This Policy Manual is a compilation of policies established by the University of Dayton School of Law’s Dean and/or faculty. Where appropriate, the School of Law’s policies are supplemented by those accrediting agencies and similar organizations (such as the American Bar Association and the Association of American Law Schools), and by University policies and regulations. Citations at the end of paragraphs refer to the source or sources of rules contained in that section or paragraph (e.g., “ABA Standard ___”) or to the dates of faculty decisions (e.g., “February 27, 2013”) as reported in the Minutes of Faculty Meetings.

DISCLAIMER – THIS POLICY MANUAL IS NOT A CONTRACT. The information in this Policy Manual is accurate and current as of August 2014. The University of Dayton School of Law expressly reserves the right to make changes to this Policy Manual as conditions warrant and in accordance with established procedures.
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University of Dayton School of Law Policy Manual

A. MISSION STATEMENT

Our mission is to enroll a diverse group of intellectually curious, self-disciplined and well- motivated men and women, and to educate them in the substantive and procedural principles of public and private law. The School of Law seeks to graduate highly qualified attorneys who will uphold the highest professional standards, who are sensitive to the impact of Judeo-Christian ethics on the law, and who will recognize that service to others, rather than personal financial gratification, is the chief measure of professional competence.

B. ADMISSION POLICIES

1. FIRST-YEAR APPLICANTS
   a. Criteria

There is no automatic level of qualification or disqualification based on statistics alone, but rather the entire application will be reviewed. Periodically, however, the Admissions Committee may set standards for presumptive acceptances and denials, and delegate to one or more members of the Committee the authority to issue acceptances and denials in those cases.

While first consideration will be given to undergraduate grade-point averages and Law School Admission Test (LSAT) scores, other factors will be considered, including the two required letters of recommendation; other educational factors, such as the type, depth and difficulty of courses completed, grade trends, honors, and graduate studies; life experience, such as work and military achievements, extracurricular activities, community service; and personal attributes, such as maturity, good judgment, writing ability, analytical and leadership skills, breadth of interests, and ability to overcome handicaps of all kinds, including environmental or financial problems.

   b. Applications

(1) Law School Admissions Test (LSAT)

All applicants must take the LSAT and have their scores reported directly to the school by the Law School Data Assembly Service before their application is complete and ready for decision. [ABA Standard 503.] Those who are non-American citizens and have been foreign-educated must provide a TOEFL (Test of English as a Foreign Language) score in addition to the LSAT.

(2) Law School Data Assembly Service (LSDAS)

All applicants must participate in the LSDAS. Those applicants who received their undergraduate degree from a foreign institution (that is not part of LSDAS), must participate in LSAC JD Credential Assembly Service (JD CAS) if they completed any post- secondary work outside the U.S. (including its territories) or Canada. Applicants need not use this service if they completed the foreign work through a study abroad, consortium, or exchange program sponsored by a U.S. or Canadian institution, and the work is clearly indicated as such on the home campus transcript.
(3) Information and Data Required

Before an admission decision is made, the applicant's file must include the following:

(a) An application form with all of the requested information provided. No application form will be processed unless it states clearly whether the applicant has ever attended another law school or is now so attending;

(b) An LSDAS report, of reasonably current date, showing all undergraduate and graduate work, and all LSAT scores, (foreign-educated applicants, see, 2. (b) (2), above);

(c) Two letters of recommendation; and

(d) A personal statement.

c. Reactivated Files

Applicants who complete their admission file in one year, and then request that the file either be reactivated or be reconsidered in a later year, must file a new application form stating clearly whether the applicant has ever attended another law school or is now so attending.

d. Prior Legal Studies

An applicant who has prior legal study (that is, who has attended law school at the University of Dayton or elsewhere, but has not received the first degree in law) must reveal that attendance in his or her application. Such a student is not eligible to apply for admission as a first-year student until two or more years have elapsed since his or her most recent law school attendance. An application from a person whose prior legal study ended with an academic disqualification will be considered for admission only under the circumstances set forth in ABA Standard 505.

e. Decisions

(1) Applicants without Prior Legal Studies

When completed, the files of applicants who have never attended another law school will be forwarded to the Admissions Committee for decision; provided, however, that the committee may delegate its authority to make final decisions on certain categories of files to the Office of Admissions.

(2) Applicants with Prior Legal Studies

When completed, the files of applicants who have previously attended law school will be forwarded to the Associate Dean for Academic Affairs for decision.
f. "Official Transcripts"

(1) Definition

An "official" transcript is a record issued by the registrar of an educational institution showing all of the courses taken while a student there and the grades received, bearing the embossed seal of the institution, and indicating the award of an undergraduate degree.

(2) Requirement

Once accepted and prior to registration, every enrolling student must arrange for his or her undergraduate college or university to submit an official transcript directly to the School of Law's Registrar. Such a transcript is required by the American Bar Association Standards for the Accreditation of Law Schools, and by many of the state bars. [ABA Standard 502(a) and Interpretation 502-1.] Transcripts received from the LSDAS are photocopies and, thus, are not acceptable to fulfill the requirement for an "official" transcript.

(3) Non-Compliance

In view of the importance of the official transcript, sanctions will be applied to students who have not complied with this requirement within a reasonable time after acceptance to the school. In the case of a student who has been awarded an undergraduate degree six months or more before matriculation, an official transcript must be received before he or she can be registered for the second semester. In the case of a student who has been awarded a degree within six months of matriculation, the transcript must be received before he or she can be registered for the third semester.

2. TRANSFER APPLICANTS

a. Qualifications

Only students in "good standing" (that is, having a cumulative grade-point average in excess of that required for graduation) and eligible to continue at their present law schools will be considered for transfer admission. Transfer applications will be accepted for the beginning of Fall semester only.

b. Applications

Students seeking transfer admission must submit an application, must currently be registered with LSDAS (Law School Data Assembly Service), provide an official undergraduate degree transcript directly from the undergraduate institution, as well as an official law school transcript, faculty letter of recommendation, letter of good standing, and first year course descriptions from their current ABA-approved law school. Applications for admission with advanced standing are normally considered only for the fall semester.

c. Procedure

Decisions on admission of transfer students will be made by the Associate Dean for Academic Affairs. As a condition or term of such an acceptance, the Dean may require a transfer applicant to
take courses in addition to or different from those taken by other law students and/or may grant a waiver of courses otherwise required.

d. Conditions

An offer of transfer admission will be made on the following terms and conditions:

(a) Only courses that were completed at a law school approved by the ABA, for which a grade of "C" or better (or its equivalent) was received, and which reasonably conforms to the curriculum of this law school, will be accepted for transfer.

(b) Normally, not more than thirty semester hours, or forty-five quarter hours, of credits will be accepted for transfer.

(c) Courses for which advanced standing is awarded will not enter into the calculation of the student's cumulative grade-point average, and no official class ranks will be determined for transfer students.

(d) Transfer students are considered second-year students for purposes of applying the standards for continuation in law school, even though they may have less than thirty hours of credit and/or may be registered for first-year courses.

3. TRANSIENT STUDENTS

With the approval of the Associate Dean for Academic Affairs, a student at another law school, approved by the ABA, may enroll in courses at the University of Dayton School of Law as a transient student for the purpose of completing the requirements for graduation from the other law school. Although a formal application is not required, a "letter of good standing" from the other law school, giving permission for the visit and agreeing to accept any credits that are completed satisfactorily, is required.

4. SPECIAL STUDENTS

With the approval of the Associate Dean for Academic Affairs, a student may be admitted as a non-degree-seeking, special student, whether or not the student holds a law degree. Ordinarily, such students will be admitted only if they can demonstrate an appropriate educational foundation and experience base for legal study in the course or courses they wish to take. Courses completed as a special student cannot be applied later as credits toward a Juris Doctor degree. [ABA Interpretation 304-5]

C. ACADEMIC STANDARDS AND POLICIES

1. EDUCATIONAL PROGRAMS

a. Juris Doctor Curriculum

This section is applicable only to students entering in August 2014 and later. For students entering before August 2014, consult with the Associate Dean for Academic Affairs as to the applicable curriculum requirements.
(1) Credit Hours / Periods of Attendance

Every student must earn credit for at least 90 semester hours of law school work. Credit for at least 70 of those hours must be earned in courses with regularly scheduled class sessions. [ABA Standard 311(b)].

All courses for the Juris Doctor must be taken over a period of not fewer than 24 calendar months and not more than 84 calendar months.

(2) Course Load

(a) During any regular semester, every student must enroll in courses totaling at least twelve, but not more than eighteen, credit hours. [ABA Standard 311(b).] However, graduating students may register for less than twelve credits in their final semester.

(b) No student whose cumulative grade point average is below 2.50 after receiving grades at the end of any semester may enroll in more than sixteen (16) credit hours in the subsequent semester. No student whose cumulative grade point average is below 2.50 after receiving grades at the end of the spring semester may enroll in more than 8 credit hours during one term in the summer. [February 19, 2014]

(3) Graduation Requirements (Students entering August 2016 and later)

In order to graduate, all students must receive credit for the following required courses:

(a) Foundation Courses

<table>
<thead>
<tr>
<th>First Semester</th>
<th>Credits</th>
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<tbody>
<tr>
<td>Civil Procedure Doctrine &amp; Skills I</td>
<td>3</td>
</tr>
<tr>
<td>Legal Profession I</td>
<td>3</td>
</tr>
<tr>
<td>Real Property Doctrine &amp; Skills I</td>
<td>4</td>
</tr>
<tr>
<td>Torts Doctrine &amp; Skills I</td>
<td>3</td>
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<tr>
<td>Torts I Lab</td>
<td>1</td>
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<tr>
<td>Learning Community</td>
<td></td>
</tr>
</tbody>
</table>

*Every student must participate as required in the first-semester Learning Communities Program, unless the student is a transfer student who did not enroll at the Law School as a first-year student. [March 20, 2013]*

<table>
<thead>
<tr>
<th>Second Semester</th>
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<tr>
<td>Civil Procedure Doctrine &amp; Skills II</td>
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</tr>
<tr>
<td>Contracts Doctrine &amp; Skills I</td>
<td>3</td>
</tr>
<tr>
<td>Criminal Law Doctrine &amp; Skills</td>
<td>3</td>
</tr>
<tr>
<td>Criminal Law Lab</td>
<td>1</td>
</tr>
<tr>
<td>Legal Profession II</td>
<td>3</td>
</tr>
<tr>
<td>Torts Doctrine &amp; Skills II</td>
<td>2</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Third Semester</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislation</td>
<td>2</td>
</tr>
</tbody>
</table>
Fourth Semester
Constitutional Law Doctrine & Skills 2 credits

(b) Upper Level Writing Requirement

In order to graduate, all students are required to take at least one of the following courses after completion of two semesters and before taking a required capstone course:

Appellate Practice and Procedure 2 credits
Transactional Drafting 2 credits

(c) Additional Upper Level Requirements

In addition to the required foundation courses and the Upper Level Writing Requirement, in order to graduate, all students must receive credit for:

ADR requirement – one of the following:

ADR for the Litigator 3 credits
Interviewing, Counseling, Negotiation 3 credits
Conflict Management & ADR 3 credits
Advanced Dispute Resolution 4 credits

Practical Experience Requirement – one of the following:

Externship 4 credits
Law Clinic 4 credits
Fundamentals of Evidence 3 credits
Professional Responsibility 2 credits
Synthesis Requirement: Capstone 3 or 4 credits
Real Property II 3 credits
Criminal Procedure- Investigative 3 credits
Bar Practice & Process 3 credits

The required synthesis requirement (Capstone course) may be taken in either of a student’s final two semesters, preferably the final semester before graduation. Capstone courses are limited enrollment (no more than twenty) and will be awarded either three credits or four credits toward graduation as provided in each capstone course’s course description. The capstone experience, including all courses designated as “capstones,” will ordinarily include the preparation of written work, which may include scholarly as well as practice-related writing. A student must have completed the Upper Level Writing Requirement before beginning a required capstone course. Completion of a capstone course does not satisfy the Upper Level Writing requirement. The capstone experience may introduce some new information, but it is expected that the course will be a culmination of previous course work, including general requirements, and electives.
The Externship or Law Clinic course must be taken in either of a student’s final two semesters before graduation or in the Summer term immediately preceding a student’s last or next to last semester before graduation. The required course in Professional Responsibility may be taken any time after a student has completed the first two semesters. See the Externship Guidelines for more information about externships.

The Bar Practice & Process course must be taken in the student’s final semester before graduation.

(d) Additional Academic Support Requirements

Students with a cumulative grade point average below a 2.5 at the end of their first semester in law school shall be required during their second semester at the law school to enroll in the course entitled “Elements in Legal Analysis” and shall be required to defer enrollment in the Legal Profession II course until the next regularly scheduled offering of that course. In addition, students on academic probation at the end of their first semester in law school must meet with the Associate Dean for Academic Affairs for academic counseling. [April 18, 2012, April 24, 2013]

Students with a cumulative grade point average below a 2.5 at the end of their second semester in law school shall be required during their third semester at the law school to enroll in the skills course entitled “Remedies.” [May 11, 2016]

Students with a cumulative grade point average below a 2.5 at the end of their third semester in law school shall be required during their fourth semester at the law school to enroll in the course entitled “Advanced Legal Analysis.” [May 11, 2016]

Students who receive a grade of C, C-, D+, or D in Civil Procedure Doctrine & Skills I and/or II; Constitutional Law Doctrine & Skills I and/or II; Contracts Doctrine & Skills I and/or II; Criminal Law Doctrine & Skills; Real Property Doctrine & Skills I; and/or Torts Doctrine and Skills I and/or II are required to successfully complete the module[s] associated with that course or courses using the Customized On-Line Remediation Program designated by the Associate Dean for Academic Affairs by the end of the following semester. The Associate Dean, in consultation with the commercial vendor, will determine passing scores for the on-line remediation program. If a student has not completed the required module[s] by the required date, the School of Law Registrar will drop the student’s classes and the student will not be permitted to register for or attend classes until the required module(s) have been completed. [May 11, 2016]

(4) Graduation Requirements (Students Entering After August 2014 and Before August 2016)

In order to graduate, all students must receive credit for the following required courses:

(a) Foundation Courses

**First Semester**
- Civil Practice and Procedure 4 credits
- Contracts I 2 credits
- Legal Profession I 3 credits
- Real Property I 4 credits
- Torts I 3 credits
- Learning Community
Every student must participate as required in the first-semester Learning Communities Program, unless the student is a transfer student who did not enroll at the Law School as a first-year student. [March 20, 2013]

**Second Semester**
- Constitutional Law 4 credits
- Contracts II 3 credits
- Criminal Law 3 credits
- Legal Profession II 3 credits
- Torts II 2 credits

**Third Semester**
- Legislation 3 credits

(b) Upper Level Writing Requirement

In order to graduate, all students are required to take at least one of the following courses after completion of two semesters and before taking a required capstone course:

- Appellate Practice and Procedure 2 credits
- Transactional Drafting 2 credits

(c) Additional Upper Level Requirements

In addition to the required foundation courses and the Upper Level Writing Requirement, in order to graduate, all students must receive credit for:

**ADR requirement – one of the following:**
- ADR for the Litigator 3 credits
- Interviewing, Counseling, Negotiation 3 credits
- Conflict Management & ADR 3 credits
- Advanced Dispute Resolution 4 credits

**Practical Experience Requirement – one of the following:**
- Externship 4 credits
- Law Clinic 4 credits
- Criminal Law-Investigation (Students entering in August 2015 and May 2016 only) 3 Credits
- Evidence 3 credits
- Professional Responsibility 2 credits
Real Property II (Students entering in August 2015 and May 2016 only) 3 Credits

Synthesis Requirement: Capstone 3 or 4 credits

The required synthesis requirement (Capstone course) may be taken in either of a student’s final two semesters, preferably the final semester before graduation. Capstone courses are limited enrollment (no more than twenty) and will be awarded either three credits or four credits toward graduation as provided in each capstone course’s course description. The capstone experience, including all courses designated as “capstones,” will ordinarily include the preparation of written work, which may include scholarly as well as practice-related writing. A student must have completed the Upper Level Writing Requirement before beginning a required capstone course. Completion of a capstone course does not satisfy the Upper Level Writing requirement. The capstone experience may introduce some new information, but it is expected that the course will be a culmination of previous course work, including general requirements, and electives.

The Externship or Law Clinic course must be taken in either of a student’s final two semesters before graduation or in the Summer term immediately preceding a student’s last or next to last semester before graduation. The required course in Professional Responsibility may be taken any time after a student has completed the first two semesters. See the Externship Guidelines for more information about externships.

(d) Additional Academic Support Requirements

Students with a cumulative grade point average below a 2.5 at the end of their first semester in law school shall be required during their second semester at the law school to enroll in the course entitled “Elements in Legal Analysis” and shall be required to defer enrollment in the Legal Profession II course until the next regularly scheduled offering of that course. In addition, students on academic probation at the end of their first semester in law school must meet with the Associate Dean for Academic Affairs for academic counseling. [April 18, 2012, April 24, 2013]

(e) Additional Academic Support Requirements for Students Entering May 2016 Only

Students with a cumulative grade point average below a 2.5 at the end of their second semester in law school shall be required during their third semester at the law school to enroll in the skills course entitled “Remedies.” [May 11, 2016]

Students with a cumulative grade point average below a 2.5 at the end of their third semester in law school shall be required during their fourth semester at the law school to enroll in the course entitled “Advanced Legal Analysis.” [May 11, 2016]

(5) Electives

In addition to the graduation requirements set forth in section (3) above, students must receive credit for elective courses so that the number of credits earned equals or exceeds 90.
(6) Curricular Concentrations

A curricular concentration is a sequence of courses that have been identified and approved by the faculty as appropriate to be taken as a course of study in order to pursue a more intense or focused study in a particular area of law or legal practice. Information about available curricular concentrations is located here.

(7) Exceptions and Waivers

Students are expected to follow the curriculum approved by the faculty both as to courses taken and as to the sequencing of such courses. In extraordinary cases, re-sequencing of courses may be approved by the Associate Dean for Academic Affairs for good cause shown.

b. Joint-Degree Programs

(1) Juris Doctor/Master of Business Administration

The JD/MBA Joint Degree Program is an integrated program of studies leading to both the Juris Doctor and the Master of Business Administration degrees. The program was created in response to a growing need for professionals trained in both fields. The designation of certain courses from both the law and MBA programs as common electives results in completion of both programs in one term less than would be required if each degree was pursued independently. At the completion of the program, both degrees are conferred.

While the specific program structure and requirements are determined for each student through individual consultation, there is a basic format common to all students. The first year is spent entirely in the School of Law. Course work in the second and third years is distributed between law and business courses, sequenced in a manner to achieve integrated progression in the two fields. The fourth year, if necessary, consists mainly of taking law courses to complete the JD requirements. Since both schools offer courses during the summer, students may accelerate the program by attending summer sessions. The total number of hours required for the MBA degree will depend upon a student's need for prerequisite courses. Those with undergraduate degrees in fields other than business administration normally require additional hours.

Students applying for the JD/MBA program must meet the admission requirements of both the School of Law and the School of Business Administration. Separate applications for admission must be submitted to each school, complete with the required records. Upon admission to the joint-degree program, each school will appoint an advisor to assist in the planning of the student's program of studies.

(2) Juris Doctor/Master of Science in Educational Administration

The School of Law in cooperation with the School of Education offers a joint program leading to both the Juris Doctor and a Master of Science in Education. The design and requirements of the program are determined for each student in order to provide sufficient flexibility to accommodate the unique needs and career plans of the individual. Students interested in this joint program should consult both the School of Law and School of Education for the particulars.

(3) Juris Doctor/Master of Public Administration
The School of Law in cooperation with the College of Arts & Sciences (Department of Political Science) offers a joint program leading to both the Juris Doctor and a Master of Science in Public Administration. The design and requirements of the program are determined for each student in order to provide sufficient flexibility to accommodate the unique needs and career plans of the individual. Students interested in this joint program should consult both the School of Law and the Department of Political Science for the particulars.

(4) Courses Accepted

Under each of the above programs, up to six credit hours of non-law courses will be applied toward the requirements of the Juris Doctor, provided the student received pre-approval to take the course from the Associate Dean for Academic Affairs, and the grade earned was “C” or better (or its equivalent). Such courses will be recorded on the law school transcript as a "K" (pass), and will not affect the calculation of the student’s cumulative grade-point average.

c. Masters in the Study of Law (M.S.L.) Program in American and Transnational Law

d. Master of Laws (LL.M.) Program in American and Transnational Law

e. Credits Earned in Other University Schools and the College

An upper-level law student whose cumulative grade-point average is 2.50 or higher may, with the advance approval of the Associate Dean for Academic Affairs, enroll in graduate level courses in the other schools and the College of the University of Dayton and receive credit for up to six semester hours toward the requirements for a law degree, provided that the grade earned in such course(s) was “C” or better (or its equivalent). Such courses will be recorded on the law school transcript as a "K" (pass), and will not affect the calculation of the student's cumulative grade-point average.

[February 19, 2014]

f. Study "In Absentia"

With an appropriate showing, a UDSL law student can receive permission to enroll in courses at another law school as a transient student, a privilege known as "studying in absentia." Normally, studying in absentia is a privilege reserved for third-year students. First-year students will not be permitted to study in absentia, and second-year students may be permitted to do so only under extraordinary circumstances. Students must obtain permission to study in absentia from the Associate Dean for Academic Affairs.

(1) Eligibility

In order to study in absentia a student must have completed at least one, and preferably two, years of study at the School of Law, must be in good standing and must have a cumulative grade-point average of 2.50 or above. Requests to study in absentia will be approved only in cases of extreme hardship circumstances, and for reasons beyond mere personal convenience or financial considerations. No more than two semesters of study in absentia will be permitted under any circumstances. [February 19, 2014]
(2) Approval

Requests for permission to study in absentia should be submitted to the Associate Dean for Academic Affairs during the semester before such study is to begin. Ordinarily, the request will be approved or disapproved by the Associate Dean for Academic Affairs without further consultation. In unusual or sensitive cases, a request may be referred to the Academic Affairs Committee for a recommendation.

(3) Limitations

The student must submit a list of the courses he or she intends to take, along with a description of those courses from the visited law school’s catalog or bulletin. The Associate Dean for Academic Affairs will review the course offerings for approval.

(4) Grades

At the conclusion of each semester, the student must arrange for an "official transcript" to be sent directly to the School of Law’s Registrar. The student will receive credit for those courses which were approved in advance and for which a grade of "C" (or its equivalent) or above was earned. Such courses will be recorded on the University of Dayton transcript as "K" (pass), but will not be used in calculating the student's cumulative grade-point average.

(5) Fees

Students who study in absentia must pay an administrative fee of $750 for each semester they study at another law school.

e. Leave of Absence

A law student may petition the Associate Dean for Academic Affairs for a leave of absence. This petition must be in writing, setting forth the circumstances of the request and the length of leave desired. Normally leaves of absence are granted for one year. A student who has been given a leave of absence can request an extension for an additional year. No student will be granted a leave for more than two years. Petitions for leaves of absence will not be considered during examination periods.

It is the student's responsibility to meet the conditions of his or her leave. The student must submit a letter to the Associate Dean's Office at least two months prior to the end of leave, indicating his or her intention to return to the school. If the student fails to submit a letter or goes beyond the time of leave granted, the student will not be eligible to return, but must petition for readmission.

2. REGISTRATION

a. General Policies

(1) Credit/Audit

Ordinarily registration for a course means that the student intends to receive credit for the course, assuming its successful completion, in meeting graduation requirements and on his or her transcript. An elective course may be taken for audit rather than for credit, however. Auditing a course requires the
student to attend and prepare for class, but not to sit for an examination or submit a paper that will be graded. The student pays tuition at the regular rate and the course is included on his or her transcript with the appropriate notation (X). Audited courses do not affect a student’s cumulative grade-point average and are not counted for either residency or credit hour requirements.

(2) Course Load

Students must register for all required courses. Exceptions may be made only with the permission of the Associate Dean for Academic Affairs for good cause shown. In any event, upper-level students are required to register for not less than 12 credit hours during each regular semester they are enrolled, with the exception that graduating students may register for less than 12 credits in their final semester.

Audited courses do not count toward this requirement. [February 19, 1975.]

(3) Tuition

Tuition will be assessed at the per credit hour rate for all courses taken for credit or as an audit.

(4) Responsibility

A student is not considered registered until his or her registration has been completed and tuition and fees have been paid in full.

(5) Scholarship Monies and Study Outside the School of Law

A student who chooses to take classes in other University of Dayton graduate departments and/or at other law schools should consult the Office of Financial Aid to discuss financial aid options. Students cannot apply University of Dayton law scholarship funds towards credit taken outside the School of Law. Scholarship awards will be reduced on a pro rata basis for credits earned towards the JD degree outside the School of Law.

b. Order of Registration

The order of registration will be based upon seniority, with the most senior students registering first. For this purpose, “seniority” will be determined according to the number of credits completed.

c. Prerequisites

Students are responsible for ensuring they have taken the prerequisites for any course. Waiver of any prerequisite must be in writing and requires the approval of both the course instructor and the Associate Dean for Academic Affairs.

Failure to have taken prerequisites, or to obtain a waiver thereof, prior to registration, may result in involuntary withdrawal from a course, with a concomitant loss of credits.
d. Repeated Courses

Except in the case of a student readmitted to begin afresh, courses for which a student has received a grade of "D" or above, or audit credit, cannot be repeated. Required courses that are failed must be repeated at the next offering. [September 12, 1975.]

e. Limitations

(1) Reservation

The School of Law reserves the right to cancel or reschedule any course for lack of student interest or of a suitable course instructor.

(2) Multiple Sections

In a course with multiple sections, no more than 60% of the students enrolling in that course can be enrolled in any section.

(3) Specific Courses

(a) Independent Study (LAW 6860)

Independent Studies are subject to the following limitations:

- Independent Study shall be graded under Grading Option A
  [August 17, 2016]
- A student must have a cumulative GPA of 2.50 or greater to register for an Independent Study.
  [February 19, 2014]
- The Independent Study must be sponsored by a full-time faculty member.
- The Independent Study must be approved in advance by the Associate Dean for Academic Affairs.
- Only one Independent Study can be taken per semester.
- Only one Independent Study can be taken during a summer term.
- Not more than four credits of Independent Studies can be counted in the 90 credits required for graduation. [November 17, 1982.]

More information concerning Independent Study is available here.

(b) Directed Reading (LAW 6861)

Directed Readings are subject to the following limitations:

- Directed Reading shall be graded under Grading Option A
  [August 17, 2016]
- A student must have a cumulative GPA of 2.50 or greater to register for a Directed Reading.
  [February 19, 2014]
- The Directed Reading must be sponsored by a full-time faculty member.
- The Directed Reading must be approved in advance by the Associate Dean for Academic Affairs.
- Only one Directed Reading can be taken per semester.
University of Dayton School of Law Policy Manual

- Only one Directed Reading can be taken during a summer term.
- Not more than four credits of Directed Readings can be counted in the 90 credits required for graduation. [November 18, 1982]

More information concerning Directed Readings is available here.

(c) Law Clinic Intern

Law Clinic Intern is open only to students who have completed 60 credit hours or more, and have obtained, or will have obtained by the first class, an intern license from the Ohio Supreme Court.

(d) Trial Practice

Students may receive credit for only one trial practice course (either Civil or Criminal), although they may "audit" the second course. [April 13, 1983.]

(e) Interschool Advocacy Competitions

Students may participate in no more than one interschool advocacy competition during any one academic year. [April 25, 1980.]

(f) Law Review

Eligibility for Law Review will be determined on the basis of first-year grades, rather than first-semester grades, and a writing sample. [August 21, 1982.]

(g) Distance Education Courses

(i) Definition

A “distance education course” is a course in which students are separated from the faculty member or each other for more than one-third of the instruction and the instruction involves the use of technology to support regular or substantive interaction among students and between students and the faculty member, either synchronously or asynchronously.

(ii) Limitations

Students may not register for a distance education course until they have completed at least twenty-nine credits. Students may enroll for no more than four credits of distance education courses in the fall and spring terms. Students may enroll for no more than six credits of distance education courses in the summer term. Students may not receive credit for more than twelve credits toward the total number required for graduation.

Unless extraordinary circumstances are shown, no student may receive credit toward the JD degree for distance education courses that are not offered and approved under the University of Dayton School of Law Distance Education Policy.

f. Adjustments to Schedule

Courses may be "added" during the first week of classes only.
Students can withdraw from a class for which there is a waiting list only during the first week of class. Students can withdraw from all other courses "without record" during the first four weeks of class. Withdrawals after this period will result in the recording of a "W" for that course on the student's transcript. In no event will a student be permitted to withdraw from a course that is required, or after taking any examination or submitting any paper that will receive weight in the final course grade, or after the seventh week of the semester without the approval of the Associate Dean for Academic Affairs.

A student in a non-required course may change the course from audit to grade credit or grade credit to audit. A change from grade credit to audit may be made without restriction during the first four weeks of the semester. Any change of status from audit to grade during the fifth, sixth and seventh weeks of the term must receive prior approval of the course instructor and the Associate Dean for Academic Affairs. In no event will a student be permitted to change from or to audit after the seventh week of classes, or after having taken any examination or submitted any paper that will receive weight in the final course grade.

g. Refunds

Students who are dismissed for academic reasons will be entitled to a full refund of any tuition paid for the upcoming semester. Students, who withdraw, drop a course(s) or go on a leave of absence for other reasons will be entitled to a refund on a sliding scale based on the date of withdrawal. University and SBA fees are non-refundable in any situation.

The refund schedule for tuition is as follows:

<table>
<thead>
<tr>
<th>If the student withdraws</th>
<th>Percent of refund</th>
</tr>
</thead>
<tbody>
<tr>
<td>During the first week of classes</td>
<td>80%</td>
</tr>
<tr>
<td>During the second week of classes</td>
<td>60%</td>
</tr>
<tr>
<td>During the third week of classes</td>
<td>40%</td>
</tr>
<tr>
<td>During the fourth week of classes</td>
<td>25%</td>
</tr>
<tr>
<td>During the fifth week of classes, or later</td>
<td>No refund</td>
</tr>
</tbody>
</table>

The date that the student provides written notice of the decision to withdraw or drop a course(s) will determine the amount of the refund regardless of whether the student discontinued class attendance at an earlier date.

Check-out procedures must be followed to officially discontinue University of Dayton housing and food service, if applicable. Should a student elect to leave the University for any reason, mailbox and locker keys must be returned to the administrative office, room 203.

3. COURSE POLICIES

a. Course Offerings

Required courses will be offered as specified by the curriculum. Some of the more basic electives will be offered yearly; others will be offered only when enrollment warrants and a suitable instructor is available. In order to assist students in planning the last two years of their legal education, a tentative schedule of course offerings will be published with registration materials every spring.
b. Scheduled Meetings

With certain exceptions, all classes will be scheduled in sixty minute sessions. Exceptions include capstones, skills courses (such as Law Clinic Intern), courses taught during the summer, and any course taught by an adjunct faculty member. Class periods of longer than ninety minutes (often called "one and one-half hours") will be scheduled only with the consent of the course instructor. [March 26, 1975.]

Courses that are scheduled to meet regularly outside a regular term or for a shorter period than the course of an entire term must comply with the Policy on Specially Scheduled One-Credit Courses.

Since classes are scheduled to meet the requirements of accreditation standards, faculty members are expected to meet classes at the times published in the class schedule and on the days indicated in the academic calendar. Faculty absences should be reported to the Administrative Office as early as possible (including before a scheduled absence) and make-up classes must be scheduled at the earliest practicable date. [ABA Standard 311(f).]

c. Attendance

Students are required to attend classes regularly. Each student shall be allowed absences up to, but not exceeding, two times the number of credit hours in a course. (For example, a student in a three-hour class that meets in two 90-minute sessions each week may miss a total of four such sessions. A student in a three-hour class that meets in three 60-minute sessions may miss a total of six such sessions.) This policy sets a firm absence limit and does not permit excused absences.

In their discretion, a faculty member may require fewer, but may not allow more, absences. If a faculty member intends to impose a more stringent attendance policy, he or she must notify students of the policy in writing during the first week of the semester.

For each absence exceeding the limitation imposed in the paragraph above, a faculty member must impose a penalty for violations. The penalty may include, but is not limited to, disqualifying a student from taking the final examination, dropping him or her from the class roll, or reducing his or her grade by one or more increments including giving an “F”, for failing to attend classes regularly. During the first week of class, the faculty member must provide written communication to the class describing the penalty that will be imposed for violations. A written warning from the faculty member informing the student and the Associate Dean that the student has one remaining absence before exceeding the number of absences allowed for that class is required before imposing any penalty. If a student exceeds the number of permitted absences for a class, the faculty member must notify the student and the Associate Dean in writing of any penalty imposed as a result of the excessive absence(s). If a student has an extraordinary circumstance that leads to excessive absences, such as a serious illness, the student should address the issue with the Associate Dean. In such extraordinary circumstances, the Associate Dean has the discretion to relieve the student of any penalty imposed by virtue of the excessive absences. The Associate Dean shall promptly notify the appropriate faculty member(s) of any such exercise of his or her discretion.

Students who fail to attend classes regularly will be contacted by the Associate Dean or the Assistant Dean of Students to meet for academic advising and/or counseling. Students who fail to comply with the required academic advising and/or counseling session with the Associate Dean or the Assistant Dean
of Students will not be permitted to register for any classes in any subsequent semester without written approval from the Associate Dean for Academic Affairs.

Every faculty member shall take attendance each day of class by means of distributing a sign-in sheet consisting of a current class roster, or by some alternative method. If a sign-in sheet is used, each student in attendance must sign the roster next to his or her name. The faculty member, or his or her appointed designee, shall deliver completed attendance sheets, or the results of the alternative method of taking attendance, to the faculty secretary prior to the next class meeting. [February 27, 2013]

d. Office Hours

In order to assure availability to students and colleagues, faculty members are expected to establish "office hours," that is, times when they will normally be in their offices and available for consultation. Office hours should be reasonable in number (at least five hours per week) and occur during normal business hours (8:30 a.m. to 4:30 p.m.). At the beginning of each semester, written notice of office hours will be posted on or near each faculty member’s office entrance.

e. Manner of Grading

The decision to grade by an examination or written assignments is to be made by the course instructor, subject to the approval of the Associate Dean for Academic Affairs and provided appropriate and timely notice of any change is given to students. [April 14, 1980.]

f. Student Evaluations

Student evaluations of faculty performance are conducted at the conclusion of each academic semester. [September 16, 1974.] The evaluations are voluntary, and anonymous on the part of student. [September 16, 1974.]

The Associate Dean for Academic Affairs is responsible for administering the evaluation and compiling the results. [September 16, 1974.] Evaluations will be distributed, completed and collected as close to the end of classes as possible using the University’s online Student Evaluation of Teaching (SET) surveys. When evaluations are conducted during class time, the professor must depart the room while students are completing the evaluation.

The Associate Dean for Academic Affairs must make the evaluations available to the Dean and instructor, and, in the case of tenure-track faculty members, may make them available to the instructor’s Promotion, Retention and Tenure Committee after informing the instructor. Any other distribution or use of the evaluations may be made only with the consent of the instructor. [May 13, 1981.]

4. EXAMINATIONS & OTHER ASSESSMENTS

a. Accommodations of Disabilities

It is the policy of the School of Law to comply with the Americans with Disabilities Act. The school will make every effort to provide reasonable accommodations to students with disabilities to the extent that it is possible to do so, and that accommodations are not unduly burdensome. Student must obtain a determination by the University of Dayton’s Office of Learning Resources that a disability exists and of the appropriate accommodations. It is also important to understand that the
determination to provide accommodations at University of Dayton may not apply to other educational institutions or testing agencies. If you take classes at another university or plan on using accommodations on standardized testing, the university or governing body responsible for administration of the accommodations will make its own decisions. Please refer to the specific guidelines of the university or governing body to assist in your evaluation of your documentation. Examples of future standardized tests may include but are not limited to state bar exam, MPRE, etc.

b. Examinations: When Required

By University policy, final examination must be given in all courses except those in which a substantial written product is the main basis for grading or in which the performance of skill is primary. Mid-term practice exams for first-semester students are to be given, if practicable. [October 2, 1974.]

c. Examinations: Responsibility

While the preparation and grading of examinations is the responsibility of the course instructor, the administration of the examination itself is the responsibility of the Associate Dean for Academic Affairs and the Registrar.

d. Examinations: Anonymity

All examinations, including midterm examinations, will be administered anonymously to insure the integrity and fairness of the grading process. Whenever practicable, other graded exercises that contribute toward the course grade should be submitted anonymously as well. The Registrar will assign an examination number to each student, which will not be disclosed to the course instructor until after he or she has submitted at least a Preliminary Grade Sheet reflecting the grades by examination number. [October 16, 1974.]

e. Examinations: Scheduling

Examinations must be taken during the period and at the times stated on the academic calendar and examination schedule provided by the Registrar. Students are responsible for reading and following all examination instructions provided by the Registrar. All scheduled examinations taken at the law school shall be proctored. [February 27, 2013]

(1) Deferrals

Examinations are rescheduled in only two circumstances:

(a) When a student has two or more exams scheduled to begin during a twenty-four hour period (a 1:30 PM examination followed by an 8:30 AM examination the next day presents a conflict; however, an 8:30 AM examination followed by an 8:30 AM examination the next day does not); or

(b) When extraordinary and unavoidable circumstances intervene (such as a serious health problem of a student or a close family member).

Overlapping deadlines for papers or projects do not present a justification for rescheduling exams.
Students requesting a change in examination schedule under (1)(a) shall complete and submit an Examination Accommodation form no later than five weeks before the examination period begins. Students requesting a change in examination schedule under (1)(b) must contact the Associate Dean for Academic Affairs or Registrar as soon as possible and be prepared to submit documentation in support of their request. The Associate Dean for Academic Affairs shall approve all examination deferral requests. Upon approval, the Registrar will reschedule the examination to the next available non-conflicting date, but not later than the third business day after the end of the examination period.

(2) Missed Exams

A student who fails to take an examination during the final examination period will receive a failing grade in the course unless his or her absence is excused by the Associate Dean for Academic Affairs.

f. Examinations: Grading

Once submitted, the Registrar will make each student’s answer available to the course instructor for grading in a way that will preserve the anonymity of the student. Grades must be submitted by the deadline determined by the Associate Dean for Academic Affairs.

g. Retention of Exams

Faculty must deliver all examination answers to the Registrar. The School of Law will retain examination questions and answers for at least one year. [September 12, 1975.] Thereafter, examination questions and answers may be destroyed.

h. Required Formative Assessments

Beginning with the class entering in Fall 2016, each instructor of Civil Procedure I and II, Constitutional Law I and II, Contracts I and II, Criminal Procedure Investigation, Evidence, Real Property I and II, and Torts II will conduct at least three formative assessments targeting the course’s assigned focus skill(s) over the course of the semester. By the seventh week of the semester, each instructor will have completed assessments sufficient to determine which students to refer to the Director of Academic Success for individual support. The faculty member will share the assessments and the criteria with the student. These assessments will be criterion referenced, which means competency is measured on prerequisites set by the professor. In other words, scores will not be curved. The quality of students’ work will be ranked on a scale of 1 to 3 with 1 being “highly competent,” 2 being “competent,” and 3 being “not yet competent.”

5. GRADES

a. Grading Options

(1) Grading Option A

Grading Option A is the system used for courses that involve a minimum of 650 minutes of classroom or personal contact between student and professor per credit hour, and a requirement of
a written examination or individual performance as the principal basis for grading the course. Option A grades are the only ones used in calculation of grade-point averages.

Quality Points

<table>
<thead>
<tr>
<th>Grade per Credit</th>
<th>Grade Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>A+</td>
<td>4.3</td>
</tr>
<tr>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>A-</td>
<td>3.7</td>
</tr>
<tr>
<td>B+</td>
<td>3.3</td>
</tr>
<tr>
<td>B</td>
<td>3.0</td>
</tr>
<tr>
<td>B-</td>
<td>2.7</td>
</tr>
<tr>
<td>C+</td>
<td>2.3</td>
</tr>
<tr>
<td>C</td>
<td>2.0</td>
</tr>
<tr>
<td>C-</td>
<td>1.7</td>
</tr>
<tr>
<td>D+</td>
<td>1.3</td>
</tr>
<tr>
<td>D</td>
<td>1.0</td>
</tr>
<tr>
<td>F</td>
<td>0.0</td>
</tr>
</tbody>
</table>

(2) Grading Option B

Grading Option B is used in courses that involve less than 650 minutes of personal contact per credit hour, but do involve performance sufficient to form a basis for a grading judgment.

Grade Explanation

EX   Exceptional
S    Satisfactory
U    Unsatisfactory

(3) Grading Option C

Grading Option C is used for courses that do not fall within Grading Options A or B.

Grade Explanation

Cr - Credit  NC - No credit

b. Mandatory Grading Norms

(1) (a) For students entering in August 2016 or later, first year courses on Grading Option A, other than Legal Profession I and I, shall be subject to the following grade distribution:

0-10% of the class shall receive A+ and A grades
5-15% of the class shall receive A- and B+ grades
20-30% of the class shall receive B and B- grades
15-35% of the class shall receive C+ and C grades
10-25% of the class shall receive C- and D+ grades
5-15% of the class shall receive D and F grades

[October 26, 2015]

(b) Upper-level courses on Grading Option A must meet a mandatory mean between 2.75 to 3.05
[September 3, 2015]

(2) A section mean is determined by:

(a) Converting each letter grade to its numerical equivalent,
(b) Adding the equivalents for all grades awarded, and
(c) Dividing the sum by the number of grades included.
(d) Incompletes, withdrawals, and grades other than Option A grades will not be used in the calculation.
(e) Disciplinary reductions of grade for absence from class, being prepared, tardiness, and academic dishonesty will be made after compliance with the mandatory mean has been determined.

(3) Sections with fewer than 25 students eligible for final grades are exempted from this requirement. However, the applicable mandatory mean normally should be used as a guide when assigning grades.

(4) If one instructor teaches more than one section of the same course in a semester, and at least one of those sections has 25 students or more, paragraphs (1) and shall be applied on a section-by-section basis; Provided, however, at the option of the instructor, the requirements of paragraphs (1) and (2) may be applied as if all such sections had been combined into one.

(5) When a mandated grade distribution or mandated mean applies, the instructor may deviate from it only with the approval of the Associate Dean for Academic Affairs upon a showing of exceptional circumstances. After granting approval, the Associate Dean for Academic Affairs must notify the faculty and provide 3 business days in which to raise an objection. If three or more members of the faculty object to the Associate Dean’s Action within the 3 day period the matter shall be put before the entire faculty entitled to vote on the matter and a vote on whether to disapprove the Associate Dean’s action will be held.

c. "Other Factors"

Factors other than final examination scores and grades on papers cannot be used to award grades that deviate from the mandatory grading norms set forth above in courses to which those norms apply. [August 21, 1991.] If a faculty member intends to incorporate class participation or other factors as elements used to calculate a final grade in a course governed by the mandatory grading norms set forth above, he or she can do so as long as the final course grade conforms to those norms and as long as he gives the students notice, at the beginning of the course, of his or her intention to use these factors in calculating the final course grade.
d. Incompletes

Incomplete grades given because a student was excused for missing an examination or for other reasons, must be removed within one year from the date of the grade report on which the incomplete is recorded or the student’s graduation, whichever comes first. Incomplete grades not so removed will be changed to a grade of "F."

e. Repeated Courses

When a student repeats a course in which he or she received a failing grade, both grades will appear on the student’s transcript and both will be used in calculating the student’s grade-point average.

f. Posting of Grades

The Registrar will arrange for grades to be distributed confidentially. Grades cannot be disclosed over the telephone, or looked up for those students who failed to use their examination number. Normally release of first-year grades will be deferred until two or more grades have been submitted for each section. Upper-level grades may be released as soon as possible after receipt of the final grades by the Registrar. Faculty members may release final course grades prior to their release by the Registrar.

After each semester, the Registrar will release a summary of the distribution of grades for all courses with ten or more students receiving final grades.

g. Grade Review

There is a presumption that each faculty member exercises good faith, prudence and due care in grading examinations and papers. Therefore, after submission a course grade is subject to review only as follows:

(1) Arithmetic and Clerical Errors

Each student has the right to obtain verification of the arithmetic and clerical accuracy of the grade. Arithmetic errors include only mathematical errors, and erroneous plotting of a grade (such as awarding a C+ for a total score of 127 when any established curve included scores of 123 through 130 as B-). Clerical errors are mistakes in the transcription of a grade. Awarding additional points is neither an arithmetic error nor a clerical error. If the verification procedure reveals an error warranting a change of grade, the change will be made upon the approval of the Associate Dean for Academic Affairs.

(2) Other Errors

In all other cases, the extent of grade review is within the discretion of the course instructor. A change in grade is appropriate only when the change is (1) justified and (2) fair to other students. Such changes will be made only at the request of the course instructor, the affirmative recommendation of the Appeals Committee, and the approval of the Dean.
6. ACADEMIC STANDARDS

a. Class Ranks

(1) When determined

Class ranks will be determined after fall and spring semester, based upon students’ cumulative grade point average.

(2) “Class” Defined

For class rank purposes, students will be divided into the following “classes” based upon the credits earned at the end of each Spring semester:

1L = less than 31 credits (students before August 2016)
1L = less than 30 credits (students entering August 2016 and later)
2L = 32 through 60 credits (students before August 2016)
2L = 31 through 60 credits (students entering August 2016 and later)
3L = more than 60 credits

(3) Determination of Rank

For the 2L and 3L classes, ranks will be determined for the class as a whole. For the 1L class, ranks will be determined separately for Summer and Fall starts.

b. Graduation Honors

In each graduating class, the top 12% of students who have completed at least five semesters in residence at the School of Law will receive "honors" as follows:

<table>
<thead>
<tr>
<th>Top 2%</th>
<th>Summa cum laude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Next 3%</td>
<td>Magna cum laude</td>
</tr>
<tr>
<td>Next 7%</td>
<td>Cum laude</td>
</tr>
</tbody>
</table>

In addition, transfer students, or others who have completed less than all of their legal studies in residence at the school, but have a cumulative grade-point average that would otherwise entitle them to honors, may be awarded honors in the discretion of the Dean. [April 7, 1977 & May 4, 1979.]

c. Good Standing

Students whose cumulative grade-point average is 2.20 or higher are in "good standing."

d. Academic Probation

(1) Definition

Any student whose cumulative GPA at the end of any regular semester is below 2.20, but who is eligible to continue studies in the School of Law (whether under the terms of these academic
A student on academic probation is subject to the following restrictions:

(a) He or she may not hold part or full time employment (whether or not compensated) without the written approval of the Associate Dean for Academic Affairs.

(b) He or she may not participate as an elective officer or a working member of any student activity or faculty committee without the written approval of the Associate Dean for Academic Affairs.

(c) Students with a cumulative grade point average below a 2.5 at the end of their first semester in law school shall be required during their second semester at the law school to enroll in the course entitled “Elements in Legal Analysis” and shall be required to defer enrollment in the Constitutional Law course until the next regularly scheduled offering of that course. In addition, students on academic probation at the end of their first semester in law school must meet with the Associate Dean for Academic Affairs for academic counseling. [April 18, 2012, April 24, 2013]

(d) An upper-level student on academic probation must meet with the Associate Dean for Academic Affairs and the Director of Academic Success Programs for academic counseling by the end of the fourth week of the next semester in which the student is enrolled in classes at the School of Law. Any upper-level student failing to comply with this required academic counseling requirement with the Associate Dean for Academic Affairs and the Director of Academic Success Programs will not be permitted to register for any classes in any subsequent semester without written approval from the Associate Dean for Academic Affairs.

(e) Upper-level students on academic probation may enroll only in “core courses.” For this purpose, “core courses” are those that are required and other courses taken by a majority of law students before graduation. For good cause shown, the Associate Dean may approve enrollment in other courses up to one-fourth of the credit hours taken by the student during that semester. [April 18, 2012]

(3) Progress

A student who is on academic probation at the end of his or her second regular semester must raise his or her cumulative GPA by one-half the difference between his or her cumulative GPA and 2.20 by the end of the third regular semester, and must attain a cumulative GPA of 2.20 or higher by the end of the fourth regular semester. Failure to make progress as required by this section results in academic dismissal.

(4) Determination of Status

For the purpose of applying academic standards for probation in law school:
(a) A transfer student is considered as a third semester student, even though he or she
may have less than thirty hours of credit and/or may be registered for first-year
courses; and

(b) Attendance at two summer sessions shall not be considered as the equivalent of
attending one semester. [February 2, 1978.]

e. Academic Dismissal

(1) Standards
A student will be dismissed if:

(a) His or her cumulative GPA is less than 2.00 at the end of the first year of law school
study. [September 8, 1982. Amended August 10, 2016]

(b) His or her cumulative GPA is less than 2.20 at the end of any subsequent academic
year and/or terminal semester. [October 3, 1975. Amended August 10, 2016]

Students with a GPA of 2.0 at the end of the first semester of law school will receive a letter
designed to help them understand the likelihood they will receive a 2.0 GPA by the end of the
second semester of law school. To the extent possible, the letter will contain historical data.

(2) Determination of Status
For the purpose of applying the academic standards for continuation in law school:

(a) A transfer student is considered a second year student, even though he or she may
have less than thirty hours of credit and/or may be registered for first-year courses; and

(b) Attendance at two summer sessions shall not be considered as the equivalent of
attending one semester. [February 2, 1978.]

7. READMISSION

a. In General

Readmission is a means for students who have been academically dismissed from the University of
Dayton School of Law to resume their legal studies. The readmission procedure has three steps:

(1) The student files a petition;
(2) The Appeals Committee makes a recommendation with respect to that petition;
(3) The Dean makes his or her decision.

Readmission is the exception rather than the rule. Therefore, students who have been academically
dismissed are well-advised to make alternative educational and career plans instead of counting on
readmission. The term "readmission" includes both reinstatement to continue (from the point of dismissal) and to begin "afresh" (that is, start law school again).

b. Standards

The Faculty of the School of Law has established minimum academic standards, and a student who fails to achieve those standards prima facie is not entitled to continue legal studies. A student who has been dismissed bears the burden of persuasion that he or she merits readmission by presenting clear and convincing evidence that he or she will do good quality law school work if readmitted, and that the reasons for the dismissal no longer exist. Experience indicates that students have more success in establishing the second factor than the first.

Students on probation are required to make progress every semester toward a 2.20 cumulative grade-point average. In order to make that progress, the student must achieve grades above "C+;" that is, they must show a "capacity for overreach." The best evidence of capacity for overreach is a significant number of law school grades higher than "C+" in examination courses.

Students dismissed during their first year of legal studies are ordinarily not readmitted to continue from the point of dismissal. They will not be readmitted to begin afresh until two years after the date of dismissal unless they establish compelling reasons to waive the two-year rule.

Students who have satisfied the requirements for graduation except for the minimum cumulative grade-point average may not be readmitted to continue. [September 8, 1984.] They cannot be readmitted to begin afresh until two years after the date of dismissal, unless they establish compelling reasons to waive the two-year rule.

c. Petitions

A student who has been academically dismissed may file a Petition for Readmission at any time. However, the Appeals Committee normally will consider such petitions during the summer term only. Students whose petitions were denied may present new petitions annually.

The petition, which shall be in the form specified by the Committee, must set forth all of the reasons for readmission. Exhibits, such as transcripts of other academic work, legal writing samples, letters of recommendation from persons in a position to know the student's academic potential, and other documents in support of readmission, may be submitted with the petition.

The Appeals Committee is not the proper forum in which to contest a course grade, however. The school has established a grade review procedure that is the exclusive remedy for a student who feels aggrieved by any course grade.

Information indicating how close a student was to a particular grade in one course is incomplete and, therefore, misleading without similar information for all courses. Thus, students presenting such information should advise the committee how close he or she was to the next highest and lowest grade category in each course. In the event grade information cannot be obtained for a course, the student should state the efforts he or she has made to obtain such information.
d. Appeals Committee

(1) Composition

The Appeals Committee consists of four faculty members and two students. One faculty member will serve as Chair. The responsibilities of the Chair and Members of the Appeals Committee are set out here.

(2) Confidentiality

Each member of the committee shall keep committee deliberations and information about petitioners confidential, except for information that can be shared with other committee members, the Dean, the Associate Dean for Academic Affairs and the Registrar.

(3) Ex Parte Communications

Committee members may not speak with petitioners about their petition at any time between the filing of a petition and the committee hearing on it. During this time, only the Chair, Dean, Associate Dean for Academic Affairs, or the Registrar will discuss procedures and criteria for readmission with the petitioner. The committee generally encourages students who have been academically dismissed to consult with faculty about their skills and circumstances, and faculty members are encouraged to assist individual students as they are able.

(4) Challenges

A petitioner may request that one or more members of the Committee not participate for good cause only. The fact that the former student was enrolled in a faculty member's course or received a low grade from a faculty member is not sufficient cause for excusing that faculty member from participating in the proceedings.

(5) Hearings

Although not required, petitioners may make a personal statement before the committee of up to fifteen minutes. Failure to make a personal appearance will not prejudice a petitioner's case, however. No new evidence (documentary or otherwise), or reasons in support of the requested relief, may be brought forth for the first time at the personal appearance, and witnesses are not permitted, except at the request of, or with the permission of, the committee.

(6) Communications with Faculty Members

After receiving a petition seeking readmission, the Registrar will inform every faculty member who had the person in a class and the Director of the Academic Excellence Program (if the person participated in that program) of the petition and invite them to submit written comments if they so desire. The Registrar will inform faculty of the deadline for submitting any such comments. Any information submitted by faculty after the deadline has elapsed will not be considered.

Information provided by faculty members and/or the Director of the Academic Excellence Program will be sent to the student, who will be invited to respond. Any faculty members' and/or Director's comments and the student's response to those comments will become part of the student's file.
(7) Reports

After making its decision, the committee will submit a written report to the Dean containing its recommendations, including, in the case of a recommendation to readmit, any limitations or special conditions the Committee believes should be imposed.

e. Decision

The final decision on a petition for readmission is made by the Dean, after receiving the report of the Appeals Committee.

f. Conditions

All students on probation, including those readmitted, are required to carry a full-time load of 12 semester hours or more. In addition, each readmitted student is required to devote his or her entire energies to the study of law, and may not hold any employment or engage in any business or extracurricular activity, with or without compensation, except as specifically allowed by the terms of readmission. Accordingly, students are usually required to establish that they have an absolutely certain source of funds to complete the next academic year.

Readmitted students are subject to the same course restrictions as other students on probation. Priority must be given to repeating any required course in which the student received an "F." Beyond this, students on probation may take only "core" or required courses until they have achieved a cumulative grade-point average of 2.20 or above.

The Dean, in his or her discretion, may impose any reasonable conditions upon readmitted students.

D. STUDENT AFFAIRS

1. STUDENT RECORDS

The University of Dayton and the School of Law are subject to the provisions of federal law known as the Family Educational Rights and Privacy Act (FERPA), affording to students rights of access to education records and imposing obligations on the University in the release and disclosure of those records to third parties. To comply with federal regulations promulgated pursuant to FERPA, the University of Dayton has formulated and adopted policies and procedures to be followed with regard to the disclosure of information from the education records of current and former students. These policies are set out in the University Student Handbook available here.

2. CO-CURRICULAR ACTIVITIES

   a. Voluntary Income Tax Assistance (VITA)

First-year students are not eligible to participate in VITA. [January 28, 1987.]

   b. Moot Court

Policies regarding participation in Moot Court Programs are found here.
3. EXTRA-CURRICULAR ACTIVITIES

   a. In General

   All students who are in good academic standing and eligible to continue in law school are eligible to participate in extra-curricular activities.

   b. Student Organizations

   (1) Student Bar Association

   All students who are enrolled at the University of Dayton School of Law are members of the Student Bar Association (“SBA”).

   (2) Student Organization Guidelines

   In order to be recognized as a student organization at the University of Dayton School of Law, obtain space in Keller Hall, or an allocation of funds from SBA, each group must have an advisor and comply with the following:

   (a) Advisor

   The advisor will be the Dean of Students, or another faculty or staff member designated by the Dean.

   (b) Purchases and Contracts

   All purchases of goods and services on behalf of the student organization are processed using a University credit card or by check reimbursement. Original receipts are required for check reimbursement. Any purchase of goods or services, reimbursement for prior expenditures for those goods or services, or contract for goods or services, in the amount of $300.00 or more ($500 or more in the case of SBA), must be approved by the advisor on an Advisor Approval form. SBA is exempt from this provision.

   (c) Debts

   All debts must be paid on or before three weeks prior to the end of each semester unless there is a bona fide dispute concerning either liability or amount. Disputes must be reported to SBA and Dean of Students immediately.

   (d) Sanctions

   Any student organization found to have violated any of the above guidelines may incur sanctions, including, but not limited to, personal liability for individuals; and loss of any or all rights as a student organization, or complete recognition.

4. FACULTY COMMITTEES

   Only students who are in good academic standing and are eligible to continue in law school are eligible for appointment and to serve on faculty committees.
5. PART-TIME EMPLOYMENT

a. First-Year Students

First-year students are prohibited from working without the written permission of the Associate Dean for Academic Affairs.

b. Upper-Level Students

Upper-level students are permitted to work up to twenty hours per week.

c. Students on Probation

Students on probation are prohibited from working, except by the written consent of the Associate Dean for Academic Affairs.

6. STUDENT COMPLAINT POLICY

a. How to Report a Student Complaint

The University of Dayton School of Law (UDSL) is accredited by the American Bar Association (ABA). As an ABA accredited school, UDSL is subject to the ABA Standards for Approval of Law Schools. The ABA Standards may be found on the ABA’s webpage and may be accessed at (http://www.americanbar.org/groups/legal_education/resources/standards.html). Any student at UDSL who wishes to bring a formal complaint to the attention of the UDSL administration of a significant problem that directly implicates the school’s program of legal education and compliance with the ABA’s Accreditation standards should do so in writing to the Associate Dean for Academic Affairs. The writing may consist of e-mail, U.S. mail, or fax and must provide the name, phone number, official law school e-mail address and street address of the complaining student to enable further communication about the complaint. The written complaint must be signed by the student. Filing a complaint pursuant to this policy does not preclude a student from pursuing other remedies, otherwise available by law or University of Dayton policy.

b. Content of the Student Complaint

The written student complaint 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 specific identified ABA Standard(s). The complaint must reference the specific ABA accreditation standard at issue and contain sufficient detail to enable an investigation of the matter.

c. Resolving the Complaint

As soon as possible after receiving the complaint, the Associate Dean for Academic Affairs or designee shall investigate the allegations of the complaint. Within fifteen business days of the receipt of the complaint, the Associate Dean for Academic Affairs or designee shall notify the student of relevant findings and any intended action that UDSL is taking to address the complaint or any further investigation into the matter subject to any applicable rules of confidentiality.
d. Appeals

If the complaining student is dissatisfied with the outcome or resolution of the complaint, that individual shall have the right to appeal the decision to the Dean of the School of Law in writing. The complaining student should submit the written comments to the Dean in a timely matter, but in no case more than ten business days after notification of a final determination by Associate Dean of Academic Affairs. The Dean’s decision shall be communicated to the complainant within fifteen business days of receipt of the written comments and the decision of the Dean shall be final.

e. Maintaining a Record of the Student Complaint

The School of Law shall maintain a complete record of each student complaint and how it was investigated and resolved. Written records shall be maintained in a confidential manner and retained for a period of eleven years.

f. Protection against Retaliation

The School of Law will not in any way retaliate against a student who makes a complaint under this policy, nor permit any faculty member, administrator, employee or student do so.

[Adopted January 25, 2012]

E. GOVERNANCE POLICIES

1. GENERAL ADMINISTRATION

Within the general policies established by the University and its trustees, the Dean and the Faculty of the School of Law shall have the responsibility for formulating and administering the program of the school, including such matters as faculty selection, retention, promotion and tenure; curriculum; methods of instruction; admission policies; and, academic standards for retention, advancement, and graduation of students. [ABA Standard 201.]

2. ROLE OF THE DEAN

a. In General

The Dean is the administrative head of the School of Law, and its educational leader. [University Constitution VIII, Sec. 2(a).] He or she, in consultation with members of the school's faculty, is responsible for formulating a general framework for the operation and advancement of the School of Law. [University Constitution Article VIII, Sec. 2(c).] The University Constitution is included in the Faculty Handbook available [here.]

b. Specific Responsibilities

(1) Committees

The Dean designates, from time to time, an Academic Affairs Committee and other committees, and appoints members of the faculty to them for the purpose of consultation and participation with him or her in the decision-making processes of the school. [University Constitution Article VIII, Sec. 2(c).]
(2) Written Policies

The Dean is responsible for the preparation of a policy manual providing an organizational and operational framework for the School of Law. [University Constitution Article VIII, Sec. 2(c)-(e).]

(3) Chair of the Faculty

The Dean presides at all meetings of the faculty.

(4) Faculty Selection

The Dean recommends the appointment of new faculty to the Vice President for Academic Affairs and Provost. The Dean will not recommend the appointment of a new faculty member without the concurrence of at least two-thirds of the faculty. [September 16, 1974 and February 11, 1988.]

c. Waivers

The Dean has the discretion to waive any faculty policy in an individual case. When a waiver is made, the Dean will inform, in writing, the faculty committee having jurisdiction over the matter, stating his or her reasons for the waiver. If the matter is not within the jurisdiction of any committee, the notice will be sent to the faculty. [April 8, 1981, and April 27, 1987.]

d. Delegations

The Dean may delegate any of his or her duties and responsibilities to an Associate or Assistant Dean.

3. ROLE OF THE FACULTY

a. Definition

The Faculty of the School of Law consists of all members of the school's instructional staff under full-time contract to the University in the rank of Instructor or above. [University Constitution Article VIII, Sec. 1(a)(2).] Members of the faculty are appointed by the Vice President for Academic Affairs and Provost upon the Dean's recommendation.

b. Responsibilities

Full-time faculty members must devote substantially all their working time to teaching and legal scholarship. They must have no substantial outside office or business activities. Outside activities, if any, are limited to those which relate to their major academic interests or enrich their capacities as scholars and teachers, or are of service to the public generally and do not unduly interfere with their responsibilities as faculty members. [ABA Standards 402 and 404.]

c. Meetings

(1) Regular Meetings

Faculty meetings will be held at least monthly during the academic year.
(2) Special Meetings

The Dean may call a faculty meeting at his or her discretion and must call a faculty meeting within a reasonable time upon the request of four members of the faculty. [March 11, 1981.]

(3) Participation

The following persons are entitled to attend and participate in faculty meetings:

(a) The Dean;

(b) All members of the tenure-track faculty;

(c) All other, full-time members of the instructional staff; [May 13, 1981.]

(d) Three students, one from each class, chosen in an election conducted by the Student Bar Association. Student representatives will be required to leave the meeting when the faculty goes into executive session for the discussion of personnel or budgetary matters, or other sensitive issues such as those involving the privacy of one or more individuals. Student members of faculty committees will not be allowed to attend faculty meetings except in unique circumstances and by the specific invitation by the Dean [October 29, 1975 and January 30, 1976.]; and

(e) All other persons to whom the faculty, by majority vote, extends the privileges of attendance and participation in its meetings.

(4) Quorum

The quorum for all faculty meetings will be a majority of all persons entitled to vote at the meeting.

(5) Voting

All persons holding a tenure-track appointment with an academic rank of Assistant Professor or above are entitled to vote at faculty meetings as a matter of right. Other persons may be extended the privilege of voting only upon a majority vote of the faculty. [April 5, 1982.]

(6) Agendas

An agenda will be published for each faculty meeting and distributed to faculty members at least three days before the first date set for the meeting. The Dean shall determine the items on the agenda in his discretion, except that she or he must place an item on the agenda of the next meeting when it is a committee recommendation, or its consideration has been requested by any four faculty members or by all three student representatives. [March 11, 1981.]

(7) Minutes

Minutes of faculty meetings will be prepared and kept by the Dean. Actual number of votes on faculty and decanal candidates will not be reflected in the Minutes, however. [February 3, 1982.]
(8) Opinions

Decisions reached at faculty meetings are made by the faculty as a whole. Thus, although faculty members are not discouraged from expressing their individual views, they are under no duty or obligation to do so. [February 10, 1976.]

(9) Rules of Order

Meetings of the faculty shall be as informal as possible. However, when necessary for the maintenance of good order, such meetings shall be run in conformity with Robert's Rules of Order.

d. Committees

(1) Composition

The Dean will constitute various faculty committees to assist in the handling of the academic and administrative affairs of the School of Law. The Dean may also appoint students to these committees as seems appropriate. The following standing committees have been constituted, together with such additional committees as in the Dean's judgment may be necessary:

(a) Academic Affairs
(b) Admissions
(c) Appeals
(d) Faculty Recruitment

In addition, the Dean will appoint one Promotion, Retention and Tenure Committee for each tenure-track, but untenured, member of the faculty.

(2) Minutes

Committee chairs are responsible for having minutes of committee meetings prepared and copies delivered to the Dean who will maintain such copies as a permanent record of the committee's proceedings.

(3) Committee Recommendations

Committee proposals requesting faculty concurrence must be prepared and circulated to the faculty at least three days prior to the faculty meeting at which it will be considered.

e. Approval of Courses

(1) General Rule on Course Approvals

All courses must be approved by the faculty of the School of Law before being offered as part of the curriculum. Except as specifically provided in this policy, the approval of the faculty is required for any change in the curriculum of the School of Law. Under ordinary circumstances, the faculty's authority is exercised through the consideration of curricular proposals that have first been
reviewed and evaluated by the Academic Affairs Committee and that are presented to the faculty with a report of the Committee’s evaluation.

(2) Temporary & Experimental Courses

(a) The faculty recognizes that the ordinary processes for approval of curricular change, and in particular the processes for the approval of new or modified courses, may be unduly cumbersome in two circumstances.

First, there may be occasions in which it is appropriate to offer a course only as a temporary part of the curriculum, and not as a permanent addition. Courses of this character most frequently will involve a subject that is of interest to a faculty member or a group of students but that is not of sufficient breadth or long-term interest to warrant creation of a permanent addition to the School’s approved course offerings or inclusion in a pre-existing course.

Second, there are occasions in which it may be more appropriate to offer a new course on an experimental or trial basis. This is especially likely to be the case when a new course involves novel or non-traditional pedagogical approaches. In that situation, the experimental character of the course may involve a substantial element of trial-and-error in designing, re-designing, and refining the course’s structure.

(b) In order to accommodate situations such as those described above, the Academic Affairs Committee is authorized to approve the offering of experimental or temporary courses for credit without approval by the faculty. The committee may approve any such course only if, in the committee’s judgment, the course falls within the descriptions of such courses set out in this policy. No course approved by the committee as an experimental or temporary course under this policy may be offered for credit without the approval of the faculty in more than one semester. Upon a showing of need, a course approval may be renewed by the committee for one additional semester. Upon each approval of such a course, the committee shall notify each member of the faculty of the approval including full details of the course description and course proposal.

(3) Course Proposals from Outside the School of Law

Proposals for changes to the curriculum from persons outside of the School of Law shall be reviewed by the Associate Dean of the School of Law before consideration by the Academic Affairs Committee.

(4) Course Proposals: Timing & Format

(a) Proposals for the addition to the curriculum of a permanent, temporary or experimental course or for the significant modification of an existing course description shall be presented to and considered by the Academic Affairs Committee according to the following schedule. For courses proposed to be offered for the first time in a future Summer or Fall semester, the proposal shall be presented to the committee no later than January 15th of any calendar year and the committee shall take final action on the proposal no later than February 15th of that same calendar year. For courses proposed to be offered for the first time in a future spring semester, the proposal shall be presented to the committee no later than September 15th of any calendar year and the committee shall take final action on the proposal no later than October 15th of that same calendar year.
(b) Course proposals presented to the Academic Affairs Committee shall contain the following information:

(i) The name of the course and a course description that clearly and concisely notifies students of the general content of the course. The course description should include some indication of specific legal issues that will or may be examined in the course and should be consistent with existing course descriptions posted on the web site of the law school;

(ii) The number of suggested credits for the course;

(iii) An indication of whether the completion of any pre-requisite or co-requisite courses are required or suggested for a student’s enrollment in the course. Any capstone proposals should specifically identify the prerequisite courses it builds upon. Proposals for capstone courses should also identify, if applicable, the new information or skills that will be introduced in the course;

(iv) The course materials that will be utilized by the students;

(v) A description of the evaluative method or methods that may be utilized by the instructor in assessing student performance in the course; this description should include an identification of the tests, assignments, or tasks (e.g. examinations, written papers, class presentation or participation, etc.) that will be considered by the instructor in arriving at a final grade in the course, together with the weight to be assigned to those tests, assignments or tasks;

(vi) The grading option to be utilized in the course; where a grading option other than option A has been selected, the proposal should indicate why that alternative grading option has been selected;

(vii) An explanation of any proposed exemption from the Law School’s mandatory grading norms;

(viii) An explanation of how the proposed course complies with any criteria or requirements that may be contained in other relevant sections of this policy manual or its appendices; (See, for example, the academic policies on the “Writing Requirement,” “Capstone Courses,” “Specially Scheduled Courses,” “Externship Guidelines,” “Distance Education Courses”);

(ix) A presentation of the rationale for inclusion of the proposed course in the curriculum, i.e. an explanation of how the proposed course fits in with or contributes to the curriculum. Such a presentation might include an explanation of why students might want to take the proposed course, how it relates to other courses in the curriculum or a field of legal practice, and how the course may reinforce or enhance a student's general or focused curricular choices; and

(x) An indication of when the proposed course might be offered for the first time.
(5) Course Approvals Involving Distance Education

The Academic Affairs Committee is authorized to approve the offer of existing law school courses in a format that would constitute “distance education” under the Law School’s Distance Education policy without approval by the faculty. The committee may approve any such course offering only if, in the committee’s judgment, the course complies with the requirements of that Distance Education policy. Upon each approval of such a course offering, the committee shall notify each member of the faculty of the approval including full details of the course’s distance education format.

All new courses to be offered as distance education courses must be approved by the faculty of the School of Law before being offered as part of the curriculum. Course proposals for new courses to be offered as distance education courses must first comply with the requirements for any new course proposal under the policy on “Approval of Courses” in this Policy Manual. New distance education course proposals must also meet the requirements of the Law School’s Distance Education Policy.

f. Selection of New Faculty

The Policy on Selection of New Faculty is available here.

F. PERSONNEL POLICIES

1. FACULTY POLICIES

a. Teaching

   (1) Faculty Assignments

   (a) Courses

   All first-year courses and most of the larger enrollment upper-level courses will be assigned to full-time faculty members. Normally faculty members will be assigned to teach only courses which they have taught before or within their areas of expertise. When necessary to assure the quality of instruction and the involvement of full-time faculty, however, exceptions will be made.

   (b) Teaching Loads

   Normally a full-time faculty member will be assigned to teach two courses each semester, totaling from five to seven credit hours. Adjunct faculty members usually will be assigned to teach one course of not more than four credit hours. Under no circumstances will any faculty member be permitted to teach more than ten contact hours per week or more than eight hours counting repeat courses at half the number of credit hours.
(2) Scheduling

(a) Class Periods

With certain exceptions, all classes will be scheduled in fifty minute sessions. Exceptions include capstones, skills courses (such as Law Clinic Intern), and any course taught by an adjunct faculty member. Class periods of longer than seventy-five minutes (often called "one and one-half hours") will be scheduled only with the consent of the course instructor. [March 26, 1975.]

(b) Priorities

In scheduling classes, the following priorities will be observed:

(1) The needs of the academic program. This includes the desirability of keeping the noon hour free of classes to encourage student participation in the speakers program, and to allow for the convenient scheduling of make-up classes at the end of the semester;

(2) Requests from faculty members for one day per week without classes, in order to facilitate and encourage faculty research and scholarship;

(3) Any other personal requests from faculty members that classes be scheduled at a particular time or on a particular day. [December 3, 1986].

(c) Specially Scheduled Courses

Courses that are scheduled to meet regularly outside a regular term or for a shorter period than the course of an entire term must comply with the Policy on Specially Scheduled One-Credit Courses, available here.

(3) Office Hours

Faculty members are expected to be available on campus to meet with students and academic and administrative colleagues in order to fulfill their contractual obligations. The hours of availability should be reasonably consistent with the needs of the students and administrative members of the staff. Office hours should be posted. Secretaries should be informed when faculty members are unable to meet their regular office hours. Administrative offices, under normal conditions, are open from 8:30 a.m. to 4:30 p.m., Monday through Friday. [Faculty Handbook]

(4) Manner of Grading and Notice to Students

The decision to grade by an examination or written assignments is to be made by the course instructor, subject to the approval of the Associate Dean for Academic Affairs and provided appropriate and timely notice of any change is given to students. [April 14, 1980.] According to University policy, students have “the right to detailed knowledge of objectives and procedures within the first week of the course. This information should be included in the course syllabus, which should be distributed at the first class or at least during the first week.” [Faculty Handbook]
(5) Attendance

All courses at the School of Law are subject to the terms of the mandatory attendance policy described more fully here.

(6) Sample Exam Questions and/or Answers

Each professor may make copies of his or her examination questions and/or sample or exemplar answers available to students.

(7) Grade Submission Deadlines

Any faculty member who submits his or her grades late (that is, after the deadline specified by the school's Registrar) will be fined $50 per day for each day of tardiness. This fine will be assessed against the faculty member's salary the next time salaries are set. Thus, for example, if a faculty member submits his or her Spring 2013 grades ten days late, his or her 2014-15 salary will be reduced by $500.

b. Merit Pay

The Policy on Merit Pay is available here.

c. Research and Travel Funds

(1) In General

It is the School of Law's policy to support the research and professional activities of each faculty member by making available to him or her a definite and reasonable amount of funds for hiring of research assistants, defraying of expenses incurred for the purpose of research or other professional activities, acquiring books and other materials related to scholarly or professional activities, or other appropriate expenses. In extraordinary cases, the Dean may make available additional funds to a faculty member on a case by case basis.

(2) Procedures

To use research and travel funds, faculty members should submit a written request to the Business Manager stating generally the purpose and approximate amount of the expenditure. The approval of such requests will not be unreasonably withheld.

d. Summer Stipends

(1) Assumptions

The program outlined below proceeds on the assumption that there will be sufficient funds available in the School of Law's budget for financing a program for summer stipends or grants.

(2) Scope of the Program

This program is designed to support three distinct types of faculty activity:

(a) Development of new educational programs to be integrated into the curriculum of the
School of Law.

(b) Legal scholarship.

(c) Development of new courses and teaching methods for integration into the curriculum.

(3) Amount of the Stipend

Summer stipends will be in an amount that is a realistic and serious incentive to faculty activity, and roughly equivalent to the amount of money a faculty member could expect to earn by teaching a course during the summer.

(4) Procedures

Faculty proposals for a summer stipend will be submitted, in writing, to the Dean by a published date and evaluated by him or her under the following criteria:

a) Overall quality as represented by:
   i) Innovation in legal scholarship and education;
   ii) Development of individual faculty members (independent of any retention, promotion, or tenure decisions to be made about the faculty member); and
   iii) Development of the School of Law.

b) Maintenance of diversity among the types of funded proposals.

c) Probability of the completion of the project.

Faculty members whose proposals receive funding are required to submit a written report to the Dean describing his or her activities, by a date established by the Dean.

e. Tenure-Track Faculty Promotion, Retention and Tenure Policy

The current Promotion, Retention and Tenure Policy, adopted by the faculty during the Spring 2002 semester is available here. This policy and any amendment to the policy hereafter adopted apply to all untenured tenure-track faculty members who sign and execute a tenure-track employment contract with the University of Dayton School of Law after December 1, 2001.

f. Non-Tenure Track Lawyering Skill Faculty Policy

The Policies and Procedures for Hiring and Evaluating Full-Time Non-Tenure Track Lawyering Skills Instructional Staff are available here.

g. Non-Tenure Track Academic and Bar Passage Support Faculty Policy

The Policies and Procedures for Hiring and Evaluating Full-Time Non-Tenure Track Academic and Bar Passage Support Instructional Staff are available here.
h. Non-Tenure Track Externship Faculty Policy

The Policies and Procedures for Hiring and Evaluating Full-Time Non-Tenure Track Externship Instructional Staff are available here.

i. Sabbatical and Other Leaves

The School of Law policy on sabbatical and other leaves is available here and is subject to University policies on sabbatical and other leaves available here.

j. Peer Review of the Teaching of Long-Term Faculty

The School of Law policy on peer review of the teaching of long-term faculty is available here.

k. Outside Activities

(1) In General

As full-time employees, all members of the law school's staff, faculty members, administrators and clerical staff, are expected to devote substantially all of their energies to the accomplishment of the duties assigned to them while working for the University. Except as noted below, it is personally and professionally unethical to use or divert University resources, including the time of its employees, for the conduct of personal affairs or for a competing business, including one operated by the employee. As University employees, all members of the law school’s staff, faculty members, administrators, and clerical staff are subject to the Policies and Procedures Handbook for Professional and Support Staff Employees available here.

(2) Personal Affairs

It would be unreasonable for the University, or any employer, to expect its employees to devote 100% of their energy to the accomplishment of its work during each and every day. Therefore, a rule of reason must be applied, permitting employees the freedom to use a reasonable amount of time for personal affairs. Thus, the school does not object to a staff member making or receiving personal telephone calls, as long as they are reasonable in number and length (and, as noted below, as long as the school is reimbursed for any toll charges incurred).

(3) Compensated Business

Performance of services for another (including one's self) while in the employ of the University is very problematic. Clearly performing such services while working as a University employee (that is, during "working hours") is improper. Thus, for example, typing a student's paper for compensation during business hours is inappropriate.

(4) Use of Resources

Further, using the resources of the University (including its facilities and the time of any of its employees) to perform work for another may be inappropriate. Under ordinary circumstances, University resources should not be used at all. With permission of the law school's Dean, some resources may be used provided the University is reimbursed for the reasonable value of what is used, and the activity does not constitute, or give the appearance of constituting, the University's
involvement in that outside business. Thus, for example, a faculty member engaged in private consulting should not ask or expect the school’s clerical staff to do any work for that consulting business, and should reimburse the School of Law for all resources used, including office equipment, paper, photocopies, and telephone calls (both local and long distance). Similarly, a clerical staff member may use the school’s computer to prepare student papers for pay, provided the work and any attendant contacts take place wholly outside of working hours, and the University is reimbursed for any paper or supplies that are used.

1. Representation of Other Employees

In order to avoid conflicts of interest, or the appearance of such conflicts, employees may not become advocates for or otherwise represent another employee in any matter arising out of that employee’s relationship to the University, with the following exceptions:

   (1) When that advocacy or representation is pursuant to an established University policy such as the University of Dayton Regulations on Academic Freedom and Tenure, the Sexual Harassment Policy, or a grievance procedure under a collective bargaining agreement; or,

   (2) When the representation has been approved in advance by the Dean.

2. ADJUNCT FACULTY POLICIES

The Dean will appoint members of the adjunct faculty, often in consultation with the Chair of the Faculty Recruitment Committee and the full-time faculty who teach in the same subject area. The Adjunct Faculty Manual is available here.

3. LAW LIBRARIAN POLICIES

The Law Library Tenure Policy is available here.

G. POLICIES RELATED TO THE LAW LIBRARY AND SCHOOL OF LAW FACILITIES

1. LAW LIBRARY POLICIES

   a. Collection Development Strategy

The collection development strategy for the Law Library is available here.

   b. Materials Selection Policy

The material selection policy for the Law Library is available here.

   c. Book Acquisition Procedure

      (1) In General

The Materials Selection Policy provides standards for acquiring all library materials. Collection levels have been described which set priorities by subject and type of material. However, the Law Library
does not have sufficient funding to bring its collection up to the desired levels immediately, nor can we develop all subject collections simultaneously. This procedure provides a strategy for eventually developing each subject area to the desired level by setting aside specified portions of the budget for those subjects.

(2) Budget Allocations

Each July, the beginning of the fiscal year, the Director will determine how much money is available for collection development. In order to maintain a balanced collection, the budget for books (sub-account 960) will be divided into three categories:

(a) Existing Titles

This category includes books which have already been published and includes current titles as well as older material. The massive quantities of material in this category require particular care in selection. While targeted subject areas within any one collecting level will be treated equally, a larger portion of the existing titles acquisition budget will be allocated to targeted subject areas in the comprehensive level than to those listed at the teaching level.

(b) New Titles

This category includes books published during the school year after selection of existing titles has been made. The Law Library cannot ignore these titles and remain current (especially since emphasized subject areas will be rotated and a delay can be expected before another opportunity to acquire these items comes around).

(c) Emergency Fund

The Law Library must maintain some flexibility to acquire items which do not fall within annually targeted subject areas or which are needed on an emergency basis for book collection development or faculty research. Thus, a portion of the budget for books will be reserved for such acquisitions. It is anticipated that the Emergency Fund sub-account will total approximately 25% of the overall Book and Monograph budget.

(3) Subject Selection

Since there is not enough money for meaningful development in all subject areas simultaneously, the collection strategy will be one of phased development. Targeted subject areas will be rotated annually. Acquisition priorities will be established within each collecting level by targeting those areas where the need for development is most pronounced. At first, attention will be focused on those subject areas listed in the Materials Selection Policy under the comprehensive and teaching collecting levels. Then attention will be given to development of subject areas at the basic collecting level. Since materials at the intensive collecting level are already highly developed, the few new titles at this level will be purchased from emergency funds.

After consulting the faculty and his or her staff, the Director will select those subject areas at each collecting level that are to receive emphasis during that year. The faculty will be apprised of the subject areas so targeted.
(4) Existing Titles

The school’s faculty will be asked periodically to review the subject lists in their subjects from the AALS’s Law Books Recommended for Libraries. If more than one faculty member teaches in a subject area, all will be consulted. In addition, the Acquisitions Librarian will route periodically to faculty lists of existing titles in their subject areas, including reviews if available.

Each faculty member will be asked to identify those books that he or she feels should be acquired in order to meet the goals of the collection level for that subject area by indicating whether the purchase is a "must" or "desirable." The Director and the Acquisitions Librarian make the final determination on titles to be purchased. Faculty members will be advised of which titles had been selected in their subject areas and also notified when the material arrived.

At the end of each fiscal year, the Acquisitions Librarian will report on progress in collection development to the Law Library Director for inclusion in his annual report, and to help him plan for the next year's priorities.

(5) New Titles

In an attempt to keep pace with the development of legal scholarship and to keep the collection current, a portion of the new titles acquisition budget will be allocated to each subject area listed at the comprehensive and teaching levels. However, allocation priorities will be made which reflect the Materials Selection Policy and past experience with respect to the annual volume of new scholarship in the various subject areas.

While most faculty members receive information on new titles in areas of their interests directly from publishers, the Acquisitions Librarian will consult with faculty members regarding promising items. Also lists of current material available from publishers will be sent to the faculty for input on acquisitions in the subject areas of expertise. Faculty members will be asked to classify purchases as a "must" or "desirable." Faculty members are kept informed regarding the acquisition of new titles in their subject area.

If there are any unspent funds in the new titles budget two months before the end of the fiscal year, the Director will use the unspent funds to acquire existing titles in targeted subject areas or to supplement collection efforts of new titles in subjects at the same collection level.

(6) Emergency Funds

In order to provide the needed flexibility to develop a balanced and current collection which responds to the teaching and research efforts of the entire faculty and the students of the School of Law, a portion of the annual book and monograph budget is reserved for emergency acquisitions. These funds will be reserved for acquisition of existing titles in subject areas that have not been targeted, or for the acquisition of new or existing titles in targeted areas for which the budget is exhausted.

Beyond these emergency acquisition requests, the Emergency Funds will be used to meet other collection development needs and problems. For example, there are times when valuable materials can be purchased at a discount for a limited period and funds may be used to take advantage of these relatively rare opportunities. Curriculum changes may require limited new acquisitions.
(7) The Purchase Decision

(a) All suggestions or requests for the acquisition of new or existing titles in a given subject area should be made in writing to the Director and the Acquisitions Librarian.

(b) All purchasing decisions will be made by the Acquisitions Librarian. Any request exceeding $100 or which might be considered as outside of the goal of the collecting level for that particular subject area must be approved by the Director.

(c) In the event that a suggestion or request by a faculty member for the acquisition of a new or existing title in a given subject area must be deferred or denied, the faculty member will be promptly notified of this decision and the reasons for the decision. Should the faculty member have any questions concerning such a decision, all inquiries should be made directly to the Director of the Library.

2. LAW SCHOOL FACILITIES

a. Use of Keller Hall

The purpose and predominant use of Joseph E. Keller Hall is the education of students in the JD program. Spaces in Keller Hall should not be used in any way that will limit or interfere with the law student JD educational program uses, including co-curricular activities such as Moot Court. For these reasons, law school classes and activities may not be displaced or adversely affected by any other proposed use of Keller Hall spaces under any circumstances.

b. Keller Hall Usage And Fees

The permitted uses of Keller Hall are described in the Keller Hall Space Use Policies and Fees, available here.

H. UNIVERSITY AND LAW SCHOOL POLICIES

1. UNIVERSITY POLICY STATEMENT ON NONDISCRIMINATION

The University adheres to all federal and state civil rights laws banning discrimination in private institutions of higher education. The University of Dayton does not discriminate on the basis of age, race, color, creed, religion, ancestry, national or ethnic origin, sex/gender, sexual orientation, disability, genetic information, military status, veteran status, familial status or any other protected category under applicable local, state or federal law, ordinance or regulation, including protections for those opposing discrimination or participating in any complaint process on campus or within the Equal Employment Opportunity Commission, Ohio Civil Rights Commission or other human rights agencies, in the planning and administration of its admissions policies, educational programs, scholarships, loans, and other financial aid, athletic and other school-administered programs, services, and activities, or in employment. Sexual harassment, which includes acts of sexual violence, is a type of sex discrimination.

This policy covers nondiscrimination in employment and in access to educational opportunities. Therefore, any member of the campus community, guest or visitor who acts to deny, deprive or limit the educational, employment, residential and/or social access, benefits required by applicable law, and/or
opportunities of any member of the campus community on the basis of their actual or perceived membership in the protected classes listed above (which denial, deprivation or limitation constitutes “discrimination” under this policy) is in violation of this policy on nondiscrimination. This includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities. When brought to the attention of the University, any such discrimination will be appropriately remedied by the University according to the procedures found here.

2. POLICY ON EQUALITY AND DIVERSITY

The University of Dayton School of Law has adopted the Policy on Equality and Diversity (available here).

3. PERSONS WITH DISABILITIES

It is the policy of the University of Dayton School of Law to comply with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act and state and local requirements regarding students and applicants with disabilities. The School of Law will make every effort to provide reasonable accommodations to persons with disabilities to the extent that it is readily achievable to do so. We are unable to make accommodations that are unduly burdensome or that fundamentally alter the nature of the program. Students seeking accommodations should review the Policy Statement for Students with Disabilities, available here, and contact the University Office of Learning Resources.

4. SEXUAL HARASSMENT POLICY

The University policy and procedures related to sexual harassment and misconduct are available here.

5. ETHICS AND PROFESSIONALISM

a. Honor Code

The School of Law’s Honor Code is available here.

b. School of Law Academic and Professional Ethics Policy

The School of Law’s Academic and Professional Ethics Policy is available here.

c. University of Dayton Student Handbook & Code of Conduct

The University has jurisdiction over possible violations of the Code of Conduct by any student regardless of where an incident may occur (on or off campus.) The code and system apply to all students (pre-enrolled, undergraduate, graduate and law students). For the purposes of the Student Conduct System, a student is defined as a person who is pre-enrolled, enrolled or attends classes at the University of Dayton. Furthermore, this code and system can apply to any person who has deposited to attend, any person who was enrolled in a non-degree program, licensure program, pre-enrollment program, and/or any person who is pending completion of their degree (requirements met, pending graduation). The University reserves the right to proceed to a finding in all cases regardless of a student’s withdrawal from the University.

The Code of Conduct is located in the Student Handbook available here.
d. Statement on Computing Ethics

The Statement on Computing Ethics is available here.
Masters in the Study of Law (M.S.L.) Program in American and Transnational Law

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A. Introduction

This Appendix applies to candidates for the Masters in the Study of Law (“M.S.L.”) degree in American and Transnational Law at the University of Dayton School of Law (“Dayton Law”).

The policies in this Appendix supplement the Dayton Law Policy Manual1 (“Policy Manual”), which also applies, where relevant, to M.S.L. candidates. In particular, M.S.L. candidates should be familiar with the University and Law School Policies found in Section H of the Policy Manual. It is especially important that all M.S.L. students read these important policies thoroughly and carefully.

Because the M.S.L. program is a part of the University of Dayton’s Graduate School, M.S.L. candidates are also governed by the relevant policies contained in the University of Dayton’s online Bulletin for graduate students.

As a practical matter, anyone seeking guidance on policies pertaining to M.S.L. students should consult both the Policy Manual, these M.S.L. policies, and the Graduate School Bulletin. Where these sources of M.S.L. policies are inconsistent, the M.S.L. policies in this Appendix will apply.

If you are an M.S.L. student and have questions about program policies that are not answered by the Policy Manual, the Graduate School Bulletin, or this Appendix, please reach out to a member of the Graduate Programs staff2 for clarification.

B. Admission Policies for the M.S.L. Program

1. CRITERIA

Candidates for an M.S.L. degree will be evaluated for admission on academic and personal criteria. The entire application of each candidate will be reviewed. There is no automatic level of qualification or disqualification based on statistics, such as grade point average, alone.

First consideration will be given to academic criteria, including prior academic performance as demonstrated by university transcripts, an acceptable grade point average in relevant course work, standardized test performance, and other academic records.

Other factors will also be considered, including:

- other educational factors, such as the type, depth and difficulty of courses completed, grade trends, honors, and other graduate studies;

- life experience, such as work and military achievements, extracurricular activities, community service; and

1 http://www.udayton.edu/law/students/policy_manual.php
2 http://www.udayton.edu/law/academics/grad_program/contact.php
University of Dayton School of Law Policy Manual

- personal attributes, such as maturity, good judgment, writing ability, analytical and leadership skills, breadth of interests, and ability to overcome handicaps of all kinds, including environmental or financial problems, employment experience and other personal accomplishments.

2. APPLICATIONS

a. Information and Data required from all M.S.L. Candidates

Before an admission decision on an M.S.L. candidate can be made, the applicant’s file must include the following:

(1) a completed, signed, and dated application for admission to the M.S.L. program;

(2) a copy of the transcripts from all colleges and universities attended, including transcripts reflecting the receipt of at least a bachelor’s degree from an accredited U.S. college or university or from a foreign university authorized to confer such a degree by the government of the country in which it is located;

(3) test results demonstrating competitive performance on the Graduate Record Examination ("GRE"), the Graduate Management Admissions Test ("GMAT"), or some other similar test; and,

(4) a personal statement discussing the applicant’s reasons for applying to the graduate program and his or her career plans after completing the program; and,

(5) the names and contact information for two references.

b. Additional Requirements for International Applicants

(1) Financial Declaration

In addition to the documents required of all M.S.L. applicants, applicants who are not U.S. citizens must submit an official financial declaration showing adequate funding for their studies at Dayton Law.

(2) English Language Proficiency

All candidates for the M.S.L. degree must be fluent in English. Applicants whose native language is not English may meet this requirement:

a) by having completed their basic legal or baccalaureate studies in a university where instruction was in English;

b) by taking the Test of English as a Foreign Language (TOEFL) test administered by the Educational Testing Service and attaining a score of at least 600 (paper-based), 250 (computer based) or 100 (iBT) or by taking an equivalent exam with similar results; or,

c) by successfully completing the highest level of the Intensive English Program at the
University of Dayton.

Applicants who wish to demonstrate English proficiency using the TOEFL, or equivalent, exam must arrange to have the official score report sent to Dayton Law to be considered for full admission into the M.S.L. Program.

Scores from TOEFL or other tests taken more than two years prior to the date of the application to the program will not be accepted.

c. Students Admitted Under International Academic Cooperation Agreements

M.S.L. students admitted under an International Academic Cooperation Agreement between Dayton Law and an educational institution in a foreign country may be subject to different admission or degree requirements in accordance with that Agreement.

These Agreements may not alter the minimum semester degree requirements, the need to take courses required for students without a U.S. law degree, or the need to take required core courses.

These agreements may require additional courses or permit limited study in absentia at the educational institution that is party to the Agreement with Dayton Law.

d. Requests to Reactivate Admission Files

M.S.L. applicants who complete their admission file in one year and then wish to reactivate the file or be reconsidered in a later year must file a new application.

e. Requirement to Disclose Prior M.S.L. Studies

An applicant who has previously attended the M.S.L. program at Dayton Law or an M.S.L. program elsewhere, but has not received the M.S.L. degree, must reveal that prior attendance in the application.

3. ADMISSIONS DECISIONS

Completed files of M.S.L. applicants will be presented to the Graduate Studies Committee (“GSC”) for decision. Because each applicant’s credentials are fully considered by the GSC, admissions decisions are final and are not subject to appeal.

4. OFFICIAL TRANSCRIPTS

a. Definition

An "official transcript" is a record issued by the registrar of an educational institution showing all of the courses taken while a student is there and the grades received, bearing the embossed seal of the institution, indicating the award of an undergraduate or graduate degree and the date the degree was conferred.
b. Submission Required

Once accepted and prior to registration, every enrolling M.S.L. student must arrange for his or her undergraduate college and, if applicable, other graduate school or foreign university to submit an official transcript directly to the School of Law’s Registrar. Transcripts received from the Law School Admissions Council are scanned documents or photocopies and, thus, are not acceptable to fulfill the requirement for an "official" transcript.

c. Consequences of Failure to Submit

Because of the importance of the official transcript, the latest an official transcript must be received is during the first semester of a student’s participation in the M.S.L. program. Students who do not comply with this requirement will not be allowed to register for the second semester.

C. Academic Standards and Policies

1. M.S.L. CREDIT HOUR REQUIREMENTS

All M.S.L. candidates are required to earn credit for thirty (30) semester hours of course work.

2. RECEIPT OF TRANSFER CREDIT

M.S.L. candidates may not receive transfer credit for coursework completed at other institutions prior to enrolling in Dayton Law’s M.S.L. program in pursuit of a bachelor’s or other graduate-level degree.

3. COURSE LOAD REQUIREMENTS

U.S. students may complete the M.S.L. program on a full-time or part-time basis.

F-1 students must abide by strict enrollment guidelines\(^3\) to maintain their lawful status. A course load of six (6) credit hours per semester constitutes full-time status for international M.S.L. students.

In addition, sponsored international students may be required to take a certain number of credit hours to retain their sponsorship. Each student is responsible for ensuring that his or her sponsor’s course load requirement is met.

4. TIME TO COMPLETE DEGREE

All requirements for the M.S.L. degree must be completed over the course of no more than four (4) calendar years from the date of matriculation. A waiver to this requirement may be granted by the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

\(^3\)http://www.udayton.edu/international/iss/immigration/f1_immigration/f1_enrollment_requirements.php.
5. THE M.S.L. CURRICULUM

The policies on required coursework set forth below apply to graduate students admitted to the M.S.L. program under the M.S.L. Admissions Policies. M.S.L. students admitted under an International Academic Cooperation Agreement between Dayton Law and an educational institution in a foreign country may be subject to different degree requirements under that Agreement.

The “core” courses, capstone courses, and elective courses listed below are representative of courses that will be offered to students in the M.S.L. program. Offerings may change from year to year since not every course listed below will be offered each year. Course availability is subject to administrative factors such as faculty availability and sufficient enrollment. In addition, newly adopted courses may be added to these lists from time to time.

For a current list of course offerings, please see the list of Course Schedules by semester here.

a. Required “Core” Courses

M.S.L. students must receive credit for at least four (4) courses from the required “core” courses listed below.

Despite the preceding sentence, in limited circumstances a waiver to this requirement can be made by the Director of Graduate Law Programs. The waiver must be pre-approved by the Associate Dean for Academic Affairs.

The following courses qualify as core courses:

- Copyright Law (LAW 6415) 2 credits
- Cyberspace Law (LAW 6835) 2 credits
- Electronic Commerce (LAW 6836) 2 credits
- Intellectual Property Law (LAW 6400) 3 credits
- International Intellectual Property Law (LAW 6972) 2 credits
- Licensing Intellectual Property (LAW 6420) 2 credits
- Patent Law (LAW 6425) 2 credits
- Trademarks and Unfair Competition (LAW 6971) 2 credits
- Trade Secrets (LAW 6535) 2 credits
b. M.S.L. Writing Requirement

M.S.L. candidates must satisfy a writing requirement prior to graduation by completing an Independent Study (LAW 6904) supervised by a faculty member, by completing a substantial paper in connection with a course, or by producing a significant volume of practice-related writing in connection with a 4-credit capstone course.

Despite the preceding paragraph, the Associate Dean for Academic Affairs, after consultation with the Director of Graduate Law Programs, may waive this writing requirement where circumstances indicate a more educationally profitable use of a candidate’s time and effort.

(1) Capstone Courses

Examples of capstone courses that satisfy the M.S.L. writing requirement include:

- **Commercialization of Intellectual Property** (LAW 6941) 4 credit capstone
- **Cybercrimes Capstone** (LAW 6924) 4 credit capstone
- **Patent Litigation Capstone** (LAW 6905) 4 credit capstone
- **Patent Practice and Procedure** (LAW 6940) 4 credit capstone
- **Trademark Prosecution Capstone** (LAW 6926) 4 credit capstone

(2) Independent Study - Graduate (LAW 6904)

An Independent Study taken to satisfy the M.S.L. writing requirement must be approved, conducted, evaluated, and reviewed in accordance with the Policy on Courses Involving Supervised Individual Study and Instruction4 with the following exception: Supervising faculty for M.S.L. students may be adjunct instructors and need not be members of the full-time instructional staff of the School of Law.

c. Required Introductory Course for International Students (LAW 6908)

All M.S.L. students must take the 3-credit course Introduction to the U.S. Legal System & U.S. Legal Research for Graduate Students (LAW 6908) during the first semester of their M.S.L. studies at the law school. This course will count toward the 30-credit hour requirement.

d. Electives

In addition to taking the courses required for the M.S.L. degree, M.S.L. students should fulfill the remainder of their semester hour requirements by taking: 1) any required “core” course; 2) any 4-credit capstone course approved for the M.S.L. degree; or 3) any approved elective course. The following courses are representative of approved electives for the M.S.L. program:

<table>
<thead>
<tr>
<th>Course Description</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Law (LAW 6205)</td>
<td>3 credits</td>
</tr>
<tr>
<td>Antitrust Law (LAW 6405)</td>
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<tr>
<td>Business Organizations (LAW 6801)</td>
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<tr>
<td>Business Planning for Small Businesses (LAW 6931)</td>
<td>3 credits</td>
</tr>
<tr>
<td>Civil Practice &amp; Procedure (LAW 6101)</td>
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</tr>
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<td>Conflict Management &amp; ADR (LAW 6410)</td>
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<tr>
<td>Contracts I (LAW 6110)</td>
<td>2 credits</td>
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<td>Contracts II (LAW 6810)</td>
<td>2 credits</td>
</tr>
<tr>
<td>Cybercrimes: Law &amp; Procedure (LAW 6975)</td>
<td>2 credits</td>
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<tr>
<td>Cybersecurity &amp; National Security Law (LAW 6894)</td>
<td>2 credits</td>
</tr>
<tr>
<td>Directed Reading (LAW 6861)</td>
<td>1 credit</td>
</tr>
<tr>
<td>Entertainment Law (LAW 6841)</td>
<td>3 credits</td>
</tr>
<tr>
<td>Federal Taxation of Business Entities &amp; Owners (LAW 6875)</td>
<td>3 credits</td>
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<tr>
<td>Independent Study for Graduate Students (LAW 6904)</td>
<td>1 or 2 credits</td>
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<tr>
<td>International Business Transactions (LAW 6977)</td>
<td>2 credits</td>
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<td>International Law (LAW 6850)</td>
<td>3 credits</td>
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<td>Legislation (LAW 6111)</td>
<td>3 credits</td>
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<td>Real Property I (LAW 6104)</td>
<td>1 credit</td>
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<tr>
<td>Social Media &amp; Criminal Law (LAW 6541)</td>
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<td>Social Media Law (LAW 6543)</td>
<td>3 credits</td>
</tr>
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<td>Torts I (LAW 6102)</td>
<td>2 credits</td>
</tr>
<tr>
<td>Torts II (LAW 6103)</td>
<td>2 credits</td>
</tr>
</tbody>
</table>
e. Credit for Coursework Earned outside the M.S.L. Curriculum

With the pre-approval of the Associate Dean for Academic Affairs and the Director of Law Graduate Programs, an M.S.L. candidate may enroll in and receive credit for a maximum of 6 semester hours of coursework from other courses offered by Dayton Law but not listed in the M.S.L. curriculum, graduate-level courses in related fields from other departments, schools or the College of the University of Dayton, or graduate-level courses in related fields from another educational institution.

Consistent with Dayton Law’s policies, courses taken outside of Dayton Law in which a student receives a grade of “C” (or its equivalent) or better will be recorded on the M.S.L. transcript as a “K” (pass), and will not affect the calculation of the student’s cumulative grade-point average.

f. Study “In Absentia”

M.S.L. candidates in academic good standing may qualify to study “in absentia” under the Dayton Law policy.

In addition, international graduate students admitted to the M.S.L. program under an International Academic Cooperation Agreement between Dayton Law and an educational institution in a foreign country may be permitted to engage in limited study in absentia at the foreign educational institution, which is party to the Agreement.

As an example, this flexibility may be beneficial when a student from a foreign nation wishes to take one or more courses in his own domestic intellectual property or technology law at a foreign university and have such study apply towards his or her advanced degree from the University of Dayton.

6. REGISTRATION FOR COURSES

a. Director Approval of Schedule

The Director of Graduate Law Programs must approve the schedules of all M.S.L. students before they are permitted to register.

5 See Dayton Law Policy Manual § C(1)(c) (Credits Earned in Other University Schools & the College).

6 See Dayton Law Policy Manual § C(1)(d) (Educational Program-Study “In Absentia”).
b. Order of Registration

M.S.L. registration will take place after J.D. registration each semester. Students in the J.D. program will be given priority in enrollment over graduate students for all courses offered in any semester at Dayton Law.

When possible, seats will be held for M.S.L. candidates in required and approved elective courses. M.S.L. candidates should meet with the Director of Graduate Law Programs to develop their schedules in order to give sufficient notice to the Registrar of their intention to register for particular courses each semester.

c. Prerequisites

Students are responsible for ensuring that they have taken the prerequisites for any course. M.S.L. students are advised to consult with the Director of Graduate Law Studies when selecting their courses. Waiver of any prerequisite must be in writing and requires the pre-approval of the course instructor and the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

d. Limitations on Course Enrollment

   (1) Independent Study for Graduate Students (LAW 6904)

M.S.L. students taking the course Independent Study for Graduate Students (LAW 6904) are subject to the following limitations:

   • An M.S.L. student must have a cumulative grade point average of 3.20 or greater to register for an Independent Study.

   • Ordinarily only one Independent Study can be taken by any M.S.L. student.

   • M.S.L. students may take a 1-credit or 2-credit Independent Study, but not more than two credits of Independent Study can be counted towards the M.S.L. degree.

To preserve flexibility in scheduling, waiver of these limitations may be permitted by the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

   (2) Directed Reading (LAW 6861)

M.S.L. students may take a Directed Reading as an elective with permission of the instructor and the pre-approval of the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs. Directed Readings for M.S.L. students are subject to the following limitations:

   • Only one one-credit Directed Reading may be taken by any M.S.L. student towards satisfaction of the M.S.L. degree.

   • An M.S.L. student must have a cumulative grade point average of 3.20 or greater to register for a Directed Reading.
(3) Law Clinic Intern (LAW 6950)

M.S.L. candidates may not take the Law Clinic Intern course (LAW 6950).

(4) Distance Education Courses

(a) Definition

(b) Enrollment

M.S.L. candidates admitted under the general M.S.L. admissions policies may enroll in a distance education course where circumstances indicate that it would be educationally beneficial and with the pre-approval of the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

Students admitted under an International Academic Cooperation Agreement between Dayton Law and an educational institution in a foreign country may be subject to different degree requirements in accordance with that Agreement. These Agreements may permit students to enroll in some distance education courses and have such study apply towards his or her advanced degree from the University of Dayton.

e. Course Availability

Courses required for the M.S.L. degree will be offered regularly to accommodate the M.S.L. curriculum. Some electives will be offered annually; others will be offered only when enrollment warrants and a suitable instructor is available. In order to assist students in planning, a tentative schedule of course offerings will be published with registration materials every spring. To ensure they meet the requirements of the degree, M.S.L. students should review the course offerings and consult with the Director of Graduate Law Programs when planning their schedules.

7. EXAMINATIONS & GRADING

a. Grading Policy for LL.M. and M.S.L. Students

i) LL.M. students with a J.D. from a U.S. law school ("U.S. LL.M. students") will be graded, and their academic standing determined, according to the standards, policies and practices governing J.D. students.

ii) LL.M. students with a first law degree from a foreign university ("international LL.M. students") and all Masters in the Study of Law ("M.S.L.") students will be graded, and their academic standing determined, according to the general Academic Standards of the University of Dayton Graduate School, which are incorporated by reference into this

7 See Dayton Law Policy Manual § (C)(2)(e)(g)(i), which states: A “distance education course” means a course offered by the School of Law that meets the criteria of ABA Standard 306.

8 http://catalog.udayton.edu/generalinformation/academicinformation/graduate/academicstandards/
section of the Policy Manual.

iii) In any law school course containing both J.D. students and non-J.D. students (i.e. either LL.M. or M.S.L. students or any other specially admitted student), non-J.D. students will not be taken into account for purposes of determining the applicability of or the distribution of grades under the mandatory law school grading curve.

iv) Explanatory Comments to assist faculty who are applying this Grading Policy are included in the Policy Manual here. [These will probably be in: Section F(1)(a)(6)(Teaching).]

b. Use of Dictionaries by International Students during Exams

International LL.M. and M.S.L. students who are non-native speakers of English may use a paper English or English-foreign language dictionary in exams. If they are used in a closed book or closed note exam, these dictionaries must not contain any handwritten notes. Electronic dictionaries are not permitted in exams.

8. ACADEMIC STANDARDS

a. Class Rank

Because an M.S.L. student’s academic record is not comparable to that of J.D. students, an official class rank cannot be determined for any M.S.L. student. M.S.L. students’ grades will not affect the class rank of any J.D. student.

b. Honors

M.S.L. students will not be awarded graduation honors for the M.S.L. degree.

c. Academic Good Standing

All M.S.L. students are required to maintain at least a 3.0 quality point average.

d. Academic Probation

Any M.S.L. student who is eligible to continue studies in the School of Law is considered to be on “academic probation” when that student’s cumulative quality-point average is below 3.0.

An M.S.L. student on academic probation must complete a written academic recovery contract with the Director of Graduate Law Programs which shall specify goals, expectations, and a timeline for achieving good academic standing. This contract must specify the duration of the probationary period, which may not be shorter than one academic semester, nor longer than one calendar year, and must be approved by the Associate Dean for Academic Affairs. Students on academic probation who do not sign an academic recovery contract will not be permitted to register for courses.
e. Academic Dismissal

Students whose academic performance has seriously impaired their ability to succeed at the University of Dayton may be subject to academic dismissal by the Associate Dean for Academic Affairs, who authorizes the dismissal and notifies the student of his or her status. M.S.L. students who may be dismissed include:

- those who fail to achieve good standing at the end of an agreed upon period of academic probation;
- those who receive one or more grades of “F.”

f. Readmission

M.S.L. students will not be readmitted after they have been academically dismissed from Dayton Law.

9. STUDENT AFFAIRS

a. Co-curricular Activities

(1) Moot Court

M.S.L. students are not eligible to participate in Moot Court Programs.

(2) Law Review

M.S.L. students are not eligible to participate in Law Review.

b. Extra-Curricular Activities

All M.S.L. students who are in good academic standing and eligible to continue their studies towards the M.S.L. degree are eligible to participate in appropriate extra-curricular activities.

c. Faculty Committees

Ordinarily, M.S.L. students are not eligible to serve on faculty committees. Under special circumstances, this policy may be waived, but only with the express permission of the Associate Dean for Academic Affairs.

d. Employment

M.S.L. students who are U.S. citizens or permanent residents may work full-time or part-time.
Students on an F-1 visa are eligible to work on campus while attending classes are subject to F-1 immigration regulations and the policies of the University of Dayton. F-1 students with questions about employment should consult the Office for International Student and Scholar Services in the Center for International Programs.

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9 http://www.udayton.edu/international/isss/immigration/f1_immigration/f1_employment.php

10 http://www.udayton.edu/international/isss/
Explanatory Comments to Graduate Student Grading Standards (M.S.L. & M.S.L.)

Explanatory Comment to Section 1

(Grading U.S. M.S.L. students)

Section 1 requires faculty to assign comparable grades to J.D. and U.S. M.S.L. students when they demonstrate comparable academic performance.

In practice, this policy contemplates that a faculty member should grade a class containing J.D. and U.S. M.S.L. students in the following fashion. Initially, the faculty member should assign a raw score to all of the exams, papers or other evaluative assignments in the class without regard to whether students are J.D. or U.S. M.S.L. students. In accordance with information supplied to the faculty member by the Law School Registrar’s office, and in compliance with any applicable anonymity requirement, the faculty member should segregate the J.D. raw scores from the raw scores of U.S. M.S.L. students. The faculty member should then assign a grade to the J.D. exams or papers using the mandatory grading curve, if the curve is applicable to the course, without considering the enrollment of U.S. M.S.L. students in the class. After assignment of letter grades to the J.D. students, U.S. M.S.L. students would then be assigned letter grades corresponding to the comparable performance achieved by J.D. students in the class. For example, if a J.D. student with a raw score of 80 achieved a letter grade of “B,” a U.S. M.S.L. student with a raw score of 80 would also be assigned a “B.”

Under Section 1, the standard for “academic good standing” for U.S. M.S.L. students would be 2.2, the current standard applied to J.D. students. As explained below, the standard for “academic good standing” for international M.S.L. students and all M.S.L. students would be different.

Explanatory Comment to Section 2

(Grading International M.S.L. and all M.S.L. Students)

Section 2 establishes a grading system for international M.S.L. students and all M.S.L. students that is different from that used to grade J.D. or U.S. M.S.L. students.

Law faculty should use the Academic Standards for the University of Dayton Graduate School when grading international M.S.L. students and all M.S.L. students.

The Academic Standards of the Graduate School require that Graduate School students “maintain a 3.0 [GPA] at all times” to be in good academic standing. Under this grading policy, the Graduate School requirement that students maintain a GPA of 3.0 applies to both international M.S.L. students and all M.S.L. students.

The Academic Standards of the Graduate School also require that academic units offering Master or Ph.D. graduate degrees advise all graduate students not doing work of “high caliber” that further degree work should be “discontinued.”

In practice, this policy contemplates that a faculty member should grade a class containing international M.S.L. students and/or any M.S.L. students in the following fashion. In accordance with information
supplied to the faculty member by the Law School Registrar’s office, and in compliance with any applicable anonymity requirement, the faculty member should segregate the exams or papers of international M.S.L. students and any M.S.L. students. The faculty member should then assess the performance of these students and assign a grade to that performance using the Graduate School grading scale and its descriptive indicators. In assigning that grade, the following criteria may be relevant to the judgment and discretion of the faculty member:

- An M.S.L. degree does not qualify the student to practice law anywhere. Rather these students will usually be employed in another non-legal field (e.g., information technology, biotechnology, etc.) and will be pursuing the M.S.L. degree merely to obtain a general foundation in law and a familiarity with some aspect of the law governing intellectual property and/or technology. The student may well be pursuing the M.S.L. degree to help them perform their non-legal job better or to enable them to improve their current or future career prospects in that field.

- In some classes, M.S.L. and J.D. students may bring comparable educational backgrounds to the course, as in first semester required law courses. But in many situations, the educational background of an international M.S.L. student or an M.S.L. student will be markedly different from that possessed by the J.D. or U.S. M.S.L. students in a class. For example, foreign-educated M.S.L. and M.S.L. students may not have the cultural or historical background that is shared by students in our law classes. In upper-level elective classes, international M.S.L. students and all M.S.L. students may not have the same foundation in U.S. law as they attempt to master material in classes with J.D. and M.S.L. students who have one or more years of full-time U.S. legal education as a background for the class. Finally, students for whom English is a second language may face special challenges as they attempt to master foundational or elective courses in U.S. law.

- Given the requirement that international M.S.L. students and all M.S.L. students must maintain a 3.0 GPA to remain in good standing, the assignment by a faculty member of a grade below “B” to one of these students, while perhaps a “passing” grade under the Graduate School standards, would nonetheless be an indication to the student that, in the instructor’s opinion, the student’s performance in the class raises serious questions as to whether the student should be permitted to continue in the graduate program. Given this connotation for a grade below “B,” the faculty member might make this basic determination the basis for an initial assessment of an international M.S.L. student’s or an M.S.L. student’s performance, using the other grade increments in the graduate school grading scale to add further precision to that initial performance assessment.

Explanatory Comments to Section 3

Section 3 is intended to prevent the presence of non-J.D. graduate students in a class from having an adverse affect on the academic standing of the J.D. students in that class.
University of Dayton Graduate School Academic Standards

To be in good standing, a graduate student must maintain a 3.0 quality point average at all times. Grades are expressed on the student’s permanent record in the following manner:

**A - Excellent:** for each semester hour, 4.0 quality points are allowed.

**A-** - For each semester hour 3.6667 quality points are allowed.

**B+** - For each semester hour, 3.3333 quality points are allowed.

**B** - Good: for each semester hour, 3.0 quality points are allowed.

**B-** - For each semester hour, 2.6667 quality points are allowed.

**C** - Passing: for each semester hour, 2.0 quality points are allowed.

**F** - Failed: 0 quality points are assigned.

**CR** - Passed: Credit is given, but no corresponding quality points are given. This is used by certain departments when the thesis or special courses are not to affect the 3.0 cumulative quality point average needed to be in good standing.

**I** - Incomplete: To be used when a course has terminated but the student, for an acceptable reason, has not completed the work of the course. The I has 0 quality points per hour and does not affect the cumulative point average. It can be changed to a letter grade if the student has completed the work. Otherwise it will remain on the permanent record indefinitely.

**K** - Credit: This mark is used only for credits accepted as transfer credit from other institutions. No quality points are allowed.

**IP** - In Progress: For the thesis or for courses which have not terminated at the end of semester. After the course or thesis is completed, the P is replaced on the permanent record by an A, B, C, F, or with the corresponding credit and quality point average.

**N** - No grade was reported by the instructor.

**W** - Withdrawal: Any withdrawal or change of course must be processed by an official Drop-Add Form through the Registration office, with the approval of the graduate student’s advisor. During the first three weeks of a full term (or 10 calendar days of a split term) a graduate student may withdraw from a class without record. Financial adjustments, if allowed, will be made only from the date of notification of withdrawal.

**X** - Audit: This mark indicates that the graduate student has registered to audit the course. No credit hours or quality points are awarded for this mark. NOTE: Any course taken for audit may not be retaken for credit.

**EM** - Examination: This mark indicates credit given to students (registered in the University) on the basis of examinations after admission to the University. The level of achievement to be demonstrated by the student on these examinations is determined by the department in which the course is taught.
credit shall be assigned only on authorization of the dean of the academic division in which the student is registered. No quality points are allowed.

The various deans will review at intervals the work of their graduate students, and in consultation with the program directors and/or chairs of the departments, will recommend that those who are not doing work of high caliber be advised to discontinue courses leading to a degree. The disciplinary authority of the University is vested in the president by right, and in the deans and other officers on whom jurisdiction may be conferred for specific cases and in restricted areas.
APPENDIX A – Enrollment Requirements

From:
http://www.udayton.edu/international/isss/immigration/f1_immigration/f1_enrollment_requirements.php

ENROLLMENT REQUIREMENTS

DEFINITIONS

*Full Course of Study.* In your initial semester of study and every semester thereafter, except for vacations, you are required to 1) register for a full course of study and 2) make normal progress toward the completion of your educational objective. Note: Full-time registration”, “full-time enrollment and “full course load” are synonymous with “Full Course of Study”.

*Undergraduate student.* A student fully engaged in an undergraduate program. If you are still taking IEP courses, you are not considered an undergraduate student for enrollment reporting purposes.

*Graduate student.* A student fully engaged in a graduate program. If you are still taking IEP courses, you are not considered a graduate student for enrollment reporting purposes.

*Intensive English Program (IEP) student.* A student taking any number of IEP courses. Status. Your status is the official U.S. government designation and authorization of your stay in the U.S. as a non-immigrant student.

*SEVIS.* SEVIS is a web-accessible database that collects, tracks, and monitors information regarding exchange visitors, international students and scholars who enter the U.S. on F, M or J visas. SEVIS is managed by U.S. Immigration and Customs Enforcement. Termination. The termination of a SEVIS record invalidates your F-1 status. Terminations are a result of a status violation(s).

FULL COURSE OF STUDY

F-1 students must abide by strict enrollment guidelines in order to maintain their lawful status. The following section describes the specific enrollment requirements of F-1 students:

- In your initial semester of study and every semester thereafter, except for vacations, you must be enrolled full-time. There are some exceptions to this rule (see Reducing Your Course Load section for more details).
- If you are not registered full-time by the drop/add deadline (see UD’s academic calendar), your SEVIS record will be terminated.
- The table below lists the minimum enrollment for the three primary categories of students at the University of Dayton:

| Undergraduate students | 12 credit hours |

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Updated 08/17/2016
**Graduate students**

6 credits (exceptions: 9 credits for Communication COM/CAI, Psychology CLP, EXP, PSY majors; 12 credits for Law J.D., 6 credits for Law LLM/MSL)

**Full-time IEP students**

You will be registered for a full course load by IEP

**Part-time IEP students**

You must work with IEP to ensure that your mix of IEP and academic classes meet the full-time minimum for your classification

- Courses that you visit or audit do not count towards full-time enrollment for immigration purposes.
- Only a maximum of 3 credit hours of online/distance learning courses may be counted toward the full-time requirement. In your final term, an online/distance learning course cannot be the only class.

**Special note on online/distance learning courses:** A maximum of 3 credit hours of online/distance learning classes per semester may be counted toward the full course of study requirement. An online or distance education course is a course that is offered principally through the use of an electronic medium. If the F-1 student's course of study is in a language study program, no online or distance education classes may be considered to count toward classroom hours or credit.

*Example:* An undergraduate student takes 6 credits of traditional courses and 6 credits of online/distance education courses. In this example, only 9 credits (6 credits of traditional classes + 3 credits of online/distance education course) may be counted toward the full course of study. Subsequently, the student is considered less than full time, a violation of the full course of study requirement and cause for termination.

**FREQUENTLY ASKED QUESTIONS**

**If I fail a course, will I be considered below the full-time minimum?**

No. It is necessary to distinguish between the meanings of “failing” and “dropping”. **Failing** means receive a failing grade. **Dropping** means to forcibly remove a course from your registration record. **Failing** a course will not take you below the full-time minimum. **Dropping** a course may potentially take you below the full-time minimum and cause your SEVIS record to be terminated.

**The only classes I have left are spread out over several terms. Can I register just for those classes only?**

If the only academic requirements you have left are spread out over two terms, for example, you must register for additional courses to bring you up to the full-time requirement. For example, if you are an undergraduate left with two courses, MTH 401 and ART 402, but one course is only available in the Fall and the other only available in the Spring, you could do the following:
In this example, the student is left with one class in the final term (your final class cannot be an online/distance education course; if it is, you must supplement that course with a traditional course).

**When is the annual vacation?**
Students are not required to register for classes in the summer (exception: the student’s I-20 lists a summer start date). F-1 students are considered to be maintaining status even though they are not actually registered for classes. Students electing to take classes will not be subject to the full-time minimum.
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Master of Laws (LL.M.) Program in American and Transnational Law

A. Introduction

This Appendix applies to candidates for the Master of Laws ("LL.M.") degree in American and Transnational Law at the University of Dayton School of Law ("Dayton Law").

The policies in this Appendix supplement the Dayton Law Policy Manual11 ("Policy Manual"), which also applies, where relevant, to LL.M. candidates. In particular, LL.M. candidates should be familiar with the University and Law School Policies found in Section H of the Policy Manual. It is especially important that all LL.M. students read these important policies thoroughly and carefully.

As a practical matter, anyone seeking guidance on policies pertaining to LL.M. students should consult both the Policy Manual and these LL.M. policies. Where the Policy Manual and the LL.M. policies are inconsistent, the LL.M. policies will apply.

LL.M. students licensed to practice law must also comply with the professional and ethical standards and requirements of the jurisdiction in which they are licensed. Any conflicts between those obligations and any Dayton Law or University of Dayton policies will be resolved on a case-by-case basis by Dayton Law’s Associate Dean for Academic Affairs, in consultation with the Director of the Graduate Law Programs.

If you are an LL.M. student and have questions about program policies that are not answered by the Policy Manual or this Appendix, please reach out to a member of the Graduate Programs staff12 for clarification.

B. Admission Policies for the LL.M. Program

1. CRITERIA

Candidates for an LL.M. degree will be evaluated for admission on academic and personal criteria. The entire application of each candidate will be reviewed. There is no automatic level of qualification or disqualification based on statistics, such as grade point average, alone.

First consideration will be given to academic criteria, including prior academic performance as demonstrated by law school and university transcripts, an acceptable grade point average in relevant course work, standardized test performance, and other academic records.

Other factors will also be considered, including:

11 http://www.udayton.edu/law/students/policy_manual.php
12 http://www.udayton.edu/law/academics/grad_program/contact.php
• other educational factors, such as the type, depth and difficulty of courses completed, grade trends, honors, and graduate studies;

• life experience, such as work and military achievements, extracurricular activities, community service; and

• personal attributes, such as maturity, good judgment, writing ability, analytical and leadership skills, breadth of interests, and ability to overcome handicaps of all kinds, including environmental or financial problems, employment experience and other personal accomplishments.

2. APPLICATIONS

a. Information and Data required from all LL.M. Candidates

Before an admission decision on an LL.M. candidate can be made, the applicant’s file must include the following:

(1) completed, signed, and dated application for admission to the LL.M. program;

(2) a copy of the transcripts from all colleges and universities

(3) attended, including a transcript reflecting the receipt of a first law degree from an accredited U.S. law school or from a foreign university authorized to confer such a degree;

(4) a personal statement discussing the applicant’s reasons for applying to the graduate program and his or her career plans after completing the program;

(5) the names and contact information for two references; and,

(6) a paper or electronically transmitted photocopy of any

(7) attorney registration card the applicant has been issued.

b. Additional Requirements for International Applicants

(1) Financial Declaration

In addition to the documents required of all LL.M. applicants, applicants who are not U.S. citizens must submit an official financial declaration showing adequate funding for their studies at Dayton Law.

(2) English Language Proficiency

All candidates for the LL.M. degree must be fluent in English. Applicants whose native language is not English may meet this requirement:

(i) by having completed their basic legal or

(ii) baccalaureate studies in a University where instruction was in English;
(iii) by taking the Test of English as a Foreign Language (TOEFL) test administered by the Educational Testing Service and attaining a score of at least 600 (paper-based), 250 (computer based) or 100 (iBT) or by taking an equivalent exam with similar results: or,

(iv) by successfully completing the highest level of the Intensive English Program at the University of Dayton.

Applicants who wish to demonstrate English proficiency using the TOEFL, or equivalent, exam must arrange to have the official score report sent to Dayton Law to be considered for full admission into the LL.M. Program.

Scores from TOEFL or other tests taken more than two years prior to the date of the application to the program will not be accepted.

c. Students Admitted Under International Academic Cooperation Agreements

LL.M. students admitted under an International Academic Cooperation Agreement between Dayton Law and an educational institution in a foreign country may be subject to different admission or degree requirements in accordance with that Agreement.

These Agreements may not alter the minimum semester degree requirements, the need to take courses required for students without a U.S. law degree, or the need to take required core courses.

These agreements may require additional courses or permit limited study in absentia at the educational institution that is party to the Agreement with Dayton Law.

d. Requests to Reactivate Admission Files

LL.M. applicants who complete their admission file in one year and then wish to reactivate the file or be reconsidered in a later year must file a new application.

e. Disclosure of Prior LL.M. Studies Required

An applicant who has previously attended the LL.M. program at Dayton Law or an LL.M. program elsewhere, but has not received the LL.M. degree, must reveal that prior attendance in the application.

3. ADMISSIONS DECISIONS

Completed files of LL.M. applicants will be presented to the Graduate Studies Committee (“GSC”) for decision. Because each applicant’s credentials are fully considered by the GSC, admissions decisions are final and are not subject to appeal.

4. OFFICIAL TRANSCRIPTS

a. Definition

An "official transcript" is a record issued by the registrar of an educational institution showing all of the courses taken while a student is there and the grades received, bearing the embossed seal of the
institution, indicating the award of an undergraduate or graduate degree and the date the degree was conferred.

b. Submission Required

Once accepted and prior to registration, every enrolling LL.M. student must arrange for his or her undergraduate college or university and law school or foreign university to submit an official transcript directly to the School of Law’s Registrar. Transcripts received from the Law School Admissions Council are scanned documents or photocopies and, thus, are not acceptable to fulfill the requirement for an "official" transcript.

c. Consequences of Failure to Submit

Because of the importance of the official transcript, the latest an official transcript must be received is during the first semester of a student’s participation in the LL.M. program. Students who do not comply with this requirement will not be allowed to register for the second semester.

C. Academic Standards and Policies

1. LL.M. CREDIT HOUR REQUIREMENTS

a. Graduates with a J.D. from Dayton Law

LL.M. candidates with a J.D. from Dayton Law are required to earn credit for twenty-four (24) semester hours of course work.

(1) Receipt of transfer credit

LL.M. candidates who have already completed coursework in areas such as computer or advanced technology, intellectual property, media or entertainment law while obtaining the J.D. from Dayton Law may apply for and receive transfer credit for up to twelve (12) semester hours for those courses at the discretion of the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

(2) Limitations to transfer credit

Approval of any transfer credit toward the LL.M. degree for Dayton Law graduates with a J.D. will be granted only where the student can demonstrate that the course for which transfer credit is sought has been taken within the preceding three (3) years, that the student received a grade of 2.5 or better in the course; and, that the course is equivalent or substantially similar to the coursework required or offered by Dayton Law to obtain an LL.M. degree.

b. Graduates of ABA-Approved Law Schools other than Dayton Law

LL.M. candidates with a J.D. from a U.S. law school other Dayton Law are required to earn credit for twenty-four (24) semester hours of course work.
(1) Receipt of transfer credit

LL.M. candidates who have already completed coursework in areas such as computer or advanced technology, intellectual property, media or entertainment law while obtaining the J.D. may apply for and receive transfer credit for up to nine (9) semester hours from those courses at the discretion of the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

(2) Limitations of transfer credit

Approval of any transfer credit toward the LL.M. degree will be granted only where the student can demonstrate that the course for which transfer credit is sought has been taken at an ABA-approved law school within the preceding three (3) years, that the student received a grade of 2.5 or better in the course; and, that the course is equivalent or substantially similar to the coursework required or offered by Dayton Law to obtain an LL.M. degree.

c. LL.M. Candidates with a First-Degree in Law from a Foreign University

LL.M. candidates with a first law degree from a foreign university are required to complete thirty (30) semester hours of course work.

(1) Receipt of transfer credit

LL.M. candidates who have already completed coursework in areas such as computer or advanced technology, intellectual property, media or entertainment law while obtaining a first degree in law from a foreign university may apply for and receive transfer credit for up to nine (9) semester hours for those courses at the discretion of the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

(2) Limitations to transfer credit

Approval of any transfer credit toward the LL.M. degree will be granted only where the student can demonstrate that the course for which transfer credit is sought has been taken at an ABA-approved law school or a foreign university within the preceding three (3) years; that the student received a grade equivalent to 2.5 or better in the course, as adjusted to be comparable to a U.S. grading scale; and, that the course is equivalent or substantially similar to the coursework required or offered by Dayton Law to obtain an LL.M. degree.

2. COURSE LOAD REQUIREMENTS

U.S. students may complete the LL.M. program on a full-time or part-time basis.
F-1 students must abide by strict enrollment guidelines to maintain their lawful status. A course load of six (6) credit hours per semester constitutes full-time status for international LL.M. students.

In addition, sponsored international students may be required to take a certain number of credit hours to retain their sponsorship. Each student is responsible for ensuring that his or her sponsor’s course load requirement is met.

3. TIME TO COMPLETE DEGREE

All requirements for the LL.M. degree must be completed over the course of no more than four (4) calendar years from the date of matriculation. A waiver to this requirement may be granted by the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

4. THE LL.M. CURRICULUM

The policies on required coursework set forth below apply to graduate students admitted to the LL.M. program under the LL.M. Admissions Policies. LL.M. students admitted under an International Academic Cooperation Agreement between Dayton Law and an educational institution in a foreign country may be subject to different degree requirements under that Agreement.

The “core” courses, capstone courses, and elective courses listed below are representative of courses that will be offered to students in the LL.M. program. Offerings may change from year to year since not every course listed below will be offered each year. Course availability is subject to administrative factors such as faculty availability and sufficient enrollment. In addition, newly adopted courses may be added to these lists from time to time.

For a current list of course offerings, please see the list of Course Schedules by semester here.

a. Required “Core” Courses

LL.M. students must receive credit for at least four (4) courses from the required “core” courses listed below. Students may fulfill this requirement by demonstrating that they have satisfactorily completed substantially equivalent courses in another law program and have received transfer credit for these courses.

Despite the preceding paragraph, in limited circumstances a waiver to this requirement can be made by the Director of Graduate Law Programs. The waiver must be pre-approved by the Associate Dean for Academic Affairs.

The following courses qualify as core courses:

Copyright Law (LAW 6415) 2 credits

13http://www.udayton.edu/international/isss/immigration/f1_immigration/f1_enrollment_requirements.php.
Cyberspace Law (LAW 6835) 2 credits
Electronic Commerce (LAW 6836) 2 credits
Intellectual Property Law (LAW 6400) 3 credits
International Intellectual Property Law (LAW 6972) 2 credits
Licensing Intellectual Property (LAW 6420) 2 credits
Patent Law (LAW 6425) 2 credits
Trademarks and Unfair Competition (LAW 6971) 2 credits
Trade Secrets (LAW 6535) 2 credits

b. LL.M. Writing Requirement

LL.M. candidates must satisfy a writing requirement prior to graduation by completing an Independent Study (LAW 6904) supervised by a faculty member, by completing a substantial paper in connection with a course, or by producing a significant volume of practice-related writing in connection with a 4-credit capstone course.

Despite the preceding paragraph, the Associate Dean for Academic Affairs, after consultation with the Director of Graduate Law Programs, may waive this writing requirement where circumstances indicate a more educationally profitable use of a candidate’s time and effort.

(1) Capstone Courses

Examples of capstone courses that satisfy the LL.M. writing requirement include:

Commercialization of Intellectual Property (LAW 6941) 4 credit capstone
Cybercrimes Capstone (LAW 6924) 4 credit capstone
Patent Litigation Capstone (LAW 6905) 4 credit capstone
Patent Practice and Procedure (LAW 6940) 4 credit capstone
Trademark Prosecution Capstone (LAW 6926) 4 credit capstone

(2) Independent Study - Graduate (LAW 6904)

An Independent Study taken to satisfy the LL.M. writing requirement must be approved, conducted, evaluated, and reviewed in accordance with the Policy on Courses Involving Supervised Individual Study.
and Instruction\textsuperscript{14} with the following exception: Supervising faculty for LL.M. students may be adjunct instructors and need not be members of the full-time instructional staff of the School of Law.

c. Required Introductory Course for International Students (LAW 6908)

International LL.M. students must take the 3-credit course Introduction to the U.S. Legal System & U.S. Legal Research for Graduate Students (LAW 6908) during the first semester of their LL.M. studies at the law school. This course will count toward the 30-credit hour requirement.

d. Electives

(1) Representative Elective Courses

In addition to taking the courses required for the LL.M. degree, LL.M. students should fulfill the remainder of their semester hour requirements by taking: 1) any required “core” course; 2) any 4-credit capstone course approved for the LL.M. degree; or 3) any approved elective course. The following courses are representative of approved electives for the LL.M. program:

- Administrative Law (LAW 6205) 3 credits
- Antitrust Law (LAW 6405) 3 credits
- Business Organizations (LAW 6801) 3 credits
- Business Planning for Small Businesses (LAW 6931) 3 credits
- Civil Practice & Procedure (LAW 6101) 4 credits
- Conflict Management & ADR (LAW 6410) 3 credits
- Contracts I (LAW 6110) 2 credits
- Contracts II (LAW 6810) 2 credits
- Cybercrimes: Law & Procedure (LAW 6975) 2 credits
- Cybersecurity & National Security Law (LAW 6894) 2 credits
- Directed Reading (LAW 6861) 1 credit
- Entertainment Law (LAW 6841) 3 credits
- Graduate Externship in Law & Technology (LAW 6903) 4 credits
- Federal Taxation of Business Entities & Owners (LAW 6875) 3 credits

Independent Study for Graduate Students (LAW 6904)                      1 or 2 credits
Intellectual Property Clinic (LAW 6950-03)                               4 credits
International Business Transactions (LAW 6977)                          2 credits
International Law (LAW 6850)                                           3 credits
Law Clinic Intern (LAW 6950-03)                                        4 credits
Legislation (LAW 6111)                                                 3 credits
Real Property I (LAW 6104)                                             1 credit
Social Media & Criminal Law (LAW 6541)                                  1 credit
Social Media Law (LAW 6543)                                            3 credits
Torts I (LAW 6102)                                                     2 credits
Torts II (LAW 6103)                                                    2 credits
Transactional Drafting (LAW 6910)                                      2 credits
The Law of Video Gaming (LAW 6534)                                     1 credit

(2) Graduate Externships

Graduate externship placements must comply with the Externship Guidelines.  

e. Credit for Coursework Earned outside the LL.M. Curriculum

With the pre-approval of the Associate Dean for Academic Affairs and the Director of Law Graduate Programs, an LL.M. candidate may enroll in and receive credit for a maximum of 6 semester hours of course work from other courses offered by Dayton Law but not listed in the LL.M. curriculum, graduate-level courses in related fields from other departments, schools or the College of the University of Dayton, or graduate-level courses in related fields from another educational institution.

Consistent with Dayton Law’s policies, courses taken outside of Dayton Law in which a student receives a grade of “C” (or its equivalent) or better will be recorded on the LL.M. transcript as a “K” (pass), and will not affect the calculation of the student’s cumulative grade-point average.

15 See Dayton Law Policy Manual § C(1)(c) (Credits Earned in Other University Schools & the College).
University of Dayton School of Law Policy Manual

f. Study “In Absentia”

LL.M. candidates in academic good standing may qualify to study “in absentia” under the Dayton Law policy.¹⁶

In addition, international graduate students admitted to the LL.M. program under an International Academic Cooperation Agreement between Dayton Law and an educational institution in a foreign country may be permitted to engage in limited study *in absentia* at the foreign educational institution, which is party to the Agreement.

As an example, this flexibility may be beneficial when a student from a foreign nation wishes to take one or more courses in his own domestic intellectual property or technology law at a foreign university and have such study apply towards his or her advanced degree from the University of Dayton.

5. REGISTRATION FOR COURSES

   a. Director Approval of Schedule

The Director of Graduate Law Programs must approve the schedules of all LL.M. students before they are permitted to register.

   b. Order of Registration

LL.M. registration will take place after J.D. registration each semester. Students in the J.D. program will be given priority in enrollment over graduate students for all courses offered in any semester at Dayton Law.

When possible, seats will be held for LL.M. candidates in required and approved elective courses. LL.M. candidates should meet with the Director of Graduate Law Programs to develop their schedules in order to give sufficient notice to the Registrar of their intention to register for particular courses each semester.

   c. Prerequisites

Students are responsible for ensuring that they have taken the prerequisites for any course. LL.M students are advised to consult with the Director of Graduate Law Studies when selecting their courses. Waiver of any prerequisite must be in writing and requires the pre-approval of the course instructor and the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

¹⁶ See Dayton Law Policy Manual § C(1)(d) (Educational Program-Study “In Absentia”).
d. Limitations on Enrollment

(1) Independent Study for Graduate Students (LAW 6904)

LL.M. students taking the course Independent Study for Graduate Students (LAW 6904) are subject to the following limitations:

- An LL.M. student who has a J.D. from a U.S. law school must have a cumulative GPA of 2.50 or greater to register for an Independent Study. An LL.M. student with a first degree in law from a foreign university ("international LL.M. student") must have a cumulative GPA of 3.2 or greater to register for an Independent Study. Ordinarily only one Independent Study can be taken by any LL.M. student.

- LL.M. students may take a 1-credit or 2-credit Independent Study, but not more than two credits of Independent Study can be counted towards the LL.M. degree.

To preserve flexibility in scheduling, waiver of these limitations may be permitted by the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

(2) Directed Reading (LAW 6861)

LL.M. students may take a Directed Reading as an elective with permission of the instructor and the pre-approval of the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs. Directed Readings for LL.M. students are subject to the following limitation:

- Only one one-credit Directed Reading can be taken by any LL.M. student towards satisfaction of the LL.M. degree.

- An LL.M. student who has a J.D. from a U.S. law school must have a cumulative GPA of 2.50 or greater to register for a Directed Reading. An LL.M. student with a first degree in law from a foreign university ("international LL.M. student") must have a cumulative GPA of 3.2 or greater to register for a Directed Reading.

(3) Law Clinic Intern (LAW 6950)

LL.M. candidates may not take the Law Clinic Intern course (LAW 6950), with the following exception:

LL.M. candidates with a U.S. J.D. may apply for and, if accepted, enroll in the Entrepreneurship and Intellectual Property Law Clinic (LAW 6950-03).
(4) Distance Education Courses

(a) Definition\(^{17}\)

(b) Enrollment

LL.M. candidates under the general LL.M. admissions policies may enroll in a distance education course where circumstances indicate that it would be educationally beneficial and with the pre-approval of the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

Students admitted under an International Academic Cooperation Agreement between Dayton Law and an educational institution in a foreign country may be subject to different degree requirements in accordance with that Agreement. These Agreements may permit students to enroll in some distance education courses and have such study apply towards his or her advanced degree from the University of Dayton.

6. COURSE AVAILABILITY

Courses required for the LL.M. degree will be offered regularly to accommodate the LL.M. curriculum. Some electives will be offered annually; others will be offered only when enrollment warrants and a suitable instructor is available. In order to assist students in planning, a tentative schedule of course offerings will be published with registration materials every spring. To ensure they meet the requirements of the degree, LL.M. students should review the course offerings and consult with the Director of Graduate Law Programs when planning their schedules.

7. EXAMINATIONS AND GRADING

a. Grading Policy for LL.M. and M.S.L. Students

   a. LL.M. students with a J.D. from a U.S. law school (“U.S. LL.M. Students”) will be graded, and their academic standing determined, according to the standards, policies and practices governing J.D. students.

   b. LL.M. students with a first law degree from a foreign university (“international LL.M. students”) and all Masters in the Study of Law (“M.S.L.”) students will be graded, and their academic standing determined, according to the general Academic Standards of the University of Dayton Graduate School,\(^ {18}\) which are incorporated by reference into this section of the Policy Manual.

   c. In any law school course containing both J.D. students and non-J.D. students (i.e. either LL.M. or M.S.L. students or any other specially admitted student), non-J.D. students will not be taken into account for purposes of determining the

\(^{17}\) See Dayton Law Policy Manual § (C)(2)(e)(g)(i), which states: A “distance education course" means a course offered by the School of Law that meets the criteria of ABA Standard 306.

\(^{18}\)http://catalog.udayton.edu/generalinformation/academicinformation/graduate/academicstandards/
applicability of or the distribution of grades under the mandatory law school grading curve.

d. Explanatory Comments to assist faculty who are applying this Grading Policy are included in the Policy Manual here. [These will probably be in: Section F(1)(a)(6)(Teaching).]

b. Use of Dictionaries by International Students during Exams

International LL.M. and M.S.L. students who are non-native speakers of English may use a paper English or English-foreign language dictionary in exams. If they are used in a closed book or closed note exam, these dictionaries must not contain any handwritten notes. Electronic dictionaries are not permitted in exams.

8. ACADEMIC STANDARDS

a. Class Rank

Because an LL.M. student’s academic record is not comparable to that of J.D. students, an official class rank cannot be determined for any LL.M. student. LL.M. students’ grades will not affect the class rank of any J.D. student.

b. Honors

LL.M. students will not be awarded graduation honors for the LL.M. degree.

c. Academic Good Standing

To be in good standing, LL.M. students with a J.D. from a U.S. law school must maintain at least a 2.2 quality point average at all times.

International LL.M. students are required to maintain at least a 3.0 quality point average.

d. Academic Probation

A U.S. LL.M. student who is eligible to continue studies in the School of Law is considered to be on “academic probation” when that student’s cumulative quality-point average is below 2.2.

An international LL.M. student who is eligible to continue studies in the School of Law is considered to be on “academic probation” when that student’s cumulative quality-point average is below 3.0.

An LL.M. student on academic probation must complete a written academic recovery contract with the Director of Graduate Law Programs which shall specify goals, expectations, and a timeline for achieving good academic standing. This contract must specify the duration of the probationary period, which may not be shorter than one academic semester, nor longer than one calendar year, and must be approved by the Associate Dean for Academic Affairs. Students on academic probation who do not sign an academic recovery contract will not be permitted to register for courses.
e. Academic Dismissal

Students whose academic performance has seriously impaired their ability to succeed at the University of Dayton may be subject to academic dismissal by the Associate Dean for Academic Affairs, who authorizes the dismissal and notifies the student of his or her status. LL.M. students who may be dismissed include:

- those who fail to achieve good standing at the end of an agreed upon period of academic probation;
- those who receive one or more grades of “F.”

f. Readmission

LL.M. students will not be readmitted after they have been academically dismissed from Dayton Law.

9. STUDENT AFFAIRS

a. Co-curricular Activities

(1) Moot Court

LL.M. students are ordinarily not eligible to participate in Moot Court Programs for credit toward the LL.M. degree. Any waiver to this policy must be made by the Associate Dean for Academic Affairs in consultation with the Director of Graduate Law Programs.

(2) Law Review

LL.M. students who participate in Law Review may not count those credits towards the LL.M. degree.

b. Extra-Curricular Activities

All LL.M. students who are in good academic standing and eligible to continue their studies towards the LL.M. degree are eligible to participate in extra-curricular activities.

c. Faculty Committees

Ordinarily, LL.M. students are not eligible to serve on faculty committees. Under special circumstances, this policy may be waived, but only with the express permission of the Associate Dean for Academic Affairs.

d. Employment

LL.M. students who are U.S. citizens or permanent residents may work full-time or part-time.
Students on an F-1 visa are eligible to work on campus while attending classes are subject to F-1 immigration regulations and the policies of the University of Dayton.\textsuperscript{19} F-1 students with questions about employment should consult the Office for International Student and Scholar Services in the Center for International Programs.\textsuperscript{20}

\textsuperscript{19}http://www.udayton.edu/international/isss/immigration/f1_immigration/f1_employment.php

\textsuperscript{20}http://www.udayton.edu/international/isss/
Explanatory Comments to Graduate Student Grading Standards (LL.M. & M.S.L.)

Explanatory Comment to Section 1

(Grading U.S. LL.M. students)

Section 1 requires faculty to assign comparable grades to J.D. and U.S. LL.M. students when they demonstrate comparable academic performance.

In practice, this policy contemplates that a faculty member should grade a class containing J.D. and U.S. LL.M. students in the following fashion. Initially, the faculty member should assign a raw score to all of the exams, papers or other evaluative assignments in the class without regard to whether students are J.D. or U.S. LL.M. students. In accordance with information supplied to the faculty member by the Law School Registrar’s office, and in compliance with any applicable anonymity requirement, the faculty member should segregate the J.D. raw scores from the raw scores of U.S. LL.M. students. The faculty member should then assign a grade to the J.D. exams or papers using the mandatory grading curve, if the curve is applicable to the course, without considering the enrollment of U.S. LL.M. students in the class. After assignment of letter grades to the J.D. students, U.S. LL.M. students would then be assigned letter grades corresponding to the comparable performance achieved by J.D. students in the class. For example, if a J.D. student with a raw score of 80 achieved a letter grade of “B,” a U.S. LL.M. student with a raw score of 80 would also be assigned a “B.”

Under Section 1, the standard for “academic good standing” for U.S. LL.M. students would be 2.2, the current standard applied to J.D. students. As explained below, the standard for “academic good standing” for international LL.M. students and all M.S.L. students would be different.

Explanatory Comment to Section 2

(Grading International LL.M. and all M.S.L. Students)

Section 2 establishes a grading system for international LL.M. students and all M.S.L. students that is different from that used to grade J.D. or U.S. LL.M. students.

Law faculty should use the Academic Standards for the University of Dayton Graduate School when grading international LL.M. students and all M.S.L. students.

The Academic Standards of the Graduate School require that Graduate School students “maintain a 3.0 [GPA] at all times” to be in good academic standing. Under this grading policy, the Graduate School requirement that students maintain a GPA of 3.0 applies to both international LL.M. students and all M.S.L. students.

The Academic Standards of the Graduate School also require that academic units offering Master or Ph.D. graduate degrees advise all graduate students not doing work of “high caliber” that further degree work should be “discontinued.”

In practice, this policy contemplates that a faculty member should grade a class containing international LL.M. students and/or any M.S.L. students in the following fashion. In accordance with information...
supplied to the faculty member by the Law School Registrar’s office, and in compliance with any applicable anonymity requirement, the faculty member should segregate the exams or papers of international LL.M. students and any M.S.L. students. The faculty member should then assess the performance of these students and assign a grade to that performance using the Graduate School grading scale and its descriptive indicators. In assigning that grade, the following criteria may be relevant to the judgment and discretion of the faculty member:

- An M.S.L. degree does not qualify the student to practice law anywhere. Rather these students will usually be employed in another non-legal field (e.g., information technology, biotechnology, etc.) and will be pursuing the M.S.L. degree merely to obtain a general foundation in law and a familiarity with some aspect of the law governing intellectual property and/or technology. The student may well be pursuing the M.S.L. degree to help them perform their non-legal job better or to enable them to improve their current or future career prospects in that field.

- In some classes, M.S.L. and J.D. students may bring comparable educational backgrounds to the course, as in first semester required law courses. But in many situations, the educational background of an international LL.M. student or an M.S.L. student will be markedly different from that possessed by the J.D. or U.S. LL.M. students in a class. For example, foreign-educated LL.M. and M.S.L. students may not have the cultural or historical background that is shared by students in our law classes. In upper-level elective classes, international LL.M. students and all M.S.L. students may not have the same foundation in U.S. law as they attempt to master material in classes with J.D. and LL.M. students who have one or more years of full-time U.S. legal education as a background for the class. Finally, students for whom English is a second language may face special challenges as they attempt to master foundational or elective courses in U.S. law.

- Given the requirement that international LL.M. students and all M.S.L. students must maintain a 3.0 GPA to remain in good standing, the assignment by a faculty member of a grade below “B” to one of these students, while perhaps a “passing” grade under the Graduate School standards, would nonetheless be an indication to the student that, in the instructor’s opinion, the student’s performance in the class raises serious questions as to whether the student should be permitted to continue in the graduate program. Given this connotation for a grade below “B,” the faculty member might make this basic determination the basis for an initial assessment of an international LL.M. student’s or an M.S.L. student’s performance, using the other grade increments in the graduate school grading scale to add further precision to that initial performance assessment.

**Explanatory Comments to Section 3**

Section 3 is intended to prevent the presence of non-J.D. graduate students in a class from having an adverse affect on the academic standing of the J.D. students in that class.
University of Dayton Graduate School Academic Standards

To be in good standing, a graduate student must maintain a 3.0 quality point average at all times. Grades are expressed on the student's permanent record in the following manner:

A - Excellent: for each semester hour, 4.0 quality points are allowed.

A- - For each semester hour 3.6667 quality points are allowed.

B+ - For each semester hour, 3.3333 quality points are allowed.

B - Good: for each semester hour, 3.0 quality points are allowed.

B- - For each semester hour, 2.6667 quality points are allowed.

C - Passing: for each semester hour, 2.0 quality points are allowed.

F - Failed: 0 quality points are assigned.

CR - Passed: Credit is given, but no corresponding quality points are given. This is used by certain departments when the thesis or special courses are not to affect the 3.0 cumulative quality point average needed to be in good standing.

I - Incomplete: To be used when a course has terminated but the student, for an acceptable reason, has not completed the work of the course. The I has 0 quality points per hour and does not affect the cumulative point average. It can be changed to a letter grade if the student has completed the work. Otherwise it will remain on the permanent record indefinitely.

K - Credit: This mark is used only for credits accepted as transfer credit from other institutions. No quality points are allowed.

IP - In Progress: For the thesis or for courses which have not terminated at the end of semester. After the course or thesis is completed, the P is replaced on the permanent record by an A, B, C, F, or with the corresponding credit and quality point average.

N - No grade was reported by the instructor.

W - Withdrawal: Any withdrawal or change of course must be processed by an official Drop-Add Form through the Registration office, with the approval of the graduate student’s advisor. During the first three weeks of a full term (or 10 calendar days of a split term) a graduate student may withdraw from a class without record. Financial adjustments, if allowed, will be made only from the date of notification of withdrawal.

X - Audit: This mark indicates that the graduate student has registered to audit the course. No credit hours or quality points are awarded for this mark. NOTE: Any course taken for audit may not be retaken for credit.
EM - Examination: This mark indicates credit given to students (registered in the University) on the basis of examinations after admission to the University. The level of achievement to be demonstrated by the student on these examinations is determined by the department in which the course is taught. Such credit shall be assigned only on authorization of the dean of the academic division in which the student is registered. No quality points are allowed.

The various deans will review at intervals the work of their graduate students, and in consultation with the program directors and/or chairs of the departments, will recommend that those who are not doing work of high caliber be advised to discontinue courses leading to a degree. The disciplinary authority of the University is vested in the president by right, and in the deans and other officers on whom jurisdiction may be conferred for specific cases and in restricted areas.
APPENDIX A – Enrollment Requirements

From:
http://www.udayton.edu/international/isss/immigration/f1_immigration/f1_enrollment_requirements.php

ENROLLMENT REQUIREMENTS

DEFINITIONS

Full Course of Study. In your initial semester of study and every semester thereafter, except for vacations, you are required to 1) register for a full course of study and 2) make normal progress toward the completion of your educational objective. Note: Full-time registration, “full-time enrollment and “full course load” are synonymous with “Full Course of Study”.

Undergraduate student. A student fully engaged in an undergraduate program. If you are still taking IEP courses, you are not considered an undergraduate student for enrollment reporting purposes.

Graduate student. A student fully engaged in a graduate program. If you are still taking IEP courses, you are not considered a graduate student for enrollment reporting purposes.

Intensive English Program (IEP) student. A student taking any number of IEP courses. Status. Your status is the official U.S. government designation and authorization of your stay in the U.S. as a non-immigrant student.

SEVIS. SEVIS is a web-accessible database that collects, tracks, and monitors information regarding exchange visitors, international students and scholars who enter the U.S. on F, M or J visas. SEVIS is managed by U.S. Immigration and Customs Enforcement. Termination. The termination of a SEVIS record invalidates your F-1 status. Terminations are a result of a status violation(s).

FULL COURSE OF STUDY

F-1 students must abide by strict enrollment guidelines in order to maintain their lawful status. The following section describes the specific enrollment requirements of F-1 students:

- In your initial semester of study and every semester thereafter, except for vacations, you must be enrolled full-time. There are some exceptions to this rule (see Reducing Your Course Load section for more details).

- If you are not registered full-time by the drop/add deadline (see UD’s academic calendar), your SEVIS record will be terminated.

- The table below lists the minimum enrollment for the three primary categories of students at the University of Dayton:
<table>
<thead>
<tr>
<th>Undergraduate students</th>
<th>12 credit hours</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Graduate students</strong></td>
<td>6 credits (exceptions: 9 credits for Communication COM/CAI, Psychology CLP, EXP, PSY majors; 12 credits for Law J.D., 6 credits for Law LLM/MSL)</td>
</tr>
<tr>
<td><strong>Full-time IEP students</strong></td>
<td>You will be registered for a full course load by IEP</td>
</tr>
<tr>
<td><strong>Part-time IEP students</strong></td>
<td>You must work with IEP to ensure that your mix of IEP and academic classes meet the full-time minimum for your classification</td>
</tr>
</tbody>
</table>

- Courses that you visit or audit do not count towards full-time enrollment for immigration purposes.
- Only a maximum of 3 credit hours of online/distance learning courses may be counted toward the full-time requirement. In your final term, an online/distance learning course cannot be the only class.

**Special note on online/distance learning courses:** A maximum of 3 credit hours of online/distance learning classes per semester may be counted toward the full course of study requirement. An online or distance education course is a course that is offered principally through the use of an electronic medium. If the F-1 student’s course of study is in a language study program, no online or distance education classes may be considered to count toward classroom hours or credit.

*Example:* An undergraduate student takes 6 credits of traditional courses and 6 credits of online/distance education courses. In this example, only 9 credits (6 credits of traditional classes + 3 credits of online/distance education course) may be counted toward the full course of study. Subsequently, the student is considered less than full time, a violation of the full course of study requirement and cause for termination.

**FREQUENTLY ASKED QUESTIONS**

**If I fail a course, will I be considered below the full-time minimum?**
No. It is necessary to distinguish between the meanings of “failing” and “dropping”. *Failing* means receive a failing grade. *Dropping* means to forcibly remove a course from your registration record. *Failing* a course will not take you below the full-time minimum. *Dropping* a course may potentially take you below the full-time minimum and cause your SEVIS record to be terminated.
The only classes I have left are spread out over several terms. Can I register just for those classes only?
If the only academic requirements you have left are spread out over two terms, for example, you must register for additional courses to bring you up to the full-time requirement. For example, if you are an undergraduate left with two courses, MTH 401 and ART 402, but one course is only available in the Fall and the other only available in the Spring, you could do the following:

<table>
<thead>
<tr>
<th>Fall</th>
<th>Spring</th>
</tr>
</thead>
<tbody>
<tr>
<td>MTH 401 (3 credits)</td>
<td>ART 402</td>
</tr>
<tr>
<td>XXX 101 (3 credits)</td>
<td></td>
</tr>
<tr>
<td>XXX 202 (3 credits)</td>
<td></td>
</tr>
<tr>
<td>XXX 303 (3 credits)</td>
<td></td>
</tr>
</tbody>
</table>

Note: the information above is for illustration purposes only.

In this example, the student is left with one class in the final term (your final class cannot be an online/distance education course; if it is, you must supplement that course with a traditional course).

When is the annual vacation?
Students are not required to register for classes in the summer (exception: the student’s I-20 lists a summer start date). F-1 students are considered to be maintaining status even though they are not actually registered for classes. Students electing to take classes will not be subject to the full-time minimum.