

UNIVERSITY OF THE PACIFIC McGEORGE SCHOOL OF LAW

**MASTER OF SCIENCE IN LAW
MASTER OF PUBLIC POLICY
MASTER OF PUBLIC ADMINISTRATION**

GRADING AND GRADUATING POLICIES RULES, REGULATIONS AND PROCEDURES

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100. INTRODUCTION

All candidates for the graduate degrees Master of Science in Law (MSL), Master of Public Policy (MPP) or Master of Public Administration (MPA) are responsible for knowing and understanding these rules, regulations and procedures. Failure to be familiar with these regulations does not excuse a student from the obligation to comply. (amended 4/28/16, 3/9/17)

Although every effort has been made to ensure the accuracy and completeness of these regulations, students are advised that the information contained in this document is subject to change. The Law School reserves the right to modify or change the curriculum, admission standards, course content, degree requirements, regulations, tuition or fees at any time without prior notice. The information in these regulations is not to be regarded as something that creates a binding contract between the student and the school.

101. Authority

The Graduate Studies Committee (“the Committee”) is the body duly authorized by the Faculty and Administration of University of the Pacific, McGeorge School of Law (“McGeorge”), to study, develop, adopt and apply rules, regulations and procedures pertaining to course requirements, examinations, grading, graduation, and related matters as these matters particularly apply to MSL students. (amended 3/31/16, 4/28/16, 3/9/17)

102. Membership

The Graduate Studies Committee shall consist of a minimum of five faculty members, and two alternate faculty members..

- a. Regular and alternate faculty members shall be appointed by the Dean 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 1001. 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 the Graduate Studies Committee include alternate and temporary members during the time they are serving in the place of any regular faculty member. (adopted 3/9/17, amended 8/22/24)

103. Scope and Definitions

The rules, regulations and procedures contained in this document are intended to serve as a supplement to the official catalog of the McGeorge School of Law for the MSL, MPP and MPA programs. This principle applies both to residential and online programs, with the caveat that specific rules may distinguish between residential and online programs. As used herein:

- a. “Student” refers to a student enrolled in the MSL, MPP or MPA programs at McGeorge,
- b. “Degree” or “degrees” refers to any and all of the MSL, MPP or MPA graduate programs,
- c. “Graduate work” refers to course work, directed research or other work undertaken for academic credit while enrolled as a student enrolled in one of the three graduate programs above.

(amended 3/31/16, 4/28/16, 08/23/18)

104. Petitions

Any MSL, MPP or MPA student who is affected adversely by the application of these rules may file in the Office of the Director of Graduate Programs a written petition for relief setting forth the nature of the request, the applicable rule, and the reasons why it should be granted.

- a. Written petitions must be filed within fifteen (15) days of notice of the application of the rule from which the student seeks relief.
- b. No specific format is required for a student petition, the substance being more important than the form.
- c. As appropriate for the issue(s) raised, the Committee or the Public Policy Committee shall consider the written petition and grant, modify, or deny the relief requested.
- c. The Committee or the Public Policy Committee shall be the final decision-making body in matters concerning student petitions.

(amended 3/31/16, 4/28/16)

105. Personal Appearances

Any student submitting a petition to the Committee or the Public Policy Committee pursuant to Section 104 shall have the right to appear personally before the Committee. Such personal appearance by the individual petitioner must be requested in

writing at the time the petition is submitted, and shall be limited to the purpose of informing the members of any new facts which have a significant and substantial bearing upon the issue before the Committee or the Public Policy Committee or to answer any questions which the members may have relevant to the issue before the Committee.

Personal appearances may be made by attending the meeting in person, or by attending via Skype, Webex, or similar technology.

In no event shall any inference, either adverse or beneficial, be drawn from an individual petitioner's decision to forego a personal appearance in support of his or her petition. (amended 4/28/16, 8/23/18)

106. Reconsideration

A student may file a petition for reconsideration of the Committee's decision. Such petitions shall be filed within 15 calendar days from the date of notice of the decision on the underlying petition. Upon the filing of a student's written petition for reconsideration, the Committee, by majority vote, may reconsider its decision in any matter previously decided. A petition for reconsideration shall be limited to a written statement of any new matter that has arisen or has come to the petitioner's attention subsequent to the original petition. 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 further reconsideration. Whenever the Committee elects to reconsider a decision, the student requesting reconsideration shall not be entitled to appear personally before the Committee. The composition of the Committee when considering a petition for reconsideration shall, to the extent practicable, be the same as when it decided the original petition. (adopted 3/9/17)

107. Ex Parte Communications

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 Graduate Studies 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 Graduate Studies 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 Director of Graduate Programs. A student may also discuss Graduate Studies 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 105.

(adopted 3/9/17)

200. COURSES

201. Required Courses

The University of the Pacific catalog for the Sacramento campus and the McGeorge School of Law website lists required and elective courses for candidates for the MSL, MPP and MPA degrees. All required courses shall be taken on a graded basis. (amended 3/31/16, 4/28/16, 3/9/17, 8/22/24)

202. Electives

Elective courses taken to fulfill the unit requirement for the degree being sought must be selected from the approved list of graduate elective courses or be approved by the Director of the program or his/her designee. (amended 3/31/16, 4/28/16)

203. Auditing Courses

Degree seeking students may not audit courses.

204. Graduation Credits

Of the 26 semester units required for graduation from the MSL program, 16 of those must be earned in graded courses.

Of the 39 semester units required for graduation from the MPP program, 33 of those must be earned in graded courses.

Of the 30 semester units required for graduation from the MPA program, 24 of those must be earned in graded courses.
(amended 4/28/16, 3/9/17, 8/22/24)

205. Maximum Time for Completion of Degree/Minimum Course Load

A candidate for the MSL, MPP, or MPA degree must complete the degree requirements within five (5) consecutive years from the date they begin graduate studies. There is no minimum course load during any academic period.

Upon petition filed under section 104, this period may be extended for good cause. (amended 4/28/16, 3/9/17)

300. WITHDRAWAL

301. Withdrawal from a Course

After the add/drop deadline has passed (but prior to the end of the last day of class), requests to drop courses must be made to the Director of the program or his/her designee. Requests are normally approved only if the student demonstrates some special situation or hardship. A course that a student is allowed to drop after the deadline appears on the student's transcript with the notation "W" but does not count in the units earned or in the calculation of the grade point average.

Tuition and fee refunds, if any, are based on the date the student submitted the request. (amended 3/31/16, 3/9/17)

302. Leave of Absence and Withdrawal from McGeorge

A student who is in good standing may petition for a leave of absence of no more than one academic year and the maximum number of Leave of Absence requests is two. Students who intend to request a leave of absence or to withdraw from the degree program have to initiate the process with the program director. The date used by Financial Aid for Return in the return of Title IV Aid calculation and the effective date used by the Business Office for tuition refunds, if any, is based on the date of request to the program director.

Courses the student was registered for after the last day to add/drop appear on that student's transcript with the notation "W" but do not count in the units earned or in the calculation of the grade point average.

If the student has not been enrolled for more than two consecutive years at McGeorge and wishes to return, they must apply for re-admission.

All rights and privileges offered to currently enrolled students are terminated upon the effective date of the withdrawal or leave of absence. (amended 3/31/16, 4/28/16, 3/9/17, 8/22/24)

400. ATTENDANCE, PREPARATION & PARTICIPATION

(amended 3/31/16, 3/9/17)

401. Attendance, preparation and participation are governed by Grading and Advancement Rules for the JD program sections 300, et seq., except as otherwise provided herein. All appeals by MSL, MPP, MPA students regarding matters covered in

the 300 section of the Grading and Advancement Rules shall be heard by the Grading and Advancement Committee.

500. EXAMINATIONS

501. LAW Courses

For LAW courses, examinations will be administered as provided for in the then current rules 401 and 402 of the Grading and Advancement Committee. (adopted 3/9/17)

502. PUB Courses

For PUB courses, examinations or other means for measuring student performance shall be designated by the individual professor. (adopted 3/9/17)

503. Additional Time on and Use of Dictionary during Assessments and Examinations

A candidate for the MSL, MPP, or MPA degree who received her or his undergraduate degree outside of the United States is entitled to receive time and one half on, and to use an English dictionary provided by McGeorge during, each proctored essay and multiple choice assessment or examination for which less time than 4 hours has been allotted and that constitutes more than 5% of the final grade. (adopted 3/9/17)

504. Procedures

All petitions by graduate students regarding final grades shall be heard by the Grading and Advancement Committee. (amended 4/28/16, 3/9/17)

505. Missed Examinations/ Assessments - Excused

The Office of Student Services may prospectively reschedule an examination or assessment, with documentation, for a medical issue, significant work conflict, 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 Assistant Dean of Student Services (for in-person LAW classes), or the Assistant Dean for Graduate and Online Programs (for online LAW classes), or the Director for Public Policy Programs (for PUB courses) in consultation with the professor, may grant an extension for the same reasons. In the event that the administration and the professor disagree, the administration will decide.

(amended 3/31/16, 4/28/16, 8/22/24)

506. Missed Examination - Unexcused

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 of Student Services (for in-person LAW classes), or the Assistant Dean for Graduate and Online Programs (for online LAW classes), or the Director for Public Policy Programs (for PUB courses) 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 administration and the professor disagree, the administration will decide which option will be employed. (amended 8/22/24)

507. Failure to Turn in Examination or Assessment

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. (amended 8/22/24)

512. Writing Course - Grade of "Incomplete"

A grade of "incomplete" may be entered in a course with writing requirements in lieu of or in addition to an examination when such writing requirements are not completed for reasons deemed to be an acceptable excuse by the professor.

The work assigned in a course as to which a grade of "incomplete" must be completed by the first day of classes of the second semester (including Summer Session) after the semester when the course ended. If it is not, a grade of "fail" will be entered. (amended 8/22/24)

600. GRADES AND GRADING

601. Grade Structure

The MSL, MPP and MPA grading structures are different than those of the JD owing to the difference between grades typically awarded in graduate studies programs and those awarded in JD programs. For example, a cumulative GPA of 2.33 would be considered satisfactory under a JD standard, while a 3.0GPA would be considered satisfactory under

a graduate studies program standard. Accordingly, MSL, MPP and MPA students who are enrolled in classes with JD students will receive a full letter grade increase to reflect this difference, which is applied by the Registrar at the end of the semester. A grade of “F” will not receive any increase. This grade increase will not apply to courses in which only MSL, MPP and/or MPA students are enrolled. (added 3/31/16, amended 4/28/16, 8/22/24)

602. Symbols and Definitions

MSL, MPP and MPA students are assigned grades in keeping with the following interpretation.

Symbol	GPA	Definition
A	4.0	Exemplary
A-	3.7	
B+	3.3	
B	3.0	Satisfactory
B-	2.7	
C+	2.3	
C	2.0	Marginal
C-	1.7	
D+	1.3	
D	1.0	Unsatisfactory
F	0.0	Failing
I		Incomplete work due to extenuating and hardship circumstances which prevent the completion of the work assigned within the regular time assigned. See rule 609.

Symbol	Definition
P	Represents acceptable level work under pass/no credit option.
NC	Represents “D+” or “D” level work under pass/no credit option. No credit awarded at this level.
W	Authorized leave of absence or withdrawal from courses after the add/drop period.

(amended 3/31/16, 4/28/16)

603. Re-Evaluation of Grades

A student seeking review of a grade shall file a petition with the Grading & Advancement Committee within 15 calendar days of the date on which the final grade was announced.

Where the petition simply alleges 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 papers, and/or assigning of grades, the Grading and Advancement Committee shall review the matter in consultation with the professor involved and may grant such relief as they deem appropriate.

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. (amended 4/28/16, 3/9/17, insert date)

700. GRADUATION REQUIREMENTS

701. Cumulative GPA

“Cumulative GPA” is the grade point average for all graduate work undertaken at the School of Law computed as provided in the Grading and Advancement Rules.

702. Graduation Requirements

A candidate for the Master of Science in Law is eligible to graduate upon successful completion of 26 units and achievement of a minimum cumulative grade point average of 3.0.

A candidate for the Master of Public Policy is eligible to graduate upon successful completion of 39 units and achievement of a minimum cumulative grade point average of 3.0.

A candidate for the Master of Public Administration is eligible to graduate upon successful completion of 30 units and achievement of a minimum cumulative grade point average of 3.0.

A candidate for the MPP or MPA is also eligible for inclusion of an approved Area of Concentration upon his or her diploma, which requires completion of specified course units. For all MPA students and some MPP students, satisfying the requirements of the Area of Concentration will require completion of course units beyond those specified above. The grades for these courses are included in calculation of the minimum cumulative grade point average of 3.0. This grade point average is calculated at the end of the semester or summer in which the candidate becomes eligible to graduate. (amended 3/31/16, 4/28/16, 8/22/24)

703. Academic Standing

A candidate for the MSL, MPP or MPA degree must maintain a minimum cumulative grade point average of 3.0 in all courses taken. At the end of every semester, excluding summer, the student's academic standing is determined to be one of the following:

- good standing
- probation
- disqualification

The criteria for these academic standings are based on the cumulative GPA. Criteria for the different academic standings are outlined below:

a. *Good Standing:*

A candidate whose minimum cumulative McGeorge GPA is of 3.0 is considered in good standing.

b. *Probation:*

A candidate for the MSL, MPP or MPA degree who has completed at least one semester of part-time study and has a cumulative grade point average below 3.0 is placed on academic probation. A student on academic probation has one semester to raise their cumulative grade point average to 3.0 or higher.
(amended 8/22/24)

c. *Disqualification*

A student who fails to raise their cumulative grade point average to 3.0 or higher at the end of the probationary period is disqualified from further enrollment at McGeorge.

A student who has been disqualified may petition pursuant to rule 103. Such petitions 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 completion of graduation requirements

(amended 3/31/16, 4/28/16, 3/9/17, 8/22/24)

704. Course Loads

- Full Time: 8 or more units a semester
- Half Time: 4 to 7 units a semester
- Less than Half Time: 1 to 3 units a semester

800. REPEATING COURSES

801. Repeat of Courses

A candidate for the MSL, MPP or MPA degree who receives a grade of “B-” or lower in a course may repeat the course once. The original grade shall remain on the transcript, but once the course has been repeated, only the repeat grade, even if lower than the original grade, will be counted for GPA purposes, and the student’s transcript will include a notation that the first attempt is excluded from the GPA. Once excluded, the units from the first attempt will not count towards the minimum units required for the degree.

A candidate for the MSL, MPP or MPA may repeat only up to 25% of the total units required for the degree. (amended 4/28/16, 3/9/17)

900. CREDIT FOR UNITS EARNED AT McGEORGE AND AT OTHER SCHOOLS

901. Applying Credits Earned for a J.D. Degree towards an M.S.L. Degree

J.D. units earned at McGeorge School of Law may be applied towards the M.S.L. degree if the student is in good standing, and if the student received a grade of C+ or higher in the class. A maximum of 22 J.D. units can transfer at the discretion of the relevant faculty committee. When credit is granted, only the units and not the grade will be transferred. Once the credits are transferred, they can no longer be counted towards a J.D. degree from McGeorge. It may also not be possible to count such transferred credits towards a J.D. degree from any other ABA accredited school. (added 11/16/17)

902. All Other Course Work Taken at McGeorge and Other Schools by MSL, MPP or MPA degree Students

Unless otherwise described in rule 901, admitted MSL, MPP or MPA degree students who wish to transfer graduate credits previously taken at another accredited institution of higher education or in another program at McGeorge must obtain approval prior to matriculation from the Director of the program, or his/her designee.

Currently enrolled MSL, MPP or MPA degree students who wish to take an elective course at another accredited institution of higher education must obtain advance approval from the Director of the program, or his/her designee.

- a. Requests for this approval must include the school, course description, syllabus, and professor.
- b. Permission may be granted for a total of six (6) semester units of credit.

- c. The course work must be less than five years old at the time the McGeorge degree is awarded. Credit used toward a degree earned at another institution cannot be transferred to a graduate degree at University of the Pacific.

Transfer credit will be granted if the student receives a grade of B or better. When transfer credit is granted, only the units, and not the grade, will be credited. The course will be treated the same as a “pass/no credit” course for GPA purposes and for calculation of the unit maximum in Section 203. (amended 3/31/16, 4/28/16, 11/16/17, 8/22/24)

903. Concurrent Enrollment Prohibited

Concurrent enrollment at McGeorge and any other school is prohibited unless written permission has been obtained in advance from the Director of the program. Courses in English as a second language do not require such permission.

1000. AMENDMENT AND RESERVATION OF POWERS

1001. Amendment

These rules and procedures are subject to amendment at any time by the Faculty upon recommendation of the Committee or the Public Policy Committee. No student shall have a vested right in the continued enforcement of the rules as now set forth, but amendments shall not be applied in a manner which would result in preventing a student who is satisfactorily following a regular course of study from graduating at the normal time. (amended 4/28/16)

1002. Reserved Powers

As described in the catalog, McGeorge 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. (amended 3/31/16)

1100. PROCEDURAL RULES FOR THE GRADUATE STUDIES COMMITTEE

1101 Committee Operating Procedures

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 the Committee. Regular meetings shall not consider or pass upon individual student petitions concerning relief from the application of these 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.

(adopted 3/9/17)

1102. Agenda

The Chair shall prepare an agenda of all regular meetings that shall be available to any member of the McGeorge Community. (adopted 3/9/17)

1103. Voting

No Committee members may vote by proxy. (adopted 3/9/17)

1104. Faculty Action

All decisions of the Graduate Studies Committee involving major policy considerations are subject to faculty review. Where the majority of the members of the Graduate Studies Committee so determine, decisions of the Committee shall not become effective until reviewed and approved by the faculty. (adopted 3/9/17)

1105. Record of Petitions

The Chair or the person he/she 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 Graduate Studies Committee. The Director of the program shall notify the student when his/her petition will be heard. When the Executive Committee has decided a petition, the Director of the program shall notify its student of the Committee's decision and shall record the Committee's decision in the student's permanent record file. (adopted 3/9/17)