



Academic Disqualification, Academic Probation, and Academic Improvement Program Policies

Faculty policy. Effective immediately.

Revision history: Formerly a part of the annually revised Student Handbook; established as a standalone policy August 2022; technical revisions made in May 2023.

Related policies: SCALE Program Policies; Policy to Prevent Discrimination, Harassment, and Retaliation.

Scheduled Review Date: June 2023 (Academic Success and Bar Preparation Office; Dean of Students and Diversity Affairs Office)

The following policies apply to all JD students in the full-time and part-time (evening or PLEAS/part-time day) programs. As used in these policies, an “evaluation period” refers to a semester in the traditional day, evening, part-time or PLEAS programs. Students in the SCALE program should refer to the *SCALE Program Policies* for specific policies governing academic disqualification and academic probation.

A. Overview of Academic Policies

1. Academic disqualification

A student is academically disqualified when a student fails to achieve:

- a. A minimum cumulative GPA:** Traditional students are disqualified if they do not maintain a cumulative GPA of at least a 2.330 at the end of each evaluation period, excluding the summer session or the intersession. The minimum cumulative GPA requirement is initially calculated after the first two evaluation periods (i.e., at the end of the spring semester of the first year).

- b. A minimum GPA in two consecutive evaluation periods:** Students are disqualified if they do not achieve a GPA of at least 2.330 in each of two consecutive evaluation periods, excluding the summer session or the January intersession.

2. Academic probation

A student is placed on academic probation when the student's grade point average is less than a 2.330 GPA in any evaluation period, excluding the summer terms or January intersession, or when the student has been academically disqualified and readmitted. Students can be placed on academic probation after their first evaluation period. Students who are on academic probation may not participate in externships, student honors programs, or in leadership positions. A student remains on academic probation for the duration of the term's Academic Improvement Program.

3. Academic Improvement Program

A student may be required to participate in an Academic Improvement Program (AIP) when the student's cumulative GPA is 2.700 or below after the fall semester of the first year. A student must also participate in an AIP if the student's cumulative GPA is 2.700 or below as calculated after the spring semester of each academic year.

B. Academic Disqualification

1. Disqualification procedure

Southwestern reviews student grades at the end of each evaluation period (i.e., semester) to determine whether a student has been academically disqualified. The Dean of Students Office will notify students by letter if they have been disqualified and withdrawn.

In circumstances where a student believes their grades are not reflective of their academic capability due to possible discriminatory or harassing action (on the basis of race (including hairstyle and hair texture), ethnicity, color, religion, creed, ancestry, national origin, sex, gender (including pregnancy, childbirth, breastfeeding, or related medical conditions), sexual orientation, gender identity, gender expression, parental status, marital status, age (40 or over), disability (mental and physical), medical condition, citizenship status, military status or service, veteran status, genetic information, or any other classification protected by law) may file a complaint under the Law School's [Policy to Prevent Discrimination, Harassment, and Retaliation](#).

A student who is academically disqualified for failing to maintain a cumulative GPA of at least a 2.330, or for failing to achieve a GPA of at least a 2.330 in each

of two consecutive evaluation periods (excluding the summer or the January intersession), may petition for readmission.

2. Readmission petition procedure

Southwestern's Academic Standards Committee is responsible for considering petitions for readmission. A student seeking readmission following disqualification must file a written petition within ten calendar days of the date of the disqualification letter from the Dean of Students Office. Exceptions to this deadline are allowed solely in the discretion of the Dean of Students and only in emergencies or under compelling circumstances.

A student who is academically disqualified and is petitioning for readmission may continue in Southwestern courses in which the student is currently enrolled pending notification by the Committee of its decision. If the student is enrolled in an externship and wishes to continue fulfilling the externship course requirements pending consideration of the petition, Southwestern will notify the placement of the student's academic status and the student's plan to continue in the externship. If the student chooses not to continue in the externship course but continues to work at the externship placement, Southwestern will notify the placement of the student's plan to continue but without receiving school credit. If the externship placement asks Southwestern for the basis of the change, the placement will be notified of the student's academic standing.

A petition for readmission must include the following (a-d):

- a.** the student's name, current address, telephone number, and email address on the first page, with the student's name appearing on the upper right-hand corner of each subsequent page;
- b.** a full statement of the circumstances which the student believes caused the disqualification;
- c.** reasons justifying readmission, including any change in circumstances; and
- d.** a proposed program for remedying past deficiencies and assuring future successful performance. The proposed program should be discussed with the Academic Success and Bar Preparation Office.

An electronic copy of the petition (in PDF format) must be emailed to deanofstudents@swlaw.edu by the deadline listed in the notification letter.

The Committee will only consider petitions in writing; personal appearances are not permitted.

3. Standards for readmission

The Committee will review all timely submitted, written petitions. The three most important factors in any decision on a petition for readmission are the following: (1) the nature of the reason(s) offered for the academic performance that resulted in disqualification; (2) the likelihood that the student will successfully complete law school if readmitted; and (3) whether the student took advantage of Southwestern's academic support programs. Disqualified students who were assigned to and failed to participate in any component of a required Academic Improvement Program will be presumptively barred from readmission absent exceptional circumstances.

The Committee may also consider other considerations in deciding whether to grant a petition for readmission. These considerations include the following: (a) the pattern of the student's grades in law school that contributed to the disqualification; (b) the student's undergraduate grade point average, LSAT score, and service activities; (c) feedback from the student's past professors; and (d) objectively verifiable reasons for poor performance and appropriate supporting documentation. Reasons such as excessive work from outside employment are not heavily weighed. Letters from individuals outside the law school are not weighed as heavily as the assessment of law faculty. Letters of support from students will not be accepted.

The student will be notified in writing of the Committee's decision, normally within three weeks of receipt of the petition for readmission, unless unusual or complex circumstances exist. Committee decisions are final and not subject to further appeal. A student whose petition is denied will automatically be withdrawn from all currently enrolled Southwestern courses and will receive a full tuition refund for any currently enrolled Southwestern courses. No credit will be granted for any courses from which a disqualified student is withdrawn, and no grades will be recorded. A notation is placed on the student's transcript when a student has been academically disqualified. If the student is readmitted, a notation of reinstatement will be placed on the transcript. The grades for courses taken at Southwestern by any academically disqualified student, including those who are readmitted or subsequently apply and start over, will remain on the transcript as a part of the student's permanent academic record. For every admission or readmission of a previously disqualified individual, a statement of the considerations that led to the decision will be placed in the admittee's file, in accordance with ABA Standard 501(c).

A student whose petition is denied may apply as a first-year student for a start date that is two academic years following the date of disqualification, without credit for the student's previous work, in accordance with regular admission procedures and deadlines. Acceptance will depend on whether the nature of the student's work, activity, or studies during the interim indicate a stronger potential for law study, and on affirmative demonstration that the applicant possesses the

requisite ability to succeed in law school and that the prior disqualification does not indicate an inability to complete law studies at Southwestern.

4. Procedures following readmission

The Academic Standards Committee has wide discretion and can impose conditions for readmission after an academic disqualification. A readmitted student is automatically placed on academic probation. Full-time students are typically placed on academic probation for at least the following full academic semester and part-time students are typically placed on academic probation for two consecutive full academic semesters. However, probation for **any** extended period of time may be required as a condition of readmission. Students readmitted after academic disqualification may also be assigned to an Academic Improvement Program.

The Committee may also base readmission on other reasonable conditions to support a readmitted student's success in their legal studies (e.g., repeating courses, taking a leave of absence, changing academic programs, limiting outside work, etc.). If it decides to grant a petition, the Committee may allow the student to continue in currently enrolled courses or require the student to drop a course(s). A student may be dismissed by the Academic Standards Committee for breaching the conditions of readmission.

Students who fail to meet the conditions of reinstatement will be academically disqualified and will not be eligible to petition the Academic Standards Committee. The academic disqualification will be final, and the student will be withdrawn from the law school.

C. Academic Probation

Southwestern reviews student grades at the end of each evaluation period to determine whether a student is on academic probation. A student is on academic probation when their grade point average is less than a 2.330 GPA in any evaluation period, or when a student has been academically disqualified and readmitted. Although the Dean of Students Office will notify students if they are on probation, probation begins at the time grades are finalized.

1. Restrictions for students on academic probation

A student on academic probation may not apply for any externships or participate in any student honors programs, including Law Journal, Law Review, Moot Court Honors Program, Negotiation Honors Program, and Trial Advocacy Honors Program. Students on academic probation may not participate in leadership positions in any student organization, including mentoring roles through any student organization. Students on academic probation also may not participate in the Peer Mentor program through the Student Affairs Office. A

student placed on academic probation while participating in an externship may continue the placement barring extraordinary circumstances.

2. Mandatory Academic Improvement Program participation

Students on academic probation must participate in an Academic Improvement Program. All restrictions associated with academic probation remain with the student for the duration of the Academic Improvement Program, and will not terminate with the end of academic probation status if status is cleared mid-academic year. A student on academic probation may also be required to meet with the Dean of Students Office and faculty members to discuss ways to improve their academic performance and ways to address factors that may have contributed to the probationary status.

D. Academic Improvement Program (AIP)

An Academic Improvement Program is designed to assist underperforming students by requiring them to participate in a series of structured co-curricular and curricular academic support programs. AIPs may be required for all students with cumulative GPAs at or below a 2.700 following any full academic semester. The duration of AIPs may vary depending on the program, regardless of whether a student's cumulative GPA improves in subsequent semesters.

Students with GPAs above 2.330 and at or below 2.700 are not on academic probation. Although a student may be required to participate in an AIP, the student remains in good academic standing; no notation of AIP will appear on the student's transcript. The student is free to participate in externships, student honors programs and student leadership positions, as long as they do not interfere or conflict with the student's mandatory participation and enrollment in academic support programs or courses.

An AIP has three objectives: (1) to require students to enroll in curricular and co-curricular academic support offerings; (2) to require students to follow a curriculum structured to improve academic improvement and the likelihood of passing the bar exam; and (3) to limit a student's involvement in co-curricular and extra-curricular activities, when necessary. A variety of curricular and co-curricular programs are offered that are designed to assist students with basic skills, such as time management, reading and briefing cases, outlining, exam writing, and critical thinking and listening. As part of an AIP, among other requirements, students may be required to participate in bar readiness courses. The details of the AIPs for each year, and the programs that students must complete as part of an AIP, are available from the Academic Success and Bar Preparation Office.