

## V. School of Law Policies and Procedures

### A. School of Law Rules and Procedures

Adopted February 18, 1970

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#### I. Student Organizations

##### A. Individual Identification

NYU School of Law may not require membership lists of any student organization. It may require, as a condition of access to Law School funds or facilities, the names and addresses of officers or sponsors of such organizations.

##### B. Use of Law School or University Name

1. In all cases wherein students wish to form an organization of law students of the Law School for specific activities of a professional, political or social nature, the name of the University or School may be used in connection therewith as follows:

- a. The name of the University or Law School may be used by the Student Bar Association (the official professional organization of the student body), and such activities as the *Annual Survey of American Law*, Moot Court, the *Law Review*, and the like, which are officially recognized by the Law School.
- b. If the proposed organization is to be a member or branch of an organization which has or is to have other parts or branches connected with other universities or law schools, it may be designated as the branch located at this University or Law School.
- c. If it is or is to be a singular organization without other affiliation, the members may identify themselves as students of this University or Law School.
- d. In no case shall the name of the University or Law School be so prominently displayed on any letterhead or in any other use as to import the notion that the organization is an official organ of the University or Law School or that the University or Law School subscribes to the aims, objectives, opinions, expressions or activities of such organizations. Such use shall be exclusively for purposes of identification.

2. Any student or group of students desiring to organize a group as described above shall promptly notify the Student Bar Association and the Office of the Dean.

##### C. Use of Facilities

The facilities of the Law School have been established by funds privately obtained and are not for general public use. Accordingly, and also because of the competition for use of the facilities and cost of their maintenance, the following guidelines should be followed:

1. The use of Law School facilities by students of the Law School shall be allowed and assigned in consultation with the Assistant Dean for Administration.
2. Charges for the use of Law School facilities to cover special expenses of cleaning, personnel, maintenance, overhead, and wear and tear may be made by the Dean as deemed appropriate.

##### D. Allocation of Funds

1. Any organization formed by students of the NYU School of Law shall have the right to apply to the Board of Governors of the Student Bar Association for funding. Approval of

such requests for funds may be conditioned upon submission of budgets to the Student Bar Association and other reasonable conditions.

2. When funds are allocated to a student organization, financial accountability may be required, including statement of income and expenses on a regular basis. Apart from the responsibilities to account for expenditures in relation to the approved budget, student organizations should have independent control over the expenditure of funds allocated.

#### **E. General**

Nothing contained in these guidelines shall be taken to limit or restrict in any way the right and privilege of any student or students to belong to any organization and to identify himself/herself as a student at this University or Law School.

### **II. Student Files**

Respect must be accorded the essentially confidential relationship between the University and its students by preserving to the maximum extent possible the privacy of all records relating to each student. Therefore:

1. The official student academic record, supporting documents, and other student files are confidential.

2. Separate files for each student shall be maintained, as follows:

a. A General File containing all records, entries, and memoranda including but not limited to academic, financial and medical documents except as restricted by Section 2b.

b. A Confidential File containing recommendations in connection with application for admission, those specified in Section 6 below, and specifically designated confidential financial information. Information relating to race, religion, political or social views, and membership in any organization other than honorary or professional groups, shall not appear in any file unless voluntarily included on administrative documents by the student.

3. No entry, except a standard administrative document, shall be made in a student file without prompt actual notice to him/her. Publication or announcement of grades and honors shall be deemed actual notice. Any entry in the student file, other than a standard administrative document (e.g., disciplinary notation), must be approved by the Vice Dean. The accuracy or appropriateness of such an entry may be challenged by a student in a hearing with such Dean and, should such challenge fail, an appeal may be taken to the Executive Committee (or other appropriate committee). An answering statement by the student shall also be included in the files in such instances upon the request of the student.

4. Each student shall have free access to his/her General File (Section 2a) only, subject to reasonable regulation as to time, place and supervision. Provisions shall be made for a student to obtain copies of any material in his/her General File (Section 2a) at nominal cost.

5. Except as stated below, no information in any student file may be released to any outside individual or organizations.

a. Record-keeping personnel may have access to records and files as required by their duties.

b. Faculty members shall have access to all files. Disclosure of any information to outside individuals or organizations will be at the discretion of the faculty member, subject to Section 7.

c. Any request for information on behalf of a Bar Admission Committee shall be referred to the Executive Committee (or other appropriate committee) which may make any disclosure deemed reasonably necessary, and upon any such disclosure, a reasonable effort shall be made to notify the former student.

d. Record-keeping personnel may give to any inquirer the following information pursuant to a telephone inquiry:

**School or division of enrollment**

**Degree awarded**

**Academic Honors**

**Major field**

**Date of graduation**

In addition, a student's address, telephone number, and date of birth may be confirmed (only). Different or further information may not be given in the event that the inquirer's information is incomplete or incorrect.

6. Faculty members may insert into the Confidential File (Section 2b) any recommendation (favorable or unfavorable) which they have been requested by the student to write regarding the employment of a student. Such inclusion shall be at the discretion of the individual faculty member.

7. Any student wanting to prohibit any disclosure of information contained in his/her files to outside inquiry may do so by making a specific request in writing to the Office of the Vice Dean. Such files will be specifically designated, and persons having access to such files, including faculty members, will be expected to respect the prohibition on any disclosure.

8. Records or documents preserved beyond the graduation or other final departure of the student from the University shall be subject to all disclosure rules mentioned above.

9. The Vice Dean shall have discretionary power to dispose of all records and documents, except for the transcript, of any student after seven years from the graduation or other final departure of the student from the University.

### **III. Freedom in the Classroom, Attendance, Performance**

#### **A. In General**

Freedom of discussion and expression of views must be encouraged and protected.

#### **B. Conduct in the Classroom**

Both faculty and students are expected to conform to generally accepted standards of behavior and decorum. A faculty member may establish special standards for student conduct in his/her class with respect to such matters as smoking, seating, late arrival, exclusion for lack of preparation and the like. Such standards shall be reasonable and students shall be given due notice of such standards. Any such standards or the arbitrary administration thereof may be reviewed by the appropriate committee upon complaint of any student affected thereby.

Should a conflict occur between a student and faculty member regarding behavior or any special standard, the student shall defer to the judgment of the faculty member, and take his/her complaint to the Executive Committee (or other appropriate committee).

**C. Attendance in Class**

Although attendance records are not regularly maintained, the accrediting agencies assume regular attendance in class; in addition, any faculty member may require attendance as a prerequisite to the taking of the examination in that course. See page **Error! Bookmark not defined.**

**D. Performance in Class**

1. *Seminar Courses.* It is understood that in any course designated in the registration materials as a “seminar course,” all or part of the final grade may be based upon factors other than a final examination—such as classroom performance, including reasonable attendance, preparation of research papers, etc. A final examination may also be given, at the option of the faculty member. However, the final grades in such a course need not be computed under the “anonymous system” unless the sole factor in determining the grade is the final examination.

2. *Other Courses.* In any other course, classroom performance including reasonable attendance may be used as a factor in determining the final grade of a student, in the discretion of the faculty member, provided that (a) due notice is given to the class and (b) the student’s grade shall not, on the basis of such performance, be raised or lowered more than one step, and in no event be lowered to an F. Any faculty member wishing to exercise this discretion shall (after his/her final examination papers have been graded and tentative grades submitted) receive a list of identifying examination numbers from the Office of Records and Registration, and it shall be the faculty member’s responsibility to prepare and transmit to the Office of Records and Registration a list of his/her final grades. The faculty member shall provide to the Office of Records and Registration a list of such students whose grade has been raised or lowered.

**IV. Freedom of the Press**

**A.** The student press must be free of censorship, and its editors and managers must be protected from arbitrary action arising out of student, faculty, administration, alumni, or community disapproval of editorial policy or content.

**B.** The tenure of editors and managers shall be determined by the regularly elected student editorial boards. Removal before the normal expiration of the term of office may be made only by the same bodies in accordance with fair and orderly procedures prescribed in advance.

**C.** “Student press” means individual publications and other communication media which are managed and published primarily by duly enrolled students in the Law School and appear on a continuous basis.

**D.** The “student editorial board” is the managing board of the publication itself and no other board from any other organization.

## **B. New York University School of Law Disciplinary Procedures**

Supplementing Student Disciplinary Procedures of New York University as Approved by Vote of the Law School Faculty on October 27, 1989 and from time to time amended.

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### **Procedures for Adjudicating Complaints Possibly Justifying Formal Discipline**

(Including Acts of Bias and Sexual Harassment)

#### **Introduction**

Pursuant to applicable New York University by-laws and disciplinary procedures, the faculty of the New York University School of Law adopts the following rules for informal resolution of complaints and for cases of formal student discipline. The procedures described below are not exclusive, and are not intended to prevent any potential complainant from resolving a complaint by informal means (through, for instance, the office of the Vice Dean, the Committee on Bias and Harassment, or the Ombudsperson) or to prevent the Dean from acting independently in cases of emergency.

#### **I. Procedures for Informal Resolution of Complaints**

The procedures specified in Part I of the Rules govern cases subject to informal resolution. Participation in the meetings and referrals specified in the procedures in Part I, applicable to all members of the NYU School of Law community, is voluntary.

##### **A. Applicability**

Part I of the Rules provides the remedy for complaints which allege bias as defined immediately below.

##### **Bias:**

1. Verbal or physical conduct which denigrates any person or group of persons on the grounds of age, disability, ethnicity, gender, marital status, national origin, race, religion, or sexual orientation, and is likely to interfere with the ability of students to participate equally in the pursuit of an education and to enjoy the full freedom of the academic environment.
2. It is the sense of the faculty that a person should not enter into a sexual relationship with a person during the time that the person has a direct authority over the student conferred by the Law School.

##### **B. Initiation of Proceedings**

1. When a complaint of bias, as defined in Paragraph A of this part, is made to the Vice Dean or Ombudsperson, he or she
  - a. shall describe to the complainant the available means of informal resolution, which may include meetings between the complainant and respondent conducted by the Vice Dean or Ombudsperson and referral to the chair of the Committee on Bias and Harassment and
  - b. may conduct such meetings and make such referrals as the complainant requests.
2. A matter referred or brought initially to the Committee on Bias and Harassment shall be subject to investigation and possible mediation in accordance with the procedures of that committee.

## II. Procedures for Offenses Requiring Formal Discipline

The procedures specified in Part II of the rules govern cases of formal student discipline. The procedures described below are not exclusive, and are not intended to prevent any potential complainant from resolving a complaint by the informal means described in the Introduction or in Part I.

### A. Applicability

The procedures are available for resolution of allegations of the following types of student misconduct, provided that the misconduct is alleged to have occurred on Law School or other University premises, or with the use of Law School or University property or technology, or in the course of Law School or University educational or other business:

1. 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.
2. Physically threatening or intimidating, or otherwise harassing, behavior which is overtly and intentionally directed towards a person or group of persons on grounds of ethnicity, gender, national origin, race, religion or sexual orientation.
3. Sexual harassment: conduct, including sexual assault, that constitutes (a) an attempt, physically or verbally, through threats to coerce a person into a sexual relationship, or that subjects a person to sexual acts, reasonable fear of sexual acts, or sexually charged communications when the actor knows that the acts or communications are unwanted, or (b) encouragement of a person to participate in a sexual relationship through the promise of rewards or threats of penalties which the actor is able to promise or threaten by virtue of an authority conferred by the Law School.
4. Cheating, plagiarism, forgery of academic documents, or multiple submissions of substantially the same work for duplicate credits, with intent to defraud. Plagiarism is 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 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.

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.

5. Intentional disruption of a lecture hall, classroom, or any other premises used for academic purposes.
6. Submission of 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.
7. Theft of library materials, or destruction of all or part of a library book or archival document.
8. Intentional interference with access to lecture halls, classrooms, or academic offices.
9. Intentional physical detention or restraint of a student, instructor, staff member or administrator while that person is attempting to exercise Law School duties.
10. 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.

Law students must also adhere to the University Policy on Student Conduct, and the following procedures may be invoked for alleged violation of those rules. See page **Error! Bookmark not defined.**

## **B. 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.

### **C. Procedures**

1. Any person (a “complainant”) may inform the Vice Dean of an apparent violation of the rules contained in Part II (A) or the Rules of Conduct of the University (collectively “a Part A 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 A 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 C. 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 C.
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 C1 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 B. 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 C 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 including in Section IIIA of the University Student Disciplinary Procedures:

- 1. Warning**
- 2. Censure**
- 3. Denial of academic honors**
- 4. Disciplinary probation\***
- 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**

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\* 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.

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 C 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 C 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.