

## **ACADEMIC CODE FOR THE LL.M. IN EMPLOYMENT LAW**

### **ARTICLE ONE: GENERAL PROVISIONS**

#### **Section 101. Definitions**

- (a) “Dean” means the Dean of the law school or his/her delegate.
- (b) “Director” means the Director of the LL.M. in Employment Law.
- (c) “Student” means any student admitted to the LL.M. program who is enrolled in a sufficient number of credits per semester in good standing.
- (d) “Term” means the fifteen week academic periods of the law school academic calendar.
- (e) “Cohort” means the group of students admitted to the LL.M. program who begin the program together and have all or substantially all of their courses together. Generally, a cohort will contain approximately than fifteen (15) students.

#### **Section 102. Course Load**

For students choosing the non-Thesis track option, the course load required in order to graduate at the end of five semesters is four (4), five (5) or six (6) credits per semester, earned in a combination of 1 and 2 credit courses. For students choosing the Thesis track option, the course load required in order to graduate at the end of five semesters is four (4), five (5) or six (6) credits per semester, in addition to satisfactory progress on the Master’s Thesis beginning with the third semester.

#### **Section 103. Time Allowed for Degree Completion**

Students are expected to complete the degree within the five semester framework. If participation in the program must be suspended for personal or professional reasons, the degree should be completed within four (4) years of matriculation. A petition for variance from the normal time limit must be submitted to the Director. The petition will be granted if the reasons for failing to complete the degree in a timely manner are acceptable and the student agrees to complete the degree by the date set by the Director.

#### Section 104. Credit Hours Required for Graduation

Twenty-four (24) credit hours must be satisfactorily completed by students in order to be eligible to receive the Master of Laws (LL.M.) degree.

#### Section 105. Variation from Provisions of Academic Code

(a) A student may petition in writing for a variance from any provisions of the Academic Code on grounds of substantial hardship or exceptional merit.

(b) Any petition for variance must be in writing and shall be filed with the Director who shall act on the petition promptly. An aggrieved student may appeal a denial of his/her petition to the Dean. The appeal must be filed in the Dean's Office no later than seven (7) days following the date of notification by the Director of the action on the petition for variance. This appeal shall be limited to a written statement. There shall be no right of personal appearance.

### ARTICLE TWO. ACADEMIC STANDARDS

#### Sec. 201. Course Credit

No student shall receive credit for a course if the final grade received is lower than a "C." Any course in which a grade lower than a "C" must be repeated as soon as feasible or, if not feasible, the Director may substitute another course of equal credit hours which must be satisfactorily completed. Repeating a course or taking a substitute course likely means the student will not graduate with his/her cohort.

#### Sec. 202. Grade Point Average Required for Graduation

Students who complete the course requirements must have earned a grade point average (GPA) of at least 3.0 ("B") by the end of five semesters. For students choosing the Thesis track option, the GPA required to graduate will include the grade received on the Master's Thesis.

### Section 203. Academic Dismissal

Students will be academically dismissed when it becomes mathematically impossible for them to achieve the required 3.0 GPA by the end of five semesters. A notice of academic dismissal will be sent to the student's John Marshall email address and mailed to their home address on file with the Registrar.

### Section 204. Effect of Academic Dismissal

When a student is given notice of academic dismissal, they will be administratively withdrawn from classes in which they are then enrolled and will be refunded any tuition or fees to which they are entitled under the financial policies of the law school. The student's electronic access to classes will be terminated immediately and he/she will not be allowed to participate in class projects, submit papers, or take examinations.

### Section 205. Petition for Reinstatement

(a) Within seven (7) days of the law school's notice of academic dismissal, the student may petition for reinstatement. Failure to file a petition with that time is a waiver of the student's right to petition for reinstatement. The petition, setting forth a full explanation of the student's basis for reinstatement, shall be filed with the Director.

(b) If a student has been previously reinstated following academic dismissal, but is academically dismissed a second time, the dismissal is final and no petition for reinstatement is permitted.

### Section 206. Guidelines Used in Granting or Denying Reinstatement

(a) The petitioner must demonstrate that he/she possesses the ability to achieve satisfactory completion of the LL.M. degree and that his/her academic dismissal does not indicate a lack of capacity to complete the LL.M. degree within the time allowed by Section 103.

(b) In considering whether to grant or deny the petition for reinstatement, the Director has consider whether the student's academic difficulties were the result of extraordinary circumstances beyond his/her control and which shows that the student's poor academic

performance was not due to lack of ability or failure to diligently study and complete the requirements of particular courses. The extraordinary circumstances on which the student relies in the petition must be the cause in fact of the poor academic performance.

**Section 207. Action on the Petition for Reinstatement**

The Director shall decide the Petition in writing, with one copy sent to the student and one copy placed in the student's file.

**Section 208. Appeal to the Dean**

The decision by the Director may be appealed to the Dean. The appeal must be filed in the Dean's Office no later than seven (7) days from the date of notification by the Director of the action on the petition for reinstatement. The appeal shall be limited to a written statement. There is no right of personal appearance. The Dean shall decide the appeal promptly and in writing, with one copy sent to the student and one copy placed in the student's file.

ARTICLE THREE. EXAMINATION AND GRADING

Section 301. Grading System

|           |                       |                                |
|-----------|-----------------------|--------------------------------|
| A = 4.00  | C- = 1.67             | AD = administrative withdrawal |
| A- = 3.67 | D+ = 1.33             | AU = audit                     |
| B+ = 3.33 | D = 1.00              | I = incomplete                 |
| B = 3.00  | D- = 0.67             | IP = in progress               |
| B- = 2.67 | F = 0.00              | P = pass *                     |
| C+ = 2.33 | W = withdrew          | F* = fail *                    |
| C = 2.00  | WF = withdrew failing | NC = no credit *               |

*\* In a Pass/No Credit/Fail course, a "P" reflects work equivalent to letter grades "A" through "C"; a "NC" reflects work equivalent to letter grades "C-" through "D-; and "F" is treated as if it were a letter grade of "F."*

### Section 302. Withdrawal from Courses or Change of Cohorts

No student may withdraw from a course prescribed for his/her cohort or enroll in any course not prescribed for his/her cohort without the permission of the Director.

Permission to vary from the curricular requirements of a cohort must be sought at least two weeks before the start of the semester in which the variance is sought. If permission to withdraw from a course or vary from the cohort's progression is sought on the basis of illness, outside work demands, family circumstances, or other extraordinary exigencies, the student must notify the Director as soon as possible and describe in detail the basis for the request. The student is then bound by the conditions imposed by the Director in order to allow the student to complete the LL.M.

### Section 303. Examination Process

(a) *Basis for Grading.* The syllabus for each course will indicate the percentage of the final grade that will be based on papers, projects, quality of discussion or contribution to the class, quizzes, and a final examination. No course grade is required to utilize all the sources of evaluation, but may include some or all of them. The objective of every course is to employ rigorous, valid measures of ensuring that the student has successfully mastered the course objectives and possesses the knowledge that permits them to be effective practitioners. To the extent possible, all grading shall be anonymous. Elements, such as quality of discussion or contribution to the class, which cannot be anonymously graded should be calculated only after the other elements have been graded. With regard to papers or projects which the professor may be able to identify with particular student(s), the professor must make every effort to grade objectively.

(b) *Honor Code.* All examinations and other assignments are subject to the requirements of the Honor Code. Professors will inform students well in advance of graded assignments or examinations concerning the degree of cooperation permitted between students or between students and non-students, the nature of any materials to which reference can be made during examinations, and all other restrictions on student conduct with regard to assignments or examinations.

(c) *Technology Issues.* Students will be informed well in advance of graded assignments or examinations of their duties with regard to the technological requirements of computers, software, upgrades, or other matters.

#### Section 304. Reporting of Grades

If grades are recorded for interim projects, papers, or other assignments, students must be informed promptly and confidentially of the grades for those activities. Final examinations must be graded and the final course grade given to the Registrar within fourteen (14) days of the date of the final examination or twenty-one (21) days after the last day of class activity, whichever is sooner.

#### Section 305. Grade Changes

(a) *General Rule.* Final course grades submitted by a professor are final when received by the Registrar and may not be changed by the professor except as prescribed below.

(b) *Exceptions.*

(1) *Incomplete.* A grade given in a course, seminar or directed research may be changed by the professor if the original grade was “Incomplete.” The professor must submit the letter grade reflecting the completed work on or before the last class day of the semester or session following the semester or session for which the “Incomplete” was recorded.

(2) *Instructor’s Application for Change of Grade for Good Cause.* An instructor may also apply to the Director for change of grade for good cause. Good cause is limited to clerical error in recording a grade, egregious error in grading, or other like circumstance.

(3) *Student’s Application for Change of Grade.* A presumption of regularity and impartiality attaches to the grades recorded by professors, particularly in a course in which a grade was assigned on the basis of anonymous grading. A student may apply for a change of grade only on the grounds that a grade was awarded on a basis other than work done by the student in the course. The burden of proof is on the student to prove the allegations. Any petition for change of grade under this section will be heard and determined according to the provisions of Sections 312 and 313 of this Code. A student desiring to petition for a grade change must file a petition with the Office of Associate Dean within thirty (30) days of receipt of the Registrar’s report of the grade in question.

### Section 306. Continuous Enrollment

In order to remain a student in good standing, all students are required to be continuously enrolled starting with the Cohort into which they have been admitted through to completion of the program. Students granted permission for time away from the program must enroll in a Continuous Enrollment status and pay the associated administrative fee. Students not continuously enrolled will be dropped from the roster of students in good standing and may need to reapply should they wish to return to the program at a later date.