

UNIVERSITY OF MASSACHUSETTS  
SCHOOL OF LAW - DARTMOUTH

STUDENT HANDBOOK

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.

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## 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 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://www1.umassd.edu/studenthandbook/academicregs/ethicalstandards.cfm>.

## 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.

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 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.

Students who are under academic supervision or 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.

## **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, exclusion from the final examination. If a student is absent from more than the equivalent of two weeks of scheduled classes in a course in a semester, 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.

Exclusion from the final examination will result in a grade of W in the course. No student shall be excluded from the final examination unless (1) the student continues to miss class after having been notified in writing that the professor is contemplating exclusion from the examination as 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**

Full-time students must devote substantially all of their hours to the study of law. A student may not be employed more than 20 hours per week in any semester in which the student is enrolled in more than 12 class hours.

Students are required to submit a work certification form when they enroll in the school and when they register for classes in any subsequent semester. This form is available from the LEC and on the website.

<http://www.umassd.edu/law/students/lawenrollmentcenter/studentformsandhandouts/>

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.

## **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, which may be found at: <http://www.umassd.edu/law/admissions/admissionsdepartment/tuitionandfees/>.

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 more than six credit hours during the summer session.

Students who have not completed a year of full-time study or its equivalent (24 credits) are not eligible to enroll in summer classes.

No student may take fewer than eight credit hours in a semester without the prior written approval of the associate dean. Except for students who have successfully completed the Summer Transition to Law School program, 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 (a) who works more than 35 hours a week and has not completed two years of part-time study, or (b) whose cumulative average is below 3.0.

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.

If a student is permitted to vary the normal course load, his or her tuition is adjusted accordingly.

Students are required to follow the prescribed sequence of courses. A student who must re-take 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.

In accordance with ABA Standard 304(b), 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.

## **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.

If a student is in good academic standing, the associate dean shall approve the leave of absence. If a student is not in good academic standing, a 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 should 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.

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

Former students (1) who withdrew without an approved leave of absence or (2) who 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.

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.

Students who have been academically dismissed from UMass Law or who withdrew pursuant to section 22(c)(iii)(a) are ineligible for re-admission.

### **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 “satisfactory” 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). Courses graded on a Pass/Fail basis are not eligible for transfer credit.
- 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
- At least one letter of recommendation, preferably from a professor at the applicant's law school

## **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 examination 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 examination schedule is published. 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. Except with the written approval of the associate dean and the concurrence of the instructor, 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 a 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.

UMass Dartmouth's grading system include plus and minus grades which are used in computing grade point averages.

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

### A Excellent

Quality Points:

A+ 4.000

A 4.000

A- 3.700

### B Good

Quality Points:

B+ 3.300

B 3.000

B- 2.700

### C Satisfactory

Quality Points:

C+ 2.300

C 2.000

### C-, D Unsatisfactory

Quality Points:

C-	1.700
D+	1.300
D	1.000

Credit is awarded toward degree, but the grade is considered unsatisfactory. Receiving grades below 2.0 in courses representing nine or more credit hours constitutes “unacceptable performance” and makes the student subject to academic dismissal.

F Failure

Quality Points:

F	0
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No credit is awarded toward degree, but the grade is reflected in GPA

F(I)

Quality Points: 0

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 “T” 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 this additional extension must first obtain the consent of the instructor. If the instructor agrees to this 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). “T” 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.

In the full-year core courses, students receive a single final grade for the entire course. The grade posted for the first semester of the course is a temporary grade, which will be replaced when the final grade in the course is calculated. The weight given to each semester grade in calculating the final grade in the course is determined by the individual professor and will be announced to the class.

The courses covered by this policy are: Contracts, Property, Torts, Civil Procedure, and Constitutional Law.

## **18. CHANGE OF GRADE**

Grade change/correction requests must occur within one year from the date that 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 that there is an error on his or her grade report or transcript may request the LEC to check the 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. A instructor may change a final grade only for mechanical reasons, such as a mathematical error in computing the grade. To change a grade, a 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, which is conveyed in the university's Grade Appeal Policy. It is available on the Web and in the offices of the college deans, at the Academic Advising Center, and at the Office of the Provost/Academic Affairs. The following paragraphs summarize the grade appeal process.

Students and faculty should make every effort to resolve questions about grades without seeking a formal grade appeal. Grade Appeal is a last resort. A grade appeal will be pursued only if there is a valid basis and evidence.

### **a. What Can Be Appealed**

Only final course grades may be appealed. For purposes of this section, a semester grade in a full-year course is appealable.

### **b. Bases of Appeal**

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

- i. Unfair and unequal application of grading standards or applying grading criteria to one student or some students in a manner that treats them differently.
- ii. Unfair or unannounced alteration of assignments, grading criteria, or computational processes.
- 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 Academic Integrity Policy.

### **c. Grade Appeal Officer**

A faculty member is identified as the Grade Appeal Officer, who serves students and faculty as an ombudsman for grading issues. The Grade Appeal Officer provides students and faculty with someone to "go to" with questions relating to grading fairness and process; provides the first level of adjudication when issues related to grading arise between students and faculty by conducting an informal investigation of the issue and suggesting a non-binding solution where possible; and serves as facilitator for a formal grade appeal process when one is to occur.

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

**e. Timing of a Formal Appeal**

A formal appeal is submitted in writing to the Grade Appeal Officer explaining the basis and providing the evidence for the formal appeal, with copies to the faculty member and to the associate dean. This must be done within the first 20 class days of the following semester, excluding summers, or within 25 working days from the date that the grade is made available to the student by the Registrar's office, whichever is later, or by a specific later date set by the Grade Appeal Officer.

**20. REPEATING OF COURSES**

Unless a student has failed a required course or the Academic Standards Committee has specifically required the student to retake a course, the student may not repeat a course for a higher grade.

A student receiving a failing grade in a required course, if permitted to continue at the school, must retake the course at the school when it is next offered. If possible, the student shall enroll in a section of the course taught by a faculty member other than the one with whom the student originally took the course. The LEC shall enter the grade received by a student retaking a course on the student's transcript. That grade will not replace the failing grade originally received.

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

If the Academic Standards Committee requires a student, as a condition of academic supervision or academic probation, to repeat 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 or total credit hours. 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.

## **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 credit 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**

The academic performance of students is reviewed each semester. At the end of each semester, 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 will be reviewed by the Academic Standards Committee.

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.

### **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 2.0 or they have been placed on academic probation under the provisions of this section.

### **b. Unsatisfactory Grade**

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 that they may be having.

### **c. First-Year Academic Requirements**

- i. A first-year student whose GPA for the first semester is from 2.0 to 2.2 or who receives two or more grades below C shall be placed under academic supervision.
- ii. A first-year student whose GPA for the first semester is from 1.401 to 1.999 or who fails a required course shall be placed on academic probation.



- iii. A first-year student whose GPA for the first semester is 1.40 or below shall be required to (a) withdraw from the law school and be ineligible for readmission or (b) be academically suspended. A student who is academically suspended shall be withdrawn from all classes. Such a student may petition for reinstatement for the following fall semester as a first-year law student, as described in subsection (i). A student who is not reinstated shall be academically dismissed.
- iv. For purposes of subsection (c)(i)-(iii), (1) “first-year students” includes both full-time and part-time students, and (2) the calculation of the student’s GPA includes the end-of-semester grades in full-year courses.
- v. A first-year student whose GPA at the end of a year of full-time study or its equivalent (at least 24 credits) is from 2.0 to 2.2 or who receives final grades below C in courses representing nine or more credit hours shall be placed under academic supervision.
- vi. A first-year full-time student whose GPA at the end of a year of full-time study or its equivalent (at least 24 credits) is from 1.9 to 1.999, who fails a required course, or who receives final grades below C in courses representing 12 or more credit hours shall be placed on academic probation.
- vii. A part-time student whose GPA at the end of two years of part-time study or its equivalent (at least 30 credits) is from 1.9 to 1.999, who fails a required course, or who receives final grades below C in courses representing 12 or more credit hours shall be placed on academic probation.
- viii. A first-year student whose GPA at the end of a year of full-time study or its equivalent (at least 24 credits) or a part-time student whose GPA at the end of two years of part-time study or its equivalent (at least 30 credits) is below 1.9 shall be dismissed.

**d. Probation and Dismissal**

Unless otherwise provided in subsection (c), a student who has a GPA below 2.0 for any semester shall be placed on probation for the following semester.

A student who has received final grades below C (2.0) in courses representing 15 or more credit hours shall be placed on probation. A student who has received final grades below C (2.0) in courses representing 18 or more credit hours shall be academically dismissed.

A student who was placed on probation in accordance with subsection (c)(vi) or (c)(vii) and whose GPA remains below 2.0 at the end of the following semester shall be academically dismissed. A summer session shall not be deemed to be a semester for purposes of applying this rule.

Any student not covered by the preceding paragraph whose cumulative GPA remains below 2.0 for two consecutive semesters shall be academically dismissed. A summer session shall not be deemed to be a semester for purposes of applying the this rule.

A student who earns a GPA of less than 2.0 for any two non-consecutive semesters shall be academically dismissed at the end of the second such semester.

A student placed on probation as a result of prior grades may attend summer school immediately after being placed on probation, if allowed by the associate dean, but that summer semester is not the equivalent of the “probation semester.” Grades earned during that summer semester while on probation are part of the student’s cumulative GPA, which must be equal to a 2.0 or better at the end of the fall or spring probation semester.

Students who are dismissed under the provisions of this section will be notified by the Law Enrollment Center. Students are, however, required to be familiar with this handbook and are deemed to know their status once their grades are made available to them.

**e. Conditions of Supervision**

Students under supervision are subject to the following standard conditions:

- i. They must earn a semester GPA of 2.0 or above.
- ii. They must not receive a semester or final grade below C (2.0).
- iii. They must review the examination in any course in which they received a grade below C (2.0) 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 2.0 or above.
- ii. They must not receive a semester or final grade below C (2.0).
- 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 a grade below C (2.0) 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 summer courses without the permission of the associate dean.
- viii. Their registration must be approved by the associate dean.

**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.

Unless a student has failed a required course or the committee has specifically required the student to retake a course, the student may not repeat a course for a higher grade.

**h. Termination of Supervision or Probation**

A student who is continued in courses under supervision or on probation will be reviewed each semester by the committee. The student may be taken off academic supervision or academic probation if, in the judgment of the committee, such action is warranted. If the student violates one or more conditions of probation, the committee may in its discretion keep the student on probation, unless the violation triggers a dismissal pursuant to subsection (d).

**i. Petition for Reinstatement**

A student who is dismissed under the provisions of subsection (c)(viii) or (d) or who was academically suspended pursuant to subsection (c)(iii)(b) may petition the Academic Standards Committee for reinstatement.

Students petitioning for reinstatement may submit a written statement with any supporting documentation bearing on their case to the committee. This statement may be submitted by mail or, preferably, by e-mail addressed to the committee at [law-acadstand@umassd.edu](mailto:law-acadstand@umassd.edu).

The petition and statement, in the case of students dismissed under subsections (c)(viii) or (d), must be received within seven business days of the date when the notice of dismissal is sent. Students suspended under subsection (c)(iii)(b) will be notified by the Academic Standards Committee of the filing deadline.

The written statement should 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. Because a student who appeals an academic dismissal to the faculty may not rely on any facts or reasons that were not originally presented to the committee, the written statement should be complete and candid. The committee does not grant personal interviews.

The committee will determine whether, and under what conditions, the student will be reinstated. The committee will not reinstate a student 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 submitted to the committee. 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.

#### **j. Appeal of Dismissal**

Students who are not reinstated will be informed by a notice from the committee, which will be sent to their address on file at the school.

A student who is not reinstated by the committee may appeal the dismissal to the faculty by submitting a Written Appeal Form setting forth the reasons why the student should not be dismissed. In that written appeal, the student may not rely on any facts or reasons that were not originally presented to the committee. The Written Appeal Form must be received within seven business days of the date when the notice of dismissal is sent.

The faculty will review the committee's decision de novo. If the faculty reverses the committee's decision, the student shall be continued in courses subject to such conditions as may be imposed by the faculty and/or the committee. If the faculty affirms the committee's decision, the student is dismissed from the school, effective immediately.

The decision of the faculty is final and unappealable.

A dismissed student may request reconsideration of the faculty's decision only on the basis of newly discovered evidence that was not discoverable by reasonable diligence. In no event may a student request reconsideration more than 30 days after the date of the original decision.

**k. Effective Date of Dismissal**

A dismissal under these rules shall take effect at the expiration of the period to file a petition for reinstatement, the expiration of the period to appeal the committee's decision to the faculty, or a decision by the faculty, whichever occurs last.

**23. ACADEMIC RECOGNITION AND ACADEMIC HONORS**

**a. Dean's List**

Following the completion of each semester, full-time students who have completed at least 12 course credits and part-time students who have completed at least eight course credits, and, in both cases, who have no "I" grades outstanding for that semester, are considered for the Dean's List and the Chancellor's List for that semester. Those who achieved a semester grade point average of at least 3.200 will be named to the Dean's List for that semester. This accomplishment will be noted on the student's transcript.

**b. Chancellor's List**

Under the same limitations as for the Deans' List, those who achieve a GPA of 3.800 or better for a given semester will be named to the Chancellor's List rather than the Dean's List. This accomplishment will be noted on the student's transcript.

**c. Graduation with Distinction**

Students are eligible for graduation with distinction provided they achieve a cumulative grade point average in all of their UMass Law credits of:

3.200 to 3.499	Cum Laude (Distinction)
3.500 to 3.799	Magna Cum Laude (High Distinction)
3.800 to 4.000	Summa Cum Laude

(Highest Distinction)

Graduation “Cum Laude,” “Magna Cum Laude” or “Summa Cum Laude” is inscribed on the student’s diploma. Graduation with distinction is based on all UMass Law work including the final semester.

## **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 2.0, 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 2.0, 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 paragraph B of this section, a student may only register for 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 in on time will result in the recording of an 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 and suggestions on at least one previous draft; and
- Earns a grade of C+ or better from the supervising professor for the paper.

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 a 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).

Law journal comments and moot court competition briefs may not be used to satisfy the Upper Level Writing Requirement.

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 our 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 contact Anne Folino in the Academic Resources and Writing Center [(508) 985-1162; [awalshfolino@umassd.edu](mailto:awalshfolino@umassd.edu)] to set up an appointment.

## **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.

Approved: October 20, 2011  
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