

# EXCLUSIONS AND READMISSIONS

AS APPROVED BY THE FACULTY THROUGH 3/03/09

## INDIANA UNIVERSITY SCHOOL OF LAW-INDIANAPOLIS STANDARDS FOR ACADEMIC EXCLUSION AND READMISSION

### I. GENERAL PROVISIONS

A. Compliance with Standards. Any student who has been excluded from the School of Law and who seeks to appeal to be readmitted must comply with the procedures set forth in these Standards. Failure to comply with the Standards may be deemed a waiver of the student's right to appeal.

B. Availability of Standards. The Associate Dean for Student Services and Admissions shall make copies of these Standards available in the Student Affairs office and on the law school's website.

C. Terminology.

1. All references in these Standards to the "Committee" refer to the Student Affairs Committee.
2. All references in these Standards to the "Subcommittee" refer to the Readmissions Subcommittee.
3. All references in these Standards to "Assistant Dean" refer to the Assistant Dean for Student Affairs or the Dean's designee.
4. All references to the "Assistant Director" refer to the Assistant Director for Student Services or the Dean's designee.
5. Any reference to a "semester" refers to either (a) the fall semester or (b) the spring semester, which includes summer classes that end no later than July 20.
6. For purposes of these standards, "notice" occurs either through actual notice or by sending a certified letter to the student's address on file in the Office of Student Services.

D. Computation of Credit Hours.

1. In determining the number of credit hours a student has accumulated, courses in which the student has received a grade of F shall be counted.
2. In determining the number of credit hours a student has accumulated, courses in which the student has repeated shall be counted each time.
3. In determining the number of credit hours a student has accumulated, courses in which the student has received an Incomplete shall not be counted.

4. In determining the number of credit hours a student has accumulated, courses that the student has taken at another law school or in any educational program other than the J.D. program at this law school shall be counted to the extent that credit is transferred in satisfaction of the student’s degree requirements.
5. Examples:
  - a. In her first semester of law school, Student X completes 10 credit hours with no grades of F. In the next semester, X completes 10 hours but receives a grade of F in a 3-hour course. At the conclusion of that semester, X shall be deemed to have accumulated 20 credit hours for purposes of these Standards.
  - b. Same facts as above, except that instead of receiving a grade of F in the 3-hour course, X receives an Incomplete in that course. At the conclusion of that semester, X shall be deemed to have accumulated 17 credit hours for purposes of these Standards.

E. Effect of Incompletes

1. Time for Computation of Grade Point Average. The receipt by any student of an Incomplete shall not result in a postponement of the computation of the student’s grade point average.
2. Once a student completes twenty credit hours, an entry of Incomplete (“I”) on the student’s transcript shall be hours counted for purposes of determining whether a student is excluded from law school. The credit hours for the incomplete course will not be factored into the student’s GPA until the student receives an actual grade for the course.
3. If a student is excluded from law school and that student’s appeal to be readmitted to law school is denied, all courses designated on the student’s transcript as “Incomplete” will convert to a grade of W.

F. Computation of Grade Point Averages for Transfer Students: For purposes of these Standards the grade point averages of transfer students shall be computed solely on the basis of coursework taken while a J.D. candidate at this school.

G. Student’s Contact Information: All students enrolled in law school have a duty to update their contact information with the Assistant Director. A student cannot challenge the timely notice of exclusion when a certified letter was sent to the address on file.

## II. ACADEMIC PERFORMANCE PRIOR TO THE ACCUMULATION OF 20 CREDIT HOURS

As soon as practicable following the conclusion of the fall semester and summer session, the Assistant Dean shall review the academic standing of those students who have accumulated fewer than 20 credit hours and shall determine which of those students have achieved a cumulative grade point average below 2.3. The Assistant Dean shall then make reasonable efforts to notify these students of their academic standing and of these Standards.

## III. RULES OF EXCLUSION

A. The following students shall be excluded from the School of Law:

1. Any student who fails to achieve a cumulative grade point average of at least 2.3 at the completion of the fall or spring semester in which the student has accumulated at least 20 credit hours of study as a J.D. candidate at our law school;
2. Subject to Rule V.C.3., any student who fails to achieve a cumulative grade point average of at least 2.3 at the completion of the fall or spring semester thereafter, regardless of the number of credit hours for which the student enrolled in that fall or spring semester; and
3. Any student who has accumulated ten or more hours of “F” in any courses, including courses retaken and passed, courses retaken and failed, and courses for which an incomplete reverted to an “F.” For an example of this rule, if Student Z took the same three-credit course three times, receiving grades of “F,” “F,” and “B,” the student would have accumulated six hours of “F.”

B. Students who are excluded for academic reasons may only appeal by filing a petition to be readmitted. No student shall be admitted again by the Student Affairs Committee or the Readmissions Subcommittee as a beginning first-year student or be allowed to re-take courses completed prior to the academic exclusion.

## IV. APPEALS PROCESS: ESTABLISHING PETITION DEADLINES AND NOTIFYING STUDENTS OF THEIR FIRST EXCLUSION

A. The Assistant Dean shall send a notice of exclusion to any student who has completed twenty credit hours and whose GPA falls below a 2.3. The notice shall contain at least the following:

1. A statement of the rule with which the student has not complied;
2. A copy of these Standards;
3. A statement informing the student to contact the Assistant Dean with any questions about the appeals' process for readmission;
4. The deadline for submission of the petition for readmission; and
5. The date set for the appeal hearing, should the student decide to appeal.

B. The Subcommittee shall strive to hold hearings and decide appeals prior to the beginning of classes in the fall semester and by the end of January in the spring semester, provided the student's grades are available.

V. **APPEALS PROCESS: READMISSION TO THE SCHOOL OF LAW UPON A FIRST EXCLUSION**

A. Decision-Making Authority. Except as provided in Rule VI, the Readmissions Subcommittee shall have the power to determine appeals and decide whether to readmit any student who has been excluded pursuant to Rule IV. Decisions of the Subcommittee shall be final, except as provided in Rule V.D.

B. Standards for Readmission. Except as provided in Rule VI, and subject to Rule V.C.3., the Readmissions Subcommittee shall grant an appeal for readmission only if it finds that if readmitted, the student has a reasonable chance of raising the student's cumulative grade point average to at least 2.3 at the conclusion of the first semester following readmission.

C. Procedures for Readmission. The following procedures shall be followed in cases in which readmission is sought:

1. Readmission Petition. A student who is notified of exclusion pursuant to Rule IV and who appeals to seek readmission to the School of Law must submit five (5) copies of a petition for readmission to the Assistant Dean within the time period stated in the formal notice. As soon as practicable after receipt, the Assistant Dean shall file one copy in the student's permanent file, file one copy in the permanent readmissions file, and forward one copy of the petition to the Chair and two members of the Readmissions Subcommittee. The petition must specifically discuss at least the following:

- a. The student's current academic standing (date student began law study, number of credit hours completed, cumulative grade point average, and other relevant information concerning the student's current standing);
- b. The factors that caused the student's failure to achieve the

- required minimum cumulative grade point average (supporting documentation should be attached where appropriate);
  - c. The steps taken in the past to improve the student’s performance;
  - d. The grade point average the student must achieve in order to raise the cumulative grade point average to 2.3 in the semester or summer session following readmission;
  - e. The steps the student is presently taking and will in the future take to improve the student’s performance; and
  - f. If the School of Law offered tutorial assistance to the student and the student declined the assistance, the reasons why the assistance was declined.
  
- 2. Hearing. The Readmissions Subcommittee shall meet at the hearing time agreed upon to hear student appeals and render decisions on the petitions. All students who have appealed shall be afforded the opportunity to appear before the Subcommittee to discuss their petitions and to respond to questions.
  
- 3. Ruling by Subcommittee; Setting of Conditions. The Subcommittee may vote to grant a student’s petition, to grant the petition with specified conditions, or to deny the petition and, therefore, the appeal. If the Subcommittee votes to grant a petition, it may not allow the student more than one semester in which to raise the student’s cumulative average to 2.3 or above unless the Subcommittee finds there are exceptional circumstances that justify allowing a student one additional semester in which to raise the G PA to 2.3. If an additional semester is granted, the following rules shall apply:
  - a. The Subcommittee may grant the student only one additional semester in which to raise the cumulative GPA to 2.3; and
  - b. The student must achieve a GPA of at least a 2.3 in those courses taken during the first semester after readmission. If the student does not achieve at least a 2.3 in the first semester upon readmission, the student is excluded and must follow the same procedures as a student excluded for the second time, as set forth in Part VI of these standards.
  
- 4. Notice to Assistant Dean. As soon as practicable after the meeting at which the decisions on appeals are made, the Chair of the Readmissions Subcommittee shall provide written notice to the Assistant Dean of the Subcommittee’s rulings and of any conditions which have been set for a student’s readmission.

5. Notice to Students of Subcommittee Decision. As soon as practicable after receiving the Subcommittee’s written ruling, the Assistant Dean shall provide each student with written notice of the Subcommittee’s ruling. If a student is readmitted, the written notice shall include the deadlines and procedures in the event of a second exclusion as discussed in Part VI of these Standards. The notice shall direct the student to address any questions about the ruling or procedures to the Assistant Dean.

D. Subsequent Petitions in Event of Denial. In the event the Readmissions Subcommittee denies an appeal to be readmitted, the student has one additional opportunity to renew the appeal to be readmitted, but the renewed appeal must be based only on new information available after the student’s appeal was denied. Although the one-time renewal request may occur at any time, a student renewing an appeal may not commence classes any earlier than twelve months after the student’s exclusion. However, the time that the student spends away from law school because of exclusion under these rules shall not toll the running of the rule requiring that a student complete law studies within eighty-four months of commencing law school.

VI. APPEALS PROCESS: READMISSION TO THE SCHOOL OF LAW UPON A SECOND EXCLUSION

A. Statement of Policy. It is the strong policy of this faculty that students who have been excluded and readmitted after one appeal pursuant to these rules have been afforded adequate opportunity to demonstrate their capacity to perform in accordance with the academic standards of the School of Law. This is especially true in light of the rule that permits the Readmissions Subcommittee, in exceptional circumstances, to grant a student two semesters in which to raise the student’s GPA to the required minimum. However, the faculty recognizes that there may be rare cases in which a second readmission is warranted, and these rules therefore establish a procedure to appeal and consider these petitions. It should be understood, however, that the faculty policy is that petitions for second readmission should very seldom be granted, and that under no circumstances shall the Student Affairs Committee consider petitions for third readmission. See Rule VII.

B. Student Exclusion and Withdrawal: A student who receives actual or constructive notice (through receipt of grades or otherwise) that the student’s GPA has fallen below the required minimum of 2.3, thereby warranting a second exclusion from law school, must immediately withdraw from classes.

- C. Notice to Students; Deadlines; Counseling. The Assistant Dean shall provide written notice to those students who are subject to exclusion pursuant to this rule. The notice shall specify the deadlines for submission of petitions, which may be no later than 9:00 a.m. on the Tuesday immediately after Labor Day or 9:00 a.m. on Monday of the fourth week of spring semester classes.<sup>1</sup> Students receiving notice under this rule shall be encouraged to meet individually with the Assistant Dean, and the Assistant Dean may, in appropriate cases, strongly encourage a student to consider sitting out a semester before pursuing a petition for readmission. The student shall be informed that the Student Affairs Committee and the Readmissions Subcommittee, when reviewing a petition for second readmission, will not weigh unfavorably a student’s decision to voluntarily take a leave from law school.
- D. Waiver of Rule; Authority. The Student Affairs Committee shall have the authority to waive Rule VI.A. to permit the Readmissions Subcommittee to hear the appeal and grant a second readmission as provided in these Standards. A denial of a waiver by the Committee shall be final.
- E. Waiver; Standards. The Student Affairs Committee may waive Rule VI.A. only if the Committee finds that it would not be unreasonable for the Readmissions Subcommittee to grant the petition for readmission. No petition for second readmission will be granted unless the student demonstrates that there are exceptional circumstances that justify granting the student an additional semester in which to raise the cumulative GPA to at least 2.3. When reviewing a petition for second readmission, the Committee shall not weigh unfavorably a student’s decision to take a leave of absence from law school. In deciding petitions pursuant to this rule, under no circumstances shall the Readmission Subcommittee grant a student more than one semester in which to raise the student’s GPA to at least 2.3.
- F. Waiver; Student Petitions. A student may appeal by submitting a petition for waiver of Rule VI.A. The petition shall address the issues stated in Rule V.C.1. and Rule VI.E. The student must submit thirteen (13) copies of the petition to the Assistant Dean. As soon as practicable after receipt, the Assistant Dean shall file one copy of the petition in the student’s permanent file, file one copy in the permanent readmissions file, and give one of the remaining eleven (11) copies to the Chair and each of the members of the Student Affairs Committee.

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<sup>1</sup> These deadlines may be delayed in extraordinary circumstances. For example, if a student has not received a grade in a course because of a late submission by a faculty member, the Associate Dean and the Chair of the Student Affairs Committee shall, after consultation, set later deadlines for the appeals process.

1. If a student plans to submit a petition, the student must first notify the Assistant Dean of the student's intent to petition for readmission as soon as practicable following actual or constructive notice of the second exclusion.
  2. If deadlines for submission of petitions have not been set previously, the Assistant Dean shall then consult with the Chair of the Student Affairs Committee and set an appropriate deadline for submission of the petition.
- G. Waiver; Committee and Subcommittee Action. When a student has filed a petition for waiver pursuant to Rule VI.F., and when the petition has been forwarded to the Chair of the Student Affairs Committee, the following procedures shall be followed:
1. The Chair of the Student Affairs Committee shall convene a meeting of the Committee to consider whether to waive Rule VI.A. The meeting will be held no later than the week of Labor Day in the fall semester or the fourth week of spring semester, unless the process was delayed due to the student's receiving grades late. The student shall not have the right to appear before the Student Affairs Committee when it considers the petition for waiver of Rule VI.A.
  2. If the Student Affairs Committee determines that it would be unreasonable for the Readmissions Subcommittee to grant an appeal for readmission, the following rules shall apply:
    - a. The Committee's decision shall be final, and the Chair of the Student Affairs Committee shall provide written notice to the Assistant Dean of the Committee's ruling.
    - b. As soon as practicable after being notified of the Committee's ruling, the Assistant Dean shall provide the student with written notice of the ruling. The notice shall also inform the student to contact the Assistant Dean should the student wish to discuss the matter further.
  3. If the Student Affairs Committee determines that it would not be unreasonable for the Readmissions Subcommittee to grant a petition for readmission, the following rules shall apply:
    - a. The Chair of the Student Affairs Committee shall forward the petition to the Chair of the Readmissions Subcommittee. The Chair of the Subcommittee shall convene a meeting of the Subcommittee no later than the week following the week of Labor Day in the fall semester and the fifth week of the spring semester, unless the process was delayed due to the student's receiving

grades late.

- b. The petition will thereafter be treated as a petition for readmission and shall be handled by the Readmissions Subcommittee subject to the standards stated in Rule VI.E., and subject to the procedures stated in Rules V.C.2. through V.C.5. (except as Rule V.C.3. has been modified by Rule VI.E.).
  - c. The decision of the Readmissions Subcommittee shall be final.
4. If the Student Affairs Committee determines that it would be unreasonable for the Readmissions Subcommittee to grant a petition for second readmission, or if the Student Affairs Committee determines that it would not be unreasonable for the Readmissions Subcommittee to grant such a petition but the Subcommittee thereafter denies the petition, under no circumstances may the Student Affairs Committee consider a subsequent petition from the student.

## VII. SUBSEQUENT EXCLUSIONS

Under no circumstances may the Student Affairs Committee consider a petition for a third readmission.