

UNIVERSITY OF MASSACHUSETTS  
SCHOOL OF LAW - DARTMOUTH

STUDENT HANDBOOK

NOVEMBER 7, 2017

This is the Student Handbook of the University of Massachusetts School of Law - Dartmouth. Students are responsible for being thoroughly familiar with its contents. By registering for courses at the law school, students are bound by the provisions contained in this handbook.

The law school reserves the right to alter or amend these provisions at any time. Corrections of errors may also be made. Changes in the provisions made during the academic year will be posted on the school's website. All changes are effective immediately unless otherwise announced.

Such charges as tuition and fees, the policies associated with such charges, and academic or general university policies are subject to change without notice. There will be no refund of tuition, fees, charges, or any other payments made to the university in the event that the operation of the university is suspended at any time as a result of any act of God, strike, riot, or disruption; or for any other reasons beyond the control of the university.

The information in this publication is provided solely for the convenience of the reader, and the university expressly disclaims any liability that may otherwise be incurred. This publication is neither a contract nor an offer to make a contract.

## TABLE OF CONTENTS

|   |    |
|---|----|
| 1. DEFINITIONS & CROSS-REFERENCES .....               | 6  |
| 2. REGISTRATION .....                                 | 6  |
| a. Process of Registration.....                       | 6  |
| b. Restrictions on Registration .....                 | 7  |
| 3. FINANCIAL OBLIGATIONS.....                         | 7  |
| 4. CLASS ATTENDANCE AND PREPARATION .....             | 8  |
| 5. MAJOR DAYS OF RELIGIOUS OBSERVANCE .....           | 8  |
| 6. EMPLOYMENT WHILE IN LAW SCHOOL .....               | 9  |
| 7. ADD/DROP PERIOD .....                              | 9  |
| 8. COURSE LOAD.....                                   | 10 |
| 9. CREDIT LONGEVITY & PROGRAM COMPLETION.....         | 11 |
| 10. CONTINUATION OR INTERRUPTION OF REGISTRATION..... | 11 |
| 11. LEAVE OF ABSENCE .....                            | 11 |
| 12. WITHDRAWAL .....                                  | 12 |
| 13. (RE)ADMISSION PROCEDURE .....                     | 13 |
| 14. TRANSFER CREDIT .....                             | 14 |
| a. Prior Work.....                                    | 14 |
| b. Contemporaneous Work .....                         | 14 |
| c. Criteria for Transfer Credit .....                 | 15 |
| d. Treatment of Transfer Credit .....                 | 15 |
| 15. VISITING STUDENTS .....                           | 15 |
| 16. EXAMINATIONS .....                                | 16 |
| a. Grading Requirements .....                         | 16 |
| b. Records .....                                      | 16 |
| c. Anonymous Grading .....                            | 17 |
| d. Absence from Examinations .....                    | 17 |
| i. Excused Absence .....                              | 17 |
| ii. Unexcused Absence .....                           | 18 |
| iii. Schedule Conflicts.....                          | 18 |

|   |    |
|---|----|
| iv. Make-up Examinations .....  | 18 |
| v. Tardiness for Examinations .....                                       | 19 |
| vi. Applicability of Rules .....  | 19 |
| vii. Cheating on Examinations .....                                       | 19 |
| 17. GRADES AND GRADING SYSTEM .....                                       | 19 |
| a. Grading System .....   | 20 |
| b. Grading Policy .....   | 22 |
| c. Application of Grading Policy .....                                    | 22 |
| 18. CHANGE OF GRADE .....   | 22 |
| 19. GRADE APPEAL .....  | 22 |
| a. What Can Be Appealed .....   | 23 |
| b. Bases of Appeal .....  | 23 |
| c. Role of the Grade Appeal Officer .....                                 | 23 |
| d. Selection of the Grade Appeal Officer.....                             | 23 |
| e. Rights Concerning Grading Practices .....                              | 24 |
| f. Grade Appeal Process.....  | 24 |
| i. Informal Resolution .....  | 24 |
| ii. Formal Appeal .....   | 24 |
| 20. REPEATING OF COURSES .....  | 25 |
| 21. SCHOLASTIC STANDING .....   | 26 |
| 22. ACADEMIC STANDING .....   | 26 |
| a. Academic Good Standing .....   | 26 |
| b. Referrals to the Academic Resources and Writing Center .....           | 27 |
| c. First-Year Academic Requirements .....                                 | 27 |
| d. Upper-Level Academic Requirements.....                                 | 28 |
| e. Conditions of Supervision.....   | 29 |
| f. Conditions of Academic Probation.....                                  | 29 |
| g. Additional Conditions of Probation or Supervision.....                 | 30 |
| h. Violation of Conditions; Termination of Supervision or Probation ..... | 30 |
| i. Petition for Reconsideration of Dismissal .....                        | 30 |
| j. Effective Date of Dismissal .....                                      | 31 |
| 23. ACADEMIC RECOGNITION AND ACADEMIC HONORS .....                        | 32 |
| 24. GRADUATION REQUIREMENTS .....   | 32 |
| 25. WRITING PROJECTS .....  | 32 |
| a. Independent Legal Research .....                                       | 32 |
| b. Upper Level Writing Requirement .....                                  | 33 |

|  |    |
|--|----|
| 26. LIBRARY .....  | 34 |
| 27. ELECTRONIC LEGAL RESOURCES .....                           | 35 |
| 28. ACCOMMODATIONS .....                                       | 35 |
| 29. STUDENT PETITIONS FOR ACADEMIC MATTERS .....               | 36 |
| 30. STUDENT PETITIONS FOR NON-ACADEMIC MATTERS .....           | 36 |
| a. Student Complaints Implicating ABA Standards .....          | 36 |
| b. Grade Appeals .....   | 37 |
| c. Student Conduct and Dispute Resolution .....                | 37 |
| d. The Office of Equal Opportunity, Diversity & Outreach ..... | 37 |
| e. UMass Student Rights and Responsibilities .....             | 37 |
| f. Other Complaints .....                                      | 37 |
| 31. COMMUNICATIONS .....                                       | 38 |
| 32. ACADEMIC INTEGRITY AND STUDENT CONDUCT .....               | 38 |
| 33. CHARACTER AND FITNESS: ONGOING OBLIGATION TO REPORT .....  | 38 |
| APPENDIX: RULES FOR LAW SCHOOL EXAMS .....                     | 40 |

## **1. DEFINITIONS & CROSS-REFERENCES**

This handbook shall be known and may be cited as the “UMass Law Student Handbook.” It is binding on all students enrolled in the law school.

UMass Law students are also bound by the rules and policies of UMass Dartmouth and UMass. The university’s statement of the rights and responsibilities of its students, including the students’ rights under the Family Education Rights and Privacy Act (“FERPA”) may be found at: <http://www.umassd.edu/studentaffairs/studenthandbook/studentrightsandresponsibilities/>.

The terms “UMass Law,” the “law school,” the “school,” or similar expressions mean the University of Massachusetts School of Law - Dartmouth.

The terms “UMass Dartmouth” or the “university” mean the University of Massachusetts Dartmouth.

The “University of Massachusetts” or “UMass” means the University of Massachusetts system.

“LEC” means the Law Enrollment Center.

“GPA” means a student’s grade point average, calculated as set forth in §21.

The law school’s website is located at: <http://www.umassd.edu/law/>.

The UMass Dartmouth *Student Code of Conduct* may be found at: <http://www.umassd.edu/studentaffairs/departments/studentconductanddisputeresolution/>.

The UMass Dartmouth *Academic Integrity Policy* may be found at: <http://www.umassd.edu/policies/activepolicylist/academicaffairs/academicintegritypolicyandreportingform>.

## **2. REGISTRATION**

### **a. Process of Registration**

Registration is the process by which students enroll in courses each semester. Continuing students should register during the established registration periods, which occur during the previous semester. New students are automatically enrolled in their initial courses.

Registration must be completed by the end of the Add-Drop period as shown on the law school’s [academic calendar](#) for the semester. The law school’s academic calendar differs from the university academic calendar. Law students should follow the law school calendar.

Only after the student meets all financial obligations to UMass Dartmouth will the registration be considered final and official.

#### **b. Restrictions on Registration**

In certain situations there are special rules or restrictions on registration. In the following cases, a student's registration is not final and official until the appropriate approval has been obtained, even if the student has registered for the course on COIN.

Students are expected to enroll in the required courses that are scheduled in their program plan. E.g., day students should enroll in the required courses scheduled in the day program. Students who wish to enroll in a required course scheduled in the other program should submit a student petition to the associate dean. Required Bar Preparation courses may be scheduled in the day or evening/weekend, and students in one division may be required to enroll in the course scheduled in the other division.

Enrollment in certain courses requires the approval of the instructor. To register in these courses, a student must submit the relevant approval form, which may be obtained from the LEC.

Enrollment in some courses, particularly practice courses, is limited. If such a course is oversubscribed, preference will be given to third-year day students and fourth- or fifth-year part-time students or to students enrolled in the program plan (day or evening/weekend) in which the course is offered.

Students who are on probation must have their schedules approved by the associate dean. The registration of such students is not final and official until it has been so approved.

Students may not enroll in distance education courses until having earned at least 28 academic credits toward the J.D. degree. The maximum number of academic credits from distance education courses that students may apply toward the J.D. degree is 15.

### **3. FINANCIAL OBLIGATIONS**

A student is expected to meet his or her financial obligations to the university. Any student who has an outstanding financial obligation to the university will not be considered officially registered for courses and will have official transcripts and diploma held. The obligations include tuition, fees, housing charges, Campus Store balance, library fines, loan balances, parking fines, health forms, etc. Financial clearance must be obtained from the Bursar's Office.

#### **4. CLASS ATTENDANCE AND PREPARATION**

Regular attendance and adequate preparation for each class are essential parts of legal education. The analytical and communication skills that are vital to good lawyering are honed in the classroom setting. Students who do not attend class regularly or who fail to prepare adequately for class receive a substandard education. Accordingly, the school has promulgated the following rules regarding class attendance and preparation.

Students shall attend classes on a regular basis. Students who are excessively absent from classes may be subject to sanctions, including, but not limited to, withdrawal from the course. If a student is absent from more than the equivalent of two weeks of scheduled classes in a course in a fall or spring semester, exclusive of absences due to religious observance under §5, the student is deemed excessively absent. In a summer semester, if a student is absent from more than three classes in a class that meets twice per week, or two classes in a class that meets once per week, exclusive of absences due to religious observance under §5, the student is deemed excessively absent.

Students shall read all assigned materials and be prepared for all classes. As a general rule, students should spend at least three hours of preparation for every class hour. Continued lack of preparation may adversely affect a student's final grade or subject the student to sanctions, including exclusion from the final examination.

No student shall be withdrawn from the course under this section unless (1) the student continues to miss class after having been notified in writing that the professor is contemplating withdrawal as a sanction and (2) the associate dean concurs in the decision.

Individual faculty members may establish rules and policies on class attendance, which may be more stringent than the general attendance policy, as well as on participation and student performance. Students are responsible for adhering to class rules and policies and are subject to sanctions for violations.

#### **5. MAJOR DAYS OF RELIGIOUS OBSERVANCE**

University policy and Massachusetts state law require faculty to offer makeup assignments or examinations to students who are absent for religious observance. As an aid to curriculum planning, the list of major religious observances is made available by the Office of the Provost. Faculty, staff, and students are advised that the list is not exhaustive of observances of any religion. Jewish, Baha'i, and some Islamic religious observances begin at sundown of the previous day. Students planning to be absent from classes due to religious observance must notify their instructors at least one week in advance and otherwise follow law school policy regarding attendance.

## **6. EMPLOYMENT WHILE IN LAW SCHOOL**

A student may not be employed more than 20 hours per week in any week in which the student is enrolled in twelve or more class hours. Part-time students who work more than 20 hours per week may petition the Associate Dean for Academic Affairs to enroll in a full-time course load of twelve credits, so long as at least two of the twelve credits for which they seek to register are for Law Review I or II.

To ensure compliance with this policy, all students enrolled in the law school are required to complete an electronic Law Employment Certification at the beginning of their enrollment at the law school. The certification may be found within the Student Center on COIN. Students must confirm or update their Employment Certification before they register for any subsequent semester (excluding the summer session).

Students, whether full-time or part-time, are expected to take the study of law seriously and to adjust their work schedules to meet its demands. Make-up examinations will not be granted because of conflicts with work schedules.

## **7. ADD/DROP PERIOD**

Subject to the third paragraph of this section, students may change their course schedules up to the end of the first week of the semester, during an add/drop period, without record on the transcript and without financial obligation. In the case of courses that meet only once a week, the add/drop period shall be two weeks.

To add a course, the student must submit a completed add/drop form no later than the close of business on the last day of the add/drop period.

No student may withdraw from a required course without the prior written approval of the associate dean. Even if the student withdraws from a required course on COIN, the withdrawal is not effective unless and until it has been approved.

Students may withdraw from elective courses during the add/drop period by submitting a completed add/drop form no later than the close of business on the last day of the add/drop period. After the add/drop period, a student may withdraw from a course only with the prior written approval of the associate dean.

Students who withdraw from a course after the add/drop period and up to the completion of the tenth week of the semester shall receive a W grade. A W grade confers no academic credit and does not affect a student's GPA. After the completion of the tenth week of the semester, students may withdraw from courses only in extraordinary situations with the written consent of the associate dean. Concern that the student will receive an unsatisfactory grade is not an extraordinary situation.

## 8. COURSE LOAD

Students are required to carry the normal load of courses for the program in which they are enrolled, to follow the prescribed sequence of courses, and to make satisfactory academic progress towards completing the degree requirements. “Satisfactory academic progress” is defined in the [Satisfactory Academic Progress Policy](#).

A student taking 12 or more credit hours a semester is considered full-time. The normal course load for a full-time student is 13 to 16 credit hours. In no event may a student take more than 18 credits in a semester.

A student taking fewer than 12 credit hours is considered part-time. The normal course load for part-time students (day or evening/weekend program) is eight to 10 credit hours.

No student may take fewer than eight credit hours in a semester without the prior written approval of the associate dean. Approval to take fewer than eight credit hours will be granted only for extraordinary reasons. A student’s work schedule is not considered an extraordinary reason.

No part-time student may take more than 10 credit hours in a semester without the prior written approval of the associate dean. The associate dean will not approve 11 credits for a part-time student who works more than 35 hours a week or has not completed two years of part-time study.

A student seeking to vary the normal course load must submit a [Student Petition](#) to the associate dean at least one week before the first day of classes of that semester. The student shall state with particularity the reasons for the request. Part-time students who petition to take 11 credit hours shall affirmatively show that they are not precluded by the conditions set forth in the preceding paragraph.

No student may take more than six credit hours during the summer session without the prior written approval of the associate dean, who may not approve more than nine credit hours during the summer session. The associate dean may not approve more than six summer credit hours for a student who works more than 35 hours per week or for a part-time student who has not completed two years of part-time study.

Students who have not completed a year of full-time study or its equivalent (24 credits) may enroll only in those summer classes that are designated as being open to them.

For students enrolled in joint degree programs, each of the above stated regulations apply to the total number of credits from all degree programs combined.

Students are required to follow the prescribed sequence of courses. A student who must retake a required course must register for that course when the course is next offered in the program in which the student is enrolled. A student who seeks to vary the prescribed sequence of courses shall submit a Student Petition to the associate dean before the end of the registration period for the semester in question, stating with particularity the reasons for the variance.

Students must complete at least 65 credit hours in regularly scheduled class sessions at the law school and may not earn more than 25 credits in either co-curricular activities, such as law review or moot court, or independent legal research projects, field placements, or clinics taught by part-time faculty. Coursework completed in another university department (e.g., in connection with a joint degree program) does not count toward the 65 credit hour requirement.

## **9. CREDIT LONGEVITY & PROGRAM COMPLETION**

The normal course of study lasts five years for the part-time program and three years for the full-time program.

Students may accelerate the course of study by taking summer courses, but in no event may a student complete the course of study in less than 24 months.

Students must complete the course of study within 84 months of matriculation at the law school or at a law school from which transfer credit has been accepted, whichever is earlier. Periods during which students are on leave of absence or withdrawn from the school are included in the computation of this period.

Students applying for re-admission who have not been in residence at the law school for two or more years will receive no credit for courses they took four or more years ago.

## **10. CONTINUATION OR INTERRUPTION OF REGISTRATION**

To maintain status as degree candidates, students must remain enrolled continuously (exclusive of summers) or receive an approved leave of absence. Those who must interrupt progress toward their degrees should seek formal leave of absence. If a student does not request a leave of absence, it is presumed that the student has abandoned pursuit of the degree; such a student must apply again for admission to resume work for the degree.

## **11. LEAVE OF ABSENCE**

A student may, for good cause, request a leave of absence for a period no longer than one academic year.

“Good cause” includes extraordinary financial hardship; military activation; or any other situation (e.g., a serious illness suffered by the student or member of his immediate family;

unexpected employment obligations imposed on a part-time student) that would substantially interfere with the student's ability to do law school work at a satisfactory level.

Students seeking a leave of absence must fully document the relevant circumstances and attach the documentation to the request for a leave of absence.

Leaves of absence for longer terms may be granted in exceptional circumstances, such as active duty in the U.S. Armed Forces.

Students requesting a leave of absence must submit a [change of status form](#) for review by the Director of Student Engagement and Professional Development. If the student is in good academic standing, the Director of Student Engagement and Professional Development shall approve the leave of absence. If the student is not in good academic standing, the leave of absence must be approved by both the associate dean and the Academic Standards Committee. The associate dean and the committee may impose additional conditions both during leave and upon return from leave which must be satisfied. The student returns after a leave of absence with the same academic status he or she had before the leave.

A leave of absence will state the duration of the leave. Students (1) who are on leaves of absence and exceed their stipulated time on leave or (2) who discontinue studies without an approved leave of absence, as described in the preceding section, will be considered to have withdrawn from the school.

## **12. WITHDRAWAL**

A student who wishes to withdraw from the university during any semester or term must meet with the Director of Student Engagement and Professional Development and file a Withdrawal Notice Form with the LEC.

A student in good standing may voluntarily withdraw from the school. Voluntary withdrawal is allowed only once and is subject to the rule regarding the maximum period allowed between admission and graduation. A student who voluntarily withdraws from the school may apply for re-admission, but is subject to the re-admission procedures.

A student (1) who is not in good standing or (2) who is in good standing and seeks to withdraw from the school more than once may withdraw without prejudice only with the prior written approval of the associate dean. Such students may apply for re-admission, but are subject to the re-admission procedures. Furthermore, if a withdrawal without prejudice is approved, the associate dean shall set forth terms of the student's re-admission. If the student fails to conform to the terms of re-admission, the withdrawal automatically converts into a dismissal from the school with prejudice.

If a student attempts to withdraw after the exam period has begun but before taking any exam, the withdrawal takes effect immediately and no grades will appear on the transcript for the current semester. If a student attempts to withdraw after taking at least one exam, the withdrawal will not take effect until after all grades are posted for the current semester, and if the posted grades trigger an academic dismissal under Section 22, then the student is ineligible to withdraw from the law school, and the academic dismissal takes effect.

### **13. (RE)ADMISSION PROCEDURE**

Former students who (1) withdrew without an approved leave of absence or (2) were on leaves of absence and exceeded their stipulated time on leave must apply again for admission. Students requesting re-admission will thus compete for entrance along with new applicants to the school. They may re-use materials from the former application that are still current, but must submit any new or updated information and will be required to submit another application form and pay again the appropriate application fee. Students whose LSAT scores are no longer reported by the Law School Admission Council must retake the LSAT.

The Admissions Office may require additional information in certain cases.

Students applying for re-admission who have not been in residence at the school for two or more years will receive no credit for courses they took four or more years ago.

Full-time students who have been academically dismissed from UMass Law at the end of their first semester, and part-time students who have been academically dismissed from UMass Law at the end of their first or second semester, may apply for readmission to take effect no earlier than the following fall semester. All other students who have been academically dismissed from UMass Law may apply for readmission to take effect no earlier than the second fall semester following the semester in which they triggered dismissal. No student may submit an application for readmission sooner than April 1 of the year in which the proposed readmission would take effect. A student whose application for readmission is denied may not submit another application for readmission for two years after the date of their prior application.

For example, a student who started as a first-year student in Fall 2016 and was academically dismissed based on Fall 2016 grades may apply no sooner than April 2, 2017, for readmission to take effect in the Fall 2017 semester. A student who was academically dismissed based on Spring 2017 grades may apply no sooner than April 1, 2018, for readmission to take effect in the Fall 2018 semester.

Students who have been academically dismissed from UMass Law who apply for re-admission must comply with the procedures set out in the first two paragraphs of this section. In addition, they must include in their application a statement satisfying the criteria for petitions for reconsideration set out in Section 22(i).

No academically dismissed student shall be re-admitted without the written concurrence of the Academic Standards Committee. The Academic Standards Committee may impose conditions on the student's re-admission, including, without limitation, placing the student on probation or under supervision, requiring the student to carry a reduced course load, or requiring the student to repeat some or all of the courses that the student had taken while enrolled in UMass Law. The provisions of Section 22(g) shall apply to any courses that the student is required to repeat.

When making any determination pursuant to this section, the Admissions Committee and Academic Standards Committee may consult with the Associate Dean and with faculty and staff members familiar with the dismissed student's work.

#### **14. TRANSFER CREDIT**

##### **a. Prior Work**

A student who has completed one or more years at a law school accredited by the American Bar Association or at a state-approved law school may apply for transfer admission with advanced standing. Transfer applicants shall submit an official transcript and a letter of good standing from their previous law school in addition to the normal application materials. A transfer applicant who has attended another law school shall also submit at least one letter of recommendation from a faculty member who had the student in class.

Transfer credit is not a matter of right. Transfer credit may be granted on a case-by-case basis, but in no event will more than 30 credit hours of transfer credit be given. No transfer credit for courses taken more than four years before the request for transfer credit is made will be granted.

##### **b. Contemporaneous Work**

A student in academic good standing who has successfully completed a year of full-time study or its equivalent may register for courses at a law school accredited by the American Bar Association, provided that the student obtains the prior written approval of the associate dean. The associate dean shall not approve courses required or regularly offered at UMass Law.

To obtain approval, a student shall submit a petition to the associate dean, stating the name of the course, a course description, the school offering the course, and the reason(s) why the student wishes to take the course. If the course is to be taken contemporaneously with courses taken at the school, the student shall submit the petition at least two weeks prior to the first day of classes. Otherwise, the student must submit the petition at least two weeks prior to the start of the course.

The student shall pay any tuition costs for courses taken at another school. Taking an additional course at another school does not reduce the tuition owed to the university. Students may ordinarily take a maximum of six credit hours at other law schools during their course of study at UMass Law. In extenuating circumstances, the associate dean may allow students to take more than six credit hours, provided, however, that, in no circumstances, will the student be allowed to take more than 30 credit hours.

**c. Criteria for Transfer Credit**

To qualify for transfer credit, a student shall provide evidence that:

- i. The student earned a grade considered “unsatisfactory” by the school where the course was taken. In no event may transfer credit be granted for courses in which the student received a grade lower than C or its equivalent (2.0 on a 4.0 scale).
- ii. The course was worth at least two semester or three quarter credits. Credit for multi-term courses may be granted only if the student has completed the entire course and received a satisfactory grade in every term.
- iii. The course was not taken more than four academic years before the student’s matriculation at UMass Law.

**d. Treatment of Transfer Credit**

Transfer credit may be granted only after the school has received an official transcript from the school where the credit hours were earned. Transfer course work for which credit is given will be recorded on the student’s permanent transcript without a grade designation. It will not be calculated in the student’s grade point average.

**15. VISITING STUDENTS**

UMass Law welcomes visiting students. Students who have completed their second full-time year at a law school accredited by the ABA or a state-approved law school and who wish to receive their degree from that school, but spend either one or both semesters of their final year at UMass Law, may be considered for admission as visiting students. The deadline for completing the visiting application is June 30 for the fall semester and November 15 for the spring semester.

Visiting students receive financial aid from their own law school, not UMass Law, and may not enroll in courses which are over-subscribed by University of Massachusetts School of Law students.

Visiting applicants must provide the School of Law Admissions Office with the following:

- Application form and \$50 application fee;
- An official transcript of the applicant's law study from each law school attended, including a statement of class rank if available;
- A letter from the dean or dean's designee of the other law school, stating that credit earned at UMass Law will be acceptable toward meeting degree requirements and that the applicant is in good standing;
- A statement by the applicant indicating why he or she wishes to spend an academic year (or semester) at UMass Law; and
- At least one letter of recommendation, preferably from a professor at the applicant's law school.

UMass Law also welcomes visiting students in good standing from other ABA or state-approved law schools to enroll in the summer session.

Summer visitors must submit the following documents:

- Visiting Student Application Form with non-refundable \$50.00 fee;
- Visiting Student Registration Request with full payment; and
- A letter from the dean or dean's designee of the other law school, stating that credit earned at UMass Law will be acceptable toward meeting degree requirements and that the applicant is in good standing.

These forms are available online on the [Visiting Students](#) page or from the LEC.

## **16. EXAMINATIONS**

### **a. Grading Requirements**

Instructors shall set forth the grading requirements for their courses at the beginning of the semester. In many courses, the written examination given at the end of the semester is the principal basis for determining the final grade in the course. Instructors may also give one or more written examinations during the semester and use written assignments, classroom presentations, and class participation in determining the final grade.

### **b. Records**

The school retains all work submitted to meet course requirements for one calendar year after the course has been completed. After that, the papers, examination books, and other materials may be destroyed.

**c. Anonymous Grading**

In accordance with traditional law school practice, written examinations are graded anonymously. Exceptions to this policy are made for certain writing courses, seminar papers, and practice courses. Identification numbers, rather than names, are used on examinations. An identification number will be issued to each student at the beginning of the semester. Students are responsible for remembering their identification number and maintaining its confidentiality.

A student who provides any form of personal identification (e.g., the student's name) or any other personal information (e.g., "graduating senior") on an anonymously graded assignment is subject to disciplinary proceedings under the *Student Code of Conduct*.

**d. Absence from Examinations**

Except as otherwise provided in these rules students shall take course examinations as set forth on the examination schedule. An NR will be recorded if a student is absent from a scheduled final examination.

**i. Excused Absence**

Students who assert that they are unable to take an examination as scheduled must submit a petition to the associate dean as early as possible before the administration of the examination, explaining the reasons for the requested absence. The student shall provide supporting documentation with the petition. If the absence is for medical reasons, the documentation must include a letter from the student's attending physician.

Conflicts with work, vacation, or home schedules are not bases for an excused absence.

A student who is unexpectedly absent from an examination shall notify the school on the day of the examination or as soon as possible thereafter by telephone or e-mail to the associate dean, the instructor, or the administrative office. To be eligible to take a make-up examination, the student must submit a petition to the associate dean (1) setting forth the extraordinary circumstances (such as severe and sudden illness) that justify the absence and (2) showing that the circumstances arose unexpectedly, thereby precluding the student from requesting an absence prior to the examination. The petition must be supported by appropriate documentation and must be submitted as soon as possible after the absence. Unless there are compelling circumstances, the documentation may not be submitted more than seven days after the scheduled examination.

If the associate dean, in either of the above situations, deems the petition satisfactory, the student's absence from the examination will be excused. The student will be allowed to take a make-up examination, and the NR on the transcript will be replaced by an official grade.

**ii. Unexcused Absence**

If a student is absent from an examination and the absence is not excused under the provisions of the preceding section, the student is not eligible for a make-up examination, and the NR on the transcript will be replaced by an F(I).

**iii. Schedule Conflicts**

An “examination conflict” exists when a student has two or more final examinations scheduled during a 24-hour period, calculated from the start of the first examination.

A student with an examination conflict shall submit a petition to the associate dean within two weeks after the close of the published add and drop period. In the petition, the student shall explain the examination conflict and request a make-up examination. A student who does not file a timely petition will be deemed to have waived the right to object to the examination conflict. The associate dean, after consulting with the instructors involved, shall determine which of the conflicting examinations will be rescheduled.

**iv. Make-up Examinations**

Students whose absence from an examination is excused or who have an examination conflict are eligible to take a make-up examination.

Make-up examinations are subject to the following rules:

- (1) The associate dean, in consultation with the instructor involved, shall determine the date and time of administration. A make-up examination may be taken only after the originally scheduled examination.
- (2) Make-up examinations are scheduled only during the school’s regular business hours. It is the responsibility of the student to be available during these hours. The school is open in the evenings and on Saturdays only when classes are in session and during the regularly scheduled examination period.
- (3) Except for extraordinary circumstances, such as severe illness, all make-up examinations must be taken within one week of the original examination date. In the case of any extraordinary circumstances, all make-up examinations must be taken before the start of the next semester.

- (4) A make-up examination may be different from the examination administered to the rest of a class.
- (5) No make-up examination may be administered until the instructor involved has been contacted and concurs in the process chosen.
- (6) Students requesting a make-up examination shall execute and submit an affidavit under the penalties of perjury that they are in compliance with the *Student Code of Conduct* and the *Academic Integrity Policy* before they may take a make-up examination.
- (7) Students who discuss the examination in any manner with a student who has already taken the examination are in violation of the *Student Code of Conduct* and the *Academic Integrity Policy*.

**v. Tardiness for Examinations**

A student who is late for an examination may sit for the examination, but will receive no additional time or special consideration in grading.

**vi. Applicability of Rules**

The rules governing absences and tardiness apply to all examinations, including midterm and make-up examinations.

**vii. Cheating on Examinations**

If it can be reasonably inferred from a student's conduct that the student has cheated during an examination, the proctor shall allow the student to finish the examination, but shall immediately submit a written report of the incident to the associate dean. Continuing to work on an examination paper after notification by the proctor of the end of the examination shall be deemed cheating.

Violation of the *Student Code of Conduct* and the *Academic Integrity Policy* may be grounds for dismissal from the school. Every student shall be familiar with the provisions of the *Student Code of Conduct* and the *Academic Integrity Policy*. Ignorance of their provisions is not a defense.

**17. GRADES AND GRADING SYSTEM**

Grades are determined and assigned by instructors according to the definitions indicated below. Each student's academic achievement and the eventual fulfillment of degree requirements are reflected in the transcripts, which are updated at the end of each semester.

### a. Grading System

The school's grading system includes plus and minus grades which are used in computing grade point averages.

The grading system includes the following letter grades and quality points:

| Excellent | Quality Points |
|-----------|----------------|
| A+        | 4.000          |
| A         | 4.000          |

| Good | Quality Points |
|------|----------------|
| A-   | 3.700          |
| B+   | 3.300          |

| Satisfactory | Quality Points |
|--------------|----------------|
| B            | 3.000          |
| B-           | 2.700          |
| C+           | 2.300          |

Except that a C+ grade earned prior to Fall 2016 is considered unsatisfactory.

| Unsatisfactory | Quality Points |
|----------------|----------------|
| C              | 2.000          |
| C-             | 1.700          |
| D+             | 1.300          |
| D              | 1.000          |

Credit is awarded toward degree, but the grade is considered unsatisfactory.

| Failure | Quality Points |
|---------|----------------|
| F       | 0.000          |

No credit; grade reflected in GPA.

|      |       |
|------|-------|
| F(I) | 0.000 |
|------|-------|

An F assigned for failure to complete a course after the assignment of an "I" or "NR" notation.

W Official withdrawal by the student from a course after the Add/Drop period, and up to the completion of tenth week of the semester. No credit awarded. W grades do not affect a student's GPA.

I Work Incomplete. An incomplete may be given only if a student fails to submit a final assignment (paper or otherwise) in a course. An "I" is temporary and has no

value in computing the student's grade point average.

An instructor may grant an extension of time to complete a final assignment of no more than 30 days after the end of that semester's examination period. A student who is granted such an extension shall complete the assignment within the time period determined by the instructor. Extensions of more than 30 days are permitted only in extraordinary circumstances and require the concurrence of the associate dean. A student who requests such an additional extension must first obtain the consent of the instructor. If the instructor agrees to an extraordinary extension, the student shall submit a Student Petition to the associate dean stating with specificity the extraordinary circumstances that justify additional time and providing appropriate supporting documentation.

If the work is not completed within the allowed extension period, the grade will become an F(I). "I" grades cannot be changed to W.

- P+/  
P/F High Pass/Pass/Fail. Grades applied in a course that does not assign letter grades of A-F and that is so identified in the course description. F means that the student did not meet the minimum expectations of instruction in the course. P means that the student met or exceeded the expectations of instruction in the course. P+ means that the student earned a P and furthermore demonstrated effort, knowledge, and ability that substantially exceeded the expectations of instruction in the course.
- IP In Progress. Notation used in certain courses to indicate that academic progress covers more than one term; e.g., that a grade will be assigned on the completion of the task involved. This grade is used when students continue their work on a graduate thesis, project, or dissertation beyond one semester. The "IP" notation is replaced upon receipt of the official grade. Until or unless replaced by an official grade, the notation "IP" will remain on the transcript.
- NR Grade not reported by instructor at time of grade processing. An NR is a temporary mark only. An NR will be recorded if a student is absent from a scheduled final examination. If the student is allowed to take a make-up examination, the NR will be replaced by the official grade. If the student is not allowed to take a make-up examination, the NR will become an F(I).
- AU Audit. Registration and permission of Instructor are needed for auditing, submitted to the Registrar's Office no later than the end of the add-drop period. This notation is used when no examinations, evaluation, or credit are involved.

**b. Grading Policy**

In all required courses and in courses with an enrollment of 21 or more students, the presumptive average grade should fall between 2.85 and 3.15. In all other courses, the presumptive average grade should fall between 3.15 and 3.45.

**c. Application of Grading Policy**

The school's current grading policy took effect in the fall 2013 semester and applies to grades issued in the fall 2013 semester and thereafter. Grades issued before the fall 2013 semester under the prior grading policy will not be changed on students' transcripts. In applying the rules governing academic standing (Section 22) and graduation (Section 24), however, grades earned prior to fall 2013 will be scaled up by 0.7 to produce a weighted GPA that reflects the student's overall academic performance.

Transcripts will contain a notation explaining the new grading policy.

**18. CHANGE OF GRADE**

Grade change/correction requests must occur within one year from the date the grade was placed on the student's record. In extreme and exceptional cases, on request of the student, the instructor and the associate dean may authorize changes in grades which are over one-year old.

A student who believes there is an error on his or her grade report or transcript may request the LEC to check the student's records. If the LEC determines there was an error in computer data entry, it shall make the change and issue a corrected grade report and/or transcript.

Grades submitted by an instructor are final and non-reviewable except as set forth in this section. An instructor may change a final grade only for mechanical reasons, such as a mathematical error in computing the grade. To change a grade, an instructor must submit a grade change request to the associate dean for approval.

Students are encouraged to review graded work with instructors to improve their knowledge of the subject and review their test-taking skills.

**19. GRADE APPEAL**

Grade appeals are pursued through a formal process described below. Students and faculty should make every effort to resolve questions about grades without seeking a formal grade appeal. A formal grade appeal is a last resort.

The Academic Standards Committee need not defer action on academic standards determinations based on a pending grade appeal, although the committee retains discretion to stay the effect of its decision when appropriate.

**a. What Can Be Appealed**

Only final course grades may be appealed.

**b. Bases of Appeal**

Grades may be appealed that are alleged to have been caused by:

- i. Discriminatory application of grading standards as defined under Massachusetts or federal law, or University discrimination policy.
- ii. Post hoc alteration of grading criteria.
- iii. Computation dispute about calculation of a final grade or its transmission to the Registrar.
- iv. Failure to document a finding of plagiarism that results in a punitive final grade. Definitions of appropriate kinds of documentation are provided by the UMass Dartmouth Academic Integrity Policy.

**c. Role of the Grade Appeal Officer**

The Grade Appeal Officer serves students and faculty as an ombudsperson for grading issues. The Grade Appeal Officer provides students and faculty with someone to “go to” with questions relating to grading fairness and process; assists students and faculty attempting to find an informal resolution when issues related to grading arise; and adjudicates Formal Appeals when they occur.

**d. Selection of the Grade Appeal Officer**

The Grade Appeal Officer will be appointed for a three-year term by the associate dean, subject to ratification by the Law Academic Council, from a list of three tenured or emeriti/ae faculty members proposed by majority vote of the Executive Board of the Student Bar Association. Faculty members with administrative appointments (such as the dean, associate dean, and director of the Law Library) are ineligible to serve as Grade Appeal Officer. The Grade Appeal Officer’s name and function shall be widely publicized, especially at the end of each term. The Grade Appeal Officer for AY2017-2018 and 2018-2019 is Professor Clifford.

If the faculty member whose grade is being appealed is the Grade Appeal Officer, the associate dean shall select a faculty member from the list of those originally proposed by the Student Bar Association to serve as the Grade Appeal Officer in that appeal.

**e. Rights Concerning Grading Practices**

At the beginning of a course, students have a right to be told what and how much work will be required and the detailed basis of grading in the course. Any modifications must be communicated clearly and in a timely manner.

Both during a course and at its end, students have a right to know how their work was evaluated and the bases for the calculating of scores and grades. If an instructor is no longer available, the associate dean is responsible to facilitate this communication. In matters of grading, the associate dean can act for a faculty member who is no longer working at UMass Dartmouth.

Faculty members have a right to judge their students' academic work. Others' judgments will not be substituted.

**f. Grade Appeal Process****i. Informal Resolution**

A student with a question concerning a final grade should first discuss the issue with the faculty member involved. The student may also notify the Grade Appeal Officer at the same time, who may attempt to help the student and faculty member reach an accommodation. If the student and faculty member do not reach accommodation, the student may pursue the Formal Appeal process below.

**ii. Formal Appeal**

(a) Within ten business days after the LEC made the grade available to the student, the student must submit a Formal Appeal by e-mail to the Grade Appeal Officer, with copies by e-mail to the faculty member and the associate dean. The Formal Appeal must explain the basis for and provide evidence supporting the Formal Appeal. Failure to submit a timely Formal Appeal ends the Grade Appeal process.

(b) Within five business days of receiving a Formal Appeal, the Grade Appeal Officer will determine, based solely on the Formal Appeal, whether the basis for the appeal is valid and whether the student has evidence to support the appeal. If the Grade Appeal Officer finds that the Formal Appeal lacks a valid basis or does not contain supporting evidence, the Grade Appeal Officer will submit that determination by e-mail to the student, with a copy by e-mail to the faculty member and the associate dean. A finding that the Formal Appeal lacks a valid basis or does not contain supporting evidence ends the Grade Appeal process and is unappealable.

(c) If the Grade Appeal Officer finds both a valid basis and supporting evidence, the Grade Appeal Officer shall transmit his or her finding by e-mail to the student and to the faculty member. The faculty member shall then have ten business days from receipt of the finding to submit to the Grade Appeal Officer by e-mail a response with any supporting documentation, copied by e-mail to the student. The student shall then have five business days after receipt of the faculty member's response to submit a rebuttal by e-mail to the Grade Appeal Officer with any supporting documentation, with a copy by e-mail to the faculty member. The Grade Appeal Officer may (but need not) request that the student and faculty member attend a hearing at which each may state their positions. The Grade Appeal Officer will transmit his or her decision on the Formal Appeal by e-mail to the student and the faculty member, with a copy to the associate dean, who will implement the decision.

(d) Within five business days of receiving the Grade Appeal Officer's decision, either the student or the faculty member may appeal the decision by e-mail to the dean. The dean may not reverse the Grade Appeal Officer's decision unless the decision was arbitrary and capricious or the result of applying standards other than those listed in Section 19(b). Within ten business days of receiving the appeal, the dean shall notify the student, faculty member, and Grade Appeal Officer of his or her decision and will direct the LEC to make any necessary change. The dean's decision is not reviewable.

## **20. REPEATING OF COURSES**

Unless (1) a student receives a grade of D or lower in a required course, (2) the Academic Standards Committee requires the student to retake a course, or (3) the associate dean determines that there is an extraordinary reason to allow a student to take a second independent study, the student may not repeat a course. If the associate dean allows a student to take a second independent study, it shall involve a different topic and advisor than the first one.

A student who receives a grade of D or lower in a required course, if permitted to continue at the school, must retake the course at the school when it is next offered. For purposes of this Section 20, "required courses" do not include code, foundation, or practice distribution courses.

A student who receives a grade of D or lower in the first semester of a two-semester required course may not take the second semester until he or she receives at least a D+ in the first semester of the course. Similarly, a student who receives a D or lower in Legal Skills I may not take Legal Skills II until he or she receives at least a D+ in Legal Skills I, and a student who receives a D or lower in Legal Skills II may not take Legal Skills III until he or she receives at least a D+ in Legal Skills II.

A student who fails an elective course may retake the elective or take a different elective.

If a student repeats a course in which the student received a passing but unsatisfactory grade, the original grade and the credits earned are not used in computing the student's cumulative grade point average, total credit hours, or unsatisfactory credits for purposes of Section 22(d)(i)(2) or 22(d)(ii)(2). The original grade, however, will remain on the student's transcript and may be taken into consideration by the committee whenever it has occasion to review the student's academic performance.

If a student repeats a course in which the student received an F, the LEC shall enter the grade received in the retaken course on the student's transcript, but that grade will not replace the original failing grade.

## **21. SCHOLASTIC STANDING**

A grade point average (GPA) is determined for each student at the end of each term's program of courses. A GPA is computed by multiplying the credits of each UMass Law course by the quality points of the grade received in that course; the sum is then divided by the total course credits. Grades such as P, CR, I, W, WP, WF, IP, AU are not included.

## **22. ACADEMIC STANDING**

At the end of each semester, the Academic Standards Committee will review students (i) who are already on academic probation or under supervision or (ii) whose academic performance violates one or more of the criteria set forth in this section. The Law Enrollment Center will notify students who are dismissed under this section. Students, however, must be familiar with this handbook and are deemed to know their status once grades are made available to them.

A student's academic standing also affects federal financial aid eligibility. Students receiving federal financial aid should consult the Law School Financial Aid Office for more information.

The Academic Standards Committee need not defer action on academic standards determinations based on a pending grade appeal, although the committee retains discretion to stay the effect of its decision when appropriate. (Revisions to this Section 22, which became effective with the Fall 2016 semester, are applicable to students as of the end of the Fall 2016 semester. These revisions do not impact student status prior to or during the Fall 2016 semester.)

### **a. Academic Good Standing**

Students are in academic good standing unless their cumulative average, based on final grades in courses representing at least 15 credit hours, is below 2.3 or they have been placed on academic probation under the provisions of this section.

**b. Referrals to the Academic Resources and Writing Center**

A student who receives an unsatisfactory grade (C or lower) will be automatically referred to the Academic Resources and Writing Center (ARWC). Referral to the ARWC is not a punitive measure. It is intended, rather, to help students identify and remedy any academic problems they may be having.

**c. First-Year Academic Requirements**

- i. For purposes of subsection 22(c), a “full-time student” means a student who completed courses representing at least 12 credits in the first semester or completed courses representing at least 24 credits in the first two semesters. A “part-time student” is any student who is not a “full-time student.” A student who withdraws from a course has not “completed” that course.
- ii. Academic Requirements for Full-Time Students
  - (1) A full-time student whose cumulative GPA after the first semester is:
    - (a) from 2.300 to 2.500, or who receives two or more unsatisfactory final grades, is on academic supervision;
    - (b) from 1.700 to 2.299, or who fails a required course, is on academic probation; or
    - (c) below 1.700, or who fails two or more required courses, is academically dismissed, and has no right to petition for reconsideration under Section 22(i).
  - (2) A full-time student whose cumulative GPA after the second semester is:
    - (a) from 2.300 to 2.500, or who receives two or more unsatisfactory final grades, is on academic supervision;
    - (b) from 2.200 to 2.299, or who fails a required course, or who receives unsatisfactory final grades in courses representing 12 or more credit hours, is on probation; or
    - (c) below 2.200, or who receives unsatisfactory final grades in courses representing 18 or more credit hours, is academically dismissed.
- iii. Academic Requirements for Part-Time Students
  - (1) A part-time student whose cumulative GPA after the first or second semester is:
    - (a) from 2.300 to 2.500, or who receives two or more unsatisfactory final grades, is on academic supervision;
    - (b) from 1.700 to 2.299, or who fails a required course, is on academic probation; or

- (c) below 1.700, or who fails two or more required courses, is academically dismissed, and has no right to petition for reconsideration under Section 22(i).
- (2) A part-time student whose cumulative GPA after the third semester is:
  - (a) from 2.300 to 2.500, or who receives two or more unsatisfactory final grades, is on academic supervision;
  - (b) from 2.200 to 2.299, or who fails a required course, or who receives unsatisfactory final grades in courses representing 12 or more credit hours, is on probation; or
  - (c) below 2.200, or who receives unsatisfactory final grades in courses representing 18 or more credit hours, is academically dismissed.
- (3) If a part-time student is placed on academic supervision or probation after the first semester under subsection (iii)(1), and that student's cumulative GPA after the second semester would not require placing that student on academic supervision or probation pursuant to subsection(iii)(1), then the student shall be removed from academic supervision or probation unless the student has failed to comply with a condition of academic supervision or probation.
- iv. For purposes of section 22(c), the following do not count towards the number of semesters the student has completed: (1) a summer session; (2) a semester during which the student was on a leave of absence; and (3) a semester that the Academic Standards Committee has required a student to repeat in its entirety. A student's grades in summer courses do count for purposes of determining the GPA and number of unsatisfactory final grades.

#### **d. Upper-Level Academic Requirements**

- i. Supervision
  - (1) Any student not subject to Section 22(c) who was placed on academic supervision under the provisions of Section 22(c)(ii) or (iii) and not removed from academic supervision by the Academic Standards Committee under Section 22(c)(iii) or otherwise is on academic supervision.
  - (2) Any student not subject to Section 22(c) whose semester GPA is below 2.300, who fails a course or receives two or more unsatisfactory grades in a semester, or who has received unsatisfactory final grades in courses representing 12 to 14 credits is on academic supervision.
- ii. Probation
  - (1) Any student not subject to Section 22(c) whose cumulative GPA is below 2.300 is on probation.

- (2) Any student who has received unsatisfactory final grades in courses representing 15 or more credits is on probation.
- iii. Dismissal
  - (1) Any student not subject to Section 22(c) whose cumulative GPA is below 2.300 at the end of the semester after the student was placed on probation is academically dismissed, except as otherwise provided in the next to final paragraph of Section 22(i).
  - (2) Any student who has received unsatisfactory final grades in courses representing 18 or more credits is academically dismissed.

**e. Conditions of Supervision**

Students under supervision are subject to the following standard conditions:

- i. They must earn a semester GPA of 2.300 or above.
- ii. They must not receive an unsatisfactory semester or final grade.
- iii. They must review the examination in any course in which they received an unsatisfactory grade with the professor.
- iv. They must meet at least once with their faculty advisor.
- v. They must meet with the appropriate academic support personnel every month or as directed.

**f. Conditions of Academic Probation**

Students on probation are subject to the following standard conditions:

- i. They must earn a semester GPA of 2.300 or above.
- ii. They must not receive a final unsatisfactory grade.
- iii. They must not serve as an officer of any student organization.
- iv. They must review the examination in any course in which they received an unsatisfactory grade with the professor.
- v. They must meet at least once with their faculty advisor.
- vi. They must meet with the appropriate academic support personnel every month or as directed.
- vii. They may not register for or attend summer courses.
- viii. Their registration must be approved by the associate dean.

A student who is placed on academic probation after having registered for summer courses will be withdrawn from those courses.

**g. Additional Conditions of Probation or Supervision**

In addition to the standard conditions listed above, the academic standards committee may impose further conditions, if warranted in individual cases. Examples of such conditions include, without limitation, repeating a course, repeating an entire year, carrying a reduced course load, not registering for summer courses, or receiving no grade lower than that specified by the committee.

If the committee requires a student, as a condition of supervision or probation, to repeat a course in which the student received a passing but unsatisfactory grade, the original grade and the credits earned will not be used in computing the student's cumulative GPA or total credits awarded toward the degree. The original grade, however, will remain on the student's transcript and may be taken into consideration by the committee whenever it has occasion to review the student's academic performance.

**h. Violation of Conditions; Termination of Supervision or Probation**

- i. Each semester, the committee will review students who are on supervision or on probation.
- ii. Supervision reviews
  - (1) A student who satisfies all conditions of supervision shall be taken off supervision, unless in the judgment of the committee it would be in the student's interest to remain on supervision.
  - (2) If a student violates one or more conditions of supervision, the committee may in its discretion place the student on academic probation, unless the violation triggers probation pursuant to subsections 22(c) or 22(d), in which case probation is automatic.
- iii. Probation reviews
  - (1) A student who satisfies all conditions of probation shall either be placed on supervision or released from all committee oversight, at the committee's discretion, unless in the judgment of the committee it would be in the student's interest to remain on probation.
  - (2) If a student violates one or more conditions of probation, the committee may in its discretion dismiss the student, unless the violation triggers dismissal pursuant to subsections 22(c) or 22(d), in which case dismissal is automatic.

**i. Petition for Reconsideration of Dismissal**

A student who is dismissed under the provisions of subsection (c)(ii)(2), (c)(iii)(2), or (d) may petition the Academic Standards Committee for reconsideration of dismissal.

Students petitioning for reconsideration of dismissal must email a written statement with any supporting documentation to the committee at [LEC@umassd.edu](mailto:LEC@umassd.edu), with the subject line: “Petition for Reconsideration of Dismissal.”

The petition and statement must be received within seven business days of the date when the notice of dismissal was sent.

The written statement must contain a complete statement of all of the facts and reasons that the student asserts adversely affected his or her academic performance. The statement should identify with specificity (i) the reasons why, in the student’s opinion, the grades received are not truly reflective of his or her ability to perform at the level required by the school (e.g., a serious illness, a family or work problem) and (ii) the steps that the student has taken to address the problem. The committee does not grant personal interviews.

The committee will not reconsider dismissal unless the student has demonstrated by clear and convincing evidence that (1) the student’s petition identified exceptional circumstances that were a substantial factor in the student’s academic performance, (2) the exceptional circumstances will no longer affect the student’s academic performance, and (3) the student is likely to successfully complete the program of legal education and pass the bar examination. The committee will review each student individually in light of the student’s academic record and any mitigating factors identified in the statement. In particular, the committee will consider matters such as whether the reasons identified by the student in his or her statement adversely affected the student’s performance; how the student has addressed those problems; whether the overall trend of the student’s performance is upward or downward; and whether the student’s academic weakness is pervasive or limited to certain courses or areas of law, particularly core courses or subjects likely to be tested on the bar examination.

Notwithstanding any other provision of this Student Handbook, any student who petitions successfully for reconsideration of dismissal may, in the discretion of the Academic Standards Committee, have up to two semesters (exclusive of summer sessions) to raise his or her cumulative GPA to 2.300 or above.

**j. Effective Date of Dismissal**

A dismissal under these rules shall take effect at the expiration of the period to file a petition for reconsideration of dismissal or the denial of the petition for reconsideration, whichever occurs last. In the case of a dismissal that is not subject to a petition for reconsideration of dismissal, the dismissal shall take effect immediately upon posting of the student’s grades.

## 23. ACADEMIC RECOGNITION AND ACADEMIC HONORS

The following honors designations will be applicable, based on a student's final grade point average:

|                  |             |
|------------------|-------------|
| Summa cum laude: | 3.800-4.000 |
| Magna cum laude: | 3.600-3.799 |
| Cum laude:       | 3.400-3.599 |

## 24. GRADUATION REQUIREMENTS

The Juris Doctor degree is awarded to students who have completed 90 credit hours, at least 65 of which were earned in regularly scheduled class sessions, with a minimum cumulative grade point average of 2.3, received a passing grade in all required courses, and satisfied all other curricular requirements, all applicable probationary or supervisory conditions, and all financial obligations to the university. If a student's cumulative grade point average after 90 credit hours is below 2.3, the student may be continued in courses for an additional semester on such conditions as are determined by the faculty.

## 25. WRITING PROJECTS

### a. Independent Legal Research

Independent Legal Research ("ILR") provides a student an opportunity to explore a legal topic in greater depth than is usually possible in a regular course. In an ILR, a student undertakes substantial and comprehensive research on a chosen topic under the close supervision of a faculty member. This research serves as the basis for a detailed examination of a legal topic in a research paper.

To be eligible for ILR, a student must have completed at least one year of full-time study or two years of part-time study. Except as provided in Section 20, a student may register for only one ILR.

It is the responsibility of the student to find a faculty member to supervise the project. An ILR may be supervised by any full-time member of the faculty or, with the prior written consent of the associate dean, an adjunct faculty member.

To register for ILR, a student shall obtain the prior written approval of both the supervising faculty member and the associate dean. The *Independent Legal Research Approval Form* is available in the LEC or on the school's website. No student is considered registered for ILR until he or she has received all approvals and submitted the approved forms.

An ILR is generally worth two or three credits.

An ILR is a substantial commitment. The student must meet with the supervising faculty member at the beginning of the semester and prepare a detailed research plan and paper outline. The student and supervising faculty member must agree on a timetable for achieving research objectives and completing drafts of the paper.

If a student does not abide by the terms and conditions of this section, and those agreed upon at the beginning of the semester with the supervising faculty member, the student is subject to academic sanctions up to and including a failing grade for the ILR.

The final paper is due on the last day of the examination period of the semester in which the student has registered for the ILR. For a three-credit ILR, the final paper must be at least 30 pages long; for a two-credit ILR, the final paper must be at least 20 pages long. Failure to submit a final paper on time will result in the recording of NR. If the paper is not turned in within the extension period, the NR will become an F(I).

#### **b. Upper Level Writing Requirement**

Students must satisfy the Upper-Level Writing Requirement (ULWR) to graduate. Students are strongly encouraged to complete this requirement before their last semester of law study. No project may count for ULWR credit if the student prepares the project as part of a class which the student has designated as satisfying the code or practice distribution requirement. The student is responsible for securing and submitting all forms and signatures required under this section.

To meet the ULWR, each student must produce a sole-authored paper, brief, note, comment, memorandum of law, or other substantial written project, that:

- Reflects substantial legal research and critical analysis;
- Is well-written and carefully edited;
- Contains no fewer than 5,000 words, excluding footnotes or endnotes, i.e. approximately 20 pages of double-spaced, 12-point, Times New Roman type (although this page limit may be reduced when the supervising professor determines that exceptional circumstances warrant a reduction);
- Reflects revisions that incorporate the supervising professor's critique of and suggestions on at least one previous draft; and
- Earns a grade of B or better from the supervising professor for the paper (for students who satisfy the ULWR with a law review note, the note must be determined to be of at least B quality, but a letter grade need not be awarded).

Prior to beginning work on a ULWR project, every student must complete and submit to the LEC a ULWR Supervision Agreement Form signed by the supervising professor. All full-time faculty members may serve as supervising professors for a ULWR project. Adjunct faculty

members may serve as supervising professors only after written approval by the associate dean. By agreeing to serve as a supervising professor, the professor agrees to provide, at minimum, the following supervision and feedback:

- Meet with the student early in the project to give feedback and guidance on the student's selection of the topic and research plan;
- Meet with the student to give feedback on an outline of the project;
- Review and give written feedback on at least one full draft of the project;
- Meet with the student to discuss the draft and potential revisions; and
- Assess the final draft after submission, including assessment of writing style, grammar, and professionalism, in addition to substantive content; and
- Submit an ULWR Certificate of Completion at the conclusion of the project.

Examples of projects that may satisfy the ULWR include, but are not limited to, the following:

- Papers prepared for seminars or other courses requiring a substantial research and writing project;
- Independent Legal Research Projects;
- Analyses or drafts of proposed legislation;
- Comments on an agency rule;
- Empirical research into a legal problem with analysis of the results; and
- Legal writing in the context of real or simulated litigation courses (such as upper-level writing or legal drafting courses or clinical programs, so long as the student is the sole author).

Moot court competition briefs may not be used to satisfy the Upper Level Writing Requirement. Law journal comments may be used to satisfy the Upper Level Writing Requirement, provided that the student and supervising professor satisfy all of the requirements described in this section.

Once a supervising professor has agreed to supervise a project, the student may not submit any version of that project for credit in any other course or independent study.

## **26. LIBRARY**

Students may consult with one of the professional librarians for an orientation and introduction to the library and its services. Library hours are posted on the school's website and at the circulation desk. Library hours vary with holidays and summer vacations and are subject to change. Reference librarians are available to help with legal research and with questions about

the collection. Reference hours are posted and by appointment. Students must have a current UMass Pass to use the computer facilities and to borrow materials.

All obligations to the library must be honored. Outstanding library loans of books or other materials create student obligations to the school that may prevent graduation, registration, and delivery of grade reports until those materials are returned or replaced.

## **27. ELECTRONIC LEGAL RESOURCES**

Westlaw and Lexis are the two major electronic legal research services available to all registered law school students. Both services are accessible on the internet from the library webpage and are password-protected.

Westlaw and Lexis usage is contractually limited to educational activities and may not be used for personal or professional purposes. Any student using these services for other than school-related work will be subject to disciplinary action and will be subject to action by the proprietors of Westlaw or Lexis.

Additionally, in the school's computer labs, students have access to the Internet and school e-mail accounts. Other legal databases available include HeinOnline, Legal Trac, and Index Master. For assistance with these research products, please see one of the reference librarians.

## **28. ACCOMMODATIONS**

The school is committed to providing equal access to a quality legal education for all students. Any students who feel they may need an accommodation based on the impact of a documented disability should set up a meeting with Wendi Chaka, Director of UMass Dartmouth's Center for Access and Success, 508-999-8711 or [wchaka@umassd.edu](mailto:wchaka@umassd.edu). At that meeting, the student will provide recent documentation from a qualified health care provider that describes the functional limitation to learning that the disability creates. If the documentation is not available at the time of the initial meeting, the student will be expected to provide the documentation before any accommodations will be provided. A determination will be made about what accommodations will help the student's learning environment. No accommodations will be provided unless the student has met with Director Chaka and the requested accommodations have been deemed appropriate and reasonable.

Students requesting examination accommodations for the Multistate Professional Responsibility Examination (MPRE) or state bar examinations should know that the interpretations of the Americans with Disabilities Act requirements used by the various bar examining authorities may differ from those used in undergraduate or graduate education programs.

Students are advised to ascertain the testing accommodation standards for each jurisdiction in which they plan to take the bar examination.

Information about testing accommodations for the MPRE and individual state bar examinations may be obtained here:

<http://www.americanbar.org/groups/disabilityrights/resources/biad.html>

## **29. STUDENT PETITIONS FOR ACADEMIC MATTERS**

A student making a request concerning an academic matter must file a student petition with the associate dean. Student petitions are available in the Administrative Office or on the school's [website](#).

To be considered, the petition must (1) be typewritten or printed legibly, (2) be signed by the student, and (3) contain all relevant information, including supporting documentation. The associate dean shall return an illegible, unsigned, or incomplete student petition to the student for proper completion.

## **30. STUDENT COMPLAINTS**

During the academic year, a variety of issues may arise where a student believes he or she has been treated poorly or unfairly or may have some other concern. The following list describes a number of different types of concerns and relevant resources. If a student has a concern and is uncertain how to proceed, the student should contact the Director of Student Engagement and Professional Development for assistance.

### **a. Student Complaints Implicating ABA Standards**

Any student wishing to file a formal complaint that may implicate ABA Standards should follow the following procedures.

Submission of Complaint: File a student petition in the LEC, identifying the issue in sufficient detail to permit an investigation into the matter. All complaints must be written and signed and include the student's contact information. The Director of Student Engagement and Professional Development (the "Director") will acknowledge in writing receipt of the complaint within five business days.

Initial Investigation: The Director will initially investigate and attempt to resolve the complaint. If resolution is not possible, the Director will refer the matter to the appropriate administrator, administrative body, or an administrative official designated by the Dean (the "Referral Investigator"), within three weeks of receipt of the complaint. The Director will communicate resolution of the complaint, or its referral, to the complainant upon such resolution or referral.

**Referral Investigation:** If referral of the complaint is made as referenced above, the Referral Investigator shall attempt to resolve the complaint as soon as possible, generally no later than three weeks after referral of the complaint. Upon completion of the referral investigation, the law school will communicate its findings and, if appropriate, any intended actions to the complainant.

**Appeals:** If the complainant is dissatisfied with the outcome or resolution of a complaint, the complainant may appeal the decision in writing to the Dean of the law school. Such appeal must be filed within two weeks of communication to the complainant of the resolution of the complaint. The Dean's decision will be communicated in writing to the complainant within three weeks of the time the appeal was filed and shall be final.

**Maintenance of Records:** The law school shall maintain a written record of each complaint filed and its resolution in the Office of the Director for a period of eight years from the date of the final resolution of the complaint.

#### **b. Grade Appeals**

Students who have questions about their grades should seek to discuss the matter first with the relevant faculty member. In certain limited circumstances, students may pursue a formal grade appeal. The process for pursuing a grade appeal is described in §19 of this Student Handbook.

#### **c. Student Conduct and Dispute Resolution**

The [Office of Student Conduct and Dispute Resolution](#) handles complaints for violations of the [Student Code of Conduct](#) or other laws and regulations.

#### **d. The Office of Equal Opportunity, Diversity & Outreach**

The [Office of Equal Opportunity, Diversity & Outreach](#) deals with equal opportunity and [sexual assault/harassment](#) complaints.

#### **e. UMass Student Rights and Responsibilities**

The rights and responsibilities of UMass students, including students' rights under the Family Educational Rights and Privacy Act ("FERPA"), are found in the [statement of student rights and responsibilities](#).

#### **f. Other Complaints**

Students with concerns that do not fall within any of the previously described categories should contact the Director of Student Engagement and Professional Development for assistance.

### **31. COMMUNICATIONS**

All students are expected to activate and routinely check their university e-mail accounts. All official communications will be sent to students' university e-mail addresses only.

### **32. ACADEMIC INTEGRITY AND STUDENT CONDUCT**

UMass Law students are bound by, and expected to know and adhere to, the university's [Academic Integrity Policy](#) and [Student Code of Conduct](#).

### **33. CHARACTER AND FITNESS: ONGOING OBLIGATION TO REPORT**

Applicants to the law school were required to respond to a number of character and fitness questions on their application to the law school. If a student determines the information provided on the application was incorrect or incomplete, the student has an obligation to request permission to amend their application. A student may request permission by scheduling a meeting with the Director of Student Engagement and Professional Development.

State bar authorities generally require bar applicants to respond to character and fitness questions beyond those included on law school applications. Further, the Dean of the law school must provide to state bar authorities a certification with respect to the moral character of graduates applying for state bar membership. For these reasons, students will be required to complete a Character and Fitness form early in their first semester of enrollment at UMass Law. Any student who answers "Yes" to any of the questions on the Character and Fitness form must schedule a meeting with the Director of Student Engagement and Professional Development to discuss disclosure to state bar authorities.

It is also the obligation of each student to update his or her file with the Director of Student Engagement and Professional Development if the responses originally submitted on the student's Character and Fitness form change during law school. In particular, each student has a continuing responsibility promptly to report to the Director of Student Engagement and Professional Development any police, judicial or administrative court activity, civil or criminal, with which a student becomes involved between admission to the law school and graduation, other than parking tickets and minor traffic infractions not involving drug or alcohol use.

The law school may treat any student failure to report under this section as a disciplinary infraction.

Every student has a duty to inform himself or herself about the character and fitness requirements for admission to the bar in the state or states in which he or she intends to practice. Such bar admission requirements sometimes require students to disclose to the bar authorities

juvenile and adult arrest and court disposition records, even if a court order has sealed or expunged such records.

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**APPENDIX****RULES FOR LAW SCHOOL EXAMS**

For law school students, exams represent much more than an assessment tool linked to a substantive course. Law school exams are also markers along the path to becoming a professional. In fact, your law school studies do not truly end until you have taken and passed a Bar Exam.

Aside from the content of law school exams and the Bar Exam, these exercises share one critical component: they test not only your doctrinal, analytical knowledge, but also your ability to perform under time constraints with honesty and integrity. Because of the high standards of conduct required of lawyers, in the majority of jurisdictions the Bar Exam is regulated by extremely strict rules of conduct. These rules tell exam takers what they may and may not take into the exam room with them; what implements they may or may not use in taking the exam; what food and drink, if any, they may have with them and how it must be packaged; when and how often they may leave the exam room; etc. And they often describe quite serious sanctions facing an exam-taker who wittingly or unwittingly violates a rule.

Here at UMass Law, we are committed to your learning the law as well as appropriate and acceptable rules of conduct as future lawyers. To that end, we are codifying a series of rules and regulations for all exam takers at the law school. Please be sure to refer as well to Section 16 in the Student Handbook: Examinations.

Please note that your professors are at liberty to impose further rules of conduct for their exams, in addition to the rules listed below.

1. Each student taking an exam is required to sign her or his name on the attendance roster on entering the exam room at the start of the examination and on leaving the exam room at the end of the examination. This roster will include the following language: **By signing my name on this attendance roster, I confirm my presence at this examination and I acknowledge, under penalty of perjury, that I have read and will abide by the rules governing final examinations.**
2. Overall, we remind you that you must never write your name on your exam booklet or on the electronic exam document you will be uploading. In fact, as stated in the Student Handbook, a student who provides any form of personal identification (e.g., the student's name) or any other personal information (e.g., "graduating senior") on an anonymously graded examination is subject to disciplinary proceedings under the Student Code of Conduct.

3. You must not communicate anything specific about exam issues with the professor involved if such information or questions might tend to violate the anonymity of your exam.
4. Once the exam has started, students are prohibited from speaking or communicating with each other in any manner, both inside and outside the exam room. Likewise, students are prohibited from speaking or otherwise communicating with anyone other than the proctor, the Dean, the Director of Student Engagement and Professional Development, or – within the limits set by number 3 above – the professor during the administration of the examination.
5. All electronic devices must be turned off and placed in your backpack, bag, tote bag, purse, or the like. Electronic devices include but are not limited to: cell phones; iPhones; iPods; iPads; watches; MP3 players; cameras; digital or tape recorders or other recording devices; personal stereos; earphones, ear buds, or headsets; beepers or pagers. It will be deemed a violation of this rule to retain any electronic device on your person, even if the device is turned off.
6. All backpacks, book bags, briefcases, laptop cases, etc. must be placed in the front of the room. You may not access these or their contents at any time during the exam. You may not remove anything from them during the exam. In open-book or open-note examinations, you must have all permitted materials on the desk or table where you are sitting at the start of the examination.
7. You may not bring to the examination table or desk any books, notes, outlines, written materials, flash cards, or other study aids that have not been explicitly permitted by the professor. In general, then, a closed-book examination is one in which you are forbidden from consulting any materials whatsoever during the course of the exam. An open-book or open-note examination is one in which the professor has provided you with a list of materials which you are permitted to consult during the examination.
8. You may leave the exam room during the examination only to use the restroom. The proctor will have a sign-out, sign-in sheet and if you leave to use the restroom, you must sign out indicating the time you are leaving and sign back in, again indicating the time you return.
9. Only one student at a time may leave the room to use the restroom.
10. When you complete the exam, you may leave the room after turning in the exam or uploading it. At the time of leaving the exam room, you must sign out on the attendance roster on the proctor's desk.

11. Students who may need to be contacted by a family member during the administration of the exam must meet with the Director of Student Engagement and Professional Development ahead of time in order to make appropriate arrangements. Students may not expect to receive calls or messages or texts on their cell phones during the administration of the examination.
  
12. Students with specific, documented medical or other conditions that would make adherence to any of the above rules difficult or impossible must meet with Wendi Chaka, Director of UMass Dartmouth's Center for Access and Success, 508-999-8711 or [wchaka@umassd.edu](mailto:wchaka@umassd.edu), to make appropriate testing arrangements. All other petitions for exam rules dispensation must go through the Julie Cahill, Director of Student Engagement and Professional Development, 508-985-1105 or [jcahill2@umassd.edu](mailto:jcahill2@umassd.edu).