

# ANTONIN SCALIA LAW SCHOOL AT GEORGE MASON UNIVERSITY - ACADEMIC REGULATIONS

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## **AR 1. Purpose and Limitations**

This document contains regulations and policies applying to students of the Antonin Scalia Law School at George Mason University (“Law School”). All information, including but not limited to statements pertaining to course requirements and offerings, admissions and graduation requirements, tuition and fees, is subject to change without notice. These Regulations will be reviewed by the faculty and re-adopted, with changes as appropriate, at least once each year.

In order to deal with emergencies not provided for in these Regulations, in cases where it is impracticable to convene the faculty in time to deal with the emergency, the Dean is authorized to make such temporary exceptions and adopt such temporary supplements to these Regulations as he deems necessary to deal with the emergency; provided, however, that the Dean must provide every voting member of the faculty with a full report of his action, in writing, within one business day of his action; and provided further that the Dean must at the next meeting of the faculty propose a new regulation to deal with similar emergencies in the future; and provided further that the Dean’s authority to take emergency measures is non-delegable.

Except where these Regulations provide otherwise, either expressly or by necessary implication, these Regulations apply to all degree programs offered by the Law School, including LL.M. and J.M. programs. Additional admissions and graduation requirements for the LL.M. and J.M. programs are published on the law school’s website.

## **AR 2. Admissions**

### AR 2-1 Minimum Qualifications

To be eligible for admission, applicants must satisfy the following requirements.

#### AR 2-1.1 Baccalaureate Degree

An applicant must have earned a baccalaureate degree, or successfully completed three-fourths of the work acceptable for a bachelor’s degree, from an institution of

higher education accredited by a Mason-recognized U.S. institutional accrediting agency or international equivalent. Acceptance is contingent upon the award of a baccalaureate degree before matriculation, except that students enrolled in an approved 3+3 program may matriculate having completed three-fourths of the work acceptable for a bachelor's degree with the explicit understanding that successful completion of the first year law curriculum transfers back to the undergraduate institution for completion and award of the undergraduate degree.

In an extraordinary case, an applicant may be admitted to the J.D. program without a baccalaureate degree if the applicant's experience, ability, and other characteristics clearly show an aptitude for the study of law. The Assistant Dean for Admissions and Enrollment Management will sign and place in the admittee's file a statement of the considerations that led to the decision to admit the applicant.

Applicants may also present undergraduate work from institutions from outside the jurisdiction of U.S. regional accrediting bodies. Procedures and standards for evaluating foreign transcripts shall be established, maintained, and updated as appropriate by the Assistant Dean for Admissions and Enrollment Management.

#### AR 2-1.2 Law School Admission Test

A Juris Doctor applicant must take the Law School Admission Test ("LSAT") *or* Graduate Record Examination ("GRE") *or* another valid and reliable admission test that will assist the school and the applicant in assessing the applicant's capability of satisfactorily completing the JD program where that test has been approved by the faculty.

#### AR 2-2 Application Requirements for Juris Doctor Applicants

The deadline for filing a first-year JD application is April 1; however, the Assistant Dean for Admissions and Enrollment Management may extend the deadline in his or her discretion if circumstances warrant. Applicants are responsible for ensuring that their files are complete. To be complete, and before any consideration can be given, the file must contain the following:

- A completed application form accompanied by the application fee (except when the fee is waived by the Assistant Dean for Admissions and Enrollment Management).
- Current certified reports reflecting:
  - (a) Undergraduate work, signifying that a baccalaureate degree has been or will be awarded before the start of the academic year for which admission is being sought, unless the applicant has applied through one of the school's 3+3 programs in which case a transcript of all undergraduate work completed to date will be provided.

Judgment will not be made on less than three-fourths of the work required for a baccalaureate degree, unless the applicant has applied through one of the school's 3+3 programs.

- (b) The results of all Law School Admissions Tests taken within the preceding five years, if any.
  - (c) The results of all GREs taken within the preceding five years if the applicant wishes the school to consider GRE results in reaching an admission decision.
  - (d) The results of any other valid and reliable admission test taken within the preceding five years if (1) the faculty has approved use of that test and (2) the applicant wishes the school to consider the results of that test in reaching an admission decision.
- The completed application for Virginia In-State Tuition Rates (for Virginia residents only) which will be used to determine the applicant's residency status for tuition purposes. Applicants who do not file this form are classified automatically as out-of-state students.
  - Any other information required by these Regulations.

Applications and all accompanying materials become the property of the Law School and are not returned.

#### AR 2-3 Truthfulness and Accuracy of Responses

A false or misleading response to any question on application forms, including the omission of requested information, shall be grounds for denying admission and shall be grounds for canceling matriculation whenever the false or misleading response is discovered.

#### AR 2-4 Juris Doctor Admissions Criteria

Each application for admission is to be carefully reviewed and considered, in its entirety. Two of the primary factors considered in the admission process are performance on the LSAT and the applicant's undergraduate grade point average. Other factors that are considered include degrees, writing ability as indicated on the LSAT writing sample and in the personal statement, recommendations, extracurricular activities, employment experience, demonstrated commitment to public and community service, leadership skills and experience, history of overcoming personal or professional challenges, and other academic, personal and professional achievements.

The criteria for admission to the part-time program are the same as for admission to the full-time program. Nonresident applicants receive the same consideration for admission as resident applicants.

AR 2-4.1 Pre-Admission Summer Trial (PAST)

Some applicants who do not meet the criteria for direct acceptance may be invited to participate in the Pre-Admission Summer Trial (“PAST”) program. Applicants may not apply directly to participate in PAST. There is no assurance that any individual or any percentage of PAST program participants will be admitted to the Law School after completing the PAST program. Completion of PAST carries no credit.

AR 2-5 Previous Work at Other Law Schools

Decisions cannot be made on applications reflecting previous law school work until the Law School has access to a complete official transcript (reflecting all work done), a letter from the Dean of the law school attended certifying that the applicant is in good standing and eligible to continue at that school, a copy of the Credential Assembly Service (CAS) Report, and official certification of class rank where the previous law school ranks students. Decisions on applications may be conditioned upon receipt of certification that work for a current term has been completed with satisfactory grades.

AR 2-5.1 Criteria for Transfer and Visiting Applications

In deciding whether to grant admission, the Law School will consider, among other factors, the reason the student desires to transfer, previous law school performance, and the extent of available space.

AR 2-5.2 Advanced Standing

Admission and advanced standing (i.e., the transfer of credit for work done elsewhere) are separate decisions. No more than 30 credits of advanced standing are granted to transfer applicants. No work completed more than five years before the award of the degree, and no work for which a grade lower than “C” was awarded, may be applied toward the minimum credit hours required for the Scalia Law School degree.

AR 2-6 Acceptance

Applications for admission cannot be considered until all required documentation has been received. The terms and conditions upon which acceptance is made are contained in the letter of acceptance; terms and conditions may be varied only in writing by the Assistant Dean for Admissions and Enrollment Management. Matriculation cannot be completed until additional requirements have been met.

AR 2-6.1 Additional Requirements for Matriculation

Applicants who have been accepted to the Law School must:

- (a) Ensure that the Law School has received final, official transcripts from all undergraduate and graduate institutions attended, including evidence that a baccalaureate degree, or equivalent degree, has been awarded. To be official, transcripts must be available to the Law School directly from Law School Admissions Council (LSAC), or be furnished directly from the institution to the Law School.
- (b) Make one or more non-refundable seat deposits (except when the deposits are waived by the Assistant Dean for Admissions and Enrollment Management).
- (c) Comply with any other condition stated in the letter of acceptance.

AR 2-6.2 Seat Deposits

Acceptance to the Law School does not automatically guarantee that a seat will be reserved. Letters of acceptance set deadlines for submitting the required deposit or deposits. If an accepted applicant fails to make deposits by the time prescribed, another applicant may be offered a seat and given the opportunity to make a deposit.

AR 2-6.3 Application of Deposit Towards Tuition

Seat deposits are applied toward tuition for the fall semester for which acceptance is offered, provided that the depositor subsequently matriculates in that term. Deposits are non-refundable.

AR 2-7 Deferred Admission

Admission offers are valid only for the semester for which extended, and deferrals are rarely granted. Failure to register for the semester for which acceptance has been offered results in cancellation of the acceptance. Application for deferral must be made in writing, and will be granted at the discretion of the Assistant Dean for Admissions and Enrollment Management.

### **AR 3. Matriculation, Registration, and Graduation Requirements**

AR 3-1 Matriculation

The School of Law offers a full-time and a part-time program leading to the Juris Doctor degree. Special programs for transfer students or students with extraordinary problems arising from a leave of absence may be established by the Associate Dean for Administration and Student Affairs. A

student matriculates either in the full-time program or as a part-time student. All students who do not qualify for classification as full-time students are part-time students.

AR 3-1.1      Students Matriculated in Other Divisions of George Mason University

George Mason University undergraduates may not enroll in courses in the Law School. Students currently matriculated in other graduate divisions of George Mason University (who are not also matriculated at the Law School) will be permitted to enroll in courses at the Law School only if they have written permission from the following: a faculty member at the division in which they are currently matriculated, the instructor teaching the Law School course in which they wish to enroll (who may impose conditions or limitations other than those applicable to students matriculated in the Law School), and the Director, Student Academic Affairs. The Law School's administration will not intercede with law school instructors, directly or indirectly, in behalf of graduate students who are not matriculated in the Law School.

In classes with enrollment limits, law students have the first claim on all available spaces; space availability will be determined as of the last day of the add/drop period, and graduate students who have enrolled in a class may be required to withdraw in order to make space for a law student.

Credit from Law School courses taken by graduate students enrolling under this section cannot be retroactively applied to a law degree program at Scalia Law School.

Unless other arrangements are made as specified below, a Law School instructor allowing a graduate student to enroll under this section shall give the graduate student the same grade the instructor would have given a student matriculated in the Law School who submitted the same work. Alternative grading arrangements can be made with the consent of the instructor and the Law School's Director, Student Academic Affairs. If arrangements are made for a graduate student enrolling under this section to receive a grade that reflects the grading curve in the graduate student's school or department, the graduate student's grade will not be included with the grades of students matriculated in the Law School for purposes of computing mandatory law school curves. If a graduate student is graded differently from law students, then the course will not be listed on the graduate student's transcript as a Law School course, and will not carry a Law course number.

AR 3-1.2 Employment

Juris Doctor students may not be employed more than 20 hours per week in any week in which they are enrolled in more than twelve class hours. By remaining enrolled in more than twelve class hours after the last day to drop a course without academic approval, students certify that they are not employed more than 20 hours per week during the semester.

Waivers from the 20 hour employment rule will be granted for good cause shown. To request a waiver, a student must submit a written petition to the Director, Student Academic Affairs. Waivers will be granted only to those maintaining acceptable levels of academic performance.

AR 3-1.3 Changing Status

A student may change from part-time to full-time, or from full-time to part-time, at periods that permit programs to be arranged in accord with sound educational practices, as determined by the Director, Student Academic Affairs, who must approve any such change in status and who may impose conditions and restrictions as the Director, Student Academic Affairs deems appropriate.

AR 3-1.4 Maintenance of Matriculation

Maintenance of matriculation requires regular class participation and attendance, registration in the course of study required for the status and program the student has selected, successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements.

AR 3-1.5 Leaves of Absence

Matriculation is canceled if a student fails to complete the work of a term or fails to register for a subsequent fall or spring term, unless the student has registered and been granted a leave of absence in writing. Leaves may be granted only by the Director, Student Academic Affairs, and only for unexpected hardship, or because of circumstances indicating that the best academic welfare of the student will be served by the leave. Leaves are granted only to those maintaining acceptable levels of academic performance. Failure to register in a timely fashion for courses for the term immediately following the leave of absence will result in cancellation of matriculation.

AR 3-1.6 Students with Disabilities

The Law School adheres to the University's Policy 1203 of non-discrimination and reasonable accommodation on the basis of disability and the accompanying reasonable accommodation procedures.

All student requests for an accommodation must be handled by the University's Office of Disability Services (ODS). This ensures that all requests are handled consistently by the office equipped to review medical documentation, assess what accommodations may be necessary and reasonable, and provide any auxiliary aids and supportive services.

If a student identifies him or herself as needing an accommodation, or law school staff has reason to believe an accommodation may be appropriate, the student must be referred to ODS. Information regarding ODS policies and procedures is available at: <http://ods.gmu.edu/>.

AR 3-1.7 Students with Conflicts Due to Religious Observance

Students who cannot take a final exam or submit a final paper on the scheduled date due to a religious observance must follow the procedures outlined in AR 4-4.1 (Permission to Delay Sitting for an Examination or Submitting a Final Paper). Students who cannot comply with other course-related assignments or in-class exercises due to a religious observance must inform their instructor of any conflict during the first two weeks of the semester, or upon the assignment or exercise being announced if it is not announced in the course syllabus. Students who cannot attend a scheduled class due to a religious observance may utilize an absence under AR 4-1 (Class Attendance). Pursuant to AR 4-1, students may miss up to 20% of class sessions (30% if substituted work is permitted) and remain eligible for academic credit.

AR 3-2 Registration

A student is not registered until the student has completed all forms required for continued registration, the Office of Student Accounts has certified that appropriate arrangements have been made for settling the student's account, and the law school's Associate Registrar has certified that the student has completed all registration requirements.

AR 3-2.1 Timeliness

Deadlines for registration are set by the law school's Associate Registrar.



AR 3-2.2 Adding and Dropping Courses

Students may add and drop courses without penalty during the time period specified in the University's Add/Drop Policy (as reflected on the Law School's Academic Calendar).

AR 3-2.3 Tuition Refunds and Liability

Students remain liable for the full tuition imposed less any refund specified even if the tuition has not yet been paid. Once the registration deadline has passed, tuition refunds for dropped hours or withdrawal from the Law School will be available according to the policies set by the Office of the University Registrar (as reflected on the Law School's Academic Calendar).

Requests for refunds outside the announced schedule must be made to the Office of Student Accounts in Fairfax.

AR 3-3 Graduation Requirements

The faculty may elect to candidacy for the degree of Juris Doctor only those students who have satisfied each and all of the requirements specified in these Regulations. Except as otherwise provided in these Regulations, full-time students must perform these requirements during three academic years and part-time students must perform them within four academic years. Academic work must satisfy program requirements in effect at the time the student seeks to be elected by the faculty to candidacy for the degree.

AR 3-3.1 Credit Hours for Juris Doctor Students

Students must present no fewer than 89 credit hours of completed work in courses taken not more than five years before the time of presentation.

All students must have earned at least 74 credit hours in classes that require attendance in regularly scheduled classroom sessions and rely upon direct faculty instruction ("in classroom" credits). No more than 15 of the credit hours taken at the Law School may be graded "CR".

Additional credit hours may be required for specialty tracks. For purposes of this regulation, track thesis hours are considered "in classroom."

AR 3-3.2 Required Courses for Juris Doctor Students

(a) Students must take the following required courses at the time designated:

Introduction to Legal Research, Writing and Analysis - first year

Contracts I - first year  
Civil Procedure - first year

Torts - first year

Economics for Lawyers (formerly “Economic Foundations of Legal Studies”) - first year

Legislation and Statutory Interpretation - first year for full-time students, second year for part-time students

Trial-Level Writing - first year

Contracts II - first year

Criminal Law - first year for full-time students, second year for part-time students

Property - first year for full-time students, second year for part-time students

Professional Responsibility - before graduation

Appellate Writing - second year

Constitutional Law I: Structure of Government - second year

Transactional Drafting & Practice (formerly “Legal Drafting”) - second year

Permission to delay taking a required course until after the time specified above will be granted only in extraordinary circumstances and only with the written permission of the Director, Student Academic Affairs.

Students must pass all required courses. If a student fails to achieve a passing grade after taking a required course a second time, he or she will be subject to cancellation of matriculation under AR 3-6(c). All attempts to pass a course are reported on the transcript and factored into the student’s cumulative grade point average.

(b) Writing Requirement

Students who are not enrolled in a specialty track must take one graded 400- or 600- level seminar course requiring a major paper, and must also complete either an additional such seminar or a course designated as a writing course. Courses that are designated as a writing course will be designated with a “(W)” on the semester schedule.

Writing requirements for specialty tracks are incorporated in the requirements for those tracks.

(c) Experiential Requirement

All students matriculating in Fall 2016 and later must also complete at least two credit hours of experiential coursework (in addition to the required courses listed in AR 3-3.2). Courses that qualify as experiential will be designated with an “(E)” on the semester schedule.

(d) Academic Enhancement Requirements

An “academic year” for the purposes of subparagraph (d) is defined as a consecutive fall and spring semester (i.e., August through May) and excludes the summer term.

- (i) At the end of the first semester of the first year, the Associate Dean for Academic Affairs will determine which students would benefit from enhanced instruction in analytical legal writing. Those students will be required to successfully complete additional legal analysis training during their second semester and may not matriculate for a third semester or any summer term until the Associate Dean for Academic Affairs determines, in his or her sole discretion, that the requirement of additional training has been satisfied.
- (ii) Full-time students in the bottom quartile (twenty five percent) of their class at the end of their first academic year will be required to take a minimum of two core courses from the list of core courses below during their second year.
- (iii) Part-time students in the bottom quartile (twenty five percent) of their class at the end of their first academic year will be required to take a minimum of two courses from the list of core courses below by the conclusion of their third year.

- (iv) Students in the bottom quartile (twenty five percent) of their class at the end of their penultimate academic year will be required: (a) to take a minimum of two courses from the list of core courses below prior to graduation; and (b) prior to graduation, pass the Legal Fundamentals course. Previously completed core courses may not be used to satisfy this requirement.
- (v) Any student who has been readmitted after matriculation was cancelled for failure to maintain minimum academic performance as required by AR 3-6 will be required to pass the Legal Fundamentals course as a condition of graduation.
- (vi) The Associate Dean for Academic Affairs may require any student who appears to need the training offered in the Legal Fundamentals course to pass the course as a condition of graduation.

Students may request an exemption from the requirements of subparagraph (d) from the Associate Dean for Academic Affairs for good cause shown. Such requests must be in writing and submitted at least two weeks prior to the start of the academic year in which the requirement must be fulfilled.

**Core Courses:** Business Associations, Commercial Paper, Conflict of Laws, Constitutional Law II, Criminal Procedure I, Evidence, Family Law, Income Tax, Remedies, Sales, Secured Finance, Trusts and Estates, Virginia Local Government Law, Virginia Practice, or Virginia Remedies.

AR 3-3.3 Residence Requirement

In order to earn the Juris Doctor degree, a student must have been in residence for a minimum of six fall or spring semesters. A student is in residence for a semester during which the student earns (with a passing grade) academic credit eligible to be presented towards their Juris Doctor degree. Credits earned during the summer session are not counted toward meeting the residence requirement. Transfer credits earned at another law school during fall or spring semester may substitute for a maximum of two semesters of residence.

AR 3-3.4 Minimum GPA

The student shall present a cumulative grade point average of at least a 2.33 for all course work taken for which a quality grade (i.e., a grade on the A+\* through F scale) was awarded.

AR 3-3.5 Full Payment

The Office of Student Accounts must certify that the student has settled all outstanding accounts.

AR 3-3.6 Application for Graduation

The student must complete and file an application to graduate with the law school's Associate Registrar by the date specified in the Academic Calendar. Incomplete applications will not be accepted.

AR 3-3.7 Counseling Requirements for Juris Doctor Students

The student must attend all sessions required by Career and Academic Services.

AR 3-4 Academic Credit

The unit for measuring academic credit is the credit hour. One credit hour is an amount of work that reasonably approximates not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for a semester during the regular academic year, or two hours of classroom or direct faculty instruction and four hours of out-of-class work per week during the summer session. At least an equivalent amount of work will be required for other academic activities with an out-of-class component such as externships, clinics, simulation, co-curricular, or other academic work.

Course credit hours are listed on the semester schedule and are awarded for successfully completing the course. Successful completion includes complying with all registration procedures, punctually and regularly preparing for and attending scheduled class sessions, and earning a passing grade for work completed.

AR 3-5 Courses and Course Loads

Only courses approved by the faculty will be counted toward meeting graduation requirements; provided, however, that the Associate Dean for Academic Affairs may authorize a course to be given one time, on an experimental basis, and counted toward graduation..

AR 3-5.1 Course Selection

Except in special circumstances, as determined by the Associate Dean for Academic Affairs, all courses after the first year are open to both full-time and part-time students.

AR 3-5.2 Course Prerequisites

In addition to any prerequisites specifically stated in the catalog description of a course, it shall be a prerequisite to any elective course in the Law School that the student has completed with a passing grade all of the course requirements specified for the first year of the Juris Doctor program, with the following exceptions:

- (a) Part-time students enrolled in a course of study leading to the J.D. degree may take such courses as are required or permitted by their course of study;
- (b) Full-time or part-time students admitted to the J.D. program with advanced standing equivalent to the first year of the J.D. program, as determined under AR 2-5, will be deemed to have complied with this requirement;
- (c) Full-time or part-time students in the LL.M. program will be deemed to have complied with this requirement;
- (d) Non-matriculants enrolled pursuant to AR 3-1.1;
- (e) Students in the Law School who have failed to achieve a passing grade in one or more of the course requirements for the first year of the J.D. program, under such terms and conditions as may be established by the Academic Standing and Student Affairs Committee to govern such cases;
- (f) In special circumstances, the Associate Dean for Academic Affairs may waive the usual prerequisites in writing.

AR 3-5.3 Independent Study

Each independent study course must be approved in writing by the Associate Dean for Academic Affairs, who will require a written syllabus or similar detailed description of the content of the course and the means by which the student will be evaluated. Students in the bottom quartile (twenty five percent) of their class at the end of the prior academic year will not be permitted to enroll in any independent study course without a showing to the Associate Dean for Academic Affairs of good cause.

AR 3-5.4 Class Size

Courses designated as seminar courses shall not have more than 15 students without the permission of the instructor and in no event shall have more than 25 students.

AR 3-5.5 Course Loads for Juris Doctor Students After the First Year

When a student reaches the part of the course of study that includes elective courses, the following course loads apply:

- (a) For a full-time student, the normal load is 13-15 credit hours. The minimum load to maintain this program is 10 credit hours. For students who are required to take 89 credit hours to graduate, the maximum is 17 credit hours.
- (b) For a part-time student, the normal program is 10 to 12 credit hours, with a minimum of 8 and a maximum of 12.

AR 3-5.6 Approval of Less Than Minimum Loads

Approval of less than minimum loads requires the written permission of the Director, Student Academic Affairs, and permission will be granted only in extraordinary circumstances and in furtherance of desirable academic goals.

AR 3-5.7 Load in Last Term

A student is not required to take loads in the last term to complete graduation requirements in excess of the load necessary to complete credit hour and residence requirements for the degree.

AR 3-6 Academic Performance

In order to maintain matriculation, all students must satisfy the following minimum academic requirements. If a student fails to satisfy any of the following requirements, the student is ineligible to continue; matriculation is canceled, and the notation “Academically Ineligible to Continue” is entered on the student’s transcript. Such a student shall not again be matriculated except as provided in AR 3-6.1. If a student’s matriculation is cancelled after a fall semester pursuant to AR 3-6(b) or (c), any subsequent spring tuition paid will be returned to the student.

- (a) A student must earn a minimum grade point average of 2.33 each academic year. An academic year for the purpose of AR 3-6 is defined as consecutive fall and spring semesters (i.e. August through May), regardless of whether the student is on leave for a semester, and excludes the summer term. A student who earns an academic year grade point average less than a 2.33 for their final academic year will be permitted to graduate so long as their cumulative grade point average is a 2.33 or higher as required by AR 3-3.4.
- (b) A student may not accumulate three or more exclusion points during any single semester or over the course of any two consecutively enrolled semesters. For the purpose of this subsection, a “semester” means a fall or spring semester. Exclusion points earned during a summer term are counted as fall semester exclusion points

in the fall semester immediately following the summer term, and exclusion points earned during the winter term are counted as spring semester exclusion points in the spring semester immediately following the winter term. Withdrawals (W) earn one exclusion point; D grades (D+, D, D-) earn one exclusion point; F and NC grades earn two exclusion points. The number of credit hours for a particular course will not be considered in calculating exclusion points. The Associate Dean for Academic Affairs has the discretion to waive exclusion points for one or more withdrawals. Such waivers must be in writing and should be limited to situations where the withdrawal was necessitated by circumstances beyond the student's control.

- (c) A student may not fail any required course in AR 3-3.2(a) for a second time.

#### AR 3-6.1 Readmission of Students with Academic Deficiencies

A student failing to meet the requirements set forth in AR 3-6 for the first time may be readmitted only by action of the Academic Standing and Student Affairs Committee. The committee will begin with the presumption that the student should not be readmitted, and will approve readmission only if the student provides convincing evidence that the student is likely to complete all requirements for graduation successfully and be admitted to the bar.

The committee may require the student to repeat courses, or impose such other conditions as the committee deems appropriate.

Where the committee conditions readmission on retaking a particular course or particular courses, the prior grade will be included in the student's grade point average unless the committee provides otherwise. Where the committee conditions readmission on retaking an entire year of studies, the prior grades will not be included in the student's grade point average unless the committee provides otherwise. In any event, the student's transcript will reflect the prior grade or grades.

If a student fails to meet the requirements set forth in AR 3-6 a subsequent time, such a student shall not be readmitted except by the Academic Standing and Student Affairs Committee upon written submission of extraordinary circumstances.

The committee's decisions are final. The only basis for reconsideration would be new and relevant information which, through no failure on the part of the student, was not available to the committee at the time of its decision. Requests for reconsideration must be made within 30 days of the committee's decision being communicated to the student.



AR 3-6.2 Academic Probation

Any student readmitted pursuant to AR 3-6.1 shall be continued on Academic Probation. Academic Probation includes each of the following:

- (a) Conditions may be imposed by the Academic Standing and Student Affairs Committee or by the Director, Student Academic Affairs, such as a change in status (to full-time or part-time) or light load, corrective educational work, leave of absence, repeat of a course or courses, or of the entire previous term or year of studies, obtaining a specified grade point average by the conclusion of a specified term, and other conditions appropriate to the student's circumstances.
- (b) The academic program shall be monitored and approved by the Director, Student Academic Affairs, so long as the student remains on academic probation.
- (c) If a readmitted student has a cumulative grade point average less than 2.33, the conditions shall include, in all cases, that a student obtain a cumulative average of not less than 2.33 by the end of the next academic year.
- (d) Except with the written permission of the Academic Standing and Student Affairs Committee, the student may not participate in any extracurricular or co-curricular activity; provided, however, that the student may hold membership (but not an office) in a student organization.

AR 3-6.3 Fulfillment of Probation Conditions

When a student is readmitted on academic probation, compliance with the conditions of probation shall entitle the student to continue in matriculation. A determination by the Director, Student Academic Affairs, that the student has failed to meet the conditions shall result in cancellation of matriculation. A student once readmitted shall not be readmitted a second time by the Academic Standing and Student Affairs Committee. Only the full faculty can readmit such a student, and the faculty shall consider such petitions only when the Academic Standing and Student Affairs Committee has found extraordinary circumstances and recommends that the faculty readmit that student.

AR 3-7 Other Grounds for Sanction, Including Termination of Matriculation

Matriculation may be canceled, or other sanctions imposed, by the Associate Dean for Academic Affairs for misconduct (including, but not limited to, violation of the Antonin Scalia Law School Honor Code), demonstrated inability or unwillingness to engage seriously in law study, and infractions of academic or other regulations.

Before imposing any sanction pursuant to AR 3-7 that adversely affects the good standing or graduation of a student, the Associate Dean for Academic Affairs shall provide the student with a written description of the conduct at issue, a brief description of the supporting facts, and a date and time when the student shall have the opportunity to be heard (a “hearing date”). Any written materials, evidence, or statements (including witness statements) that the student would like considered must be provided to the Associate Dean for Academic Affairs at least seven business days prior to the hearing date. Witnesses will not appear in person unless the Associate Dean for Academic Affairs determines, after reviewing the witness’ written statement, that an appearance may be helpful to the Associate Dean for Academic Affairs’ determination. The student may not bring anyone to the hearing. After the hearing, the student will be notified in writing of the decision and the basis therefore.

Nothing contained in the Antonin Scalia Law School Honor Code shall limit the authority of the Associate Dean for Academic Affairs over these matters.

AR 3-7.1     Duty to Report

A student who has reasonable grounds to believe that another student has engaged in any misconduct, violated the Honor Code, or broken any academic or other regulation, must report the suspected misconduct or violation to the Associate Dean for Administration and Student Affairs.

AR 3-7.2     Jurisdiction

Honor Code referrals will be considered under the provisions of the Honor Code and the due process policies and procedures contained therein. As an initial matter, the Associate Dean for Administration and Student Affairs will determine if the matter warrants an Administrative Honor Hearing or an Honor Panel Hearing. The decision of the Associate Dean for Administration and Student Affairs is final and may not be appealed.

AR 3-7.3     Written Work Must Be Available in Electronic Form

All written work submitted by a student must be available in electronic form (unless the work was handwritten), through the end of classes in the semester following that in which the work was submitted, so that it can be compared with electronic databases and/or submitted to plagiarism detection services. The Law School may at any time submit a student’s work without prior permission from the student. Individual instructors may require that written work be submitted in electronic form as well as printed form.

### AR 3-8 Email and Listserv Information

It is expected that every student will regularly check his or her GMU email account, as it is used for all Scalia Law communications, including emergency notices as well as academic, student organization, physical plant, and career information. Students are responsible for deadlines or other important information sent to their GMU email account.

### AR 3-9 Student Records

Certain student academic information relevant to the operation of the Law School is maintained by the Office of Student Records. For the purpose of this regulation, the term “student” includes all current and former students matriculated in the Law School.

#### AR 3-9.1 Confidentiality

Dissemination of student records is constrained by law, and controlled by procedures established by the law school’s Associate Registrar. Students who wish to have information in their own student records released to someone other than themselves or others legally entitled to receive the information must provide the Law School with written permission to release the information.

#### AR 3-9.2 Access by Students

Except as indicated below, students may review their student records and the census information they have supplied. The following information is not available for student review:

- (a) Documents excluded by law.
- (b) Financial records of parents.
- (c) Information for which the student has signed a waiver of access, such as letters of recommendation.

#### AR 3-9.3 Inspection

A student wishing to inspect or copy information from his or her student records in the Office of Student Records shall submit a written, signed request to the law school’s Associate Registrar. The request will be granted and access afforded within 45 days after the law school’s Associate Registrar has received the request.

AR 3-9.4 Challenges

If a student wishes to contest the content of their student records, or their disclosure or non-disclosure, the student shall provide a written challenge to the law school's Associate Registrar who will rule on the contest within a reasonable time.

AR 3-10 ABA Standards and Student Complaints

As an ABA-accredited law school, Antonin Scalia Law School is subject to the ABA Standards for Approval of Law School. The Standards may be found at:

[http://www.americanbar.org/groups/legal\\_education/resources/standards.html](http://www.americanbar.org/groups/legal_education/resources/standards.html)

AR 3-10.1 Complaints Regarding ABA Compliance

Any student at the law school who wishes to bring a complaint involving a significant problem that directly impacts the school's program of legal education and the school's compliance with the ABA Standards must submit a complaint in writing to the Associate Dean for Academic Affairs. The written complaint must describe in detail the behavior, program, or process complained of and demonstrate how it implicates the law school's program of legal education and the school's compliance with a particular standard. The written complaint must provide the name of the student submitting the complaint and the student's contact information (home and email addresses and phone number). Except in extraordinary circumstances, a complaint must be submitted prior to the end of classes in the semester following that in which the alleged problem became known. The Associate Dean for Academic Affairs will ordinarily respond to the complaint within twenty-one business days of acknowledging receipt. Any decision communicated by the Associate Dean for Academic Affairs is final.

AR 3-10.2 University Internal Complaint System

Students may utilize the university's Student Complaint System to register concerns not expressly related to the law school's compliance with ABA Standards. Except in extraordinary circumstances, a complaint must be submitted prior to the end of classes in the semester following that in which the alleged problem became known. The Associate Dean for Academic Affairs will ordinarily respond to the complaint within twenty-one business days of acknowledging receipt. Any decision communicated by the Associate Dean for Academic Affairs is final.

AR 3-11 Enrollment in Courses at Another Law School

Any student desiring to attend another law school, including a summer law program offered by another law school, must make a written request and receive written approval from the Director,

Student Academic Affairs using a permission to visit request form available from the Law Records Office.

- (1) All courses a student wishes to take at another law school must be pre-approved by the law school's Associate Registrar prior to the start of the visiting semester. To receive pre-approval students must submit a course description for each course they wish to take. Course descriptions must include a summary of the course content, the credit value of the course, and information about how the course is graded (i.e., letter grade or pass/fail credit). In some cases, syllabi information may also be required. If the course is needed to fulfill a graduation, concentration, and/or track requirement, the student must note this with the course description(s) submitted to the law school's Associate Registrar.
- (2) An official transcript must be sent to the law school's Associate Registrar at the conclusion of each semester at the visiting institution. Transfer credit will only be awarded at the Law School for pre-approved courses in which the student receives a grade of C or better. In cases where the grade awarded is on a pass/fail basis, transfer credit will only be accepted if the visiting school provides a written certification that a grade of Pass on their grade scale is equivalent to a C or better. A maximum of 30 credits will be accepted for coursework completed outside of the Law School. (The 30 credit maximum includes advanced standing credits accepted under AR 2-5.2.) Such credits will be considered ungraded for purposes of computing the student's GPA in the Law School, but do not apply against the "CR" cap articulated in AR 3-3.1.
- (3) Students visiting elsewhere during their final semester must complete their coursework and examinations prior to the established Law School graduation date for that semester. Completion of the coursework and/or exams later than that date will result in the delay of graduation until the following semester.

#### AR 3-12 Enrollment in University Courses Outside the Law School

A student in the Law School generally may not earn credit toward a degree granted by the Law School through enrollment in University courses outside the Law School, with the following exceptions:

- (1) Department of Economics Programs. A student in the Law School who has been accepted into a degree program with the Department of Economics may substitute a specified number of credits in the Department of Economics for credits required to qualify for a degree in the Law School, as follows:
  - J.D./Ph.D. in Economics: 9 hours
  - J.D./M.A. in Economics: 6 hours
  - LL.M. in L&E/Ph.D. in Economics: 6 hours
  - LL.M. in L&E/M.A. in Economics: 5 hours

Academic credit awarded in the Law School under this provision will be considered ungraded credit for purposes of computing GPA in the Law School. As a general rule, academic credit awarded under this provision may be substituted only for unrestricted electives in the Law School. However by special permission granted upon an individual student's application, the Director, Student Academic Affairs, may permit up to 3 hours of credit in the Department of Economics to be substituted for the required Law School course in Economic Foundations of Legal Studies, where no legal educational purpose would be served by requiring the individual student to complete that required course in the Law School; such special permissions will not increase the total amount of cross-credit permitted under this regulation.

- (2) All other cases. Other students in the Law School must apply to and obtain the written permission of the Director, Student Academic Affairs, in order to obtain academic credit in the Law School for courses taken in other departments or schools of the University. Such applications are disfavored, and will be granted only upon the ground that such action is essential to the satisfactory completion of the student's professional legal education. When permitted, such credit will be considered ungraded credit for purposes of computing GPA in the Law School.

#### AR 3-13 Foreign Study for Academic Credit

- (a) Students may be granted academic credit for study as a visiting student at a foreign institution, under the following conditions:
  - (1) The student must submit an application for individual study at a foreign institution in such form as specified by the law school's Associate Registrar, for approval by the Director, Student Academic Affairs.
  - (2) The application will be approved only if the student's proposed course of study:
    - (i) provides an educational experience consistent with the objectives of the Juris Doctor program that is not available as a practical matter by residential study at the Law School;
    - (ii) includes courses, materials, and methods of instruction and evaluation that are equivalent to those employed at the Law School; and
    - (iii) provides assurance that the student's educational objectives are likely to be met by the proposed course of study, and that the student's performance may be evaluated on a basis comparable to work at the Law School.
  - (3) The amount of academic credit to be awarded will be determined by the Director, Student Academic Affairs, based upon equivalence to offerings at the Law School, and

subject to such terms and conditions, including demonstration of the student's satisfactory performance, as may be set by the Director, Student Academic Affairs.

- (4) For purposes of computing the student's GPA in the Law School, such academic credit will be ungraded. For all other purposes, such academic credit will also be treated as transfer credit.
- (5) Any approval within the Law School will be subject to any necessary approvals by the ABA or other accreditation authorities.
- (b) Students studying for the Juris Doctor may not earn more than one-sixth of the total academic credit hours required to graduate by foreign study. Students studying for an LL.M. degree are ineligible for academic credit for foreign study.
- (c) From time to time, the faculty may designate certain foreign institutions or programs as:
  - (1) presumptively qualified; (2) permissible; or (3) presumptively unqualified.

The law school's Associate Registrar shall maintain a list of such institutions or programs.

#### **AR 4. Course Work and Evaluation of Academic Performance**

##### **AR 4-1 Class Attendance**

Regular and punctual attendance and class preparation are required to earn academic credit.

##### **AR 4-1.1 Absences**

If a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session.

##### **AR 4-1.2 Substituted Work**

In cases that the instructor believes have merit, the instructor may permit the substitution of work equivalent to class attendance if the work is designed to achieve approximately the purpose of class attendance. Substitution is solely at the instructor's discretion, and no instructor is compelled to permit it. Attendance credit for substituted work cannot exceed 10 percent of scheduled class sessions.

##### **AR 4-1.3 Enforcement**

It shall be an honor code violation, and a violation of these academic regulations, for a student to sit for an exam in a course (or otherwise receive credit for a course) knowing that he or she has not met the attendance requirement.

AR 4-1.4 Instructor Attendance Records

Instructors may monitor class attendance by any method they deem appropriate including, but not limited to, circulating a sign-in sheet, calling roll, or visually surveying the class.

Prior to the final examination or assigning a final grade in any course, the instructor will provide the law school's Associate Registrar with the name of any student who the instructor believes is out of compliance with AR 4-1.1 (and if applicable AR 4-1.2). The law school's Associate Registrar will then inform the student, in writing, that he or she is not eligible to receive credit in the instructor's course (and so may not sit for the final exam, if applicable).

AR 4-2 Course Policies

AR 4-2.1 Binding Effect

Instructors may adopt policies regarding the conduct of the course that are reasonably calculated to provide for its orderly conduct. Such policies may include, but are not limited to, prohibitions or limitations on computer and internet usage during class.

AR 4-2.2 Recording Class Sessions or Examinations

Unless expressly permitted in writing by an instructor, no portion of a class session or an examination may be preserved by means of a recording device (such as an audio recording device or a camera).

AR 4-3 Basis of Evaluation

Unless otherwise specifically and expressly provided by the faculty, all courses must include an evaluation by examination or by a substantial writing assignment.

AR 4-3.1 Examinations and Writing Assignments

Grading for courses in the first year ordinarily is done on the basis of an examination. Other courses may be designated as writing or examination courses, or some combination of the two, either by the faculty or, in the absence of a decision by the faculty then by individual instructors.

Unless the faculty has determined that a course will be graded by some other means than an examination, the course will be presumed to be an examination course. Individual faculty members who decide to add a writing component to the grade,



or to substitute a writing requirement for an examination, shall notify the students prior to the end of the first week of the term. Courses in which writing assignments provide a substantial basis for the grade shall be designated as writing courses.

The law school's Associate Registrar shall be notified of the grading method sufficiently in advance to schedule examinations.

AR 4-3.2 Class Participation

In courses that emphasize oral skills (e.g., trial or appellate advocacy), class participation may constitute a substantial portion of the final course grade. In courses that are evaluated primarily by written examination and/or papers, class participation adjustments ordinarily will be limited to a discretionary single-increment adjustment either upward or downward (e.g., from B to B+ or from A- to B+).

In either case, students shall be notified no later than the end of the first week of classes of the degree to which oral performance or class discussion may affect the final course grade. In default of such notification, class participation adjustments shall be limited to a single increment, and students should presume that the instructor retains the discretion to make such single-increment adjustments. Instructors, other than regular full-time faculty members, must receive advance written approval to deviate from the one-increment adjustment maximum, either by faculty designation of the particular course, or from the Associate Dean for Academic Affairs for a particular offering of the course.

AR 4-4 Examinations

To the extent practicable, all examinations are to be graded anonymously. Examinations must be taken at the time and place noted on the examination schedule (or, if a mid-semester exam, as announced in the course syllabus), unless an exception is made pursuant to AR 4-4.1; provided, however, that the law school's Associate Registrar may establish rules allowing students to take examinations during the make-up period in cases where students would otherwise be required to begin more than one examination in less than a 24 hour period.

AR 4-4.1 Permission to Delay Sitting For an Examination or Submitting a Final Paper

(a) Delaying an Exam

Excuses and requests for permission not to sit for an examination when scheduled must be presented, with appropriate documentation, to the Director, Student Academic Affairs. Except in emergencies, such requests should be presented no later than two weeks before the date of the examination. An

exam may be delayed only in the circumstances listed in subsection (c). The Director, Student Academic Affairs shall specify the date and time when a student with an excused absence may sit for the examination. A student who is absent from an examination without permission from the Director, Student Academic Affairs shall be given a grade of “F” or “NC”, whichever is appropriate.

(b) Delaying the Deadline for a Final Paper

A “final paper” for the purpose of AR 4-4.1 is, with the exception of Legal Research, Writing, and Analysis (LRWA) assignments, any written assignment that accounts for 50% or more of the final course grade.

(i) Authority to Delay Delegated to the Director, Student Academic Affairs

Except for instances described in AR 4-4.1(b)(ii), instructors may not grant deadline extensions for final papers; all authority in this matter is delegated to the Director, Student Academic Affairs. Excuses and requests for a deadline extension must be presented, with appropriate documentation, to the Director, Student Academic Affairs. Except in emergencies, deadline extensions must be sought in advance of the scheduled deadline. A deadline extension may be granted only in the circumstances listed in subsection (c).

Students seeking an extension shall not contact the course instructor. Instructors will notify Director, Student Academic Affairs if any student: fails to turn in a paper by the deadline; contacts the instructor seeking an extension of the deadline; or submits a paper to the instructor after the deadline. The Director, Student Academic Affairs will be responsible for following up with the student.

(ii) Authority to Delay Retained by the Course Instructor

If the deadline for a final paper falls during a period when the University is closed (e.g., Winter Break), the course instructor retains the authority to grant deadline extensions. Excuses and requests for a deadline extension must be presented, with appropriate documentation, to the course instructor with a copy to lawadmin@gmu.edu. Except in emergencies, deadline extensions must be sought in advance of the scheduled deadline. A deadline extension may be granted only in the circumstances listed subsection (c).

Once the University reopens, the instructor shall notify Director, Student Academic Affairs of any student who failed to turn in a paper by the deadline; sought an extension of the deadline; or submitted a paper to the instructor after the deadline. If a deadline extension was granted, the instructor shall forward the supporting documentation to Director, Student

Academic Affairs for the student's record. If supporting documentation is not provided, the paper shall be graded as if no extension was granted.

(iii) Mandatory Grade Reductions for Late Submission of a Final Paper

Late submission of a final paper will result in a full grade reduction (e.g., A to B, B- to C-) for each 24-hour period that the paper is submitted beyond the deadline. The first 24-hour period begins at the submission deadline. A paper submitted at any point during the first 24-hour period will receive a full grade reduction; a paper submitted at any point during the second 24-hour period will receive a second full grade reduction; and so on until the paper is submitted or the grade is reduced to a failing ("F") grade. A professor may decide to impose a greater reduction for each 24-hour period (including a policy that no late work will be accepted) but may not impose a lesser reduction. Any professor deviation from the full grade reduction policy must be announced in the course syllabus posted to the course website no later than the end of the first week of classes.

(c) Circumstances Allowing Delay of an Exam or Deadline for a Final Paper

Valid excuses for delaying an exam or the deadline for a final paper include only:

- (i) Illness of or injury to the student, attested by a physician's certificate.
- (ii) Attendance at the funeral of a spouse, child, parent, grandparent, or sibling.
- (iii) Court attendance required by legal process.
- (iv) Religious observance.
- (v) Other extraordinary circumstances as determined by the Director, Student Academic Affairs.

AR 4-4.2 Unexcused Absence from Examination

A student who is absent from an examination without permission from the Director, Student Academic Affairs, shall be given a grade of "F" or "NC," whichever is appropriate.

AR 4-5 Grades

Upon completion of a course, students are graded on an A+\* through F scale unless the faculty has designated the course as a CR/NC course, or the Associate Dean for Academic Affairs specifically authorizes a grade other than one on the A+\* through F scale. When so authorized, CR indicates work equivalent to a C or better on the A+\* through F scale. The grade of NC

indicates work that falls below the equivalent of a C on the A+\* through F scale and does not qualify for credit towards the Juris Doctor degree.

AR 4-5.1 Quality Points

Quality points are awarded as follows:

A+* = 4.33	A- = 3.67	B- = 2.67	C- = 1.67	D- = 0.67
A+ = 4.33	B+ = 3.33	C+ = 2.33	D+ = 1.33	F = 0.00
A = 4.00	B = 3.00	C = 2.00	D = 1.00	

Other grades and notations which may be found on student transcripts, but which are excluded from grade point average calculation, include:

CR	Credit	NC	No credit
IN	Incomplete	AU	Audit (no credit granted)
W	Withdrawn		

AR 4-5.2 Late Work

Excluding final exams and final papers (which are subject to the provisions of AR 4-4.1), a student may complete assigned work after the end of the semester only if the student has first received the written permission of the instructor and the Director, Student Academic Affairs. If permission has been granted to complete the missed work, the temporary notation in lieu of grade, "IN", is entered and is replaced by the appropriate grade upon completion of that work. If permission is not granted to complete the late work, the student receives an "F" or "NC", whichever applies. Late work must be completed according to a timetable approved in writing by the instructor and the Director, Student Academic Affairs.

AR 4-5.3 Passing Grades

All Law School grades on the letter scale except "F" are passing, and credit is earned for the work completed with such grades. Credit is also awarded for grades of "CR." Graded credit earned elsewhere is eligible for credit at the Law School only if it was earned with a grade of "C" or better, and such credit is treated as ungraded in computing grade point averages at the Law School. Neither academic credit nor residence credit is awarded for work receiving an "F" or "NC."

AR 4-5.4 Withdrawal

"W" is entered in lieu of a grade as a final academic disposition of a course upon withdrawal approved in writing by the Director, Student Academic Affairs.

AR 4-5.5 Audit

The notation “AU” is entered to indicate that a matriculated student has registered and is permitted to attend a course for which neither academic credit nor a grade will be awarded. Permission in writing of the instructor and the Director, Student Academic Affairs, is required.

AR 4-5.6 Academic Average

A student’s cumulative average is calculated by dividing the total number of quality points earned by the total number of quality hours (i.e. credit hours for which grades “A+\*” through “F” have been given). The law school’s Associate Registrar prepares cumulative averages at the end of each term. End-of-term cumulative averages reflect only the work completed to the end of the given term (some work may be in progress and some may be incomplete). The law school’s Associate Registrar updates the relative standing of various cumulative averages for all students, including the graduating class, after the end of each fall and spring semester.

AR 4-5.7 Mandatory Curves

- (a) The mean grade for all required courses listed in AR 3-3.2 (exclusive of Introduction to Legal Research, Writing, and Analysis, Trial-Level Writing, Appellate Writing, and Legal Drafting), may range from 3.20 to 3.30.
- (b) Mean grade ranges for Introduction to Legal Research, Writing, and Analysis, Trial-Level Writing, Appellate Writing, and Legal Drafting, will be established by the Associate Dean for Academic Affairs.
- (c) The mean grade for upper-level elective courses with 50 or more students may range from 3.15 to 3.35.
- (d) The mean grade for upper-level elective courses with six (6) to 49 students may range from 3.05 to 3.45.
- (e) Courses with five (5) or fewer students are presumptively excluded from any mean grade requirement.
- (f) Faculty members may not submit grades in which the mean is outside the designated range without first submitting a written justification to the Associate Dean for Academic Affairs and obtaining written permission from the Associate Dean for Academic Affairs.

- (g) Faculty members who assign a failing grade (i.e, an “F”) must indicate why the failing grade was assigned. The Associate Dean for Academic Affairs, in his or her sole discretion, disregard one or more failing grades in computing the mean grade for a course.

#### AR 4-6 Repeated Course

Except where these Regulations provide otherwise, either expressly or by necessary implication, a student may not repeat a course except as follows:

- (a) A student may repeat a course if the law school faculty has specifically and expressly approved the course as eligible to be taken more than once with the approval of the course instructor.
- (b) In extraordinary circumstances, the Director, Student Academic Affairs, may permit a student to repeat a course.

In such cases, the prior grade will be reflected on the student’s transcript and included in the student’s grade point average.

#### AR 4-7 Review of Performance

After final course grades are reported, students may request and shall be given a reasonable opportunity to review their exam and exam answer(s). Any review must be supervised by a law school employee to protect exam security. Instructors may decide what information to make available during the review (e.g., model answers, instructor’s grading annotations, etc.) but, at a minimum, must allow students to review a copy of the exam, the student’s answer(s), and, in the instance of multiple choice exams, a key or other information indicating which answer choices was the correct answer.

Instructors are expected to be available for reasonable periods to meet with individual students to discuss their performance in the course. The Law School controls access to all examination papers and does not return them to examinees.

#### AR 4-8 Appeals of Course Grades

Completed course grade appeals shall be handled in the following manner:

AR 4-8.1 Initial Appeal

Student questions about course final grades should be directed to the course instructor. A student may challenge a grade by submitting written objections to the instructor with a copy to the Associate Dean for Administration and Student Affairs. Except in extraordinary circumstances, a grade appeal must be initiated by the student prior to the end of classes in the semester following that in which the course was taken. An instructor who receives such objections will review the examination or other basis for the grade and notify the student and the Associate Dean for Administration and Student Affairs in writing of the outcome of the review within a reasonable time.

The instructor may raise or lower a grade only with the approval of the Academic Standing and Student Affairs Committee. That committee will approve a grade change only after determining that the original grade was clearly erroneous because of (a) clerical error, or (b) defective construction or evaluation of the examination.

At least one week prior to the first regularly scheduled faculty meeting of each semester, the Academic Standing and Student Affairs Committee must provide every voting member of the faculty with a report either (a) describing in detail the circumstances and reasons for every change of grade approved during the prior semester, or since the last report to the faculty, or (b) stating that no grade changes had been approved. Unless for good cause, this report shall not disclose the identities of any students whose grades were changed.

AR 4-8.2 Appeal to the Administration

In order to further appeal a grade after the instructor's review described in AR 4-8.1, a student must submit to the Associate Dean for Academic Affairs a detailed written petition stating why the student believes the grade is clearly erroneous. Except in extraordinary circumstances, the petition must be submitted to the Associate Dean for Academic Affairs within 60 days of the student being notified of the outcome of the instructor's review. After consulting with the instructor, the Associate Dean for Academic Affairs may either deny the petition or determine that the petition should be given further consideration.

AR 4-8.3 Referral to Faculty Committee

If the Associate Dean for Academic Affairs determines under AR 4-8.2 that a petition should be given further consideration, he or she will submit the petition, along with his or her own written evaluation of the merits of the petition, to

- (a) the Academic Standing and Student Affairs Committee, if that committee comprises at least three tenured members of the faculty, or

- (b) in case the Academic Standing and Student Affairs Committee does not comprise at least three tenured members of the faculty, then to an ad hoc committee of three tenured members of the faculty elected by the faculty.

AR 4-8.4 Action of Faculty Committee

After consulting with the instructor, the faculty committee may either deny the petition or, if the committee concludes that the grade is clearly erroneous, recommend such relief as the committee deems appropriate. In all cases where the committee recommends that relief be granted, the committee must within seven days provide every voting member of the faculty with

- (a) the student's petition;
- (b) the statement of the Associate Dean for Academic Affairs required under AR 4-8.3; and
- (c) a written committee report that provides a detailed explanation of the committee's recommendation.

Unless for good cause, this written report shall not disclose the student petitioner's identity.

AR 4-8.5 Action of Full Faculty

If the committee recommends that relief be granted, the faculty shall consider the petition at its next meeting. Except as provided in AR 4-8.1, the grade assigned by the instructor may never be changed except by a vote of the faculty to accept the committee's recommendation for relief. The faculty shall not consider petitions that have been denied by the committee.

AR 4-9 Honors

Those eligible for the Juris Doctor degree shall be considered for honors according to the following criteria.

*Summa Cum Laude.* The top one percent of the class are eligible to be considered for this honor. Those eligible include those whose grades are within this range either at the end of their penultimate semester or at the end of their final semester. This honor is awarded only at the discretion of the Academic Standing and Student Affairs Committee, which solicits faculty input about individual candidates and then applies the following standard:



Through demonstrated analytical ability, clarity of written expression, and maturity of judgment, this student has exhibited the capacity eventually to assume an important leadership position in our profession.

*Magna Cum Laude.* Absent special circumstances (as determined by the Academic Standing and Student Affairs Committee on the basis of faculty input), the top ten percent of the class (based on GPA either through the penultimate semester or the final semester) receive this honor. In doubtful cases, the Committee applies the following standard:

Through demonstrated analytical ability, clarity of written expression, and maturity of judgment, this student has shown the promise of a distinguished career at the bar.

*Cum Laude.* Absent special circumstances (as determined by the Academic Standing and Student Affairs Committee on the basis of faculty input), the top twenty percent of the class (based on GPA through the penultimate semester) and the top twenty-five percent of the class (based on GPA through the final semester) receive this honor.

Honors determinations that are made prior to graduation will be announced at the commencement ceremony.