RULE VI: ACADEMIC STANDING AND REVIEW

A. Academic Eligibility to Continue as a Degree Candidate

1. A student who at the end of any semester:
   a. Has achieved a cumulative grade average of below 2.0;
   b. Has failed timely to satisfy course requirements prescribed for a student in the student’s class year; or
   c. Has earned nine (9) or more credits below C minus, is not eligible to continue as a candidate for the Juris Doctor degree, except under such terms as may be established by the Committee for Academic Standing (CASS). During this period and during any probationary or suspension period, the student is considered not in good academic standing. Failure to meet the terms established by the Committee shall make a student ineligible for the Juris Doctor degree.

2. A student who at the end of the second year has not offset any credits below C minus with the same number of credits at B minus or above, will be brought within the jurisdiction of CASS and must comply with the rules of said Committee.

3. A student who at the end of any semester has failed to satisfy the terms of probation is automatically dismissed from UNH Law as of the end of that semester without any further action by UNH Law whatsoever, and shall not continue as a UNH Law student or auditor unless readmitted through CASS as authorized solely by Rule VI M. A student automatically dismissed from all degree programs at UNH Law.

B. First-Year Standing and Review

1. A first-year student who at the end of the first semester meets any of the criteria set forth in Rule VI-A(1)(a)(b) and (c) shall comply with subdivisions C, D, E, F and G of Rule VI. Such a student may be academically dismissed after his or her first semester at the discretion of CASS. The student will be placed on probation if allowed to continue, and will meet with CASS. (Revised by faculty 3/4/2010.)

2. A first-year student who meets the criteria of VI-B(1) and who wishes to take a leave of absence at the end of the first semester must first gain the approval of CASS as required by Rule XI, subdivision C in order to assure a right of return.

C. Academic Eligibility to Continue as a Degree Candidate with Early Intervention Status

(Adopted by faculty 4/17/14) (Rule VI(C) shall expire at the end of the spring 2020 semester. Three year extension adopted by faculty on 5/4/2017.)

1. A student who at the end of any semester:
   a. Has achieved a cumulative grade average at or above 2.0 but less than 2.5 or has been designated by the Associate Dean for Academic Affairs pursuant to Rule VI (D)(3); and
   b. Has not been brought within the jurisdiction of Committee on Academic Standing & Success (CASS) through Rule VI(A) or Rule V(B) shall be identified as in need of “early intervention” and subject to the jurisdiction of CASS.

2. A student on “early intervention status” must complete the following requirements:
   a. Meet with CASS and if possible, with the faculty advisor in attendance, to discuss potential sources of and solutions to weaknesses in academic performance; and
   b. Meet with the Director of the Academic Success Program (ASP) or the Director’s designee to develop a written action plan for strengthening essential skills necessary for improved academic performance and bar exam readiness. This plan may include—but is not limited to—engaging in learn skills self-assessments, implementing new study routines and methods, or doing individual skills-building work sessions with ASP.

3. A student on “early intervention status” at the end of first year, the end of first semester second year, the end of second year, or the end of first semester third year must also take and pass (with a grade of a C or above) one “essential skills” approved class in the subsequent semester following placement on “early intervention” status. “Essential skills” classes are those indicated as such each semester by ASP in consultation with the Curriculum Committee.

4. A student who fulfills the relevant requirements of (2) and (3) above in the semester in which the student is identified as in need of “early intervention” shall be released from “early intervention” jurisdiction and shall only be returned to CASS jurisdiction through the provisions of Rule VI(A) and Rule VI(B). A student who does not fulfill the relevant requirements of within one semester shall remain on “early intervention” status until the requirements are completed.

5. A student who is placed on “early intervention status” at the end of first semester first year and achieves a cumulative grade point average at or above 2.0 but less than 2.5 at the end of second semester first year shall continue to be on “early intervention status” at the end of second semester first year until the student completes the “essential skills class requirement set forth in Rule VI(C)(3).

6. “Early intervention” status shall not be designated on student transcripts.

D. Review of Student Standing for Mandatory ASP Meeting

(Adopted by faculty 4/17/14.) (Rule VI(D) shall expire at the end of the spring 2020 semester. Three year extension adopted by faculty on 5/4/2017.)

1. A student who at the end of any semester:
   a. Has a ranking in the bottom quartile of the class; and
   b. Is not under CASS jurisdiction through the provisions of Rules VI(A), (B), or (C) shall meet with the Director of the Academic Success Program or the Director’s designee and with the student’s faculty advisor if possible to develop a written action plan for strengthening essential skills necessary for improved academic performance and bar exam readiness. The action plan may include—but is not limited to—engaging in essential skills self-assessments, implementing new study routines and methods, or doing individual skills-building work sessions with ASP.

2. A first-year student who after midterm examinations first semester has demonstrated serious weakness on any midterm or midterm assessment equivalent—for example, a grade of C- or below on a midterm—shall meet with the Director of the Academic Success
Program or the Director’s designee and if possible, with the student’s faculty advisor to develop an action plan for strengthening essential skills necessary for improved academic performance and bar exam readiness. The action plan may include—but is not limited to—engaging in essential skills self-assessments, implementing new study routines and methods, or doing individual skills-building work sessions with ASP.

3. ASP will notify the Associate Dean for Academic Affairs of any student who fails to complete the required meeting pursuant to Rule VI(D) in a timely and good faith fashion. The Associate Dean will contact such students to give them a reasonable period of time to complete this requirement. Students who do not complete the requirement during this time period must meet with the Associate Dean to assess their cultivation of personal responsibility for their academic development. The Associate Dean may place students who fail to have this meeting on early intervention status under Rule VI(C).

4. Required meetings with ASP pursuant to Rule VI(D) shall not be designated on student transcripts.

E. Identification of Student
(adopted by faculty 4/17/2014)

The Assistant Dean of Students in cooperation with the Registrar’s Office shall, at the end of each semester, identify (1) any student not eligible under the standards stated in subdivision A of this rule to continue as a degree candidate, and (2) any first-year student meeting the criteria of VI-B(1). The Director of Academic Success or the Director’s designee in cooperation with the Registrar’s Office shall, at the end of each semester and after midterms for first-year students, identify and contact (1) any student who meets the criteria of Rule VI(C) for early intervention and (2) any student who meets the criteria of Rule VI(D) for a mandatory meeting with Academic Success.

F. Advice of Rights and Obligations

In each meeting held after a student’s response to the request for it, the Assistant Dean of Students shall:

1. Assure an understanding of the student’s rights and obligations;
2. Assure an understanding that the student must take the initiative and responsibility both to assess the causes of deficient performance and to develop a plan to overcome the deficiency; and
3. Make suggestions for or help arrange such therapy or other assistance as the student may reasonably request.

G. Submission of Plan

The student must present a written plan for overcoming deficiencies to CASS before the deadline set by CASS. The Assistant Dean of Students shall investigate any instance of failure of a student to present a plan and shall counsel the student regarding the consequences of such failure. The Assistant Dean of Students shall, following this counseling session, forward to CASS a statement indicating that such counseling took place.

CASS may request that a student, in addition to submitting a written plan, appear personally before the Committee to discuss the student’s academic difficulty and the student’s plan for rehabilitation. Where suspension or dismissal is a likely outcome, CASS should communicate with the student, and individual Committee members should refrain from communicating or meeting separately with the student. If a student believes that a particular member of CASS cannot objectively review that student’s plan, the student may make a written request that the Committee member be recused from this deliberation. The written request must state the grounds for the belief that the CASS member is not able to be objective. The fact that the student received a low and/or failing grade from the CASS member, standing alone, is not grounds for recusal.

H. Committee Review of Plan

CASS shall review each student’s case to determine the probability of academic rehabilitation. CASS’s concern is whether the student has obtained or will shortly obtain the academic knowledge and skills that UNH Law’s curriculum is meant to impart. CASS’s review and determination shall rest on two bases: an assessment of the student’s abilities and an assessment of the feasibility of the student’s plan.

The assessments may be based on such factors as CASS finds relevant, including but not limited to:

1. The student’s admissions record, including undergraduate and graduate school grades;
2. Law school grades;
3. LSAT score;
4. Written or oral faculty reports explaining a particular grade in a course or other academic work done by the student. Such written or oral reports may be requested from any relevant faculty member, including Committee members;
5. Legal Residency evaluation;
6. Results of outside testing undergone by the student;
7. Evaluations of UNH Law essay and objective tests taken by the student. Such evaluations may be done by faculty members or other persons approved by CASS.
8. The acceptability or feasibility of the student’s plan as measured by:
   a. The extent to which the plan accurately assesses the causes of the academic deficiencies;
   b. The likelihood of the student’s ability to meet the goals in the plan in light of the student’s past performance and abilities;
   c. The extent to which the student’s attitude toward and motivation for rehabilitation make it likely that the plan will be successfully completed. Included in this appraisal is the student’s demonstration of attitude, effectiveness, self-reliance, and motivation as those qualities relate to academic performance.

The basis for CASS’s review and decision shall be the academic performance of the student and the factors related to academic performance. The determination of probability of rehabilitation shall not be based solely on issues of character and shall not anticipate a student’s future conduct as an attorney. Issues of character are relevant only to the extent they bear directly on a student’s ability to successfully complete UNH Law’s course of instruction.

I. Status of Student Pending Decision of the Committee on Academic Standing and Success

In a semester following a semester in which academic performance has put a student in academic difficulty, the student enrolls in or continues in classes at the student’s own risk while awaiting a dispositive decision of CASS, the Appeals Panel, or the faculty concerning the right to continue as a student. The student may not enroll in classes, continue to attend or participate in them, take final exams, or submit other required or optional work products following a dispositive decision that denies the right to
continue. The student will be credited for the tuition charged for the uncompleted semester. Provided however, that a student who has been automatically dismissed under Rule VI-A(3) may not attend class or take any other action toward satisfaction of the J.D. degree without resolution of the student’s appeal, if any, to the Appeals Panel under Rule VI-J(2).

J. Disposition of Case
1. Following its review of the student’s abilities and the feasibility of the student’s plan, CASS shall:
   a. Place the student on probation as a degree candidate; or
   b. Suspend the student for a period of time, advising the student to resubmit a plan in the future upon the occurrence of specified conditions, if any; or
   c. Dismiss the student from UNH Law. (Students automatically dismissed (VI-A(3)) may not present a plan to CASS.)
2. If, based on its review of the student’s abilities and the feasibility of the student’s plan, CASS does not find that rehabilitation is probable, CASS may suspend or dismiss the student notwithstanding that:
   a. The student has not previously been before CASS or
   b. The student has failed to submit a plan or has submitted an erroneous, incomplete, inaccurate, untimely, or otherwise inadequate plan where an adequate plan might have resulted in a decision less unfavorable to the student.
3. Probationary conditions set by CASS may include but are not limited to:
   a. A limitation on maximum or minimum credits in which the student may enroll;
   b. A specification of curriculum offerings or types of offerings in which the student may enroll, including the requirement of exam and exam only courses;
   c. A requirement of attaining a specified grade in indicated credit offerings undertaken or in all work undertaken for credit in a semester. CASS may require as a demonstration of academic ability that a student obtain more than a 2.0 for a given course or combination of courses. This requirement may exceed any of the degree eligibility requirements specified in Rule I-B, subdivision (2), where appropriate, to adjust for noncomparability.
   d. A limitation on extracurricular activities;
   e. A requirement that specified deficiencies be remedied through special resources and evaluation either inside or outside UNH Law.
4. A decision to dismiss a student shall be based on finding the student:
   a. Lacks the abilities to complete the degree program; and/or
   b. Has failed to satisfy terms of probation; and/or
   c. Has failed to present a plan or has failed to present a feasible plan to CASS in accord with the criteria of G(8) of this rule.

K. Committee Findings
1. In each case, CASS shall clearly indicate by notice in writing to the student, the Assistant Dean of Students, and the Registrar, its finding of substantial fact, conclusions, and decision. Students who have been placed on probation, suspended, dismissed or who have been denied readmission, following dismissal, have a right to appeal CASS’s decision. The notice shall state the time period within which the student may appeal CASS’s decision.
2. Appeals from findings of probation and terms of probation or from an automatic dismissal under Rule VI-A(3) may only be taken to the Appeals Panel, comprised of three (3) full-time faculty members appointed by the Dean.
   Appeals from findings of suspension or dismissal or denials of readmission may, at the student’s option, be taken to either the faculty or the Appeals Panel.
   Decisions of the Appeals Panel or the faculty are final and may not be further appealed.
3. Members of CASS shall not participate in the consideration of any appeal. However, CASS shall have the opportunity to submit orally or in writing to the faculty or the Appeals Panel and to the student, an explanation of its decision that supplements the content of its written notice.
4. The appeal shall be conducted in accordance with the Rules of Procedure for Appeals From Decisions of the Committee on Academic Standing and Success set out in Rule VII.

L. Continuation Beyond Six (6) Semesters
1. A student who is in violation of the standards set out in subdivision A, after completing six (6) semesters of full-time study (or the equivalent thereof) is not eligible to continue at UNH Law until such time as the student has filed a plan required by subdivision F, and CASS has approved the readmission of the student. The petition required by this subdivision shall be filed not later than thirty (30) days after receipt of the notice required by subdivision D.
2. CASS shall assess the plan submitted by a student covered by subdivision (1) by the standards set out in subdivisions G and I.
3. In no event shall CASS permit a student more than two (2) semesters to cure deficiencies in the academic record. In most cases the academic work required of a student covered by subdivision (1) should be performed at UNH Law; however, CASS may permit exceptions to this policy in appropriate cases.
4. A student who is readmitted pursuant to this subdivision and who fails to satisfy the terms of the readmission established by CASS shall be dismissed from UNH Law.
5. Notwithstanding the other provisions of this section, CASS may, without a formal notice or plan, consider whether the deficiencies of a student coming within its jurisdiction at the end of the sixth semester are insubstantial and ought to be waived. If the Committee so chooses and finds that the deficiencies are neither evidence of substantial academic deficiency nor the result of culpable neglect, it may recommend to the faculty that deficiencies be waived, either completely or on conditions. Otherwise such a student shall be treated as any other student within the jurisdiction of the Committee.

M. Readmission After Academic Dismissal
1. A student dismissed from UNH Law at any time before completing the regular academic program pursuant to an action by CASS under subdivision I(1)(c), may seek readmission only if CASS does not bar a petition for readmission by the terms of the dismissal.
2. Petitions for readmission will not be accepted for a period of two (2) years following academic dismissal unless CASS specifies that a petition will be accepted before that time by the terms of the dismissal. No petition for readmission will be accepted after three (3) years from the date of dismissal.
3. If a student has earned forty-two (42) or more credits toward the degree at the time of the academic dismissal, the student may be readmitted by CASS subject to such terms and conditions as it may set, to include requirements which exceed the degree eligibility
requirements specified in Rule I B. The credits earned prior to the dismissal may be counted toward the degree.

4. If a student has earned fewer than forty-two (42) credits toward the degree at the time of the academic dismissal, the student may be readmitted by CASS. Such student would be required to satisfy the requirements for the class entering the law program that year. CASS will determine if the credits earned prior to the dismissal will be counted toward the degree.

5. At the student’s option, a student may appeal the denial of readmission to the faculty or to the Appeals Panel.

N. Readmission After Automatic Dismissal

A student automatically dismissed under Rule VI-A(3) desiring to continue at UNH Law may apply for readmission to CASS not earlier than one year nor later than two years following the dismissal, or may apply for readmission under the terms of VI-L.