

UNIVERSITY OF SAN FRANCISCO
SCHOOL OF LAW
ACADEMIC POLICIES AND ADMINISTRATIVE PROCEDURES

October 2007**

****NOTE: THE POLICIES SET FORTH HEREIN ARE APPLICABLE TO STUDENTS ENTERING THEIR SECOND, THIRD OR FOURTH YEARS IN AUGUST 2007. STUDENTS ENTERING THE FIRST YEAR AT THE SCHOOL OF LAW IN FALL 2007 ARE SUBJECT TO DIFFERENT SCHOLASTIC STANDARDS SET FORTH IN A SEPARATE DOCUMENT.**

This document, which is intended as a reference for USF School of Law Juris Doctor degree students, contains the academic policies and administrative procedures generally applicable at the School of Law.

STUDENTS SHOULD REVIEW THIS HANDBOOK CAREFULLY. THIS DOCUMENT IS DEEMED TO CONSTITUTE NOTICE OF ITS CONTENTS AND STUDENTS ARE RESPONSIBLE FOR THE INFORMATION CONTAINED HEREIN.

In addition, all students are subject to the rules, regulations, policies and procedures of the University of San Francisco, except as to matters specifically provided for in School of Law policies and/or procedures.

The University and the School of Law expressly reserve the right to modify the curriculum, including the offering, timing and content of courses, and/or to change any requirement for admission or graduation. The University and the School of Law also expressly reserve the right to change any rule, regulation, requirement and/or procedure affecting the student body including any rule, regulation, requirement and/or procedure relating to grading, academic standing, and disqualification. Such changes shall become effective whenever the administration may determine and may operate retroactively.

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I. CURRICULAR PROGRAMS OF THE SCHOOL OF LAW

The School of Law offers both full-time and part-time programs leading to the Juris Doctor (J.D.) degree, as well as a full-time concurrent degree program leading to both Juris Doctor (J.D.) and Master of Business Administration (M.B.A.) degrees. It also has a program for foreign lawyers leading to a Master of Laws (LL.M.) degree in International Business Transactions and Comparative Law, and a program for both American and foreign lawyers leading to a Master of Laws (LL.M.) degree in Intellectual Property and Technology Law.

A. Juris Doctor Degree Program

1. Full-Time Division

A three-year curriculum is offered in the full-time division. Full-time students must carry the designated curriculum in the first year and an average of 14 units per semester during the remaining two years. Required courses are offered during a five-day week, commencing on Monday and ending on Friday, and are usually scheduled between the hours of 8:00 a.m. and 5:00 p.m. However, students in the full-time division may, on occasion, be required to take a course during evening hours (6:00 p.m. to 10:00 p.m.) and/or attend a Saturday class session. Elective courses are offered during both day and evening hours and occasionally on Saturday.

2. Part-Time Division

A four-year curriculum is offered in the part-time division. Part-time students must carry the designated curriculum during their first and second years and an average of 11 units per semester during the remaining years. Part-time students often elect to take one or more courses during summer sessions in order to lighten their course load during the fall and spring semesters. Required courses are generally scheduled during evening hours, 6:00 p.m. to 10:00 p.m., Monday through Thursday evenings. However, students may be required to attend some Friday evening or Saturday sessions. Elective courses are available to part-time students during both day and evening hours and occasionally on Saturday.

3. Accelerating the Part-Time Program

Part-time students may accelerate their graduation and complete the J.D. degree program in three and one-half years, provided they are in good academic standing. In order to satisfy the residence requirements, part-time students wishing to accelerate must complete seven regular session semesters and at least two summer sessions in which they aggregate a total of not less than eight units of credit. At least one-half of the summer units must be taken in a USF summer program. For purposes of identification, part-time students who have chosen to accelerate their graduation on this basis are designated "part-time accelerating students." Any part-time student wishing to accelerate his or her graduation must file a notice of intention to accelerate with the law school Registrar at the earliest possible date, but in no event after the last date to add classes during the fall semester of his or her third year. Part-time accelerating students must take all required courses in an evening section except as may be otherwise permitted by registration instructions for a particular semester.

4. Transfer Between Divisions

(a) From Part-Time to Full-Time.

A student who enters and completes the first year in the part-time division may transfer to the full-time division upon completion of the first year of study. This makes it possible for the student to complete degree requirements in three academic years.

A student who elects to transfer to the full-time division must:

- (1) take a full-time course load during every semester in the second and third academic years;
- (2) attend one or more USF summer sessions and aggregate a total of at least six units of credit. All of these units must be taken in a USF summer program;
- (3) meet all other USF degree requirements including completion of the requisite number of course units and completion of all courses required by the School of Law;
- (4) complete all courses required for second year part-time students in the evening section, except as may be otherwise permitted by registration instructions for a particular semester; and
- (5) file a notice with the law school Registrar of intention to transfer to the full-time division at the earliest possible date, but in no event later than the end of the Spring semester of his or her first year.

Only a student who has completed the first year with a cumulative grade point average above 2.300 is permitted to transfer to the full-time division. Any election to transfer is subject to meeting this requirement. Filing the notice of transfer is mandatory; failure to file the notice as required precludes transfer to the full-time division. **Once effective, the transfer is irrevocable** and thereafter, except as noted, a student who has filed a notice of intention to transfer will be treated as a full-time student for purposes of applying academic policies, awarding residence credit, determining tuition charges, etc.

(b) From Full-Time to Part-Time

Students who enter the full-time division may for compelling reasons transfer to the part-time division with approval of the Assistant Dean for Academic Services. **Once effective, the transfer is irrevocable** and thereafter, except as noted, a student who has transferred will be treated as a part-time student for purposes of applying academic policies, awarding residence credit, determining tuition charges, etc.

In order to satisfy residence requirements, a student who transfers from the full-time to the part-time division must attend law school for no fewer than seven, and possibly as many as eight, regular (fall/spring) semesters, depending on the number of full-time semesters completed before the transfer. Students making a transfer should consult with the Assistant Dean for Academic Services regarding the number of semesters in residence required to complete the J.D. degree.

5. Degree Requirements

The requirements for the Juris Doctor degree are:

- (a) Complete three years in residence as a student in the full-time division, completing not less than 12 units each semester; or four years in residence as a student in the part-time division, completing not less than 8 units each semester. (In order to receive residence

credit for any semester, a student must complete the applicable 12 or 8 unit minimum course load);

- (b) Complete 86 units, including at least 65 units in law school classroom courses (non-classroom courses include Moot Court, clinical courses or programs, Street Law Program, and certain co-curricular programs for which credit is awarded, such as Advanced Moot Court, ASP Program Tutor, Maritime Law Journal, and Law Review);
- (c) Complete all curricular requirements of the School of Law;
- (d) Attain a 2.000 (or better) cumulative grade point average as well as attain a 2.000 (or better) grade point average in at least one of the last two regular semesters prior to completing the degree requirements;
- (e) Good academic standing at the time of graduation; and
- (f) File a notice of candidacy for the Juris Doctor Degree on or prior to the date designated in the official academic calendar for the year of graduation.

Each student is responsible for determining his or her compliance with and progress toward fulfilling these requirements.

6. Residence Requirements

Accreditation regulations require compliance with specified standards relating to the law school's educational program. In addition, the Committee of Bar Examiners has adopted Rules Regulating Admission to Practice Law in California. These rules also impose standards on the educational program of law students seeking admission to the State Bar of California. There are similar rules regulating admission to practice law in other states as well.

These rules impose residence requirements[®] which mandate that students attend and complete a specified number of class units and hours in residence[®] in order to receive a degree and/or qualify to take the California Bar Examination.

To satisfy these residence requirements, full-time students must:

- ! Attend for not less than six (6) regular (fall/spring) semesters; and
- ! Enroll in and satisfactorily complete not less than 12 or more than 15 units each semester.

To satisfy these residence requirements, part-time students must:

- ! Except in the case of acceleration, attend for not less than eight regular (fall/spring) semesters; and
- ! Enroll in and satisfactorily complete not less than eight or more than 11 units in each semester.

Students must note that the foregoing residence requirements complement but are distinct from the law school's degree and curricular requirements. Students must comply with both sets of standards.

7. Curricular Requirements

As part of his or her degree program, each student must complete these curricular requirements:

Full-Time Division:

	Fall Semester		Spring Semester	
	<u>Course</u>		<u>Course</u>	
1st Year	Civil Procedure I	3	Civil Procedure II	2
	Contracts I	2	Contracts II	3
	Criminal Law	3	Criminal Procedure	3
	Legal Research, Writing & Analysis	3	Legal Research, Writing & Analysis II	2
	Torts	4	Moot Court	1
		—	Property	<u>4</u>
2nd Year	Constitutional Law	4		

Floating Required Courses for Full-Time Division: *

Evidence	4
Legal Ethics or Professional Responsibility	3
Upper Level Research & Writing Requirement	0

Part-Time Division:

1st Year	Civil Procedure I	3	Civil Procedure II	2
	Contracts I	2	Contracts II	3
	Legal Research, Writing & Analysis I	3	Legal Research, Writing & Analysis II	2
	Torts I	2	Moot Court	1
		—	Torts II	<u>2</u>
				10
2nd Year	Criminal Law	3	Criminal Procedure	3
	Constitutional Law or Property	4	Constitutional Law or Property	4

Floating Required Courses for Part-Time Division *

Evidence	4
Legal Ethics or Professional Responsibility	3
Upper Level Research & Writing Requirement	0

* Floating required courses must be completed prior to graduation. Part-time students must complete these and all other required courses in an evening section, except as may be otherwise permitted by registration instructions for a particular semester.

B. Juris Doctor/Master of Business Administration Concurrent Degree Program

The Juris Doctor/Master of Business Administration (JD/MBA) Concurrent Degree Program is a full-time, four year program of study leading to receipt of both a JD degree and an MBA degree. The JD degree is awarded by the School of Law, and the MBA degree is awarded by the USF School of Business and Management. Participation in the program requires acceptance by both schools, and acceptance by one does not guarantee acceptance by the other or eligibility to participate in the program.

First-year law students not previously admitted by the School of Business may apply for admission to the program during their first year in the JD program. A student who completes his or her first year of study in the part-time JD program, and who is otherwise eligible, may participate in the JD/MBA program by converting to the full-time JD program and completing six JD units in a USF summer law program immediately following the first year.

Students enrolled or desiring to participate in the JD/MBA Program **must** take their first year **exclusively** in the law school, and **must** complete the required first-year JD curriculum with a cumulative grade point average greater than 2.300 to be eligible to participate in the concurrent degree program. A student who completes the Spring semester of the first year JD program with a cumulative grade point average of 2.300 or below may not thereafter participate in the JD/MBA concurrent degree program even if his or her cumulative grade point average thereafter increases to greater than 2.300.

Except as specifically modified for the JD/MBA program, in order to earn the JD degree, a student in the JD/MBA program must complete all JD degree, residence, and curricular requirements. In order to satisfy the degree and residence requirements, a JD/MBA Program student must complete four full-time years in residence. (A student who begins the JD program as a part-time student and who converts to the full-time division immediately upon completion of the first-year; such a student must complete the remaining three years as a full-time student.) JD/MBA students are subject to all of the requirements, restrictions and limitations set forth in this *Handbook*, including course load limitations.

C. Master of Laws Programs

The Master of Laws (LL.M.) Program in International Business Transactions and Comparative Law is a graduate law program for foreign lawyers -- *i.e.*, students who have received a first degree in law outside the United States. The Master of Laws (LL.M.) Program in Intellectual Property and Technology Law is a graduate law program for both American and foreign lawyers. Students in the LL.M. Program should consult with the Program administrator for information detailing curricular, degree, and other requirements and academic policies of the LL.M. Program.

II. GRADING

A. Letter Grading Designations and Definitions

Letter grading of student work at the School of Law is based on an 12 category letter system with numerical equivalents as follows:

A+	=	4.300 (grade points per unit)	C+	=	2.300
A	=	4.000	C	=	2.000
A-	=	3.700	C-	=	1.700

B+	=	3.300	D+	=	1.300
B	=	3.000	D	=	1.000
B-	=	2.700	F	=	0.000

These designations represent scholarship achievement as follows:

- AA[@] - Outstanding Scholarship and Intellectual Initiative
- AB[@] - Above Average Work
- AC[@] - Work Demonstrating Minimal Acceptable Competence
- AC-/D[@] - Unsatisfactory Work Sufficient for Residence Credit (Work may have to be repeated by students who have been academically disqualified. See Section III., below.)
- AF[@] - Failing Work Insufficient for Residence Credit or Scholastic Credit

B. Scholastic Requirements – Good Standing

To be in Agood academic standing[@] (or Agood standing[@]) a student must attain at least a 2.000 (AC[@]) grade point average (AG.P.A.[@]) for all letter graded work taken in each semester and must maintain a cumulative G.P.A. of at least 2.000 for all letter graded work taken at the School of Law. Any student who is not in good standing is automatically on Academic probation[@] or Academically disqualified[@] from the School of Law. (Refer to the information on Scholastic Standards.)

The G.P.A. is calculated by dividing the number of grade points earned in letter graded courses by the number of units of course work attempted for a letter grade. In making this calculation, the G.P.A. is rounded off to the nearest one-thousandth of a grade point. The number of grade points earned in a letter graded course is determined by multiplying the number of units of credit a student earns for completing the course by the numerical equivalent of the letter grade awarded to the student in that course. The G.P.A. is based on the number of units attempted for a letter grade rather than on the total number of units successfully completed. If a student is required to repeat a course, both grades in the course are included in the G.P.A., but the repeated units may not be applied toward the number of units required for graduation. Courses graded on a credit/no credit or pass/fail basis are not computed in calculating a student-s G.P.A.

C. Class Ranking

Individual numerical class ranking is not computed. However, the law school does publish statistical information concerning the performance of each class in the following manner:

1. For purposes of providing this statistical information, the following groupings are utilized:
 - (a) students in or completing the first year (both full and part-time);
 - (b) students in or completing the second year (both full and part-time) and students in or completing the third year part-time; and
 - (c) students in or completing the third year full-time and students in or completing the fourth year.

2. At the conclusion of each semester the Registrar determines and provides to students information about the cumulative grade point average *Acut-off* for the following percentiles of each of the foregoing class groupings: the highest 5%, 10%, 15%, 20%, 25%, 33^a %, 40%, 50%, 60%, and 80%.
3. Statistics showing bar examination pass rates for each quintile (top 20%, 40%, 60%, 80%, as well as the lowest 20%) of the graduating class in previous years is also provided.
4. This information is posted on law school bulletin boards following each fall semester and will be sent directly to students following each spring semester. The information will also be available through the Office of Career Planning.
5. No individual ranking either for an entire class or within any percentile(s) shall be permitted and no notation of class ranking or percentile shall be entered on any student-s transcript.

D. Honors

Those students in each of the full-time division classes and each of the part-time division classes who show superior academic achievement as of the end of each year by maintaining a cumulative grade point average of 3.15 or higher shall be designated *AHonor Students* for that year.

Graduates may receive the following honors: *A Cum Laude*, *AMagna Cum Laude*, or *ASumma Cum Laude* as appropriate. The Committee on Academic Standards retains jurisdiction to recommend revisions in the criteria for the awarding of degrees with honors for each graduating class. Transfer students who have completed 24 or more letter graded units of classroom work at USF are eligible for all honors except *Summa Cum Laude*.

E. Grade Distribution

The faculty recommends that all instructors adhere to the general distribution of grades set forth below:

GRADING GUIDELINES

First-Year Courses (applying to all first-year courses and to Criminal Law, Criminal Procedure and Property taken during the second year by part-time students and converters)

	<u>Maximum</u>	<u>Minimum</u>
A+	2%	0%
A- and above	20%	10%
B- and above	70%	55%
C- and below	12%	8%
D and below	5%	0%

Upper Level Required Courses (applying to Constitutional Law, Evidence and Professional Responsibility, but not to Legal Ethics)

A+	2 Students	0
A- and above	25%	10%
B- and above	75%	55%
C- and below	15%	0%

Bar Elective Courses (applying to Community Property, Corporations, Remedies and Wills & Trust)

	<u>Maximum</u>	<u>Minimum</u>
A+	2 Students	0
A- and above	25%	10%
B- and above	75%	55%
C- and below	10%	0%

Large Non-Bar Elective Courses (applying to all non-bar elective courses, except seminar courses, with enrollments of 21 or more students)

A+	2 Students	0
A- and above	40%	15%
B- and above	100%	50%
C- and below	10%	0%

Seminar Courses and Small Elective Courses (applying to all seminar courses, including Legal Ethics, and to all non-bar elective courses with an enrollment of 20 or fewer students)

A+	2 Students	0
A- and above	50%	15%
B- and above	100%	50%
C- and below	10%	0%

Grades must fall within the guidelines after any adjustment(s) made by the instructor pursuant to the provisions permitting discretionary grade adjustment.

Each instructor retains the right to determine the grade distribution in any individual course. However, the grades for a course shall not be accepted by the Registrar if they vary from the suggested grading guidelines until (1) the instructor has submitted a detailed explanation of the variance(s) to the Dean-s office (with the detail of explanation depending upon the degree of variance), and (2) the Dean or Associate Dean for Academic Affairs has approved the variance(s) sought. If a variance is not approved, and the instructor does not adjust grades to fall within the guidelines, the Committee on Academic Standards shall adjust the grades to fall within the guidelines and have them recorded by the Registrar.

A seminar is a limited enrollment class (below 25) requiring a significant amount of class participation in which the grade is based primarily on preparation of a significant research paper.

F. Discretionary Grade Adjustments

Each instructor teaching a course in which the grade is otherwise determined solely on the basis of an anonymously graded examination has discretion to adjust student grades on the basis of subjective evaluation (e.g., class participation), subject to the following conditions:

1. A grade may be raised or lowered only one grading step (e.g., B to B+ or B to B-);
2. Notice of the instructor-s intention to adjust grades on the basis of subjective evaluation must be given to the class at the beginning of the semester; and

3. Each instructor making grade adjustments on the basis of subjective evaluation must maintain reasonable documentation to support the adjustments.

Discretionary adjustments will be made to an individual student's grade by the Registrar after the instructor has assigned and submitted unadjusted grades for the entire class on an anonymous basis. The course is subject to the applicable grading guideline even after the discretionary adjustments are made. The Registrar's office shall not inform a student whether a discretionary adjustment was made.

G. Grading Deadlines

The faculty has adopted a policy requiring that grades from faculty shall be due (with certain exceptions) 21 days after an examination is administered. For further information see the Registrar.

H. Non-Letter Graded Credits

In certain instances students do not receive a letter grade for course work, but instead are graded on a credit/no credit basis. At each instructor's discretion, as indicated in the schedule of classes, students in any non-bar elective class may be given the option of taking the class for a letter grade or on the credit/no credit optional grading basis. Additionally, an instructor may, with the approval of the Educational Programs Committee, offer a course solely on a credit/credit-unsatisfactory/no credit basis. (See below). In either event, no letter grade is recorded in the student's academic record.

1. Credit/No Credit Optional Grading (ACredit Optional®). Credit/no credit optional grading refers to a system under which a student receives a grade designation of Acredit® or Ano credit® in lieu of a letter grade. When a course is offered on a credit optional basis, the instructor does not know which students, if any, have elected to be graded on the optional basis. Course work is evaluated by the instructor in the usual manner and a letter grade is assigned. The grades are thereafter converted by the Registrar to the credit/no credit designations. A grade of AC® or above becomes a Acredit® and a grade of AC-A or below becomes a Ano credit®.

A student is presumed to be taking a credit optional course for a letter grade unless the student elects to be graded on the credit/no credit optional basis. A student makes the election by completing and filing a written option form with the Registrar's office. The election, once made, is irrevocable. The election must be made by a deadline noted in the official academic calendar for the semester in which the course is taken.

The academic record (and transcript of the academic record) of a student who receives a Acredit® shall only reflect the designation Acredit®, and shall not, under any circumstances, have a letter grade designation entered for the course. The Registrar shall not inform any student who earns a Acredit® of the letter grade assigned by the instructor. The academic record and transcript of the academic record of a student who receives a Ano credit® shall only reflect the designation Ano credit®. However, a student receiving a Ano credit® in a credit optional course may elect to receive the grade actually earned instead of the Ano credit® designation, in which event the letter grade shall be entered into the academic record and be reflected on the student's transcript.

Classes in which a student has received a credit/no credit optional grade do not enter into the calculation of the student's grade point average. A class in which a student has received a grade of Ano credit® is not be counted toward the unit requirements for residency or graduation.

2. Credit/Credit-Unsatisfactory/No Credit Grading (ACredit Only®). In courses or programs where letter grades are not awarded (e.g., directed research projects, clinical programs, law review, and, with the approval of the Educational Programs Committee, certain elective courses) student work is designated Acredit®, Acredit-unsatisfactory®, or Ano credit® and does not affect a

student's grade point average. The Acredit-unsatisfactory® designation is intended to indicate that the work is sufficient for residence credit but is below minimum acceptable academic standards. A course in which a student has received a No-credit® is not counted toward the unit requirement for residency or graduation.

A student may elect credit optional grading in only one course per semester. A student may take any number of credit only courses or programs in a semester, but taking a credit only course or program precludes electing in the same semester the credit/no credit option in a credit optional course. A student may be precluded from enrolling in a credit only course or electing the credit/no credit option in a credit optional course by a condition of probation or as the result of other enrollment limitations.

I. Grade Changes

No grade may be changed after it is submitted to the Registrar except at the instructor's request on a clear showing of computational error by the instructor in the grading of the examination. The Committee on Academic Standards must approve any grade change before it may be accepted by the Registrar.

III. SCHOLASTIC STANDARDS/ACADEMIC PROBATION/DISQUALIFICATION

A. Scholastic Standards - Good Standing

To be in good academic standing a student must attain at least a 2.000 (AC®) grade point average (AG.P.A.®) for all letter graded work taken in each semester and must maintain a cumulative G.P.A. of at least 2.000 for all letter graded work taken at the School of Law. A student who fails to meet these standards is not in good academic standing.

Subject to the provisions in the next paragraph, a student who fails to attain at least a 2.000 (AC®) G.P.A. for letter graded work taken in any semester is automatically placed on academic probation following that semester. To be removed from academic probation, a student must attain at least a 2.000 (AC®) G.P.A. for letter graded work taken in the next succeeding regular (fall/spring) semester.

Notwithstanding anything to the contrary in the immediately preceding paragraph, a student is automatically academically disqualified from the School of Law if either (1) his or her cumulative G.P.A. falls below 2.000 (except that first-year students are permitted to complete two semesters to attain a 2.000 average), or (2) his or her semester G.P.A. falls below 2.000 for two consecutive semesters (in which case the student is disqualified even if the cumulative average is 2.000 or better).

For purposes of determining compliance with the School of Law's scholastic standards, grade point averages are computed at the end of the fall and spring semesters. Grades in summer sessions are not counted either to raise or lower a previous cumulative or semester G.P.A. For purposes of determining compliance with the law school's scholastic standards, summer session grades are computed as part of a student's cumulative G.P.A. following completion of the next succeeding regular semester.

B. Students on Probation

1. Counseling

Any student on academic probation must have his or her program of study approved by the Associate Dean for Academic Affairs or the Assistant Dean for Academic Services before registration will be processed. A student on probation for the first time may request a faculty advisor for individual counseling. A student on probation for a second or subsequent time shall be assigned to a faculty advisor. Where a faculty advisor is assigned, the student also must secure approval for his or her program of study from the faculty advisor.

2. Limitation on Course Selection for Students on Probation Entering the Second Year

Any student on academic probation at the end of the first year is subject to the following requirements and restrictions during the fall semester of his or her second year:

- (a) if a **part-time student** must enroll in and complete all of the courses required in the second year of the part-time program and must, in addition, enroll in and complete Legal Analysis.
- (b) if a **full-time student** must enroll in and complete Constitutional Law, Evidence and Legal Analysis.

In addition, a student on academic probation entering the second year must take (75%) of his or her credit hours in required courses (except Legal Analysis, Legal Ethics or Professional Responsibility) and/or bar elective courses (except Legal Drafting). Also, except for the Legal Analysis course, a student on academic probation may only take letter graded classroom courses with a final examination and must take any credit optional courses in which he or she enrolls for a letter grade. Finally, the student shall not be permitted to enroll in more than fifteen (15) units if a full-time student or more than eleven (11) units if a part-time student.

If the student completed the first year with a cumulative grade point average of 2.300 or below, and is eligible to continue for the spring semester of the second year, he or she is subject to the limitations on course selection set forth in part V.G. of these policies.

3. Limitation on Course Selection for Other Students on Probation

Any student on academic probation at any time after the fall semester of his or her second year must take during the probationary period seventy-five percent (75%) of his or her credit hours in required courses (except Legal Ethics or Professional Responsibility) and/or bar elective courses (except Legal Drafting). In the event the student is not enrolled during the probationary semester in a program of study that satisfies this requirement, he or she must petition the Committee on Academic Standards for permission to complete the probationary semester. The student must personally appear before the Committee at the time the petition is considered. Failure to submit a petition and/or to appear at the hearing shall result in an administrative withdrawal from the law school.

Except for a Legal Drafting course, a student on academic probation may only take letter graded classroom courses with a final examination and must take any credit optional courses in which he or she enrolls for a letter grade. Additionally, the student shall not be permitted to enroll in more than fifteen (15) units if a full-time student or more than eleven (11) units if a part-time student.

4. Additional Limitations on Students on Academic Probation

A student on academic probation may not serve as a Moot Court Case Counsel, or as a tutor or teaching assistant in either the Academic Support Program or the Academic Achievement Program, or participate in Law Review, Maritime Law Journal, Intellectual Property Law Bulletin, advanced Moot Court competitions, any similar co-curricular programs or activities,

and/or any internship, clinical or externship programs. A student on probation may not run for or hold office in the Student Bar Association or serve as a student representative to faculty meetings, to any faculty committee, or serve on a student advisory committee to the Admissions Committee, or serve in any similar capacity.

5. Restriction of Extra-Curricular Activities

It is strongly recommended that a student on academic probation restrict extra-curricular activities to a minimum and give priority to his or her studies. Failure to satisfy the conditions of probation results in academic disqualification from the law school.

C. Readmission of Students Academically Disqualified at the end of the First Year

1. Petitions for Readmission

A student who completes the first year of study with a cumulative grade point average of less than 2.000 is academically disqualified from the School of Law. A student that is academically disqualified may petition the Committee on Academic Standards for readmission on probation.

The Committee shall consider such petitions in accordance with the policies and procedures set forth below.

2. Readmission by Re-Examination

A student who completes the first year of study with a cumulative grade point average of less than 2.000 and who is denied readmission after petitioning (Subsection E.2.) may seek readmission by re-examination. Alternatively, the student may elect not to petition and instead seek readmission by re-examination by **notifying the Committee on Academic Standards, c/o the Associate Dean, in writing of such intention on or prior to the date specified in the notice of disqualification for filing a petition for readmission.**

The purpose of re-examination is to provide a disqualified student a second opportunity to examine in and successfully complete the basic first-year law courses. A disqualified student who previously attempted basic first-year course work at any law school is ineligible to re-examine.

- (a) A person seeking readmission by re-examination must re-examine in each course in which he or she received a final grade below AC[@], with the exception of Legal Research, Writing and Analysis. For the purpose of these re-examination provisions, each semester of a subject offered in both semesters of the first year shall be a Acourse.[@]
- (b) In addition to notifying the Committee on Academic Standards as described above, a person who intends to seek readmission by re-examination must complete and file the prescribed forms, which may be obtained from the Registrar-s office, and pay applicable re-examination fees. Such forms must be filed and fees paid on or before the registration deadline for the fall semester of the year of re-examination.
- (c) All re-examinations must be taken within one year after the date of the disqualification. It is the re-examinee-s responsibility to determine when the required examinations will be given and to make certain that his or her forms are properly filed and fees paid.
- (d) All re-examinations shall be taken at the time of a regularly scheduled final examination in the course during the academic year following disqualification. The Registrar will notify re-examinees of section assignments for re-examinations. These assignments are final and will not be changed. Inability to attend class meetings of a course in which re-examination is required is not sufficient to postpone the re-examination or to warrant an exception from the course section assignment.
- (e) A person seeking readmission by re-examination is not enrolled in and may not earn residence or degree credit at the law school unless readmitted and then only for work

completed prior to disqualification or after readmission. However, a readmitted student may be excused from repeating a required course in which no credit was earned upon the original examination in that course.

- (f) A person preparing for re-examination may attend unofficially any course in which he or she is re-examining on a space available basis **and** with permission of and on such conditions as may be imposed by the faculty member teaching the course. Otherwise, a person re-examining is not permitted to attend classes and is not eligible to participate in any law school supported programs, including co-curricular activities.
- (g) Only one re-examination in any course is permitted.
- (h) A person who completes re-examination shall be readmitted to the School of Law if he or she receives no re-examination grade below AC+[@] and the cumulative grade point average on re-examination in the courses in which he or she is required to re-examine is 2.600 or higher. If the re-examinations are taken in different semesters, such cumulative re-examination average will be computed only after all required re-examinations have been taken and graded.
- (i) If a person successfully re-examines, his or her permanent record shall be as follows:
 - (1) Each re-examination grade shall be entered separately from the original grade in the course. The cumulative grade point average on re-examination shall also be entered.
 - (2) A new cumulative grade point average shall be computed and recorded. It shall include all the original grades and all re-examination grades.
 - (3) An adjusted cumulative grade point average shall be computed and recorded. It shall include only the grades in courses in which no re-examination was required and the re-examination grades.
 - (4) The permanent record shall thereafter reflect both a cumulative grade point average (computed by including all grades) and an adjusted cumulative grade point average (computed by eliminating the original grades in courses in which re-examination was taken, but including the grades on the re-examinations). The record shall contain an appropriate explanation.
 - (5) The adjusted cumulative grade point average shall thereafter be used for assessing the student's compliance with the School of Law's scholastic standards. The cumulative grade point average shall be used for all other purposes.
- (j) Unless exempted, a person is readmitted after re-examination must retake each semester of Legal Research, Writing and Analysis in which the grade originally received was below AC[@].

D. Readmission of Other Than First Year Disqualified Students

1. Petition for Readmission

Except as noted in Section E.3.(a) below, a student who is academically disqualified from the law school following commencement of his or her second year of study may petition the Committee on Academic Standards for readmission on probation. The Committee shall consider such petitions in accordance with the policies and procedures set forth in the section on Petitions for Readmission, Section III.E., below.

2. Part-Time Second Year Students- Right to Re-Examine

A second year part-time student who has not previously been disqualified prior to commencement of his or her third year of study and who is denied readmission under subsection 1 hereof, may seek readmission by re-examination. A student seeking readmission by re-examination hereunder is eligible to re-examine in all graded courses taken during the first year and in Constitutional Law, Criminal Law, Criminal Procedure, and Property. He or she must re-examine in each of these courses in which he or she received a final grade below AC[®]. Except as otherwise specifically provided herein, readmission by re-examination shall be governed by the policies and procedures set forth in Section III.C.2.

E. Petition for Readmission: Policies and Procedures

Petitions for readmission of students academically disqualified from the School of Law shall be considered by the Committee on Academic Standards. The following policies and procedures apply:

1. General

(a) Notice

Any student academically disqualified shall be notified in writing of his or her dismissal from the law school. The notice shall contain information concerning the policies and procedures governing readmission and shall set forth the deadline for filing a petition for readmission. The length of the filing period is dependent on faculty compliance with grading deadlines. Hence, absolute time periods are impossible to establish. However, in no event shall the time deadline for filing a petition be less than 7 days from the date of mailing of the notice. It is the responsibility of each student to inform the law school Registrar-s office of a current address for receipt of this and other official notices.

(b) Committee Meeting Date

The Committee shall meet on a date during the last two weeks of July to consider petitions from students disqualified following the spring semester of each academic year unless emergency circumstances necessitate an alternative meeting date.

(c) Petition

Any person petitioning for readmission **must file a written petition**. The petition **must** set forth **all** extraordinary and compelling circumstances which the petitioner asserts were factors contributing to his or her unsatisfactory performance. It must also state **all** reasons which, in the opinion of the petitioner, should cause the Committee to conclude that the petitioner will be able to raise his or her grade point average to the required level and that the petitioner will henceforth perform in an academically satisfactory manner. Circumstances and/or reasons not set forth in the petition may not thereafter be raised in support of a request for readmission.

There is no required form or format for a petition; it may be a letter to the Committee. The petition must be **accompanied** by all reasonably available documents or other supporting material that verifies or substantiates the petitioner-s circumstances. Where, for example, illness or other similar extraordinary circumstances form a basis for the petition, submission of supporting material (such as medical records, etc.) is required by the Committee. In preparing the petition, the petitioner has the right to inspect his or her file maintained by the Registrar, with the exception of confidential materials described in the section of this *Handbook* relating to Privacy Rights of Parents and Students.

Petitions for readmission should be addressed to the Committee on Academic Standards and should be delivered in care of the Associate Dean for Academic Affairs. The petition

must set forth on the first page an address and telephone number at which the petitioner may be contacted.

(d) Personal Appearance Before the Committee

The Committee shall notify the petitioner of the time of its meeting for consideration of petitions for readmission, and shall afford the petitioner an opportunity to appear personally to answer questions about the circumstances set forth in the written petition. An appearance is informal and is not a hearing or adversarial in nature. Petitioners may, if they desire, bring one person to accompany them during the appearance, but this person may not represent the petitioner or otherwise address the Committee on the petitioner's behalf. **A written petition is required in any event.**

(e) Petition for Rehearing

(1) If a petition for readmission is denied, a petition for rehearing may be filed within 7 days from the date the notice of denial was mailed. Petitions for rehearing must be in writing and should be addressed to the Committee on Academic Standards and should be delivered in care of the Associate Dean for Academic Affairs. The petition must state with particularity the grounds for rehearing set forth in subsection (e)(2), below. A personal appearance in support of the petition for rehearing is not permitted.

(2) Petitions for rehearing are not encouraged and will be granted only in exceptional circumstances and upon a clear showing of intervening events or new grounds which the petitioner could not present in his or her original petition. Performance or grades in summer school will not be considered an intervening event.® A petition for rehearing shall contain an introductory statement that the argument therein was not presented before, together with an explanation of why it was not presented. Petitions for rehearing may not be accompanied by supporting material (such as letters from members of the faculty, medical records, etc.) that could have been presented at the time the original petition for readmission was considered by the Committee.

(3) If a petition for rehearing is granted, the Committee may make a final disposition of the petition for readmission without further appearance by the petitioner or, in its discretion, may request a personal appearance or make any other disposition it deems appropriate under the circumstances of the particular case.

(4) The Committee's determination is final. If a rehearing is denied, the petitioner remains academically disqualified from the School of Law.

2. Disqualification at Completion of First Year

(a) Readmission Criteria

The Committee may approve readmission of a student disqualified at the completion of the first year only if it concludes that the major factors contributing to the student's disqualification were extraordinary and compelling circumstances and that it is probable the student will be able to demonstrate academic competence in the future.

(b) Conditions

If a petition for readmission is granted, a readmitted student must:

- (1) Obtain at least a 2.000 grade point average in both the fall and spring semesters of the second year; and
- (2) Obtain a cumulative grade point average of at least 2.000 by the end of the spring semester of the second year. If the student obtains a cumulative grade point average of at least 2.000 by the end of the fall semester of the second year, that student, with approval of the Committee on Academic Standards, may be removed from probation (Note that the reference here is to the cumulative and not the adjusted cumulative grade point average.); and
- (3) Receive no grade below AC[@] during the probationary period; and
- (4) Secure approval for his or her program of study from both the Associate Dean for Academic Affairs and a faculty advisor who shall be assigned; and
- (5) Retake any first year course in which a final grade below AC-A was received in at least one semester, provided, however, that in the event the course is required during both semesters of the first year, the student must retake both semesters of the course only if the average grade for both semesters is below AC-A or if the grade for the second semester is below AC-A; provided further, however, that if the grade in the second semester was AC[@] or better, the student shall be excused from retaking the second semester if the grade in the retake of the first semester is AC+[@] or better; and
- (6) Restrict extra-curricular activities to a minimum and give priority to his or her studies, and not run for or hold office in the Student Bar Association or serve as a student representative to faculty meetings, to any faculty committee, or serve on a student advisory committee to the Admissions Committee, or serve in any similar capacity, or serve as a Moot Court Case Counsel or as a tutor or teaching assistant in the Academic Support Program or the Academic Achievement Program, or participate in Law Review, Maritime Law Journal, advanced Moot Court competitions, any similar co-curricular programs or activities, and/or any clinical, internship, or externship programs; and
- (7) Meet such other conditions on the probationary readmission that the Committee determines to be necessary or appropriate.

Failure to meet any of the conditions of probationary readmission results in automatic academic disqualification.

- (c) If a student is required to retake a course as a condition of probationary readmission, his or her permanent record shall be as follows:
- (1) Each grade in a retaken course shall be entered separately from the original grade in the course.
 - (2) The cumulative grade point average shall be computed by including all grades entered in the permanent record.
 - (3) An adjusted cumulative grade point average shall be computed and recorded. It shall include only grades received in courses not required to be retaken and grades in the retake of those courses required to be retaken.
 - (4) The permanent record shall thereafter reflect both a cumulative grade point average (computed by including all grades) and an adjusted cumulative grade point average (computed by excluding the original grades received in those courses which are retaken). The record shall contain an appropriate explanation.

3. Disqualification After Commencement of Second Year

(a) Conclusion of Fall Semester.

A student disqualified for the first time at the conclusion of the fall semester of his or her second year may be automatically readmitted on probation for the spring semester of the second year if the student is taking 75% or more of his or her credit hours for the spring semester in letter graded required courses, other than Legal Ethics or Professional Responsibility, and/or elective bar courses. The student must demonstrate academic competence by achieving a 2.300 G.P.A. for that spring semester and a cumulative G.P.A. of 2.000 at the end of the spring semester. If the student has been previously disqualified or is not registered in the requisite courses, he or she must seek readmission by petitioning the Committee on Academic Standards.

A student who is automatically readmitted under the terms of this section shall be required to meet with the Committee on Academic Standards to discuss his or her academic status.

(b) Conclusion of Spring Semester.

A student disqualified after the spring semester of his or her second year must petition the Committee on Academic Standards if he or she seeks readmission.

(c) Readmission Criteria

The Committee on Academic Standards may approve readmission only if it concludes that significant extraordinary and compelling circumstances were major factors contributing to the disqualification and that academic competence has been demonstrated.

(d) Conditions

If the petition for readmission is granted:

- (1) the Committee may attach such conditions to the probationary readmission as it determines are necessary or appropriate. If the student is required to retake any course(s) as a condition of readmission, his or her permanent record shall be handled as set forth in section (2)(c), above; and
- (2) the student must, while on probation, restrict extra-curricular activities to a minimum and give priority to his or her studies, and must not run for or hold office in the Student Bar Association or serve as a student representative to faculty meetings, to any faculty committee, or serve on a student advisory committee to the Admissions Committee, or serve in any similar capacity, or serve as a Moot Court Case Counsel or as an Academic Support Program Tutor, or participate in Law Review, Maritime Law Journal, advanced Moot Court competitions, any similar co-curricular programs or activities, and/or any clinical or externship programs.

F. Disqualification while in Summer Session

A student who is notified of academic disqualification while enrolled in a USF summer program may withdraw within ten days of the date on the notice and before taking exams and receive a full tuition refund. In the alternative, the student may continue in the summer program and receive credit for any course(s) satisfactorily completed. However, for purposes of determining compliance with the School of Law's scholastic standards, grade point averages are computed at

the end of the fall and spring semesters and grades received in USF summer programs are not counted either to raise or lower a previous cumulative or semester G.P.A. Thus, grades in courses taken during a summer session **do not** affect the disqualification and are **not considered** by the Committee on Academic Standards in reviewing a petition for readmission.

IV. OTHER ACADEMIC REGULATIONS

A. Fulfilling Course Requirements

Every student who registers for academic credit in a course and who does not officially withdraw from that course shall receive a grade.

1. Dropping or Withdrawing from Courses

The last date to “drop” an individual course is set forth in the official academic calendar for each semester or other academic period. Prior to that deadline, students may drop individual courses on-line. After the deadline, a course may not be dropped, but the student may be permitted to withdraw from the course with permission of the instructor. In the event a student withdraws from a course after the drop deadline, the course will appear on the transcript with the neutral indication of “W”. (In order to withdraw a course after the drop deadline, a student must file a withdrawal form with the Registrar.) The term “course” is used here in its most inclusive sense and refers to a class, seminar, clinical program, independent research project, or any other undertaking in which a student is enrolled for academic credit. A student may not reduce his or her course load below the minimum number of units requirements for his or her division.

2. Completing Course Requirements

Students in all courses are expected to complete their course work within the semester or other academic period in which the course is offered. In examination courses this means taking the exam at the time scheduled. In courses in which research papers or other work comprise all or part of the course work, such papers and or other work must be submitted at the times fixed by the instructor but in no event later than the last day of scheduled exams for the semester.

If a student does not complete the requirements for a course in which he or she is enrolled, and has not been granted an “incomplete”, the instructor will not report a grade for that student and the Registrar’s office will automatically enter a grade of “F” (or “NCR” if the course is a credit only course or a credit optional course in which the student had made a timely election for credit optional grading).

B. Incompletes

Where unusual circumstances arise which create hardship and prevent a student from fulfilling course requirements in a timely fashion, it may be possible for the student to receive an “incomplete” and thereby to extend the deadline for completion of course work. An incomplete is not available unless the student meets the law school’s attendance requirements.

In order to receive an incomplete, a student must file a petition, on a form available in the Registrar’s office, securing first approval of the instructor and then the Assistant Dean for Academic Services. In order to be considered, any petition must be approved and filed on or before the official last day of classes of the semester in which the incomplete is taken. Failure to file the petition will result in a grade of “F” being recorded by the Registrar even when a verbal agreement has been made between the student and the instructor.

If the petition is granted, the designation “incomplete” will be entered on the student’s official transcript of record in lieu of a grade for the course. The student shall not receive unit credit, for any purpose, unless and until the course is satisfactorily completed.

In order to remove the incomplete and receive credit for the course, the student must complete all work to the instructor's satisfaction and the grade for the course must be received by the Registrar's office no later than the last official day of the grading period for the next succeeding fall or spring semester following the semester in which the incomplete is taken. The instructor and/or the Assistant Dean for Academic Services may impose an earlier deadline. In the event that a grade is not reported to the Registrar, for any reason, by the required date, a grade of "F" (or, where applicable, "NCR") shall be entered for the course on the official transcript of record.

Except in unusual circumstances, a student will not be permitted to take an incomplete in more than one course in a single semester.

C. Leave of Absence/Withdrawal

A student admitted to the School of Law is expected to complete the course of study without interruption except for usual academic vacations. If a student is unable to complete a semester's work, or is unable, after completion of a semester, to return for the next regular semester, he or she must apply for and obtain a leave of absence in order to retain the right to return for a subsequent term.

A student who withdraws during any semester or who fails to enroll in the next succeeding semester without first obtaining a leave of absence, or who fails to return within the time specified in his or her leave, will be deemed to have withdrawn. In order to be considered for readmission, any such student must reapply through the ordinary admissions process. In each such instance, the applicant must repeat the entire application procedure and will be evaluated relative to all other applicants for admission then being considered.

No leave of absence will be granted for longer than one year, except as otherwise required by law. Except for compelling reasons, a leave of absence will not be granted to a student during his or her first year or to a student on academic probation. Such a student must petition and be granted a leave by the Committee on Academic Standards.

A student on a leave of absence from the School of Law is not permitted to participate or enroll in or receive credit for work in any other educational program or school. Any such participation, enrollment or receipt of credit automatically terminates the leave of absence and the right to return to the School of Law.

D. Attendance and Class Participation

The School of Law requires students to attend classes regularly, complete assignments in a timely manner, and be prepared for class.

A student is subject to dismissal from the law school whenever his or her attendance becomes so irregular that the faculty deems it unwise to permit him or her to continue.

A student may be administratively withdrawn from a course and refused permission to take the final examination in a course, or to otherwise complete a course, for any of the following reasons:

- (1) an excessive number of absences,
- (2) an excessive number of instances of not completing class assignments or not completing them in a timely manner, or
- (3) an excessive number of instances of not being prepared for class.

Absences in excess of twenty percent (20%) of the regularly scheduled classes in a course shall be considered an excessive number of absences unless an individual instructor adopts a more stringent policy on class attendance. In the event a more stringent attendance policy is adopted

for a class, the instructor must give students notice of the policy in registration materials or the course syllabus.

Attendance is computed from the first meeting of the class, not from the first date of the student's entrance. It is within the discretion of each instructor when tardiness shall be charged as an absence.

Except in the case of a course a student is required to take, if a student is administratively withdrawn from an individual course before the end of the 3rd week of class in the fall or spring semesters or the 1st week in a summer session term, the course will be deleted from the student's record. When a student is administratively withdrawn, or refused permission to take the final examination or otherwise complete the course, later than that, a AW@ shall be entered on the student's record. If, at any time, a student is administratively withdrawn from a course he or she is required to take, a ANC@ (no-credit@) will be entered on the student's record.

E. Semester in Residence at Other Institutions

In extraordinary, unforeseen circumstances related to family, health or other unusual personal situations, a student may be granted permission to attend another ABA/AALS-approved law school for his or her final semester or year of law school, while still earning the USF degree. Permission will not be granted solely to reduce the costs of attending law school or to provide an opportunity for students to be enriched by experiencing another law school's general academic, cultural, or geographic environment.

To obtain approval, students must submit a petition to the Associate Dean for Academic Affairs identifying the school at which the student desires to visit, the student's proposed course of study, the unit value of the course of study, the dates of the visit, the student's reason for seeking approval, and any other information the dean deems necessary or appropriate. No student will be permitted to visit away unless he or she is in good academic standing, and the student's academic record will be considered in making the decision.

No course or other requirement for the USF degree may be taken at another institution. Credits earned during the visit will be accepted only if earned in letter graded "classroom" courses in which the student receives a letter grade of "C" or better. Clinical programs, judicial externships, directed research, independent study, and the like are not classroom courses.

It is the student's responsibility to insure that transcripts of grades are promptly submitted to the Law Registrar in a timely fashion. Students visiting away during their last semester must ensure that official transcripts are submitted to the Law Records Office as soon as possible to ensure that the JD degree is posted in time to certify the student for the bar exam. Only the credit earned for a course taken at another institution will transfer. The actual grade received will not be reported on the USF transcript, which will report only the course title and either "credit" or "no credit" for the course.

Any student desiring to attend another institution must make his or her own arrangements, including financial, with the other institution. Students visiting at another law school must pay an administrative fee.

F. Directed Research

A student may undertake an independent directed research project as an elective course under supervision of a full-time tenured or tenure track faculty member of the School of Law. Enrollment in directed research must be approved by the instructor prior to registration. Petitions to enroll in Directed Research are available in the law Registrar's office.

Students enrolling in directed research are expected to complete a written research project. The subject matter is determined by the student and the supervising faculty member. A student may not receive directed research credit for Law Review notes or comments, Maritime Law Journal or

Intellectual Property Law Bulletin work, Advanced Moot Court problems, Moot Court or advocacy competition briefs, or the like. Students shall not be paid as research assistants for their directed research work.

The supervising faculty member and student are expected meet regularly throughout the semester to review the student's progress, and the student shall submit for the faculty member's evaluation a substantial written product evidencing work completed over the semester.

The student shall receive one or two units of credit for directed research, at the instructor's discretion, and may take only one directed research per semester and only two during the student's law school career. In the event the directed research is for the purpose of expanding work done for an already completed course, the student shall receive only one credit. Directed research may be taken only on a credit/credit-unsatisfactory/no credit basis.

G. Limitation on Course Selection

A student who has a cumulative G.P.A. of 2.300 or below, but is not on academic probation, at the end of his or her first year is subject to limitations and restrictions on his or her course selection during both semesters of the second year

1. Full-Time Students:

In the fall semester of the second year, a full-time student subject to these limitations must enroll in Constitutional Law, Evidence and Legal Analysis. All other courses taken in the fall semester must be letter graded classroom courses with a final examination.

In the spring semester of the second year, a full-time student subject to these limitations must take Corporations and either Community Property, Wills & Trusts, or Remedies.

2. Part-Time Students

A part-time student subject to these limitations must take all of the courses required in the second year of the part time program, and must take the Legal Analysis course in the fall semester of the second year. All other courses taken by a part-time student during his or her second year must be letter graded classroom courses with a final examination.

3. Any student subject to these limitations must take any credit optional course in which he or she enrolls during the fall semester for a letter grade. Additionally, during both semesters of the second year the student shall not be permitted to enroll in more than fifteen (15) units if a full-time student or more than eleven (11) units if a part-time student).

H. Employment Limitation for Full-Time Students

Full-time students may not engage in employment for more than twenty (20) hours per week in any semester in which the student is enrolled. Each semester, full-time students must certify that they are not employed, in the aggregate, for more than twenty (20) hours per week.

V. FINAL EXAMINATIONS

A. Evaluation of Student Work

Evaluation of student work in most courses is based on a written examination at the end of the semester. Such examinations are identified by a student's examination number rather than name, and therefore are anonymously reviewed and graded. Each student is assigned a random examination number which is changed every semester. Every student must obtain his or her individual examination number prior to the examination period.

Papers, projects, or other work may be required in some courses at the discretion of the instructor, either in addition to or in lieu of an examination. Papers and other similar projects, seminar courses, and other appropriate circumstances may warrant departure from the anonymous grading system.

B. Examination Schedule

Students must take examinations at the assigned times, except in the case of “take home” examinations, which are due as designated by the instructor. The schedule of classes indicates the tentative time and date of the final examination in each course. Students are advised to consider this information, if they deem it important, in planning their schedules for the semester. This tentative examination schedule is subject to change and may be revised.

During the semester, a definitive examination schedule will be posted by the Registrar. Students are responsible for noting and adhering to the definitive schedule. Each student must be available to take his or her examinations at the time indicated on the definitive schedule. Personal conflicts, such as work or travel or family obligations, are not sufficient for rescheduling an examination. Failure to complete an examination at the scheduled time will result in academic sanctions up to and including receiving a grade of “F” in the course.

Students should not contact or otherwise discuss rescheduling an examination with the instructor or with another student.

C. Examination Conflicts

In the event of a conflict between examinations, one will be rescheduled by the Registrar. A conflict is deemed to exist when a student has two examinations which are scheduled for the same time and date; when there are four (4) or fewer hours between the scheduled end of one examination and the scheduled commencement of the next examination which a student must take; or when a student has three examinations scheduled on two consecutive calendar days. Two examinations on one day do not necessarily result in a conflict.

A student with a conflict must contact the Registrar’s office and complete a petition for an individual examination in a timely manner to arrange rescheduling of one of the examinations.

In no event will a rescheduled examination be administered prior to the published examination date and time.

Students should not contact or otherwise discuss rescheduling an examination with the instructor or with another student.

D. Illness or Emergency Circumstances

In the event a student is unable to take a scheduled final examination because of illness or other emergency circumstances, the student must contact the Registrar’s office or the office of the Assistant Dean for Academic Services prior to the examination and as soon as the situation arises. In the event circumstances prevent a student from contacting either office prior to the scheduled commencement of the examination, the student must contact the office as soon as practicable thereafter. Any student who has not contacted the Assistant Dean for Academic Services or the Registrar’s office within 24 hours after the scheduled start of an examination will not be permitted to make-up the examination.

Upon satisfactory demonstration of inability to take the examination as scheduled, the student will be permitted to make-up the examination without the imposition of any academic sanctions. Illness must be verified in writing by a physician and acceptable proof of other emergency circumstances may be required. In the event the student is unable to present an acceptable excuse for inability to complete the examination as scheduled, academic sanctions will be

imposed and, under some circumstances, a student may be precluded from making-up the examination, resulting in a grade of "F" (or "no credit" in a credit only course).

Students should not contact or otherwise discuss postponement of an examination with the instructor or with other students.

E. Rescheduled Examinations

A student who does not take an examination by reason of conflict, illness, or other approved reason will, subject to the preceding provisions, be permitted to reschedule the examination. Arrangements for rescheduling the examination must be made with the Registrar. The Registrar determines the rescheduling of an examination, but in no event will a rescheduled examination be administered prior to the published examination date and time. Except in unusual circumstances, the Registrar will schedule the postponed examination as close as possible to the original date and time of the examination. At the discretion of the instructor, a make-up examination may be different from the original examination administered to the rest of the class.

F. Special Accommodations Due to Disability

The University of San Francisco does not discriminate on the basis of disability. A student with a disability may seek special accommodations for taking examinations. Such accommodations are made on an individual basis, depending on specific information and professionally documented assessment data. If a basis for accommodation is established, an individual student will be given reasonable and necessary accommodation. A student seeking accommodations must contact the University's office of Student Disability Services in a timely fashion. Requests sought too late may not receive accommodation.

G. Examination Rules and Procedures

All students must adhere to the examination rules and procedures established by the law Registrar's office. These rules and procedures are available from the Registrar.

VI. SUMMER SESSION

A. USF Summer Sessions

The School of Law ordinarily conducts a summer session on-campus as well as one or more summer abroad programs. Credits earned in courses taken during the on-campus summer session or in a summer abroad program are applied toward the JD degree requirements. Students may find it advantageous to take one or more courses offered in the summer so they may lighten their course load during succeeding fall or spring semesters and/or elect advanced or specialized courses in the third or fourth years.

On-campus and summer abroad program courses are open to students who have completed one year of study at the law school and who are in good academic standing at the end of the immediately preceding spring semester.

Students may enroll in a maximum of 7 units during a summer, including clinical internship placements, judicial externships and/or participation in the Intensive Advocacy Program.

Full time students may not advance the date of their graduation or make up any deficiency in residence units by attending summer session or summer abroad program courses.

Grades earned in on-campus summer sessions or summer abroad programs are not used in calculating a student's cumulative grade point average for purposes of academic qualification or disqualification at the end of the immediately preceding academic year.

B. Summer Session or Programs at other Institutions

Subject to the limitations set forth here, a student may count toward the 86 units needed to graduate no more than a cumulative total of 4 units successfully completed during one or more summers in domestic or summer abroad law courses offered by another ABA-accredited law school.

Credit will not be granted for any summer course taken elsewhere covering substantially the same subject matter as a course "required" by the School of Law for the JD degree, is substantially similar to or duplicates a course offered in a USF summer session or program and/or if that course is substantially similar to or duplicates a course previously taken.

Credit will not be given for internships, clinical programs or any other non-classroom courses, or for any course that is not letter graded and in which a grade of "C" or better is received. Credit will also not be granted for any course taken elsewhere unless prior written approval is given by the Assistant Dean for Academic Services or Law Registrar.

Credit granted for approved summer courses taken at another institution will be applied toward USF JD degree requirements. The grade earned will not be transferred. The USF transcript will only reflect a "credit" or "no credit". Such courses will not be used in computing a student's grade point average. It is the student's responsibility to ensure that a transcript of summer work taken at another institution is sent promptly to the law Registrar at USF.

VII. BAY AREA CONSORTIUM

The School of Law cooperates with the law schools at UC Berkeley (Boalt Hall), UC Davis, Golden Gate University, and Santa Clara University to allow USF students to take courses at these institutions in the fall and spring semesters. Courses taken through the consortium are applied toward the USF JD degree subject to the following conditions:

- A. only classroom courses may be taken (internships, clinical courses, etc, are not permitted);
- B. the course(s) must be taken for a letter (or number) grade only and the student must earn at least a "C" or its numerical equivalent;
- C. the course must not substantially duplicate any course previously taken for credit;
- D. the course must be an elective course. All courses required for the USF degree must be taken at USF;
- E. the course taken cannot be offered during the same semester at USF;
- F. only one consortium course is permitted in any semester; and
- G. prior approval to take the course through the consortium must be obtained from the Assistant Dean for Academic Services or Law Registrar.

Students participating in the consortium pay tuition to their home school.

When receiving credit for a consortium course at another school, the grade earned will not be transferred. The USF transcript will only reflect a "credit" or "no credit" and the course will not be used in computing a student's grade point average. It is the student's responsibility to ensure that a transcript of consortium work taken at another institution is promptly sent to the Law Registrar at USF.

VIII. PRIVACY RIGHTS OF PARENTS AND STUDENTS

In accordance with the Family Education Rights and Privacy Act of 1974 (20 USC ' 1232(g)) the following notice is given to all law school students.

- A. The University of San Francisco School of Law maintains the following records on students who have registered for any regular session of the School of Law:
1. Permanent record maintained by the Registrar;
 2. Financial aid file maintained by the Financial Aid officer for each student who has applied for financial aid;
 3. Placement file maintained by the Placement Officer for each student or former student who has sought law school assistance in job placement.
- B. The permanent student record contains a record of law school academic work, forms completed by the student during his or her academic career, copies of correspondence relating to the student, all admissions materials retained after the admission process has been completed, and other pertinent records relating to the student. The financial aid file contains financial aid applications, parent-s confidential financial statements and a record of disposition. The placement file contains resumes and other pertinent information submitted by students or alumni and correspondence relating to job placement activities.
- C. The Registrar is responsible for maintaining and releasing information from the academic record. The Financial Aid Officer is responsible for maintaining and releasing information from the financial aid file. The Placement Officer is responsible for maintaining and releasing information from the placement file. University and law school administrators and law school faculty have access to the academic record and placement file for the purpose of administering the academic record in performance of their official duties. In addition, resumes and other information submitted by students or former students to the Placement Officer for the purpose of job placement will be released to potential employers. University and law school administrators and faculty assigned to operate or supervise the financial aid program have access to the financial aid file for purposes of administering the financial aid program. Access is also granted to such persons as may be specifically required or authorized by 20 USC ' 1232 (g)(b) (such as certain governmental officials or pursuant to judicial order and/or subpoena). Records shall be released to others only upon a request in writing from the student specifying the records to be released, the reasons therefore and names of the persons to whom the records are to be released.
- D. A student may examine his or her academic records, financial aid records and placement records except for the following items: (1) letters of recommendation submitted on a confidential basis before January 1, 1975, (2) letters of recommendation for which the student has waived a right of access and (3) parent-s confidential financial statements. A copy of any items to which the student has access may be obtained at a cost of \$.05 per page. (Note: Transcripts will cost \$5.00 per copy.) Upon reasonable request, the person responsible for maintaining records will explain or interpret to the student any such records to which access is granted.
- E. A student may submit information in writing concerning any document or other writing maintained in his or her files for purposes of amplifying, explaining, correcting, or commenting on the document or writing. A separate written statement must be submitted for each such document or writing. A student may make a written request to the law school Committee on Academic Standards for a hearing to correct or delete any document or writing in his or her files which has been erroneously included therein or which has been incorrectly recorded. The law school Committee on Academic Standards will hear the request within a reasonable time and will notify the student in advance of the time of the hearing. The student will be allowed to present pertinent information both orally and in writing at such time. No member of the Committee on Academic Standards will participate in any such hearing if he or she has a direct interest in the outcome of the hearing. The decision of the Committee on Academic Standards will be rendered in writing within a reasonable time after the conclusion of the hearing.
- F. The following information is designated as directory information and may be published or released by the law school without consent of the student: student-s name, dates of attendance, educational degrees and awards received, honors, previous educational institutions attended, and any other information received from the student (or a former student) in response to a request for

information for directory purposes. A student has the right to refuse to permit some or all of the foregoing information with respect to him or herself to be designated as directory information. A student wishing to exercise this right must notify the Registrar's Office in writing no later than the date specified for each semester. Upon such timely written request of the student, the Law School will not release directory information.

- G. The Registrar keeps a record of each disclosure of information from the academic records (except disclosures to the student or to which the student has consented, disclosures to appropriate school officials or disclosures of directory information), which record states the legitimate interest in the information of the party requesting and obtaining it. This record is kept with the academic record to which it pertains and may be inspected by the student.
- H. Students have the right to file complaints with the Department of Education concerning alleged violations of the Privacy Act by the law school. Complaints may be addressed to the Family Educational Rights and Privacy Act Office, U.S. Department of Education, 200 Independence Avenue, S.W., Washington, D.C. 20201.

IX. STUDENT REGISTRATION FOR STATE BAR EXAMINATIONS

California requires law students seeking admission to the State Bar of California to register with the Committee of Bar Examiners at the time their law study is commenced. First year students should comply with this requirement. Students contemplating bar membership in other states are individually responsible for ascertaining and completing whatever requirements such states may impose. Students should be aware that some states have specific curricular and other requirements for admission to their Bar. Students are advised to obtain information concerning character and other qualifications from the states in which they intend to practice.

X. NOTICES

Each student assumes responsibility for ascertaining information disseminated to the student body. Important materials relating to curriculum, administrative policy and procedure, State Bar requirements, etc. are frequently distributed.

Notices may be given to students by posting in the law school (including the law library), by United States Mail, by announcements posted on USFConnect, and/or by e-mail addressed to the student's USFConnect e-mail account.

It is also important that the law school has a current address and phone number for each student in the event that immediate contact is necessary. Each student takes responsibility for inability to contact him or her where current contact information has not been furnished.

XI. FILING OF FORMS

Students should retain a copy of all forms filed with the University or law school in case proof of filing is necessary.

XII. NON-DISCRIMINATION POLICY

The University and the School of Law are committed to a policy of equal opportunity and do not discriminate in employment, admissions, promotion or retention on the basis of race, color, religion, ancestry, national origin, age (over 40 years), sex, sexual orientation, marital status, medical condition* (cured or rehabilitated cancer), disability or any other basis protected by federal, state, or local ordinance or regulation. Inquiries concerning compliance with Section 504 of the Rehabilitation Act of 1973 as amended, and Title IX of the Education Amendments of 1972, as amended, may be directed to the Director of Personnel Services, Campion Hall, (415) 422-6707.

*Cured or rehabilitated as defined in Cal. Gov't Code Section 12926(h)(West 1992 & Supp. 1993)

It is also expected that employers using the School of Law Career Services office and/or facilities shall abide by these standards and take positive steps to assure that no such discrimination occurs in hiring, promotion or compensation for work assignments.

XIII. SEXUAL HARASSMENT

It is the policy of the University that sexual harassment shall not be condoned. It is also the policy of the University that false accusations of sexual harassment shall not be condoned. Information concerning policy guidelines and regulations is available in the office of the Associate Dean for Academic Affairs and in the Law Library.

XIV. DISCIPLINE

Students must observe the applicable rules and regulations of the University and of the School of Law. Failure to do so may result in the imposition of sanctions, including dismissal from the University.

The School of Law Student Honor Code sets forth the policies and procedures governing student breaches of appropriate conduct in certain instances related to the academic program.

XV. LENGTH OF TIME TO COMPLETE JD DEGREE

All students must complete the requirements for the JD degree no later than 84 months after first commencing the study of law at USF or, in the case of a student admitted with advanced standing, the school at which law study was first commenced.