

SOUTHWESTERN LAW SCHOOL

L O S A N G E L E S

Grading Policies, Honors, and Specialized Courses

Revision history: Formerly a part of the annually revised Student Handbook. Established as a standalone policy August 2022.

Related policies: [TBD].

Scheduled Review Date: June 2023 (Associate Dean for Research, Dean of Students and Diversity Affairs Office; Registrar's Office)

A. General Procedures

1. Course Syllabus and Grading Criteria

Course syllabi will be posted on the portal and will include a course outline, course learning objectives, a description of course materials, the grading and attendance criteria, and any other information deemed relevant by the faculty member. In the event of an inadvertent conflict between the syllabus and the following policies, the provisions of the grading policies herein will prevail.

a. Anonymous Grading Rule

To ensure objectivity, an anonymous grading system is used for all written examinations and may also be used in other parts of each course. A confidential computer-generated anonymous Exam ID number is issued and made available through Self-Service each semester. Faculty members do not have access to information matching student names and anonymous student Exam ID numbers. Students may obtain their anonymous Exam ID numbers from the Registrar's Office upon presentation of proper identification. Students should not share their Exam ID with professors or other individuals.

b. Time Limits for Submitting Grades

Faculty members must submit all grades to the Office of the Vice Dean(s) within four weeks from the date of the final examination, final assignment, final paper, or final trial in a course. The grades submitted are the final grades after they have been approved by the Office of the Vice Dean(s).

c. Issuing Final Grades

All final grades are made available to students on Self-Service.

d. Policy on Changing Grades

Once grades are final, they will not be changed except in the case of a documented clerical or computational error or as otherwise explicitly stated in this policy. A faculty member seeking to change a grade must present a Change of Grade form with appropriate documentation to the Office of the Vice Dean(s). No grade can be changed, for any reason, 90 calendar days after the final grade has been posted or the examination has been made available to the student in the Registrar's Office, whichever is later. The change will become effective only after the petition has been approved by the Office of the Vice Dean(s) and filed with the Registrar's Office.

B. Grading System

1. Alphabetical Grading System

Southwestern utilizes an alphabetical grading system in which the actual grade earned is represented by an alphabetical letter. Grades are assigned from A+ to F. No unit credit is granted when the grade received is an F. All students must maintain cumulative GPA of at least 2.330. The GPA is a mathematical depiction of a student's law school grade performance carried out to the first three decimal places. The GPA is derived by first multiplying the number of grade points earned in each graded course by the number of units assigned to that course. Those numbers are then added, and the resulting figure is divided by the total number of graded units attempted in the applicable period. The quotient is carried out only to the first three decimal places. Courses offered on a Credit/No Credit basis are not included in the computation of the GPA.

To ensure equity in multiple section courses and uniformity of grades, the faculty has adopted a policy requiring that all courses taught in the first-year day, evening, and PLEAS/Part-time day program; second-year evening, part-time day, and PLEAS Civil Procedure and Property; and SCALE Periods I, II, and III must have a mean of 2.800 (plus or minus 0.05). A minimum of 15 percent grades in the A range (A+, A, and A-) must be awarded. The minimum standard deviation is .70. All upper division courses must have a mean of 3.000 (plus or minus one tenth) and a median of B. As a guideline in upper division courses, 15 percent grade in the A range (A+, A, A-) will be awarded. In courses where fewer than 30 students

are enrolled, the mean and median standards are to be used as guidelines. LL.M. students should refer to the *Masters of Laws Program Policies* for applicable grading policies.

a. Class Rank

Official class rankings by percentage in 10 percent increments are based on cumulative GPA and are computed for each class at the end of each academic year. Southwestern Law School does not provide cumulative GPA breakdowns within the 10% increments, breakdowns beyond the 10% increments, or actual numerical standings. Percentiles for class ranks are rounded up. For example, 10.01% is considered top 20%. Students from the part-time evening and PLEAS/Part-time day programs are ranked together. First-year students also receive an unofficial mid-year class rank. If a student receives a grade change after ranks are calculated, the Registrar's Office will manually re-rank the student. Ranks for other students will not be impacted.

b. Transcript Symbols

Grades are assigned on an alphabetical basis. Listed below are the letter grades with the grade point equivalent.

A+ : 4.33	C : 2.00
A : 4.00	C- : 1.67
A- : 3.67	D+ : 1.33
B+ : 3.33	D : 1.00
B : 3.00	D- : 0.67
B- : 2.67	F : 0.00
C+ : 2.33	

The grades of A+, A and A- denote outstanding scholarship and intellectual initiative; the grades of B+ and B denote above average work; the grade of B- indicates full satisfaction of the law school's requirements; the grade of C+ represents minimal competency sufficient for good standing and satisfactory progress towards graduation; the grades of C and C- represents work below minimal competency; the grades of D+ through D- reflect unsatisfactory work, sufficient only for credit; and the grade of F designates failing work that is insufficient for credit.

i. In addition to the alphabetical grades, the following letters are utilized on student transcripts:

- AU Audit (No credit is earned and permission to enroll is required. Used when a student or non-student enrolls in a course at the regular unit tuition rate.)
- INC Incomplete (See *Incomplete Policy*.)
- CR Credit (Credit in a Credit/No Credit course when a student performs work equivalent to D- or above. Credit is earned toward graduation. No alphabetic equivalent. Not included in GPA.)
- CRW Credit in an honors program that also meets the writing requirement.
- NC No Credit (No credit in a Credit/No Credit course. No credit is earned. Equivalent to a grade of F in a graded course. Not included in GPA.)
- W Withdrawal (Assigned in accordance with the *Withdrawal Policy*.)
- WA Administrative Withdrawal (Withdrawal for insufficient attendance. May be assigned when student misses more than 14% of class sessions.)
- *F Administrative grade of F (see *Administrative Fail (*F)*.)
- ii. Notations that may also be placed on the transcript as appropriate include, but are not limited to: Dean's List, Honors at Graduation, Concentrations, Concentrations with Honors, Law Review, Journal of International Law (Law Journal), Moot Court Honors Program, Negotiation Honors Program, Trial Advocacy Honors Program, Public Service Distinction, Leave of Absence, Withdrawal, Academic Disqualification, Reinstated, Readmitted, Disciplinary Action, Disciplinary Probation, Disciplinary Leave, Disciplinary Suspension, Withdrawal With Disciplinary Investigation Pending and Disciplinary Expulsion.

c. Administrative Fail (*F)

An Administrative Fail (*F) is a final grade assigned by the administration, and cannot be changed, when:

- i. A student drops a course without approval;
- ii. An official Incomplete is not made up within the one-year period allowed by the Incomplete policy; (See *Incomplete Policy*)
- iii. A petition for an Incomplete is denied by the Dean of Students; or

- iv. A student violates the Honor Code regarding the signing of the attendance roster.

An Administrative Fail (*F) is subject to correction when:

- i. An incorrect anonymous number is put on an exam book by a student;
- ii. There has been a faculty or clerical error in entering a grade or conveying a grade, or losing an exam book; or
- iii. Documentation supporting an Incomplete is received by the Dean of Students. (See *Examination Policy*.)

An Administrative Fail (*F), being a final grade, is treated in the same manner as a final earned grade of F for purposes of computing a student's GPA.

C. Incomplete Policy

1. Definition: A grade of "Incomplete" or "INC" is a temporary grade indicating the student has not yet completed assigned work in the course. The grade may be assigned only with approval from the Dean of Students.
2. Appropriate Use: A grade of Incomplete may be issued only when at least 80% of the coursework has been completed, the student has done passing work in all completed assignments, and the student has complied with attendance requirements, but, due to extraordinary circumstances, (1) in courses in which the final grade is not based on a final examination, the student is unable to complete the remaining coursework within the required time frame; or (2) in courses in which the final grade is based on a final examination, a student is unable to take a final examination at the scheduled time.
3. Requesting an Incomplete: A student who has experienced extraordinary circumstances beyond the student's control and who wishes to be considered for an Incomplete in one or more courses must submit a written request to the Dean of Students Office before the end of the semester or term. The written request must explain the reasons that prevent the student from completing the remaining coursework or taking the final examination and include appropriate supporting documentation. Please note that every effort will be made to find a solution in each specific circumstance so that a grade of Incomplete will not be necessary.
4. Removing an Incomplete/Automatic Conversion to an Administrative Fail "**F": To remove an Incomplete, a student does not register for the course again, but will

be permitted to unofficially audit any course in which the student is making up an Incomplete. When the student completes the course requirements to make up an Incomplete, the credits and grade are assigned to that semester or term in which the student originally enrolled in the course. Incomplete grades must be changed to an evaluative grade as soon as possible, but no later than at the end of one year from the issuance of the Incomplete or the next time the course is regularly offered, whichever occurs first. If the Incomplete has not been changed within this time frame, the student will receive a grade of Administrative Fail (*F). This grade is not subject to change.

5. **Extending the Time Limit:** A student may receive an extension on the time within which to complete an Incomplete grade only by submitting a written petition demonstrating extraordinary circumstances beyond the student's control, such as continued illness. Absent extraordinary circumstances as determined by the Dean of Students, the student must submit the petition at least four weeks prior to the original deadline to make up the Incomplete. The student must present adequate and appropriate documentation to verify the extraordinary circumstances. The petition must be submitted to the Dean of Students who may grant the petition in whole or in part, deny the petition in whole or in part, request additional information, or consult with the Vice Dean. It will be rare for a petition that seeks to extend an Incomplete for more than one semester or year beyond the original deadline to be granted.
6. **Conversion to Withdrawal or Administrative Withdrawal:** An Incomplete grade may be changed to a "W" (official withdrawal) only in extraordinary circumstances in which the student's situation has changed since the Incomplete grade was awarded. In these cases, the request for a change to a "W" must be made in writing, documented, and approved by the Dean of Students. At the discretion of the Dean of Students, an Administrative Withdrawal (WA) can be assigned for an outstanding Incomplete if a student withdraws from the school due to extraordinary circumstances. Students should understand that withdrawals could have a financial-aid impact.
7. **Financial Aid:** Incomplete grades will be counted toward enrollment and attempted hours per the Law School's Satisfactory Academic Progress (SAP) policy. Students who end a semester with Incomplete grade(s) will be re-evaluated for financial aid eligibility at the Law School's deadline for the Incomplete grade(s). If the Incomplete grade(s) are not completed by the deadline, the student will automatically be placed on the appropriate SAP status. The student is responsible for notifying the Financial Aid Office to have financial aid eligibility re-evaluated again once the Incomplete grade(s) are updated. Students should meet with a counselor in the Financial Aid Office to review financial aid implications of Incomplete grades.

8. Graduation: A student may not graduate with a grade of Incomplete on their transcript. The Law School will not issue a diploma while an Incomplete appears on a student's transcript.
9. Class Rank: A student with an Incomplete on their transcript at the time class ranks are calculated will not be included in the class rank. When the student completes the course requirements to make up an Incomplete, the student will not be issued a rank for the semesters or terms in which they took an Incomplete. The student will be included in the next calculation of class ranks assuming they have no additional Incomplete grades on their transcript at the time class ranks are calculated.

D. Scholastic Honors

1. Graduation Honors
 - a. Summa Cum Laude
The top 1% of the graduating class will automatically qualify for this honor.
 - b. Magna Cum Laude
The top 5% of the graduating class will automatically qualify for this honor.
 - c. Cum Laude
The top 10% of the graduating class will automatically qualify for this honor.

For purposes of computing the percentages for graduation honors, the graduating class will include July and December graduates, as well as those students graduating in January or at the end of the spring semester.

2. Dean's List

The top 10% of each class, based on the annual GPA for the academic year as described below and the overall number of students in the class, will qualify for the Dean's List at the end of each academic year.

For purposes of awarding this honor, each class will be computed separately for day, evening, PLEAS/Part-time day, and SCALE divisions. This honor will be based on the annual GPA for that academic year. Full-time students must complete at least 20 units of graded courses and part-time students must complete at least sixteen 16 units of graded courses per academic year to qualify.

The scholastic honor system is subject to annual revision. Notations of the above are placed on the student transcript.

3. Other Academic Honors

In recognition of academic excellence and at the discretion of the professor, the top student or top two students in a course (i.e., those students who receive the highest letter grades in the course) receive the CALI Excellence for the Future Award and/or the Southwestern Top Grade Award. CALI is awarded by the Center for Computer-Assisted Legal Instruction and is distributed twice a year, with the summer session and fall semester distribution in April and the spring semester distribution in August.

In situations where the second-best exam is of significantly poorer quality than the top exam, faculty may choose to award the CALI and Southwestern Top Grade Award to the same student.

E. Scholarships, Grants and Fellowships

1. General Scholarships

Southwestern offers a number of scholarships from income provided by gifts from donors, foundations, and its own general funds. Qualifications for and amounts of scholarships vary, but the determination of award is generally based on financial need and scholastic achievement, as well as the amount of funds available. It is the general policy of Southwestern that no student receives scholarship or gift aid from Southwestern or any of its benefactors in excess of tuition charged. If a student receives other scholarship or gift aid that would cause those funds to exceed the student's full tuition charged, Southwestern reserves the right to reduce the scholarship so that the full annual tuition amount is not exceeded. Information about select scholarships is listed below. Please refer to the scholarship information page on the *MySWLAW* portal for additional and the most current information.

a. Entering Students

Southwestern awards a select number of merit scholarships providing up to full tuition to members of the J.D. entering class or concurrent degree programs who have demonstrated exceptional academic promise. Awards may be renewable or non-renewable scholarships. If renewable, students must meet the continuing academic performance requirements. Based upon the information submitted in their admission application files, all accepted Southwestern first-year J.D. applicants are considered for these scholarship types. There is no separate application for the programs; however, each admitted applicant who qualifies for one of these scholarships may be invited to participate in an individual interview (on-campus or via telephone) to complete the process.

Additional information regarding continuing eligibility for scholarships is found on the Southwestern website at <https://swlawportal.swlaw.edu/finances/scholarship/Pages/default.aspx>. Students must consult the version of the eligibility rules from the academic year in which they entered Southwestern.

b. General LL.M. Students

Southwestern awards up to five General LL.M. Program Scholarships each semester, providing partial tuition to entering General LL.M. students. Scholarship determination is based on the admissions application, including an applicant's interests and goals as stated in their personal statement, their professional experience, and law school grades, letters of recommendation, and other factors the admissions committee may wish to consider. No additional materials are required. All admitted students will automatically be considered.

c. Continuing Students

Southwestern awards a number of scholarships to continuing students. For a complete and current list of scholarships available to continuing students, please visit the scholarship information page on *MySWLAW*. Below is a select list of scholarship awards:

i. Dean's Academic Leadership Award

The Dean's Academic Leadership Award was established by the Board of Trustees to provide full tuition scholarships to the highest-ranking upper division students (typically the top 1% of the class). Eligibility is calculated based on class ranks as determined at the end of the academic year and based on the cumulative GPA.

ii. Dean's Merit Award

The Dean's Merit Award was established by the Board of Trustees to provide partial tuition scholarships to upper-division students who have demonstrated academic excellence and are in the top 30% of their class. Award amounts are commensurate with class rank. Eligibility is calculated based on class ranks which are determined at the end of each academic year based on the cumulative GPA.

2. Institutional Scholarships

Continuing students may be eligible for scholarships from more than 80 funds with specific criteria established by the donors. For further information, visit the scholarship information page on *MySWLAW*.

3. Public Interest Law Grants and Fellowships

Students interested in working for public interest law/civil legal aid agencies may apply for stipends created through Southwestern Grant and Fellowship programs. These programs provide the matching amount for Federal Work Study funds applied to positions off campus, thereby providing students practical experiences and career opportunities in public service while offering legal services organizations the assistance necessary to service indigent communities and clients. Other programs are also available to support work in the public interest, living up to the dual goals of enhancing the educational experience of its students and furthering the work of public entities serving underrepresented communities and individuals. Please refer to *MySWLAW* for the most current information for grants and fellowships that are available. Below is a short listing of available summer fellowships and grant awards for graduating students:

- a. George and Katrina Woolverton Public Service Award
- b. Harvey L. and Lillian Silbert Public Interest Fellowship Program
- c. Judge Harry Pregerson Public Service Fellowship
- d. Leigh H. Taylor Public Interest Endowment Fund
- e. Public Interest Law Service Award
- f. Summer Public Interest Law Grant
- g. Other Opportunities

4. Outside Scholarships

A number of other scholarships are available each year from a variety of outside organizations. Eligibility is usually based on need, academic achievement, and extracurricular activities. The necessary supplemental applications and specific requirements for these scholarships are on file in the Financial Aid Office and the most current information is available on the outside scholarship information page on <https://www.swlaw.edu/admissions-financial-aid/financial-aid/scholarships-grants-fellowships/outside-scholarship>

5. Jose Siderman Human Rights Fellowship

The Fellowship brings an Argentine law graduate to Los Angeles to complete an LL.M. degree in Civil Liberties and Human Rights or Advocacy at the law school, including an externship with a civil rights organization. The program complements the association Southwestern has maintained for many years with Argentina through summer programs, judicial externships, and exchange programs in Buenos Aires.

6. Outside Fellowships

a. American Board of Trial Advocates (ABOTA)

Every year, the Los Angeles County Chapter of the American Board of Trial Advocates (ABOTA) offers a unique fellowship program to local graduating law students who will be sitting for the July Bar Exam. Fellows spend one month with a civil defense firm, one month with a plaintiff firm, and another month with various judges at the Los Angeles Superior Court. This fellowship is open to students who have a strong interest in civil jury trial practice and intend to practice law in Los Angeles County.

b. Presidential Management Fellowship Program (PMF)

The Presidential Management Fellows Program (PMF) is known as the training ground for future government leaders. It is a two-year paid post-graduate program where Fellows have the opportunity to work in high level, federal government agencies. Through this Program, Southwestern graduates have worked at places like the Missile Defense Center and the U.S. Department of Housing and Urban Development.

7. Writing Competitions

A list of writing competitions, provided by a variety of organizations, is located on the scholarship information page on *MySWLAW*. This information can also be found on Symplicity, a web-based platform used by the Career Services Office for listing employment opportunities.

F. J.D. Concentrations

Southwestern offers six J.D. Concentrations in the following areas of law:

Civil Litigation & Advocacy
Criminal Law & Advocacy
Entertainment & Media Law
Labor and Employment Law
Public Interest Law
Technology Law & Entrepreneurship

Students must submit a Declaration of Intention form to the Registrar's Office to declare their intent to fulfill a J.D. Concentration. Students may submit the Declaration of Intention at any time prior to the completion of their final semester.

Information regarding the J.D. Concentrations and their requirements can be found on the Southwestern Law School website at <https://www.swlaw.edu/curriculum/concentrations-and-customizations>.

E. Credit/No Credit Courses

To receive credit for credit/no credit courses, the student must satisfactorily complete the requirements of the course and/or program. Students may take no more than sixteen 16 units of Credit/No Credit coursework. This does not include units completed at other law schools for a letter grade, such as summer-abroad programs or units awarded as transfer credit, for which a Credit/No Credit grade is assigned at Southwestern. In rare cases and for compelling reasons where a student can demonstrate that additional Credit/No Credit units would substantially enhance their educational program, the student may obtain permission for additional Credit/No Credit units from the Dean of Students before registration, but rarely will more than 22 Credit/No Credit units be permitted. Students are not permitted to request for letter graded courses to be changed to Credit/No Credit.

F. Independent Study

The purpose of granting unit credit for independent study projects is to allow a student with a demonstrated interest in a particular subject to pursue this interest in-depth under the guidance of a full-time faculty member who has expertise in the area of the student's interest.

A student may petition to undertake an independent study project for two 2 units of credit only.

A student must be in good academic standing to be eligible to take independent study, and no student may register for more than one independent study project for credit toward graduation. Completion of an independent study project will not satisfy the upper-division writing requirement.

Prior written approval must be obtained from a sponsoring full-time faculty supervisor and the Associate Dean for Research. To obtain approval from the Associate Dean for Research, students must submit their independent study proposal (proposal requirements appear below), along with the completed independent study cover form with the sponsoring faculty supervisor's signature, to the Dean of Students Office. The Dean of Students Office will transfer the proposal and the cover form to the Associate Dean for Research to seek their approval in writing. The Associate Dean for Research will notify the Dean of Students Office of their decision and in case of approval will sign the cover form. The cover form is available on the Dean of Students Office portal page.

The proposal must be signed and dated by the student. Two to five pages will generally be sufficient to explain the project. At minimum, the proposal must include:

1. The discrete thesis or hypothesis, not merely a broad topic that the student wishes to investigate. (Although a thesis or hypothesis can change once the independent study project is underway, the student must begin with one.) Except in rare cases, independent study projects will involve the advanced study of topics with which students already have substantial background.
2. An explanation why the topic cannot feasibly be treated during a seminar or other course offered in the curriculum.
3. A brief discussion, in light of the existing academic literature relating to the topic, of the relative importance of the independent study project, and whether and to what extent a written paper would contribute something new or original to that literature. Merely reciting or summarizing case law, legislation, or existing academic research or literature will not assist either the faculty sponsor or the Associate Dean for Research in determining whether to approve a petition for independent study.
4. A bibliography of research materials that the student has consulted in preparing the written proposal.
5. The name of the faculty member who will supervise the independent study.
6. A date by which the independent study project will be completed, and an appropriate penalty (e.g., reduction of one grade step for every 24-hour period, or fraction thereof, that the project is late) for failure to meet the deadline. It is understood that the faculty sponsor may extend the deadline for good cause upon timely request by the student. Please see the *Incomplete Policy* for additional information.
7. Any other information that would help the Associate Dean for Research determine whether to approve the independent study project.

Faculty advice and assistance is crucial in completing an independent study project, and from time to time a student project author may wish to collaborate with the faculty sponsor in publishing the results in some form. Because a grade is to be given, however, the final draft of the independent study project must be the work of the student author alone. Therefore, any decision whether to publish the completed project, in whole or part, modified or not, must be made after both the course has been completed and the final grade is entered. Such decision belongs to the student alone.

Students are strongly encouraged to consult closely with their potential faculty sponsor while drafting the petition.

Samples of successful proposals and finished papers are available on the Dean of Students portal page. Students must consult these samples, this section of the *Student Handbook*, and whatever advice they receive from the sponsoring faculty supervisor for

guidance on preparing their initial proposals. Students will be asked to indicate that they have reviewed the sample proposals.

For each approved independent study, the student is expected to devote the time and resources sufficient to complete the project set forth in the petition. An independent study requires 90 hours of work per unit of credit, and therefore two units of independent study credit require a total of 180 hours of work. The sponsoring full-time faculty member will be the sole judge of whether sufficient time and resources have been devoted to the project. Independent study projects will be graded utilizing the same scale as all other courses.

The independent study must be original work, prepared, and researched solely for the course, and all sources must be properly footnoted. The student must timely submit a detailed written petition for independent study, the goal of which will be to produce a seminar-style, publishable-quality paper of at least 25 pages, excluding footnotes, by the end of the semester in which credit is sought.

Adds/drops for independent study will be governed by the same deadlines as listed in the current academic calendar.

G. Distance Education Policy

1. Purpose

Southwestern Law School is committed to the innovative development and delivery of its curricular offerings. To that end, and in accordance with Definitions 7 and 8 of the ABA Standards and ABA Standard 311(e), Southwestern's Distance Education Policy offers students the flexibility to receive some academic instruction leading to the J.D. degree with the use of advanced technology.

In response to the COVID-19 pandemic and the disruption to the normal operation of the law school, the ABA granted emergency variances for Southwestern Law School to deliver more of its J.D. program through distance education. To date, the ABA has granted Southwestern Law School emergency variances for all terms beginning with the Spring 2020 semester through the Fall 2022 semester. While an emergency variance during the COVID-19 pandemic is in effect, students are permitted to exceed, if necessary, the limits on distance education normally imposed by Definitions 7 and 8 of the ABA Standards and ABA Standard 311(e).

2. Definitions

- a. Consistent with Definition 7 of the ABA Standards, Distance Education. Distance Education is instruction in which students are separated from the faculty member or each other for more than one-third of the course and the instruction involves the use of technology to support regular and

substantive interaction among students and between the students and the faculty member. This may be accomplished either synchronously or asynchronously.

- b. Asynchronous Format. An Asynchronous Format is one in which faculty provide students with technology-assisted learning resources, and students engage these resources independently or in collaboration with classmates to complete a lesson and/or assessment by a designated time. Students and faculty may use tools such as email, discussion boards, listservs, wikis, and other technologies, which allow them to communicate without having to be in the same virtual or physical space at the same time.
- c. Synchronous Format. A Synchronous Format is one in which faculty and students are in different physical locations, but conduct two-way communication with virtually no time delay, allowing class participation and faculty-student communication in real time.
- d. Blended Courses Not Covered by the Distance Education Policy: Students and faculty separated from each other for less than one-third of the course are not governed under this policy and are not included in the maximum number of distance education units that students may take.

3. Course Requirements

All Distance Education Courses must satisfy the following requirements:

- a. opportunity for regular and substantive interaction between faculty member and student and among students;
- b. regular monitoring of student effort by the faculty member and opportunity for communication about that effort;
- c. learning outcomes for the course that are consistent with ABA Standard 302 and Southwestern's [Learning and Performance Standards](#);
- d. an effective process for verifying the identity of students taking the course, but also protecting student privacy; and
- e. faculty who will be reasonably available to students either in person or through technology outside of regularly scheduled synchronous, or asynchronous session.

4. Course Approval

Courses that have been approved by the faculty through the regular course approval process may be delivered as Distance Education courses with the

approval of the Vice Dean(s). The Vice Dean(s) will ensure that Distance Education courses satisfy the requirements set out in *Section 3* of the Distance Education Policy. Faculty may use distance education tools without the Vice Dean's approval so long as faculty do not exceed the limits that would categorize a course as a Distance Education course.

This Section does not impact the regular process for the approval of new courses by the faculty, regardless of the courses' delivery method, except in the case of Distance Education courses, which must also satisfy *Section 3* of the Distance Education Policy.

5. Student Responsibilities

Students enrolled in a Distance Education course hosted or approved by Southwestern Law School are bound by Southwestern's policies and handbooks, Southwestern's Student Honor Code, Southwestern's Plagiarism Policy, and the corresponding codes or policies of any host or co-hosting program.

Students who violate any of these policies may be subject to a range of sanctions authorized by the applicable codes and policies.

Students enrolled in a Distance Education program hosted or approved by Southwestern Law School bear responsibility to anticipate and address actual or potential technology issues by taking reasonable actions or precautions, including but not limited to:

- a. securing access to a back-up electronic device and or software in case of primary device or software failure;
- b. performing assignments expeditiously and not delaying until a submission deadline;
- c. submitting work in a format specified by or acceptable to the professor;
- d. upon discovering a technology issue, taking reasonable measures to immediately notify the professor and Southwestern's Dean of Students of the problem or, if immediate action is not feasible, to provide such notice as soon as reasonably possible thereafter.

6. Credit Approval

- a. In accordance with Definition 8 of the ABA Standards, a student may take a maximum of one-third of the credit hours required for the J.D. degree in distance education courses, or a maximum of 29 credit hours toward the 87 units required to graduate. Further, according to ABA Standard 311(e), a

maximum of 10 of those credits may occur during the first one-third of a student's program.

Credits accumulated through distance education while an emergency variance during the COVID-19 pandemic is in effect do not count toward the one-third credit hours required for the J.D. degree or the 10 credit maximum in the first year.

- b. Students may enroll in non-required, non-California-Bar-Exam-subject Distance Education courses offered at other ABA-approved law schools only with prior written permission of the Dean of Students, and only if any such course is offered on a basis consistent with Southwestern's Distance Education Policy.

7. Accessibility

- a. Courses and programs offered under this Distance Education Policy will be accessible to persons with disabilities in compliance with federal and state laws.