

§4 FOWLER SCHOOL OF LAW POLICIES

§4.1 ACADEMIC POLICIES & PROCEDURES

§4.1.1 PREAMBLE

The following Academic Policies and Procedures, as adopted by the faculty of the Chapman University Dale E. Fowler School of Law, are intended to be in accordance with our present understanding of the Standards for Approval of Law Schools and Interpretations of the American Bar Association (ABA). In the process of development of the Law School, it may be necessary to adapt these policies and procedures to comply with these ABA Standards. *NOTE: For purposes of these Academic Policies and Procedures, the term “semester” excludes both Summer and Interterm Sessions.*

§4.1.1A SUBMISSION OF UNDERGRADUATE TRANSCRIPTS

All deposited students must submit their undergraduate transcripts indicating degree conferral to the Office of Admission by August 1. Absent a determination by the Associate Dean of Academic Affairs that an extension is warranted due to extraordinary circumstances, any student who has not submitted an undergraduate transcript indicating degree conferral by October 15 will be administratively withdrawn from the J.D. program on October 16. Extensions will only be granted in which extraordinary circumstances –through no fault of the student- - may make it impossible for the student to meet the October 15 deadline.

§4.1.2 GRADUATION REQUIREMENTS

A. Chapman University Fowler School of Law confers the degree of Juris Doctor (J.D.) upon its qualified graduates. A student shall be a qualified graduate upon satisfying the following requirements:

1. The successful completion of 88 semester hours of course work, including all required courses. In compliance with ABA Standard 310, a “credit hour” or “semester hour” or “credit” is an amount of work that reasonably approximates:
 - a. Not less than 50 minutes of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks (including one week for a final examination), or the equivalent amount of work over a different amount of time; or
 - b. At least an equivalent amount of work as required in subparagraph a for other academic activities, including simulations, externships, field placements, clinical and other academic work for which units of credit are awarded.

2. Credit for courses will only be awarded where a student receives a grade of 0.7 or above in the course;
3. The maintenance of a cumulative grade point average of at least 2.0; and
4. The completion of six semesters in residence (or the equivalent) if a full-time student or eight semesters in residence (or the equivalent) if a part-time student.

B. Of the 88 credits needed for graduation, of which a number are satisfied by required courses, no more than 16 credits may be acquired through externships, non-law graduate level courses or co-curricular activities, see §4.1.14. The list of required courses is subject to change by the law school faculty when reviewing and revising the law school curriculum. Note: the required courses a student must take in order to graduate is dependent, at least in part, on the student's cumulative grade point average at the end of the student's first year and/or the student's class rank at the beginning of the student's final full year of law school. Based on these factors, the minimum number of credit hours in required courses may increase significantly depending upon the student's performance in law school. In addition, the number of ungraded credits may drop from 16 credits to 7 credits depending on the student's cumulative grade point average at the end of the student's first year.

1. **First-Year Curriculum:** Required courses include the first-year full time curriculum: Contracts I & II, Torts I & II, Civil Procedure I & II, Civil Procedure Lab, Property, Legal Analysis Writing and Research I & II, and Criminal Law. Part time students take all of these courses except Criminal Law and Contracts I & II.
2. **Upper Level Curriculum:** Upper-level required courses include Federal Income Taxation (which must be taken in a student's second year of law school); Corporations or Business Associations; Constitutional Law, Evidence, Professional Responsibility, and Practice Foundations Transactions. Students who took a full time first year course of study must take Practice Foundations-Transactions in their second year, and those who were part time students during their first year must take this course during their third year of legal study.

Students must complete two (2) Practical (Practice-Oriented) Writing requirements.

Students entering in Fall 2016 or thereafter must take at least two credits from a list of prescribed experiential courses that include but are not limited to Trial Practice, Client Interviewing & Counseling, Negotiations, Mediation, Arbitration, Clinics, Law and Motion, and Pre-Trial Civil Practice. These courses are marked as "experiential" courses, as defined by ABA Standard 303(a)(3), in the registration materials.

Students entering prior to Fall 2016 must take at least one course from a list of prescribed skills courses that include but are not limited to Trial Practice, Client Counseling, Negotiations, Mediation, Externships, Clinics, and Pre-Trial Civil Practice. These courses are marked as “lawyering skills” courses in the registration materials.

Required courses for students that have a cumulative GPA below 2.6 at the end of their first year of law school (either full or part time study) and transfer students designated by the Associate Dean for Academic Affairs also include: Criminal Procedure/Police Practices, Remedies, and Wills & Trusts. In addition, students must take Legal Writing Skills as a condition of graduation if they received a grade of 1.9 or below in Legal Analysis Writing and Research I or II (previously Legal Research and Writing), if their LRW professor for either of these courses recommends that the student take Legal Writing Skills, or if they are a transfer student and are required to do so by the Associate Dean for Academic Affairs.

Students with a GPA below 2.6 at the end of their first year of law school may not earn credits for graduation through Directed Research.

3. **The following requirements for graduation are not subject to variance or waiver unless otherwise provided in the academic rules:**
 - a. Required number of hours.
 - b. The requisite grade point average.
 - c. Required courses.
 - d. Residency credit.
 - e. Writing requirements.

In exceptional circumstances, a variance to the rules for additional upper level required courses may be granted, upon petition and at the discretion of the Associate Dean for Academic Affairs in consultation with faculty members when appropriate.

4. **Non-graded credits:** For students with a cumulative GPA of 2.6 or above at the end of their first year of law school (full or part time study), no more than 16 of the credits needed for graduation may be acquired through ungraded courses such as externships, non-law graduate level courses or co-curricular activities, §4.1.14. For students with a cumulative GPA below 2.6 at the end of their first year of law school (full or part time study), no more than seven (7) credits may be acquired through ungraded courses such as externships, non-law graduate level courses or co-curricular activities, §4.1.14.

Additional Graduation Requirements: All students entering their final year of law study ranked in the bottom 25% of their class **MUST** take Selected Topics in American

Law in the fall semester and Advanced Selected Topics in American law in the spring semester.

- 5. Residency Credits:** To graduate, a student must receive at least six residence credits. No more than one residence credit may be earned in a single semester.
- a. In a given semester during the regular academic year, to receive one residence credit, a student must receive credit for at least 12 credit hours of course work. Part-time students must be enrolled in a minimum of 8 credit hours of course work throughout a Fall or Spring semester and must satisfactorily complete and receive credit for at least 5 of those credit hours in order to earn fractional residence credit in a given semester. A student who in a given fall or spring semester is not enrolled throughout the semester in at least 8 credit hours of course work will receive no fractional residence credit for that semester. If a student in a given semester is enrolled throughout the semester in at least 8 credit hours of course work and receives credit for at least 5 credit hours of course work but less than 12 credit hours of course work, the student will receive fractional residence credit only in the ratio that the credit hours earned bear to the minimum of 12 credit hours required for a full residence credit.
 - b. To receive fractional residence credit in a given summer term, a student must receive credit for at least 3 credit hours of course work during the summer session. A maximum of one-half (0.5) residence credit may be earned for course work completed during a given summer session. Subject to the limitation that no more than one-half of a residence credit may be earned for study during a summer session, a student who receives at least 3 credit hours of course work will receive residence credit in the ratio that the credit hours earned bear to the minimum of 12 credit hours required for a full residence credit in a semester during the regular academic year.
 - c. For summer study abroad programs, the rules regarding residence credit for study during a summer session will apply.

6. Professional Development Graduation Requirement:

- a. The goal of Professional Development training is to provide students with exposure to the perspectives of successful practitioners and the core competencies now being required of lawyers, as well as the variety of practice settings in which students can explore career options. In addition, student training will also address professional conduct during law school in preparation of your transition into practice and includes training in job search skills and career planning that allows students to practice the concepts they are learning as they interact with their professors, practitioners, career counselors, and prospective employers.

Students must complete five (5) sessions of Professional Development training to be eligible to graduate from Chapman University Dale E. Fowler School of Law, and they are strongly recommended to meet with a career counselor at

least once a year to (1) clarify their career goals, (2) develop an action plan to meet their professional career goals; and (3) ensure that they are on track to complete all of their Professional Development sessions to meet the graduation requirement:

- i. The Career Services Office (“CSO”) administers the Professional Development Graduation Requirement.
 - ii. The five (5) required sessions will be satisfied by mandatory trainings in the first year.
 - iii. Students who do not comply with the above requirements by the end of the applicable academic year may be required to complete additional Professional Development sessions beyond what are otherwise required above at the sole discretion of the Associate Dean for Academic Affairs.
- b. Programs and events that qualify as a Professional Development session will appear on the CSO’s Calendar of Events.
- c. Tracking Professional Development Sessions
- i. Every program or event held on campus for which Professional Development sessions are offered will be overseen by a CSO representative who will maintain an attendance record for that event.
 - ii. Because the Professional Development events are a graduation requirement, they are events for which attendance counts. As a result, it is an Honor Code offense to misrepresent one’s own or another’s attendance or absence from such an event. This would include signing in for an event and leaving before the event’s conclusion. To receive credit for participation in a Professional Development event, students must arrive on time, sign-in, and stay for the entire presentation. If a student leaves a Professional Development event early or arrives late, they will receive no credit.
 - iii. To assist students in tracking their sessions, the CSO has created a Professional Development Personal Log form that is available at <http://www.chapman.edu/law/careers>. As an attorney, students will also need to track and record their attendance at MCLE programs and report attendance to their state bar to maintain their license. Similarly, students will need to track their attendance at Professional Development programs throughout their time in law school.

C. Compliance with ABA Standard 310

For the ABA Standard 310 Compliance Policy of the Fowler School of Law, see Section 7.7 of the Student Handbook.

D. THE WRITING REQUIREMENT

General Requirements: Prior to graduation, all students must satisfactorily complete two practice-oriented writing courses as defined below. Ordinarily, students should satisfactorily complete one writing project in each of their second and third years of law school.

The Practice-Oriented Writing Requirement:

Students may satisfy the practice-oriented writing requirement by the production of one or more documents that require students to engage in the kind of legal writing that lawyers undertake in the practice of law. The writing assignments must be designed to develop the students' practical legal writing skills, and must be of the scope and complexity ordinarily suitable as a writing sample appropriate for submission to a potential employer. Practice-oriented writings include both litigation-type documents and transactional documents. Examples of documents that likely would qualify as a practice-oriented writing (because of the amount of writing and independent analysis involved) include, but are not limited to, legal memoranda, motions, briefs, opinion letters, settlement agreements, and discovery documents that require more than standard questions (such as deposition outlines, requests for admissions tailored to client facts, etcetera). Examples of documents that likely would *not* qualify as a practice-oriented writing, without approval from the Associate Dean for Academic Affairs, include standard or template discovery documents and standard lease forms or contracts that involve no more than cutting and pasting. Satisfaction of the practice-oriented writing requirement must involve a close working relationship between the student and the supervising faculty member.

How Satisfied: The practice-oriented writing requirement may be satisfied by student production of any of the following:

- a. Substantial additional research or revision of a document or documents in connection with an upper-level course, clinical program or seminar (as designated each semester by a full- or part-time faculty member, and with the approval of the Associate Dean for Academic Affairs);
- b. A writing originally undertaken as part of an externship or moot court or similar interscholastic competition if a full-time faculty member agrees to supervise its revision.

Beginning Fall 2015, students may not take Practice Foundations-Transactions to fulfill either of the required practice-oriented writings.

Regarding item a, the burden is placed upon the faculty member to establish to the Associate Dean for Academic Affairs, prior to the beginning of Registration for the upcoming semester in which the course will be offered, that the document production required in the course, clinical program or seminar satisfies the general requirements for practice-oriented writing, as described above. In meeting this burden, the faculty member need only submit the course syllabus to the Associate Dean for Academic Affairs clearly indicating the document or documents to be produced. Continuing approval under this requirement is available for recurring courses. It is possible that a course could be approved to satisfy both the practice-oriented writing and the lawyering skills requirements, but a single course may *not* be used by a student to satisfy both requirements.

In general, no practice-oriented writing project consisting of less than 20 pages will satisfy the practice-oriented writing requirement. However, in special circumstances (typically involving the amount of time and effort expended on the project) a faculty supervisor may, in his or her discretion, seek approval of the Associate Dean for Academic Affairs to reduce the minimum number of required pages, provided that no paper(s) shall be less than 15 pages. If a student submits more than one practice-oriented document to satisfy an upper-level writing requirement, then the documents, considered together, must meet the 20-page minimum (or the minimum approved by the Associate Dean, in the event the supervising faculty member seeks a reduction in the minimum number of pages).

Particular Requirements re: Revision of Writing Originally Undertaken for an Externship or Interscholastic Competition: Student proposals for satisfying the practice-oriented writing requirement through revision of a writing originally undertaken in connection with an externship or interscholastic competition must include a detailed topic description and an estimate of the time requirement for completion of the project. The supervising faculty member will require an outline and a draft in addition to the final paper. The supervising faculty member and student will meet on a regular basis to discuss the progress of the paper. The supervising faculty member must ensure that the writing involves substantial original research and advocacy.

All revised externship and competition writing will be graded. The supervising faculty member will notify the student in advance of all requirements for the project and shall determine the number of credits to be awarded for satisfactory completion of the project (ordinarily one credit will be awarded).

Students will receive credit for a practice-oriented writing paper for student satisfaction of the practice-oriented writing requirement in a course that is designated to meet this requirement as approved by the Associate Dean for Academic Affairs.

Particular Requirements re: Completion of a Practice-Oriented Writing Requirement in Connection with a Course, Clinical Program or Seminar: Each faculty member supervising a student's practice-oriented writing in connection with a course, clinical program or seminar shall provide a list of all students in the upper-level

course, clinical program or seminar who have met the requirements of the practice-oriented writing, and shall certify the accuracy of the list. In addition, the registration materials provided to students in advance of registration will indicate whether a course, clinical program, or seminar satisfies the practice oriented writing requirement, in view of the fact that a course or seminar taught by one professor may satisfy the requirement, while the same course or seminar taught by a different professor may not.

Certifications in General: All certifications must be submitted to the Registrar when the faculty member's grades are due at the end of each semester.

E. Directed Research

Students must obtain advance approval from the Associate Dean for Academic Affairs to earn academic credit for Directed Research. Student proposals for Directed Research must include a detailed topic description and an estimate of the time requirement for completion of the project. The supervising full-time faculty member will require an outline and a draft in addition to the final paper. The supervising faculty member and student will meet on a regular basis to discuss the progress of the paper.

Student members of the Law Review *must* undertake Directed Research in the spring semester of their second year of law study.

Any student whose cumulative grade point average at the conclusion of the first year of law school (either full or part time) is below 2.6 may not participate in Directed Research.

No faculty member may supervise more than two Directed Research projects in one semester without the prior approval of the Associate Dean for Academic Affairs. All Directed Research projects will be graded. The supervising faculty member will notify the student in advance of all requirements for the project.

F. Requirements for the J.D. degree, as well as the courses offered, may be changed by the faculty at any time.

G. Students are required to complete their law school studies within 84 months.

H. Honors at Graduation:

The criteria for graduating with honors is as follows:

Summa Cum Laude Top 1% of the graduating class

Magna Cum Laude Top 5% of the graduating class

Cum Laude Top 15% of the class

Please note that class rank percentages are not rounded to the nearest percent. Therefore, a class rank of 15.4% is top 16%.

§4.1.3 REGISTRATION FOR COURSES

- i. 1. Full-time students complete the requirements for the J.D. degree in three (3) years. Full-time status is based on enrollment in 12 – 16 credits in a semester. Students complete a designated first year course of study and generally complete 14 to 16 credits each semester on average thereafter. Students who wish to transfer from full time to the part time program must submit a petition the Assistant Dean for Student Affairs. The petition is subject to approval of the Associate Dean for Academic Affairs. Part-time students complete a designated first year course of study and generally complete 8 to 11 credits per semester thereafter. Part-time students complete the requirements for the J.D. degree in no less than four (4) years. However, in most cases, it is expected that part-time students will meet the requirements for graduation after attending nine or more semesters. Absent approval of the Associate Dean for Academic Affairs, part time students must complete their course of studies within six years. Students who wish to transfer from part time to the full time program must submit a petition the Assistant Dean for Student Affairs. The petition is subject to approval of the Associate Dean for Academic Affairs. When considering such a petition, the Associate Dean will evaluate several factors including, but not limited to, the student’s academic performance in his or her first year of law school and the student’s work and co-curricular activities.
2. Procedures and scheduled times for registration must be followed in all cases, including Directed Research, Co-Curricular, and Non-Numeric Graded Courses, such as Externships, Skills Competitions, Law Review or Diversity and Social Justice Forum. Registration is not complete until all charges are paid or arrangements for payment have been made in the Business Office. No academic credit shall be given for courses for which students have not properly registered.
3. The faculty has enacted a strict policy concerning competition credits. Registration for any type of competition must be completed within the first 30 calendar days of the academic semester in which the student will be competing, but prior to the competition. Students are not allowed to register retroactively for a competition in which they competed in an earlier semester. However, in unusual circumstances, and with the approval of the Associate Dean for Academic Affairs and the Faculty Advisor, a student may be allowed to register for a competition after the first 30 calendar days of the academic semester in which the student will be competing. In no event shall students be entitled to receive credit for intra-mural competitions. Nothing in this policy changes the rule prohibiting a student from enrolling in an overload without the permission of the Associate Dean for Academic Affairs and without paying additional tuition.

- ii. All first-year students, both full and part time, are registered in course sections by the Registrar's Office. First year students may not add or drop classes except that a first-year, full-time student may drop to first-year, part-time status with approval from the Associate Dean for Academic Affairs. All first-year, part time students shall pursue the same course of studies. A first-year student changing status from full time to part time, or vice versa, shall be subject to the rules otherwise applicable to the change of sections.
- iii. Regular and punctual class attendance is necessary to satisfy residency and class hour requirements.
- iv. Full time students may not register for more than 16 credit hours per semester without permission of the Associate Dean for Academic Affairs and no student may take more than 17 credit hours in a given semester. Students will be charged an additional per credit tuition fee for the credit hour taken in excess of 16 credits. The maximum credit limit applies to all students including those in joint degree JD/MBA and JD/MFA programs. Part-time students may not register for more than 11 credit hours per semester without first receiving written permission from the Associate Dean for Academic Affairs. Part-time students also may not register for less than eight credit hours per semester without first receiving written permission from the Associate Dean for Academic Affairs.
- v. To receive credit for a course, the student must matriculate in the course, and successfully complete it with a grade of 0.7 or higher. Contracts I, Civil Procedure I, Legal Analysis Writing and Research I, and Torts I are prerequisites for Contracts II, Civil Procedure II, Legal Analysis Writing and Research II, and Torts II, respectively.
- vi. Changes between course section/first year tracks: Students who wish to change sections of the same course may do so only upon written application to the Associate Dean for Academic Affairs and with the approval of the Associate Dean for Academic Affairs and the professors of the two sections.
- vii. Chapman University alumni and current law students will be able to audit courses at the School of Law at no charge based on the following terms and conditions:
 - 1. Alumni must be attorneys. This is not limited to attorneys who earned their law degree from Chapman Law School.
 - 2. Alumni must choose from a select pre-approved list of courses that are determined by the Fowler School of Law to be feasible for audit and dependent upon space availability.
 - 3. Members of the law faculty have the prerogative to turn down a request for an auditor to take their class.
 - 4. A maximum of 2 (two) persons may audit a course at any time and based on space availability.
 - 5. The University will waive the audit fee for current law students attending the law school and as long as the number of credits is within the allowable

enrollment caps. For example, a maximum of 16 credits for full time students and a maximum of 11 credits for part time students for enrolled and audit credits combined.

Non Chapman University students may audit courses as long as they are currently enrolled law students in good academic standing at ABA approved schools, or California State approved schools, or a current member of a State Bar. Tuition will be charged on a per credit basis.

viii. General rules applicable to all transfer of credit scenarios are:

1. No more than forty-two (42) academic credits shall be accepted for transfer during the student's career at the Law School.
2. All courses required for graduation must be successfully completed at the Law School, except for comparable courses successfully completed by transfer students at their previous institution and approved for transfer credit by the Associate Dean for Academic Affairs.
3. All course work must either be taken at an ABA-approved law school or in an ABA-approved program.
4. The Associate Dean for Academic Affairs has the discretion to approve or disapprove the transfer of credit in those instances where the grade for a course is 2.2 or below or the equivalent. The law school will not transfer credit if the grade received in the course(s) completed at the other law school is below 2.0 or its equivalent.
5. All grades for which credit is transferred will be reported as "pass" for the purpose of computing academic averages of the student at the Law School.

I. All requests for summer or interterm transfer credit must satisfy the following standards:

1. No more than six (6) credit hours will be transferred.
2. The inability of the student to take the courses at Chapman because they are not offered by the Law School.
3. The residency requirements for graduation remain in effect.
4. The student's cumulative grade point average is 2.0 or higher.
5. The student may not currently be the subject of academic suspension.
6. The student receives pre-approval by the Associate Dean for Academic Affairs.
7. All requests for transfer credit shall include the course descriptions for the courses.
8. All grades for which credit is transferred will be reported as "pass" on the Chapman Law transcript and for the purpose of computing academic averages of the student at the Law School. The only exception is for courses transferred from programs co-sponsored by Chapman Law or programs otherwise specifically approved by the Chancellor of Chapman University in

which case which the actual grades earned in the program are posted on the Chapman Law transcript.

9. Approved transfer courses must be taken for a letter or numeric grade and students may not elect to take the courses for Pass/No Pass credit.
- J.** The Associate Dean for Academic Affairs may approve the petition of a student requesting visiting student privileges if the visit would serve the best interests of both the student and the Law School, if the petitioner’s cumulative grade point average at the Law School is 2.0 or higher; the petitioner is otherwise in good standing; and if either:
1. The petitioner has a special interest in taking a concentration of courses in a defined subject matter, and the Law School will not be able to offer that concentration of courses during the petitioner’s period of attendance at the Law School; or
 2. The petitioner shows that hardship will result if visiting status is not granted. “Hardship” will normally consist of compelling medical or employment circumstances in the petitioner’s family.

In all circumstances, the petitioner must receive pre-approval of the courses to be taken at the other law school, and provide descriptions of the courses. Proportionate residency credit will be granted to students on visiting status. When students seek visiting status at a foreign law school, no more than two (2) students may receive visiting status to contemporaneously study at the same school.

§4.1.4 GRADES AND GRADING STANDARDS

A. The law school will evaluate student using a numeric grading system. The numeric grades and their corresponding letter grade equivalents are shown on the following table:

	Numeric Grade	Letter Grade Equivalent
Superior/Excellent	4.0	A
	3.9 3.8 3.7	A-
Good/Better Than Average	3.6 3.5 3.4 3.3	B+
	3.2 3.1 3.0	B

	2.9 2.8 2.7	B-
Average	2.6 2.5 2.4 2.3	C+
	2.2 2.1 2.0	C
	1.9 1.8 1.7	C-
Unsatisfactory/Minimum Passing	1.6 1.5 1.4 1.3	D+
	1.2 1.1 1.0	D
	0.9 0.8 0.7	D-
Failing	0.0	F
Failure to Withdraw	0.0	FW

Note: 0.1 through 0.6 are not used.

B. PREAMBLE TO THE GRADING STANDARDS

It is the sense of the faculty of Chapman University Fowler School of Law that every faculty member should be guided by responsibility and professionalism when assigning grades in any law school course. Responsibility and professionalism include, among other factors, the basic premise that a faculty member should not give students false hope by assigning favorable grades to students who demonstrate little chance of success on the state bar examination or in the practice of law.

Faculty members must not be reluctant to assign failing grades (0.0 or F) to a student in any course where the performance of the student demonstrates either the inability to grasp basic concepts of the course or an inability to apply basic analytical reasoning skills in a course examination or other performance measure of a student's course work. Every faculty member has an ethical obligation to adhere to the grading standards adopted by the faculty. Faculty teaching different sections of

the same course in a semester should confer with each other to make every effort to have consistency in grading for the course.

C. MAXIMUM MEDIAN JD GRADING STANDARDS

A faculty member shall not assign grades in a course with a median average in excess of the following standards, except as otherwise provided in the “Application of Standards in Special Circumstances.” Faculty members may and are encouraged to assign grades below the maximum median when appropriate in any course.

All required courses taken by full-time students in the first year are subject to a 2.8 maximum median, subject to the following mandatory and appropriate grade distribution:

<u>Grades</u>	<u>Required Range of Grades</u>
3.7 – 4.0	0 – 15%
0.0 – 1.9	At least 10%

For all other courses, the mandatory maximum median grade is 3.0; exam courses with twenty (20) or more students require a cumulative 20% of grades to be a 2.4 or lower and 10% to be a 2.2 or lower.

- D. To ensure compliance with these grading standards, and to screen for substantial deviation from the appropriate distribution of grades, all grades shall be submitted on the Faculty Center Portal on my.chapman.edu and reviewed by the Law Registrar for compliance prior to release. The Registrar shall notify the faculty member when the grades submitted violate the standards, or substantially deviate from the appropriate distribution curve. Any decision to change a professor’s grades in order to comply with the standards shall be made upon recommendation of the Associate Dean for Academic Affairs.
- E. A professor shall not change any student’s grade after the course grade sheet has been submitted to the Registrar or the Associate Dean for Academic Affairs, except for documented mathematical errors or to comply with these grading standards.
- F. A student who withdraws from a class without complying with the requirements for withdrawal shall be assigned a grade of “FW,” which counts as a 0.0 in the cumulative grade point average.
- G. A student who receives a 0.0 (“F” or “FW”) in any first-year course or in any required upper-class course must enroll in the course in the first subsequent semester in which that course is offered. The 0.0 shall be counted in the cumulative grade point average.
- H. A professor may take into account the quality of a student’s class participation in determining the course grade, provided this policy is described in writing in the syllabus and/or clearly announced to students no later than the second class meeting

and then confirmed in writing. For the purpose of this provision, the term “class participation” does not include mandatory, ungraded assignments.

- I. High Pass/ Pass/ and No Pass grades shall be assigned in only those courses that have been specifically designated by the faculty as non-numeric graded courses. “High Pass” shall be assigned when the student’s performance is equivalent to a numeric grade of 3.7 or higher. “Pass” shall be assigned for a 1.7 to 3.6 numeric grade equivalent performance. “No Pass” shall be assigned for a 1.6 or lower numeric grade equivalent performance. Course credit shall be given for “High Pass” and “Pass” grades, but no numeric equivalent shall be assigned and the grade shall not count in the cumulative grade point average. No course credit shall be given for a “No Pass” grade, and the grade shall count as a 0.0 for purposes of the cumulative grade point average.

J. APPLICATION OF STANDARDS IN SPECIAL CIRCUMSTANCES

Because of the difficulty of applying grading standards in a uniform manner in every law school course, the faculty and the Associate Dean for Academic Affairs should be guided by the preamble and common sense when applying the grading standards. Faculty members shall confer with the Associate Dean for Academic Affairs when seeking a variance from the grading standards under any of the special circumstances listed in this Section J. Any professor who seeks a variance from the grading standards must submit to the Associate Dean for Academic Affairs a written statement justifying the variance and a copy of the complete set of proposed grades for that course. The Associate Dean for Academic Affairs shall review the proposed set of grades for that course and shall not approve the requested variance unless (a) the variance is justified and (b) the proposed grades otherwise comply with the requirements and principles of these grading standards, including an appropriate distribution of grades. The following are examples of application of the grading standards in special circumstances:

1. For exam courses beyond the first year, which are not subject to a mandatory grade distribution curve, there should not be a substantial deviation from the appropriate distribution curve in courses with a statistically significant number of students. Thus, it is inappropriate to assign a predominance of 2.0 and 2.3 (C/C+) grades in a course. Normally it is just as inappropriate to assign all 4.0 (A) grades in a course as it is to assign all 0.0 (F) grades.
2. It is possible that a particular course has a predominance of higher caliber students due to the nature of the course material and other factors. Thus, deviation from the maximum median for a course may be appropriate where the Registrar confirms that the law school cumulative grade point average of the students in the class are relatively higher compared to the maximum required median for the course.
3. Courses with very few students present special problems in applying maximum medians or a bell-shaped curve. For example, it may be especially appropriate to

relax the grading standards, if all the students in a small class have substantially comparable law school cumulative grade point averages.

4. For elective courses taught as a mastery class by full time faculty, it may be appropriate to deviate somewhat from the mandatory median. Mastery classes are those classes in which:
 - a) Students have significant opportunity to work with a faculty member on an individual basis;
 - b) Students receive regular feedback from the faculty member; and
 - c) Students have the opportunity to incorporate that feedback into their work product.

K. LL.M. GRADING STANDARDS

(1) For J.D. required courses and bar-tested courses [*all 1L courses, and other courses including Corporations; Constitutional Law I & II; Evidence; Professional Responsibility; California Civil Procedure; California Evidence; Community Property; Criminal Procedure/Police Practices; Legal Analysis Workshop; Remedies; Selected Topics in American Law; Wills & Trusts*], LL.M. students shall be subject to the grading curve and standards applicable to J.D. students. (LL.M. student scores are not to be included in setting the curve for a course, but they are graded against the curve set by the JD students.) LL.M. students may elect, however, to take an unlimited number of such courses pass/fail.

(2) LL.M. students in all other courses shall receive letter grades and shall not be subject to any maximum median or required grade distribution. LL.M. grades are not to be included in calculating the curve for JD students. For purposes of calculating cumulative GPA, A = 4.0; A- = 3.7; B+ = 3.3; B = 3.0; etc.

L. CALI (CENTER FOR COMPUTER ASSISTED LEGAL INSTRUCTION) EXCELLENCE FOR THE FUTURE AWARDS

A CALI Excellence for the Future Award generally is given to the highest scoring student in each law school class. However, in some instances, a member of the faculty may determine that a CALI award is inappropriate based on an evaluation of the performance of the students in the course in which case no student in the course will receive a CALI award. CALI awards will not be given to any student other than the student earning the highest grade in the course. It is possible for more than one student to earn a CALI award in the same course if there is a tie for the highest grade. However, it is the professor's prerogative to designate only one of the students to receive the CALI award.

LL.M. students are not eligible for CALI awards.

M. INCOMPLETE GRADE FOR CERTAIN COURSES

1. A faculty member may assign an Incomplete “I” grade in a Directed Research, externship, or clinical education course, with the approval of the Associate Dean for Academic Affairs. Such approval shall be granted when the student is not able to complete the course work by the end of the semester due to circumstances beyond the student’s control, such as a change in the law or carryover of case work beyond the semester.
 - a) Make-up work must be completed at the time prescribed by the faculty member in consultation with the Associate Dean for Academic Affairs, but this time shall be no later than the end of the subsequent semester.
 - b) The Incomplete “I” will be replaced with an earned grade only by the assigning faculty member after the work has been completed. A student cannot enroll in the same course taught by a different faculty member in order to remove the Incomplete “I.”
 - c) If the make-up work is not completed on time, the Incomplete “I” shall be converted to a “0.0.”
 - d) An “Incomplete” shall not count in grade point averages for purposes of class standing, academic probation or dismissal.

2. A student who cannot take an exam at the scheduled time must:
 - a) Obtain permission for a delay of the exam under §4.1.9.F;
 - b) Drop the course under §4.1.5; or
 - c) Take a leave of absence under §4.1.7.B.

These options may be exercised subject to the discretion of the Associate Dean for Academic Affairs.

§4.1.5 WITHDRAWALS FROM A COURSE

A. J.D., LL.M., AND JOINT DEGREE STUDENTS

1. WITHDRAWALS PRIOR TO THE END OF THE EIGHTH WEEK

- a) Unless prohibited in the next section, a student may drop a course at any time prior to the close of business on the eighth Friday of the semester. The student must, however, obtain the faculty member’s approval after the third Friday of the semester. A student must submit a timely and properly completed Registration Change form to the registrar. A grade of “W” will be assigned and appear on the student’s transcript. The “W” will not have any effect on the student’s grade point average. The law school’s “Tuition Adjustment Policy” shall apply.
- b) No student is permitted to drop “restricted withdrawal courses” subsequent to the second class of the semester. A “restricted withdrawal course” is a course that the instructor, with the approval of the Associate Dean for Academic

Affairs, either designates as such in the registration materials or gives written notice at least one week before the start of classes.

2. WITHDRAWALS AFTER THE EIGHTH WEEK

After the eighth Friday of the semester, a student may request to withdraw from a course or courses only for good cause shown.

- a) "Good cause" shall be limited to well documented, serious medical problems of the student or an immediate family member or death of an immediate family member.
- b) A request to withdraw must be in writing, with all supporting documents, delivered to the Associate Dean for Academic Affairs prior to the start of the scheduled final examination for the course or courses.
- c) The request must be approved by both the Associate Dean for Academic Affairs and the faculty member of each course.
- d) If approved, a grade of "W" will be assigned and appear on the student's transcript. The "W" will not have any effect on the student's grade point average. The law school's "Tuition Adjustment Policy" shall apply.
- e) For course grade distribution purposes, the "W" shall normally not be counted.

The faculty member and Associate Dean for Academic Affairs may, however, agree to count the "W" as a zero ("0") solely for grade distribution purposes.

3. A grade of "FW" will be assigned: (1) to any student who fails to properly and timely withdraw from a course by the eighth Friday of the semester; and (2) to any student who has been absent for more than 20% of the total scheduled classes for a course (or more than 40% of the total scheduled classes for an LL.M. student) without having received permission to withdraw, except as otherwise provided in §4.18. A "FW" shall appear on the student's transcript and shall be treated the same as an "F" (0.0) for grade point average purposes.
4. Notwithstanding the provisions in §4.1.5 (A) and (B), a student may, with the permission of the instructor and Associate Dean for Academic Affairs, withdraw from Law Review, Nexus or Skills Competitions at any time prior to the last scheduled day of classes. A student shall submit a timely and properly completed withdrawal form to the Registrar. A grade of "W" shall be assigned and appear on the student's transcripts. The "W" will not have any effect on the student's grade point average the Law School's Tuition Adjustment Policy shall apply.
5. A student seeking to withdraw from an externship shall petition in writing to the Externship Committee prior to commencement of the externship. The petition must specify a compelling reason for the withdrawal.

B. TUITION ADJUSTMENT POLICY

Effective Fall 2015, the University has adopted the following tuition refund policy:

100% return of tuition to students who withdraw during the first week of the semester

50% return of tuition to students who withdraw in the second week

20% return of tuition to students who withdraw in the third week

No return of tuition if the withdrawal occurs after the third week of the semester

§4.1.6 GOOD STANDING & CONTINUATION

A. GOOD STANDING

1. JD and Joint Degree Students

In order to remain in good standing in either the Full Time or Part Time J.D. or joint degree programs, a student must:

- A. Have attained a cumulative grade point average of at least 1.800 at the conclusion of the first semester of the first year; and
- B. Have attained a cumulative grade point average of at least 2.000 at the conclusion of the second semester of the first year;
- C. After the conclusion of each semester thereafter maintain a cumulative grade point average of at least 2.000.

There is no rounding up of GPAs for purposes of remaining in good standing. A student who misses the 1.800, 2.000 or other standard, even if missing by a hundredth or thousandth of a point, will not be able to round-up his or her GPA, will not be in good standing, and will be subject to academic dismissal.

2. LL.M. Students

In order to remain in good standing in the LL.M. program, a student must:

- A. Have attained a cumulative grade point average of at least 1.8 upon conclusion of the semester in which the student has completed the fifth (5th) unit of coursework;
- B. Have attained a cumulative grade point average of at least 2.0 upon conclusion of the semester in which the student has completed the tenth (10th) unit of coursework;

- C. Have attained a cumulative grade point average of at least 2.0 upon the conclusion of each semester thereafter.

A student who does not remain in good standing shall be academically dismissed.

There is no rounding up of GPAs for purposes of remaining in good standing. A student who misses the 1.800, 2.000 or other standard, even if missing by a hundredth or thousandth of a point, will not be able to round-up his or her GPA, will not be in good standing, and will be subject to academic dismissal.

3. Suspension and Honor Code Violations—All Students

Students who do not remain in good standing will be academically dismissed. A student who has been suspended is not in good standing during the suspension period but may return to classes at the end of the suspension period.

If an Honor Code complaint is pending against a J.D. or LL.M. student at the time a letter of good standing is requested, the letter will be accompanied by additional correspondence advising of the ongoing Honor Code investigation and will provide pertinent details regarding the charges pending against the student.

B. PROBATION AND DISMISSAL

A first-year J.D. student (both full and part time) whose cumulative grade point average falls below 2.0, but over 1.8, by the conclusion of the first semester of the first year will be placed on academic probation. Any first year student whose cumulative grade point averages below 1.8 at the end of his/her first semester will be dismissed. At the conclusion of the second semester of the first year or any time thereafter, a student whose cumulative grade point average falls below 2.0 shall be dismissed from the law school.

An LL.M. student whose cumulative grade point average is below 1.6 upon the conclusion of any semester shall be dismissed without a probation period. An LL.M. student whose cumulative grade point average otherwise falls below the requirements set forth in Section 4.1.6A of this Handbook will be placed on academic probation for one semester (exclusive of any approved leave of absence granted). If the student's grade point average does not meet the requirements set forth in Section 4.1.6A of this Handbook by the conclusion of the probationary period, the student will be dismissed if it is mathematically impossible for the student to achieve the minimum cumulative grade point average upon completing the required number of units of coursework. If the student's grade point average does not meet the requirements set forth in Section 4.1.6A of this Handbook by the conclusion of the probationary period but it is mathematically possible for the student to achieve the minimum cumulative grade point average upon

completion of the required number of units of coursework, the student will be dismissed but may petition for reinstatement pursuant to the Student Handbook guidelines concerning Reinstatement and Procedures Relating to Petitions to the Academic Standards Committee.

C. All J.D. and joint degree students who at any time do not maintain an acceptable grade point average as defined by the faculty as a 2.3 cumulative grade point average are required to participate in the Law School's academic support program. Students with a cumulative grade point average below 2.3 must schedule a meeting with the Director of the Academic Achievement Program, to determine what participation is required.

§4.1.7 WITHDRAWAL FROM THE PROGRAM & LEAVES OF ABSENCE

A. WITHDRAWAL

Any student may withdraw from the entire Fowler School of Law program at any time provided written notice of complete withdrawal is submitted to the Registrar and the Assistant Dean for Student Affairs accompanied by written permission to withdraw granted by the Associate Dean for Academic Affairs. Chapman University Fowler School of Law's "Tuition Adjustment Policy" shall apply.

Permission to withdraw in good standing from the entire program does not carry the implication that the student may resume her or his studies the following semester or at any other time. Any such student must apply for readmission, and the application will be considered by the law school's Admission Office. The school reserves the right to deny, postpone or condition readmission to any student who has withdrawn from the program in good standing. In addition, absent permission from the Associate Dean for Academic Affairs, any student who is readmitted to the law school after having previously withdrawn from the program must begin their studies as a first year student and no credits previously earned at the law school will be applied toward the student's degree. The curriculum requirements in effect at the time of re-entry shall apply to the student.

Effective Fall 2015, the University has adopted the following tuition refund policy:

100% return of tuition to students who withdraw during the first week of the semester

50% return of tuition to students who withdraw in the second week

20% return of tuition to students who withdraw in the third week

No return of tuition if the withdrawal occurs after the third week of the semester

B. LEAVES OF ABSENCE

1. J.D. and Joint Degree Students. If, for good cause, students find it necessary to interrupt progress toward their degree, a leave of absence may be granted. Only well-documented requests based upon extenuating circumstances beyond the control of the student, (e.g. medical/psychological, death in the family or other family crisis) shall constitute good cause. In those instances where a leave of absence is based on a condition other than pregnancy, illness or injury, the student must have a Chapman GPA of 2.0 or higher in order to obtain a leave of absence. All students seeking a leave must petition the Assistant Dean for Student Affairs. The petition is subject to approval of the Associate Dean for Academic Affairs. The petition must state clearly and completely the reasons for the leave and the duration of the leave. If the request for a leave of absence is granted, the requesting student may not attend any other law school during the leave period. If a student on a leave of absence does attend another law school during the leave period without first obtaining permission to do so from the Associate Dean for Academic Affairs, the right to return may be revoked at the discretion of the Associate Dean. If the right to return is not revoked, no academic credit earned at another institution while on leave may be transferred to Chapman nor will it count toward the required units necessary for graduation.

The curriculum requirements in effect at the time of re-entry shall apply to the student, except that a change in the number of hours in a required course shall not operate to the detriment of the returning student.

Leaves may be granted for a maximum of one year and can be approved only once during a student's matriculation at the Law School except when otherwise required by law. Failure to return after the specified time shall be considered a withdrawal from the Law School. Re-enrollment then requires full application for re-admission.

2. LL.M. Students. If, for good cause, students find it necessary to interrupt progress toward their LL.M. degree, a leave of absence may be granted. Only well-documented requests based upon extenuating circumstances shall constitute good cause. In those instances where a leave of absence is based on a condition other than pregnancy, illness or injury, the student must have a Chapman LL.M. GPA of 2.0 or higher. All students seeking a leave must petition the Assistant Dean for Student Affairs. The petition is subject to approval of the Associate Dean for Academic Affairs. The petition must state clearly and completely the reasons for the leave and the duration of the leave.

The curriculum requirements in effect at the time of re-entry shall apply to the student, except that a change in the number of hours in a required course shall not operate to the detriment of the returning student.

Leaves will ordinarily only be granted for one academic semester. A leave of one year requires approval of the Dean of the Law School and can be approved only once during a student's matriculation at the Law School. In no event shall a

leave greater than one year be allowed except when otherwise required by law. Failure to return after the specified time shall be considered a withdrawal from the Law School. Re-enrollment then requires full application for re-admission.

This policy does not apply to JD, JD/MBA, JD/MFA or joint JD/LL.M. students enrolled in LL.M. coursework. The JD, JD/MBA, JD/MFA and JD/LL.M. candidates will be bound by the leave of absence rules applicable to JD and joint degree students published in this Handbook.

Effective Fall 2015, the University has adopted the following tuition refund policy:

100% return of tuition to students who withdraw during the first week of the semester

50% return of tuition to students who withdraw in the second week

20% return of tuition to students who withdraw in the third week

No return of tuition if the withdrawal occurs after the third week of the semester

§4.1.8 ATTENDANCE

A. J.D. AND JOINT DEGREE PROGRAM CLASS ATTENDANCE

J.D. and joint degree students are required to attend class meetings in the courses for which they are registered, and to be prepared to participate in the class discussion. Any J.D. or joint degree student who has been absent from more than 20% of class meetings shall not further participate in class, shall not be allowed to sit for the final examination, and shall be given a grade of “FW”. A faculty member may, at his or her option, require a higher level of attendance. A faculty member also may consider lateness, as defined by the professor and communicated to the students in writing at the first class of the semester, as an absence. Absences are counted from the first day of class, regardless of when the student actually registers for the class.

It is the responsibility of the students to track their absences in each course in which they are enrolled. Any student who has missed more than 20%, but not over 30%, of the class sessions in any course may petition the Associate Dean for Academic Affairs for a waiver of the 20% maximum absence policy. The student must, however, document a medical condition that resulted in the missed classes or other extenuating circumstances and must demonstrate efforts to stay current in the course(s). In all other situations, only the Associate Dean for Academic Affairs, upon approval by the Academic Standards Committee and after consultation with the professor of the course, may waive this policy regarding attendance, and only upon a written application for waiver from the student, provided such waiver is filed not less than one week prior to the scheduled examination.

Students who wish to have classes held in Rooms 142, 147, 152 and 237A videotaped due to prolonged serious and documented illness must ask permission from their professors. For classes held in other classrooms, students must ask for permission from the Assistant Dean for Student Affairs allowing reasonable time for such arrangements, and any such videotaping requires advance faculty approval. The law school's resources to handle requests for videotaping in rooms other than 142, 147, 152 and 237A are limited and we may not be able to accommodate requests even when it is approved by the faculty. Watching course videos may count towards attendance with the consent of the professor.

Students who wish to audiotape classes for any reason must first obtain permission from the faculty.

Attendance is required. When any J.D. or joint degree student has violated the attendance policy by missing more than 20% of the class sessions in any course or any LL.M. student has missed more than 40% of the class sessions of any course, the Registrar shall prepare a "Course Dismissal Memorandum," to be emailed to the student, and copied to the faculty member.

B. LL.M. STUDENT ATTENDANCE

LL.M. students are required to attend class meetings in the courses for which they are registered, and to be prepared to participate in the class discussion. Any student who has been absent from more than 40% of class meetings shall not further participate in class, shall not be allowed to sit for the final examination, and shall be given a grade of "FW." A faculty member may, at his or her option, require a higher level of attendance; the course policy must be clearly identified in the course outline or syllabus. Any student who has missed more than 40%, but not over 50%, of the class sessions in any course, may petition the Associate Dean for Academic Affairs for a waiver of the 40% maximum absence policy. The student must, however, document a medical condition which resulted in the missed classes and must demonstrate efforts to stay current in the course(s), such as through tapings. In all other situations, only the Associate Dean for Academic Affairs, upon approval by the LL.M. Academic's Committee and after consultation with the professor of the course, may waive this policy regarding attendance, and only upon a written application for waiver from the student, provided such waiver is filed not less than one week prior to the scheduled examination. When any student has violated the attendance policy by missing more than 50% of the class sessions in any course, the Registrar shall prepare a "Course Dismissal Memorandum," to be delivered to the student, and copied to the faculty member. A professor may consider lateness, as defined by the professor and communicated to the students in writing at the first class of the semester, as an absence. Absences are counted from the first day of class, regardless of when a student actually registers for a course. This policy does not apply to JD, JD/MBA, JD/MFA or JD students enrolled in LL.M. coursework. The JD, JD/MBA and JD/MFA candidates will be bound by the attendance requirements applicable to JD students published in this Handbook.

C. RELIGIOUS CONFLICTS

No required courses shall be scheduled on Friday evenings or on weekends. When a conflict occurs between a regularly scheduled exam and a demonstrated religious holiday, the rules pertaining to conflicts of exams shall apply.

When a conflict occurs between a scheduled class and a demonstrated religious holiday, a student may miss the class session or sessions after consultation with permission by the Assistant Dean for Student Affairs. The class absence will be excused and not included in any required student semester attendance toll. In these situations, the Law School shall, with permission of the faculty member and the Assistant Dean for Student Affairs, attempt to make videotape and/or audiotape recordings of any missed classes and make the recordings reasonably available to the student provided that the student requests the class be recorded with at least five (5) days advance notice. Please note that the law school's resources to handle requests for videotaping in rooms other than 142, 147, 152 and 237A are limited and we may not be able to accommodate requests even when it is approved by the faculty. It is the responsibility of the student to make up the missed class or classes, whether by viewing a videotape, listening to an audiotape or by some other means agreed upon with the faculty member and if necessary in consultation with the Assistant Dean.

§4.1.9 POLICIES AND PROCEDURES FOR EXAMINATIONS

The policies and procedures for examinations are set forth below to provide each law instructor and student with a guide to the norms of the Chapman University Fowler School of Law.

Unless the instructor specifically directs that the examination may be written outside the physical confines of the Law School, these provisions on examinations will apply.

Notice:

Law school examinations are a serious and professional exercise, and students are required to conduct themselves accordingly in the examination rooms and follow proctor and exam instructions. Students must follow examination policies and procedures at all times. This includes the time prior to starting of an exam, the exam administration, and during the closing process at the conclusion of an exam.

Students are required to remain quiet in the exam room not just during the exam, but also prior to the start of the exam and at the end of the exam when proctors are collecting packets. Keeping the examination room quiet is important to students taking exams and helps reduce distractions that may be problematic for exam takers. It also allows the proctors to effectively communicate important information about the exam and exam procedures.

A. BEFORE THE EXAM

1. Students will be given one exam number per semester to be used on all examinations and papers subject to anonymous grading for that semester. Since exam numbers assure an anonymous grading system, students are to guard their number as appropriate and must have it with them for all examinations.
2. Each student is charged with the responsibility for noting the exact date, time and room for each and every examination he or she is required to take. The Final Examination Schedule for the term is published at the time of registration and students are required to register accordingly. **Students may not register for courses that meet at conflicting times or with conflicting final examination times.** All students are expected to take their final examinations at the scheduled time. Rescheduling will not be permitted if a student has two exams on the same day or on successive days. Classroom assignments for final examinations will be available a week before final exams commence.
3. The time length of any examination will usually approximate the credit hours assigned to that particular course; however, no examination will exceed three and one-half hours in length, with the exception of take home exams.
4. For courses in which the final grade is determined in whole or in part by a written examination, the examinations are graded anonymously. In those courses in which students may receive credit for class participation, the professor will submit the names of students who are to receive such credit to the Registrar, who will assist the professor in making the appropriate calculations. Professors should provide the Registrar with this information no later than the first day of the final examination period. Final grades should be submitted on the faculty center portal by the due date set for that semester.

B. THE DAY OF THE EXAM

1. Students should arrive in the exam room 15 minutes before the scheduled examination time. Students arriving late for an exam will not be given additional make-up time.
2. Students are required to be quiet in the exam room. This includes the time before we start the exam and the time after closing of the exam.
3. Faculty may not proctor their own examinations. However, the instructor of the course should be available in his/her office during the hours of the exam to respond to questions about the examination. If the course instructor cannot be available in his/her office, he/she should seek to be available by telephone and should ask another member of the faculty to be available in person for questions regarding the exam. Responses to individual questions that might affect the grading of the examination will be, as much as possible, announced to the entire group taking the exam.
4. Handwriting in Blue Books or using Examsoft are the only options available to students for taking law school examinations. Scantron forms are used for multiple choice question exams when applicable.

5. Any books, notes or other course-related materials not authorized for use during the examination may not be brought into the exam room. Students may not consult any unauthorized materials during the examination. For open note examinations, students must print their notes and use hard copies during the exam. Students cannot use a laptop for notes. A laptop may only be brought into the examination room for using ExamSoft. All prohibited materials, including electronic devices such as a cell phone or an Apple watch, must be put away completely prior to examination packets being distributed. Students may not have any prohibited items on their desk or person once examination packets are being handed out by the proctor.
6. There will be a proctor present or nearby throughout each examination.
7. Students handwriting their exams will initially receive two official Blue Books from the proctor. Extra Blue Books will be provided as needed. Writing in Blue Books must be in **pen only**; writing in Blue Books with a pencil will not be graded. In addition, students must use black or blue ink only and cannot use other pen colors to write their exam response.
8. Prior to starting the exam, the proctor will read the examination instructions and give other relevant instructions. Students cannot make any notes or outlines or begin working on the exam until they are instructed to do so by the proctor. The instructor is responsible for issuing an exam cover sheet of explicit written instructions relating to every exam, whether the exam is given outside or within the law school.
9. **When time is called at the end of the exam, stop writing or typing immediately!**
 - a. Students will be given a 10, 5, and 1 minute warnings towards the conclusion of an exam. All students are expected to promptly stop working on the exam when the timer goes off and time is called by the proctor. Using the spellcheck function on ExamSoft, proofing, erasing or marking on the Scantron, or making any further edits to the exam responses must be completed before time is called. Failure to stop when the exam is over will be considered a violation of examination rules and will be reported to the Honor Council accordingly.
10. A proctor who has reasonable cause to believe that a violation of examination rules, procedures or standards has occurred will:
 - a. Describe the occurrence in writing and will submit the incident report directly to the Honor Council for investigation.
11. Upon completion of the exam:
 - a) (FOR THOSE HAND WRITING): The student's exam number should be on all Blue Books and all Blue Books should be numbered, i.e., 1 of 3, 2 of 3, 3 of 3. At the conclusion of the exam, all Blue Books, any scratch paper, Scantrons (if applicable), and the exam questionnaire must be inserted into the envelope provided and returned to the proctor prior to leaving the exam room. The envelope should be sealed and the student's exam number written clearly on the front label. Any unused Blue Books must be returned to the proctor.

- b) (FOR EXAMSOFT): ExamSoft takers must also turn in the exam question. Place any scratch paper, Scantrons (if applicable), and the exam questionnaire in the envelope provided. The envelope should be sealed and the student's exam number written clearly on the front label. Answers will be printed by staff and provided directly to professors for grading. Students will not be able to see their answers until after the grading is completed.
- c) Students are required to upload their ExamSoft exam file at the conclusion of the exam and before leaving the exam room. **Failure to do so may result in a grade reduction up to a failing grade.**
- d) It is the students' responsibility to insure that all materials (such as blue books, answer sheets, etc.) intended to be graded are submitted to the proctor at the end of the exam in the sealed envelope. Credit will be given *only* to such materials. In addition, students must turn in the exam questionnaire even if this is not mentioned in the exam instructions cover sheet.
- e) Students are required to sign the attendance roster before leaving the exam room. This is important, as it serves as proof of a student's presence during the exam. Students must sign the roster sheet when turning in the completed examination and include their packet number. The packet number is different from the exam number and it appears on the corner of the envelope.
- f) Students who finish early should gather their papers **QUIETLY** so as not to disturb others. Once out of the room, please be quiet as students may be taking exams in adjacent rooms.
- g) Students may leave the exam room to go to the restroom or to take a break. Doors should be closed carefully and not allowed to slam as students enter and exit the room. During such a break, students may not communicate with any other student or remove any exam materials from the exam room. Students must sign in and out on the Break List when leaving the exam room during an exam.
- h) There will be absolutely no smoking or consumption of food in the examination rooms. Students are allowed to have beverages as long as it is in a closed container.
- i) With the exception of students using laptops with ExamSoft (Examplify), all other electronic devices are strictly prohibited. This includes **SMART PHONES, TABLETS, IPods, AND APPLE WATCHES**. *Students may not use these prohibited items when they arrive in the examination room 15 minutes prior to the start of an exam, during the exam administration, and during the closing of an exam until the proctor has collected all examination packets.*

STUDENTS MAY NOT HAVE A CELL PHONE ON THEIR PERSON DURING ANY EXAM. STUDENTS MAY NOT LEAVE THE ROOM WITH A CELL PHONE DURING THE EXAM. IN CASE OF AN EMERGENCY, THE STUDENT MUST FIRST INFORM THE PROCTOR BEFORE USING A CELL PHONE. Students may not use their cell phone during the closing of an exam while packets are being collected. Students may not bring an external keyboard to use with their laptop on an exam.

C. EXAMPLIFY

Chapman University Fowler School of Law has contracted with ExamSoft Worldwide, Inc. to use their program, Examplify, which allows users to take their exams on their personal laptops. The program provides a simple word processor, which has been designed to be familiar to users of WordPerfect or Microsoft Word. It will block access to any stored files during the exam administration. It also prevents users from taking any information about the exam out of the exam room. Examplify will not alter your computer settings.

ExamSoft (Examplify) program

Chapman Law is set up on the ExamSoft program which allows students to download exam files prior to the exam and to upload exam responses to a server upon completion of the exam.

1. Students must register with ExamSoft Inc. and download the SoftTest program.
2. When the exam file is available for that class, students will receive an email from ExamSoft informing them of its availability and to download the file.
3. On the day of the exam, students will be given a hard copy of the exam, and will be able to open the exam file once the proctor provides the exam password.
4. Students type their answer in a familiar word processing environment.
5. Be aware that if you choose to use a laptop to take your exams, you will not see a printed copy of your exam answer. Answers will be printed by staff and provided directly to the professors for grading.
6. Students are required to download the Examplify version as it becomes available for each academic year and make the required updates from ExamSoft. In addition, students should visit the ExamSoft website for more information about minimum system requirements for Mac and PC computers. Examplify can be used on most Mac and PC computers purchased within the last 3-4 years.

Examplify cannot be used on virtual operating systems such as Microsoft's Virtual Machine, Parallels, VMware, VMware Fusion or any other virtual environments.

All computers:

All students who wish to exercise this option must provide their own laptop on which they will need to install certain program files before their exams. **Please be advised that if you do not perform the pre-installation on your laptop computer, you should be prepared to handwrite your exam.**

The option of taking exams via your laptop is offered to students as a convenience and a privilege, not as a right. Making sure your equipment is in good working order and that you know how to use the program are **your responsibilities**. It is up to the student as an individual to install Examplify and to ensure all online installation and registration steps online have been completed. Note

to students: **Please remember you are choosing this option at your own risk and should be prepared to handwrite in case of an unforeseen problem.**

Notice to Students: If your laptop computer is not ready to begin at the designated time, you must begin the examination in handwriting. If your laptop fails during an exam, you must handwrite the remainder of the exam. No extra time will be provided to ensure that a laptop computer is ready to be used before the examination session begins or if your laptop fails while an exam is in progress. In addition, technical assistance will not be available during the exam.

Students who wish to use ExamSoft must take the following steps:

- 1. Register and install Examplify on your laptop in a timely manner and prior to arriving for any midterm or final examination. Please be advised that the technical support staff may not be able to assist you with Examplify installation difficulties once examinations have started.**
- 2. Prior to each examination period, midterms and finals, download the exam file for each of your final examinations from the ExamSoft website. Prior to starting the exam, the proctor will provide you with the password in order to open the exam file.**
- 3. All students are required to renew their ExamSoft registration for each academic year and must re-install the latest Examplify version.**

D. After the Exam

1. Students should not discuss the contents of examinations until grades are posted. This is necessary to insure the security of the exam in the event that someone is unable to take the exam at the scheduled time. Furthermore, at the conclusion of an exam, students should not discuss the exam in the examination room and while exams are being uploaded and packets are being collected.
2. Under no circumstances should students identify themselves or their matching exam numbers to the professor (this applies to the exam paper itself, as well as before, during or after the examination). References or notations on the exam that the professor may recognize as coming from a certain student should be carefully avoided. Students should also refrain from disclosing to the professor that they plan to use Examsoft or handwrite their exam. Students should not discuss their examination with the professor until grades have been posted.
3. Students should contact the Registrar immediately regarding concerns about anonymity, transposed or forgotten exam numbers, etc.

E. Posting of Grades/Lost Exam Numbers

- 1. Final grades will be posted on the My.Chapman.edu Student Portal ONLY.**
2. The Registrar's Office will not give out grades to students in person, over the phone, by email, or fax. Those who have lost or misplaced their My.Chapman

login or password must contact the Computer Service Desk at (714) 997-6600 for assistance.

F. Examination Rescheduling (Make-Up)

1. Students should check the final exam schedule before registering for courses. Students may not register for courses which meet at conflicting times or with conflicting final examination times. All students are expected to take their examinations at the scheduled time. Rescheduling will not be permitted if a student has two exams on the same day or on successive days.
2. A student who misses an examination that is not rescheduled by the Assistant Dean for Student Affairs will receive a failing grade of “0.0”.
3. No instructor has the authority to grant to a student a departure from the examination schedule. **Students should not discuss the need for rescheduling directly with the professor concerned as this breaches anonymity.** The rescheduled exam should be given after the time of the regularly scheduled exam, on a date to be determined by the Assistant Dean for Student Affairs and Registrar.
4. Serious Medical Emergency or Death in Family: A student may be granted a short delay from the examination schedule for a course or courses, provided the student or an immediate family member has a serious illness or medical emergency or on account of a death of an immediate family member. The student must petition the Assistant Dean for Student Affairs as soon as possible and provide credible, objective evidence (including a letter from a licensed medical doctor) of the nature and extent of the serious illness or medical emergency or evidence of the death of the immediate family member. If the petition is approved, arrangements shall be made with the Registrar to take a make-up examination. However, the student must be able to take a make-up examination and the faculty member must have sufficient time to grade the exam and turn in the grade to the Registrar on or before the deadline for turning in grades for the semester. Due to the impracticability of maintaining anonymous grading for a make-up exam, the student waives the right to claim a grievance based on arbitrary and capricious grading in section 4.1.12 of this handbook. If the student is not able to satisfy these conditions, the student may petition to withdraw from the course in accordance with the provisions for “Withdrawal After the Eight Week” contained in section 4.1.5 of this handbook.

§4.1.10 REINSTATEMENT

A student who for academic reasons is ineligible to continue in the Fowler School of Law Program and accordingly is dismissed may petition the Academic Standards Committee for reinstatement by submitting a written petition to the Associate Dean for Academic Affairs within the time limit provided in section 4.1.11A.

Reinstatement is the exception and not the rule and is limited to cases of unusual hardship and demonstrated potential. The petition must be supported by an affirmative showing

that the dismissal does not indicate a lack of capacity to complete the Fowler School of Law program and be admitted to the State Bar of California. The Academic Standards Committee has been authorized to specify reinstatement conditions, restrictions and limitations and to make final disposition of all petitions on behalf of the faculty.

§4.1.11 PROCEDURES RELATING TO PETITIONS TO THE ACADEMIC STANDARDS COMMITTEE

A. PROCEDURES RELATED TO PETITIONS FOR REINSTATEMENT AFTER ACADEMIC FAILURE

1. Notice of Failure: At the close of each semester, the Registrar shall determine those students whose grade point averages are below the specified standards to remain in good standing. The Registrar shall send the list of students to be dismissed to the Associate Dean for Academic Affairs and/or the Assistant Dean for Student Affairs, who shall then send a written notice of dismissal to each such student. The notice shall be accompanied by a statement of the Academic Standards relating to dismissal and reinstatement, and an outline of the procedure for filing a petition for reinstatement.
2. Petition Procedure: The procedure for filing a petition for reinstatement is as follows:
 - (a) *Time for Petition.* A petitioning student must file a petition for reinstatement within 15 days after the date of mailing of the notice of dismissal. The petition shall be filed with the Associate Dean for Academic Affairs. For purposes of calculating the 15 day period, the day of letter advising a student that they have been academically dismissed shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday. The Committee in its discretion may for good cause shown extend the 15 day period.
 - (b) *Form and Style of Petition.* A petition for reinstatement shall be typewritten and signed by the petitioner. It shall be headed "Petition for an Exception to the Rules for Academic Dismissal." Petitions may be submitted by email to the Associate Dean for Academic Affairs or by hard copy.
3. Reference to Academic Standards Committee: The Associate Dean for Academic Affairs shall refer all petitions to the Academic Standards Committee for review.

B. GUIDELINES FOR REVIEW BY ACADEMIC STANDARDS COMMITTEE

1. General: The Academic Standards Committee shall review any petition for reinstatement. In reaching its determination, it shall be guided by the considerations stated below.
2. Specifications of Reason for Academic Failure: The petitioning student must allege and prove (1) that the student possesses the requisite ability and (2) that the prior disqualification does not indicate a lack of capacity to complete studies at the Law School and be admitted to the State Bar of California. The petitioning student must also state any extraordinary circumstances beyond the student's control, that rebut the presumption raised by the student's record, and establish that the deficiency was not due to lack of ability or failure to apply himself or herself diligently to the study of law. If the circumstances are related to physical or psychological incapacity in the course of a semester or before or during an examination, convincing medical proof must accompany the petition.
3. Scope of Relief: The Academic Standards Committee is authorized to:
 - a) Deny the petition; or
 - b) Grant the petition, upon terms and conditions stated by the Committee.
4. Guidelines for Reinstated Student:
 - i. In the case of students who are dismissed for academic insufficiency and are then reinstated to retake the entire first year by the Academic Standards Committee, the grades received by the student in the year(s) prior to reinstatement being repeated shall not be computed in determining class rank or grade point average, but such grades shall be retained upon the student's transcript. For purposes of computing the student's academic average and class rank on this transcript, only grades received after readmission are included.
 - ii. In all other cases of reinstatement the Academic Standards Committee shall determine on an individual basis the terms and conditions of reinstatement including, but not limited to, the disposition of grades earned prior to reinstatement. Such students shall have the option for accepting reinstatement as granted or of being reinstated to the first year in accordance with Subsection 4A (above).
 - iii. Unless otherwise excused by the Academic Standards Committee, any student who is reinstated after having completed either two semesters as a full time law student or 24 or more credits of study as a law student must register for, take and pass the First Year Law Student's Examination administered by the State Bar of California as a condition of the student's reinstatement. The student is solely responsible for registration, payment and preparation for the First Year Law Student's Examination. The student shall not be permitted to register for, or participate in, any courses or programs offered at the Law School until the

student provides proof from the State Bar of California that the student has passed the First Year Law Student's Examination.

5. Voting Members of the Academic Standards Committee: Voting members for the purposes of deciding a student petition shall only include the faculty members of the Committee and, if the petitioning student approves, a student appointed to the Academic Standards Committee by the Student Bar Association. Reinstatement is subject to a majority vote by the voting members of the Academic Standards Committee. If a tie vote occurs, a majority vote has not been achieved and the student will not be reinstated.
6. Faculty Review of Decisions by Academic Standards Committee: The Academic Standards Committee shall notify the petitioning student in writing of its decision. The petitioning student may then seek full faculty review of an adverse decision. The faculty shall review the committee's decision at the request of any full-time faculty member in the case of petitions for reinstatement under Part A of this section, and three full-time faculty members in the case of all other student petitions. However, full faculty review must be requested by the faculty member(s) no more than 60 days from the date of the letter setting forth the adverse decision by the Academic Standards Committee. The petitioning student may appear before the faculty meeting only if the faculty so requests. The faculty shall affirm the decision of the Academic Standards Committee unless upon review of the available information the faculty is convinced that the decision is clearly erroneous.

C. RELATIONSHIP OF THE ASSOCIATE DEAN FOR ACADEMIC AFFAIRS AND THE ACADEMIC STANDARDS COMMITTEE

1. Petitions for Exceptions to Rules: All petitions filed for exceptions to the Academic Standards must be filed with the Associate Dean for Academic Affairs. Any petition to the Academic Standards Committee for relief from the academic rules shall include a showing of good cause.
2. Reference to Academic Standards Committee: The Associate Dean for Academic Affairs shall refer to the Academic Standards Committee any petition for:
 - a) Reinstatement; or
 - b) Reinstatement after suspension or dismissal from class for poor attendance.
 - c) The Associate Dean for Academic Affairs shall refer any other petition for exception to the Academic Standards to the Academic Standards Committee, which should be determined by collective decision-making by the Academic Standards Committee.
 - d) The Associate Dean for Academic Affairs shall not vote on any petition for reinstatement to the law school.

D. PETITIONS TO THE COMMITTEE

Meetings with the Committee

1. **Initial Reinstatement Petitions:** An individual who petitions the Committee for reinstatement to the Law School shall have the right to a meeting with the Committee with respect to the initial petition. Only the student and the Committee may be present at such a meeting.
2. **Other Petitions:** The Committee may grant, in the Committee's discretion, personal meetings for all other petitions.
3. **Record of Meeting:** All personal meetings before the Committee shall be recorded on tape and retained by the Committee.
4. **Additional Information to the Committee:** The Committee may request such additional information as it deems necessary or helpful in order to act on a petition. The petitioners shall present all relevant material and information in their written petitions.

E. PETITIONS AND RECONSIDERATIONS

1. **New or Additional Information:** Any petition for reconsideration must be filed no more than 15 days from the date of the letter setting forth the Committee's decision on the student's petition. The Committee shall review a petition for reconsideration of a prior petition only to determine if the reconsideration petition contains new or additional information that was not available or that could not reasonably have been available at the time of the original petition. If the Committee determines that the reconsideration petition contains such new information, then the Committee will reconsider its prior determination in light of this new or additional information. If the Committee determines that such reconsideration petition does not contain such new or additional information, reconsideration will be denied.
2. **Action by Committee:** The Committee may, in the Committee's discretion, meet with the petitioner during the reconsideration process; however, the petitioner shall not be entitled to such a meeting as a matter of right.

F. MISCELLANEOUS RULES

Communications with the Committee: Students or persons acting on behalf of any student should communicate only with the Associate Dean for Academic Affairs and/or Assistant Dean for Student Affairs with respect to any petition.

§4.1.12 PROCEDURES GOVERNING THE APPEAL OF A FINAL GRADE

PURPOSE: These procedures are an attempt to ensure fairness in the independent and professional judgment of faculty members with regard to the assignment of final grades for students. These procedures are intended to serve the mission of the law school through the preservation of integrity in the achievement of its academic and professional goals.

- A. Right to Petition:** Any student who has received a final grade in a course at the Chapman University Fowler School of Law may initiate a grievance with regard to the grade by filing a petition with the Associate Dean for Academic Affairs for referral to the Academic Standards Committee (hereinafter referred to as the Committee.)
- B. How and When Petition is to be Filed:** A petition may be filed with the Committee by hand-delivering or mailing the petition to the Associate Dean for Academic Affairs no later than forty-five (45) days after the final grade in question is posted. A petition filed by mailing shall be deemed to have been filed on the date of the postmark of the petition. A petition filed by hand-delivery shall be deemed to have been filed on the date of receipt.

For purposes of calculating the forty-five (45) day period, the day of posting the final grade shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday. The Committee in its discretion may for good cause shown extend the forty-five (45) day period.

C. FORM OF PETITION: A PETITION SHALL BE ADDRESSED TO THE CHAIRPERSON OF THE COMMITTEE, AND SHALL STATE:

1. The name and the student number of the student filing the petition;
2. The title of the course in which the final grade is received;
3. The name of the professor who taught the course;
4. The date on which the final grade in question was posted; and
5. The reason(s) the petitioner believes he/she is entitled to relief in accordance with the requirements set forth in Number D4 herein; and, the specific relief requested. The petitioner must sign the petition.

D. REQUISITES OF A GRIEVANCE CLAIM: A PETITION STATES A GRIEVANCE CLAIM IF IT SAYS THAT:

The petitioner has consulted or attempted to consult with and request relief from the professor involved and that the professor has either:

1. Refused to consult with the student; or

2. Has not been conveniently available for a period of fifteen (15) days after the grade was posted; or,
3. After consultation with the petitioner, has declined to grant relief acceptable to the petitioner; and
4. The grade received was unfair, or substantially inappropriate, for one or more of the following reasons:
 - a) An error in computation was made in calculating the grade;
 - b) The grade received was the result of arbitrary and capricious grading by the professor. (NOTE: If the grade was received in a course graded anonymously, in whole or in part, and the claim of arbitrariness or capriciousness relates to that part of the grade that was anonymous, there must also be an allegation of a breach of anonymity. The student must establish, by a preponderance of evidence, that anonymity was breached.)

In no event shall there be an inquiry into the professor's academic judgment or prerogative and responsibility for assigning grades as his or her judgment and conscience dictate.

E. WHEN AND HOW COMMITTEE TO CONSIDER PETITION.

1. Time for Consideration: The Committee shall make every reasonable effort to make a recommendation regarding a petition within a period of fifteen (15) days from the time a petition is filed. If the petition is not acted upon for any reason within this period, the petitioner shall be deemed to have received a negative recommendation. If, however, the petition is filed during the summer months when faculty members are ordinarily occupied with research, teaching and/or travel, the Committee may meet to consider the petition in August when the fall semester begins.
2. Actions and Procedures Available to Committee in Considering Petition: The Committee may take one or more of the following actions and allied procedures in response to a petition:
 - a) After due deliberation, decide that the petition does not state a claim, in which case it shall write a decision to that effect and send a copy, with any dissenting opinion, to the petitioner and to the professor.
 - b) If the Committee, after due deliberation and by majority vote, determines that the facts stated in the petition, if true, state a claim under Paragraph IV herein, the Committee shall notify in writing the professor whose grade is being considered, and shall invite the professor to submit a written response to the petition within a reasonable period of time to be set by the Committee. If a written response is submitted said response should thereupon be included in the record. The professor shall in no case be required to make a response of any kind.
3. After the professor's response has been received, or the time for the professor's response has expired, the Committee may request from the

petitioner, the professor, or any other source, such material, documents, or information it deems useful in considering the merits of the petition. Neither the student nor the professor is obliged to produce any such requested material, documents or information. The Committee shall make its decision based upon the written submissions. In the unusual case where the Committee decides that special circumstances require a hearing, both the professor and the student shall be permitted to be present when oral testimony is given, but no person shall be required to attend an oral hearing. The parties may offer such evidence as they desire and may produce such evidence as the Committee may deem necessary to a determination of the petition. The Committee shall be the judge of the relevance and materiality of the evidence, and conformity to legal rules of evidence shall not be necessary. The Committee may limit reasonably the oral presentations.

4. Final Action by Committee: In a case where the Committee finds no action is appropriate, the Committee shall so notify the student and the professor.

If any recommendation is made by the Committee, it shall be made to the professor in writing, stating the recommendations and the reasons therefore. If the professor accepts the recommendations of the Committee, the professor may change a grade. If the professor declines to accept the recommendation of the Committee within a period of three (3) days, the Committee shall then issue a written decision, and provide a copy to the professor and the student. The grade will be changed only if a majority of the Committee finds that the final grade was assigned arbitrarily or capriciously or that there was an error in computation, in which case, the Committee shall so notify the Registrar, the professor and the student.

§4.1.13 CREDIT FOR THE J.D. DEGREE FOR NON-LAW GRADUATE LEVEL COURSES

The Law School will accept no more than 6 credits toward the Juris Doctor degree for graduate level courses taken within the graduate programs of Chapman University.

The graduate level credits may be earned only after successful completion of the courses required for the 1st year law school full-time curriculum (29 credits).

A student interested in enrolling in a graduate level course must request and receive approval of the course from the Associate Dean for Academic Affairs prior to registration.

The student's written statement to the Associate Dean for Academic Affairs must establish that: (a) the graduate level course is not duplicative of a course in the law

school curriculum; (b) the graduate level course is not duplicative of any other course completed in the student's prior academic career; and (c) the graduate level course will contribute significantly to the student's legal education.

If the Associate Dean for Academic Affairs denies a student's request, the student may bring the proposal to the Academic Standards Committee for review.

Law students enrolled in non-law graduate level courses must earn a grade of B or better (a grade of B- does not qualify) in order to receive law school credit for the course. The non-law graduate level course, the credits completed, and the grade received will appear on the student's academic transcript; however, the grade will not be treated as "earned" for purposes of GPA or class rank.

In compliance with University policy, the law student enrolled in non-law graduate level courses at the University will pay "home" tuition (he or she will pay law school-per credit hour tuition for credits taken at the graduate level).

NOTE: Non-law graduate students taking courses in the law school are governed by existing University policy (permission of their graduate advisor; permission of the law faculty member teaching the course and the Associate Dean for Academic Affairs; and room must be available for the student in the class). In addition, the following restrictions should be placed upon non-law graduate students taking credits at the law school: No courses in the first year full-time curriculum, no co-curricular credits, and no clinic or externship experience shall qualify.

§4.1.14 MAXIMUM CREDITS FOR NON-LAW-CLASSROOM ACTIVITIES

Maximum Cap of 16 Credits: Co-Curricular & Non-Graded Courses*

Co-Curricular Activities

Courses

Law Review (4-10 credits)

Diversity and Social Justice

Forum (1-2 credits)

Skills Competitions (1-3 credits per Competition)**

Non-law Graduate Level Courses at Chapman University (6 credits)

All credits earned through other ABA law schools after admission to Chapman (i.e. individual courses, or Semester abroad programs) (6 credits)+

Maximum cap of three semesters totaling no more than 8 credits of part time externships or one semester of a 10-credit full time externship‡ See Section 6.11 for more on the Externship Program.

* Any student whose cumulative grade point average at the conclusion of the first year of law school (either full or part time) is below 2.6 may apply no more than seven (7) pass/no pass credits toward the 88 credits required for graduation. This includes credits

earned for participation on journals, in skills competitions, and externships. No student shall receive credit for participation on more than one journal at the same time.

** No student may participate for credit in more than one (1) external competition during a semester. Participation in Skills Competitions is subject to an overall limitation of no more than two (2) different types of skills competitions for credit and no more than three (3) external competitions for credit (regardless of type).

+ The six (6) credit limitation shall not apply to students who visit for one or two semesters at another ABA law school with the permission of the Associate Dean for Academic Affairs. For specific criteria see §4.1.3. The six credit limitation also shall not apply to any course taken in a Study Abroad program offered by Chapman University Fowler School of Law or for which specific grade approval has been granted by the Provost of Chapman University.

‡ Eligibility for full time externships is limited to students with a minimum cumulative GPA of 2.6 or higher

§4.1.15 ADMISSION OF FOREIGN STUDENTS WITH ABA LL.M. DEGREES

Prospective applicants to the JD program who have previously earned an LL.M. in an ABA-approved law school must furnish with their application the results of a recent LSAT. Once admitted, such students are expected to complete the full 88-credit Chapman JD with all of its concomitant requirements. Advanced standing for credits earned in an LL.M. program will not be granted.

The Associate Dean for Academic Affairs may grant a waiver from re-enrolling in certain required courses successfully completed as an LL.M. student (e.g., Contracts I). In such an instance, the student will still be required to complete 88 credits by substituting elective courses for any courses that were waived.

Note: This policy does not preclude the Associate Dean for Academic Affairs from granting up to 29 advanced standing credits for law work completed in an undergraduate program in a common law system (e.g., from England or Australia).

§4.1.16 POLICY ON MILITARY SERVICE

A student who is called to active duty military service during any semester of law school will, upon that student's request, be entitled to withdraw from classes that semester and will receive a full refund of all tuition paid for that semester.

A student who is called to active duty military service during the second semester of his/her first year of law school, or at any other time thereafter, may alternatively request that he/she receive passing credit for any or all of the courses in which he/she is enrolled and has attended at least 70% of the scheduled classes in that course for that semester. Assuming that the student has attended at least 70% of the scheduled classes in a course for that semester, the student's professor has the discretion to grant or deny the student's request. If a professor declines to grant the student passing credit for a course, the

student shall be entitled to withdraw from that course and receive a full refund of all tuition paid for that course that semester.

When a student who is called to active duty military service withdraws from a course or receives passing credit for a course, the registrar shall so indicate by marking “MW (Military Withdrawal)” or “MP (Military Pass)” on the student’s transcript.

Any student who suspends law study after having been called to active duty military service may re-matriculate within a reasonable time after completing active duty military service.

§4.1.17 STUDENT COMPLAINTS

As an ABA-accredited law school, Chapman University Fowler School of Law is subject to the ABA Standards for Approval of Law Schools. The ABA Standards may be found at http://www.americanbar.org/groups/legal_education/resources/standards.html.

Any student at the law school who wishes to bring a formal complaint to the administration of the law school of a significant problem that directly implicates the school’s program of legal education and its compliance with the ABA Standards should do the following:

1. Submit the complaint in writing to the Associate Dean for Academic Affairs or the Assistant Dean for Student Affairs. The signed, dated statement may be delivered as a hard copy or scanned and delivered via email.
2. The writing should describe in detail the behavior, program, process, or other matter that is the subject of the complaint, and should explain how the matter implicates the law school’s program of legal education and its compliance with a specific, identified ABA Standard(s).
3. The writing must provide the name, official law school e-mail address, phone number, and street address of the complaining student, for further communication about the complaint.
4. The administrator to whom the complaint is submitted will acknowledge the complaint within ten (10) business days of receipt of the written complaint. Acknowledgment may be made by e-mail, U.S. mail, or by personal delivery, at the option of the administrator.
5. Within three weeks of acknowledgment of the complaint, the Associate Dean of Academic Affairs or the Assistant Dean for Student Affairs, or their designee, shall either meet with the complaining student, or respond to the substance of the complaint in writing. In this meeting or in this writing, the student should either receive a substantive response to the complaint, or information about what steps are being taken by the law school to address the complaint or further investigate the complaint. If further investigation is needed, when the investigation is completed, the student shall be provided

either a substantive response to the complaint or information about what steps are being taken by the law school to address the complaint within three weeks after completion of the investigation.

6. Appeals regarding decisions on complaints may be taken to the Dean of the law school. Any decision made on appeal by the Dean shall be final.

7. A copy of the complaint and a summary of the process and resolution of the complaint shall be kept in the office of the Assistant Dean for Student Affairs until the subsequent re-accreditation review by the ABA. Such reviews occur every seven years.

8. The law school shall not in any way retaliate against an individual who makes a complaint under this section, nor permit any faculty member, administrator, employee or student to do so.

9. This policy is not applicable to situations where another policy applies, including, but not limited to, sexual harassment, Honor Code violations, and violations of the University Student Conduct Code.

§4.1.18 J.D. Learning Outcomes

The School of Law faculty have identified the following learning outcomes as critical to a law degree and to developing the skills needed to become a proficient attorney.

1. Graduates will know basic principles of the substantive and procedural law covered in the following courses: Civil Procedure, Constitutional Law, Contracts, Corporations / Business Associations, Criminal Law, Evidence, Federal Income Taxation, Professional Responsibility, Property and Torts.
2. Graduates will be able to engage in legal analysis and reasoning as required for the competent practice of the law.
3. Graduates will research legal issues effectively and efficiently.
4. Graduates will demonstrate the ability to write effectively as needed for the competent practice of law.
5. Graduates will orally communicate in a professional manner that is audience appropriate.
6. Graduates will demonstrate an understanding of and an ability to engage in the professional conduct expected of practicing attorneys, and the ethical standards set out in the ABA model rules, required to competently represent clients and to provide for an effectively functioning legal system.

7. Graduates will be able to diagnose problems confronting clients, understand clients' objectives, and generate strategies to achieve those objectives.

§4.1.19 Emphasis Learning Outcomes

Advocacy and Dispute Resolution

1. Graduates will be able to communicate effectively across a variety of legal contexts.
2. Graduates will demonstrate civility, ethics, and professionalism across a variety of legal contexts.

Business Law

1. Students will know the basics of the laws most frequently encountered in business. They will be able to distinguish between matters under federal, state, and local jurisdictions.
2. Students will learn to distinguish between the different kinds of laws and regulations that govern business. This will enable graduates to direct their further research on behalf of clients into the most likely fruitful directions.
3. Students will learn to distinguish business decisions from legal decisions, and to find ways to contribute to business outcomes through innovative legal strategies. This is an important aspect of successful practice of business law.

Criminal Law

1. Students will be able to engage in legal analysis and reasoning as required for the competent practice of criminal law.
2. Students will research legal issues effectively and efficiently.
3. Students will demonstrate the ability to write effectively as needed for the competent practice of law.
4. Students will orally communicate in a professional manner that is audience appropriate
5. Students will demonstrate an understanding of and an ability to engage in the professional conduct expected of practicing attorneys, and the ethical standards set out in the ABA model rules, required to competently represent clients and to provide for an effectively functioning legal system.
6. Students will be able to diagnose problems confronting clients, understand clients' objectives, and generate strategies to achieve those objectives.

Entertainment Law

1. Students who earn the Entertainment Law Emphasis Certificate will know the basic principles of the substantive law applicable to clients engaged in business transactions in the entertainment industry.
2. Students who earn the Entertainment Law Emphasis Certificate will be able to understand clients' objectives and recommend practical strategies to achieve those objectives in the entertainment industry.

Environmental, Land Use, and Real Estate

1. Graduates will know the basic principles of the substantive law applicable to environmental, real estate, and land use law.
2. Graduates will be able to engage in legal analysis and reasoning as required for the competent practice of the law.
3. Graduates will demonstrate the ability to write effectively as needed for the competent practice of law.

International Law

1. Students who earn the International Law Emphasis Certificate will know the basic principles of public and private international law applicable to the international legal system and its relationship to national laws and institutions.
2. Students who earn the International Law Emphasis Certificate will be able to understand legal issues that span national borders and advise clients whose interests and concerns are transnational in scope.

Tax Law

1. Students who earn the Tax Law Emphasis Certificate will understand the basic principles of law applicable across a breadth of tax law including personal, business and estate & gift tax.
2. Students who earn the Tax Law Emphasis Certificate will be able to understand clients' objectives, recognize the legal issues that arise from them and recommend strategies to either achieve client objectives or recommend alternative solutions if client objectives cannot be met.

§4.1.20 LL.M. Learning Outcomes

1. Understanding American Law – LL.M. students with foreign law degrees will demonstrate an understanding of the legal system of the United States by applying (1) the common law and case method, (2) basic principles of legal procedure, and (3) specific content areas relevant to their area of emphasis to propose, assess, justify, and/or recommend resolutions to simulated and real-world legal issues.
2. Emphasis-Appropriate Content and Analysis – LL.M. students should demonstrate subject matter knowledge and information appropriate to their area of emphasis and their personal and program goals. Students should apply legal rules and information appropriate to their area of emphasis to formulate clear and effective legal analysis and to prepare and recommend solutions to legal problems.
3. Emphasis-Appropriate Skills – LL.M. students should develop essential skills appropriate to their area of emphasis and their personal and program goals.

-- For Trial Advocacy emphasis students, this primarily means skills appropriate to trial practice.

-- For Business Law emphasis students, this primarily means practice-related legal research and writing, as well as skills such as Negotiation and Mediation for students with those focus areas.

-- For International & Comparative emphasis students, this primarily means academic legal writing (Directed Research/Thesis).

-- For Entertainment Emphasis students, it primarily means real-world negotiating and drafting media-related legal instruments via the Entertainment Law Clinic.

-- For Tax emphasis students, this primarily means tax-related practice skills and legal research/writing.

§4.2 FOWLER SCHOOL OF LAW HONOR CODE

Students are subject to the Chapman University Fowler School of Law Honor Code set forth in full in Section §7.1 of this Handbook.

§4.3 UNIVERSITY CONDUCT CODE

Fowler School of Law students are also subject to the University Conduct Code which is set forth on the University website at <https://www.chapman.edu/students/policies-forms/student-conduct/index.aspx>. The University Conduct Code is incorporated herein its entirety.

§4.4 DISABILITY ACCOMMODATIONS

§4.4.1 POLICY OVERVIEW

Chapman University is committed to making educational and employment opportunities accessible to qualified individuals with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. By providing full access to qualified students with disabilities, the University demonstrates its belief that the community will benefit from the skills and talents of these individuals. As an equal opportunity employer, the University does not discriminate on the basis of disability in the hiring, promotion, and retention of otherwise qualified faculty and staff. In this regard, Chapman University has implemented the following policies:

- Chapman University strictly prohibits any form of discrimination on the basis of an individual's disability.
- Chapman University offers individualized assessment of student needs and reasonable accommodation to otherwise qualified individuals with disabilities.

These policies apply to every facet of the University's operations, including but not limited to admissions, academic requirements, financial aid, or other school-administered program or service.

Chapman University has developed and maintains programs and resources to monitor and to assure compliance with these policies. These include Disability Services, an ADA Compliance Officer, Equal Opportunity Officer, and an ADA Committee. These resources are designed to offer individualized assessment and to provide accommodations in the most integrated setting appropriate.

The Director of Disability Services, who is a standing member of the University's ADA Committee, administers these policies together with the law school's Assistant Dean for Student Affairs. Information concerning these policies is maintained in Disability Services. Summaries and references to these policies are provided in the law school's Student Handbook. Individuals can also obtain information about these policies through the University's ADA Compliance Officer and Equal Opportunity Officer.

1. DEFINITIONS

- a) For purposes of this policy, a person with a disability is defined as any person who has a physical, psychological and/or medical impairment which substantially limits one or more major life activities; has a record of such impairments; or is regarded as having such impairment.
- b) For purposes of this policy, an otherwise qualified person with a disability is defined as an individual with a disability who meets the academic and technical standards requisite to admission and participation in the law school's educational program and activities.

2. POLICY AND PROCEDURES FOR PROVIDING SERVICES TO STUDENTS WITH DISABILITIES

- a) **Non-Discrimination.** Chapman University strictly prohibits any form of discrimination against individuals with disabilities in its programs.
- b) **Reasonable Accommodations for Otherwise Qualified Individuals.**

To comply with the Americans with Disabilities Act and other applicable laws, the University will provide as necessary reasonable and readily achievable accommodations, including academic adjustments and auxiliary aids, to ensure otherwise qualified students with disabilities access to the University's services, programs and activities. Accommodations will not be provided if they fundamentally alter the nature of the program or if they would be unduly burdensome, either financially or administratively, to the University. Students with disabilities who require accommodations must make those needs known to the law school's Assistant Dean for Student Affairs or the University's Disability Services as soon as possible. Students are responsible for making these needs known in a timely fashion and for providing appropriate documentation and evaluation in appropriate cases.

The University seeks to accommodate students with disabilities on an individual basis. Individual students are given reasonable and necessary accommodations based on specific information and assessment data documented by a professional from outside the University who, in the judgment of the University, is qualified to provide such information and assessment. Disability Services makes available information as to the existence and location of services, activities, and facilities that are accessible to and usable by persons with disabilities.

3. VERIFICATION OF DISABILITY

Applicants are not required to notify the University or law school of a disability or need for accommodations prior to admission. Individuals who need accommodations in order to submit an application are invited to contact the Admission Office of Chapman University Fowler School of Law.

Following admission, any student who, because of a disability, needs a special accommodation with respect to any policy, practice, service, or benefit, is requested to notify Disability Services and provide appropriate information including the reason for the request and the specific type of accommodation requested. In order to provide the accommodations on a timely basis, it is recommended that new students inform the University of the need for accommodations well in advance of their matriculation.

A student or applicant requesting special accommodation(s) because of a disability will be required to provide current professional verification by a licensed physician, psychologist, audiologist, speech pathologist, rehabilitation counselor, physical therapist, occupational therapist, or other professional health care provider who, in the opinion of University, is qualified in the diagnosis and assessment of the disability. The verification must reflect the student's present level of functioning of the major life activity affected by the disability. The student must provide the verification documentation to Disability Services or his/her designate. The cost of obtaining the professional verification will be borne by the student.

If the initial documentation is deemed incomplete or inadequate to determine the present extent of the disability and appropriate accommodations, the University reserves the right to require supplemental assessment of a physical disability. The cost of the supplemental assessment will be borne by the student.

4. ASSESSMENT AND ACCOMMODATION

Requests for accommodation will be reviewed and assessed on an individualized basis by Disability Services.

The University will offer accommodations to otherwise qualified students and applicants unless doing so would fundamentally alter the nature of its academic programs, impose

an undue financial or administrative burden, or would result in lowering academic and other essential performance standards.

Where more than one accommodation is reasonable, preference shall be given to the accommodation that will result in the most integrated setting appropriate for the individual.

5. RECORDS AND PRIVACY

Medical information provided to the University by students as part of a request for accommodation(s) is treated as confidential medical records under applicable laws and school policies. Such information is provided only to individuals who are privileged to receive such information on a need to know basis. Such confidential records shall be separately maintained by the University's Disability Services. These records shall be archived apart from official transcripts and educational records. All documents produced by consultants in the performance of services for the University will remain the property of Chapman University.

6. GRADUATE SERVICES

The University will assist students in documenting accommodations received during law school as an aid in requesting accommodations for bar examination and/or entrance exams for other graduate programs.

7. ADMISSIONS POLICY

The University does not discriminate on the basis of a disability. Any information concerning an applicant's disability provided during the admissions process is voluntary or optional and is maintained in accordance with laws relating to confidentiality. The University uses this information only for the purpose of avoiding past performance difficulties that the students may have experienced due to disabilities as reflected in their academic records. No limitations are placed on the number or proportion of persons with disabilities who may be admitted or enrolled.

8. PROHIBITION AGAINST RETALIATION

The University strictly prohibits any form of retaliation against any student or applicant who requests an accommodation, reports or participates in the investigation of a complaint, or otherwise exercises rights secured by this policy.

9. INTERNAL GRIEVANCE/APEALS PROCEDURES

Students who have concerns about a granted service, accommodation, modification of a law school or University practice or requirement, are encouraged to bring those concerns

or complaints to the attention of the appropriate campus personnel, e.g., law school Assistant Dean for Student Affairs or law school Associate Dean for Academic Affairs, for immediate resolution. Complaints or appeals related specifically to services for students with disabilities provided by Disability Services should be immediately brought to the attention of the Director. He/she will review the matter and attempt to informally resolve the situation. In the event that the matter cannot be resolved, students have the right to use the University's grievance/appeal procedures.

All grievances or appeals must be in writing. The complaint should include the name and address of the person filing the complaint and describe the alleged complaint or concern. For matters involving a classroom accommodation or a requested classroom service, the Director, along with the University's ADA Committee, will review and investigate the complaint. The investigation while informal but thorough, will afford the student an opportunity to submit evidence relevant to the complaint. In a timely manner the committee will review the matter and respond to the student. Matters involving a petition for substitution of a University practice or academic requirement will also be forwarded to the ADA committee. The committee will review the petition and forward the petition along with their recommendation to the law school's University's Student Standards Committee. The Committee will approve or deny the petition. If the petition is denied the student may make a personal appeal to the Student Standards Committee.

Any petition, grievance or appeal denied by the Student Standards Committee may further appeal directly to the Office of the Provost for reconsideration. If the student is dissatisfied with decision of the Office of the Provost, he/she may file a complaint with the University's Equal Employment Opportunity Officer (EEO). The EEO will investigate the complaint in accordance with the procedures as set forth in Chapman University's Harassment and Discrimination Policy.

10. EXTERNAL GRIEVANCES

Although students are encouraged to attempt to resolve grievances using the University process, they have the right to file any grievance directly with the Office of Civil Rights (OCR). Complaints filed with the OCR must be filed within 180 days from the time the incident occurred.

§4.5 HARASSMENT & DISCRIMINATION POLICY

The University's Harassment and Discrimination Policy applies to all members of the Chapman community, including students, faculty, administrators and staff. The University Harassment and Discrimination Policy is set forth on the University website at <https://www.chapman.edu/law/student-resources/discrimination-policies.aspx> The University's Harassment and Discrimination Policy is incorporated herein its entirety.

§4.6 INFORMATION REGARDING THE STUDENT SEXUAL MISCONDUCT POLICY

Chapman University is committed to creating and maintaining a community where all individuals who participate in University programs and activities can achieve their academic and professional aspirations free from harassment and discrimination. The [Student Sexual Misconduct Policy](#), Chapman University's [Harassment, Discrimination, and Sexual Harassment Policy](#), the [Student Conduct Code](#), and applicable State and Federal laws prohibit gender/sex-based harassment and discrimination, including sexual battery, sexual assault, intimate partner violence and abuse, stalking, sexual exploitation, or other forms of sexual misconduct. Definitions of these policies, available support resources, and an overview of relevant University procedures can be found at www.chapman.edu/consent.

In furtherance of this commitment, the University's administration, faculty, staff, and students are each responsible for creating and maintaining an environment conducive to work, study, and learning and for cooperating with University Officials who investigate allegations of policy violations. It is the duty of every member of the faculty, staff, and administration to ensure compliance with the policy by promptly reporting allegations of the policy violations. Faculty and staff who receive information about potential harassment, discrimination, or sexual misconduct or who are otherwise concerned that a member of the Chapman community may have engaged in or been affected by sexual harassment, discrimination, or sexual misconduct are required to report to a Title IX Coordinator. Please contact DeAnn Yocum Gaffney, Lead Title IX Coordinator and Associate Vice President for Student Affairs and Senior Associate Dean of Students, at (714) 997-6721 or gaffney@chapman.edu. For staff and faculty matters, please contact Misha Martinez, Deputy Title IX Coordinator and Equal Opportunity and Diversity Officer, at (714) 997-6847 or mismarti@chapman.edu.

§4.7 POSTING OF SIGNS

To allow for the tasteful, efficient and equitable use of the approved posting areas throughout the Fowler School of Law Campus, the Office for Student Affairs has developed this posting policy for your use. This is the only policy addressing posting at the law school and is your official guide to all posting rules and locations.

A. POSTING APPROVAL PROCESS

Before posting in Kennedy Hall other than on the bulletin boards in the Student Lounge approved for use by students or in the student locker room, students and/or organizations must have approval from the Law School's Events Coordinator.

All postings must be stamped with the date approval was granted. Information may be posted no earlier than one month before an event. **No more than 10 copies per event**

may be posted and should be removed promptly when the event is over. No more than one copy of an item may be posted on a given bulletin board.

B. SIZE AND CONTENT OF POSTINGS

All materials posted should be of an attractive and clean nature and as professional in appearance as is possible. Advertising for an event may not include information or pictures about alcohol being served unless approved by the Assistant Dean for Student Affairs.

Student publicity written in a foreign language must have a translation on file in the Office of Student Affairs. Three-dimensional materials will be approved for posting/display providing they meet all the criteria listed in this policy.

C. POSTING LOCATIONS

Only bulletin boards designated as Student Notice boards may be used for postings. **No posting is permitted on any painted surfaces, glass doors, classroom doors, elevator doors or call button areas, doors in general, walls or windows. Classroom door signs may be used on a limited basis as they are reserved for academic postings.**

Posting on trees, trash cans, light poles, utility poles, phone booths, phones, benches, sidewalks, bushes, or any other surface otherwise noted as a illegal posting location **is not permitted** anywhere on campus. Such posting will be removed immediately.

D. USE OF BLACKBOARD

The University's electronic email and message posting service, commonly known as Blackboard, may not be used by students for commercial purposes, including but not limited to the distribution of information concerning commercial bar preparation courses or law school study aids. Blackboard also may not be used by students for the dissemination of information regarding events.

§4.8 ANIMAL POLICY

Dogs and other animals are not permitted in Kennedy Hall unless they are designated as service animals or as an accommodation through the Office of Human Resources or Disability Services. This policy will remain in place unless and until a uniform University policy regarding dogs and animals in campus buildings is implemented.