



# Elisabeth Haub School of Law

PACE UNIVERSITY

## ACADEMIC RULES AND REGULATIONS

*Revised as of January 17, 2024*

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## ACADEMIC RULES AND REGULATIONS

### 1. APPLICABLE RULES AND REGULATIONS

Law students are required to observe both Law School and University Rules and Regulations. Violations of University Rules and Regulations may result in the imposition of sanctions in addition to sanctions for violation of Law School Rules and Regulations.

**A. Obligations of Law Students:** Law students are required: 1) to be familiar with Law School and University Rules, Regulations and Policies; 2) to read e-mails and other communications from the University and Law School Administrators and the Law School Faculty; and 3) to keep their addresses and other contact information current with the Registrar and in the student portal.

**B. Rules imposed by the American Bar Association (“ABA”) and the New York State Court of Appeals.** From time to time, the ABA and/or the New York State Court of Appeals amend their rules regulating law schools within their jurisdiction. To the extent those revisions are more restrictive than existing University or Law School Rules and Regulations, they are deemed incorporated by reference into the Law School’s Academic Rules and Regulations, whether or not they appear in writing herein. To the extent an ABA or NYS Court of Appeals rule contradicts the Law School Academic Rules and Regulations, the ABA or NYS rule governs, but only to the extent it is more restrictive than the Law School rule or regulation.

### 2. AUTHORITY OF THE DEAN

The Dean is authorized to review any law school decision, action or policy upon allegation that it is arbitrary or capricious and to overturn any law school decision, action, or policy found by the Dean to be demonstrably arbitrary or capricious.

### 3. THE HONOR CODE OF THE ELISABETH HAUB SCHOOL OF LAW

All members of the academic community have an affirmative duty to report to the Registrar any credible information, knowledge, or reasonable belief of a known or suspected violation of the Honor Code. Upon receipt of the report of a violation, the Registrar shall inform one or both of the Faculty Investigators assigned by the Nominating Committee to investigate allegations of Honor Code violations, the Chair of the Academic Standing Committee and the President of the Student Honor Board. When reported Honor Code violations involve a paper, examination or other matter affecting a student’s grade in a course, no final grade shall be given in the course to that student until the Honor Board proceeding regarding the reported violation has been concluded. See Rule 6F.

The Investigator shall determine whether a violation has occurred and determine whether to attempt to resolve it without formal adjudication. If the Investigator determines a violation has occurred, but does not resolve it informally, the allegation of violation shall be resolved by formal adjudication. Formal adjudication shall be conducted by a panel of students, drawn from

the Honor Board and members of the Academic Standing Committee. Penalties for violations of the Honor Code may include suspension and expulsion.

All law students are required to read and know the contents of the Honor Code. It can be found on the Website by going to the tab for Academics and from there to the Registrar. A link to the Honor Code will appear. Students may block and paste the link - <https://www.pace.edu/sites/default/files/2023-10/law-honor-code.pdf> - into their browsers.

#### **4. REQUIREMENTS FOR THE J.D. DEGREE**

##### **A. Hours of Credit and Academic Course Requirements**

**1. Graduation Requirements:** Candidates for the J.D. degree matriculating in or after the fall semester of 2007 must successfully complete 88 Academic credits and 6 Professional Development (“PD”) credits to qualify for graduation. The degree is awarded upon certification by the Faculty of satisfactory completion of the degree requirements, including satisfactory completion of all required courses, the Administrative Law/Regulatory Process requirement, the Professional Development requirement, the upper-level writing and skills requirements, and any requirements in connection with the Academic Success Achievement Program. No credit is given for any course for which a grade of "F" is received, except as provided in Rule 6E. Candidates must achieve a final grade point average of at least 2.30 in order to receive a J.D. degree. A candidate who has fulfilled the requisite number of credits but has not, at the time of graduation, achieved a GPA of at least 2.30, will not receive a J.D. degree. No student can graduate in less than 24 months or more than 60 months after first matriculating into law school, whether at Pace or at another law school, unless that student certifies that s/he is not taking the New York State Bar Examination, in which case the student can graduate in no more than 84 months. See also Rule 7F.

**2. Certification by Faculty:** The Faculty of the Pace University School of Law semiannually shall approve certification of those students who have completed all of the requirements for their degrees in the preceding semester, subject to the following provisos:

**a)** The Law School shall only provisionally certify any student against whom an Honor Code investigation or an Honor Board proceeding is pending.

**b)** The Law School shall only provisionally certify any student who has received a disciplinary sanction as the result of an Honor Code investigation or an Honor Board proceeding until all terms of such sanction have been satisfied.

**c)** The Law School shall withdraw its certification of any student against whom an Honor Code investigation or Honor Board proceeding is commenced after the certification date, based on events alleged to have occurred during the preceding semester, and shall replace the original certification with a provisional certification.

**d)** A student provisionally certified pursuant to any of these provisos is unconditionally certified without further faculty action immediately upon termination of all Honor Code investigations or Honor Board proceedings without sanction, or upon satisfaction of the terms of any Honor Code investigation or Honor Board sanction, provided that the student has otherwise completed all degree requirements and is qualified to graduate.

For purposes of this rule, "preceding semester" means the fall semester at the end of which a December certification occurs or a spring semester at the end of which an April or May certification occurs.

**3. Academic Honors at Graduation:**

Summa cum laude 3.80 - 4.0

Magna cum laude 3.60 - 3.79

Cum laude 3.25 - 3.59

**4. Academic Work Per Credit Hour.** Pursuant to Standard 310 of the American Bar Association's Standards for Approval of Law Schools, students should typically expect to:

- a) Attend at least 55 minutes of direct faculty instruction per credit hour in addition to time spent taking examinations or attending conferences with faculty;
- b) Conduct at least 120 minutes of out-of-class work per week for every hour of class time unless otherwise guided by the instructor.

**B. Employment During Law School.** Full-time students may not be employed for more than 20 hours per week during the academic semester. If employed, a full-time student must certify to the Law School that he or she is working no more than 20 hours per week.

**C. Limitations on Allocation of Credits:** Under the Rules of the New York Court of Appeals and the ABA, of the 88 Academic credits required to graduate, no more than an aggregate 24 of those 88 Academic credits may fall into the following categories:

**1. Field Placement:** Credits designated as "Field Placement" in externships, practicums, and continued clinical work, not including credits earned from any seminar accompanying those credits;

**2. Non-law graduate school:** A maximum of 12 credits taken at a non-law graduate school *after* matriculation at the Law School as a J.D. student, either as a joint degree candidate or otherwise;

**3. Co-curricular:** A maximum of 4 credits in non-classroom based, co-curricular activities such as Moot Court or other Student Competition teams,

**4. Law Review:** A maximum of 2 credits in the first year of membership, and a maximum of 4 credits in the second and third years of membership;

**5. Faculty-guided research:** A maximum of 4 credits of Guided Research or Directed Research; and

**6. Faculty Guided Writing Project** (for the Federal Judicial Honors Program): 1 credit.

**D. Distance Education:** Under the Rules of the New York Court of Appeals for the Admission of Attorneys and Counselors at Law, "[d]istance education is an educational process in which more than one-third of the course instruction is characterized by the separation, in time or place, or both, between instructor and student, and the instruction involves the use of technology to support regular and substantive interaction among students and between students and the faculty member, either synchronously or asynchronously." Also under New York's rules, a student may earn no more than 15 credits from Distance Education courses, and none can be



earned until the student has completed 28 credits (i.e., none in the first year of study). Classes that qualify as Distance Education courses shall be designated as “Distance” by the Registrar’s Office.

**E. First Year Required Curriculum**

**1. Full-Time Students**

<b>Fall Semester</b>	<b>Spring Semester</b>
Civil Procedure (4)	Constitutional Law (4)
Criminal Law (4)	Contracts (4)
Torts (4)	Property (4)
Legal Skills I (3)	Legal Skills II (3)
Legal Methods (0)	Legal Methods (0)

**2. Part-Time Students\***

<b>Fall Semester</b>	<b>Spring Semester</b>
Civil Procedure (4)	Contracts (4)
Torts (4)	Criminal Law (4)
Legal Skills I (3)	Legal Skills II (3)
Legal Methods (0)	Legal Methods (0)

\*Part-time students must take Property and Constitutional Law during their second year.

**3. No student may transfer from an assigned section of a required first year course to another section of that course.**

**F. Upper-Level Requirements**

**1. Professional Responsibility:** All full-time students are required to take Professional Responsibility during their second year of law school. All part-time students are required to take Professional Responsibility during their second or third year of law school. To defer taking the course until the last year of law school, a student must receive permission from the Academic Dean on a form available from the Registrar’s office or website.

**2. Administrative Law/Regulatory Process Requirement:** All students entering in the Fall 2015 semester or thereafter must successfully complete a course (minimum 3 credits) offering in-depth exposure to administrative law, legislation, and/or the regulatory process, either by way of general principles or as applied in a specific context. Approved courses fulfilling this requirement (to be revised from time to time by the Curriculum Committee) are:

- Administrative Law
- Environmental Skills and Practice
- Environmental Law Survey
- Federal Income Taxation I

Health Law in America  
Immigration Justice Clinic  
Labor Law (3 credit version)  
Law and Education (adjunct-taught version)  
Legislation and Regulation  
Natural Resources Law  
Securities Regulation

**3. Upper-Level Writing Requirement:** All upper-level students must complete a writing project under the supervision of a Professor. It is the student's responsibility to inform the Professor at the beginning of the semester that the student is taking the course to satisfy the upper-level writing requirement. The Professor must certify to the Registrar at the end of the semester that all of the elements of the requirement have been met. Only faculty-supervised writing may satisfy the requirement. Participation in Moot Court competitions or contests does not satisfy the requirement. The required [permission forms](#) are available from the Registrar's office or website.

**a) Courses that Satisfy the Requirement:** Any course that is certified by the Academic Dean as satisfying the requirement may be taken to satisfy it. A list of courses that have been certified will be included in the Registration materials each semester. This list typically includes:

- 1) All seminars taught by full-time faculty members,
- 2) The fall semester of the Federal Judicial Honors Program,
- 3) Advanced Appellate Advocacy,
- 4) Pre-trial Civil Litigation Simulation
- 5) Guided or Directed Research with a full-time faculty member (only students with advanced permission of the professor and the Academic Dean and a cumulative GPA of 3.0 or higher or with 3.0 or higher in the specialty area of their proposed project are eligible for Guided Research), and
- 6) Any other upper-level course, provided that a full-time or adjunct professor teaching the course and the Academic Dean agree that the student may use the course in question to satisfy the requirement.

**b) Law Review Notes:** Students enrolled in any of the law reviews may satisfy the requirement by writing their notes or comments, provided, however, that a full-time professor assigned by the Academic Dean reviews and certifies that each student note or comment meets the substantive requirements of the upper-level writing requirement.

**c) Requirements of the Writing Project:** The written project must be in the form of a scholarly article, a legal memorandum, or a trial or appellate brief. The written product must be well-organized and clearly written, and ordinarily it must be at least 25 double-spaced pages long, exclusive of footnotes. It must demonstrate an appropriate level of legal research and analysis, and contain ample and correct citations to legal authority. Journals, diaries, and other writings that do not reflect research and analysis do not meet this requirement. Except for the suggestions of editors and faculty, the written product should reflect the individual work of the student.

1) To satisfy the upper-level writing requirement, a course *must* contain the following elements:

- i. submission of a draft;
- ii. feedback on the draft in any combination of the following forms: oral, written, checklists, audiotapes; and
- iii. submission of a final product.

2) To satisfy the upper-level writing requirement, a course *should* contain the following elements:

- i. a required writing text;
- ii. research agenda and logs (not necessarily graded);
- iii. an outline (not necessarily graded);
- iv. a self-critique or peer-critique experience; and
- v. either (1) a minimum of two hours of class time devoted to the teaching of writing, or (2) individual student-teacher conferences, with feedback on further drafts at the option of the professor.

**d) Required Research and Citation Workshop:** As part of the Upper-Level Writing Requirement, all students must complete a Research and Citation Workshop with the Law School's Reference Librarians some time during the second, third, or fourth year of Law School. Completion of the Advanced Legal Research course or one of the Advanced Research Skills intersession courses will satisfy this requirement. In addition, some upper-level seminars used to fulfill the Upper Level Writing Requirement that also incorporate a Research and Citation Workshop will satisfy the requirement. All students must submit a Certificate of Completion, signed by a Reference Librarian, in order to complete successfully this research and citation component of the Upper-Level Writing Requirement.

#### **4. Upper-Level Skills Requirement:**

(a) Students must successfully complete a total of 6 credits of coursework in courses approved by the Faculty Curriculum Committee as upper-level skills courses. Approved upper-level skills courses are:

##### **Direct Representation Clinics**

*Barbara C. Salken* Criminal Justice Clinic  
Environmental Litigation Clinic  
*Equal Justice America* Disability Rights Clinic  
Food and Farm Business Law Clinic  
Immigration Justice Clinic  
Fairbridge Investor Rights Clinic  
Pro Bono Scholars Program  
*Amelia Gould* Representation in Mediation Clinic  
Semester-in-Practice

## **Externships**

Corporate Law Externship  
Criminal Justice (Prosecutorial) Externship  
Environmental Law Externship (NY and DC)  
Family Court Externship  
Federal Judicial Honors Externship (Spring Semester Chambers Placement)  
Legal Services Externship  
Mediation Practicum  
Pro Bono Scholars Program  
Prosecution Honors Externship  
Real Estate Externship  
Semester-in-Practice  
Social Justice Advocacy Externship

## **Simulations**

Advanced Appellate Advocacy  
Advanced Legal Research  
Advanced Real Property  
Advanced Trial Advocacy  
Commercial Real Estate Transactions and Skills  
Drafting Legal Documents  
Environmental Commercial Transactions  
Environmental Dispute Resolution  
Environmental Skills  
Federal Criminal Pre-Trial Simulation  
Intellectual Property Agreements and Licensing  
Law Practice Management  
Lawyering  
Matrimonial Practice  
Mediation  
Negotiations  
Patent Practice and Procedure  
Pre-trial Civil Litigation Simulation (PCLS)  
Skills Workshop (any)  
Trial Advocacy

(b) Students must complete at least ONE of the following in fulfilling the 6-credit minimum:

1. The Pro Bono Scholars Program
2. Any clinic (Environmental Litigation; Food and Farm Business Law; Immigration Justice; Disability Rights; Investor Rights; Criminal Justice; or Representation in Mediation)
3. The Semester-in-Practice Program (Track I, II, or III)
4. Advanced Environmental Certificate

5. One of the following externships:
  - a. Corporate Law Externship
  - b. Criminal Justice (Prosecutorial) Externship
  - c. Environmental Law Externship (NY only)
  - d. Family Court Externship
  - e. Federal Judicial Honors (spring semester chambers placement)
  - f. Legal Services Externship
  - g. Mediation Practicum
  - h. Prosecution Honors Externship
  - i. Social Justice Advocacy Externship
6. Lawyering

d) Students may not satisfy both the Upper-Level Skills requirement and the Upper-Level Writing requirement with the same course. For purposes of this rule, the seminar component of a clinic or externship taken concurrently with the clinic or externship is considered the same course as such clinic or externship, even if the seminar component bears a separate course number.

**5. Professional Development Requirement:** All students are required to fulfill a Professional Development Requirement in order to graduate. Students will satisfy the requirement by:

- a) Meeting in person with a Center for Career and Professional Development (“CCPD”) counselor by December 1st [or June 1 for Spring Admits] of their first year of Law School;
- b) Participating in at least one counseling session with a CCPD counselor in their final year of law school; and
- c) Earning six (6) professional development (“PD”) credits, in addition to their 88 academic credits, before graduating from law school.
- d) For students entering in Fall 2022 and thereafter, at least one of the PD credits must be diversity-based (as designated by the CCPD).
- e) Completing the post-graduation employment form before graduation, as requested by the CCPD.

Examples of programs, attendance at any one of which will earn students one (1) PD credit are:

#### **Lectures and Symposia**

- Criminal Justice Institute Symposia
- Law Review Symposia
- The Blain Sloan Lecture on International Law
- The Dyson Distinguished Lecture
- The James D. Hopkins Professor of Law Memorial Lecture
- The Kerlin Lecture
- The Lloyd K. Garrison Lecture on Environmental Law
- The Phillip B. Blank Memorial Lecture on Attorney Ethics

## **Career-Related Panels and Programs**

- CCPD Career Fair
- First Year Kickoff
- First Year Drop-In Resume Workshops
- Finding & Funding Summer Public Interest
- Meet the Judges Night
- NYU Career Fair Practice
- Panels
  - Public Interest Summer Experience
  - Private Sector Summer Experience
  - What Does Practicing International Law Really Mean?
  - Real Estate & Land Use
  - Careers in Environmental Law
  - District Attorney Panel
  - Careers in Local Government
  - Intro to State and Federal Clerkships
  - Public Interest Career Reception
  - Criminal Justice Institute Networking Event

This list may be revised from time to time by the Academic Dean, in consultation with the Curriculum Committee and the Assistant Dean for Career and Professional Development. The Academic Dean will publish a list of qualifying programs at least once per academic year.

**6. Transfer Students:** For purposes of upper-level requirements, transfer students matriculate when they matriculated at their original law schools.

### **G. Academic Success Achievement Program (ASAP) for Students at Risk of Not Passing the Bar Examination**

**1.** The following students are required to participate in ASAP as a condition of continued enrollment in the Law School:

- a)** For students entering January 2024 or later: All students who achieve less than a 2.30 GPA after the first semester of law school;
- b)** All students who achieve less than a 2.80 GPA after the first year or after any subsequent semester;
- c)** Transfer students unless excused by the Academic Dean;
- d)** Students returning from a leave of absence unless excused by the Academic Dean.

**2.** Students who are required to participate in ASAP must:

- a)** Complete with a passing grade during the second semester of law school a non-credit bearing class designated by the Academic Dean as appropriate for students in need of academic assistance. The purpose of this class is to ensure that students remain in good academic standing after their first year of law school.

b) Complete with a passing grade during the fall semester of their second year a class designated by the Academic Dean as appropriate for students in need of academic assistance. The purpose of this course is to give students special assistance in analytical and examination-taking skills.

c) Complete with a passing grade during their final year a class designated by the Academic Dean as appropriate for students in need of academic assistance. The purpose of this course is to give students special assistance in analytical and examination-taking skills relevant to passing the bar examination.

d) Participate in all other ASAP programs as designated by the Academic Dean.

e) Participate in the Supplemental Bar Skills Program as a condition of receiving from Pace Law School certification to sit for the New York State bar examination. See Rule 9B.

3. Once a student is required to participate in ASAP, that student must participate in all ASAP requirements, regardless of any improvement in the student's GPA. Nonetheless, the Academic Dean may excuse from further participation in ASAP a student who has demonstrated extraordinary academic achievement.

**H. Attendance Requirement:** The New York State Board of Law Examiners requires that each application for admission to the Bar be supported by a law school certificate of the applicant's "good and regular attendance." Similar requirements are imposed by other state bar examining committees. Accordingly, the Law School requires that all students regularly and punctually attend classes. The right to continue to be enrolled in a course or to take examinations in a course is conditioned upon regular attendance. In the event that a student persistently violates this policy, the Professor, in his/her discretion, may impose sanctions, including the disqualification of the student from taking the final examination or from receiving credit for the course.

## 5. ELIGIBILITY TO REMAIN IN THE J.D. PROGRAM

**A. Good Standing:** To be in good standing a student must achieve and maintain a cumulative grade point average of at least 2.30.

**B. Calculating GPAs:** The grade point average for a student is calculated by dividing the numerical total of grades for each credit taken by the total of credits attempted, including grades of "F and "I- F," but not grades "W," "I," or "P."

### C. Academic Dismissal:

**1. Students Who Have Completed Their First Semester:** All students who complete the first semester with a GPA of less than 1.50 are academically dismissed with no opportunity to petition the Academic Standing Committee for readmission and no right of appeal.

### 2. Students Who Have Completed Two or More Semesters:

a) All students who complete their second semester or any subsequent semester with a cumulative GPA of less than 2.0 are academically dismissed, with no opportunity to petition the Academic Standing Committee for readmission and no right of appeal.

b) All students who complete their second semester or any subsequent semester with a cumulative GPA of at least 2.0 but less than 2.30, are academically dismissed from the Law School, but may petition the Academic Standing Committee for readmission to proceed to the next semester.

1) For a student in this category to be readmitted, he or she must establish to the satisfaction of the Academic Standing Committee that he or she has the demonstrated ability to succeed in law school and pass the bar examination.

2) The petition should be addressed to the Chair of the Academic Standing Committee.

3) The Academic Standing Committee may consider the written record and may grant readmission on the basis of the written record alone.

4) Any student not granted readmission on the written record will be afforded an opportunity for a personal appearance before the Committee and the Committee may offer a student a personal appearance prior to acting on the written record.

5) In making its determination, the Committee shall review the student's record and performance by, *inter alia*, assessing the student's written work, and speaking with the professors in whose classes the student was enrolled and with any other persons whom the Committee believes may have relevant information about the student. The Committee may take into consideration any nonrecurring circumstance which may have affected the student's performance and the student's improvement (if any) during law school.

6) Any student readmitted by the Committee shall be required to participate in ASAP (see Rule 4G, above) for the remainder of his or her time at the Law School. The Committee may impose additional conditions for readmission.

7) If the student is readmitted, and then fails at the end of his or her next or any subsequent semester to attain or maintain a cumulative GPA of at least 2.30, the student is academically dismissed from the law school, with no opportunity to petition the Academic Standing Committee for readmission and no right of appeal.

### **3. Transfer Students**

a) All transfer students who complete their first semester at Pace or any subsequent semester at Pace with a cumulative GPA of less than 2.0 are academically dismissed, with no opportunity to petition the Academic Standing Committee for readmission and no right of appeal.

b) All transfer students who complete their first semester at Pace or any subsequent semester at Pace with a cumulative GPA of at least 2.0, but less than 2.30, are academically dismissed from the Law School but may petition for readmission, under the procedures described above in Rule 5C.2.b.

## **6. GRADING SYSTEM**



**A. Letter Grades:** Students will be marked on the following grading scale, using both letter grades and letter designations:

- A (4.00) Excellent
- A- (3.67)
- B+ (3.33)
- B (3.00)
- B- (2.67) Good
- C+ (2.33)
- C (2.00)
- C- (1.67)
- D (1.00) Poor
- F (0) Failing
- P Pass in a pass/fail course
- W Authorized withdrawal
- I Incomplete or unauthorized withdrawal; becomes I-F if not completed within six weeks; becomes F if not complete within six months.
- AUD Auditor-no course credit

NOTE: An A+ is awarded in an exceptional circumstance and the grade will appear on the student's transcript as an A+. However, it is an honorary designation that is calculated as an "A" in the GPA. An A+ is not awarded for class participation.

**B. Class Rank:** A student's class rank is calculated at the end of fall and spring semesters after all grades for all students have been entered. Students are ranked within their separate divisions throughout their three or four years of law school. In a student's final semester of law school, the two divisions are merged into one graduating class with a combined ranking. The combined ranking for students graduating in January is determined at the end of the following Spring semester. If a student enters a joint degree program after starting law school, at the end of each academic year, the Registrar will include joint degree students in the ranking of the class they will be graduating with, not the class they originally started with, assuming the student has already earned credits in the joint degree program.

**C. Grading Guidelines:**

**1. Grading Policy for First Year Courses:** The following curve applies to courses normally taught in the full-time first-year program, with the exception of Legal Skills. The range and norm for each grade are recommended, not mandatory. However, the mean GPA for every first-year course, except for Legal Skills, must fall between 2.50 and 3.0.

Grade	Numerical Equivalent	Range	Norm
A	4.0	0- 7%	5%
A-	3.6	5- 15%	10%

B+	3.33	10-20%	15%
B	3.0	15-25%	20%
B-	2.67	15-20%	18%
C+	2.33	10-20%	15%
C	2.0	05-15%	10%
C-	1.67	0-8%	4%
D & F	1.0	0-6%	3%

**2. Grading Policy for Upper-Level Classes:** The following recommended upper-level curve applies to all upper-level courses except for courses having an enrollment of twenty or fewer students and courses evaluated primarily on the basis of research and writing or other lawyering skills. The range and norm for each grade are recommended, not mandatory. However, the mean GPA for every required course that is not taught in the first-year day division must fall between 2.65 and 3.10. For all other upper-level courses, the recommended mean GPA is between 2.65 and 3.10.

Grade	Numerical Equivalent	Range	Norm
A	4.00	5-15%	10%
A-	3.67	5-15%	10%
B+	3.33	10-20%	15%
B	3.00	20-30%	25%
B-	2.67	10-20%	15%
C+	2.33	10-14%	12%
C	2.00	5-15%	10%
C-	1.67	0-4%	2%
D & F	1.0 & 0	0-2%	1%

**3. Compliance with Mandatory Mean GPA Policies:** If the mean GPA for a course subject to the mandatory grading policies is outside the required range, the Registrar shall notify the Academic Dean before posting the grades and the Academic Dean shall give the professor an opportunity to re-grade the final examinations or papers. If the professor refuses to bring the mean GPA to within the required range, the Academic Dean will then assign grades to bring the class average within that range.

**4. Grades Deviating from Recommended Norms of Grading Guidelines:** When grades in courses subject to the recommended upper-level curve deviate from the recommended mean GPA, the Registrar shall notify the Academic Dean before posting the grades and the Academic Dean may ask the professor to justify the grades. If the Academic Dean makes such a request, the Academic Dean and the professor shall make such arrangements as are necessary to

preserve grading anonymity. Following their consultation, the Academic Dean may suggest that a change in the grades would be appropriate, although the professor is not required to follow any suggestion for change made by the Academic Dean. Grades will be posted only after such review is complete.

**5. Grading Policy for J.D. Courses with LL.M Students:** In a course taken by both LL.M. and J.D. students, the professor should give all examinations numerical scores. The professor should give all numerical scores and their corresponding examination numbers to the Registrar, who will prepare and return to the professor a chart showing the distribution of numerical scores achieved by J.D. students. The instructor will then construct the J.D. grading curve and assign letter grades to J.D. students based on that distribution. The professor will then assign letter grades to the LL.M. students based on the J.D. grading curve.

**D. Grading of Auditor's Exams:** Persons registered to audit a course may, with the permission of the instructor, take the final examination in the course provided that the examination is identified as such and provided that the grade is not taken into account in determining the grades of the matriculated students in the course.

**E. Failed Courses:** A student who fails a required course must take the final examination (or, for a course without a final examination, complete the required assessments) in the same course at the next regularly scheduled examination period for that course, regardless of whether the same professor teaches the course both semesters. The student must consult with the professor teaching the course for which the repeat exam or other assessment will be given to determine if the professor will require the student to attend classes. If the student obtains a passing grade for the repeat examination or assessments in the required course, a "P" will be recorded alongside the "F" on the student's record and the student will receive the assigned credits for the course. If the student does not pass the required course on the second try, the student will be academically dismissed, with no right to petition for readmission.

A student who fails an elective course may take the final examination or complete the required assessments, but only at the next regularly scheduled period for that course, regardless of whether the same professor teaches the course both semesters. The student must consult with the professor teaching the course for which the repeat exam or other assessment will be given to determine if the professor will require the student to attend classes. If the student obtains a passing grade for the repeat examination or assessment in the elective course, a "P" will be recorded beside the "F" on the student's record and the student will receive the assigned credits for the course.

In either case, the original failing grade is computed in the student's cumulative quality point average. The Academic Dean may, for sufficient academic reasons, waive the requirement of completion of a failed required course as described above upon the substitution of such other courses or programs as the Academic Dean may prescribe.

**F. Grades of Incomplete:** If a student does not submit a paper by the end of the semester in a course requiring a paper, the professor may submit a grade of "I" (Incomplete). An "I" is not factored into the student's GPA. If the student submits the paper within six weeks after grades are

due for the semester (the "six week period"), the "I" is replaced by the grade given for the paper or the course. It is the student's responsibility to contact the Professor and the Registrar to resolve the "Incomplete" within the six week period. At the end of the six week period, the "I" becomes an "F" and is so calculated in the student's GPA, unless the professor in the course extends the six week period in writing to the Registrar, to a date certain, but no more than six months after grades were due for the semester. If the professor extends the six week period, the "I" becomes and "I/F," until the end of the extended period. If the student has not submitted the paper by the end of the extended period, the "I/F" becomes a permanent "F" and can no longer be changed.

If a student does not take a final examination and is not excused, the student will receive an "I/F" for the course. See Rule 10A. If a student is excused from an examination (See Rule 10C), the student will receive an "I" in the course. The "I" is not factored into the student's GPA. The student must arrange to take the examination in that course during the scheduled examination period for the next full semester. If the student fails to take the examination at that time, the "I" becomes a permanent "F" and the exam can no longer be taken. The "F" is factored into the student's GPA.

If an Honor Board proceeding is pending against a student regarding a paper, examination or other matter affecting the student's grade in the course, the student's grade in that course shall be recorded as an "I" until the Honor Board proceeding is concluded. See Rule 3.

A determination by the investigator, the adjudicatory panel, or the appeals panel that a student has or has not violated the Honor Code is final and binding. At the conclusion of the proceedings, except when the sanction of failure of the course is imposed, the professor shall assign the student's grade based on the professor's assessment of the student's work in the course.

**G. Dean's List:** Students who achieve a 3.33 or above in a semester will be on the Dean's List for that semester. The Law School will send a Dean's List Certificate in the mail confirming the Dean's List designation.

**H. Grading Deadlines:** Professors shall submit grades in their courses to the Registrar no later than three weeks after the last day of the examination period for the relevant semester.

## 7. RULES REGARDING STATUS

**A. Timing of Courses:** Classes are scheduled principally between the hours of 9:00 a.m. and 9:30 p.m., Monday through Thursday, 9:00 a.m. to 2:00 p.m. on Friday, and 9:30 a.m. to 12:30 p.m. on Saturday. Classroom capacity or class format may occasionally require limitation of the number of students who may register for specific elective courses or sections.

**B. Normal Course Load for Both Programs:** In both programs the first year course of study is required. Thereafter, the normal course load is 13 to 16 credit hours per semester for full-time students and 9 to 12 credit hours per semester for part-time students.

**C. Overloads and Underloads:** Although a normal course load is 13-16 credit hours, full-time students may register for 10-12 credits as an underload with the permission of the Academic Dean. Full-time students may register for 17 credits as an overload with the permission of the Academic Dean. Although a normal course load is 9-12 credit hours, part-time students may register for 8 credits as an underload with permission of the Academic Dean. Part-time students may register for 13 credits as an overload with the permission of the Academic Dean, which can be given only if the student works no more than 20 hours a week. Overload permission will normally be granted only if the student has a strong law school academic record. Underload permission will normally be granted only if the student, through summer school attendance or otherwise, is significantly ahead of his or her class in credits. Students in the full-time program may not, however, carry fewer than 10 credit hours per semester and part-time students may not carry fewer than 8 credit hours per semester. [Request forms are available on the Registrar's website.](#)

**D. Summer School.** The normal load for summer school is 5-8 credit hours for full-time students and 4-6 credit hours for part-time students. All students may take underloads without permission of the Academic Dean. No students may take an overload. Full-time students with GPAs of less than 3.0 and taking a 6 credit externship or clinic may not take another summer course without the permission of the Executive Director of John Jay Legal Services.

**E. Dropping and Adding Courses:** All students must register during the official registration periods preceding each semester. Late registrants will be required to pay a late registration fee.

Any student seeking a change from an initial registration, including the addition of a course, the withdrawal from a course or a change in course section, must contact the Registrar's Office during the first week of a semester; provided, however, that no student may change sections assigned in a required first year course. No permission for the change is required during that time. After the first week of classes, approval of the Academic Dean and the professor must be obtained to add or drop a course, using the form available on the Registrar's website. After the fourth week of classes, approval of the Academic Dean and the professor must be obtained to add or drop a course, and if the student drops a course during that time period, the student will receive a W on the student's transcript. After seven weeks, permission of the Academic Dean will be granted only for good cause shown. No student may withdraw from a class after the last day of classes. First year students may not withdraw from or switch sections in first year courses. All first year requirements must be completed before taking upper-level courses, except during the second year for part-time students.

**F. Accelerating Graduation:** Typically, a student will graduate after completing 6 semesters of law school over three academic years. With permission of the Academic Dean and pursuant to a structured academic program, a student may graduate in less than three years, but not in less than 24 months. Students must complete their J.D. degree within 60 months after matriculating, unless they certify that they are not taking the New York State Bar Examination, in which case they must complete their J.D. degree within 84 months after matriculating. See also Rule 4A.1.

**G. Change of Status Between Full-time and Part-time Divisions:** After the first year of law school, students may change from the full-time division to the part-time division or from the part-time division to the full-time division but only with permission of the Academic Dean, who has sole discretion to grant or deny a transfer request. Change of Status forms, which are available on the Registrar's website, must be completed before the first day of the semester.

**H. Taking Courses at Other ABA Approved Law Schools:** Students wishing to pursue courses in other law schools as a visiting student must obtain the prior written approval of the Academic Dean. All courses must be approved by the Academic Dean prior to registration at the visiting school. The Academic Dean may approve such courses only if they are: 1) given by an ABA accredited law school, AND either 2a) critical to a student's career goals and Pace does not offer the course or a reasonably similar educational opportunity or 2b) justified by an extenuating circumstance, such as severe illness of a family member or a work transfer. Extenuating circumstances do not include more convenient commuting, less expensive tuition, or other such matters predictable at the time of the student's matriculation. Grades of "D" or better will be accepted by Pace for credit towards the Juris Doctor degree.

1. A maximum of 30 credit hours taken as a visiting student at or transfer from an ABA-approved law school may be transferred to Pace and applied to the Pace degree requirement.

2. A maximum of 29 credit hours earned from a law school not approved by the ABA, a foreign law school, or for prior LL.M. or post-JD study at Pace by a graduate of a foreign law school may be transferred to Pace and applied to the Pace J.D. degree requirement. In the case of prior LL.M. or post-JD study at Pace by a graduate of a foreign law school, such credits may be transferred and applied only if they were part of a course of study that led to the successful completion of a J.D. course or courses while the student was enrolled in a post-J.D. degree law program at Pace, and Pace has a grading system for LL.M. students in J.D. courses that is comparable to the grading system for J.D. degree students in the course.

**I. Taking Graduate Courses at a Graduate School at Pace University:** Students may take up to 12 credits towards their J.D. degree at any of Pace University's Graduate Schools. Except as provided in Rule 8, only graduate courses taken after the student has completed the first year of law school can be applied to the J.D. degree. All graduate courses must be approved by the Academic Dean prior to registration at the visiting school and must be related to the law course of study.

**J. Withdrawal from Law School:** If a student finds it necessary to withdraw from the School of Law, he/she must file a written application with the Dean for Students for permission to withdraw. A student withdrawing without approval of the Dean for Students will automatically receive a failing grade ("I/F") in all uncompleted courses. A student who withdraws in good standing may be readmitted at the discretion of the Dean for Students. In the event that the requirements for graduation were different when the student was first admitted and when the student is readmitted, the Academic Dean will determine what the requirements are for the student.

## 8. SPECIAL PROGRAMS OF STUDY AND JOINT DEGREE PROGRAMS

**A. Summer Session Courses:** Please note that a student must register for 6 credits in summer school in order to receive federal loans. See Rule 7D for summer school course loads.

### **B. Advanced Certificate Programs**

**1. Advanced Environmental Law Certificate:** Students matriculating prior to Fall 2015 need 12 specialized credits to receive the Advanced Environmental Law Certificate with an average grade of B in those courses (and no grade lower than a C in those courses), and an overall GPA of 2.50 or above. They are required to take Environmental Law: Skills and Practice and Survey of Environmental Law.

Students matriculating after or in Fall 2015 need 16 specialized credits to receive the Advanced Environmental Law Certificate with an average GPA of 3.00 (B average) in those courses (and no grade lower than a C in those courses), and an overall GPA of 2.80 or above.

Certificate students matriculating after or in Fall 2015 are required to take Environmental Law: Skills and Practice; Survey of Environmental Law; Administrative Law; and one of the following: Energy Law; Land Use Law; Natural Resources Law, or Water Rights and Resources. They are also required to: write a substantial paper<sup>1</sup> on an environmental law topic, broadly defined (e.g., environmental law, natural resources law, food and agricultural law, animal law, energy law, land use planning, or ocean and coastal resources law); participate in at least one environmental experiential learning opportunity including the Environmental Litigation Clinic, Food and Beverage Law Clinic, the New York or Washington, DC Environmental Externship programs, the United Nations Environmental Diplomacy Practicum, the Semester-in-Practice (SIP) program, and externships in the Land Use Law Center, and Energy and Climate Center, or another environmental internship or externship opportunity approved by the Environmental Law Program administration; and attend the mandatory Environmental Law Certificate meeting held each semester.

No more than three credits from the Environmental Litigation Clinic, an Environmental Externship or the Environmental Diplomacy Practicum may be applied to the Environmental Certificate credit requirement.

**2. Advanced International Law Certificate:** Students need 12 specialized credits to receive the Advanced [International Law Certificate](#) with an average grade of B in those courses (and no grade below a C in those courses) and an overall GPA of 2.50 or above. Students are required to take International Law.

In addition, for students entering Fall 2018 or later, students must write one significant research paper on an international law topic, broadly defined (e.g., private or

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<sup>1</sup> This requirement may be fulfilled by completing a research paper in a seminar or writing course within the list of approved Environmental Certificate courses or a guided research project or law review note on an environmental law topic. This paper may simultaneously fulfill the Environmental Certificate writing requirement and the general Upper-Level Writing Requirement.

public international law, international human rights law, international business or trade law, refugee and immigration law). The written product must be in the form of a research paper, scholarly article, legal memorandum, or law review note. The written product must be at least 15 double-spaced pages, demonstrate an appropriate level of legal research and analysis, be well-organized and well-written, and contain ample citation to legal authority. Other products may be accepted with prior approval by the Director of the International Law Certificate Program. A student may use this paper to also satisfy the ULWR requirement if it is written on an international law topic and otherwise satisfies the criteria for the ULWR.

**3. Advanced Certificate in Health Law & Policy:** Students must complete a total of 15 credits to receive the Advanced Certificate in Health Law & Policy. Required courses are Health Law in America (Introduction to Health Law I); Bioethics and Medical Malpractice (Introduction to Health Law II); Public Health Law; and Health Care Lawyering Skills. Students then need 3 additional elective credits in courses related to health law.

In addition, for students entering Fall 2020 or later, students must write one significant research paper on a health law topic, broadly defined (e.g., bioethics, medical malpractice, public health law, access to care, health care disparities, health care compliance). The written product must be in the form of a research paper, scholarly article, legal memorandum, or law review note. The written product must be at least 15 double-spaced pages, demonstrate an appropriate level of legal research and analysis, be well-organized and well-written, and contain ample citation to legal authority. Other products may be accepted with prior approval by the Director of the Health Law and Policy Certificate Program. A student may use this paper to also satisfy the ULWR requirement if it is written on a health law topic and otherwise satisfies the criteria for the ULWR.

### **C. Concentrations (available only to students who entered before Fall 2020)<sup>2</sup>**

**1. Business Law – with subspecialty in either Corporate or Financial Compliance:** Students need 7 specialized courses to complete the Business Law-Corporate or Business Law-Financial Compliance Concentration, with an average grade of B in those courses (and no grade below a C in those courses) and an overall GPA of 2.50 or above. Students who successfully complete the concentration, and who notify the Registrar of their election of the concentration, will have it noted (with the subspecialty) on their transcripts. Students cannot receive both concentrations.

**2. Civil Litigation and Dispute Resolution:** Students need 8 specialized courses to complete the Civil Litigation and Dispute Resolution Concentration, with an average grade of B in those courses (and no grade below a C in those courses) and an overall GPA of 2.50 or above. Students who successfully complete the concentration, and who notify the Registrar of their election of the concentration, will have it noted on their transcripts.

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<sup>2</sup> Students who entered Fall 2020 or thereafter can pursue a former Concentration as a “Path to Practice,” but no notation will appear on their transcripts.



**3. Criminal Practice:** Students need 7 specialized courses to complete the Criminal Practice Concentration, with an average grade of B in those courses (and no grade below a C in those courses) and an overall GPA of 2.50 or above. Students who successfully complete the concentration, and who notify the Registrar of their election of the concentration, will have it noted on their transcripts.

**4. Real Estate and Land Use Practice:** Students need 15 specialized credits (with 9 credits coming from required courses) to complete the Real Estate and Land Use Practice Concentration, with an average grade of B in those courses (and no grade below a C in those courses) and an overall GPA of 2.50 or above. Students who successfully complete the concentration, and who notify the Registrar of their election of the concentration, will have it noted on their transcripts.

**5. Women, Gender & the Law:** Students need 15 specialized credits (with 3 credits coming from Family Law) to complete the Women, Gender & the Law Concentration, with an average grade of B in those courses (and no grade below a C in those courses) and an overall GPA of 2.50 or above. Students who successfully complete the concentration, and who notify the Registrar of their election of the concentration, will have it noted on their transcripts.

**D. Semester in Practice Program:** As a capstone experience, students may apply to spend a semester of their final year earning up to 15 credits in (1) a Pace Law School clinic, (2) an off-campus not-for-profit or government field placement, or (3) an off-campus placement at a law firm or other for-profit law office. The Semester in Practice program is administered through John Jay Legal Services, and interested students should contact the Executive Director at (914) 422-4333.

**E. J.D./Pace M.B.A. Program:** The School of Law and the Lubin Graduate School of Business of Pace University offer a combined program of studies in law and graduate-level business administration. To be admitted to the program, the student must apply to both schools and meet the independent admissions requirements of each school before admission to joint degree candidacy is approved. Only M.B.A. courses taken after the student has matriculated at the School of Law may be applied to the J.D. degree. No more than 12 graduate credits may be applied to the J.D. degree.

**F. J.D./Pace M.P.A. Program:** The School of Law and the Department of Public Administration of the Graduate Division of the College of Arts and Sciences offer a combined program of studies in law and graduate level public administration. To be admitted to the program, the student must apply to both schools and meet the independent admissions requirements of each school before admission to joint degree candidacy is approved. Only M.P.A. courses taken after a student has matriculated at the School of Law may be applied to the J.D. degree. No more than 12 graduate credits may be applied to the J.D. degree.

**G. J.D./Yale M.E.M. Program:** The School of Law and Yale School of the Environment offer a combined program of studies in law and graduate-level M.E.M in Environmental Science. To be admitted to the program, the student must apply to both schools and meet the independent admissions requirements of each school before admission to a joint degree candidacy is

approved. Only Yale graduate courses taken after the student has matriculated at the School of Law may be applied to the J.D. degree. No more than a total of 12 credits (either Yale graduate credits or Yale law school credits) may be applied to the J.D. degree.

**H. J.D./Yale M.F. Program:** The School of Law and Yale School of the Environment offer a combined program of studies in law and graduate-level Master of Forestry in Environmental Science. To be admitted to the program, the student must apply to both schools and meet the independent admissions requirements of each school before admission to a joint degree candidacy is approved. Only Yale graduate courses taken after the student has matriculated at the School of Law may be applied to the J.D. degree. No more than a total of 12 credits (either Yale graduate credits or Yale law school credits) may be applied to the J.D. degree.

**I. J.D./Bard M.S. Program:** The School of Law and [Bard College](#) offer a combined program of studies in law and graduate level Master of Science in Environmental Policy. To be admitted to the program, the student must apply to both schools and meet the independent admissions requirements of each school before admission to a joint degree candidacy is approved. Only Bard graduate courses taken after a student has matriculated at the School of Law may be applied to the J.D. degree. No more than 12 graduate credits may be applied to the J.D. degree.

**J. J.D./ Sarah Lawrence M.A. Program:** The School of Law and Sarah Lawrence College offer a combined program of studies in law and graduate-level Masters of Arts in Women's History. To be admitted to the program, the student must apply to both schools and meet the independent admissions requirements of each school before admission to a joint degree candidacy is approved. Only Sarah Lawrence graduate courses taken after a student has matriculated at the School of Law may be applied to the J.D. degree. No more than 12 graduate credits may be applied to the J.D. degree.

**K. LL.M in Environmental Law:** LL.M candidates with J.D. degrees from a U.S. law school must complete 24 credits of environmental law and related courses with a grade point average of at least 2.67. LL.M. candidates with J.D. degrees from law schools outside of the U.S. must complete 24 credits of environmental law and related courses with a grade point average of at least 2.33. The required courses for all candidates are: 1) Environmental Law Survey, 2) Environmental Skills and Practice (except for students on Climate Change Track), and 3) Science for Environmental Lawyers. The Science requirement may be waived at the discretion of the Assistant Dean of Graduate Programs if the student demonstrates that she or he has completed significant course work in the sciences. The Skills or Survey requirement may be waived at the discretion of the Assistant Dean if the requesting student has taken a substantially similar course at an ABA accredited law school within the last five years. LL.M. candidates on the Climate Change Track must complete courses designated from time to time for that track. The Environmental Law LL.M. requires completion of three papers that would fulfill the upper-level writing requirement. In unusual cases the Assistant Dean has the discretion to permit a student to substitute a 6 credit LL.M. thesis for the three paper requirement. Degree requirements may be completed in one year of full-time study or two years of part-time study with a three year maximum for all.

Students with a J.D. from Pace and admitted to the LL.M. program may apply up to 12 credits of environmental law courses taken as part of the J.D. program toward the 24 credits required for the LL.M.

**L. LL.M in Comparative Legal Studies:** This degree is available exclusively for lawyers with law degrees from a school outside of the United States. LL.M candidates must complete 24 credits with a grade point average of at least 2.33 to receive the degree. The course requirements vary depending on whether the student seeks to sit for the New York bar examination. The degree must be completed within two years.

**M. S.J.D. in Environmental Law:** This degree prepares legal scholars for the teaching of environmental law in the United States and abroad. Admission is highly competitive and requires completion of an LL.M. in Environmental Law. More information can be found at <https://www.pace.edu/law/academics/graduate-programs/sjd-environmental-law>.

### 1. S.J.D. Thesis Criteria

a) The S.J.D. thesis is a substantial piece of research, including use of diverse primary and secondary materials, evidencing a workmanlike grasp of the subject matter covered and demonstrating the legal research and writing skills expected of entry-level teachers of law. There is no page requirement, but it should ordinarily approach the length of a short book or lengthy law review article.

b) The thesis must contain analysis, not just reporting; contain original thought and analysis, not just reflect the thoughts and analysis of others. It may be controversial and challenge accepted thinking.

## 9. ADMISSION TO THE BAR

**A. Rules Governing Admission to the Bar:** At an early date students should familiarize themselves with the character and fitness and other qualifications for admission to the bar in the states in which they intend to practice. Several states require that a student, shortly after beginning the study of law, register with the board of bar examiners in that state. Some states prescribe particular law school courses or course loads as requirements for admission to the bar.

New York has no early registration requirement. In general, the requirements for admission to and graduation from the School of Law reflect the rules of the New York State Court of Appeals which govern admission to the Bar of the State of New York. Detailed information with respect to the New York bar examination may be obtained from New York State Board of Law Examiners, 7 Executive Centre Drive, Albany, NY 12203-5, phone (518) 452-8700 or (800) 342-3335 (Within NY state only), and the official Web Site: <http://www.nybarexam.org> for information about the bar exam and bar admissions. Students who plan to seek admission in New York should familiarize themselves with the state's 50-hour pro bono requirement. For more information, contact the Pace Public Interest Law Center at [publicinterest@law.pace.edu](mailto:publicinterest@law.pace.edu). The Director of the Office of Academic Success maintains some information regarding bar admission requirements in other states. The most complete and up-to-date information regarding requirements in other states may be obtained by looking at the Web site of the board of bar

examiners in the state in question. [Detailed information](#) about the bar exam can be found on the Law School's Academic Success website.

## **B. Supplemental Bar Skills Program**

1. All students who have been required to participate in the Academic Success Achievement Program (ASAP) pursuant to Rule 4G, above, must, as a condition of certification for the New York Bar Examination, participate in the Supplemental Bar Skills Program.

2. All graduates who wish to sit for the New York Bar Examination for the first time more than three years after graduation, must, as a condition of certification for the New York Bar Examination, participate in the Supplemental Bar Skills Program immediately prior to sitting for the exam.

## **10. RULES AND PROCEDURES FOR FINAL EXAMINATIONS**

**A. Requirement of a Final Examination:** Final examinations are required in all courses in the School of Law except as otherwise provided by the professor. Unexcused absence from a final examination will result in a failing grade in the course (“I/F” designation), and the failure will be counted in computing the student's cumulative grade point average. Absence may be excused only by the Registrar.

Violations of these examination rules constitute violations of the Honor Code. Violation of examination rules must be reported as specified in the Honor Code. See Rule 3.

**1. Maintaining Academic Honesty During Exams:** No student may give or receive assistance in answering examination questions at any time, at any place, or in any manner during the course of the examination. No student may consult any papers, books, notes, outlines, tapes or other print or online material during the course of an examination unless expressly authorized by the professor teaching the course and then only to the extent of the authorization. During open book examinations in a classroom, a student may have only the materials authorized by the professor. Students may use calculators only if authorized by the professor. Laptop computers are not allowed unless the student is taking an exam using Law School-approved secure exam software in an approved exam room.

It is the responsibility of all proctors to safeguard against cheating. Students should comply with any requests by a proctor pertaining to the exam (seat assignments, scrap, unnecessary noise, snacks, etc.). During the course of the examination, the proctor is the person in authority in the examination room and should be treated as such.

Upon reporting to the assigned examination rooms, students must occupy alternate seats. Any unauthorized books, materials, cell phones, electronic devices or other personal belongings which the student brings into the examination room must be stored, during the examination, at the front of the room.

**B. Scheduled Examination Times:** All students enrolled in a course must take the examination at the scheduled date and time unless the exam is rescheduled under Rule 10C. Room assignments for examinations will be posted on the website and at the Registrar's office before the commencement of the examinations. Students must take the examination in the assigned room and must be in the assigned room at the scheduled time. A student who arrives late will not receive any extra time to take the examination. Only the Registrar can grant exceptions to any of these rules.

**C. Rescheduling Final Examinations:**

**1. Only the Registrar can reschedule an examination.**

**2. Conditions for Rescheduling an Examination:** Examinations will be rescheduled only if the student

- a) has two or more examinations scheduled on the same calendar day;
- b) is ill on the scheduled examination day;
- c) has a business emergency on the scheduled examination day;
- d) has a family emergency within the immediate family on the scheduled examination day;
- e) observes a religious holiday on the scheduled examination day; or
- f) must be removed from the examination room for medical reasons; and complies with the requirements of paragraph 10C.3. Subject to the approval of the Academic Dean, a student may be permitted to complete a partially-completed examination at a later date when medically able.

Unless manifestly impossible, the Registrar will reschedule examinations on one of the days assigned for makeup examinations for the semester during which the course was given. In any event, the examination must be taken prior to the start of the subsequent semester. See Rule 6F.

**3. Requirements for Rescheduling an Examination:** A student desiring to reschedule an examination must notify the Registrar of the justification for rescheduling it prior to the commencement of the examination, unless manifestly impossible. In case of a rescheduling under Rule 10C2a, the student must notify the Registrar at least two weeks in advance of the last day of classes for the semester. The Registrar will determine which examination to reschedule, although the student may indicate a preference. In case of a rescheduling under Rule 10C2b, c, d, or e, the student must provide to the Registrar, in advance of the examination, a written communication from the student's doctor, employer, family member or religious advisor, respectively, attesting to the justification for the rescheduling.

**4. Unexcused Absence from an Examination:** Except as specified in Rules 10C.2 and 3, a student who fails to take an examination on the regularly scheduled day, or on the day set for the rescheduled examination, without notifying the Registrar, fails to complete work in the course in question and will receive the grade of "I/F" for the course.

**D. Examination Procedures:** Each student will receive exam questions and blank paper. The questions are to be kept face down until the proctor announces the beginning of the examination. Specific exam instructions will be given by the proctor. Any questions or problems during the examination should be addressed to the proctor, who will then, if necessary, consult the faculty member whose examination is being administered. Examinations must be written in pen, except as specified in Rule 10E.

**1. Examination Numbers:** Students must get examination numbers for every semester prior to their first examination. The Registrar cannot give a student an examination number until the student has completed on line SCATES evaluations of professors in each course taken by the student. Once the student completes the SCATES forms, the Registrar will send an email to the student with his or her examination number for that semester.

**2. Examination Booklets:** Pages may not be removed from or added to the examination booklet. Pages or booklets used for outlines or rough drafts must be marked with the student's exam number and submitted to the proctor with all other exam materials in the envelope provided. No answers should be written on scrap paper.

**3. Leaving the Exam Room:** Examination questions and booklets may not be removed from the examination room. During the examination, a student may leave the room only to go to the bathroom, with the proctor's permission. Only one student may be out of the room at a time. The student must sign in and out of the room. Proctors will announce the designated bathrooms to be used during the exam. Under no circumstances are students allowed to go anywhere else. Students may never use telephones for any reason at all, while taking an examination.

**4. Completing Exam before Expiration of Scheduled Time:** When a student has completed the examination before the expiration of the scheduled time, or when the proctor announces the close of the examination, the students should quietly collect all materials and put them into the envelope provided. All exam materials, whether used or not, must be submitted to the proctor, i.e., a) the exam questions; b) all booklets used; c) all scrap paper; d) any other handouts. It is an Honor Code violation for a student to retain examination materials. A student who observes another student remove exam materials from the examination room must report the incident to the Honor Board. Before leaving the room, students must sign out on the sheet kept by the proctor. A student will sign his or her name and accurately record the time of signing out. Failure to submit the above papers promptly to the proctor at the close of the examination may result in a lowering of the grade or refusal on the part of the professor to accept the student's paper as fulfillment of the examination requirement.

**E. Computerized Exam Program:** If a student is taking an exam on a laptop as part of the computerized exam program, that student must be registered for the program and undergo the required training in every semester in which the student uses a computer to take an exam. Students choosing this option must arrive in the examination room no later than one half hour before the examination is scheduled to begin. The required examination software must be installed on the computer and functioning properly. If the software is not functioning properly, the student may not take the exam on the computer and must take it by hand. If a student has difficulty with the computer during the exam, the student must immediately begin to complete

the exam by hand in the bluebook. Students are expected to charge laptop batteries before coming to the exam in case of a power emergency. All other rules relating to exam procedures and anonymity apply to students using computers. The student must log on to the program when instructed by the proctor.

**F. Take Home Examinations:** If a professor gives a take-home exam instead of a regular examination, the following rules apply:

1. Unless the professor instructs the student otherwise, students must pick up and drop off exams at the Registrar's office. If the exam is distributed in class or electronically from the professor, students must return it as required by the professor or to the Registrar's office. Before the exam is distributed, professors will announce to the students, in writing, pick up and drop off information.

2. If a student has a question during a take-home exam, the student should call the Registrar's office which, if necessary, will contact the professor and act as a liaison between student and the professor. It is a violation of the anonymity policy for a student to call a professor with a question about an examination while taking the examination.

**G. Anonymous Grading:** The Law School maintains a strict policy of anonymity in the administration and grading of final examinations. A student shall not under any circumstances reveal the student's identity on his examination papers other than by the student's examination number. Only the Registrar can reschedule exams. Under no circumstances may a student discuss with a professor the possibility of taking a make-up examination and under no circumstances may a student tell a Professor that he or she is taking a make-up examination. Such actions violate the Law School's anonymous grading policy. If a Professor becomes aware that a specific student is taking the exam on a different date, the Professor must prohibit the student from taking the exam, as that information will violate the anonymity rule. Actions by a student to defeat the anonymity policy violate the Honor Code.

1. **Examination Number:** Prior to the start of final exams and after they have completed SCATES forms for their courses, students will receive a final exam number from the Registrar by e-mail. Students should put this exam number on their bluebooks, typed answers, exam envelopes, and scantrons. Students should never put their names on any exam materials.

2. **Only the Registrar Knows the List of Student Exam Numbers:** The Registrar will keep the list of student numbers in a secure place. No one other than the Registrar will have access to the list during the examination and grading periods.

**H. Guidelines for Review of Graded Exams by Students:** After every examination period, a review period will be scheduled during which students may discuss examinations with the faculty member in whose course the examination was taken. Students should contact faculty members directly to determine how an individual faculty member is conducting exam review. Students must have their exam numbers with them to see exams. A professor may not change a grade except for mechanical or transcription error and then only with the permission of the Academic Dean. See Rule 10I.

1. Faculty members may choose to keep their exams in their offices and arrange for individual review with students thereafter. In that case, students should contact the faculty member directly for an appointment to review exams.

2. Faculty members may choose to have exams reviewed in a central reviewing room on review days announced by the Academic Dean or the Registrar. These reviews will take place under exam conditions with a proctor in the room. Students may review as many exams as they desire.

**I. Grade Changes:** A faculty member may change a student's examination grade, only with the approval of the Academic Dean and only in the event of:

1. computation error (e.g. a mistake in addition).

2. a clerical error (e.g. failing to include the score for one or more parts of an examination in the student total score, or miscopying one or more scores on the examination).

3. if the faculty member overlooked part of an examination, e.g., pages of a bluebook became stuck together so that the instructor did not read one or more page. This does not authorize the faculty member to re-evaluate any portion of an examination that the faculty member has already read and graded.

**J. Posting of Grades:** Individual grades are available on the Pace University Portal.

## 11. TUITION, FEES AND EXPENSES

**A. Tuition:** Every effort is made by the University to minimize increases in tuition and fees; however, the University must reserve the right to change or add to its tuition and fees at its discretion. Incoming students should be aware, however, that tuition will probably rise during their course of study.

Under flat-rate tuition, tuition depends on the program in which the student registers and not directly upon the number of credits taken. Students who register as part-time pay the semester rate for that program. Students who register as full-time pay the semester rate for that program. Tuition for summer school, however, is paid on a per credit basis. Tuition for the semester must be paid in full on or before the first day of classes unless the student elects to pay tuition on the installment plan. All fees for each semester must be paid in full on or before the first day of classes.

**B. Failure to Pay Tuition:** University policy requires that the semester's tuition be paid on or before the first day of classes. Payment can be made by credit card (online only), personal check, scholarship awards and federal or private loans or a combination of any of these forms of payment. Students who have not made the payment by the first day of classes will be assessed a late fee.



**C. Registration Voided:** If the student has not completed making payment by the fourth week of the semester (other than students enrolled in the University Tuition Payment Plan), that student's registration will be voided. The student must stop attending classes and will not receive academic credit. The student can be reinstated only if full payment is made within one week of the void.

Every effort will be made to assist students in meeting tuition obligations to the Law School.

**D. Tuition Cancellation Policy:**

1. Tuition and special course fees are cancelled fully when a student drops all courses before the start of the second week of classes. For first year students, orientation is considered the first week of classes. A week is defined as 7 calendar days.

2. Tuition and special course fees are cancelled fully when a student is dismissed from the University prior to the end of a semester.

3. Tuition and special course fees may be subject to a prorated cancellation when a student officially withdraws from all courses due to a medical condition by filing a written notice with the Registrar's Office and then filing for a medical withdrawal with Pace University. If written notification is sent via postal mail, the official postmarked date will be the effective date of the withdrawal.

**Please note: Application, technology, general institution, university health care, student activity and non-course fees are not refundable under any circumstance.**

4. It is the student's responsibility to withdraw from courses for which the student has registered. Failure to officially withdraw will result in tuition liability. Non-attendance of classes, informing the instructor of withdrawal, or stopping payment on a check does not constitute official withdrawal and does not relieve the student of his or her financial obligation, nor entitle the student to a refund. A student who registers for class and does not attend class remains fully responsible for all financial obligations. Federal financial aid recipients who cease attending classes for a semester, but do not officially withdraw, will be deemed to have unofficially withdrawn and will have a portion, or all, of their federal aid cancelled, after the close of the term when their failure to complete their courses is recorded.

5. Students registered for a monthly payment plan are responsible for completing all payments if a balance exists after cancellation of tuition.

**6. Military Service:** Any student required to discontinue attending classes because of induction into a United States military service may be given a complete refund of all tuition and fees, except the application and general institutional fees, if orders to report for active duty are received within the first two weeks of class. Thereafter, students may choose either a pro rata refund or an application of full credit of tuition and fees, excluding the application and general institutional fees, to a possible future enrollment.

**7. Serious Illness:** If a student takes a Medical Leave during the first half of the semester due to serious illness, a pro-rated cancellation of tuition and special course fees will be permitted. The policy applies to the student's personal illness only, and must be documented with an original copy of a physician's diagnosis and recommendation and, if working, disability papers. Any resulting credit balance may be refunded to the student. If the Medical Leave takes place during the first week of the semester, a one hundred percent tuition cancellation will be allowed. If Medical Leave takes place after the first week, a pro-rated cancellation will be permitted.

**8. Business Transfer:** A student who is forced to discontinue attendance because of a permanent business transfer out of the New York City metropolitan area will receive a pro rata refund of the semester's tuition if the transfer takes place at any time during the first eight weeks of class. Written substantiation of the transfer from the employer must be presented at the time of withdrawal.

## **E. Federal Student Financial Aid**

**1. Satisfactory Academic Progress Standards:** Continuing students must meet certain minimum academic progress standards to maintain eligibility for federal student aid programs. A detailed description of those standards will be provided by the Financial Aid Office upon request. Generally, a minimum 2.3 cumulative grade point average must be maintained, although students on academic probation are considered to be in good standing for the duration of their probation semester, and the program must be completed in six semesters for students in the full-time program and eight semesters for students in the part-time program.

**2. Refund on Federal Aid:** If a student withdraws from school and receives a refund on tuition costs, it may be necessary to return some portion of federal aid. Please see the Financial Aid Office for details.

## **12. RECORDING CLASSROOM LECTURES OR CLASSROOM ACTIVITIES**

### **A. General Statement**

Nothing in these Rules and Regulations shall be interpreted in any way as to infringe upon or abridge a student's right to reasonable accommodations as determined by the University's Office of Student Accessibility Services (SAS).

### **B. Definitions**

**1. Record and Recording:** As used herein, the words "record," "recording" and relevant variations thereon shall be deemed to refer to all forms of electronic recording of classroom audio and/or video, including purely audio capture, purely video capture, or any combined audio and video recording.

**2. Classroom Activities:** As used herein, the terms "classroom activity," "classroom activities" and relevant variations thereon shall be deemed to refer to all forms of classroom

lectures, classroom discussions, or other classroom activities, or any video or audio recordings provided by the instructor in lieu of any of the foregoing.

### **C. Purpose of the Policy**

The purpose of this policy on recording classroom activities is to provide reasonable guidance, limitations and prohibitions on the recording of classroom activities in order to:

- affirm the rights of students to reasonable accommodations as determined by the SAS;
- respect the integrity and effectiveness of classroom activities;
- protect the rights of students and instructors to dignity and privacy;
- respect the rights of instructors, the Law School and/or the University in instructional materials; and
- comply with applicable copyright law.

### **D. Permission to Record Classroom Activities**

**1. No Recording Unless Authorized:** No recording of any classroom activity shall be made by any person or persons (a) except as authorized in Rule 12E; (b) unless directly authorized by the instructor in the course syllabus; or (c) unless authorized in writing (other than in the course syllabus) by the instructor.

#### **2. Class Recording on Religious Holidays**

**a. Request to Instructor:** A student who anticipates being absent because of any religious observance may notify the instructor in advance of such anticipated absence, whenever possible. The student may request that the instructor authorize the recording of classroom activities on that day, and the instructor is encouraged to do so.

**b. Request to Registrar:** In lieu of speaking directly with the instructor, a student who anticipates being absent because of any religious observance may notify the Registrar in advance of such anticipated absence, whenever possible. Upon presentation to the Registrar of a written notification signed by a recognized leader appropriate to that student's religious tradition (*e.g.*, the student's rabbi, priest, minister, imam, etc.) that the student must miss class because of a religious observance, the Registrar may request that the instructor authorize the recording of classroom activities on that day, and the instructor is encouraged to do so.

**c.** Notwithstanding the foregoing, nothing in these Rules and Regulations shall be interpreted in any way as to:

(i) require an instructor to make any changes or exceptions to classroom attendance policies that are applicable to all students (*e.g.*, a policy that limits absences and/or makes no distinction between "excused" and "unexcused" absences); or

(ii) conflict with the rules of the American Bar Association requiring regular class attendance or the rules of the New York Court of Appeals that require monitoring of student effort and accomplishment.

**3. Notification:** If, separate and apart from any determination by the SAS regarding a student's right to reasonable accommodations, the instructor authorizes the recording of classroom activities by one or more students on a discretionary basis or pursuant to Rule 12.D.2 above, the instructor shall provide advance notice to the other students and any guest speaker that classroom activities are being recorded. The instructor is encouraged to work with the appropriate staff at the Law School to make any such recording available on an equal basis to all students enrolled in the class.

#### **4. Appropriate Use of Recordings**

**a. Generally:** If the instructor authorizes the recording of classroom activity by or for a specific individual only, such recording shall be used by such individual only for personal use in study and preparation related to the class. If the instructor authorizes the recording of classroom activity and makes such recording available on an equal basis to all students enrolled in the class, such recording shall be used only by students enrolled in that class during that semester and taught by the permission-granting instructor.

**b. No Sharing or Transfer of Classroom Recordings:** Except as provided in this paragraph 12.D.4 or as specified in writing by the instructor, any recording provided to any student may not be (a) reproduced or uploaded to publicly or privately accessible web environments or networks; (b) shared with others; or (c) exchanged or distributed for commercial or non-commercial purposes, for or without compensation, or for any other purpose other than personal study by (x) the individual student to whom authorization to make the recording has been granted, if the instructor authorizes the recording of classroom activity by a specific individual only, or (y) students who are enrolled in that class during that semester and taught by the permission-granting instructor, if the instructor authorizes the recording of classroom activity and makes such recording available on an equal basis to all students enrolled in the class.

**5. Destruction of Recordings:** Any student in possession of any classroom recording shall delete and destroy the recording or any links thereto no later than the twentieth (20th) calendar day after the first to occur of (a) the administration of the final examination of the course in connection with which the classroom recording was made; or (b) the last day of final examination period, not including any make-up examinations, for the semester or term in which the final examination is given for the course in connection with which the classroom recording was made.

**6. No Transfer of Copyrights:** Authorization to record classroom activity is not a transfer of any copyright in the recording. Public or private distribution of such materials may constitute copyright infringement in violation of federal or state law, or Law School or University policy. Any such violation may subject a student to sanctions under the University Rules and Regulations in addition to those imposed under the Law School Rules and Regulations.

**7. Failure to Comply with Rules and Regulations:** Failure to comply with any portion of this Rule 12 shall be treated as a violation of the Honor Code and may subject a student to sanctions under the University Rules and Regulations in addition to those imposed under the Law School Rules and Regulations.

**E. Procedure for Notifying Faculty of Accommodations That Include Classroom Recording**

The SAS decides which, if any, accommodations involving classroom recording will be granted and describes the process for implementing the granted reasonable accommodations. Under University policy (here: <https://www.pace.edu/student-accessibility-services/faq-faculty>), ordinarily SAS advises Pace University faculty in a writing referred to as an accommodation memo about the reasonable accommodations or other services granted to a student only with respect to that faculty member's course. For all first-year courses, required courses and other courses at the Law School that are graded anonymously, the SAS instead shall provide such accommodation memo to the Law School Dean for Students, who shall, after removing any information that would reveal the student's identity, provide a copy of the memo to each individual faculty member in whose course the student is enrolled.