



STUDENT HANDBOOK
2023 – 2024

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Northwestern University Student Handbook

The Northwestern University Student Handbook describes the expectations for behavior and conduct in the Northwestern community and outlines the procedures to be followed when these expectations are not met. It includes the Student Code of Conduct, the Academic Integrity Policy, as well as other rules, regulations, and policies governing student life.

The [2022-2023 Northwestern University Student Handbook and Student Code of Conduct](https://www.northwestern.edu/communitystandards/student-handbook/22-23studenthandbook.pdf) are available online at <https://www.northwestern.edu/communitystandards/student-handbook/22-23studenthandbook.pdf>. While all students enrolled at Northwestern Pritzker School of Law should be familiar with the complete University Student Handbook, we have summarized a few of these important policies below. Please consult the University Student Handbook for additional policies that apply to all Law Students.

Prohibited and Restricted Conduct

The following behaviors are prohibited or restricted by the Student Code of Conduct. Violations of these policies or assisting or encouraging others in the violation of these policies, may lead to disciplinary action. An attempt to commit any of these acts, as well as assisting or willfully encouraging any such act, is considered a violation of University policy.

Alcohol, Cannabis, and Other Drugs

The following are the primary policies related to alcohol, cannabis, and other drugs that apply to Northwestern Students. Northwestern's full Policy on Drugs and Alcohol can be found here: <https://policies.north-western.edu/docs/drugs-and-alcohol-policy.pdf>.

Alcohol

Misconduct related to alcohol and alcoholic beverages, including the following:

- a. Use or possession of alcohol, or containers that previously contained alcohol, by individuals under the age of 21 (or the age of majority in the jurisdiction);
- b. Manufacturing alcoholic beverages on University property, premises, or facilities (except as specifically authorized by the University) or by individuals under the age of 21;
- c. Providing or distributing alcohol to individuals under the age of 21;
- d. Severe intoxication resulting in disruptive behaviors or concern for the student's well-being, regardless of age;
- e. Driving under the influence of alcohol or while intoxicated;
- f. Possession of open containers of alcohol in public buildings, parks, beaches, highways, streets, alleys, sidewalks, parkways, and public parking lots (except as specifically authorized by legal authority); and
- g. Violations of other laws pertaining to alcohol.

The following is considered misconduct related to alcohol when a student is on campus or at an event affiliated with Northwestern or a Northwestern organization (including student organizations).

- h. Possession of kegs or other large storage devices, quantity-dispensing containers, or common sources of alcohol (except as specifically authorized by the University), regardless of age;

- i. Drinking practices or games that encourage participants to consume alcohol or promote intoxication and any paraphernalia that supports such activities are prohibited, regardless of age;
- j. Use or possession of alcohol, regardless of age, in any dry or alcohol-free spaces on campus including, but not limited to, all fraternity/sorority houses, and designated areas in the residence halls and academic buildings;
- k. Possession of open containers of alcohol on University property, in University facilities, or in University vehicles or transportation (except as specifically authorized by the University). Approval for alcohol in outdoor spaces can be obtained through the Events Planning Office at Norris University Center; and
- l. The sale of alcohol on campus without explicit permission from the Events Planning Office at Norris University Center and an Evanston liquor license.

Cannabis

Misconduct relating to cannabis, including the following:

- a. Possession, use, distribution or cultivation of cannabis by any individual on campus or at a University Sponsored Event;
- b. Possession, use, distribution or cultivation of cannabis by those individuals off campus under the age of 21 or above levels determined by IL State law;
- c. Severe cannabis intoxication resulting in disruptive behaviors or concern for the student's well-being, regardless of age;
- d. Driving under the influence of cannabis;
- e. Being in the presence of the use cannabis on campus; and
- f. Violations of other laws pertaining to cannabis.

Other Drugs

Misconduct related to illegal drugs and controlled substances (including narcotics, cocaine, heroin, prescription medication, synthetic cannabinoids or other drugs, and any chemical substantially similar to a controlled substance), including the following:

- a. Possession, use, or misuse of illegal drugs or controlled substances (except as expressly permitted by all levels of legal authority);
- b. Possession, use, manufacturing, or distribution of drug paraphernalia;
- c. Manufacturing or distribution of illegal drugs or controlled substances;
- d. Driving under the influence of any illegal drug or controlled substance;
- e. Being in the presence of the use or misuse of illegal drugs or controlled substances on campus; and
- f. Violations of other University drug policies or federal, state, and local laws pertaining to illegal drugs and controlled substances.

Destruction of Property

Destroying, damaging, defacing, or vandalizing property.

Disorderly Conduct

The wellbeing and orderly function of the University community depends on students and community members adopting respect and collaboration as central tenets of a healthy Northwestern. Disorderly conduct or disruptive acts are prohibited, including the following:

- a. Engaging in behavior that objectively prevents a student or group of students from benefiting from a class, program, or activity.
- b. Significantly interfering with the functioning of the University.
- c. Causing or allowing excessive or disruptive noise, including but not limited to violations of residence hall quiet hours or Evanston noise ordinances.
- d. Urinating or defecating in public view or in a public space, or in any space not intended for such purpose.

Demonstration Policy

Northwestern welcomes the expression of ideas, including viewpoints that may be considered unorthodox or unpopular. The University encourages freedom of speech, freedom of inquiry, freedom of dissent, and freedom to demonstrate in a peaceful fashion. Regardless of their own views, community members share a corresponding responsibility to welcome and promote this freedom for all. They also share a responsibility to maintain an atmosphere conducive to scholarly, creative, and educational pursuits and to respect the safety and rights of all individuals. In order to promote these interests and to ensure the safe and effective operation of University business, this Policy establishes the parameters community members are expected to adhere to when engaging in free expression and peaceful demonstration.

General Guidelines

To allow for freedom of expression and peaceful demonstration on campus while also respecting the University's operations, the following guidelines for demonstration are in place:

- A. **Rights of others.** No community member may prevent or obstruct (or attempt to prevent or obstruct) the speech or other expression of another community member, except that Northwestern Police or other University officials may act consistent with this Policy to ensure the speech or other expression of community members is consistent with the guidelines in this Policy. Similarly, no community member may deprive (or attempt to deprive) others of participation in a University activity, threaten use of force against any community member, or otherwise interfere with the function of others within the University.
- B. **University operations.** No community member may prevent or obstruct (or attempt to prevent or obstruct) (i) the regularly scheduled activities of the University, such as classes, research, learning, meetings, interviews, ceremonies, emergency services, or University business; (ii) co-curricular activities; (iii) University or public events; or (iv) medical center access or business. Similarly, no community member may use or occupy campus facilities so as to impede the carrying forward of such activities or events. Groups may occupy space but not in a manner that blocks movement around the campus (including but not limited to entrance to or egress from any campus building, campus facility, or University-owned and -maintained roadway or pathway) unless authorized by a University official.

- C. **Research areas.** Demonstrations cannot take place in research areas where the presence of participants would compromise individual safety or violate laws, regulations, or Northwestern policies relating to research safety.
- D. **Signs.** Placards, banners, and signs may not obstruct the view of those assembled or endanger other community members.
- E. **Police and other officials.** The role of Northwestern Police during a demonstration is to maximize the safety and security of community members as well as University property. When enforcing this Policy, other Northwestern policies, or applicable law, Northwestern Police or other University officials may request community members to identify themselves and/or instruct community members to remove placards, banners, or signs or to leave a University location. When possible participants will first be given a warning to leave or remove placards, banners, or signs, unless a life safety issue prevents that step. Community members are expected to follow these requests.
- E. **Facilities.** All events are subject to the requirements and limitations of the event's location, including room occupancy. All events must comply with applicable building safety codes.
- F. **Other laws and policies.** Participants in demonstrations or protests are subject to other Northwestern policies, city ordinances, and state and federal law in addition to this Policy.

Event Notification and Other Advance Arrangements

- A. **Student events.** To facilitate advance planning of an event and to help protect the community, students and/or student groups are encouraged to notify Student Organizations and Activities in advance of any demonstration (see FAQs created in support of student events). Notification should be submitted at least 48 hours before the start of the event. Whenever possible, students and/or student groups should give additional advance notice, ideally two weeks or more, to best facilitate planning. Student Organizations and Activities are not authorized to deny these events. However, when conducting such events, student organizers are expected to promote a safe environment and, to the best of their ability, ensure participants adhere to the Student Code of Conduct.
- B. **Event Support Team (EST).** Once notified of a planned demonstration, typically involving students, the University will convene the EST, which provides on-site support to assist with management of the event. The EST will actively attempt to preserve open discourse surrounding and during the event.
- C. **Resources for risk assessment.** Occasionally an invited speaker or event will raise a credible likelihood (based on prior incidents or communications of intent) that the speaker or event may prompt a demonstration or become the target of threats or violence. In these circumstances, community members planning an event are encouraged to notify Student Organizations and Activities and/or Northwestern Police as soon as is feasible to consult and conduct a risk assessment.
- D. **Reserving space.** Community members are expected to follow applicable guidelines for seeking permission to use University space to conduct demonstrations. All outdoor events and activities are subject to the requirements outlined in Northwestern's Outdoor Event Request Portal.
- E. **Security.** Community members planning an event may need police presence or security, especially if there is a possibility of protest or dissent. Northwestern Police will assess and determine the safety and security needs for the event. Their assessment may result in the presence of police officers, security officers, and Northwestern Student Handbook processes such as bag-check, event ticketing, and other steps to maximize the safety of attendees and the broader community.
- F. **Media.** Faculty or staff planning to invite journalists other than Northwestern student journalists to cover an event should contact Global Marketing and Communications in advance of the event.

Counter Demonstration

A protest, demonstration, or event on campus may cause further dissent, resulting in a counter demonstration. The guidelines in this Policy also apply to counter demonstrations. When such an occasion arises, it is the responsibility of the University as well as all involved to allow for freedom of expression from all individuals. University officers may designate a separate area for counter demonstration.

Consequences of Violating this Policy

If faculty, staff, students, or student organizations are suspected of violating this Policy, the matter will be referred to the appropriate office or department for follow up under University policies and procedures. There is no typical sanction associated with violations of this Policy. Each case is context specific; in determining whether a sanction is warranted, considerations include the severity of the violation of this and any other relevant policies as well as any prior misconduct.

Hazing

It is the responsibility of all students/student organizations to encourage an atmosphere of learning, social responsibility, and respect for human dignity and to provide positive influences and constructive development for members and aspiring members. Students/organizations are expected to use good judgment to determine the abilities of individual students as they relate to organization activities and requirements. If a healthy team or organization is being created and the values and purpose of the organization are being upheld, chances are the organization will not have to worry about whether or not an activity is hazing. Hazing leads to dysfunction within the organization and is ineffective at creating teamwork, respect, and unity, and it is an unproductive and hazardous custom that is forbidden by the University.

Information Technology

Misconduct related to University computer, network, or telecommunications systems or resources, including the following:

- a. Unauthorized use of facilities, services, equipment, account numbers, or files, including using a NetID or account assigned to another user or providing another user with access to your NetID or account;
- b. Reading, copying, changing, deleting, tampering with, or destruction of another user's files, software, programs, and accounts (including monitoring another user's data communications) without permission of the owner;
- c. Use of University resources to interfere with the work of another student, a faculty member, or a University official, or that otherwise interferes with normal operation of University systems;
- d. Use of computing facilities and resources in violation of copyright laws (including unauthorized downloading or sharing of copyrighted files); and
- e. Violation of any other University policy regarding computers, networks, or electronic communication.

Academic Freedom / Freedom of Speech

Northwestern University is committed to the ideals of academic freedom and freedom of speech—to providing a learning environment that encourages a robust, stimulating, and thought-provoking exchange of ideas. Our commitment to addressing bias incidents is not intended to stifle these freedoms, nor will it be permitted to do so.

At the same time, however, all members of the community must recognize that bias incidents, hate crimes and acts of discrimination impede one's ability to participate fully in the community and compromise the integrity of the University. Our goal is to create an environment that furthers the educational and professional endeavors of all members of the Northwestern community.

Civility and Mutual Respect

Our community includes staff, faculty, and students, who all value and are expected to treat each other with mutual respect and consideration, recognizing that disagreement and informed debate are valued in an academic community.

When someone's conduct varies from this expectation, it will be addressed. For guidance on identifying potential threatening or violent behavior and for the best ways to deal with these incidents, contact Human Resources.

Policy on Institutional Equity

Northwestern prohibits discrimination and harassment on the basis of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, reproductive health decision making, or any other classification protected by law (referred to as “protected classes”) in matters of admissions, employment, housing, or services, or in the educational programs or activities Northwestern operates. Prohibited discrimination based on sex includes sexual misconduct, including but not limited to, sexual harassment, sexual assault, sexual exploitation, stalking, and dating or domestic violence. Such conduct violates Northwestern’s values and disrupts the living, learning, and working environment for students, faculty, staff, and other community members.

Pursuant to the Department of Education’s 2020 regulations implementing Title IX, the University has adopted an Interim Policy on Title IX Sexual Harassment, which governs certain instances of sexual misconduct. Allegations of sexual misconduct that do not fall within the jurisdiction of the Interim Policy on Title IX Sexual Harassment may fall within the jurisdiction of this Policy. Other forms of misconduct not covered by this policy or the Interim Policy on Title IX Sexual Harassment may be addressed by other Northwestern policies (e.g., Student Handbook, Faculty Handbook, and Staff Handbook).

The following includes definitions of prohibited conduct under this policy. The Interim Policy on Title IX Sexual Harassment, criminal and other applicable state laws may use different definitions of these terms.

Discrimination and Harassment

Discrimination: Prohibited discrimination is treating someone differently because of their race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, reproductive health decision making, or any other classification protected by law (referred to as “protected classes”) in matters of admissions, employment, housing, or services, or in the educational programs or activities Northwestern operates.

In determining whether discrimination occurred, the Office of Civil Rights and Title IX Compliance examines the following:

- Whether there was an adverse impact on the individual’s work or education environment; and
- Whether individuals outside of the protected class received more favorable treatment.

If the first two conditions are met, the Office of Civil Rights and Title IX Compliance will consider whether there is a legitimate, non-discriminatory reason for the action. Examples of discrimination can include:

- Refusing to hire or promote someone because of their membership in a protected class;
- Denying someone a raise or employment benefit because of their membership in a protected class;
- Reducing someone’s job responsibilities because of their membership in a protected class;
- Denying someone access to an educational program based on their membership in a protected class; or
- Denying someone access to a University facility based on their membership in a protected class.

Harassment: Prohibited harassment is verbal or physical conduct or conduct using technology based on a protected class that has the purpose or effect of:

- Substantially interfering with, limiting or depriving a member of the community from accessing or participating in the academic or employment environment, and/or substantially interfering with an individual’s academic performance or work performance; or
- Creating an academic or working environment that a reasonable person would consider to be intimidating, hostile, or offensive.

In determining whether the conduct is sufficiently severe or pervasive so as to meet the above standards, OCR examines the context, nature, scope, frequency, duration, and location of incidents, as well as the relationships of the persons involved. A person’s subjective belief that behavior is intimidating, hostile, or offensive does not make that behavior prohibited harassment under this Policy. The behavior must create a hostile environment and/or substantially interfere with access to a University program or activity from an objective perspective. Examples of harassment include:

- offensive jokes related to a protected class;

- the use of slurs and stereotypes related to a protected class;
- name calling related to a protected class;
- intimidation, ridicule, or mockery connected to a protected class;
- displaying or circulating offensive objects and pictures that are based on a protected class

Please note, general bullying or uncivil behavior that is not based on a protected class does not fall within the purview of this policy or the Office of Civil Rights and Title IX Compliance. However, such behavior may violate the University's expectations regarding Civility and Mutual Respect, Standards for Business Conduct, Northwestern's Student Handbook, or other University policy and should be reported to Human Resources and/or an individual's supervisor (for employees) or Community Standards (for students).

Sexual Misconduct

Consent: Consent represents the cornerstone of respectful and healthy intimate relationships. Northwestern expects its community members to communicate – openly, honestly, and clearly – about their actions, wishes, and intentions when it comes to sexual behavior, and to do so before engaging in intimate conduct. It is always the requirement of the individual initiating sexual contact or initiating a new type of sexual activity within an encounter to ensure that consent is present before acting and that consent is ongoing during sexual activity.

i. Capacity to consent

Consent is not present when an individual does not have the capacity to give consent, voluntarily or involuntarily, due to age (generally, the age of consent is 17 in Illinois), physical condition, or disability that impairs the individual's ability to give consent. Reasons why one could lack capacity to give consent due to a physical condition include, but are not limited to, consumption of drugs or alcohol (voluntarily or involuntarily) or being in a state of unconsciousness, sleep, or other state in which the person is unaware that sexual activity is occurring.

"Incapacitated" refers to the state where a person does not understand the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition or disability, or due to a state of unconsciousness or sleep. **When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence or impaired by use of the drug.** Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated requires an individualized determination.

Some indicators of a lack of capacity to give consent due to consumption of drugs or alcohol may include, but are not limited to:

- Lack of full control over physical movements (for example, difficulty walking or standing without stumbling or assistance);
- Lack of awareness of circumstances or surroundings (for example, lack of awareness of where one is, how one got there, who one is with, or how or why one became engaged in sexual interaction);

- Inability to effectively communicate for any reason (for example, slurring speech, difficulty finding words).

A person may appear to be giving consent but may not have the capacity to do so. **When determining whether a person has the capacity to provide consent, the University will consider whether a sober, reasonable person in the same position knew or should have known whether the other party could or could not consent to the sexual activity.** It is especially important, therefore, that anyone initiating sexual activity is aware of their own level of intoxication as it may impact their ability to assess another person's capacity to give consent. Being intoxicated or impaired by drugs or alcohol does not excuse one from the responsibility to obtain consent. Being intoxicated or impaired by drugs or alcohol is never an excuse to commit sexual misconduct.

ii. Aspects of Valid Consent

For purposes of this policy, consent is present when clearly understandable words or actions manifest a knowing, active, voluntary, and present and ongoing agreement to engage in specific sexual or intimate contact. Consent must be all of the following:

- **Knowing:** All individuals understand, are aware of, and agree as to the “who” (same partners), “what” (same acts), “where” (same location), “when” (same time), and “how” (the same way and under the same conditions) of the sexual activity.
- **Active:** Consent must take the form of “clearly understandable words or actions” that reveal one's expectations and agreement to engage in specific sexual activity. This means that silence, passivity, submission, or the lack of verbal or physical resistance (including the lack of a “no”) should not – in and of themselves – be understood as consent. Consent cannot be inferred by an individual's manner of dress, the giving or acceptance of gifts, the extension or acceptance of an invitation to go to a private room or location, or going on a date.
- **Voluntary:** Consent must be freely given and cannot be the result of Respondent's intimidation (extortion, menacing behavior, bullying), coercion (severe or persistent pressure causing fear of significant consequences from Respondent if one does not engage in sexual activity), force (violence, physical restraint, or the presence of a weapon), threats (indications of intent to harm, whether direct or indirect), or fraud (misrepresentation or material omission about oneself or the present situation in order to gain permission for sexual or intimate activity).
- **Present and Ongoing:** Consent must exist at the time of the sexual activity. Consent to previous sexual activity does not imply consent to later sexual acts; similarly, consent to one type of sexual activity does not imply consent to other sexual acts. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person. Consent may also be withdrawn at any time, provided the person withdrawing consent makes that known in clearly understandable words or actions.

Sexual Assault

- i. Sexual penetration without consent: Any penetration of the sex organs or anus of another person when consent is not present; any penetration of the mouth of another person with a sex organ when consent is not present; or performing oral sex on another person when consent is

not present. This includes penetration or intrusion, however slight, of the sex organs or anus of another person by an object or any part of the body.

ii. Sexual contact without consent: Knowingly touching or fondling a person's genitals, breasts, or anus, or knowingly touching a person with one's own genitals or breasts, when consent is not present. This includes contact done directly or indirectly through clothing, bodily fluids, or with an object. It also includes causing or inducing a person, when consent is not present, to similarly touch or fondle oneself or someone else.

iii. Statutory rape: Sexual intercourse with a person who is under the statutory age of consent under the laws of the state² in which the incident occurred. In Illinois, the age of consent is 17 years old. However, if the offender is in a position of authority or trust over the victim, the age of consent is 18.

iv. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Sexual Exploitation: Taking sexual advantage of another person or violating the sexual privacy of another when consent is not present.

This includes, but is not limited to, the following actions (including when they are done via electronic means, methods or devices):

- Sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another person without that person's consent;
- Indecent or lewd exposure or inducing others to expose themselves when consent is not present;
- Recording any person engaged in sexual or intimate activity in a private space without that person's consent;
- Distributing sexual information, images, or recordings about another person without that person's consent;
- Recruiting, harboring, transporting, providing, or obtaining another person for the purpose of sexual exploitation;
- Inducing incapacitation in another person for the purpose of engaging in sexual conduct with someone who lacks capacity to consent, regardless of whether prohibited sexual conduct actually occurs.

Dating/Domestic Violence: Dating violence is any violence (including but not limited to emotional, physical, sexual, and financial abuse or threat of abuse) between two people who are or have been in a social relationship of a romantic or intimate nature. The existence of such a relationship will depend on the length and type of the relationship and the frequency of interactions between the persons involved.

Domestic violence is violence between two people who are or have been in an intimate or romantic relationship, who share a child in common, or who live or have lived together as spouses or intimate partners. Violence against any person by that person's caretaker or guardian (such as abuse against an

elderly, young, or disabled person) may also be considered domestic violence. Examples of domestic violence include but are not limited to physical, emotional, sexual, technological and economic abuse or threat of abuse.

Stalking: Knowingly engaging in a course of conduct directed at a specific person that one knows or should know would cause a reasonable person to fear for their safety (or the safety of a third party) or suffer substantial emotional distress. “Substantial emotional distress” means significant mental suffering, anxiety or alarm.

Conduct that can amount to stalking may include two or more actions directed at another person, whether done directly, indirectly, through others, via devices, or via any other methods or means (specifically means e.g. cyberstalking), including but not limited to:

- Following a person;
- Being or remaining in close proximity to a person;
- Entering or remaining on or near a person’s property, residence, or place of employment;
- Monitoring, observing, or conducting surveillance of a person;
- Threatening (directly or indirectly) a person;
- Communicating to a person;
- Giving gifts or objects to, or leaving items for, a person;
- Interfering with or damaging a person’s property (including pets); or
- Engaging in other unwelcome contact.

Sexual Harassment: Sexual harassment is any unwelcome conduct of a sexual nature where:

i. Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person’s employment, academic standing, or participation in any University program and/or activity, or is used as the basis for University decisions affecting the individual (often referred to as “quid pro quo” harassment); or

ii. The conduct has the purpose or effect of:

- Substantially interfering with, limiting or depriving a member of the community from accessing or participating in the academic or employment environment, and/or substantially interfering with an individual’s academic performance or work performance; or
- Creating an academic or working environment that a reasonable person would consider to be intimidating, hostile, or offensive.

Examples of conduct that may constitute sexual harassment include:

- Pressure for a dating, romantic, or intimate relationship;
- Unwelcome sexual advances;
- Unwelcome touching, kissing, hugging, or massaging;

- Pressure for or forced sexual activity;
- Unnecessary references to parts of the body;
- Sexual innuendoes, gestures, or humor; or
- Sexual graffiti, pictures, or posters.

Law School Posting Policy

With respect to students posting fliers, posters, announcements and other such documents, only recognized students group organizations may post within the law school. Such student group organizations may only post on approved bulletin boards located throughout the Law School. All postings must advertise upcoming events and adhere to the Law School Postings Policy; those fliers found in violation of the policy will be removed. All postings for events that have already occurred will also be removed.

Student Group Organizations may *only* post fliers advertising upcoming events in accordance with the below:

- All postings must be dated
- All postings must include the name of an approved current Northwestern Pritzker School of Law Student Group Organization
- All postings must include contact information for the event using an active Northwestern Law email address
- Only one posting per bulletin board is permitted
- Anonymous postings are strictly prohibited
- Postings that violate any other University policies are strictly prohibited

THE HONOR CODE OF THE STUDENTS OF NORTHWESTERN UNIVERSITY SCHOOL OF LAW

THE HONOR CODE

ARTICLE I - PURPOSE AND DEFINITIONS

Section 1 - Purpose

The students of Northwestern University School of Law recognize an overriding obligation to ethical conduct. Each student shall act with honor throughout all phases of law school academic life.

Section 2 - Violations

A violation occurs when a student knowingly:

- (a) steals, destroys or defaces any library materials or, in contravention of library rules, removes from general circulation and accessibility any library materials with the purpose of depriving others the use of that material;
- (b) steals, reproduces, circulates or gains access to an examination or other graded assignment before it has been administered;
- (c) uses materials not permitted by the professor in an examination or other graded assignment;
- (d) cheats, or collaborates in a manner not permitted by the instructor for that course, on an examination or other graded assignment;
- (e) plagiarizes; which includes, but is not limited to, failing to attribute language or ideas to their original source or failing to indicate by quotation marks a passage from another source of more than (5) consecutive words;
- (f) refuses to testify, or testifies falsely, at a proceeding under the Honor Code with respect to facts within his/her knowledge. It is not, however, an additional Honor Code violation if an accused person declines to be a witness against himself/herself;
- (g) engages in any conduct with the purpose of avoiding or circumventing other law school rules governing academic life;
- (h) undertakes an activity or course of conduct with the purpose of creating an unfair competitive advantage over other students;

- (i) obtains in contravention of Law School rules, or divulges, official school information including, but not limited to, grades or exam numbers, that a reasonable student knows or should know is properly kept confidential;
- (j) attempts to commit any of the above offenses.

ARTICLE II – INITIAL REPORTS OF SUSPECTED HONOR CODE VIOLATIONS,
THE INVESTIGATION OF THEM, DISPOSITION OF HONOR CODE VIOLATIONS,
AND REPORTS

Section 1 – Initial reports of suspected Honor Code violations

- (a) Current and former law students, faculty, or an employee of Northwestern University may report suspected Honor Code violations. All reports of suspected Honor Code violations must be in writing.
- (b) All reports of suspected Honor Code violations must be made to the Dean (which hereinafter refers to the Dean or Dean's designate, per Section 6.01 of the Rules and Regulations) who will, to the extent necessary and possible, investigate the charge and document the results of any investigation. In the event that the Dean is the complainant, the Associate Dean who supervises curricular matters shall appoint the investigating Dean's designate. The rules of evidence do not apply and the Dean may consider information in any form or from any source that is pertinent and reliable. Typical documentation would include witness statements or summaries of witness statements, exams or exam answers, or papers submitted as course requirements.
- (c) During the pendency of the investigation and appeal, if any, all suspected Honor Code violations will be treated confidentially, and neither the facts nor the identity of the accused will be disclosed, except as provided in Section 2(c) or as is necessary to the investigation and disposition of the allegation.

Section 2 – Manner of investigation

- (a) The screening and investigation of any suspected Honor Code violations should be resolved, in the first instance, by the Dean. An investigation should proceed only if there is a reasonable basis for believing that the Honor Code has been violated. The Dean has complete discretion to investigate or cause to be investigated any report of an Honor Code violation, or to dismiss the charge.
- (b) If the Dean determines that there is a reasonable basis to proceed with an investigation, the student suspected of violating the Honor Code shall be informed in writing of the charge and any supporting evidence available at that time. The student shall be invited to meet with the Dean to discuss the suspected violation and to make a statement about it. In the event that the student declines to meet with the Dean or to make a statement about the

suspected violation, the Dean may draw an adverse inference regarding the student's responsibility for the suspected violation. The student may be accompanied by an advisor, with whom the student may consult at any time during the meeting, but the Dean shall have discretion as to whether and to what extent the advisor may participate in the meeting. As provided in Article I, section 2(f), making a false statement during an Honor Code inquiry is a separate violation of the Honor Code.

- (c) The Dean should contact the instructor where the charge involves coursework or other matter involving instructor supervision. Where appropriate to facilitate the investigation, the Dean should reveal to the instructor the name of the student under investigation.
- (d) At any point in the process of investigation, the Dean may negotiate a complete resolution and disposition of the charges under investigation. Neither the student nor any instructor may appeal from a negotiated resolution and disposition.
- (e) In all instances where the charge involves coursework or other matter involving instructor supervision, the Dean shall provide the instructor with a copy of the written report produced (outlined below in subsection 3(a)) and any sanction imposed.

Section 3 – Disposition of suspected violations of the Honor Code by the Dean.

- (a) If, after the investigation, the Dean determines by a preponderance of the evidence that the Honor Code has been violated, then s/he will draft a written report that will include all pertinent documents collected or created during the investigation and specify:
 - the provision or provisions of the Honor Code that have been violated;
 - the student's name, program, and class year;
 - the name of the course or courses that gave rise to the report, including the instructor's name;
 - the factual conclusions causing the Dean to believe that a violation of the Honor Code occurred; and
 - the substance of the student's statement concerning the suspected violation.
- (b) Should the Dean conclude that a violation of the Honor Code has occurred, subsequent to meeting with the student, s/he shall indicate in writing, addressed to the student, which provision of the Honor Code has been violated and what the sanction will be.
- (c) If the Honor Code has been violated, the Dean will determine a sanction. The sanction may include any administrative action considered appropriate under the circumstances, including but not limited to oral reprimand, a reduction in grade, or exclusion. The written disposition shall be forwarded to the Registrar who will maintain a record of it.
- (d) There are no time limits imposed on the investigation or disposition of suspected violations of the Honor Code. However, prompt dispositions serve the best interest of the student and the law school, so long as promptness is not at the cost of thoroughness.

- (e) Any sanction shall take effect only when appeals have been exhausted.
- (f) No student may receive a degree while an Honor Code matter is pending.

ARTICLE III – APPEAL OF THE DETERMINATION OF THE DEAN

- (a) A student or the instructor may appeal the determination and disposition of the Dean by requesting a review by the Faculty Advisory Committee. The notice of appeal will be in writing directed to the Chair of the Faculty Advisory Committee and will be made within fourteen (14) calendar days of the final disposition by the Dean. With the notice of appeal, the student is permitted to file a written exception to the Dean's report.
- (b) The Executive Committee of the Student Bar Association shall designate a pool of six student representatives at the beginning of each academic year and the Chairman of the Faculty Advisory Committee will appoint two students from this pool to sit with the Faculty Advisory Committee in review of the decision of the Dean. Each member of the Faculty Advisory Committee, including each student, has one vote.
- (c) The Faculty Advisory Committee, supplemented by student representatives, will meet promptly as the Appeals Committee. Two student representatives must be present at any meeting of the Appeals Committee.
- (d) The student seeking review may be present and may be accompanied by an advisor. The advisor may be an attorney, at the student's expense.
- (e) The instructor will be given notice of the time and place of the Appeals Committee's meeting, and has a right to attend that meeting.
- (f) The Committee will review the final report of investigation and may direct additional investigation.
- (g) If the student is seeking review of the conclusions and disposition of the Dean, then the burden is upon the student to demonstrate that the conclusions are clearly in error or that the disposition is disproportionate to the violation. The rules of evidence do not apply and the review by the Committee will be informal and consultative rather than adversarial.
- (h) Should the determination and disposition of the Dean involve an adjustment to a grade in the course, that disposition will be communicated to the instructor. If the sanction for a violation is a grade reduction, the instructor must at a minimum conform the grade to the sanction. However, the instructor retains discretion to lower the grade further. Academic dishonesty or lack of integrity in a class is a proper basis for a grade reduction, possibly including a failing grade, although other administrative actions may also be appropriate.
- (i) The Committee shall determine whether the Dean's determination is correct, and if so, whether the disposition is appropriate.

- (j) The Committee's conclusions will be determined by a majority vote and will be reduced to writing. That writing will be provided to the student and will be included in the records of the matter, which shall be retained by the Registrar.

ARTICLE IV – FINALITY

- (a) The Committee may, after making a determination, and by majority vote, submit the matter to the entire faculty for a determination on the record. Reasons to do so may, but need not include a conclusion that the matter raises such important issues that the law school, as an institution would be best served by full faculty consideration of the matter.
- (b) The determination of the Committee shall be final, absent a vote to submit the matter to the entire faculty.
- (c) Should a matter be considered by the entire faculty, the results of that consideration shall be communicated to the Registrar for inclusion in the record of the matter. The decision of the faculty is final.