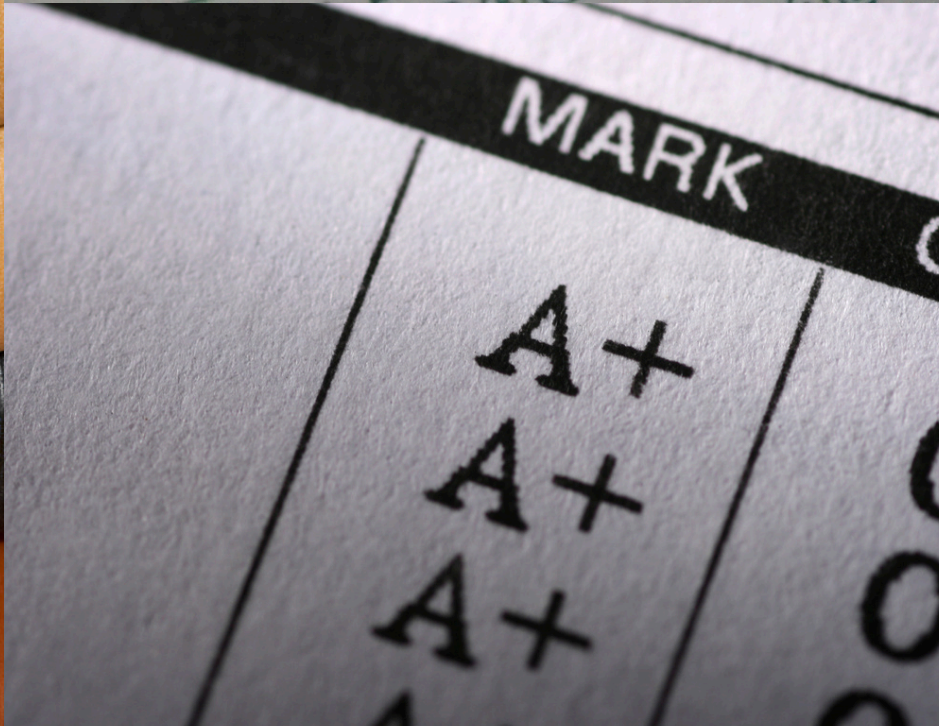
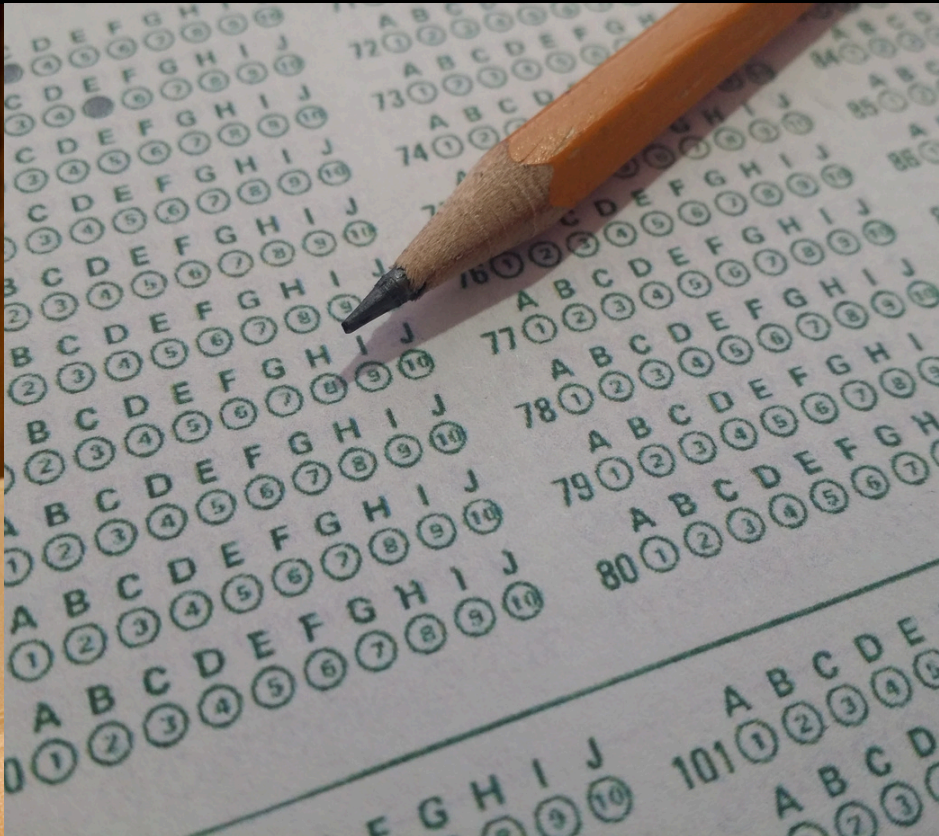


UNIVERSITY OF THE  
PACIFIC

McGeorge  
School of Law

# G & A Rules JD Program



**UNIVERSITY OF THE PACIFIC  
McGEORGE SCHOOL OF LAW**

**GRADING AND ADVANCEMENT COMMITTEE  
RULES, REGULATIONS AND PROCEDURES  
FOR THE J.D. PROGRAM**

**REVISED AS OF  
April 18, 2024**

# CONTENTS

SECTION	SUBJECT	PAGE
100.	INTRODUCTION .....	3
200.	COURSES .....	6
300.	ATTENDANCE.....	8
400.	EXAMINATIONS AND ASSESSMENTS .....	10
500.	GRADES AND GRADING.....	14
600.	ADVANCEMENT AND GRADUATION REQUIREMENTS .....	20
700.	REPEATING COURSES.....	22
800.	INTER-DIVISION PROGRAM CHANGE .....	24
900.	WORK TAKEN OUTSIDE THE MCGEORGE JD PROGRAM.....	24
1000.	AMENDMENT AND RESERVATION OF POWERS.....	26
1100.	PROCEDURAL RULES FOR GRADING AND ADVANCEMENT COMMITTEE .....	27

## **100. INTRODUCTION**

101. The Grading and Advancement Committee (G & A) is the body duly authorized by the Faculty and Administration of University of the Pacific, McGeorge School of Law (School of Law), to study, develop, adopt, and apply rules, regulations and procedures pertaining to course requirements, examinations, grading, advancement, graduation, and related matters. Major policy considerations with the Committee's recommendation will be presented to the entire faculty for debate and vote before official adoption.
102. The Grading and Advancement Committee shall consist of a minimum of five faculty members, three alternate faculty members, and two student members.
  - a. The Student Bar Association shall select two student members, one each from the full-time and part-time division.
  - b. Student members of G&A shall participate in Committee meetings and vote on general policy considerations. However, they shall not be present when petitions or other matters regarding individual students are being considered.
  - c. The Dean shall appoint regular and alternate faculty members from among the voting members of the faculty of the School of Law. Alternate faculty members shall serve, in rotation, in the place of any regular faculty member who is unable to attend an Executive Meeting of the Committee, as defined in Rule 1101. If fewer than five regular faculty members and alternate faculty members are available for a scheduled Executive Meeting, the Dean shall appoint a sufficient number of temporary members from among the voting members of the faculty to achieve a faculty membership of five. References in these rules to members of G&A include alternate and temporary members during the time they are serving in the place of any regular faculty member.

103. The rules, regulations and procedures contained in this document are intended to serve as a supplement to and not a replacement for the official Catalog of the law school.
104. Any student who is affected adversely by the application of these Rules, excepting Rules 703(c) and 703(f), may file with the Office of the Assistant Dean for Student Services, a petition to G & A for relief or waiver setting forth the nature of the request and the reasons why it should be granted.
- a. Such petitions shall be filed within 15 calendar days from the date of notice of the application of the rule from which the student seeks relief. Notice may be provided by mail, email, posting, or other form of publication.
  - b. No specific format is required for a student petition, the substance being more important than the form.
  - c. G & A shall consider the written petition and grant, modify, or deny the relief requested.
  - d. G & A shall be the final decision-making body in matters concerning student petitions unless the student-petitioner timely files a notice of appeal.
105. Any student submitting a petition to the Grading and Advancement Committee shall have the right to appear personally before the Committee. Such personal appearance by the individual petitioner shall be limited to the purpose of informing the Committee of any new facts which have a significant and substantial bearing upon the issue before the Committee or to answer any questions which the members of the Committee may have relevant to the issue before the Committee.

In no event shall any inference, either adverse or beneficial, be drawn from an individual petitioner's failure to personally appear in support of his or her petition before the Committee.

106. A student may file a petition for reconsideration of the Committee's decision only upon discovery of new evidence not available at the time of the initial petition. Petitions for reconsideration shall be filed within 10 calendar days from the date of notice of the decision on the underlying petition. A petitioner has the right to appear before the Committee as described in Rule 105. In no event, however, shall the Committee reconsider the same matter more than once, nor shall a denial of a petition for reconsideration be subject to reconsideration, except that the underlying matter may be subject to appeal. The composition of the Executive Committee when considering a petition for reconsideration shall, to the extent practicable, be the same as when it decided the original petition.

A student may file an appeal of the Executive Committee's decision when there has been procedural error or bias or abuse of discretion by the Executive Committee as described in Rule 1108.

107. Students are encouraged to seek academic advice from members of the faculty, and members of the faculty are encouraged to provide such advice to the extent that it is consistent with their other obligations. Faculty members of the G & A Committee must be cautious that such academic advice efforts do not impair their ability to bring independent judgment to matters that come before the Committee.
- a. Where any member of the Committee believes that his or her independence of judgment (or the appearance thereof) has been impaired, the member should not participate in the Committee discussion or decision of any petition that may be so affected.
  - b. Except as provided herein, a student and any voting faculty member of the G & A Committee must not discuss with each other any petition that a student has filed, intends to file, or is considering filing under these rules.



- c. Students desiring information about the petitioning process should confer with the Assistant Dean for Student Services. A student may also discuss G & A Committee rules and procedures with the Chairperson of the Committee.
- d. This rule does not impair any student's right to appear personally before the Committee upon request pursuant to Rule 104.1.

## **200. COURSES**

- 201. The Catalog and the JD Student Handbook list required and elective courses. All required courses shall be graded with the exception of those specifically designated "honors/pass/low pass/fail." The Assistant Dean for Student Services, in consultation with the Associate Dean for Academic Affairs, may allow a student to waive out of a required course in cases where the course is not tested on the bar examination in the jurisdiction where the student intends to practice.
- 202. Elective courses shall be "graded" or "honors/pass/low pass/ fail." At the discretion of the Professor, in consultation with the Curriculum Committee, before a course is added to the course catalog, a professor decide may offer students an election between taking the course graded or "honors/pass/low pass/fail."
  - a. Those courses designated as "graded electives" will use the same letter grading system as required courses as described in Rule 500 et seq.
  - b. In those courses designated as "honors/pass/low pass/fail", the following grading standards will apply:
    - 1. "Honors" will be awarded for work performed at a superior level.

2. "Pass" will be awarded for work performed at an acceptable level.
  3. "Low Pass" will be awarded for work performed at the "C," "C-," "D+" or "D" levels.
  - 4.. "Fail" will be given to students whose work in the course was at the failing ("F") level.
  5. Students earning the designation of "Fail" will not receive unit credits for the course.
203. Consistent with the requirements of ABA Standard 310, a "unit" is an amount of work that reasonably approximates: (a) not less than one hour of classroom or direct professor instruction and two hours of out-of-class student work per week; or (b) at least an equivalent amount of work as required in subparagraph (a) for other academic activities, including simulation, field placement, clinical, co-curricular, and other academic work leading to the award of units.
- The Curriculum Committee, when granting provisional approval for a course, and the Faculty, when approving a course, will determine the number of units which may be earned for the course and will satisfy itself that the amount of work likely to be assigned for the course justifies the number of units approved. Each faculty member responsible for teaching a course will determine, in a manner approved by the Associated Dean for Academic Affairs, whether the work assigned in that course for the upcoming semester satisfies the requirements of this rule.
204. Of the 88 semester units required for graduation, 72 semester units must be earned in graded courses.
205. A full-time division student must be enrolled for credit in 12-17, units per semester and must be devoting substantially all working hours to the study of law (Summer session excepted).



A part-time division student must be enrolled for credit in 8-11 units per semester. Registration for units outside this range requires approval from the Assistant Dean of Student Services in consultation with the Associate Dean of Academic Affairs.

Full-time or part-time students can take as few as 6 units in their final semester with approval from the Assistant Dean for Student Services (Summer session excepted).

### **300. ATTENDANCE**

301. The School of Law subscribes to the policy of the American Bar Association's Section on Legal Education which considers student preparation and class attendance essential for a legal education. As such, the School of Law requires regular and punctual class attendance in order to receive course credit.
- a. Each professor shall consider a student's class attendance in assigning the student's final grade in a course. Professors shall define in their syllabus their expectations for "regular and punctual class attendance" and may excuse a student's absence consistent with their stated policy.
  - b. The Office of Student Services may provide an administratively excused absence, with documentation, for a medical issue, bereavement, accident or emergency, a school sanctioned activity (e.g., competition or court hearing), a religious obligation, or an obligation to the National Guard or similar organization. Absences may not be administratively excused, for any reason, without documentation.
302. A professor shall notify the Associate Dean for Academic Affairs if they conclude that a student is at risk of failing to meet the School of Law's policy for "regular and punctual class attendance" as set forth in Rule 301, or any specific attendance requirement in the course. By doing so, the professor is considering requesting the Associate Dean disenroll the student or denying the student the right to take the final examination or the right to submit the final written assignment. The Associate Dean for Academic Affairs shall notify the student in writing that unless the professor deems the student's attendance after receipt of the notice satisfactory,

they may be disenrolled from the course or denied the right to take the final examination or denied the right to submit the final written assignment in the course. If the professor deems the student's attendance following receipt of the notice unsatisfactory, the professor may, with the concurrence of the Associate Dean for Academic Affairs, direct the Registrar to disenroll the student, or deny the student the right to take the final examination, or deny the student the right to submit the final written assignment in the course. In assigning a final grade pursuant to this rule, no final grade shall be changed more than one-third of a grade (e.g. "B-" to "C+") without the concurrence of the Associate Dean for Academic Affairs.

- 303. A professor may not alter a final grade under Rule 302 after final grades in the course have been submitted to students.
- 304. In extraordinary circumstances, a student who has completed their first semester of courses and is in good standing, may seek to withdraw. The student must withdraw from all courses in which they are enrolled in that semester.

Students who withdraw and have completed their first year, may request to return as soon as the following semester, but in no event may the leave continue for more than two full semesters including the summer semester.

Students who withdraw during their first year may request to return as soon as is practicable to complete their first year, but in no event may the leave continue for more than three full semesters including the summer semester.

Eligibility to return to the School of Law may be denied based on academic performance as of the date of withdrawal or any other criteria established by the Associate Dean for Academic Affairs and Assistant Dean of Student Services.

- 305. A student may drop a course after the add/drop date has passed only with the permission of the Associate Dean for Academic Affairs. The withdrawal will appear on the student's transcript as a "W," but will not impact the student's GPA.

#### **400. EXAMINATIONS AND ASSESSMENTS**

401. There shall be a comprehensive written final examination of suitable length and complexity in each course, with the following exceptions:
- a. Clinical and practical courses, which may be graded according to the professor's evaluation of the student's performance; and
  - b. Other courses which substitute a different form of assessment, with approval from the Associate Dean for Academic Affairs. Such approval may be conditioned upon a writing requirement.
402. Except in courses in which examinations are not required (see Rule 401), final course grades shall be based on examination and other assessment scores together with preparation, participation, and performance, and class attendance (see Rule 301). The final examination or assessment shall not count for more than 75% of the final grade in the course. Professors shall announce, in advance, the graded assessments for the course and the weight assigned to each graded assessment used in determining the course grade. The minimum total time for final examinations in each course shall be two hours. Any provision of this Rule may be changed for a particular course offering at the discretion of the Associate Dean for Academic Affairs.
403. The Office of Student Services may prospectively reschedule an examination or assessment, with documentation, for a medical issue, bereavement, accident or emergency, a school sanctioned activity (e.g., competition or court hearing), a religious obligation, or an obligation to the National Guard or similar organization. Examinations and assessments may not be excused, for any reason, without documentation.

When the assessment is a paper or project, the Associate Dean of Student Services, in consultation with the professor, may grant an extension for the same reasons. In the event that the Assistant Dean for Student Services and the professor disagree, the Associate Dean for Academic Affairs will decide.

404. A student who, for any reason, does not sit for an examination or assessment, or any portion thereof, shall immediately contact the Office of Student Services. In consultation with the professor, the Assistant Dean for Student Services will determine (1) whether to allow the student to sit for the examination or assessment at a later time or receive a zero, (2) if allowed to sit, whether a penalty will be applied, or (3) whether the student will receive the score for that examination or assessment that is the equivalent of the average score received on all other examinations or assessments in the course. In the event that the Assistant Dean for Student Services and the professor disagree, the Associate Dean for Academic Affairs will decide which option will be employed.
405. A student who would like to have an examination or assessment rescheduled pursuant to Rule 403 shall communicate with the Office of Student Services as soon as they are able. If the Office of Student Services reschedules the student's examination or assessment for the reasons set forth in Rule 403 or 404, the following provisions apply:
- a. The student shall take the rescheduled or make-up examination or assessment at a time to be determined by the Office of Student Services. The Office of Student Services may require the student to make-up the examination or assessment before it is given to the class as a whole, or as soon as possible thereafter, but not later than 5 days following the original administration. In the event that the situation prompting the reschedule continues longer than 5 days, the Assistant Dean for Student Affairs may approve a make-up at a later date, with documentation.
  - b. The student shall be informed of the provisions of this Rule and admonished to refrain from discussing the content of the rescheduled examination or assessment with anyone. The student shall not receive any information about the content of the examination or assessment until it has been made up or the student has been informed that the make-up examination or assessment will not be the same as what was given to the class as a whole. Because classmates may post information about the exam on social media, students who are taking a make-up examination or assessment should refrain from viewing social media as well. Students who take a make-up examination or assessment before their class must refrain from posting information about the examination or assessment on

social media until the student has been informed that the exam has been given to the class as a whole.

- c. Immediately before taking a rescheduled or make-up examination or assessment that is the same as what was given to the class as a whole, the student must write out and sign an honor code declaration, as follows:

“I am aware of the provisions of the McGeorge School of Law Code of Student Responsibility prohibiting the giving or receiving of unauthorized assistance in any academic pursuit, including examinations, and prohibiting false statements in connection with official business of the School of Law. I declare under penalty of perjury that I have not or will not discuss with anyone the content of the examination and have not received any information about the content of that examination.”

- 406. In courses where letter grades for examinations and assessments are calculated from numeric values between 40 and 100, professors shall enter a numeric score of 40 for any missed portion of any graded examination or assessment which would have received a separate grade, and that is not addressed by Rule 403 or 404. Professors shall enter a numeric score of 0 for any graded examination or assessment that a student fails to take in its entirety, which is not addressed by Rule 403 or 404.
- 407. Students who fail to turn in an examination or assessment, or any materials requested by a proctor, on the date and at the time designated by their professor shall have their grade reduced as indicated by the course syllabus or assignment instructions. If the course syllabus and assignment instructions are silent as to the penalty for late turn-in the student's grade on the examination or assessment shall be reduced by a full letter grade for each twenty-four-hour period, or part thereof, that the examination or assessment is late.
- 408. In a closed book examination or assessment no written materials, or technology, or internet capable device, aside from what is necessary to complete the examination or assessment (i.e. the laptop being used to complete the examination) is allowed. Students for whom English is a second language and who have completed their undergraduate degree at a non-English based institution will be provided an English

dictionary for their use during an exam.

In an open book examination taken by Exemplify, no technology or internet capable device, aside from what is necessary to complete the examination or assessment, is allowed.

409. Students are expected to conduct themselves honorably and in a professional manner during examinations and assessments. Any breach of this standard may result in confiscation of the examination or assessment materials, confiscation of the student's work, failure of the course, and further disciplinary action up to and including expulsion.
410. A grade of "incomplete" may be entered in a course when a student's submitted work is of passing quality and represents a significant portion of the requirements for a final grade, but for good cause, determined by the professor in consultation with the Associate Dean of Academic Affairs and the Assistant Dean for Student Services, the student cannot complete the entire course within the semester. "Good cause" may include but is not limited to a medical issue, accident or emergency, or an obligation to the National Guard or similar organization.
- a. The work assigned in a course in which a grade of "incomplete" is given under this rule must be completed at least two weeks before the end of the following semester (including Summer Session). If it is not, a grade of "fail" will be entered.
  - b. If the student is graduating, the work assigned in a course in which a grade of "incomplete" is given under this rule must be completed prior to the student's graduation date.
411. In the following courses: Torts, Contracts, Property, Civil Procedure, Criminal Law, Statutes and Regulations, Legal Profession, Global Lawyering Skills I and II, and Skills Lab scores will be based on the following scale, which is roughly equivalent to the following letter grades:

A+	100
A	95-99
A-	90-94
B+	85-89
B	80-84
B-	75-79
C+	70-74
C	65-69
C-	60-64
D+	55-59
D	50-54
F	Lower than 50

Scores do not appear on transcripts and do not represent a final grade in a course.  
All scores are subject to adjustment and finalization as set forth in Rule 501.

## **500. GRADES AND GRADING**

501. Letter grades for graded courses shall include “A+” through “F”.



502. All grades in required graded courses other than Global Lawyering Skills I, II, and III must meet the following grade distribution standard, in addition to the applicable targeted arithmetic mean set forth in subsection (3) below:

	Min. %	Max. %
A+	0	2
A	2	10
A-	5	15
B+	15	25
B	25	35
B-	15	25
C+	5	15
C and below	0	15

In determining compliance with the ranges set forth above, fractions may be rounded up or down at the discretion of the instructor. For example, in a class of 70 students, 5 % = 3.5 students and 15% equals 10.5 students. The instructor may give between 3 and 11 grades of C+.

In courses in which both Juris Doctor (JD) and Master of Science of Law (MSL) students are enrolled, only the JD students will be counted in determining compliance with the grade distribution and targeted mean.

503. The following arithmetic means are the targets, with .1 on either side of the mean

being an acceptable variation, for the courses categorized below.

The following required courses: Civil Procedure, Contracts, Criminal Law, Legal Profession, Statutes and Regulations, Property, and Torts .....2.9

The following bar-tested courses: Business Associations, Community Property, Constitutional Law, Criminal Procedure, Evidence, Professional Responsibility, Remedies, Wills and Trusts .....3.0

Elective courses with 30 students or more on the last day of instruction .....3.1

Elective courses with 16-29 students on the last day of instruction .....3.2

Elective courses with 1-15 students on the last day of instruction .....3.3

504. Except as provided below in Rule 505, grade increases or decreases permitted by the Grading and Advancement Rules, Regulations, and Procedures count in applying the required grade distribution and /or targeted mean.
505. Global Lawyering Skills I and II classes shall have a targeted arithmetic mean of 3.0. Global Lawyering Skills III classes shall have a targeted arithmetic mean of 3.2. In Global Lawyering Skills I, II, and III a .1 difference on either side of the targeted mean is an acceptable variation. Faculty in Global Lawyering Skills classes shall meet prior to submission of their grades and review their grading distributions as well as their targeted means. If a faculty member cannot meet with the group, the Director of the Program shall review and adjust the grades for that section.
506. There will be no targeted means for PASS I and II. The professors of the same course shall consult with one another and the Associate Dean as to distribution and mean prior to submitting grades.
507. Faculty who believe that their course requires variance from the distribution and/or targeted means must obtain the approval of the Associate Dean for Academic

Affairs. They should submit a request detailing the reasons for the variance. The greater the variance, the more detail is appropriate.

508. The Associate Dean may in his or her discretion contact a faculty member to discuss adjustment of grades or grading distribution in light of existing grading practices at the school and/or the Grading and Advancement rules.
509. Grading in most courses at the School of Law is anonymous. This means that the students are given a confidential exam number to use for assignments and exams. The professor does not know what grade goes with which student by student name. In some courses, however, grading may not be completely anonymous. In those courses, students will use their confidential exam number for some assignments and exams and will use their name for some assignments and exams. In other courses, grading is not anonymous at all- assignments and exams are graded using only the student's name.

Additionally, professors can provide grade adjustments to any student per Rule 302. In such cases, the professor will necessarily know a student's name when making the adjustment. Moreover, a professor may also opt to ascertain how a student performed on the assignments and exams in the course when deciding on an adjustment for that student.

Professors will inform students in writing of the anonymous or non-anonymous grading procedures for the assignments, exams, and grade adjustments in their courses.

510. Letter grades have the following subjective interpretations:

A = Exceptional, Outstanding Performance

B = Very Good, Skillful

C+ = Satisfactory Demonstration of Professional Competence

C = Unsatisfactory because of Some Deficiency in Knowledge or Analysis or  
both

D = Unsatisfactory, Showing Grave Deficiencies in Knowledge and Analysis

F = Failing, No Demonstration of Knowledge or Analytic Ability

511. A student's GPA is determined by dividing his/her grade points earned by the number of units attempted, but not counting units attempted in "honors/pass/low pass/fail" courses in which a grade higher than "fail" was received. Grade point values are awarded for letter grades (multiplied by the number of units for that course) as follows:

GRADE		GRADE POINTS
A+	=	4.33
A	=	4.00
A-	=	3.67
B+	=	3.33
B	=	3.00
B-	=	2.67
C+	=	2.33
C	=	2.00

C-	=	1.67
D+	=	1.33
D	=	1.00
F	=	0.00

512. The School of Law allows for the re-evaluation of grades in limited circumstances to achieve the following purposes:

- a. To provide for an independent appeal procedure for grades assigned on the basis of factors other than examinations or assessments taken with anonymous numbers.
- b. To express the residual authority of the School of Law to correct abuses of professional discretion in the evaluation of examinations or assessments and/or assigning of grades.
- c. To prohibit the general re-reading of examinations or assessments taken with anonymous numbers.
- d. To implement these purposes, the following rules and procedures will be followed:
  1. A student seeking review of a grade shall file a petition (Rule 104) within 15 calendar days of the date on which the final grade was announced.
  2. Where the petition simply alleges a dissatisfaction with grading of examinations taken anonymously, no relief will be granted. When the petition alleges discrimination or abuse of discretion in assigning grades on other than an anonymous basis or where the petition alleges abuse of professional discretion in the evaluation of examination/assessment papers, and/or assigning of grades, G

& A shall review the matter in consultation with the professor involved and may grant such relief as it deems appropriate.

3. Individual professors shall have no authority to change grades, and they are expressly discouraged from re-reading any papers for the purpose of re-evaluation and grade change. When requested to re-read a paper, the professor shall advise the student of the right to petition.

## **600. ADVANCEMENT AND GRADUATION REQUIREMENTS**

601. The Rules set forth in this section (Sec. 600) describe the academic standards students must achieve in order to advance to the next year of legal education or to be recommended for the Juris Doctor degree. A student who fails to satisfy the standards for advancement or graduation is academically disqualified and may not re-enroll.
602. For the purpose of these Rules "Cumulative GPA" is the grade point average for all work undertaken at the School of Law computed pursuant to Rules 202, 502, and 700 et seq. "Annual GPA" is the Grade point average for all work undertaken at the School of Law computed pursuant to Rules 202, 502 and 700 et. seq. for a specified academic year.
603. Grades will be reviewed to determine eligibility for advancement and graduation on the basis of grades received through the end of each semester.
604. To be eligible to graduate, a student must have completed all required courses, as set forth in Rule 201, with passing grades (i.e., grades higher than "F").
605. The minimum cumulative standard to advance to the Spring semester of the first year is a 1.90 GPA. The minimum cumulative standard for advancement to the next year of law school in good standing is a 2.33 GPA. A student with a GPA that falls within the range from 2.180 through and including 2.324 at the end of any academic year other than the final year is on academic probation for the upcoming academic

year and may only continue enrollment under the conditions set forth in Rule 606. A student on probation is not in good academic standing.

606. All probationers must meet with the Assistant Dean for Student Services for program approval prior to the start of the probationary year. The approved program of study must include repetition of any required courses in which the student received a grade below a C+, unless, for clear and convincing reasons, the Assistant Dean for Student Services determines that repetition is not necessary for successful completion of probation. Probationers are required to participate in follow-up counseling sessions as deemed appropriate, as a condition of continued enrollment.

Unless grounds for exception are found by the Assistant Dean for Student Services, programs of study for full-time probationers will not exceed 13 units, 10 of which will be in required courses. Programs of study for part-time probationers will not exceed 10 units, 6 units of which will be in required courses.

Successful completion of probation requires achievement of a cumulative GPA of 2.33 at the end of the Spring semester after placement on probation or the scheduled graduation date, whichever is sooner.

No student may repeat probationary status. A student who has previously been on probation and thereafter has a cumulative GPA below 2.33 at the end of an academic year or at the end of a student's course of study is not eligible to continue.

607. Any student whose cumulative GPA, at the end of the first academic year, or upon admission as a transfer student, falls below 3.0 shall be placed in the Directed Study Program. Once placed in the Directed Study Program, a student will remain subject to its requirements even if in subsequent years the student is no longer has a cumulative GPA below 3.0. Students who have a cumulative GPA of 2.9 to 3.0 may petition the Assistant Dean for Student Services to be removed from some or all parts of Directed Study.



The requirements of the Directed Study Program are as follows:

- a. All students in Directed Study are required to participate in academic counseling meeting with a representative of the Office of Student Services, each year.
  - b. All students in Directed Study are required to take Remedies during their second year (for full-time) or third year (for part-time), Business Associations, and at least one of the following bar courses: Community Property, Criminal Procedure, or Wills & Trusts.
  - c. All students in Directed Study are also required to take PASS I in their last year at the School of Law.
  - d. In addition to the requirements above, all students in Directed Study who have a cumulative GPA of 2.5 or below at the end of the first academic year, must also be placed in Directed Research, under the supervisor of the Director of Academic Success, for one unit, during the Fall semester of their second year.
608. The minimum cumulative GPA required for graduation is 2.33. Other requirements which must be met in order for a student to be recommended for the Juris Doctor degree include, but are not limited to, Rules 204, 205, 604, and 607. For a complete list of graduation requirements, please consult the Law School website.

#### **700. REPEATING COURSES**

701. A student who receives a grade of "F" or "Fail" in a required course shall be required to repeat the course. The "F" or "Fail" grade shall remain on the transcript, but once the course has been repeated only the repeat grade will be counted for GPA purposes. However, the highest number of grade points credited to the student will be 2.33 per unit (the equivalent of a "C+" grade).
702. Students shall not be permitted to repeat any elective courses nor any required courses in which they received non-failing grades, except as provided in Rules 605 and 703.

703. A student who is not qualified to continue enrollment under Rule 605 may only continue as specified in this Rule.
- a. A student may petition the G & A Committee for an exception to Rule 606 on the ground that highly extraordinary circumstances warrant this result. Exceptions shall not generally be granted given that failure to complete probation satisfactorily represents two years of unacceptable performance, which is a poor foundation for further legal study at that time.
  - b. A student disqualified in June from continued study by a GPA lower than 2.18 may petition the G & A Committee for permission to repeat the unsuccessful year. Such petitions will only be received on or before April 15 of the spring following disqualification.
  - c. A student disqualified in January from continued study by a GPA lower than 1.90 may petition the G&A Committee for permission to begin law study again as a first-year student. Such petitions will only be received on or before June 15 of the year of disqualification.
  - d. Any petition brought pursuant to 703(b) or 703(c) will only be granted upon a showing that: 1) a demonstrable condition impaired performance; 2) the condition has now been successfully addressed; and 3) there is convincing reason to expect successful repetition of the student's prior year of law study and successful completion of graduation requirements.
  - e. Requests to shorten the time for filing a petition to repeat the unsuccessful year are strongly disfavored and will be considered only if they satisfy the criteria set forth in Rule 703 (d).
  - f. Petitions to shorten the time for filing petitions pursuant to Rule 703 (b) will be granted only upon clear and convincing evidence that the petitioner would receive no benefit and, in fact, would be uniquely and irreparably harmed by waiting for the period required by Rule 703 (b). Petitions to shorten the time for filing petitions pursuant to Rule 703(c) are not allowed.

704. Effect on Transcript and GPA. If a student repeats one or more classes under Rule 605:

- a. The earlier grades the student received will not be removed from the transcript.
- b. The new grades will be shown on the transcript.
- c. Only the new grades (in the case of repeat work, whether higher or lower than the earlier grades) will be considered for determining the GPA. The new grades will be considered at full value without a "C+" maximum as provided in Rule 701.

#### **800. INTER-DIVISION PROGRAM CHANGE**

801. To change his or her program from the full-time to the part-time division or from part-time to the full-time division, the student must consult with the Assistant Dean for Student Services to receive approval and program counseling. As part of the process, part-time students switching to full-time will need to show they have maintained a 3.0 GPA. In the alternative, the student may submit a petition requesting an exception to this requirement if the student can establish that the change will help ensure academic success.

802. A student who changes programs between the full-time and part-time divisions carries forward on his or her transcript all final grades received prior to the program change.

#### **900. WORK TAKEN OUTSIDE THE MCGEORGE JD PROGRAM**

901. A JD student is allowed to enroll in up to 6 units in other McGeorge Programs without approval and an additional 3 units with the approval of the Associate Dean.

902. Students enrolled at the School of Law who wish to take elective courses during the school year or summer session at another ABA-accredited law school must obtain approval in advance from the Assistant Dean for Student Services or the Associate Dean for Academic Affairs.
- a. Petitions requesting this opportunity should set forth the school, course description, instructor, and whether or not transfer credit back to the School of Law will be sought.
  - b. Permission will not be granted in the case of required courses or clinics, field placements, internships, externships, or similar activities, nor for more than six (6) semester units of credit, total.
  - c. When transfer credit is granted, only the units, and not the grade, will be credited. The course will be treated the same as a "Honors/Pass/Low Pass/Fail" course for GPA purposes. For application of Rule 204, the course may be treated as a graded course if it was graded when taken unless an equivalent course at the School of Law is ungraded.
903. Students enrolled at the School of Law who wish to take courses at a foreign institution must obtain approval in advance from the Assistant Dean for Student Services and the Associate Dean for Academic Affairs.
- a. Requests for approval must include an educational objective, set forth the school and course descriptions, and indicate whether or not transfer credit back to the School of Law will be sought. If transfer credit is sought, a statement of semester unit equivalents must be provided.
  - b. Permission will be granted only to students with a cumulative GPA of 2.70 as of the last grading period prior to date of application, and only (i) for full-time division students who have completed their first year of study at the School of Law, and (ii) for part-time division students who have completed their second year of study at the Law School.

- c. Permission will not be granted for any student who is in their final semester of study at the Law School.
  - d. Permission will be not be granted for a credited period of more than one semester nor for more than fifteen (15) semester units of credit. Required courses will not be waived and cannot be satisfied by any course taken at a foreign institution.
  - e. When transfer credit is granted, only the units, and not the grade, will be credited. The course will be treated the same as and “Honors/Pass/Low Pass/ Fail” course for GPA purposes; however, for the purposes of rule 204, one-half of the units earned will be treated as graded units.
904. Students are cautioned that concurrent enrollment at the School of Law and any other school is prohibited unless permission has been obtained in advance from the Assistant Dean for Student Services or Associate Dean for Academic Affairs.

#### **1000. AMENDMENT AND RESERVATION OF POWERS**

1001. These rules and procedures are subject to amendment at any time by the faculty upon recommendation of the G & A Committee.
- a. The faculty and G & A will avoid changes which would result in preventing a student who is satisfactorily following a regular course of study from graduating at the normal time.
  - b. However, no student shall have acquired any vested rights in the continued enforcement of the rules as now set forth.
1002. The School of Law reserves the right to modify or change the curriculum, admission standards, course content, advancement or degree requirements, regulations, tuition or fees at any time without prior notice. Information in this set of regulations or the catalog shall not be regarded as creating a binding contract between the student and the school.

## **1100. PROCEDURAL RULES FOR GRADING AND ADVANCEMENT COMMITTEE**

1101. The Committee shall have two types of meetings:
- a. Regular meetings: Regular meetings shall be held at the call of the Chair or upon request of any two members of the Committee. Proposed agenda shall be distributed to Committee members at least two days before such meetings. Persons who are not members or ex-officio members of the Committee may attend such meetings if the majority of the Committee determines that such attendance is appropriate. Regular meetings shall consider all policy questions within the province of G & A. Regular meetings shall not consider or pass upon individual student petitions concerning relief from the application of G & A rules.
  - b. Executive meetings: Executive meetings shall be attended only by non-student members of the Committee. They shall be called by the Chair as needed and shall be concerned only with individual student petitions.
1102. The Chair shall prepare an agenda of all regular meetings that shall be available to any member of the McGeorge Community.
1103. No Committee members may vote by proxy.
1104. All decisions of the Grading and Advancement Committee involving major policy considerations are subject to faculty review. Where the majority of the members of G & A so determine, decisions of the Committee shall not become effective until reviewed and approved by the faculty.
1105. The Chair or the person The Chair so designates will be responsible to keep a log-in, log-out record of all petitions submitted by students to the Executive Committee of the Grading and Advancement Committee. The Assistant Dean for Student Services shall notify the student when his/her petition will be heard. When the Executive Committee has decided a petition, the Assistant Dean for Student Services shall notify the student of the Committee's decision and shall record the Committee's decision in the student's education file.

1106. The notice of shall constitute the final judgment of the Executive Committee except when subject to reconsideration under Rule 105(a). Further, the Executive Committee has no jurisdiction to rehear matters except as described in Rule 105.
1107. The Appeals Panel shall consist of three Faculty members, appointed by the Dean at the start of the school year and the Assistant Dean for Student Services who shall serve ex officio. Members of the Executive Committee may not also be members of the Appeals Panel. The function of the Appeals Panel is to hear and determine appeals from decisions of the Executive Committee as to student petitions as described in Rule 105(b). The Executive Committee shall appoint one of its members to explain the reasoning of the Executive Committee to the Appeals Panel.
1108. The student-appellant shall have 10 days from the date the student-petitioner received notice of the Executive Committee's decision to file an appeal petition unless the student filed a Petition for Reconsideration under 105, in which case the 10 days is tolled until the Petition for Reconsideration is decided.
1109. The Appeals Panel shall review the final judgment of the Executive Committee on the basis of the record and shall not receive additional evidence other than evidence of bias, procedural error, or abuse of discretion. The Appeals Panel shall render a decision, according to the dictates of the case. The Presiding Member shall deliver the decision of the Appeals Panel to the Assistant Dean for Student Services, who will notify the student of the decision and make a note in the student file. The decision of the Appeals Panel will be final.