EXCLUSIONS AND READMISSIONS

- "STANDARDS FOR ACADEMIC PROBATION AND DISMISSAL" apply to students matriculating after May 10, 2013, and
- "STANDARDS FOR ACADEMIC EXCLUSION AND READMISSION" apply to all students matriculating on or before May 10, 2013.

INDIANA UNIVERSITY ROBERT H. MCKINNEY SCHOOL OF LAW STANDARDS FOR ACADEMIC PROBATION AND DISMISSAL
(Approved by the Faculty March 5, 2013, except for item H, which was approved on December 9, 2015.)

I. GENERAL PROVISIONS

A. Availability of Standards: The Assistant Dean for Student Affairs shall make these Standards available on the law school’s website and provide printed copies to students on request.

B. Definitions:
   1. “Written notice” means notice sent via letter to the student’s address on file in OneStart and via email to the student’s official university e-mail address.
   2. “Academic Probation Subcommittee” refers to the subcommittee of the Student Affairs Committee charged with evaluating students placed on Academic Probation and establishing conditions for their continued enrollment.
   3. "Semester" refers to either the fall or spring semester. It does not include the summer term. The term “session” includes semesters and terms.

C. Computation of Grade Point Average (GPA): In determining the number of credit hours a student has accumulated and in computing the student’s grade point average:
   1. any course in which the student has received a grade of F shall be counted;
   2. any course that the student has repeated shall be counted each time;
   3. any course in which the student has received an Incomplete shall not be counted.

D. Computation of GPA for Transfer Students: For purposes of these Standards the grade point average of a transfer student shall be computed based solely on the coursework the student has taken while a J.D. candidate at this school.
E. **Second Decimal Place Precision:** For the purpose of determining grade point averages for academic probation and dismissal, any grade point average that is x.xx5 or higher is rounded up to the next hundredth decimal place. For example, a 2.295 grade point average is rounded up to a 2.30 but a 2.294 is rounded down to a 2.29.

F. **Monitoring:** As soon as practicable following the conclusion of every fall, spring, and summer academic session, the Assistant Dean for Student Affairs shall review the academic standing of all students and shall determine which of those students have achieved a cumulative grade point average under 2.30.

G. **Student Contact Information:** All students enrolled in law school have a duty to keep their contact information on OneStart up to date. The timeliness of a notice of academic warning, academic probation, or dismissal is conclusively established when a letter was sent to the address on file and was emailed to the student’s official university e-mail address.

II. **ACADEMIC PROBATION AND DISMISSAL**

A. **Statement of Policy:** In accordance with the American Bar Association Standard 303, Indiana University Robert H. McKinney School of Law has sound academic standards, including clearly defined standards for good standing and graduation. The law school shall monitor students’ academic progress and achievement from the beginning of and periodically throughout their studies. Furthermore, the law school shall not continue the enrollment of a student whose inability to do satisfactory work is sufficiently manifest that the student’s continuation in school would inculcate false hopes, constitute economic exploitation, or detrimentally affect the education of other students.

B. **Minimum GPA Requirements:**

1. **Good Standing:** A cumulative grade point average of 2.30 or better is required for a student to be in good standing.

2. **First Semester under 2.30:** Students with a cumulative GPA under 2.30 at the end of their first semester of their first (1L) year will receive an academic warning letter from the Assistant Dean for Student Affairs. A student who receives an academic warning letter must meet with the Associate Director for Student Affairs; failure to have that meeting shall result in inability to register for further courses through an advising hold on OneStart. The student should also take advantage of all required or recommended academic support services. The failure to take full advantage of academic support services after receiving an academic warning will be considered by the Subcommittee regarding any student who is later placed on academic probation.

3. **Subsequent Sessions under 2.00: Dismissal:** Students with a cumulative GPA of less than 2.0 at the end of their first two semesters or any subsequent session shall be dismissed from law school. The Assistant Dean for Student
Affairs (“Assistant Dean”) shall give written notice of dismissal to each such student.

4. **Subsequent Sessions between 2.00 and 2.30: Academic Probation:** Students whose cumulative GPA at the end of their first two semesters or any subsequent session is less than 2.30 but more than 2.00 shall be placed on academic probation. The Assistant Dean for Student Affairs shall give written notice of this event and these Standards to such students.

C. **Academic Probation Hearing:** Each student placed on academic probation shall have a hearing before the Academic Probation Subcommittee as soon as practicable to establish conditions of academic probation for the student.

   1. **Considered Factors:** The Academic Probation Subcommittee will take the following factors into consideration during the hearing:
      a. how far below 2.30 the student’s cumulative GPA has fallen,
      b. the steps previously taken and intended to be taken by the student in order to improve academic performance,
      c. whether the student has complied with the recommendations of the Associate Director for Student Affairs after receiving an academic warning letter (if applicable),
      d. the student’s demonstrated capacity to perform satisfactory work in the future,
      e. the student’s demonstrated determination to improve academic performance,
      f. whether personal circumstances underlying the poor performance are likely to be resolved soon, and
      g. other factors deemed relevant by the Academic Probation Subcommittee.

   2. **Academic Probation Conditions:** The Academic Probation Subcommittee may, at its complete discretion, impose or recommend any educationally reasonable conditions on the student. Such conditions may include:
      a. developing a plan for academic progress,
      b. attending special instructional sessions,
      c. meeting regularly with a mentor,
      d. achieving a certain minimum session GPA, to be set by the Subcommittee, during the academic probation session(s),
      e. enrolling or not enrolling in specific courses,
      f. enrolling in fewer credit hours per session,
g. taking a leave of absence, or
h. other conditions deemed appropriate by the Subcommittee.

3. **Modification of Conditions:** A student on probation is entitled to request at any time that a condition be removed or modified; such request shall be submitted in writing to the Assistant Dean and shall be acted upon promptly by the Subcommittee, which may approve the removal or modification upon a showing of good cause.

D. **Written Notice:** As soon as practicable after the academic probation hearing, the Assistant Dean for Student Affairs on behalf of the Academic Probation Subcommittee shall give to the student written notice of the conditions set by the Academic Probation Subcommittee. The Assistant Dean shall place a copy in the student’s file.

E. **Review of Compliance:** Six to eight weeks after the hearing, the Assistant Dean shall review student compliance with the conditions and shall report any concerns to the Subcommittee.

F. **Failure to Fulfill Conditions:** A student on academic probation who does not fulfill the conditions set by the Academic Probation Subcommittee may, after written notice and reasonable opportunity to respond, be dismissed, required to withdraw, or required to take a leave of absence, at the discretion of the Academic Probation Subcommittee. The Assistant Dean shall give written notice of such action to the student.

G. **Mandatory Academic Dismissal:** A student on academic probation who fails to maintain session GPAs of 2.30 or does not raise cumulative GPA to at least 2.30 in the session within which the student reaches 20 credit hours on academic probation shall be dismissed. The Assistant Dean shall give written notice of dismissal to the student. A student who achieves a 2.30 cumulative GPA at the end of the probation period has successfully completed academic probation.

H. **Restriction on Readmission:** Any student who has been dismissed pursuant to these Standards will not be readmitted. A dismissed student may, however, apply as a new student in the third or later academic year following their dismissal. Upon a showing of good cause to the law school admissions committee, however, any student who has been dismissed pursuant to these Standards may apply as a new student in the second academic year following their dismissal.

I. **Implementation:** These Standards shall apply to every student who begins his or her study at the law school after the semester during which the faculty approves these
INDIANA UNIVERSITY ROBERT H. MCKINNEY SCHOOL OF LAW STANDARDS FOR ACADEMIC EXCLUSION AND READMISSION

I. GENERAL PROVISIONS

A. Compliance with Standards. Any student who has been excluded from the School of Law and who seeks to appeal to be readmitted must comply with the procedures set forth in these Standards. Failure to comply with the Standards may be deemed a waiver of the student’s right to appeal.

B. Availability of Standards. The Associate Dean for Student Services and Admissions shall make copies of these Standards available in the Student Affairs office and on the law school’s website.

C. Terminology.

1. All references in these Standards to the “Committee” refer to the Student Affairs Committee.
2. All references in these Standards to the “Subcommittee” refer to the Readmissions Subcommittee.
3. All references in these Standards to “Assistant Dean” refer to the Assistant Dean for Student Affairs or the Dean’s designee.
4. All references to the “Assistant Director” refer to the Assistant Director for Student Services or the Dean’s designee.
5. Any reference to a “semester” refers to either (a) the fall semester or (b) the spring semester, which includes summer classes that end no later than July 20.
6. For purposes of these standards, “notice” occurs either through actual notice or by sending a certified letter to the student’s address on file in the Office of Student Services.

D. Computation of Credit Hours.

1. In determining the number of credit hours a student has accumulated, courses in which the student has received a grade of F shall be counted.
2. In determining the number of credit hours a student has accumulated, courses in which the student has repeated shall be counted each time.
3. In determining the number of credit hours a student has accumulated, courses in which the student has received an Incomplete shall not be counted.
4. In determining the number of credit hours a student has accumulated, courses that the student has taken at another law school or in any educational program other than the J.D. program...
at this law school shall be counted to the extent that credit is transferred in satisfaction of the student’s degree requirements.

5. Examples:

   a. In her first semester of law school, Student X completes 10 credit hours with no grades of F. In the next semester, X completes 10 hours but receives a grade of F in a 3-hour course. At the conclusion of that semester, X shall be deemed to have accumulated 20 credit hours for purposes of these Standards.

   b. Same facts as above, except that instead of receiving a grade of F in the 3-hour course, X receives an Incomplete in that course. At the conclusion of that semester, X shall be deemed to have accumulated 17 credit hours for purposes of these Standards.

E. Effect of Incompletes

1. Time for Computation of Grade Point Average. The receipt by any student of an Incomplete shall not result in a postponement of the computation of the student’s grade point average.

2. Once a student completes twenty credit hours, an entry of Incomplete (“I”) on the student’s transcript shall be hours counted for purposes of determining whether a student is excluded from law school. The credit hours for the incomplete course will not be factored into the student’s GPA until the student receives an actual grade for the course.

3. If a student is excluded from law school and that student’s appeal to be readmitted to law school is denied, all courses designated on the student’s transcript as “Incomplete” will convert to a grade of W.

F. Computation of Grade Point Averages for Transfer Students: For purposes of these Standards the grade point averages of transfer students shall be computed solely on the basis of coursework taken while a J.D. candidate at this school.

G. Student’s Contact Information: All students enrolled in law school have a duty to update their contact information with the Assistant Director. A student cannot challenge the timely notice of exclusion when a certified letter was sent to the address on file.

II. ACADEMIC PERFORMANCE PRIOR TO THE ACCUMULATION OF 20 CREDIT HOURS
As soon as practicable following the conclusion of the fall semester and summer
session, the Assistant Dean shall review the academic standing of those students who
have accumulated fewer than 20 credit hours and shall determine which of those
students have achieved a cumulative grade point average below 2.3. The Assistant
Dean shall then make reasonable efforts to notify these students of their academic
standing and of these Standards.

III. RULES OF EXCLUSION

A. The following students shall be excluded from the School of Law:

1. Any student who fails to achieve a cumulative grade point average
   of at least 2.3 at the completion of the fall or spring semester in
   which the student has accumulated at least 20 credit hours of study
   as a J.D. candidate at our law school;
2. Subject to Rule V.C.3., any student who fails to achieve a
   cumulative grade point average of at least 2.3 at the completion of
   the fall or spring semester thereafter, regardless of the number of
   credit hours for which the student enrolled in that fall or spring
   semester; and
3. Any student who has accumulated ten or more hours of “F” in any
   courses, including courses retaken and passed, courses retaken and
   failed, and courses for which an incomplete reverted to an “F.”
   For an example of this rule, if Student Z took the same three-credit
   course three times, receiving grades of “F,” “F,” and “B,” the
   student would have accumulated six hours of “F.”

B. Students who are excluded for academic reasons may only appeal by filing
   a petition to be readmitted. No student shall be admitted again by the
   Student Affairs Committee or the Readmissions Subcommittee as a
   beginning first-year student or be allowed to re-take courses completed
   prior to the academic exclusion.

IV. APPEALS PROCESS: ESTABLISHING PETITION DEADLINES AND
    NOTIFYING STUDENTS OF THEIR FIRST EXCLUSION

A. The Assistant Dean shall send a notice of exclusion to any student who
   has completed twenty credit hours and whose GPA falls below a 2.3. The
   notice shall contain at least the following:

   1. A statement of the rule with which the student has not complied;
   2. A copy of these Standards;
   3. A statement informing the student to contact the Assistant Dean
with any questions about the appeals’ process for readmission;
4. The deadline for submission of the petition for readmission; and
5. The date set for the appeal hearing, should the student decide to appeal.

B. The Subcommittee shall strive to hold hearings and decide appeals prior to the beginning of classes in the fall semester and by the end of January in the spring semester, provided the student’s grades are available.

V. APPEALS PROCESS: READMISSION TO THE SCHOOL OF LAW UPON A FIRST EXCLUSION

A. Decision-Making Authority. Except as provided in Rule VI, the Readmissions Subcommittee shall have the power to determine appeals and decide whether to readmit any student who has been excluded pursuant to Rule IV. Decisions of the Subcommittee shall be final, except as provided in Rule V.D.

B. Standards for Readmission. Except as provided in Rule VI, and subject to Rule V.C.3., the Readmissions Subcommittee shall grant an appeal for readmission only if it finds that if readmitted, the student has a reasonable chance of raising the student’s cumulative grade point average to at least 2.3 at the conclusion of the first semester following readmission.

C. Procedures for Readmission. The following procedures shall be followed in cases in which readmission is sought:

1. Readmission Petition. A student who is notified of exclusion pursuant to Rule IV and who appeals to seek readmission to the School of Law must submit five (5) copies of a petition for readmission to the Assistant Dean within the time period stated in the formal notice. As soon as practicable after receipt, the Assistant Dean shall file one copy in the student’s permanent file, file one copy in the permanent readmissions file, and forward one copy of the petition to the Chair and two members of the Readmissions Subcommittee. The petition must specifically discuss at least the following:

   a. The student’s current academic standing (date student began law study, number of credit hours completed, cumulative grade point average, and other relevant information concerning the student’s current standing);
   b. The factors that caused the student’s failure to achieve the required minimum cumulative grade point average (supporting documentation should be attached where appropriate);
c. The steps taken in the past to improve the student’s performance;
d. The grade point average the student must achieve in order to raise the cumulative grade point average to 2.3 in the semester or summer session following readmission;
e. The steps the student is presently taking and will in the future take to improve the student’s performance; and
f. If the School of Law offered tutorial assistance to the student and the student declined the assistance, the reasons why the assistance was declined.

2. **Hearing.** The Readmissions Subcommittee shall meet at the hearing time agreed upon to hear student appeals and render decisions on the petitions. All students who have appealed shall be afforded the opportunity to appear before the Subcommittee to discuss their petitions and to respond to questions.

3. **Ruling by Subcommittee; Setting of Conditions.** The Subcommittee may vote to grant a student’s petition, to grant the petition with specified conditions, or to deny the petition and, therefore, the appeal. If the Subcommittee votes to grant a petition, it may not allow the student more than one semester in which to raise the student’s cumulative average to 2.3 or above unless the Subcommittee finds there are exceptional circumstances that justify allowing a student one additional semester in which to raise the GPA to 2.3. If an additional semester is granted, the following rules shall apply:

   a. The Subcommittee may grant the student only one additional semester in which to raise the cumulative GPA to 2.3; and
   b. The student must achieve a GPA of at least a 2.3 in those courses taken during the first semester after readmission. If the student does not achieve at least a 2.3 in the first semester upon readmission, the student is excluded and must follow the same procedures as a student excluded for the second time, as set forth in Part VI of these standards.

4. **Notice to Assistant Dean.** As soon as practicable after the meeting at which the decisions on appeals are made, the Chair of the Readmissions Subcommittee shall provide written notice to the Assistant Dean of the Subcommittee’s rulings and of any conditions which have been set for a student’s readmission.

5. **Notice to Students of Subcommittee Decision.** As soon as practicable after receiving the Subcommittee’s written ruling, the
Assistant Dean shall provide each student with written notice of the Subcommittee’s ruling. If a student is readmitted, the written notice shall include the deadlines and procedures in the event of a second exclusion as discussed in Part VI of these Standards. The notice shall direct the student to address any questions about the ruling or procedures to the Assistant Dean.

D. Subsequent Petitions in Event of Denial. In the event the Readmissions Subcommittee denies an appeal to be readmitted, the student has one additional opportunity to renew the appeal to be readmitted, but the renewed appeal must be based only on new information available after the student’s appeal was denied. Although the one-time renewal request may occur at any time, a student renewing an appeal may not commence classes any earlier than twelve months after the student’s exclusion. However, the time that the student spends away from law school because of exclusion under these rules shall not toll the running of the rule requiring that a student complete law studies within eighty-four months of commencing law school.

VI. APPEALS PROCESS: READMISSION TO THE SCHOOL OF LAW UPON A SECOND EXCLUSION

A. Statement of Policy. It is the strong policy of this faculty that students who have been excluded and readmitted after one appeal pursuant to these rules have been afforded adequate opportunity to demonstrate their capacity to perform in accordance with the academic standards of the School of Law. This is especially true in light of the rule that permits the Readmissions Subcommittee, in exceptional circumstances, to grant a student two semesters in which to raise the student’s GPA to the required minimum. However, the faculty recognizes that there may be rare cases in which a second readmission is warranted, and these rules therefore establish a procedure to appeal and consider these petitions. It should be understood, however, that the faculty policy is that petitions for second readmission should very seldom be granted, and that under no circumstances shall the Student Affairs Committee consider petitions for third readmission. See Rule VII.

B. Student Exclusion and Withdrawal: A student who receives actual or constructive notice (through receipt of grades or otherwise) that the student’s GPA has fallen below the required minimum of 2.3, thereby warranting a second exclusion from law school, must immediately withdraw from classes.

C. Notice to Students; Deadlines; Counseling. The Assistant Dean shall provide written notice to those students who are subject to exclusion
pursuant to this rule. The notice shall specify the deadlines for submission of petitions, which may be no later than 9:00 a.m. on the Tuesday immediately after Labor Day or 9:00 a.m. on Monday of the fourth week of spring semester classes.¹ Students receiving notice under this rule shall be encouraged to meet individually with the Assistant Dean, and the Assistant Dean may, in appropriate cases, strongly encourage a student to consider sitting out a semester before pursuing a petition for readmission. The student shall be informed that the Student Affairs Committee and the Readmissions Subcommittee, when reviewing a petition for second readmission, will not weigh unfavorably a student’s decision to voluntarily take a leave from law school.

D. Waiver of Rule; Authority. The Student Affairs Committee shall have the authority to waive Rule VI.A to permit the Readmissions Subcommittee to hear the appeal and grant a second readmission as provided in these Standards. A denial of a waiver by the Committee shall be final.

E. Waiver; Standards. The Student Affairs Committee may waive Rule VI.A. only if the Committee finds that it would not be unreasonable for the Readmissions Subcommittee to grant the petition for readmission. No petition for second readmission will be granted unless the student demonstrates that there are exceptional circumstances that justify granting the student an additional semester in which to raise the cumulative GPA to at least 2.3. When reviewing a petition for second readmission, the Committee shall not weigh unfavorably a student’s decision to take a leave of absence from law school. In deciding petitions pursuant to this rule, under no circumstances shall the Readmission Subcommittee grant a student more than one semester in which to raise the student’s GPA to at least 2.3.

F. Waiver; Student Petitions. A student may appeal by submitting a petition for waiver of Rule VI.A. The petition shall address the issues stated in Rule V.C.1. and Rule VI.E. The student must submit thirteen (13) copies of the petition to the Assistant Dean. As soon as practicable after receipt, the Assistant Dean shall file one copy of the petition in the student’s permanent file, file one copy in the permanent readmissions file, and give one of the remaining eleven (11) copies to the Chair and each of the members of the Student Affairs Committee.

1. If a student plans to submit a petition, the student must first notify the Assistant Dean of the student’s intent to petition for readmission as soon as practicable following actual or constructive notice of the second exclusion.

¹ These deadlines may be delayed in extraordinary circumstances. For example, if a student has not received a grade in a course because of a late submission by a faculty member, the Associate Dean and the Chair of the Student Affairs Committee shall, after consultation, set later deadlines for the appeals process.
2. If deadlines for submission of petitions have not been set previously, the Assistant Dean shall then consult with the Chair of the Student Affairs Committee and set an appropriate deadline for submission of the petition.

G. Waiver; Committee and Subcommittee Action. When a student has filed a petition for waiver pursuant to Rule VI.F., and when the petition has been forwarded to the Chair of the Student Affairs Committee, the following procedures shall be followed:

1. The Chair of the Student Affairs Committee shall convene a meeting of the Committee to consider whether to waive Rule VI.A. The meeting will be held no later than the week of Labor Day in the fall semester or the fourth week of spring semester, unless the process was delayed due to the student’s receiving grades late. The student shall not have the right to appear before the Student Affairs Committee when it considers the petition for waiver of Rule VI.A.

2. If the Student Affairs Committee determines that it would be unreasonable for the Readmissions Subcommittee to grant an appeal for readmission, the following rules shall apply:

   a. The Committee’s decision shall be final, and the Chair of the Student Affairs Committee shall provide written notice to the Assistant Dean of the Committee’s ruling.

   b. As soon as practicable after being notified of the Committee’s ruling, the Assistant Dean shall provide the student with written notice of the ruling. The notice shall also inform the student to contact the Assistant Dean should the student wish to discuss the matter further.

3. If the Student Affairs Committee determines that it would not be unreasonable for the Readmissions Subcommittee to grant a petition for readmission, the following rules shall apply:

   a. The Chair of the Student Affairs Committee shall forward the petition to the Chair of the Readmissions Subcommittee. The Chair of the Subcommittee shall convene a meeting of the Subcommittee no later than the week following the week of Labor Day in the fall semester and the fifth week of the spring semester, unless the process was delayed due to the student’s receiving grades late.

   b. The petition will thereafter be treated as a petition for readmission and shall be handled by the Readmissions Subcommittee subject to
the standards stated in Rule VI.E., and subject to the procedures stated in Rules V.C.2. through V.C.5. (except as Rule V.C.3. has been modified by Rule VI.E.).
c. The decision of the Readmissions Subcommittee shall be final.

4. If the Student Affairs Committee determines that it would be unreasonable for the Readmissions Subcommittee to grant a petition for second readmission, or if the Student Affairs Committee determines that it would not be unreasonable for the Readmissions Subcommittee to grant such a petition but the Subcommittee thereafter denies the petition, under no circumstances may the Student Affairs Committee consider a subsequent petition from the student.

VII. SUBSEQUENT EXCLUSIONS

Under no circumstances may the Student Affairs Committee consider a petition for a third readmission.