The Journal of College and University Law (ISSN 0093-8688)

The Journal of College and University Law is the official publication of the National Association of College and University Attorneys (NACUA). It is published online (http://jcul.law.rutgers.edu/) two times per year by the National Association of College and University Attorneys, Suite 620, One Dupont Circle, N.W., Washington, DC 20036.

Copyright © 2017 by National Association of College and University Attorneys

Cite as — J.C. & U.L. — Library of Congress Catalog No. 74-642623

Except as otherwise provided, the *Journal of College and University Law* grants permission for material in this publication to be copied for use by non-profit educational institutions for scholarly or instructional purposes only, provided that 1) copies are distributed at or below cost, 2) the author and the *Journal* are identified, and 3) proper notice of the copyright appears on each copy.

ABOUT THE JOURNAL AND ITS EDITORS

The Journal of College and University Law is the only law review entirely devoted to the concerns of higher education in the United States. Contributors include active college and university counsel, attorneys who represent those institutions, and education law specialists in the academic community. The Journal has been published annually since 1973 and now boasts a national circulation of more than 4,500. In addition to scholarly articles on current topics, the Journal of College and University Law regularly publishes case comments, scholarly commentary, book reviews, recent developments, and other features.

On July 1, 2016, the Rutgers Law School assumed publication of the *Journal*, which had been published at Notre Dame Law School from 1986 to 2016, and at the West Virginia University College of Law from 1980–1986.

Correspondence regarding publication should be sent to the *Journal of College and University Law*, Rutgers Law School, 217 North 5th Street, Camden, NJ 08102, or by email to JCUL@law.rutgers.edu. The *Journal* is a refereed publication.

The views expressed herein are attributed to their authors and not to this publication, the National Association of College and University Attorneys or the Rutgers Law School. The materials appearing in this publication should not be considered to be or used as legal advice. Legal questions should be directed to institutional legal counsel.