, three clinical and podium faculty members that are appointed for annual terms, and three student representatives (who are appointed by the SBA). Specific members of the current committee can be identified by requesting the name and contact information of committee members from any member of the committee, or by emailing [diversity@mercury.law.nyu.edu](mailto:diversity@mercury.law.nyu.edu) or [DeansOffice@mercury.law.nyu.edu](mailto:DeansOffice@mercury.law.nyu.edu).
2. *Academic integrity*
  - (a) The Academic Services Office
  - (b) The Vice Dean of Curriculum
3. *General student conduct*
  - (a) The Office of Student Affairs or the Office of Graduate Affairs, as pertinent
4. *Institutional practices*
  - (a) Pertinent offices (see Section II)

#### **B. What happens next**

Informal measures allow an institutional response tailored to the nature of the concern or complaint and the needs of the persons involved. They aim to provide a space to hear concerns and address them as collaboratively and beneficially, for all parties, as possible. Some issues or concerns may even be addressed without any investigation into the factual basis, such as when a student seeks a referral to supportive campus services or a well-advised change in a campus policy or practice.

The informal approach may thus include:

- dialogue with affected persons (either jointly or separately)
- referrals to campus services

- administrative accommodations (such as adjusting class schedules, changing sections, housing assignments, waiving a fee, etc.)
- voluntary mediation
- verbal cautions or warnings
- voluntary apology or acts of service
- collaborative agreement on behavioral or institutional changes
- voluntary educational, mentoring or coaching sessions
- added institutional programming or services
- other non-disciplinary interventions

#### **C. Privacy.**

In the course of using informal measures to address issues, concerns, or complaints, advice or input may be sought from relevant parties, including the: Law School Dean, Dean of Students, Assistant Dean for Diversity and Inclusion, Chair of the Inclusion and Diversity Committee, Vice Dean for Intellectual Life, Assistant Dean for Academic Services and Registration, and Vice Dean for Curriculum.

Informal measures will generally seek to respect and preserve the privacy and confidentiality of the parties involved, although disclosures may be made as appropriate under the circumstances.

### **Student Complaints Implicating Compliance with ABA Standards**

#### **Ombudsperson**

Vice Dean Randy Hertz is the ombudsperson of the Law School and entertains queries and complaints in writing dealing with the ABA's accreditation standards, the University or Law School policy, classes or personnel. The Vice Dean may enlist the assistance of another office of the Law School or University in addressing the particular inquiry. When the Vice Dean is unable to address an issue, he or she may designate a Faculty member. If the Vice Dean has a conflict, the Dean will designate a Faculty member. Students may submit complaints in writing to the Office of Academic Services in person in Furman Hall, Suite 400 or via email to [law.acadservices@nyu.edu](mailto:law.acadservices@nyu.edu). Complaints will be forwarded to the Vice Dean for review and resolution. The Law School maintains a record of student complaints submitted during the most recent accreditation period, which includes the resolution of the complaint. Such records will be maintained by the Office of Academic Services.