

**UNIVERSITY OF THE PACIFIC
McGEORGE SCHOOL OF LAW**

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

**GRADING AND GRADUATING POLICIES
RULES, REGULATIONS AND PROCEDURES**

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100. INTRODUCTION

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

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

101. Authority

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

102. Membership

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

- a. The three student members, one each from the M.P.P or M.P.A, LL.M and M.S.L program, shall be selected by the McGeorge School of Law’s Director of Graduate Programs.
- b. Student members of the Graduate Studies Committee shall participate in Committee meetings and vote on general policy considerations. However, they shall not be present when petitions or other matters regarding individual students are being considered.
- c. Regular and alternate faculty members shall be appointed by the Dean from among the voting members of the faculty of the School of Law. Alternate faculty members shall serve, in rotation, in the place of any regular faculty member who is unable to attend an Executive Meeting of the Committee, as defined in Rule 1001. If fewer than five regular faculty members and alternate faculty members are available for a scheduled Executive Meeting, the Dean shall appoint a sufficient number

of temporary members from among the voting members of the faculty to achieve a faculty membership of five. References in these rules to members of the Graduate Studies Committee include alternate and temporary members during the time they are serving in the place of any regular faculty member. (adopted –3/9/17)

103. Scope and Definitions

The rules, regulations and procedures contained in this document are intended to serve as a supplement to the official catalog of the law school for the MSL, MPP and MPA programs. As used herein:

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

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

104. Petitions

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

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

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

105. Personal Appearances

Any student submitting a petition to the Committee or the Public Policy Committee pursuant to Section 104 shall have the right to appear personally before the Committee. Such personal appearance by the individual petitioner must be requested in writing at the time the petition is submitted, and shall be limited to the purpose of informing the members of any new facts which have a significant and substantial bearing upon the issue before the Committee or the Public Policy Committee or to answer any questions which the members may have relevant to the issue before the Committee.

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

106. Reconsideration

A student may file a petition for reconsideration of the Committee's decision. Such petitions shall be filed within 15 calendar days from the date of notice of the decision on the underlying petition. Upon the filing of a student's written petition for reconsideration, the Committee, by majority vote, may reconsider its decision in any matter previously decided. A petition for reconsideration shall be limited to a written statement of any new matter that has arisen or has come to the petitioner's attention subsequent to the original petition. In no event, however, shall the Committee reconsider the same matter more than once, nor shall a denial of a petition for reconsideration be subject to further reconsideration. Whenever the Committee elects to reconsider a decision, the student requesting reconsideration shall not be entitled to appear personally before the Committee. The composition of the Committee when considering a petition for reconsideration shall, to the extent practicable, be the same as when it decided the original petition. (Adopted- 3/9/17)

107. Ex Parte Communications

Students are encouraged to seek academic advice from members of the faculty, and members of the faculty are encouraged to provide such advice to the extent that it is consistent with their other obligations. Faculty members of the Graduate Studies Committee must be cautious that such academic advice efforts do not impair their ability to bring independent judgment to matters that come before the Committee.

- a. Where any member of the Committee believes that his or her independence of judgment (or the appearance thereof) has been impaired, the member should not participate in the Committee discussion or decision of any petition that may be so affected.
- b. Except as provided herein, a student and any voting faculty member of the Graduate Studies Committee must not discuss with each other any

petition that a student has filed, intends to file, or is considering filing under these rules.

- c. Students desiring information about the petitioning process should confer with the Director of Graduate Programs. A student may also discuss Graduate Studies Committee rules and procedures with the Chairperson of the Committee.
- d. This rule does not impair any student's right to appear personally before the Committee upon request pursuant to Rule 105.

(adopted 3/9/17)

200. COURSES

201. Required Courses

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

202. Electives

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

203. Auditing Courses

Degree seeking students may not audit courses.

204. Graduation Credits

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

Of the 48 semester units required for graduation from the MPP program, 38 of those must be earned in graded courses.

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

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

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

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

300. WITHDRAWAL

301. Withdrawal from a Course

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

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

302. Leave of Absence and Withdrawal from McGeorge

Students who intend to request a leave of absence for up to two semesters or to withdraw from the degree program have to initiate the process with the program director. The date used by Financial Aid for Return in the return of Title IV Aid calculation and the effective date used by the Business Office for tuition refunds, if any, is based on the date of request to the program director.

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

If the student has not been enrolled for more than two semesters at McGeorge and wishes to return, he/she must apply for re-admission.

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

400. ATTENDANCE, PREPARATION & PARTICIPATION

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

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

500. EXAMINATIONS

501. LAW Courses

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

502. PUB Courses

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

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

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

504. Procedures

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

505. Missed Examinations/ Assessments - Excused

A student who cannot sit for an examination or assessment due to bona fide illness, emergency, personal tragedy, or significant work conflict shall seek prospective permission from the Assistant Dean for Student Affairs or the Director of the Public Policy Program. Professors may not entertain such requests prior to an examination or assessment but may act on an emergency basis during an examination/assessment. Full written verification of the reason requiring an excused absence will be required.

If a student is prospectively excused from an examination/assessment under this rule, he/she will make up the examination/assessment as soon as possible, but not later

than 5 days following the original administration. In the event that the situation prompting the excused absence continues longer than 5 days, it shall be within the discretion of the Assistant Dean for Student Affairs or the Director of the Public Policy Program to schedule the make-up exam at a later date.

A student who, for any reason, does not sit for an examination/assessment without prior permission shall immediately contact the Assistant Dean for Student Affairs or the Director of the Public Policy Program. In consultation with the professor, the Assistant Dean for Student Affairs or the Director of the Public Policy Program will determine whether to allow the student 1) to sit for the examination/assessment at a later time with or without a score penalty or 2) receive the score for that examination/assessment that is the equivalent of the average score that the student received on all other examinations/assessments in the course. In the event that the Assistant Dean for Student Affairs or the Director of the Public Policy Program and the professor disagree, the Associate Dean for Academic Affairs will decide which option will be employed.
(amended 3/31/16, 4/28/16)

506. Missed Examination - Unexcused

A student who fails to take the final examination in a course and is not excused pursuant to Rule 602 shall receive an "F" grade for the course. A student who fails, without excuse pursuant to Rule 602, to take any portion of an examination shall receive a score for all questions missed 10 points lower than the lowest score given by the professor on any question in that examination (based on a 100 point scale), but in no case shall the score be less than 0 nor more than 50.

507. Failure to Turn in Hand-Written Examination Answer

After completing an examination and before leaving the examination room, each student who hand wrote any part of an examination answer shall place that answer in a receptacle provided for that purpose. A student who omits to do so shall have his or her score for that portion of the examination determined as follows:

- a. A student who seeks to turn in an examination answer after leaving the examination room may have the answer read and scored if: (1) the student has not previously violated Rule 604, (2) upon discovering the omission the student without unnecessary delay turned the answer in to the Associate Dean for Academic Affairs, Director of the Public Policy Program, or the Assistant Dean for Student Affairs, (3) the student satisfactorily accounts for his/her whereabouts and the whereabouts of the answer at all times prior to turning in the answer, and (4) the Associate Dean for Academic Affairs, Director of the Public Policy Program, or the Assistant Dean for Student Affairs concludes that allowing the answer to be read and scored will not violate the integrity of the examination.

- b. A student whose answer is not read and scored under paragraph a. shall receive for that portion of the examination a score that is ten points lower than the average score that the student receives on all other examination questions in the course (based on a 100 point scale) if: (1) the student has not previously violated Rule 503 and (2) the Associate Dean for Academic Affairs, Director of the Public Policy Program or the Assistant Dean for Student Affairs concludes that the omission was the result of excusable neglect. Otherwise, the student shall be treated as having been absent from that portion of the examination without excuse and shall have his or her score for that portion of the examination determined in accordance with Rule 602.

508. Failure to Turn In Take Home-Exam/Paper

Students who fail to turn in a take-home exam and/or assigned paper on the date and at the time designated by their professor shall have their grade reduced as indicated by the course syllabus. If the course syllabus is silent as to the penalty for late take-home examinations or papers the student's grade on the paper or exam shall be reduced by a full letter grade for each twenty-four hour period, or part thereof, that the exam/paper is late.

509. Make-up Examinations

A student who has missed or intends to miss an examination shall communicate as quickly as possible with the Assistant Dean for Student Affairs or the Director of the Public Policy Program, who may excuse the student's failure to take the examination for the reasons set forth in Rule 602, in which case the following provisions apply:

- a. The student shall be informed of the provisions of this Rule and admonished to refrain from discussing the content of the missed examination with anyone and not to receive any information about the content of the missed examination until the missed examination has been made up or the student has been informed that the make-up examination will not be the same examination as was given to the class as a whole. Because classmates may post information about the exam on social media, students who are taking a make-up exam should refrain from viewing social media as well. Students who take make-up exams before their class should refrain from posting information about the exam on social media until the student has been informed that the exam has been given to the class as a whole.
- b. The student shall take a special make-up examination at a time to be determined by the Assistant Dean for Student Affairs or the Director of the Public Policy Program.

- c. Immediately before taking a special make-up examination that is the same examination as given to the class as a whole, the student must write out and sign an honor code declaration, as follows:

“I am aware of the provisions of the McGeorge School of Law Code of Student Responsibility prohibiting the giving or receiving of unauthorized assistance in any academic pursuit, including examinations, and prohibiting false statements in connection with official business of the School of Law. I declare under penalty of perjury that I have not or will not discuss with anyone the content of the examination and have not received any information about the content of that examination.” (amended 4/28/16)

510. Exam Materials

Students may use pen or laptops to record examination answers. Unless an announcement is made to the contrary before the examination, students may bring only pens and a laptop into the examination room. Students may not bring bluebooks into the examination room unless the school does not provide them. Students for whom English is a second language and who have completed their undergraduate degree at a non-English based institution may request the Law School to provide an English dictionary for their use during an exam.

511. Examination Conduct

Students are expected to conduct themselves honorably and in a professional manner during examinations. Any breach of this standard may result in confiscation of exam papers, failure of the course, and further disciplinary action up to and including expulsion.

512. Writing Course - Grade of "Incomplete"

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

The work assigned in a course as to which a grade of "incomplete" is given under Rule 609 must be completed by the first day of classes of the second semester (including Summer Session) after the semester when the course ended. If it is not, a grade of "fail" will be entered.

513. Use of Computers on Examinations

Laptop or other portable computers may be used to type examination answers only if: (1) the computer is equipped with approved blocking software that is in use for the duration of the exam, and (2) the computer meets any other specifications that may, from time to time, be established by the Law School. This subsection does not apply to take-home examinations.

600. GRADES AND GRADING

601. Grade Structure

The MSL, MPP and MPA grading structures are different than those of the JD owing to the difference between grades typically awarded in graduate studies programs and those awarded in JD programs. For example, a cumulative GPA of 2.33 would be considered satisfactory under a JD standard, while the same GPA under a graduate studies program standard would not be considered satisfactory. Accordingly MSL, MPP and MPA students who are enrolled in classes with JD students will receive a full letter grade increase to reflect this difference, which is applied by the Registrar at the end of the semester. A grade of “F” will not receive any increase. This grade increase will not apply to courses in which only MSL, MPP and/or MPA students are enrolled. (added 3/31/16, amended 4/28/16)

602. Symbols and Definitions

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

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

Symbol	Definition
P	Represents acceptable level work under pass/no credit option.
NC	Represents “D+” or “D” level work under pass/no credit option. No credit awarded at this level.
W	Authorized leave of absence or withdrawal from courses after the add/drop period. (amended 3/31/16, 4/28/16)

603. Re-Evaluation of Grades

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

Where the petition simply alleges dissatisfaction with grading of examinations taken anonymously, no relief will be granted. When the petition alleges discrimination or abuse of discretion in assigning grades on other than an anonymous basis or where the petition alleges abuse of professional discretion in the evaluation of examination papers, and/or assigning of grades, the Grading and Advancement Committee shall review the matter in consultation with the professor involved and may grant such relief as they deem appropriate. See rule 504 for procedures.

Individual professors shall have no authority to change grades, and they are expressly discouraged from re-reading any papers for the purpose of re-evaluation and grade change. When requested to re-read a paper, the professor shall advise the student of the right to petition. (amended 4/28/16, 3/9/17)

700. GRADUATION REQUIREMENTS

701. Cumulative GPA

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

702. Graduation Requirements

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

A candidate for the Master of Public Policy is eligible to graduate upon successful completion of 48 units and achievement of a minimum cumulative grade point average of 3.0.

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

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

703. Academic Standing

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

- good standing
- probation
- disqualification

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

a. *Good Standing:*

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

b. *Probation:*

A candidate for the MSL, MPP or MPA degree who has a cumulative grade point average below 3.0 at the end of the second semester is placed on academic probation. A student on academic probation has two semesters to raise his/her cumulative grade point average to 3.0 or higher.

c. *Disqualification*

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

A student who has been disqualified may petition pursuant to rule 103. Such petitions will only be granted upon a showing that: 1) a demonstrable condition impaired performance; 2) the condition has now been successfully addressed; and 3) there is convincing reason to expect successful completion of graduation requirements

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

704. Course Loads

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

800. REPEATING COURSES

801. Repeat of Courses

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

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

900. WORK TAKEN AT McGEORGE AND AT OTHER SCHOOLS

901. Course Work Taken at Other Schools by MSL, MPP or MPA degree Students

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

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

- a. Requests for this approval must include the school, course description, and professor.

- b. Permission may be granted for a total of six (6) semester units of credit.
- c. Transfer credit will be granted if the student receives a grade of B or better. When transfer credit is granted, only the units, and not the grade, will be credited. The course will be treated the same as a “pass/no credit” course for GPA purposes and for calculation of the unit maximum in Section 203. (amended 3/31/16, 4/28/16)

902. Concurrent Enrollment Prohibited

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

1000. AMENDMENT AND RESERVATION OF POWERS

1001. Amendment

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

1002. Reserved Powers

As described in the catalog, McGeorge reserves the right to modify or change the curriculum, admission standards, course content, advancement or degree requirements, regulations, tuition or fees at any time without prior notice. Information in this set of regulations or the catalog shall not be regarded as creating a binding contract between the student and the school. (amended 3/31/16)

1100. PROCEDURAL RULES FOR THE GRADUATE STUDIES COMMITTEE

1101 Committee Operating Procedures

The Committee shall have two types of meetings:

- a. **Regular Meetings.** Regular meetings shall be held at the call of the Chair or upon request of any two members of the Committee. Proposed agenda shall be distributed to Committee members at least two days before such meetings. Persons who are not members or ex-officio members of the Committee may attend such meetings if the majority of the Committee determines that such attendance is appropriate. Regular meetings shall

consider all policy questions within the province of the Committee. Regular meetings shall not consider or pass upon individual student petitions concerning relief from the application of these rules.

- b. Executive Meetings. Executive meetings shall be attended only by non-student members of the Committee. They shall be called by the Chair as needed and shall be concerned only with individual student petitions.

(adopted 3/9/17)

1102. Agenda

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

1103. Voting

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

1104. Faculty Action

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

1105. Record of Petitions

The Chair or the person he/she so designates will be responsible to keep a log-in, log-out record of all petitions submitted by students to the Executive Committee of the Graduate Studies Committee. The Director of the program shall notify the student when his/her petition will be heard. When the Executive Committee has decided a petition, the Director of the program shall notify its student of the Committee's decision and shall record the Committee's decision in the student's permanent record file. (adopted 3/9/17)