

Cleveland-Marshall Academic Regulations

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The following academic regulations are applicable to all students enrolled in the Cleveland-Marshall College of Law as candidates for any degree, unless otherwise indicated:

1. Attendance

Students are required to attend classes with substantial regularity. Unsatisfactory attendance in any course, unless otherwise defined by the course faculty member with reasonable notice to students enrolled, shall be absence from more than two weeks of classes in a single semester (or, in the case of Summer term, absence from more than one week of classes) and shall be cause for lowering the final grade entered, involuntarily withdrawing a student from the course or entering the grade of "F," in the sole discretion of the course faculty member.

Note: C.S.U. Poll Worker Excused Absence Policy

In order to foster student engagement and participation in the civic sphere, Cleveland State University has encouraged students to serve as poll workers and in polling support positions for the last several national and statewide elections. In Spring 2008 the Faculty Senate of Cleveland State University adopted a policy pertaining to student absences arising because of such service in these elections.

I. CSU faculty members are required to **a)** excuse all students from class attendance and from any assignments, quizzes, and other coursework otherwise due during the period beginning at 6:00 p.m. on the evening before any statewide election and ending at 12:00 midnight on election day who **(i)** serve in any of the official poll worker and polling support positions, including the Center for Election Integrity official observer or monitor positions (which can include, for example, polling place translators and technical support workers with respect to the voting machines), and **(ii)** satisfy their notification obligations described in paragraph II, below; and, **b)** allow such students to make up any assignments, quizzes, and other coursework otherwise due during this period, as described in paragraph II, below.

II. Any CSU student who desires to exercise the excused poll worker service option must **a)** have officially applied and been selected to serve; **b)** be scheduled for training that will be completed at least two days prior to the election; **c)** inform the faculty members whose classes are affected in writing

(electronically or in whatever manner the particular faculty member requests) no later than the second Friday before the election; **d)** arrange with each affected faculty member to make up any coursework or quizzes that were missed due to the absence; and **e)** provide official documentation to each affected faculty member at a later appropriate point that confirms the student's service as a poll worker or in a polling support position.

At all times, the responsibility for making up coursework rests with the student.

Dean Mearns decided, in Fall 2008, based on available C.S.U. policies and information received from the C.S.U. administration, that this policy applies to students who work as B.O.E. poll workers and to those who volunteer as election observers or monitors for a bona fide organization such as the Democratic or Republican Party, or the Lawyers Committee for Civil Rights Under the Law.

2. Grades and Grading Practices

2.1 Grade Points.

For the purpose of evaluating transcripts and/or computing grade point average, the following system of grading and grade points shall be observed:

A	Excellent	4.0 Grade Points
A-		3.7 Grade Points
B+	Very good	3.3 Grade Points
B	Good	3.0 Grade Points
B-		2.7 Grade Points
C+	Better than fair	2.3 Grade Points
C	Fair	2.0 Grade Points
C-		1.7 Grade Points
D+	Deficient	1.3 Grade Points
D	Poor	1.0 Grade Points
F	Failure	0.0 Grade Points

2.2 No Grade Points

The following grades carry no grade points and are not involved in the calculation of grade point averages:

P Passing. Given in select courses approved by the faculty for Pass/Fail credit or courses elected on a Pass/C-/D+/D/F basis. See Academic Regulation 4.6. Except in the case of a grade of "P" awarded by the Academic Standards Committee under Academic Regulation 2.4, a student's work must be the equivalent of a "C" or better to merit the grade of "P."

I Incomplete. A temporary grade designation, given when the work in a course has been generally passing, but when some specific course requirement has not been completed through no fault of the student and the faculty member has approved the completion of such requirement after the normal date for the conclusion of the course. The course work must be completed and submitted to the appropriate faculty member not later than the last day of classes of the next term (including Summer term) following that in which the course was offered; otherwise, a final grade of "F" will be recorded. For good cause shown, the Academic Standards Committee may further extend the time permitted to complete and submit the required work.

T Temporary. A grade designation given in multiple-term, single grade courses at the end of term(s) before the one in which the course concludes.. This grade is not applicable to courses in which a final grade is awarded for each term of the course.

W Authorized Withdrawal. Given in the case of official withdrawal from a course voluntarily, as provided in Academic Regulation 3.1, or involuntarily, as provided in Academic Regulation 1. Courses from which a student voluntarily withdraws within the time limits set out in Academic Regulation 3.1 will not appear on the student's transcript.

2.3 Computation of Grade Point Average

Grade points are determined by multiplying the point value of the grade awarded by the number of credit hours earned in each course. A student's grade point average is determined by dividing the total grade points earned in all courses by the total number of credit hours attempted in all courses for which final letter grades (grades "A" through "F") have been awarded.

2.4 Grade Dispute Procedures, Grade Appeals and Changes of Grades

(a) Time Permitted

A student who believes he or she has received an improper final grade in a course taught by a member of the law faculty must make a good faith effort to discuss a change of grade with the faculty member. The effort must be made within six weeks after the date of the last examination day of the Fall, Spring or Summer term in which the grade was earned or within one week after the last date that the examination was regularly available for review, whichever date is later.

(b) Basis for Change of Grades

1. Deviation from the Grading Guidelines is not a basis for any change of grade petition.

2. Once a final letter grade (grades "A" through "F") has been submitted to the College of Law Records Office and been approved by the Dean's Office, a change of grade can be sought by the faculty member or student only as set forth below.

(c) Change by Faculty Member

A faculty member can enter a change of grade only with the approval of the Academic Standards Committee. Approval shall be granted only when the faculty member has satisfied the Academic Standards Committee that:

1. there has been a computational or clerical error; or

2. the grade awarded was not in accord with the grading standards applied to the other members of the class; or

3. the student's timely request to take the examination or submit a required paper at another time was improperly denied.

The Academic Standards Committee must either approve the change of grade submitted or deny the request so that the original grade remains in effect.

(d) Student Petitions for a Change of Grade: Petitions to the Academic Standards Committee

1. If, despite good faith efforts, the student has been unable to arrange a meeting with the faculty member or, if after ten days the faculty member has not acted upon the student's request or declines to change the grade, the student may submit a petition to the Academic Standards Committee for relief as provided below. A written petition must be filed within ten days after the faculty member has failed to act or has communicated, either orally or in writing, a refusal to change the student's grade.

2. Upon request to the College of Law Records Officer, any student who has filed an appeal of a grade may review the grade sheets submitted by the faculty member for the course involved. This review is to include the grades entered before and after the student names were provided to the faculty member. The College of Law Records Officer shall delete all names and examination numbers, except those of the student petitioner, from the grade sheets prior to their review by the student petitioner.

3. A student may petition the Academic Standards Committee for a change of grade to the grade earned upon a showing of clear and convincing evidence that there has been a computational or clerical error.

4. A student may petition the Academic Standards Committee for a change of grade to the

grade of "P" or "W." Such a change of grade shall be awarded only in cases in which the student has satisfied the Academic Standards Committee that:

a. The grade awarded was arbitrary or not in accord with the grading standards applied to the other members of the class because of factors or circumstances extraneous to the grading process itself, but in no event shall a review of other students' examinations occur; or

b. The student's timely request to take the examination or submit a required paper at another time was improperly denied.

c. The Academic Standards Committee must either find that entry of a "P" or "W" in lieu of the entered grade is appropriate or deny the request so that the grade originally submitted by the faculty member remains in effect.

5. A student may petition the Academic Standards Committee for a change of grade to a grade of "W" (Authorized Withdrawal) where a final grade of "F" has been entered for failure to complete a course within the time allowed after entry of a grade of Incomplete as set forth in Academic Regulation 2.2 or for failure to appear for an examination as set forth in Academic Regulation 3.6. Such a change of grade shall be awarded only where the student provides clear and convincing evidence that the failure was a direct consequence of extraordinary and unforeseeable circumstances. The provisions set forth in Academic Regulation 5.3(e) and (f) are applicable to change of grade petitions brought pursuant to this Regulation.

(e) The student and faculty member may appear in person before the Academic Standards Committee to present their respective views on the petition.

(f) 1. If all or a substantial part of a student's final examination has been lost or misplaced after receipt by the faculty member or proctor, but before the examination grade has been submitted to the College of Law Records Officer, the student may elect to take a grade of "P" (Pass) for the course or take a make-up examination. Where a substantial part of a student's final examination has been lost or misplaced, the student's election to take a make-up examination shall apply to a partial make-up examination equivalent in weight to the same portion of the original examination, as determined by the faculty member. A substantial part of the examination answer shall be such part that, if excluded from the student's answer, it would adversely effect the student's letter grade for the course, as determined by the faculty member.

2. The student must petition the Academic

Standards Committee for such relief within ten days of the posting of either a grade of "F" as specified in Academic Regulation 3.5 or another grade that is inconsistent with a graded examination, such as a grade of "I," "P," or "W." If a grade of "P" is entered, this grade will not limit the student's right to exercise the Pass/C-/D+/D/F Option set forth in Academic Regulation 4.6.

(g) Appeals to the Faculty
See Academic Regulation 9.

(h) Law students enrolled in courses offered by other colleges within this University (see Academic Regulation 4.7) shall follow the grade dispute procedure available pursuant to the regulations of such college.

3. Examination, Withdrawal and Change of Section Procedures

3.1 Time of Withdrawal

Voluntary withdrawal from classes offered at the law school shall be permitted as follows:

(a) One-semester courses

At anytime prior to the beginning of the fifth week of classes;

(b) Two-semester courses

At anytime prior to the beginning of the seventh week of classes of the first semester of such course(s); and

(c) Summer term courses

Each week of the Summer term shall be equivalent to two weeks during Fall or Spring semester. Therefore, for courses with the duration of only the Summer term, withdrawal must be accomplished prior to the beginning of the third week of class; for courses which begin in the Summer and conclude in the Fall, withdrawal must be accomplished prior to the beginning of the fourth week of such course(s).

(d) Notwithstanding the above, a student enrolled in Independent Legal Research, LAW 860, may, with the approval of the faculty member supervising the research project, withdraw at any time during the term in which he or she enrolled for the course or, if a grade of "I" was given at the conclusion of such term, at any time during the next succeeding term.

(e) Except as a result of a decision made in accord with Academic Regulation 2.4 (Grade Dispute Procedures, Grade Appeals and Changes of Grade) a student may not withdraw from a course once a final letter grade for that course has been posted or the student has otherwise been informed of the final

letter grade.

3.2 Exception

(a) The Academic Standards Committee may grant an exception to the requirements of Academic Regulation 3.1 but may do so only in cases of exceptional circumstances.

Note: Students seeking to withdraw from a course after the deadline should complete a petition and submit it to the Assistant Dean for Academic Affairs for consideration by the Academic Standards Committee.

(b) Full time students who change to a part time program are required to enroll for the appropriate part time courses but may elect to complete a sequential course in lieu of enrolling for a new course.

3.3 Withdrawal from Multiple-Term or Two Semester Core Courses

(a) Any student who withdraws from a multiple-term continuing course before its conclusion shall be deemed to have withdrawn from the entire course, even though the grade designation "T" may have been recorded for one or more terms completed in the course. The student must repeat the entire course in order to receive any credit for it. This provision does not apply to courses in which a final grade is awarded for each term of the course.

(b) A student may not withdraw from Legal Research, Writing and Advocacy, L504, without the advance approval of the Academic Standards Committee.

(c) Failure to register for the second term of a multiple-term continuing course without having withdrawn from the course pursuant to Academic Regulation 3.1(b) or without obtaining approval from the Academic Standards Committee pursuant to Academic Regulation 3.2 shall cause the grade of "F" to be entered in place of the grade designation "T" for the number of credit hours represented by the "T." This provision does not apply to courses in which a final grade is awarded for each term of the course.

(d) Students enrolled in two semester core curriculum courses may not withdraw from the second semester of any such course except upon a showing of substantial hardship caused by extraordinary and unforeseeable circumstances and with the approval of the Assistant Dean for Academic Affairs. Extraordinary and unforeseeable circumstances do not include a belief that the grade earned in the first semester was too low or an objection to the teaching methods of the professor.

Upon referral by the Assistant Dean, the matter shall be decided by the Committee.

3.4 Change of Section – Core Courses

A student may not change his or her section of a two semester core curriculum course after completion of one semester unless permitted by the Academic Standards Committee. The Committee will allow such change only upon a showing of:

- (a) substantial hardship caused by extraordinary and unforeseeable circumstances, and
- (b) a determination that the course coverage in the new section will substantially parallel that of the former section.

For purposes of this Academic Regulation, extraordinary and unforeseeable circumstances do not include a belief that the grade earned in the first semester was too low or an objection to the teaching methods of the professor.

3.5 Withdrawal from All Classes

A student who voluntarily withdraws from all classes or who fails to register for classes during the next semester for which he or she is eligible (excluding the summer term), and later wishes to reenroll as a matriculating student, must comply with the procedures in this section.

(a) A student in good standing who has received credit for two or more law school classes as a matriculating student must submit to the Office of Law Admissions a letter of intent to return to the law school and a copy of his or her transcript at least forty-five days before the first day of the semester or summer term for which the student intends to re-enroll.

(b) A student re-enrolling pursuant to this Regulation, who seeks to earn a J.D. degree, must comply with the requirements set forth in Academic Regulation 4.4, based upon the date he or she first enrolled in law school.

(c) A student who withdraws before completing and receiving credit for the fall semester of the first year of law school must reapply through the usual admissions process.

3.6 Examinations and Examination Scheduling

(a) Failure to Appear for a Scheduled Examination

Unless the student obtains advance permission from the faculty member and the Dean to take a final examination at another time, any student who fails to appear for a scheduled examination shall receive a grade of "F." Permission to take an examination at a different time will be granted only upon a showing of

good cause. If the rescheduled examination is not taken, a final grade of "F" shall be entered.

(b) Multiple Examinations

Students who are scheduled for two final examinations that have start times that are 23 hours or less apart may notify the Dean of their examination schedule and request a schedule change. This notice must be provided at least two weeks prior to commencement of the examination period. The Dean will then reschedule one of the examinations to a reschedule date and time as described in part (c), below. Students who reschedule examinations may, at the sole discretion of the instructor, be given the same exam as or a different exam than that given to other students.

(c) Reschedule Date and Priority

1. The date and time for any rescheduled examination shall be set by the Dean for the first available scheduled make-up day subsequent to the originally scheduled examination.

2. If the conflicting examinations include a required course and another course, only the non-required course may be rescheduled.

Note: The Dean shall, in his or her discretion, set two or more make-up dates throughout the examination period.

(d) Pre-Examination Conduct

Any student authorized to take a rescheduled examination is prohibited from discussing the examination or any aspect of the subject course with any person who has taken the examination or is otherwise familiar with the content of the examination. This prohibition does not apply to law school administrators in regard to examination rescheduling nor to the course faculty member.

3.7 Provisions for Persons with Disabilities

Students who because of a disability are unable to complete an examination in the given time or the given room are entitled to special consideration regarding additional time and/or communication aids. Such students, whether temporarily or permanently disabled, must request accommodations and document their disability and need for accommodations in advance of the scheduled examination, unless the disability arises at such time as to excuse full compliance. If necessary, the student and the faculty member through the Office of the Dean may secure the assistance of the University Coordinator of Disability Services for evaluation of the student's disability and in making suitable arrangements for the taking of the examination. To the extent possible, such an examination is to

commence at the same time as the scheduled examination. Under these conditions the time limitation need not apply, provided, however, that the examination must be completed in a single session.

Note: Normally documentation of a disability and requests for accommodations must be received by the Assistant Dean for Academic Affairs a minimum of four (4) weeks prior to the date for which the accommodation is requested.

3.8 Uniformity of Examination Conditions

All students in the J.D. program, including those whose primary language is a language other than English, are to take all examinations under the same conditions.

3.9 Anonymous Examinations

(a) Examination numbers shall be employed for all examinations that count for 10% or more of the final grade. Different numbers shall be used for any such examination when the professor has received the names corresponding to the examination number for the earlier examination(s).

Note: Students obtain examination numbers from the College of Law Records Office, LB 42.

(b) No student shall disclose his or her examination number to any other person. Examination papers shall be graded anonymously and examination grades submitted to the College of Law Records Officer. Faculty members will be advised of the identity of students before submitting final grades in order that factors other than the final examination scores may, at the faculty member's discretion, be included in the final grade determinations.

(c) Parts (a) and (b) of this Regulation are not applicable to papers or other work for courses where research or writing require review and comment by the professor. Faculty members, however, retain the discretion to grade anonymously in any such course.

3.10 Retention and Availability of Examination Papers

For a period of four weeks after grades have been officially posted, examination papers for all courses shall be retained by the Office of the Dean or by the course faculty member. Thereafter, all final examination papers shall be retained by the Office of the Dean for a period of at least two years. Students shall be permitted to see and examine their own graded papers at any time within this two-year period. After the four-week period, special circumstances must be shown and the viewing made

with the consent of the Dean.

4. Graduation and Honors Requirements

4.1 Dean's List

In recognition of excellence in academic achievement, any student who attains a 3.30 or higher grade point average in any academic term shall be designated on the Dean's List for such term. No student shall be designated on the Dean's List for any term in which he or she did not complete courses totaling at least eight credit hours (six hours of credit for a first-year first-semester part-time student) or did not receive final grades for all courses scheduled to be completed during such term.

4.2 Graduation Honors

(a) College of Law graduation honors shall be awarded as follows: Summa Cum Laude, 3.70 grade point average and above; Magna Cum Laude, 3.50 to 3.69 grade point average; and Cum Laude, 3.30 to 3.49 grade point average. Graduation honors designations are based on the student's final cumulative grade point average and will be reflected on the student's permanent record. Any designation in the College of Law Commencement Program is advisory only as it may not include all grades earned for the degree.

(b) Graduation honors shall be based solely on grades earned for courses taken at this College of Law.

4.3 Course and Credit Hour Requirements

(a) Number of hours required:

The Juris Doctor degree will be awarded upon satisfactory completion of a minimum of 90 semester credit hours (or the equivalent.)

(b) Course Requirements:

Of the 90 required semester hours, 35 (36, for students entering prior to 2005) must be earned in the eight Required Core Curriculum courses: Civil Procedure (Civil Procedure I and II, for students entering prior to 2005), Constitutional Law, Contracts, Criminal Law, Property, Torts and Legal Writing. In addition, students must complete satisfactorily Evidence; a third semester course in legal writing; one upper-level writing course; one professional responsibility course; a course designated by the faculty as having a component of administrative law; a course designated by the faculty as satisfying the perspective elective requirement; and, for students entering in 2008 and after, a course designated by the faculty as satisfying the skills course requirement. A professional responsibility

course is one that includes at least ten (10) hours of instruction in the Code of Professional Responsibility. Of the 90 hours required for graduation, at least 73 must be in courses other than clinics or externships and at least 68 must be in non-800 level courses in the College of Law, or, in the case of a student receiving credit for studies at another law school (see Academic Regulations 6.1 and 6.4), at the law school at which the credit was earned. Courses not satisfying the 68 credit hour requirement include all clinical and externship courses, independent legal research, credits earned for participation in Moot Court and Moot Court Board of Governors, credit earned for Law Review or the Journal of Law and Health and interdisciplinary courses whether taken as part of a joint degree program or taken as part of the student's law school program under Academic Regulation 4.7. No student may retake courses for credit that the student has previously passed.

(c) Grade Point Average

In order to receive the Juris Doctor degree, the student must attain a grade point average of at least 2.0 on a 4.0 scale.

4.4 Residence Requirement, Course Loads and Employment

(a) The weeks in residence at the College of Law required for graduation are met by completion of the credit hours required for graduation.

(b) The course of study for the J.D. degree may be completed no sooner than 24 months and not longer than 72 months after a student has commenced law study at the College of Law or, if a transfer student, at the law school from which transfer credit has been granted, provided, however, that for compelling reasons shown, the Academic Standards Committee may allow a student up to a maximum of 84 months from the time the student commenced law study.

(c) Credit earned for Law Review, Journal, or Moot Court participation, for courses in independent legal research and writing, or for courses offered in an officially approved clinical legal education program may be included as satisfying the residence and class hour requirements of this regulation even though they may involved studies or activities away from the law school or in a format that does not involve attendance at regularly scheduled class sessions. The hours so earned may not exceed the maximum allowed by Academic Regulation 4.3(b).

(d) For full-time students, the maximum course load is 18 hours per semester and the minimum course

load is 10 hours per semester. For part-time students, the maximum course load is 12 hours per semester and the minimum course load is eight hours per semester. For first-year students, the prescribed curriculum provides the maximum and minimum loads.

1. No student may enroll for more than 18 hours in the Fall or Spring Semester. Courses taken outside the regular Fall or Spring Semesters such as the “short courses” given during intersession periods shall not count toward the maximum allowed even though credit for such courses is awarded during the following Semester.

2. Absent permission of the Dean, students who work more than 20 hours per week may not register for more than 12 credits hours per week in any week during which classes are scheduled and must so certify to the College of Law.

3. To the extent necessary for required reporting purposes, scholarships, employer tuition benefits or other cases in which a full time/part time student designation is required, students enrolled for fewer than 12 credit hours will be considered part-time students.

Note: Students taking more than 12 credit hours during a Fall or Spring Semester are strongly advised to refrain from all employment. Students taking more than 12 credit hours who are employed may not be employed for more than 20 hours per week.

(e) During the Summer Term students may enroll for a maximum of nine credit hours.

4.5 Failure of Required or Elective Courses

(a) Any student who fails a course required for graduation must re-register for the course at the next available time and complete all the requirements therefore. Any student who fails an elective course may re-register for the course and complete all the requirements therefore. A student who fails the first term of a continuing two-term course in which a final grade is awarded after the first term must withdraw from the second term of the course and repeat the entire course the next time it is offered. A student who fails the second term of a continuing two-term course in which a final grade is entered after the first term must repeat the second term of the course the next time it is offered with comparable content. The Assistant Dean for Academic Affairs will designate the section of the course the student is to take when repeating a course under these circumstances.

(b) In each of the above cases, completing the course requirements includes attendance in class according to the generally imposed policy of the course faculty

member consistent with Academic Regulation 1.

(c) In each of the above cases, the student's permanent record shall reflect both the original failing grade and the grade subsequently earned.

4.6 Pass/C-/D+/D/F Option

Upper level students (i.e., a student who has completed the first year and is eligible to take elective courses at the law school) may choose to take up to 2 elective courses (for a maximum of up to 8 semester credit hours) on a Pass/C-/D+/D/F (P/C-/D+/D/F) basis. This does not include courses offered only on a pass/fail basis - e.g., externships, Law Review, Journal, short course Trial Advocacy.

(a) A student may only take one course on a P/C-/D+/D/F basis at a time. This does not, however, preclude a student from taking an externship or other course only offered on a pass/fail basis and a P/C-/D+/D/F elective at the same time. No course required for graduation can be taken on a P/C-/D+/D/F basis.

(b) Consequently, the core curriculum (including Constitutional Law), Evidence and Legal Profession cannot be taken on this basis. A student may not exercise this option the first time the student takes a course that satisfies a specific graduation requirement. If a student subsequently takes another course that satisfies the same requirement, that second elective can be taken on the P/C-/D+/D/F basis. A student who takes two courses satisfying the same graduation requirement in the same term (e.g., Administrative Law and Environmental Law, both of which satisfy the administrative law requirement), may elect (if in accord with all parts of this Regulation) which course, if either, the student wishes to take on the P/C-/D+/D/F basis.

(c) Students may not take clinics on a P/C-/D+/D/F basis.

(d) Within two weeks after the College of Law posts a notice that all grades for the term have been received by the College of Law Records Officer, as to courses for which the P/C-/D+/D/F Option is available, a student may elect to either:

1. retain the grade earned, in which case the student need take no action, or

2. exercise the P/C-/D+/D/F Option, as limited by Academic Regulation 4.6(a)-(d) above, by providing written notice of the election to the College of Law Records Officer on a form downloaded from the College of Law's website at <http://www.law.csuohio.edu/academics/forms/index>.

[html](#)

(e) Faculty members will not know who is taking the class on the P/C-/D+/D/F basis. All students shall be required to satisfy all course requirements; faculty members shall submit letter grades for all students in the class. The College of Law Records Officer will submit the appropriate grade based on the letter grade submitted by the faculty member. Upon timely election by the student, a "P" grade will be substituted for the posted letter grade. However, a student must earn a "C" or better in the course to receive a "P." A student earning a "P" in a course will receive credit toward graduation for the course, but the grade of "P" will not be calculated into the student's gpa. A student who receives a C-, D+, D, or F in the course will have that letter grade on their transcript and the grade will be calculated into the gpa.

4.7 Interdisciplinary Courses

Any student who is eligible to register for elective courses may be authorized to elect for credit, in fulfillment of the Juris Doctor degree requirements, up to two courses for not more than a total of eight semester credit hours of graduate level courses of the University. Such prior authorization shall be granted by the Dean whenever it is demonstrated that a course outside the College of Law will add to a student's legal education or aid in his or her future practice, provided that, if there is a question as to the application of the above standards in a particular case, the petition may be referred to an appropriate faculty committee for recommendation. The law student must be officially graded in such course on a graded basis and only courses completed with a grade of C or better will count toward the degree. The grade earned in such course will not be included in calculation of the student's grade point average. Notwithstanding the above, students enrolled in a joint degree program with the Cleveland State University College of Business Administration or with the Maxine Goodman Levin College of Urban Affairs are subject to the course and credit allowances established for the applicable program.

Note: A course taught online or by other means of distance education may be approved if the course is otherwise appropriate for credit at the College of Law. Distance education courses, including such courses taught outside the College of Law, may not exceed the limits of ABA Law School Standard 306, restricting such courses to four credit hours a semester and twelve credit hours total.

4.8 Clinical and Externship Courses

Any student may earn credit in clinical legal

education courses without limitation as to the number of separate clinic or externship courses completed, except that no student may be enrolled in more than one such course in any term. Whenever applications for any clinical legal education course exceed the number of places available for such course, students who have never enrolled for a clinical course shall be given enrollment priority over students who have already completed one or more such course. Likewise, whenever applications for any externship course exceed the number of places available for such course, students who have never enrolled for an externship course shall be given enrollment priority over students who have already completed one or more such course. (See Academic Regulation 4.3 as to the total number of clinical and externship hours permitted)

4.9 Bar Preparation Course

As permitted by the American Bar Association, a student may receive credit toward juris doctor degree requirements for a course offered by the College of Law designed as preparation for a bar examination but no such course may be required for graduation.

5. Dismissal, Post-Dismissal Petitions, and Readmission: Juris Doctor Degree Candidates who began law school in Summer 2002 and thereafter

This Academic Regulation applies to students who enrolled at the law school in Summer 2002 and thereafter. Copies of the former regulations addressing dismissal, probation and readmission for students who began law school prior to Summer 2002, Academic Regulations 5 and 6, can be obtained from the Office of the Dean.

5.1 Dismissal

Any student achieving a cumulative Grade Point Average below 2.00 upon completion of the first Spring semester or any term thereafter, including a Summer term, shall be dismissed.

5.2 Readmission

(a) A student who has been dismissed for academic reasons may apply for readmission through the usual admissions process under the jurisdiction of the Admissions Committee. No application for such readmission shall be considered until at least two years has elapsed since the end of the term at which the student was dismissed.

(b) If the student is readmitted, the student's previous law school record shall be attached to his or

her transcript, but shall be given no other effect.

Note: A student who is dismissed pursuant to Academic Regulation 5.1 will be deregistered from courses in which he or she enrolled in a subsequent term and tuition will be refunded at 100%. Students assume the risk of dismissal and deregistration pursuant to these regulations. If, in such a case, the student has received loan funds for the subsequent term, the student may be liable for the immediate repayment of any loan refund received for living expenses for the term. In addition, a student becomes ineligible for work-study employment as of the effective date of a student's academic dismissal from the College of Law. Students with questions should contact the College of Law Financial Aid office or the Assistant Dean for Academic Affairs.

5.3 Petitions to the Academic Standards Committee — Readmission and Probation

(a) The Academic Standards Committee shall have jurisdiction to hear petitions as to:

1. Reducing the two-year waiting period for application for readmission set forth in Academic Regulation 5.2 to a period of no less than one year. Any reduction approved under this Academic Regulation has no other effect upon the application for readmission.

2. Allowing students who are academically dismissed in accord with Academic Regulation 5.1 to seek a one-semester Probationary period provided that the student's cumulative grade point average is 1.80 or higher (1.75 for students who began law school prior to Summer 2004).

(b) Except for the right to seek a probationary period under Academic Regulation 5.3, the dismissal of any student for failure to achieve the requisite cumulative grade point average is not subject to petition to the Academic Standards Committee.

(c) Petitions seeking relief pursuant to Academic Regulation 5.3(a)(2) shall be granted only upon a showing that

(1) the student experienced substantial hardship caused by extraordinary and unforeseeable circumstances,

(2) the factors that contributed to the student's insufficient academic performance no longer exist, and (3) there is a reasonable likelihood that the student will attain a cumulative grade point average of 2.0 at the end of the Probationary period.

(d) Petitions seeking relief pursuant to Academic Regulation 5.3(a)(1) will be granted only upon a

showing that the factors specified in Academic Regulations 5.3(c)(1) and (2) have been met.

(e) A rebuttable presumption shall exist to the effect that the rules in Academic Regulation 5 apply in all particulars to the petitioning student. The burden is on the petitioning student to show by clear and convincing evidence that the faculty could not have reasonably intended these rules to apply to the petitioning student's circumstances.

(f) Because of the relief available to the student to withdraw from courses under Academic Regulation 3, issues of health, family situation, or employment demands upon the student shall not normally be considered as substantial hardship.

(g) The Academic Standards Committee may not extend relief beyond granting a one semester probationary period to commence with either the Fall or Spring semester.

(h) A student who receives notice of academic dismissal during any term, including a Summer term, in which the student is enrolled for any courses, will be deregistered from those courses in accord with the procedures set forth in the Note to Academic Regulation 5.2 (b). If qualified, the student may petition for a one semester probationary period to commence the following semester, excluding any Summer, pursuant to Academic Regulation 5.3(a)(2).

(i) The right to petition for a probationary semester set forth in Academic Regulation 5.3(a) may be exercised only once. If a student fails to attain a cumulative grade point average of at least 2.0 by the end of the Probationary semester or if the student's cumulative grade point average falls below 2.0 in any subsequent semester, the student shall be dismissed. That dismissal is not subject to petition to the Academic Standards Committee.

5.4 Right of Appeal to the Faculty

Nothing in Academic Regulation 5-5.3 limits the right of a student to appeal to the faculty pursuant to Academic Regulation 9. Pending the outcome of any appeal, the student's dismissal remains in effect.

6. Credit for Work Completed at Other Approved Law Schools

6.1 Transfer Students: Advanced Standing

(a) A candidate for admission as a transfer student with advanced standing must have received a Bachelor of Arts degree from an approved college

before entering the law school from which he or she seeks to transfer. Such law school must usually be a member of the Association of American Law Schools (AALS). However, in some cases transfer students may be accepted from law schools that, while not members of the AALS, are approved by the American Bar Association.

(b) 1. A candidate for admission as a transfer student with advanced standing may be considered for admission only if the candidate is presently eligible to return to the law school in which he or she is enrolled as a student in good standing.

2. Students who have been dismissed from other law schools shall not be admitted as transfer students. In rare and exceptional cases, such students may be considered for admission pursuant to Academic Regulation 6.2.

(c) Any student who has previously attended another law school, whether or not seeking advanced standing, must: (1) obtain certification from the Dean of the former law school that he or she is in good standing and eligible for further instruction except as specified in Academic Regulation 6.1(b)2; (2) submit an official transcript of all work completed at the previous law school; (3) submit a timely Application for Admission with application fee; and (4) submit a complete transcript of his or her undergraduate and prior graduate academic record and LSAT score report through the Law School Data Assembly Service.

(d) Transfer students are eligible for admission to the College of Law normally in the fall term of their second year. Students who decline to attend after being admitted in one year must reapply if they wish to be considered for admission in subsequent years. A candidate for admission as a transfer student need not have completed a full academic year at another institution, but must have received final grades in some courses. Transfer students will receive no credit for incomplete courses or completion of any portion of a continuing course at the school in which they originally enrolled, and may not enroll for any continuing course in the College of Law which course began in any term prior to the student's registration here.

(e) A transfer student must complete at least 60 semester hours in residence at this College of Law to be eligible for the J.D. degree.

(f) Transfer students shall be admitted with advanced standing to the extent that all previous law school credit earned in completed courses with

grades of 2.0 grade point and above (or the equivalent) on the College's Grading Scale will be counted in satisfaction of this College's credit hour requirements. However, such credit will not be included in calculating the student's cumulative grade point average at this College. Decisions will be made by the Dean on an individual basis, subject to student appeal or decanal referral to the Academic Standards Committee, as to the extent to which the completion of particular courses at other law schools with grades of 2.0 or the equivalent or better will be counted in fulfillment of particular course or hour requirements at this College. Previous law school credit earned with grades lower than 2.0 (or its equivalent) will not be counted in satisfaction of either this College's total credit hour requirements or any of its particular course requirements.

6.2 Admission of Students After Dismissal from Other Law Schools

(a) Only in rare and exceptional cases and for compelling reasons may a student who has been dismissed from another law school for academic reasons be considered for admission to this College, and then only with the status of a beginning first-year student. No application for such admission shall be considered until at least two years has elapsed since notice of dismissal from the prior law school.

(b) The applicant must show that the failure to achieve good academic standing at the prior law school was not due to lack of ability and that such difficulties as appear to have been the cause of the unsatisfactory performance have been removed. Supporting documents must include a letter from the Dean of the prior law school, setting forth all pertinent information, his or her opinion as to whether the applicant should be admitted, and under what conditions the applicant could be readmitted to the prior law school.

(c) If admitted, the student's previous law school record shall be attached to his or her transcript, but shall be given no other effect.

6.3 Transient Students

(a) Degree candidates from other approved law schools may be admitted as transient students at the commencement of any term, but will not be permitted to enroll for more than two terms, including a summer term, except under compelling circumstances and with the prior approval of the Admissions Committee and the Dean of the student's own school. All such applicants must be in good academic standing at their own law school and must submit an authorization, in writing, from the Dean of such law school specifying: (1) that the student is in

good academic standing; (2) that the courses are approved for study; and (3) that the applicant will receive credit for all courses successfully completed. In addition, such applicants must complete an application for admission and may be asked to provide transcripts and law school admission test scores.

(b) Transient students are admitted on a space available basis and upon evidence of satisfactory completion of course prerequisites or other evidence of ability to handle course requirements. Admission as a transient student is limited to the particular course(s) and term(s) for which the admission is expressly granted.

(c) A transient student will not be accepted as a Juris Doctor degree candidate except under the most compelling reasons and unless, as of the time the student enrolled here as a transient student, he or she has met all criteria for admission as a transfer student and has completed all courses at this College with a grade of "C" or better.

6.4 Credit for Courses Taken Elsewhere by Currently Enrolled Students

(a) Any student who is eligible to register for elective courses may submit a written request to the Dean seeking permission to elect for credit, in fulfillment of the Juris Doctor degree requirements, not more than 30 credit hours of courses at approved law schools other than the Cleveland-Marshall College of Law. The request must be submitted and considered in advance upon a showing of good cause.

Examples of good cause include: (1) the student or the student's spouse is transferring to another city for employment purposes; (2) the student wants to take a course or courses that are not available at this law school; or (3) the student resides in a community beyond commuting distance from Cleveland during the summer and wants to take a summer term course at a law school in that community.

(b) Credit in satisfaction of the College's credit hour requirements will be given for each such course completed with a grade of 2.0 (on a 4.0 scale) or the equivalent or better. Such credit will not be included in calculating the student's cumulative grade point average at this college of law.

7. Procedures of the Academic Standards Committee

7.1 Procedures to be Observed

The procedures to be substantially observed by the Academic Standards Committee of the College of

Law (or any other Committee thereof which in specific instances may be appointed by the Dean to perform the functions customarily performed by the Academic Standards Committee) shall be as hereinafter are set forth. Minor deviations from these procedures shall not invalidate the actions and decisions of the Committee so long as they do not result in substantial prejudice to any person affected by any such action or decision. The rule of harmless error applies to the Committee's hearings, deliberations and decisions. The Faculty of the College of Law shall determine whether such error has occurred and whether substantial justice has been done.

7.2 Jurisdiction

The jurisdiction of the Academic Standards Committee shall include all matters assigned to the Committee by the Academic Regulations, matters within the authority of the Dean and referred to the Committee by the Dean for adjudication or advice, and all other matters specially referred to the Committee by the faculty.

7.3 Finality of Decision

(a) Except as elsewhere specifically provided by regulations duly adopted by the Faculty and except for the right of persons who deem themselves improperly prejudiced by a ruling to appeal to the full faculty, any determination or adjudication of the Academic Standards Committee shall be final.

(b) A student petitioner who has been advised of a decision of the Academic Standards Committee regarding his or her petition has no right to reconsideration of that decision. Petitions for reconsideration will be heard, in the discretion of the Committee, only where the student petitioner provides relevant new and potentially dispositive information to the Committee that was not available to the student when the original petition was heard.

7.4 Authority to Call Meetings

Meetings of the Academic Standards Committee may be called by the Dean, the Chair of the Committee, or any three other members of the Committee. At least forty-eight hours advance notice of such meeting shall be given to each member and to any person with respect to whom or to whose conduct the Committee shall be competent to adjudicate. Any faculty member affected by a student petition shall be provided with a copy of such petition at least forty-eight hours prior to any meeting in which such petition shall be heard. Any person with respect to whose conduct the Committee is required to make a decision, ruling or adjudication may waive the requirement of notice herein provided.

7.5 Quorum

A quorum of the members of the Committee from time to time appointed by the Dean to serve thereon shall consist of a majority thereof. A lesser number shall have power, by majority vote of those present, to adjourn meetings of the Committee consistent with Academic Regulation 7.13, or, with the consent of any person whose conduct or complaint has been referred to the Committee, to proceed to hear and adjudicate the matter before it.

7.6 Majority Decision Required

Except as provided in Rule 7.5 above all final rulings, decisions and adjudications of the Committee shall be by a majority of the members present.

7.7 Power to Amend or Revoke Rules of Procedure

The Committee by a majority vote of all members present may from time to time make, amend and abolish rules of procedure for its hearings, deliberations and actions which are not inconsistent with these Academic Regulations.

7.8 Chair

The Chair of the Committee shall preside at all meetings thereof; when for any reason the Chair is absent from a meeting, the faculty member thereof senior in rank and length of tenure at this law school who is present at such meeting shall preside.

7.9 In Camera Proceedings and Exceptions

(a) Meetings of the Committee shall be in camera except that there may be present at such meetings: (1) witnesses to any matter or event which the Committee is charged to hear; (2) counsel for any person whose conduct is being heard or adjudicated by the Committee; (3) other persons when requested by any person whose conduct is being heard or adjudicated by the Committee.

(b) All deliberations of the Committee after it has concluded its investigation shall be in camera.

7.10 Testimony Safeguards

Testimony before the Committee may be required to be under oath or upon the professional honor of the person giving evidence as the Committee shall determine in each case.

7.11 Right to Record Testimony

The Committee or any person whose conduct or complaint is being heard by the committee may cause such testimony to be recorded by mechanical means or by a qualified stenotypist or shorthand reporter.

Such person shall be considered within the exceptions set forth in Rule 7.9(a). The transcript of such testimony shall not be made public except upon order of the Dean or the person whose conduct or complaint was the matter being heard by the Committee, or upon the order of a Court. The cost of such taking of testimony and its transcription when required by the person whose complaint or conduct is being heard by the Committee shall be borne by such person or persons.

7.12 Recusal, Peremptory Challenge, and Challenge for Cause

(a) No member of the Committee directly concerned in the matter under consideration by the Committee shall participate in the deliberation or vote except with the consent of the person whose consideration or complaint is the matter under investigation.

(b) Any person(s) whose conduct or complaint is a matter before the Committee may challenge one member of the Committee peremptorily and any member(s) for cause. The Committee (except for the member(s) challenged for cause) shall vote upon such challenge(s) and shall by majority vote allow or disallow said challenge(s). Only one challenge for cause may be considered at any one time. In the event of disqualification of a member for any reason, the hearing may continue if a quorum remains. If a quorum is lacking, the Chair shall report the matter to the Dean for appointment of a replacement or replacements unless a quorum is waived as set forth in Academic Regulation 7.5.

(c) In the event that the conduct of two or more persons shall be the subject of simultaneous consideration by the Committee, each shall be entitled to one peremptory challenge and any number of challenges for cause.

7.13 Adjournment

The Committee by a majority vote of those members present at any meeting may adjourn its hearings or deliberations from time to time and to the extent practicable shall give notice thereof to all persons concerned with the matter before the Committee. No formal notice other than the fact of such adjournment shall be required with respect to any person who was present in the Committee's meeting when such adjournment was announced.

7.14 Notice of Decision

(a) Results of the Committee's rulings, deliberations or decisions shall be disclosed by its Chair to the Dean for promulgation or other appropriate action and shall not be disclosed to any person other than

the Dean until after the Dean has received and acted upon the ruling, decision, or adjudication of the Committee, except that the Chair or a Committee member appointed by the Chair may immediately notify the person or persons involved and shall, within a reasonable period of time, notify the student in writing.

(b) Notwithstanding sub-paragraph (a) of this Academic Regulation, the Assistant Dean for Academic Affairs is authorized to forward copies of the Minutes reflecting Committee decisions to the Petitioner and

1. Appropriate members of the College of Law and University as necessary to effectuate the decision set forth in those Minutes,

2. Any faculty member whose decision was challenged by the Petitioner or who opposed or supported the Petition, and

3. The Chairperson of the Academic Standards Committee.

8. Waiver of Academic Regulations

8.1 Prohibition

Individual members of the faculty may not waive any of these regulations.

8.2 Exception

Except for regulations with respect to the timeliness of the filing of a petition for relief and regulations specifically permitted by their terms to be waived, the Academic Standards Committee shall not waive any of these regulations.

9. Appeals to the Faculty

9.1 General Provisions

(a) Appeals from decisions of a faculty committee will be considered by the faculty only upon affirmative vote by a two-thirds majority of the faculty voting on whether to hear any such appeal.

(b) Appeals to the Faculty from decisions of a faculty committee, in cases subject to such appeal, shall not involve de novo consideration of the petition in question, but shall be limited to the question of whether there was reasonable basis for the Committee decision being appealed. Such appeals will be considered by the faculty primarily on the basis of a written appeal coupled with the report and recommendation of the Committee.

(c) In matters involving dismissal, readmission, or grade disputes, the student petitioner may be permitted, in the discretion of the faculty as

determined by a majority vote of those present and voting, to appear in person and with or without counsel before the full faculty to present his or her case as to either the finding, decision or penalty involved. In all other cases the petitioner may be permitted to appear in person to make a brief oral statement and answer questions. If the student petitioner appears before the faculty, members of the faculty have the right to examine him or her on the subject matter of the appeal.

(d) All such appeals to the faculty shall be instituted by the filing of a written notice of appeal addressed to the faculty. Such written petition shall be filed with the Dean. Such notice must be filed within thirty (30) days of the mailing of the decision of the Committee or such other communication of the decision as is appropriate.

9.2 Grade Disputes

The decision of the full faculty shall be limited to the following:

(a) To affirm the decision of the Academic Standards Committee; or

(b) If the full faculty decides that the recommendation of the Academic Standards Committee was unreasonable, to let the disputed grade stand, or replace it with a "P" or "W" grade.

10. Notice and Amendment of Academic Regulations

10.1 Notice

All students are required and assumed to know the contents of all notices and bulletins posted by the College of Law. All students are required and assumed to know the contents of the current Academic Regulations applicable to them based on the date they enrolled in the College of Law, the current Academic Regulations, and the Cleveland-Marshall College of Law Student Handbook.

10.2 Amendment

The foregoing academic regulations are subject to change at any time upon the posting of notice thereof or upon the subsequent revision and reissue of the Academic Regulations and the Handbook. The foregoing are the Academic Regulations of the Cleveland-Marshall College of Law in force and effect at the beginning of the 2009-2010 academic year. These regulations are presumed to apply to all students enrolled in the College of Law, but any student who first enrolled before Summer 2009 and can show that substantial hardship is imposed by an application of these regulations may petition the Academic Standards Committee for relief as

provided for in the Academic Regulations in effect at the time they commenced their law studies or anytime thereafter. All students are required and

assumed to know the contents of the current Academic Regulations and College of Law Student Handbook.