

University of La Verne
College of Law

**MANUAL OF ACADEMIC
POLICIES AND PROCEDURES
(MAPP)**

August 2009

UNIVERSITY OF LA VERNE
COLLEGE OF LAW

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I. ADMISSIONS

A. ADMISSIONS POLICY

1. An application for admission to the College of Law may be submitted any time within the year immediately preceding the term in which admission is sought, but the College may, in its discretion, refuse to consider applications received less than one month prior to the beginning of the term for which admission is sought.
2. Admission to the College is determined by the Admissions, Scholarship, and Financial Aid Committee and shall be based upon the composite evaluation of three criteria:
 - a. the academic proficiency of the applicant, including such matters as post-high school grade point averages, honors and awards received for college academic achievement, publications of a technical or professional nature, advanced degrees, and special non-credit studies completed; and
 - b. the apparent ability of the applicant to successfully study law, including such indicators as the scores achieved on the Law School Admission Test (LSAT), college courses completed that may have a direct application in the practice or study of law, and instances of unusual experience related to the study or practice of law; and
 - c. the apparent motivation of the applicant for the study of law, including the relative force of the applicant's desire to become proficient in the law, the dedication to the ideals of legal service, and the relative focus of the applicant's professional goals, maturity, work, life experiences, community service, and personal recommendations.
3. An applicant shall not be permitted to begin studies leading toward a professional degree in law until the applicant has been admitted as a candidate for that degree.
4. The question of acceptance of an applicant for admission will not be acted upon until the file supporting the application is complete. The applicant has the responsibility to complete the file in conformity with all instructions given by the Office of Admissions, the College of Law, and the University.
5. No person may attend classes in violation of the rules of the American Bar Association.

B. ADMISSIONS PROCEDURE

1. Basic Standards for Admissions

While pursuing a policy designed to provide an opportunity to all those who demonstrate an ability to successfully complete the course of study of law and to be admitted to the bar, all applicants to the College of Law must present admission credentials that demonstrate academic aptitude and reasonable likelihood of success in such study as acceptable by the Admissions, Scholarship, and Financial Aid Committee, in which is vested the sole power of admission.

2. Standards for Admission by Administrative Qualification

Applicants without prior law study holding a bachelor's or equivalent degree from a qualified institution may qualify for admission to the College of Law by the Assistant Dean of Admissions, without further Admissions, Scholarship, and Financial Aid Committee review, if the applicant:

- a. has obtained an average score of 149 or higher on an LSAT, and
- b. has maintained a cumulative grade point average of 2.7 or higher in the applicant's undergraduate work, and
- c. satisfies the Assistant Dean of Admissions or the Dean of the College of Law that all factors submitted for consideration for admission are reflective of an ability to succeed in law school.

3. Standards for Admission by the Admissions, Scholarship, and Financial Aid Committee

- a. Except for admissions under I.B.2. (above), all admissions shall be the responsibility of the faculty acting through the Admissions, Scholarship, and Financial Aid Committee of the faculty.
- b. Applicants with a bachelor's degree and an average LSAT score below 149 and/or GPA below 2.7 are eligible for admission only upon special Admissions, Scholarship, and Financial Aid Committee approval. However, no applicant shall be considered for admission as a beginning student with an average LSAT score below 145 without the recommendation of the Admissions, Scholarship, and Financial Aid Committee and approval of the Dean.
- c. Applicants with less than a bachelor's degree may qualify for admission if the applicant has successfully completed three-fourths of the work acceptable for a bachelor's degree from an institution that is accredited by a regional accrediting agency recognized by the Department of Education, and has satisfied the Admissions, Scholarship, and Financial Aid Committee that all factors considered are reflective of an ability to succeed in law school.
- d.1) Applicants for admission to the College of Law who have completed less than three-fourths of the work acceptable for a bachelor's degree will not be considered for admission except in extraordinary cases where the Admissions,

Scholarship, and Financial Aid Committee determines that the applicant's experience, ability, and other characteristics clearly indicate an aptitude for the study of law. In addition, such applicants with less than 60 units must test at or above the 50th percentile on the LSAT.

- d.2) If a student is admitted pursuant to I.B.3d.1, the Chair of the Admissions, Scholarship, and Financial Aid Committee or Assistant Dean of Admissions shall sign and place in the admittee's file a statement of the considerations that led to the decision to admit the applicant.

C. ADMISSION OF STUDENTS WITH PRIOR LAW EDUCATION

1. In General

Each admission of a student who has previously attended law school is subject to the discretion of the College of Law. The fact that an applicant is or was in good standing at the previous law school does not guarantee admission. Applicants with prior law study who are admitted to the College of Law must agree to all terms and conditions of admission (including those pertaining to probation and transfer credit) before such admission become final.

An applicant with prior law study must complete the application for admission and supply the supporting materials that are required for the admission of beginning law students. In addition, the applicant must provide an official transcript showing all law work attempted from each law school attended. The applicant must also provide a letter directed to the College of Law from the appropriate dean of each law school attended concerning the applicant's status at that law school.

2. Applicants in Good Standing

An applicant who has attended another law school approved by the American Bar Association and is in good standing at the previously attended institution who meets the standards applicable at the College of Law may apply for admission with advanced standing at the University of La Verne College of Law. Such applicant may be considered for admission to the College of Law in good academic standing.

An applicant who has attended another law school that is state-accredited and is in good standing may apply for admission with advanced standing if that applicant has met the residency requirements set forth in ABA Standards 304 and 305 where the content of his or her study was such that credit therefor would have been granted towards satisfaction of degree requirements at the College of Law. In no event shall credit be given for study at a state-accredited school in excess of one-third (29 units) of the total credit hours required to graduate at the College of Law.

3. Applicants Previously Dismissed for Low Scholarship

An applicant who was previously dismissed from law studies for low scholarship, including one dismissed from the College of Law, may be granted admission only upon an affirmative showing of exceptional circumstances that he or she possesses the requisite ability. Such a showing shall normally be made:

- a. By having achieved a score on the LSAT at or above the 50th percentile; AND
- b.1) By letters or memoranda from the Dean or faculty of the school previously attended; OR
- b.2) When two or more years have elapsed since dismissal, by work, activity, or studies during the interim indicating a stronger potential for law study.

An applicant who has previously been dismissed for low scholarship may only be admitted upon recommendation of the Admissions, Scholarship, and Financial Aid Committee and approval by the Dean. No such applicant can be admitted unless an official LSAT score report has been received by the College of Law and placed in the student's file.

In each case of admission of an applicant who has previously been dismissed for low scholarship, the Dean or the Admissions, Scholarship, and Financial Aid Committee or the Assistant Dean of Admissions shall sign and place in the admittee's file a statement of the considerations that led to the decision to admit.

An applicant who has previously been dismissed for low scholarship may be admitted on academic probation as determined by the Admissions, Scholarship, and Financial Aid Committee and the Dean.

4. Transfer Credit

a. In General

At the time of admission, the Dean or Associate Dean shall determine what courses have been satisfied by transfer units (if any are granted) and acceptance of such determination shall be a condition of admission.

No credit will be given for work in which the student received a grade lower than the minimum average required for graduation at the school(s) attended, and no student may receive more than 44 semester hours of credit at the University of La Verne College of Law for work completed at another law school.

While the transfer units will count toward hours required for graduation, the grades earned at another law school will not be factored into a student's grade point average.

b. Applicants Previously Dismissed for Low Scholarship

Applicants who have previously been dismissed for low scholarship shall normally receive no credit for law courses previously completed, whether or not successfully completed. If the Dean or Associate Dean, in his or her discretion, wishes to allow credit for prior law study, the Admissions, Scholarship and Financial Aid Committee shall sign and place in the admittee's file a statement describing how such credit allowance complies with the rules of the American Bar Association.

D. VISITING STUDENTS FROM OTHER LAW SCHOOLS

All students who are in good standing and eligible to re-enroll at a law school approved by the American Bar Association or accredited by the State Bar of California may apply to attend the College of Law as a visiting student without becoming a candidate for the law degree at La Verne. Such a student must submit a short-form application for admission and a letter to the College of Law from the dean of the attending law school certifying that:

1. the student is a candidate for a degree in law at that law school;
2. the student is in good standing and eligible to re-enroll at that school;
3. the student has received the permission of that law school to take, at La Verne, the law school courses listed in the letter; and
4. the student will receive transfer credit toward the student's law degree at that school for each such course satisfactorily completed at La Verne.

E. AUDITING POLICY

Upon approval of the Dean or Associate Dean, the College of Law may, without requiring compliance with its admission standards and procedures, enroll individuals in a particular course or limited number of courses, as auditors, non-degree candidates, or candidates for a degree other than a law degree, provided that such enrollment does not adversely affect the quality of the course or the law school program.

F. COURSES IN OTHER DIVISIONS OF THE UNIVERSITY OF LA VERNE

After successful completion of their first year of study, defined as the fall and spring semesters, students qualify to take courses in the graduate division of the University of La Verne. Students may take up to a total of six hours of courses in the graduate division of the University of La Verne and apply them to the 88 hours required for the Juris Doctor degree. Students desiring to exercise this option must submit their requests and reasons in writing before registration to the Office of the Dean for approval. Normally, such approval will only be given where a student is enrolled in a joint degree program within the University and are taken during the summer term. Such courses must bear a direct relation to the student's legal career goals. Only in exceptional cases will more than three hours be permitted in any one semester. The Dean may, at his or her discretion, make the granting of such credit conditioned upon the completion of his or her Juris Doctor degree at the College of Law. Hour credit only will be recorded for such courses, assuming satisfactory grades are achieved.

1. Students exercising such option will not be permitted to enroll for credits for clinical externship to the extent that the combined total number of course units in the graduate division of the University and the total number of clinical externship units exceed eight.

G. DUAL DEGREE PROGRAMS: JD/MBA AND JD/MPA

1. A matriculating student at the University of La Verne College of Law is eligible to participate in a dual degree program in either the University of LaVerne's College of Business & Public Management's Master in Business Administration ("MBA") Master in Public Administration ("MPA") programs. In order to qualify, a student must do all of the following:
 - A. Obtain written permission from the College of Law to participate in a dual degree program of choice;
 - B. Maintain a cumulative GPA of at least 2.2 in the JD program;
 - C. Be officially enrolled in the MBA or MPA program at the University of La Verne; and
 - D. Obtain written approval from the College of Law in advance of enrolling in a graduate course in which a student intends to obtain transfer credit.
2. Not all graduate courses qualify for elective credit at the College of Law. For example, no on-line courses will be approved for transfer credit. See 1D. above. Only graduate courses pre-approved by the College of Law will qualify for transfer credit.
3. A student on academic probation at the College of Law is not eligible to participate in a dual degree program.
4. The maximum number of credits that are transferable into the JD program is six. Such credit will not be posted until the third year of the JD program for full-time students and the fourth year of the JD program for part-time students, at the time the student is assured of graduating. Only those pre-approved courses wherein a grade of 3.0 or better shall qualify for credit. However, the grade will not be calculated into the student's College of Law grade point average.
5. Students cannot take any combination of graduate and JD courses during the summer that result in more than 11 units or its equivalent. Because of the compressed nature of the summer session, JD units are treated as double during the summer, while graduate units are counted at face value. Thus, a student may take 4 JD units and 3 graduate units during the summer, or 2 JD units and 7 graduate units; or 11 graduate units; or 5 JD units (with advanced permission).
6. A student who desires 6 units of transfer credit for graduate courses is not eligible to take Study Abroad summer units for credit. A student who desires 6 units of credit for graduate units may only take 2 units of clinical externship for credit. If 3 units of graduate transfer credit are sought, then 5 units of clinical externship may be taken for credit.
7. Financial arrangements for courses taken in the graduate program must be made directly with the graduate school. Scholarships awarded for study in the JD program are not applicable to units taken outside the College of Law.
8. All graduate course work taken in addition to College of Law course work during any semester must be pre-approved by the College of Law. No more than 3 units of graduate course work in addition to College of Law course work may be taken during any semester unless prior approval is obtained from the College of Law.

II. SCHOLASTIC STANDARDS

A. GOOD STANDING

All students are required to maintain good academic standing at all times during the course of their law study. A student shall be deemed in good academic standing if he or she is on probation or deemed academically warned, so long as the student is in compliance with all terms and conditions imposed by such probation or academically-warned status.

B. ACADEMIC WARNING

1. A student shall be deemed academically warned if:
 - a. his or her cumulative grade point average falls below 2.2 after the first semester of the first year of study; or
 - b. his or her cumulative grade point average falls below 2.2 but above 1.99 at any time after the first semester of the first year of study.
2. Any student deemed academically warned shall comply with the following terms and conditions, the failure of which shall be deemed sufficient grounds for a determination that student is not in good standing and thus is not eligible to continue his or her program of study at the College of Law:
 - a. Student shall carry and complete a normal load for his or her enrollment status during the period of academic warning unless, for good cause, this requirement is waived by the Dean or Associate Dean;
 - b. Student shall meet with his or her faculty advisor and the Director of Academic Support and comply with all prescribed support strategies;
 - c. Student shall not hold office in more than one student-run organization during the period of academic warning;
 - d. Student shall not represent the College of Law in any traveling Moot Court team competition (this excludes participation in regular courses such as Appellate Advocacy and Honors Moot Court);
 - e. Student must complete all course work for academic credit in full residence at the College of Law, and may not receive credit for any course taken at another law school or summer-abroad program during the period of academic warning;
 - f. Student may not attend summer school at the College of Law or elsewhere. Notwithstanding this provision, a student enrolled in the part-time program may enroll in the normal number of credit hours during the summer session at the College of Law in order to comply with the terms of the part-time load requirement.
 - g. Student shall not be eligible to participate in law review;

- h. Student must enroll in and successfully complete Legal Analysis and Writing III the first time the course is offered and available to student after the student is deemed academically warned. This term shall be waived if the student has previously enrolled in and successfully completed the course.
- i. Student must meet with his or her faculty advisor and obtain the advisor's signature on the registration form in order to register for classes during the period of academic warning.

C. DISQUALIFICATION AND PROBATION

1. Periods of Academic Review

Academic standing is to be initially determined as follows:

- a. For full-time Fall entrants, after completing the Fall and Spring semesters.
- b. For part-time Fall entrants, after completing the Fall and Spring semesters.
- c. For part-time Spring entrants, after completing the Spring semester, the Summer term, and Fall semester.

Thereafter, academic standing shall be determined after each subsequent semester, with the Summer term being considered as part of the Fall semester.

The College of Law recognizes that registration or enrollment in courses for a regular Fall or Spring semester or Summer term may occur before grades for the previous semester or session have been submitted and that such grades may result in academic disqualification after enrollment. A registration or enrollment does not constitute a waiver by the College of Law of these academic requirements. Students who register or enroll in such a semester and who are ineligible for same or are denied readmission will be required to withdraw from all courses and shall receive a tuition refund. However, in the Summer session, a student may be given the option of continuing a course for credit upon submission of a waiver that acknowledges that the grade will not be used for any readmission evaluation unless the grades for that course have been submitted by the instructor to the Registrar prior to the readmission evaluation meeting.

2. "Courses"

Following the initial determination of academic standing, semester-end grades in all courses, including those taught as full year courses, shall be treated the same as final grades in applying all scholastic standards described in this document, including, but not limited to, issues pertaining to probation.

3. Academic Disqualification

A student previously in good standing shall be academically disqualified if:

- a. At the end of the initial period of academic review (See II.B.1., above), his or her GPA for the period falls below 2.0; or

- b. Following the initial period of academic review (See II.B.1., above), his or her GPA for any semester falls below 2.0 or his or her cumulative GPA falls below 2.0.
- c. Notwithstanding the provision of II.B.3. relating to semester GPA, a student who is past the initial period of academic review and who has a cumulative GPA of 2.5 or above at the time of academic review shall not be subject to academic disqualification. (Calculation of the cumulative grade point average shall include the current period of academic review.)

4. Readmission on Probation

- a. A student academically disqualified from study for the first time shall have the right to petition the Faculty for readmission, such petition to be filed no later than 10 days following the student's receipt of notice of exclusion.
- b. The Dean or Associate Dean shall convene a meeting of the faculty to consider appropriately filed petitions for readmission. A quorum shall consist of more than 50% of the full-time faculty with the Dean and Associate Dean each counting as one. Any faculty meeting that is specially called for the purpose of hearing such petitions shall be had upon reasonable notice to the faculty with respect to date, time, and purpose of the meeting.
- c. Faculty decisions pertaining to readmission will be based upon written petitions and documentary evidence only, unless the Faculty requests testimony or additional information. (The petitioner has no right to personally appear). In addition, to the extent that the Student Representative wishes to provide input on a specific petition, such information must be presented in writing. (The Student Representative will not participate in the Faculty's discussion of student petitions.)

In determining whether to grant readmission on probation, the Faculty shall consider, but are not limited to, the following:

- 1) The student's entire pre law school record, including LSAT scores and admissions file, in light of the student's actual performance in law school;
- 2) The student's law school performance, with emphasis upon substantive courses, while discounting non-substantive and pass/fail courses. The Committee may consider the identity and grading patterns of the student's instructor;
- 3) The student's classroom attendance record;
- 4) The student's compliance with outside employment hour restrictions; and
- 5) Whether the student took advantage of the resources available through the University and the College of Law.

5. Terms of Probation

In granting a petition for readmission, the faculty may impose any terms of probation that it judges to be academically warranted.

In addition, students who are readmitted:

- j. shall carry and complete a normal load during the period of probation unless, for good cause, this requirement is waived by the Dean or Associate Dean;
- k. shall meet with their faculty advisor and Director of Academic Support and comply with all prescribed support strategies;
- l. shall not hold office in student-run organizations during the period of probation;
- m. Cannot represent the College of Law in a Moot Court team competition other than Appellate Advocacy or Honors Moot Court.

6. Academic Disqualification Following Probation

Any student on probation, including any student originally admitted on probation, will be academically disqualified without eligibility for readmission if:

- a. The student fails to achieve a semester average of at least 2.0 in each semester included within the period of probation; or
- b. The student fails to establish a cumulative GPA of at least 2.0 at the end of the period of probation; or
- c. Where specified at the time the student was placed on probation, the student fails to meet any condition of probation imposed by the Faculty at the time of such readmission on probation.

7. Conditions of Termination of Probation

a. Generally

Probationary status will be terminated if a student complies with all conditions of probation imposed at the time of his or her admission or readmission in each of the two semesters following the imposition of probation. (For the purpose of compliance with this section, a summer session does not qualify as a successive semester but is included as part of the following Fall semester.)

b. Exception based upon cumulative GPA

The foregoing paragraph (II.B.7.a.) notwithstanding, a student shall be removed from probation if, at the end of any semester of probation, he or she achieves a cumulative GPA of 2.5 or better.

c. Graduating Seniors

A student who finishes his or her last semester with a cumulative GPA of 2.0 or above and who has complied with all unit, residence, and required course provisions, shall be permitted to graduate notwithstanding a failure to meet terms of probation that do not affect these basic requirements, unless the faculty has, in granting probation, specifically determined that a condition of probation, if not met, will bar the granting of the degree.

D. PROCEDURE TO REVIEW ACADEMIC EXCLUSION

1. Any petition by a student seeking readmission shall be by written petition setting forth, as a minimum, the following specific items under appropriate headings:
 - a. name of petitioner;
 - b. effective date of notice of academic disqualification;
 - c. a statement of facts giving rise to mitigation of the decision to academically disqualify;
 - d. a statement of the student's reasons for believing that mitigating circumstances negate the inference of a lack of aptitude or ability arising from the grades.
2. The Faculty may wish to delegate its authority to consider petitions for readmission to the Academic Standards, Exams & Grading Committee. If it does so, that committee may review any such petition without personal appearance by the student and may either re-admit upon such terms of probation as are deemed appropriate or refer the petition to the General Faculty for hearing.
3. A copy of the original petition along with a statement in writing of additional facts not covered therein shall be submitted to the Registrar, who shall place the petition on the agenda of the next regular faculty meeting, unless a special faculty meeting is scheduled for such a purpose.

E. POLICY ON REVIEW OF PETITIONS

1. The question of readmission following academic exclusion involves a decision based upon discretion and is not a matter of right.
2. In order that decisions regarding readmission shall be knowledgeably made and in order that the academic standing of each student shall be accurately represented, a permanent transcript for each student shall be kept by the Administration. The transcript shall show all courses for the credit earned and grade received in each course, and the student's withdrawal, voluntarily or involuntarily, from any course. The transcript should also reflect all actions taken with regard to academic good standing, exclusion, and probation.
 - a. Cumulative grade point average, as well as grade point average for that semester, shall be entered at the end of each semester on such transcript.
 - b. "Cumulative grade point average" shall include the averaging of all semester-end grades received in courses whether or not subsequently repeated.

F. MINIMUM AND MAXIMUM UNIT LOAD AND COURSE LOAD REDUCTION

The normal unit load for part-time students is between 8 and 11 units per semester, and up to 5 units in the summer. The normal unit load for full-time students is 12 to 16 units per semester. A full-time student may enroll in a maximum 17 units in a semester, but only upon approval of the Associate Dean upon a showing of good cause by the student. Full-time students may enroll in a maximum of 3 units in the summer; however, this limitation does not apply to study-abroad enrollment as described below. (Students may underload or overload only upon a showing of good cause, subject to the Dean's discretion. However, no student may register for, or drop to, less than 8 units for more than two semesters in his or her law school career for any reason.) Full-time students needing to reduce their course loads have the option of entering the standard part-time program. Unique programs are discouraged.

G. STUDY ABROAD CREDIT

Students may enroll in summer study-abroad programs offered by ABA approved law schools if approved in advance by the Office of the Dean. In order to qualify for transfer credit, a student must have a minimum cumulative GPA of 2.2 at the College of Law. The maximum number of units transferable in any one summer, is 4 units. The total number of transfer units for study abroad programs is 6 units.

H. CREDIT FOR COURSES TAKEN AT OTHER LAW SCHOOLS

1. The College of Law will accept up to a maximum of six hours of credit for coursework completed at another law school toward the number of units required for the Juris Doctor degree, provided that the following conditions are met:
 - a. Coursework must be completed at a law school approved by the ABA;
 - b. The student must obtain advanced written permission from the Dean or Associate Dean to enroll in such course. Normally, approval to enroll in such a course will be given only when the course is not offered by the College of Law;
 - c. The student must earn a grade in the course equivalent to the minimum average required for graduation from the law school at which the course was taken or the equivalent of a C, whichever is higher;
 - d. The student must have a minimum cumulative GPA of 2.3 to enroll in a course at another law school.

2. In the case of extraordinary circumstances, the Dean or Associate Dean may approve a petition of a student requesting permission to enroll in and complete coursework at another law school and transfer such credit to the College of Law toward completion of the Juris Doctor degree, provided that the following conditions are met:
 - a. Coursework must be completed at a law school approved by the ABA;
 - b. The student must obtain advanced written permission from the Dean or Associate Dean to enroll in such courses. The following are examples of circumstances that might be considered extraordinary circumstances:
 - i. Student or a member of student's immediate family has a serious health condition that requires the care of a specialist not available in the area;
 - ii. A close relative of student living outside of the area has a serious health condition requiring student to relocate to care for the relative;

- iii. Student or student's spouse has a job change outside of the area;
 - iv. For part-time students only, student's employer has transferred the student to a position outside of the area requiring the student to relocate;
 - v. Student is involved in a custody dispute in another state that requires student's presence for an extended period.
- c. Under no circumstances will the College of Law approve or accept more than 30 hours of credit for coursework taken at another law school, even if student's request otherwise is based on extraordinary circumstances.
3. When the College of Law accepts credit for coursework completed at another law school, the credit shall count toward unit requirements but not shall not be computed into a student's GPA. The limit on credits accepted for coursework completed at another law school specifically includes and applies to credit for study-abroad programs.
4. For the purpose of enforcing the limits on credits accepted for coursework completed at another law school, credits accepted in connection with a student's admittance to the College of Law as a transfer student with advance standing shall not count.

I. CLINICAL AND EXTERNSHIP CREDIT

A student wishing to participate in both a live clinic and an externship may receive up to six (6) units of credit for participation in a live clinic and up to two (2) units of credit for an externship. Also, if a student is seeking credit for other graduate work outside of the College of Law, he or she is limited to a maximum of two units of externship.

All requests to take more than a total of three units of externship in the course of a student's law school career shall be referred to the Director of Clinical Programs or the Dean, who may not, regardless of circumstance, permit a student to receive credit for more than five such units.

J. MOOT COURT CREDIT

No student shall receive more than four units of credit for participation in moot court traveling team competition during his or her law school career.

K. ATTENDANCE

Regardless of excuse, absences in excess of 20% of a class will result in the automatic exclusion of the student from that class. (An "IW" shall be placed on the student's transcript.) Thereafter, the student may only be readmitted to the class on the basis of exceptional circumstances upon written petition to the Dean. If a student is denied readmission to the class, an "IW-F" shall be placed in the student's transcript. (See Section IV.c.2 and IV.c.3 below).

After providing notice, any faculty member may, in his or her sole discretion, mark as absent students who are tardy or unprepared.

L. GRADUATION REQUIREMENTS

1. In order to satisfy the graduation requirements of the College of Law and have the Juris Doctor degree conferred, a student must do all of the following within five years of commencing the study of law at the College of Law, but in no event more than 84 months after a student has commenced law study at a law school from which the College of Law has accepted transfer credit:
 - a. complete a minimum of 88 units (semester hours of credit);
 - b. successfully complete the number of units in required courses as prescribed by the College of Law;
 - c. have a minimum cumulative grade point average of 2.0;
 - d. satisfy the Upper Division Writing Requirement as prescribed below:
 - All students must complete a Research Paper (either an Academic Paper or a Practice Related Paper) after their first year of law school.
 - This graduation requirement cannot be satisfied by a paper written for a class required for Graduation.
 - Students must achieve a grade of 2.0 or higher for their Research Paper.
 - If a student desires to fulfill the requirement through independent study the student must obtain permission from a full-time faculty member willing to supervise the Research Paper before beginning the independent study.
 - If no full-time faculty member accepts the student's request an adjunct faculty member teaching a course the student is taking may supervise a Research Paper in that subject with advance permission of the Associate Dean. The faculty member must agree to supervise prior to the research paper being written.
 - A Research Paper submitted as an Academic Paper must be independent of the grade for the class and written by one student, must exceed 6,000 words, not including the Table of Contents or footnotes, and may be met by a required research paper in a seminar.
 - Practice Related Papers may be satisfied by a student or a collaboration of efforts by a team with a series of pleadings and briefs authored by the student or team and submitted to a judicial or administrative tribunal and case related. Each student must be individually responsible for at least 6,000 words of his or her own text. Notwithstanding the foregoing word count minimum, this requirement may be met by a Moot Court Honors brief.
 - All papers and documents shall require the submission of multiple drafts, the number and due-dates of which shall be determined by the supervising professor.
 - e. satisfy all financial obligations to the University of La Verne.
2. A student shall not be allowed to graduate if he has not satisfied all of the graduation requirements listed above. Accordingly, a degree will not be conferred, nor will a student be certified by the College of Law to any state bar or other entity as having satisfied the educational requirements for completing the College of Law's program of legal education or for a Juris Doctor degree..

3. Any student who takes the California Bar Examination before completing all graduation requirements will be denied approval for the award of the degree.

M. ACADEMIC HONORS

1. Annual Honors

- a. Dean's List: A student who has completed at least one year of law study and whose weighted grade point average is 3.0 or above or is among the top ten percent of his/her combined full-time/part-time class will be placed on the Dean's List. The Dean's List is compiled each semester. Summer session grades are included with the fall semester.
- b. CALI Awards: The student or students receiving the highest grade in a class shall receive the CALI (Computer-Assisted Legal Instruction) Award. A student who repeats a subject (as part of academic probation or because of a previous failing grade in the course at either the College of Law or some other law school) shall not be eligible for the CALI Award or other course-specific academic honors.

2. Graduation Honors

- a. "Graduating Class": The "graduating class" is made up of all students who complete graduation requirements during the academic year immediately preceding the commencement ceremony. (Thus, part-time students who complete their studies in the Fall Semester and full-time students who complete their studies in the Spring Semester are members of the same graduating class.)
- b. Recognition at Commencement Ceremony: At the time when commencement ceremony honors designations must be made (a month or more prior to the graduation ceremony), the relative class ranking of all graduates cannot be determined to a certainty because Spring semester grades are unknown.

Honors recognition at the hooding and commencement ceremony is based on coursework completed through the preceding fall semester because spring semester grades are rarely received by the Registrar prior to the date of Commencement. Therefore, such honors are provisional and subject to change once all grades have been received and processed by the Registrar's office. After Spring semester grades become available, the Registrar shall generate a final graduation honors list.

- c. The student with the highest weighted cumulative grade point average in the graduating class based on coursework completed through the fall semester immediately preceding hooding and commencement exercises shall be designated as class speaker and deliver the class address.
- d. The top 15% of the graduating class receive honors at graduation, as *summa cum laude*, *magna cum laude*, or *cum laude*, as determined by the faculty.

III. EXAMINATIONS

A. IDENTIFICATION NUMBERS

Written examinations, and papers submitted in lieu of written examinations, except for writing courses such as LAW, Appellate Advocacy, and Seminars, shall be identified and graded through the use of a student identification number on the examination or paper. (See also section L. 3. below.)

B. SCHEDULED EXAMINATIONS

1. Examinations will be taken at the time and place scheduled, except as provided below.

2. Variances

a. Advance Permission for Variance in Time or Place of Examination

Normally, any student seeking a variance in time or place of examination shall file a petition for such variance (together with appropriate documentation) with the Associate Dean within two weeks of the posting of the final final-exam schedule.

b. Emergency Permission for Variance in Time or Place of Examination

Where circumstances beyond the student's control prevent a timely petition for a variance in time or place of examination as provided above, the student shall contact the Dean or Associate Dean and provide adequate evidence to establish the need for such variance. If, in the opinion of the Dean or Associate Dean, such evidence is insufficient to justify a variance, the student shall be required to take the exam as scheduled. If satisfied that a variance is necessary and appropriate, the Dean or Associate Dean shall proceed as follows:

- 1) If the Dean or Associate Dean finds that the variance in time or place of examination can be accomplished without significantly compromising the integrity of the examination process, she or he may authorize such variance on terms and conditions that accomplish this result.
- 2) If the Dean or Associate Dean finds that the variance in time or place of examination will compromise or threaten to compromise the integrity of the examination process, she or he may:
 - a) Give permission to the student to take the examination when next regularly given, permitting an incomplete to be entered until such examination results are reported; or
 - b) If the instructor, upon inquiry from the Dean or Associate Dean, expresses a willingness to draft a special examination for the student, the Dean or Associate Dean may permit the special examination on such terms and conditions as are appropriate. In order to preserve

anonymity, a student shall not communicate his or her need for any examination accommodation directly to the instructor.

C. MISSED EXAMINATIONS

If a student, without permission for a variance as provided in Sections III.B.2 above, misses a regularly scheduled exam, the missed exam shall be accorded a failing grade of "0.0" unless, within 7 days of the examination date, the student petitions the Dean or Associate Dean for permission to take a special examination. The Dean or Associate Dean, upon a showing of justifiable cause for missing the examination and upon a showing that circumstances prevented the student from obtaining permission for a variance as provided in Sections III.B.2. above, may grant such relief as he or she deems appropriate including (but not limited to) denying any relief, granting permission to take the examination when next regularly given, granting permission for a special examination with the consent of the instructor as provided above, or such other relief as may be justified by the circumstances.

D. SPECIAL EXAMINATIONS

A special examination is any examination given other than during a regularly scheduled examination.

There are two types, as follows:

1. Scheduled Special Examinations

A scheduled special examination allows the student who has been permitted to do so under III.B.2. to take a subsequent examination in the same subject when the subject is next regularly examined.

2. Unscheduled Special Examinations

An unscheduled special examination is administered on an ad hoc or irregular basis not as part of the regular scheduling of examinations at the College of Law. Such examinations, which must be substantially different than regularly scheduled examinations, may be drafted and administered in order to address an exigent situation that cannot be properly remedied through examination at the time when the examination in the subject is next regularly given.

E. REVIEW OF EXAMINATIONS

Following the release of grades, students may inspect all of their essay examination answers and, if desired, make copies of any essay portion. (No multiple-choice examinations may be inspected or copied except as specially permitted by the instructors.)

Examination answers remain the property of the College of Law and shall not be returned permanently to any student. While instructors may retain possession of examination answers for a reasonable period of time, the Office of the Registrar will have ultimate custody of them.

F. RE-EXAMINATION

Re-examination is not permitted.

G. GRADE CHALLENGES, RE-READING, OR REVIEW OF EXAMINATION ANSWERS

Except as provided herein or as initiated by the Dean or Associate Dean, the review of examination answers after publication of grades shall be by the student who wrote the answer and the examining professor only. (See Section IV. F., below.)

H. READING WEEK

In scheduling the examination period, the Administration shall provide a "reading week," which shall consist of no fewer than five (5) days from the last day of instruction to the first day of the examination period.

I. PARTICIPATION CREDIT

Professors have the discretion to make participation and/or problem-sets a component of a course grade, so long as that component does not exceed 10% of the course grade. Participation credit cannot be a component of foundational course grades including Contracts, Torts, Property, Civil Procedure, Criminal Law, and Constitutional Law. Skills-based courses are not covered by this provision.

Skills-based courses are not required to have a written final examination and the course grade may be based on alternative assessment criteria, including, but not limited to, class participation, written projects, oral argument, and/or collaborative team-work.

J. MANDATORY EXAMINATION REQUIREMENT

1. Students' grades in all courses, unless otherwise specified and notice given, as herein provided, shall be based upon examination grade(s).

Where appropriate, a written paper may be used as a component for the final course grade. In such instances, the instructor shall, not later than the first week of class, advise the class as to any such component to his or her grading, the weight to be given to separate examinations as well as whether the course shall be graded on a credit/no credit basis.

Such information should be included in the syllabus for the course and the syllabus should be amended whenever the grading approach has been changed.

K. COMPOSITION OF EXAMINATION

1. Each faculty member shall be solely and exclusively responsible for the preparation, content, and grading of the examinations and exam answers in the courses such faculty member teaches.

2. The time allowance for a final or mid-term examination should be approximately one hour for each unit of credit for which the course is offered, except that no single examination session shall exceed three hours.
3. At the discretion of the instructor, up to fifty percent of the exam may consist of objective questions in any course with the exception Professional Responsibility, in which course one hundred percent (100%) may consist of objective questions.
4. Open-book or open-code examinations are prohibited, except as expressly permitted by the Dean based upon written explanation and request.
5. "Take home" examinations counting toward a grade for any courses are prohibited.
6. In no event shall an exam, which has previously been made public, be taken for credit.

L. ADMINISTRATION OF EXAMINATION

1. Generally

The examination for each subject taught by a faculty member shall be given at the same time to all students who took the course from that faculty member. The scheduling of examinations shall be the responsibility of the Dean. The Dean shall have the responsibility to provide security for all examination questions and to have the exams reproduced and furnished to the faculty members for distribution to students at the time the examination is administered. Each instructor is required to be present on campus, or upon permission of the Dean based on exigent circumstances, available via phone, whenever students take an examination in his or her course and for the entire time during which students are taking the examination. The administration may provide proctors, if necessary, who shall be under the control of the Registrar.

2. Bluebooks

The Administration will provide an ample supply of bluebooks, and/or typing paper for all examinations. No student may furnish or have his or her own bluebooks or typing paper.

3. Anonymous Grading

The personal identity of a student shall not appear anywhere on the examination papers. Each student will be assigned a number by the Registrar that shall be used for examination identification.

4. Students with Disabilities

Students with disabilities should refer to the policies described in the Handbook for Students with Disabilities. Copies of the Handbook are available through the Office of the Registrar. Any requests for special testing accommodations should be made directly to the Assistant Dean of Students.

5. Students for Whom English is a Second Language

- a. Students for whom English is a second language may qualify to receive extra time during written examinations. Any student seeking extra time must submit a written request to the Assistant Dean of Students as early as possible but no later than five working days before the examination.
- b. The Assistant Dean of Students will meet with the student to determine whether extra time is appropriate. The decision will be based on recommendations from the student's professors, the Director of Academic Support, or the Director of Legal Analysis and Writing, the student's LSAT and TOEFL (Test of English as a Foreign Language) scores, undergraduate or graduate institutions attended, length of time in the country, language accommodations received in the past, and any other relevant information.
- c. Accommodations for English as a second language shall apply to any written examination that is administered under timed conditions and is required for completion of a Law School course, including but not limited to final examinations and mid-term examinations. Accommodations for English as a second language will not be provided for any other assignments.

A full-time student who qualifies to receive extra time during written examinations shall receive up to 50 percent more time for each examination during the first two semesters of study and up to 25 percent more time for each such examination during the third and fourth semesters of study. No extra time is permitted during the fifth and sixth semesters.

A part-time student who qualifies to receive extra time during written examinations shall receive up to 50 percent more time for each examination during the first two semesters of study and up to 25 percent more time for each examination during the third to the sixth semesters of study. No extra time is permitted during the seventh and eighth semesters.

- d. Students for whom English is a second language will be permitted to use a language dictionary while taking examinations. The dictionary is to be purchased by the student and is to contain no additional writing in any language. Dictionaries that do contain additional writing may not be used in the examination, except when allowed by the examination rules (e.g., for open-book examinations). Students may use a dedicated electronic dictionary provided that it does not have communication capabilities.

M. TYPING EXAMINATION ANSWERS

1. All typed exam answers must be double-spaced with at least one inch of margin at the top, the bottom, and both sides.
2. The College of Law assumes no responsibility for any power failure. Typists must be prepared to hand-write their answers in the event of any power or equipment failure.
3. Typewriters or computers (laptops) with a memory capability or a programmable capability may not be used in completing answers to examination questions at the College of Law.

- a. "Programmable capability" includes typewriters with a calculator, calculation function, dictionary, spell-check function, etc.
 - b. "Memory capability" includes typewriters with external plug-in memory modules, even if the module is not brought to the examination. Typewriters that require a battery to maintain memory or any other restricted feature will be rejected, even if batteries are removed and not brought into the examination.
4. Every student who wishes to type examination answers must have his or her typewriter inspected and approved at least one week prior to the commencement of the examination period as directed by the Administration. If the typewriter appears to have either memory or programmable capability, the typewriter will not be approved unless the operating manual for the typewriter establishes clearly that it has no memory or programmable capability. (Typists are urged to bring operating manuals to the inspection.)
 5. Computers (laptops) with memory capability may be used only with appropriate examination software under terms and conditions that may, from time to time, be announced by the Office of the Registrar.

N. LAPTOP USE

It continues to be the policy of the College of Law that academic freedom includes the right of each professor to establish a policy regarding laptop usage by students in his or her classroom.

IV. GRADES AND GRADING

A. GRADING OBJECTIVES

The grading policies and procedures are designed to achieve a fair, even-handed, and realistic evaluation of academic performance for each student as he or she proceeds through the course of study.

The intention of the faculty is that the minimum satisfactory grade of 2.0 bears a correlation to a California bar exam minimum passing standard so that satisfactory performance indicated by the grading system should produce a reasonable likelihood of success on the bar exam within one or two attempts.

B. GRADING SYSTEM

1. All students will receive grades upon completion of each course, which will be based upon a the following system of letter grades having the indicated numerical value for purposes of computing grade point averages:

Outstanding	4.0
Excellent	3.7–3.9
Very Good	3.3–3.6
Good	3.0–3.2
Fairly Good	2.7–2.9
Adequate	2.3–2.6
Minimally Adequate	2.0–2.2

Inadequate	1.7–1.9
Poor, With No Credit	1.3–1.6
Very Poor, With No Credit	1.0–1.2
Extremely Poor, With No Credit	0.7–0.9
Failing, With No Credit	0.0–0.6

2. Numeric grades or scores will be assigned to each examination question. In determining semester grades based upon an averaging of examination question where grades are used, the results will be rounded to the closest tenth to preserve as much as possible the numerical relationship between results that are within the numeric grade assigned for course purposes and yet represent slightly better or worse evaluations when viewed separately, (for example, a 1.9 as distinguished from a 1.8 though both “Inadequate”).
3. When approved in advance by the Dean, certain advanced courses, such as seminars, Moot Court Traveling Team, Law Review, Independent Studies, and clinical externships, as well as Research I, and Lawyering Skills Practicum may be offered on a “Credit/No Credit” basis. Such grading basis shall be announced to students no later than the first week of class. A "No Credit" grade shall not be considered in computing numerical grade point average.
4. Contracts, Torts, and Property shall be considered single courses consisting of two semesters each. The grade for each semester of these courses shall account for 50% of the final grade in the year-long course. Civil Procedure shall also be considered a year-long course, with the first semester (3 units) being 3/5 of the grade, and the second semester (2 units) being 2/5 of the final grade.
5. The following grade distribution and median ranges shall be applied to Contracts, Torts, Criminal Law, Property and Civil Procedure (and is advisory for Legal Analysis and Writing I, Legal Analysis and Writing II, and Legal Research) where the student enrollment is 12 or more. (Where more than one section of the same course are taught by the same professor and the same final examination is administered to all sections, total enrollment shall determine the applicability of the grade distribution):

3.5 – 4.0	2 – 5%
3.0 – 3.4	10 – 15%
2.7 to 2.9	10 – 20%
2.3 to 2.6	25 – 35%
2.0 to 2.2	20 – 30%
1.9 or below	5 – 20%

Median range: 2.2-2.4

C. OTHER TRANSCRIPT GRADES

In addition to the above grading provisions, grades of Incomplete (IC), Involuntary Withdrawal (IW), Authorized Withdrawal (AW), and In Progress (IP) shall be posted to the student's transcript by the registrar on the following basis:

1. "Incompletes" shall be given to students who fail to successfully fulfill all requirements of a given course under circumstances in which the course instructor deems such grade

appropriate. In granting an "Incomplete," the instructor shall indicate in writing the nature of the deficiency, the reason for failure to complete the course given by the student and the time within which the instructor is requiring the deficiency to be corrected. No such period shall extend beyond the following academic year without approval by formal action of the faculty. No student shall advance to the next year with more than one outstanding grade of "Incomplete." In such case the student must complete the unfinished courses or refrain from enrolling for further courses unless she or he secures, by appropriate petition, approval of an alternative program from the Faculty.

In addition to the one-year completion requirement, incompletes given because of the failure to complete an examination in the course must be completed by taking the exam when next regularly given (or before, if a special examination has been approved).

Failure to comply with the course completion requirements will result in the incomplete grade being administratively changed to a failing grade, unless relief is given upon appropriate petition to the Faculty, based upon a showing of good cause therefore.

2. An "Involuntary Withdrawal" shall be administratively entered by the Registrar when a student has been withdrawn from a class by reason of violation of attendance rules. Unless readmitted, such grade shall be treated as a Failing grade for purposes of academic standing.
3. Failing grades under 1. and 2. above shall be entered as a numeric grade of "0.0" on the student's transcript, but shall not be computed in the student's grade point average.
4. "Authorized Withdrawal" shall be administratively entered by the Registrar when any student drops a class within the permitted time following the beginning of the semester or if otherwise allowed to withdraw without penalty by action of the Dean or Faculty.

D. GRADING PROCEDURES – GENERAL

1. The faculty member teaching the course shall grade the papers in accordance with the provisions for grading set out herein.
2. Within three weeks from the date any examination is given, the faculty member shall deliver to the Registrar a finalized grade list for all examination papers.
3. The grade or score for each written examination question shall be clearly marked on the bluebook or on the front page of a student's answer if bluebooks are not used.
4. Faculty members shall deliver grades to the Registrar, who will post them after review and approval by the Dean as provided herein. Faculty shall not discuss or release grades (either individual grades or class distributions) directly to students prior to such posting.
5. Examination answers shall not be given back to students on a permanent basis. Instead, answers shall be made available for student inspection under the guidance of the instructor or Registrar.

E. REPEAT COURSES

Generally, no student is permitted to repeat a course for credit. However, whenever a student is required or permitted to repeat a course, the new grade, whether higher or lower, will be considered for purposes of compliance with terms of probation or other issues related to scholastic standards. The student's transcript shall reflect all courses taken, whether repeated or not, and both the original grade received and the grade received in the course when repeated shall be used in computing the cumulative grade point average.

F. GRADE CHANGES

1. Individual Grade Changes – After the posting of grades, there shall be no individual grade changes except for clerical error subject to the following provisions.
2. Administrative Grade Adjustments – In order to maintain consistency in pursuit of the Faculty grading objectives set out in paragraph IV(A) herein, the grade distributions of all faculty shall be reviewed by the Dean prior to posting for the purpose of assuring compliance with the institutional grading patterns that have resulted from the application of such grading objectives. Upon a determination by the Dean that any set of examination grades substantially deviates from expected grading ranges as determined by existing institutional grading patterns, the Dean shall first make inquiry of the grading professor to determine if there exists an acceptable reason for such variance. If the Dean, through such inquiry and any other evaluation thought appropriate, is satisfied that the variance is justified, no further action shall be taken with respect to grade adjustment. If the Dean determines that sufficient justification does not exist and that the grades represent a significant variance from institutional patterns for grade distribution, he or she shall consult with the grading professor to seek a voluntary adjustment of the grades to bring them into compliance with institutional patterns. If agreement cannot be reached with the grading professor on such an adjustment, the Dean shall make such adjustments as he or she deems appropriate, maintaining in such adjustment the relative ranking of the students arrived at by the grading professor (to the extent possible) while achieving an appropriate grading pattern.

If the Dean determines that the grading pattern is so aberrant that it calls into question the validity of the overall grading process, as distinguished from the pattern of grade distribution, he or she may convert all grades to "pass/fail," eliminate the grade from the overall computation of grades for the course, or have all examinations re-graded by another professor.

3. Clerical Errors – Questions regarding computational or other clerical errors affecting the numerical accuracy of grades should be addressed to the Registrar. The Registrar shall:
 - a. verify whether an error was in fact made; and
 - b. submit details of the error and the verification thereof to the Dean or Associate Dean.

The Dean or Associate Dean shall approve a change of grade to rectify the error or shall refer the matter to the faculty for resolution.

4. Examination and Grading Disputes Regarding Examination Content or Grading Procedures

a. Preliminary Action Required in All Cases

Any student questioning the examination content or the grading procedure must first address any such questions to the faculty member responsible for grading the examination.

b. Procedures for Appeal to the Faculty

If, after exhausting this remedy, there are grounds for appeal to the Faculty as stated in section (4) below, then the student may present a petition to the Faculty, via the Academic Standards, Exams & Grading Committee, subject to the following policies and procedures:

1) Objections to the Content or Administration of the Examination

If the petition is based on the premise that the content of the examination was unfair or biased, or that the administration of the examination caused unfairness or bias, any such claim must be initiated by petition to the Academic Standards, Exams & Grading Committee before the grades for that examination are posted by the Registrar.

2) Objections to the Grading of the Examination

If the petition is based on the premise that there was bias or unfairness in the grading of the examination, any such claim must be initiated by consulting with the instructor within two weeks of the posting of the challenged grade and, regardless of any other circumstances, by submitting a formal petition to the Faculty, via the Academic Standards, Exams & Grading Committee, within 30 days of the posting of the grade.

3) Procedures in Cases Affecting Academic Standing

In the event of academic exclusion, any grade-challenge petition must be submitted to the Faculty, via the Academic Standards, Exams & Grading Committee, prior to the hearing of the petition for readmission.

4) Petition Requirements

The petition must show good cause for review of the examination or the administration of it or the grading of it. This showing must state the facts that support a finding of impropriety in the examination content or that the grant of the disputed exam grade constituted an abuse of professional discretion.

5) Action by Academic Standards, Exams & Grading Committee

- a) The Academic Standards, Exams & Grading Committee shall review the petition to determine whether there has been a showing of "good cause" for review. This determination shall be made at the sole discretion of the Committee and only upon such a showing shall the Committee recommend to the Faculty that there be an investigation of the claim.
 - b) Any such investigation of the claim will be undertaken preliminarily by the Academic Standards, Exams & Grading Committee. The Committee may, at its discretion, interview the petitioner or any person, review any document, take written or oral testimony under oath, keep one or more files which may or may not be permanently retained, add committee members ad-hoc, or undertake any other procedures which may, in the Committee's opinion, aid in the investigation of the claim.
 - c) The instructor shall be notified by the Committee or by the Dean of the specific nature of the claim and shall be entitled to provide such input as the instructor deems necessary for consideration by the Committee and the Faculty.
 - d) Based on the findings from this investigation, the Committee shall make a decision, which shall be promptly communicated to the student and the concerned faculty member by the Registrar.
- 6) Appeal to the Faculty

The Committee's decision may be appealed to the full faculty by the student within two weeks of receipt of the Committee's action. The Faculty may grant the petition, deny the petition, grant any corrective action it deems fit and proper, and/or take any action it deems appropriate.

5. Instructor-Initiated Grade Change Requests

If, after grades have been finalized and posted, an instructor discovers that he or she made a significant, substantive error in the grading of an answer, the instructor may explain the nature of the error, recommend a grade change, and request approval of same. Grade changes under this provision should not be based upon a re-evaluation of the answer, except to the extent that the instructor clearly missed or overlooked a specific portion of the answer, whereby this erroneously perceived omission was the direct basis for lowering the student's grade.

G. RELEASE OF GRADES

Grades may be released by the Registrar only after they have been finalized and approved in accordance with the foregoing procedures. Prior to the release of grades, the approval of the Financial Officer must be obtained and students found to be in arrears on their financial obligations shall be deleted from the posted lists and shall not receive their grades until satisfactory financial arrangements have been made with the Financial Officer.

H. GRADES OF “0.0”–“1.6”

1. Contracts, Civil Procedure, Torts, or Property:

If a student receives a course grade of “0.0”–“1.6” in Contracts, Civil Procedure, Torts, or Property, and is otherwise allowed to continue with his or her legal studies, that student must repeat the entire year-long course.

2. Single-Semester and Advanced Courses

- a. A student who receives a course grade of “0.0”–“1.6” in any single-semester course must repeat that course, unless such course is an elective.
- b. A student who receives a grade of “0.0”–“1.6” in the first semester of any year-long course (other than Contracts, Civil Procedure, Torts, and Property) must repeat that semester before enrolling in the second semester of that course. If a student receives a grade of “0.0 – 1.6” in the second semester, then the student must repeat that second semester.

V. STUDENT DISCIPLINE

A. PROHIBITED CONDUCT

All students are prohibited from engaging in the following conduct:

1. Violation of any established rule, regulation, or directive made in pursuit of proper academic or administrative objectives;
2. Violation of any examination rule;
3. Beginning an examination before the specified time, continuing to write after the conclusion of authorized time, or failing to obey instructions regarding an examination;
4. Participation in any effort to obtain, receive, supply, or use unauthorized information or material in connection with any examination;

(This includes, but is not limited to, looking at or referring to another student's examination answer or answer-related notes during an examination, or intentionally permitting another student to do so. This also includes, but is not limited to, discussing the contents of any examination with another student during the course of the examination.)

5. Possession or use of any unauthorized material (or any unauthorized annotation of permitted material) during any examination;
6. Plagiarism or other fraudulent representation (or material omission) relative to the originality of any part of any academic requirement in any course, including any written assignment or any examination;

Plagiarism is defined as representing, expressly or impliedly, the work of another to be one's own. Plagiarism includes, but is not limited to:

- a) using the words of another without proper attribution;
- b) paraphrasing the words of another without proper attribution; or
- c) using the ideas of another without proper attribution.

Lack of knowledge of what constitutes plagiarism shall not be a defense to a charge of plagiarism.

- 7. Giving or receiving any prohibited aid during the course of any part of any academic requirement of any course, including any written assignment or any examination;
- 8. Breaching or attempting to breach the anonymous grading system at the College of Law by communicating his or her identity to the grader;
- 9. Intentionally engaging in disruptive behavior that tends to impede the educational objectives of another student, a class, or the College of Law;
- 10. Theft or purposeful destruction of the property of another while on school grounds;
- 11. Any act involving library material intended to give the student any unfair advantage over any other student;

(This includes, but is not limited to, hiding, removing, failing to properly return, or destroying library materials.)
- 12. Intentionally withholding evidence that another student has engaged in conduct prohibited herein when properly requested in the context of a disciplinary investigation or hearing;
- 13. Knowingly and falsely accusing another student of engaging in conduct prohibited herein; and
- 14. Conviction of a felony or any willful action not otherwise covered herein and whether or not associated with the University that involves dishonesty or moral turpitude or adversely reflects upon the qualifications of the student to be admitted to the practice of law.

B. SANCTIONS

A student who has been found to have engaged in conduct prohibited in Section A above may be subject to the following sanctions, either separately or in combination:

- 1. Expulsion from the College of Law;
- 2. Suspension from the College for up to one year;
- 3. Receiving a formal letter of censure to be entered into the student's file;

4. Receiving a grade of "0.0" in the class or "No Credit" or "Incomplete," with or without the grade to be part of the student's cumulative grade point average;
5. Exclusion from any or all extracurricular and honors activities, including but not limited to Law Review and Moot Court Honors;
6. Ineligibility for further scholarship aid; and
7. Restitution

Upon a finding of guilt reached through the procedures described in Section C below, the Dean shall notify the California State Bar in writing. In addition, independent of any conclusions reached through the procedures described below, when it is appropriate to do so, the matter shall be referred to the police.

C. INVESTIGATION AND PROSECUTION

1. The Assistant Dean of Students shall be the Judicial Officer and he or she shall:
 - a. Receive, preliminarily evaluate, and investigate all complaints of violations of the disciplinary code and shall institute and prosecute disciplinary proceedings or reject such proceedings, in accordance with such preliminary determination;
 - b. Issue notices of charges, student's rights, and hearing dates, secure attendance of witnesses, and present evidence at all disciplinary hearings instituted pursuant to the procedures set forth herein;

(Notice to the student provided herein shall advise of the specific charge or charges, of the right to call witnesses on his or her own behalf, of the right to examine adverse witnesses, and that the Judicial Board will render a final determination in writing, including the basis for the conclusion.)

- c. Notify the Judicial Board in writing of all disciplinary charges brought to the attention of the Assistant Dean of Students/Judicial Officer that did not result in disciplinary procedures being instituted, together with a brief written explanation of the reasons for rejecting the institution of such procedures.

Thereafter, the Judicial Board shall either accept the recommendation of the Judicial Officer or refer the matter to the Dean, whereupon the Dean shall either confirm the recommendation of the Judicial Officer or order the initiation of disciplinary proceedings.

D. SUMMARY DISPOSITION

Upon a voluntary admission of guilt by a student charged under the provisions of this section, the student and the Judicial Officer may agree on a plea of guilty and the imposition of sanctions. Upon approval by the Dean or Associate Dean, he or she shall then inform the Judicial Board of the agreement. Such consultation with the Judicial Board may occur telephonically or electronically with the individual members; no formal meeting need be called, but all members shall be consulted. Upon concurrence by two-thirds of the members of the Board, the agreement shall be deemed effective. The agreement shall be final and

binding on the College of Law, which shall have no right to re-charge the student with the same or any other violation arising from the same facts, and upon the student, who shall have no further right to hearing or appeal.

E. STUDENT RIGHTS

1. The student shall have the right to receive written notice of the charges made against him or her by the Judicial Officer.
2. The student shall have the right to be notified in advance as to the composition of the Judicial Board and to challenge membership on the Board on the basis of bias.
3. The student shall have the right to call witnesses on his or her behalf and the right to confront adverse witnesses before the Judicial Board.
4. No student shall be compelled to discuss charges made against him or her or to testify, but the student may make an oral or written statement if so desired, which statement shall be considered by the Judicial Officer before a decision to prosecute is made. Such statement may be used as evidence at a hearing only if offered into evidence by the Judicial Officer.

F. THE JUDICIAL BOARD

1. A Judicial Board shall consist of at least three faculty members appointed by the Dean or two appointed faculty members and one student representative. At the beginning of the Fall semester, the Student Bar Association shall name a pool of five students from which the student representative on the Board will be selected. The faculty members of the Judicial Board shall name a Chief Judge who shall rule on all evidentiary and procedural questions. The Judicial Board shall, after hearing, decide by majority vote whether or not the charges made by the Judicial Officer have been proven and shall set forth the sanctions to be imposed.
2. Any member of the faculty who is biased in favor of or against the student charged shall disqualify himself or herself from being a member of the Judicial Board. A challenge in this regard by the student charged may be considered.

G. THE HEARING

1. The hearing shall be held within fifteen days of the mailing of notice of charges to the student. (Such notice should inform the student of the composition of the Judicial Board as well as the time and place of the hearing.)

The time of hearing may be extended for good cause shown to the Chief Judge.

2. The Judicial Officer shall have the burden of proving that the charges are true by clear and convincing evidence.
3. The hearing shall be private. Upon request by either party, the Chief Judge may order the recording of some or all of the proceedings, exclusive of the deliberations of the Judicial Board.

4. Rules of evidence and procedure shall be applied at the hearing in a manner best suited to obtaining a just result.
5. The Board shall issue and serve the student with a written decision about whether or not the charges have been proven and the sanction to be imposed, including the basis for such decision.
6. Upon receipt of the written decision of the Judicial Board, the Dean shall be charged with implementing any sanctions imposed herein.

H. APPEAL

The student may appeal the decision of the Board or the sanction imposed to the Dean.

1. Any such appeal must be made in writing within fifteen days of the mailing of the Board's decision to the student.
2. The Dean may reverse the decision or any part thereof only if the Dean determines that no reasonable person could make this finding or that newly discovered evidence justifies a new hearing.
3. If the Dean determines that newly discovered evidence warrants a new hearing, the matter shall be referred back to the Judicial Board for further consideration.
4. If the Dean concludes that a different sanction is justified, he or she may impose a greater or a lesser sanction than that imposed by the Judicial Board.

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