



**Policy Title: REGULATIONS ON ACADEMIC STATUS**

**Policy Number:** Law\_1

**Established:** September 1977

**Approved by:** Faculty Council

**Last Approved Date:** June 12, 2024

**Revision Date:** February 1984, July 1986, September 1988, September 1990, November 1995, February 8, 2012. April 4, 2012. September 2013, February 2016, June 2024.

**Position Responsible for Maintaining and Administering the Policy:** Associate Dean (Academic), Assistant Dean (Academic), and Academic Co-ordinators.

**Purpose:**

**Scope:** Applies to all law students, except as noted.

The Faculty of Law's Academic Status Regulations may not necessarily coincide with the University's general policies and procedures. The Academic Status Regulations govern in case of conflict.

**Exceptions to Policy:** none

**I. Definitions:**

1. "Passing average" as used in these regulations is 60%.
2. "Shadow average" refers to the average calculation that includes grades from supplemental exams. This average is used only to calculate eligibility to proceed to the next year or graduate but is not reflected on transcripts or included in the determination of ranking and it does not change the minimum passing average requirement of 60%.
3. "Passing grade" as used in these regulations refers to a 50% as defined by Senate Regulations.
4. A student's average shall be computed to two significant digits.
5. Examination should be read in its widest sense and includes any paper, memorandum, exercise, project, research, or other piece of work written, prepared, or done in the course of a student's studies or activities at the law school.
6. A year of study for half-time students in the structured half-time program shall be one academic year which is equivalent to one-half year (or one semester) of the JD full-time program.

7. All academic determinations with respect to half-time students as contained in these regulations shall be made interpreting “a year” or “a year of study” as defined in 5 above.

## **II. MINIMUM PASSING REQUIREMENT**

1. (a) A student in any year whose average is below the passing average shall be entitled to write a supplemental exam in any course in which they failed to achieve a passing grade and their eligibility to proceed to the next year or graduate will be determined on the basis of their shadow average.

(b) A student in any year who passes all their courses but does not attain a minimum passing average is entitled to write up to three supplemental exams over the year if they are a full-time student and one supplemental exam if they are in the half time programme.

(c) A student in any year who fails one or more supplemental exams or does not attain a minimum passing average is entitled to repeat the year. However, a student may not repeat any year more than once.

2. A student in second or third year who fails the year and is entitled to repeat the year may enroll in any course taken in the year in which they failed except those courses in which the student received a grade of 73% or better in that year.

## **III. SUPPLEMENTAL EXAMINATIONS**

1. A student in any year who receives a grade below 50% in one or more courses, is required to write supplemental examinations in those subjects in which a grade below 50% was obtained.

2. If the student does not write the supplemental examination in those subjects in which a grade of below 50% was obtained, the student fails the year and section II applies.

3. If a student fails to obtain a passing grade in each supplemental examination that they were required to write, the student fails the year and section II applies.

4. If a student is required to write a supplemental examination, it shall be duly noted on the transcript of that student.

5. Any grade on a supplemental examination will not be included in the calculation of that student's average as reflected on their transcript or other official document and will not be included in determining their standing in the year. Rather the average and standing will be calculated on the basis of the grades received in the regularly scheduled final examinations.

#### **IV. SPECIAL EXAMINATIONS AND AEGROTAT STANDING**

1. If for medical or compassionate reasons a student fails the year, fails an examination, or is unable to write or complete an examination, the student may apply to the Academic Status Committee to write a special examination.

2. In extraordinary circumstances a student who falls within section IV. 1. May be entitled to aegrotat standing. Without restricting the generality of the foregoing the following factors may be considered in determining whether aegrotat standing will be granted:

(a) The professor's opinion of the student's performance and ability in that course;

(b) The student's performance in other courses in that year and in other years in law school;

and

(c) Whether a special examination can be set and/or marked by the same professor who taught the student the course involved.

3. Any student who wishes to qualify for special examinations or aegrotat standing must file a request with the Associate Dean for special consideration either before or as soon as possible after the day on which the relevant examination is scheduled. The student will be required to file with the Associate Dean any supporting documents such as medical certificates within a reasonable time thereafter.

4. The Academic Status Committee shall have exclusive and final jurisdiction with respect to all matters regarding special examinations and aegrotat standing. However, the Associate Dean may permit a student to write an examination within 72 hours of the scheduled start time of the examination when he or she is satisfied that the student is unable to write the examination for medical or compassionate reasons and that the contents of the examination have not nor will be disclosed to the student prior to the rescheduled date. In such cases, the Professor should be notified as soon as is reasonably possible. The Associate Dean may also permit a student to write an examination at a time during the examination period other than that scheduled when he or she is satisfied that the student is unable to write the examination for medical or compassionate reasons, that the contents of the examination have not or will be disclosed to the student prior to the rescheduled date, and that the instructor has approved the exercise of such discretion.

5. Prior to the consideration of petitions filed by students before the Academic Status Committee, the Associate Dean may solicit the opinion of the student's Professors with respect to the performance of the student in the course for the assistance of the Committee, and that the responses made by the Professors to such solicitation be made available in their entirety to the student concerned. The memorandum from the

Associate Dean to the Professors would indicate only:

That the student has petitioned to the Academic Status Committee;

That the Associate Dean is soliciting any observations from the Professor regarding the student's participation in class, performance to date, ability in the course, and any other information;

That this matter is to be treated with the utmost of confidentiality;

That the response made by the Professor will be made available in its entirety to the student concerned.

6. Where a student writes a special examination, such examination shall be treated in all respects as if it were the regular examination in the course.

## **V. WITHDRAWAL**

1. A law student wishing to withdraw from full-time or structured half-time study of law may do so with the permission in writing of the Dean or Associate Dean. A student withdrawing from the full-time or structured half-time study of law is subject to the University policies concerning such withdrawal.

2. A first year law student who is permitted to withdraw from the full-time or structured half-time study of law will not be guaranteed readmission to the study of law. Such first year students must apply for admission to the first year of law school in the usual manner and the merits of the application will be judged in the same way as any other applicant. However, the Admission Committee may consider the fact that such applicant withdrew from first year law and the circumstances surrounding such withdrawal.

3. A second and third year law student who is permitted to withdraw from the full-time or structured half-time study of law shall be readmitted to the full-time or structured half-time study of law if the student so requests in writing. The time of such readmission and the programme of the student upon readmission shall be in the discretion of the Associate Dean subject to an appeal at the instance of the student to Academic Status Committee.

## **VI. APPEAL PROCEDURE**

Refer to Windsor Law Policy #Law-3, Appeal Regulations.

## **VII NATIONAL COMMITTEE ON ACCREDITATION STUDENTS**

These Regulations apply to National Committee on Accreditation (NCA) students. As an

exception to this general principle, where second or third year NCA student have below the passing average but no failures, they shall be considered to have passed the year and may proceed. This exception does not allow students who have below the passing average to write supplemental examinations. Where NCA students are required to take the entire first year curriculum they will be considered as first year students.

NCA students taking only upper year courses, or a combination of upper and first year courses, will be considered as upper year students.

**Cross-References:** Windsor Law Policy #Law-3, Appeal Regulations.

**Review Process for Policy:**

**Process for Communicating Policy:**

**Appendices:** none