

# ACADEMIC REGULATIONS

Academic rules and regulations are subject to change by decision of the faculty at any time. Please also refer to the Student Conduct Code (<http://catalog.qu.edu/school-of-law/policies/>) and the Honor Code (<http://catalog.qu.edu/school-of-law/honor-code/>).

## Academic Regulations

### I. Requirements for Graduation

#### A. In General

To receive the JD degree, a student must meet all of the following requirements:

1. Successfully complete all required courses, the core elective requirement, the Professional Skills Requirement (for students matriculating before Fall 2016 or the Experiential Learning Requirement (for students matriculating Fall 2016 or later).
2. Receive credit for 86 credits.
3. Achieve a cumulative grade point average of 2.0.
4. Complete all requirements no sooner than 24 months and, except in extraordinary circumstances, no later than 84 months after a student has commenced law study at this law school or a law school from which this school accepted transfer credit.
5. Satisfactorily complete the Advanced Writing Requirement (p. 2).
6. Complete all work for the above requirements no later than the last day of examinations of the student's final semester.

#### B. Required Courses

##### 1. Policy

Because it is important for all lawyers to share a core of common knowledge and skills, the faculty has prescribed a set of required courses (listed elsewhere in this catalog).

##### 2. Course Sequences, Variances

Required courses must be successfully completed. They must be taken in the prescribed sequence (set forth elsewhere in this catalog) unless the student has petitioned for and been granted a variance prior to registration or prior to a change in registration. A student may, however, take a required course earlier than the prescribed semester without petitioning to do so. Authority to grant or deny such variances rests in the associate dean. Variances are granted in only the most extraordinary of circumstances. A student who has been given permission to postpone an exam in a required course must take the exam the next time the course is offered (excluding the summer term).

##### 3. Successful Completion

A student who has received a failing grade in a required course must retake the course. Upon successful completion of this course, the student will receive a grade of "Pass," but will retain the previous grade of F as well. The "Pass" will have no numerical value and will not affect the CQPA (Cumulative Quality Point Average). The F will be included in the CQPA. The purpose of the rule is to insure at least minimal competency in all required courses but not to provide opportunities to improve a grade. The writing of a paper for a course in which the student failed an examination is prohibited.

#### C. Core Electives

In addition to Lawyers' Professional Responsibility, which remains required for all students, the upper-class curriculum consists of core electives and general electives. The core electives are: LAWS 114

Administrative Law, LAWS 205 Business Organizations, LAWS 323 Commercial Law, LAWS 311 Evidence, LAWS 305 Federal Income Tax, and LAWS 307 Trusts and Estates. General electives are all electives other than core electives.

#### 1. Core Elective Requirement

Every student must take at least four of the core electives. One of the four must be either LAWS 323 Commercial Law or LAWS 305 Federal Income Tax. Students who take both Commercial Law and Federal Income Tax will be able to use both in satisfying the requirement of four.

#### 2. Sequencing and Registration Priorities

##### Full-Time-Students

Full-time students must complete at least three of the core electives by the end of their second year. Moreover, students who are registering for their second year have priority with respect to all of the core electives. Thus, a student who takes fewer than six of the core electives in their second year will be able to register to take the remaining core elective(s) as a third-year student only after the completion of registration by students who are registering to take core electives in their second year.

##### Part-time Students

Part-time students must complete at least two of the core electives by the end of their second year, and the rest of their core electives in the third and/or fourth years.

After registration in the fall, the associate dean for academic affairs will determine if there are any students who have not registered for enough core electives to complete at least three (for full-time students) or two (for part-time students) by the end of their second academic year. The associate dean will send a warning letter to such students, stating they have one week to register for sufficient core electives in the spring to total the required number for the year. If they have not done so by the deadline, the associate dean will register them for the number of core electives needed to fulfill the core elective requirement. Courses will be assigned solely in the discretion of the associate dean.

The associate dean's office is available to answer questions about the requirements and registration priorities.

#### 3. Advice on Course Selection

Although only four of the core electives are required, the faculty recommends that students seriously consider taking all six, for the following reasons.

First, the faculty believes that these six courses are among the most important in the upper-class curriculum. Taking all six gives students exposure to a wide variety of legal areas and disciplines. In the past, students who have had summer jobs after their second years have often found that they were better prepared for their assignments than students from law schools with less extensive requirements.

Second, with the exception of LAWS 305 Federal Income Tax, the six courses cover some, though by no means all, of the most difficult material tested on most bar examinations. Taking all five of the other courses does not, of course, guarantee success on any bar examination, nor does taking all six guarantee success in practice. Moreover, different instructors may stress different aspects of the material and even different material in different sections of the courses. Yet students who take all six will thereby enhance their

chances of passing a bar examination and will become sensitized to potential tax consequences of transactions and other activities in a wide variety of legal practice areas.

Third, all of the six courses provide foundations for other courses in the curriculum. In combination with the required first-year curriculum, they develop students' skills in statutory, administrative, and common-law reasoning. They also introduce students to many of the concepts that clients expect lawyers to understand.

Fourth, students' notions of where their interests lie often change with exposure to new material. In the past, many students who have entered the law school without definite career plans have discovered interests in areas covered in one or more of the six courses. Even students whose plans were definite at the outset have sometimes changed their minds and pursued careers in areas they discovered only when they took one of the six.

## D. Experiential Learning Requirement

Each student must also satisfactorily complete "one or more experiential course(s) totaling at least 6 credits," as provided by current ABA Standard 303(a)(3) and related provisions. Certain courses are always designated as "experiential courses" that will satisfy the requirement. They are: all law clinics except Advanced Clinic; all externships including Field Placement II; Introduction to Representing Clients; Negotiation; Trial Practice and Advanced Trial Practice. Other courses that may satisfy this requirement, depending on the design choices that the particular professor makes, include: Advanced Family Law II: Courtroom Advocacy, Advanced Juvenile Law: Delinquency Proceedings, Alternative Dispute Resolution, Bankruptcy Lab, Commercial Transactions Workshop, Estate Planning and Drafting, Financial Planning: Principles and Taxation, Judicial Clerkship Seminar, Land Use Practicum, Representation in Mediation, and Visual Persuasion in the Law. (This list is subject to revision; each semester the registrar will designate which courses taught the following semester will satisfy the requirement.) Any paper(s) written in connection with a course or courses used to satisfy the Experiential Learning Requirement may be used to satisfy no more than three of the four papers required to satisfy the Advanced Writing Requirement.

## E. Advanced Writing Requirement

### 1. The Requirement

To ensure continued development of those research and writing skills stressed in the first-year Legal Skills Program, each student must write at least four papers after the first year, preferably one each semester. At least one, the "substantial paper," must be at least 10-15 pages in length with a non-trivial research component. The three others constitute the "short paper" requirement. A student may not begin the advanced writing requirement before completing LAWS 111 Legal Skills I and LAWS 112 Legal Skills II.

### 2. Modes of Satisfaction

A student will ordinarily submit a paper as part of the work for a substantive or clinical course. The class schedule published each semester will indicate which courses automatically satisfy either a short paper or substantial paper requirement. Most elective courses that do not automatically satisfy a paper requirement will have a limited number of places for students who wish to write a paper for that course. Procedures for signing up for a paper are published each semester after the close of the add/drop period. The paper must count for at least 25 percent of the final grade for the course.

Ordinarily a student may not satisfy two paper requirements in the same semester. An exception will be made if a student takes more than one course that automatically satisfies a paper requirement. The associate dean may waive the one-paper limitation for good cause.

A member of the Law Review, the Probate Law Journal, or the Health Law Journal may satisfy the substantial paper requirement by preparing a long note or comment that the editorial board determines is of publishable quality. A student may satisfy the substantial paper requirement by submitting an appellate brief prepared for the intramural competition used to select members for the Moot Court Society. To satisfy the paper requirement, the brief must be critiqued and approved by a faculty member, who may require additional work on the paper. The faculty member must transmit the approval to the registrar. The student does not need to be selected to the Moot Court Society in order for their brief to satisfy the requirement.

### 3. Full-Time Faculty

The courses designated as satisfying the advanced writing requirement shall ordinarily be limited to those taught by full-time faculty. In exceptional circumstances, the associate dean may approve the designation of a course taught by a part-time member of the faculty.

### 4. Duplicative Use

The principal part of any work prepared in satisfaction of any part of the writing requirement will be completed after the date that the topic is approved by the faculty supervisor. Any prior work on the topic, either research or writing, must be fully disclosed to the faculty supervisor prior to the approval of the topic.

Any paper written in connection with a course or courses used to satisfy the 6-credit Experiential Education Requirement may be used to satisfy a short paper requirement but not the substantial paper requirement.

## F. Limit on Out-of-Class Credits

A law student may elect a maximum of 20 out-of-class credits toward the satisfaction of the 86 semester hours required to receive the JD, consisting of up to 10 fieldwork credits and up to 10 non-classroom credits, as follows:

### 1. Fieldwork Credits

A law student shall be permitted to elect a maximum of 10 fieldwork credits during the student's residency at the school. Fieldwork hours, as currently in the curriculum, include the following:

- a. all but 4 of the credits elected by a student taking for the first time an in-house clinic taught by a full-time faculty member (Civil Justice Clinic and Tax Clinic),
- b. all but 2 of the credits elected by a student taking Civil Justice Clinic (LAWS 294) after taking Tax Clinic (LAWS 295) or vice versa, and
- c. all but 2 of the credits elected by a student taking Appellate Clinic I - Defense (LAWS 299) or other clinic that is not taught by a full-time faculty member, and
- d. all but 1 of the credits for Advanced Clinic (LAWS 611), and
- e. all but 1 of the credits for an externship.

The rules of the various state bar examiners vary in respect to the number of fieldwork credits an applicant may present. Each student is responsible for making certain that their curriculum conforms to the requirements of the state or states to which the student may apply.

## 2. Non-Classroom Credits

In addition to any fieldwork credits under the preceding section, a law student shall be permitted to elect a maximum of 10 non-classroom credits during the student's residency at the school. Non-classroom credits, as currently in the curriculum, include the following: a. all credits elected for Moot Court, and b. all credits elected for Health Law Journal, Law Review or Probate Law Journal, and c. all credits elected for an Independent Research Project. The rules of the various state bar examiners vary in respect to the number of non-classroom credits an applicant may present. Each student is responsible for making certain that their curriculum conforms to the requirements of the state or states to which the student may apply.

## 3. The following summarizes the limits on out-of-class credits:

### Fieldwork Credits: 10 credits maximum

Externship (non-seminar work)

Advanced Clinic (non-seminar work)

All but 4 Civil Justice/Tax Clinic credits (if a student takes Civil Justice Clinic and then Tax Clinic (or vice versa), then all but 2 credits of the second clinic would be fieldwork credits)

Other clinics (non-seminar work)

### Non-Classroom Credits: 10 credits maximum

Moot Court (3-credit limit)

Independent Research Project (6-credit limit)

Journal (4-credit limit)

Credits from other parts of university

## G. Independent Research Project

The Independent Research Project permits a student to conduct a major research and writing project under the supervision of a full-time member of the Law School faculty. The paper must be at least 20 pages in length, exclusive of footnotes, per credit assigned.

A student who wishes to write an independent research paper must submit to the supervising faculty member a written proposal that demonstrates that he or she has a viable topic for research. The student must register for the course, with the approval of the faculty member, no later than the beginning of the student's next to last semester of school. Prior to registration, the student must present to the registrar a contract signed by the supervising faculty member. Contracts are available in the associate dean's office.

An Independent Research Project may satisfy the substantial paper component of the Advanced Writing Requirement (p. 2) if the project is for either 2 or 3 credits.

The Advanced Writing Requirement provision on Duplicative Use applies to the Independent Research Project.

No student shall register for more than one Independent Research Project in any semester or session, nor more than two Independent Research Projects for all semesters or sessions at the School. No student may complete more than one Independent Research Project with any individual faculty member. A student may enroll in an Independent Research Project during the same semester or session in which the student is enrolled in a clinical program, subject to the rules regarding Limit on Non-Classroom Credits, and provided that the student is enrolled in at least one other school course with regular class meetings. Only full-time law school faculty members may supervise an Independent Research Project. The associate dean may waive any of these requirements under exceptional circumstances.

## H. Visitor and Credit-Transfer Policy

### 1. Visitor Policy

Students may by permission of the associate dean visit at another law school at any time after completing their second semester, provided that they complete at least two-thirds of their credits toward their degree at the Quinnipiac University School of Law. Such visiting status may be granted when it is determined that an exceptional change in the student's personal circumstances requires the student to relocate for the period of visiting status, or when some exceptional educational opportunity arises. Credits will be accepted for transfer only if the visiting student earns at least a C or its equivalent.

### 2. Transfer of Credits

This school will grant no more transfer credits for a course taken at another school than the number of credits granted for the course by that school. For students who transfer to this school, no credits are transferred in courses in which the student has earned a grade below C (2.0). The maximum number of credits a student can transfer from another law school is 30. For Quinnipiac students who visit at another law school, see paragraph 1 above. Credits accepted from other schools are transferred with the grade of "Pass."

### 3. Required Courses and Core Electives

Except with express written permission of the associate dean for reasons of hardship, students may not receive credit for required courses or core electives taken at other law schools. Written permission must be obtained before taking the course elsewhere.

### 4. Summer Sessions

Except with express written permission of the associate dean for reasons of hardship or sound academic reasons, students may count toward graduation no more than six credits earned in summer programs of other law schools. Written permission must be obtained before taking the course elsewhere.

## I. Courses Taken at Another University School or College

For good cause shown, the associate dean may allow a student to register and earn credit toward the JD for courses taken in another school or college of the university. Law school credit will be pass/fail only, and given only for courses in which the student earns a grade of C (2.0) or better.

## II. Grades, Grading and Examinations

### A. Grades

The School records letter grades and attributes to those grades a quality point equivalent based upon a four-point system, as follows:

A .....	4.00
A- .....	3.67

B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C-	1.67
D+	1.33
D	1.00
F	0.0 and no credit

The school awards honors to graduates according to the following standards:

3.00 to 3.29 - cum laude

3.30 to 3.59 - magna cum laude

3.60 to 4.00 - summa cum laude

Several courses—including Civil Justice Clinic, Tax Clinic, Appellate Clinic and Externships—may be graded (at least in part) as Honors, High Pass, Pass, Low Pass, and Fail. Except for Fail, none of these grades has a numerical equivalent; hence they do not affect the student's Cumulative Quality Point Average. A Fail, however, counts as a 0.0 in calculating the CQPA. Grades for courses taken at other institutions for which credit is given shall be recorded as Pass, subject to the Transfer of Credits policy described in section I.G.2 above.

## B. Grading

### 1. Anonymous Examinations

Except as specified hereunder, grades are based solely on written examinations that are graded anonymously. Approximately one week before examinations each semester, students must obtain from the registrar their examination number. That number must be used on all examinations in lieu of the student's name.

### 2. Extensive Written Work

Some courses involve extensive written work. Such work and such courses need not be graded anonymously. However, written final examinations in such courses are graded anonymously.

### 3. Clinical Courses

Clinical Courses and other courses involving extensive non-written performance need not be graded on the basis of anonymous examinations.

### 4. Classroom Performance

The faculty believes that student performance in the classroom is an essential part of the educational process. Faculty members have the authority to evaluate such performance and to raise or lower a student's final grade by one-third of a letter grade, based on such performance. A faculty member who implements this policy must announce it to their class beforehand. Failure to adopt such a policy at the beginning of a semester shall not stop the faculty member from doing so thereafter, provided the required notice is given.

### 5. Attendance and Class Preparation

Excessive student absences in a required course will lead to an administrative withdrawal from the course with a grade of F. (See section VI.A, Attendance Policy (p. 6), below.)

### 6. Grade Changes

After submitting grades in a course to the Registrar's Office, a faculty member has no authority to change a grade except

upon satisfying the associate dean that the change is due to mathematical or other clerical error or egregious substantive error. No change requested by a student shall be approved unless the student has sought review from the instructor within three weeks after the posting of the grade, or within three weeks of the beginning of the semester immediately following, whichever is later. In no event shall a grade change be made after the last day of the semester next following the semester or session in which the examination was administered.

### 7. Grades of Incomplete

A student who is given a grade of Incomplete in a course, and has not completed all course requirements by the end of the semester following that in which the Incomplete was given, shall automatically have the Incomplete converted to an F. Exceptions to this rule will be made only in cases of extreme hardship (such as extended illness), on proof of same satisfactory to the associate dean.

### 8. Grading Guidelines

The recommended median grade in required courses (Contracts, Torts, Civil Procedure, Criminal Law, Constitutional Law, Property, and Legal Skills I & II) is C+ or B-. The recommended median grade in core electives (Tax, Business Organizations, Evidence, Administrative Law, Commercial Law, and Trusts and Estates) and in Lawyers' Professional Responsibility is B- or B. Faculty may deviate from these recommended medians after consulting with the associate dean. There are no recommended medians for other courses.

## C. Examinations

### 1. Honor Code

The following honor code pledge will be attached to every examination, take-home and in-class. Students must sign the pledge prior to taking the examination.

#### HONOR CODE PLEDGE

*"On my honor, I pledge that I will follow the Honor Code regarding this examination. Specifically, I pledge that I have not given or received, and will not give or receive, prohibited assistance on this examination, and that I will neither work on nor retain this examination after the time allotted has elapsed. I understand that it is my duty to report any conduct that I know constitutes a violation of the Honor Code."*

Signature (please use examination number, not your name):

Date:

Course:

Professor:

### 2. When Taken; Excuses

(a) Examinations must be taken at the time and place specified unless the student is excused by the associate dean on account of illness or for other sufficient reason. Where possible, the student shall secure the associate dean's written permission prior to the date of the examination. **To preserve anonymity, the student must not notify the instructor.** In the event of an emergency that makes prior written approval impractical, the student shall notify the associate dean as soon as possible of their inability to take the examination at the scheduled time.

(b) A student who becomes ill during an examination and is unable to complete the examination may, in the discretion of the associate dean, be permitted to take the examination in the same course the next time it is offered, provided the student has notified the associate dean or delegate before the end of the examination.

(c) A student who has three or more examinations within a 24-hour period may, with the permission of the associate dean, postpone one of the exams until later in the examination period.

### 3. Rescheduling of Examinations

If the associate dean has excused a student from taking an examination at the scheduled time, the associate dean may, with the concurrence of the instructor, allow the student to take the same examination at a later time. In no event may a student take an examination prior to the scheduled time. Rescheduled exams cannot be typed.

### 4. Deferred Examinations

If the associate dean has excused a student from taking an examination, but the student has not been permitted to take the same examination at a later time under the preceding section, the student will be permitted to take a different examination at a time and place to be determined by the instructor, but in no event later than the end of the examination period in the semester in which the course is next offered.

### 5. Reexaminations

The school does not permit reexaminations.

## D. Class Ranking Policy

### 1. In general

- 1L Students: Students who attempted the full-time course load of 30 credits during the academic year are ranked together as full-time students. Students who attempted fewer than 30 credits are ranked together as part-time students.
- 2L Students: Full-time and part-time are ranked together in one 2L ranking.
- 3L and 4L Students: Full-time and part-time are ranked together in one 3L/4L ranking.

### 2. For determining eligibility for law journals

- Selection of candidates for the Law Review, Probate, and Health Law Journals will take place twice a year, after the fall and the spring semesters. The eligible pool of students shall include those students who at the selection point have attained at least 23 credits as of the conclusion of the immediately preceding semester.
- At each selection point:
  - Students in the top 7% of the eligible pool of students will be invited to walk on to the journal of their choice.
  - Students in the next 8% of the eligible pool of students will be invited to walk on to their choice of either the Health Law Journal or the Probate Law Journal.
  - Students in the top 50% of the eligible pool of students will be eligible to be selected to join the Law Review through the write-on competition.
  - Any student in the eligible pool of students who has attained a cumulative GPA of 2.0 or higher at the selection point will be eligible to be selected to join the Health Law Journal or the Probate Law Journal through the write-on competition. However, to be selected to join either of these journals, a student who is not in the top 50% of

the eligible pool of students shall be required to meet a heightened standard in the write-on competition.

## III. Course Loads

### A. Full-Time Distinguished from Part-Time

#### 1. Fall and Spring Semesters

A full-time student for American Bar Association purposes is one who enrolls in at least 13 credits per semester. The normal course load for full-time students, however, is 13-15 credits. A part-time student is one who enrolls in 8-12 credits per semester. Written permission of the associate dean is required to deviate from these norms.

#### 2. Summer Session

No student may register for more than eight credits in a Quinnipiac summer session. A part-time student (one who is employed for more than 20 hours per week) may not register for more than 6 credits in a summer session. (See sections I.G.3 and I.G.4 above regarding summer credits taken at other institutions.)

### B. Transfer between Day and Evening Programs

Evening students may take day courses, and full-time day students may take evening courses only on a space-available basis.

### C. Outside Employment

Full-time students must devote substantially all of their working hours to the study of law. For purposes of this rule, a full-time student is one who is enrolled for 13 or more credits. A student may not work in excess of 20 hours per week while attending school on a full-time basis. This restriction applies during the summer in the same manner as during the normal year if the student is enrolled for a summer session.

### D. Maximum Number of Credits per Semester

Pursuant to ABA requirements, a student may enroll for no more than 17 credits in a semester and no more than 8 credits in a summer session. The law school has no authority to waive this rule.

## IV. Continuance in Residence; Review for Academic Deficiency

### A. Academic Deficiency; Minimum CQPA

#### 1. Generally

Each student will be reviewed for academic deficiency at the end of every academic year. A student must maintain a minimum overall Cumulative Quality Point Average (CQPA) of 1.80 at the end of a year in which the student has attempted 17 or more credits, 1.90 at the end of a year in which the student has attempted 36 or more credits, and 2.00 at the end of a year and every year thereafter in which the student has attempted 54 or more credits.

#### 2. Transfer Students

A student who transfers here from another law school must maintain a 1.9 CQPA in all courses taken here by the end of their second semester here (excluding summer school), and a 2.0 by the end of the second year and every year thereafter.

#### 3. Discounting of Course with Most Detrimental Grade

If a student has not maintained the appropriate minimum CQPA, a second calculation will be performed. Removing from consideration the student's most detrimental grade, the student must have attained a 2.2 average in all remaining courses. The most detrimental grade is the one that most adversely affects the student's CQPA. This procedure of discounting the most detrimental grade will be repeated each semester, if necessary, so long as the

student maintains a 2.2 CQPA in all other courses from the time he or she entered law school.

### **B. Dismissal**

Any student falling below the required minimum CQPA will be dismissed automatically.

1. If the student has completed only two part-time or full-time semesters, the dismissal is final and there is no right of petition or appeal.
2. If the student has completed three or more semesters, the dismissal is final, with no right of petition or appeal, unless the student is within .05 of the minimum CQPA required to remain in residence. A student who is within .05 of the minimum CQPA may appeal the dismissal to the Academic Status Committee. The appeal should be addressed to the chair of the Academic Status Committee, in care of the associate dean, and must be postmarked no later than 14 days after receipt of a letter from the associate dean notifying the student of their dismissal. If the student files an appeal, the dismissal will not become final until the committee has reviewed the case and denied the appeal. A student may apply for a leave of absence during the semester in which an appeal is pending before the committee. (See IV.C.) A student is allowed only one such appeal during the student's entire time at the school. If the committee grants the appeal and allows the student to remain in residence, the student will be reviewed at the end of the academic year and must have brought the CQPA up to the minimum required to remain in residence as of the later semester.
3. A student who has been academically dismissed after the second year or later may petition the Academic Status Committee for reinstatement. The committee may reinstate a student upon an affirmative showing that the student possesses the requisite ability, that there is a high probability that the student will successfully complete the course of study, and that the prior disqualification does not indicate a lack of capacity to complete the course of study. A student reinstated under this rule will lose all credit for the academic year in which the CQPA fell below the required level. The committee may impose such conditions as it deems appropriate. The decisions of the committee are final and not subject to appeal to the faculty as a whole.
4. No course, including summer courses, taken after a semester in which a student was dismissed automatically may count toward the student's CQPA. Even if the later course were to bring the CQPA above the average required to remain in residence, the student will be dismissed from the school and withdrawn from the later course(s) with a 100% tuition refund.

### **C. Leaves of Absence**

Leaves of absence will be granted liberally by the associate dean to students who believe that they have problems that might interfere with academic performance.

## **V. Withdrawal from a Course**

### **A. Written Permission of Associate Dean; When Required**

A student may withdraw from a course only with the prior written permission of the associate dean in the following circumstances:

1. Withdrawal is from a required course, or

2. Withdrawal from the course would reduce the student's course load below the minimum required (see section III, Course Loads, above), or

3. Withdrawal is from a course in which the student missed more than 20% of the class hours scheduled in the course.

### **B. Instructor's Permission; When Required**

A student may withdraw from a course only with the permission of the instructor in the following circumstances:

1. In a course in which students are assigned substantial presentations, a student may withdraw within two weeks of their assigned presentation only with the written permission of both the instructor and the associate dean.
2. In a clinical course, after the third week of the course a student may withdraw only with the permission of the instructor.
3. Externships

### **C. Withdrawal as of Right**

In all other circumstances a student is entitled to withdraw from a course at any time during the first week of classes by using Student Planning. After the first week, a student must email the registrar. A student who has not followed this procedure has not withdrawn from a course.

## **VI. Attendance, Preparation, and Participation Policy**

### **A. Statement of Law School Policy**

The faculty believes that class attendance, preparation, and participation are critical elements of the educational process.

### **B. General Attendance Requirement**

An instructor may withdraw a student who misses 20% of the class hours in any course. A student so withdrawn from a required course will also receive a grade of F in that course. For purposes of this rule, the term "required course" does not include the courses listed as core electives in Rule I.C. In making the decision to withdraw a student, the instructor may consider such factors as the number of absences and the legitimacy of the reasons for them. In calculating the number of absences, an instructor may not take into account absences from classes held at times other than in the published course schedule. The instructor may deem the failure to sign an attendance sheet as conclusive evidence of a student's absence if the instructor has notified students of this policy in writing no later than the first class.

### **C. Additional Rules for Clinical Courses**

Students who are enrolled in clinics must appear personally on the first day of the semester or as may be required by the clinic faculty. Absences from clinic courses will be permitted only for illness and pressing personal matters (bereavement, illness in the family, placement interviews, legal matters, inter-law school competitions), and such absences must be made up. The faculty member supervising the clinic shall have the discretion to decide whether the circumstances justify an absence and when the absence shall be made up.

### **D. Notice**

An instructor who withdraws a student shall notify the associate dean of the withdrawal no later than one week after the last class. The associate dean shall notify the student.

### **E. Constructive Absences**

An instructor may mark absent a student who is inadequately prepared for class or refuses to participate when required to do so, whether or not

the instructor requires the student to leave the classroom. The instructor must immediately advise the student that he or she has been marked absent.

## **F. Petitions**

1. A student withdrawn from a course may petition the Academic Status Committee for reinstatement. If a student files such a petition, the withdrawal will not become final until the committee has reviewed the case and denied the petition. Attendance, preparation and participation requirements will remain in effect during the pendency of the petition. The committee may reinstate a student in the course if, after giving appropriate deference to the instructor's determination, the committee finds that the instructor's decision was not reasonable. In making its determination, the committee may consider any additional failures by the student in complying with the attendance, preparation, and participation requirements that occur after the initial withdrawal and while the appeal is pending. In the event that the committee decides to grant the petition, it may impose such conditions upon reinstatement as it deems appropriate.

Upon request by the losing party, the committee shall issue a written statement explaining the basis for its ruling.

2. The committee's decision is final. Neither party may appeal the decision to the faculty. The committee may refer any matter to the faculty for review.

## **G. General Preparation Requirement**

For each course, a student is expected to spend an amount of time on out-of-class work that satisfies the Law School's ABA Standard 310 Policy, attached as Appendix B to these regulations.

## **VII. Good Standing**

To be in good standing, a student must have the minimum CQPA required under section IV.A.1 above and be current in their financial obligations to the law school.