

SCHOLASTIC PROBATION AND DISMISSAL

Policy on Academic Probation, Dismissal, and Readmission

The UMKC School of Law seeks to ensure that its students have solid foundations of learning and training for success in law school, on the bar exam, and in their careers. The school also has a responsibility to identify students who are not on track to achieving these objectives. The following standards have been established to provide clear and fair rules regarding academic performance.

GPA requirements

A student will not be subject to academic dismissal or being placed on academic probation until the student has completed taking a total of 12 or more credits of law school courses.

The following requirements apply at the end of each semester when a student has completed taking a total of at least 12 but not more than 32 credits of law school courses:

- A student who has a GPA below 1.8 will be dismissed from law school.
- A student who has a GPA that is greater than or equal to 1.8 but below 2.0 will be placed on academic probation.

The following requirements apply at the end of each semester thereafter once a student has completed taking a total of 33 or more credits of law school courses:

- A student who has a GPA below 2.0 will be dismissed from law school.

A student who is dismissed may seek readmission (see the provisions below on petitions for readmission).

Rules for applying the GPA requirements

1. The GPA requirements apply at the end of each semester (Fall, Spring, and Summer).
2. The “end of a semester” is the time when grades are due and have been submitted for the courses taken by the student that semester. In other words, if grades have been submitted for a course but the student received an “incomplete” in the course, that course will not be taken into account in the calculation of the student’s cumulative GPA, and the determination of whether the student is subject to dismissal or placed on academic probation will be done at the end of the semester and will not be postponed until the “incomplete” becomes a grade.
3. Two GPAs will be calculated for students who start law school in the Spring or Summer semester: a cumulative GPA based on all courses taken, and a cumulative GPA based on only the required courses typically taken by first-year students (Civil Procedure I, Constitutional Law, Contracts I & II, Criminal Law, Lawyering Skills I & II, Property I & II, Torts). While the GPA based on the typical first-year required courses will be used for purposes of the first-year class ranks, the GPA based on all courses taken will be used for purposes of academic probation and dismissal.

Probation

A student who is placed on academic probation will have a probationary period in which to raise the cumulative GPA to 2.0. If the student’s cumulative GPA is 2.0 or higher at the end of the probationary period, the student will be taken off academic probation and restored to good standing. If the student’s cumulative GPA is below 2.0 at the end of the probationary period, the student will be dismissed from law school.

The probationary period will run until the end of the next Fall or Spring semester. For example, if a student was placed on academic probation at the end of the Spring 2020 or Summer 2020 semester, the probationary period would last until the end of the Fall 2020 semester. If a student was placed on academic probation at the end of the Fall 2020 semester, the probationary period would last until the end of the Spring 2021 semester.

If a student takes a leave of absence from school and is not enrolled in any courses, the probationary period will be postponed until the student resumes taking courses. For example, if a student was placed on academic probation at the end of the Fall 2020 semester, but decided not to take any courses in the Spring or Summer and resumed taking classes in the Fall 2021 semester, the probationary period would last until the end of the Fall 2021 semester.

Once a student has been restored to good standing after being on probation, the student must achieve a semester GPA of at least 2.0 for every semester (Fall, Spring, and Summer) in which the student takes any courses throughout the remainder of law school. If a student who was previously on probation has a semester in which the student’s semester GPA is below 2.0, the student will be dismissed from law school.

Rules for students on probation

A student who is on academic probation must meet with the law school’s director of academic support. In conjunction with the director of academic support, the student must develop a plan for improving academic performance, and the student must adhere to that plan.

A student who is on academic probation must obtain the permission of the Associate Dean for Students before engaging in any significant law school extracurricular activities.

A student who will have a job while on academic probation must obtain the permission of the Associate Dean for Students. If the student attends law school on a full-time basis, there will be a strong presumption that the request to work while on probation should be denied, and permission to work will be granted only in exceptional circumstances.

Effective date: The above policy was adopted by the UMKC law faculty on November 15, 2018. The policy will apply to all students who begin taking courses at UMKC School of Law after January 1, 2019. Students who began taking courses prior to that date will remain subject to the dismissal and probation policies previously in effect, below:

A student who obtains a GPA below 1.8 after completing twelve credit hours will be automatically dismissed from law school. Such student may apply for readmission in the summer of that academic year as under then existing standards and procedures for readmission, and may apply for admission, as a new student to the law school beginning no earlier than the following fall semester. Only under extraordinary circumstances beyond the student's control will the Student Affairs Committee consider a student's petition prior to that summer. If extraordinary circumstances exist, at least one faculty member of the committee and its chair must grant permission for early consideration.

A student will be placed on academic probation if his/her cumulative GPA falls below 2.0. Any student on probation will have one semester to raise the cumulative grade-point average to the required level (2.0) or be dismissed for academic deficiency. A student on academic probation may not work or engage in significant law school extracurricular activities.

Spring and Summer start students will have two cumulative GPAs calculated: a cumulative GPA will be based only on first year required courses ("1L GPA") and a cumulative GPA based on all courses completed, including upper level courses taken in their first spring, summer and fall semester ("Spring/Summer Start 1L GPA"). First year class ranks shall be determined using the 1L GPA. Dismissal and probation shall be determined using the cumulative G.P.A. based on all courses completed.

Students readmitted to the School after dismissal on the grounds of academic deficiency will have one semester to raise the academic average to the required level, unless the faculty decides that a longer period is warranted.

If a probationary student successfully raises his or her average to the required level at the end of the probationary period and subsequently falls below 2.0 again, the student will be dismissed and a second probationary period will be granted only after a petition and favorable faculty action.

Readmissions Policy Guidelines

A student who is dismissed from law school may submit a petition seeking to be readmitted to law school.

I. Student Affairs Committee

The Student Affairs Committee, which is composed of law faculty members and is appointed annually by the law school's dean, will consider and make decisions on all petitions for readmission. A student who submits a petition for readmission will have the opportunity to appear in person before the Student Affairs Committee to discuss and answer questions about the petition and the grounds for readmission.

II. Criteria for readmission

No petition for readmission will be granted unless the student submitting the petition clearly establishes that both of the following requirements are met:

1. There is a substantial likelihood that the student will be able to make up his or her grade deficiency within an appropriate time and manner in accordance with a plan established by the Student Affairs Committee (or by the faculty, if the faculty grants readmission under the appeal procedure set forth below).
2. The student's academic difficulties were substantially attributable to circumstances or events which do not reflect the student's abilities to perform successfully in law school and as a lawyer.

Circumstances or events that might meet the second element of this test include a serious illness or other medical problem; situations causing severe emotional distress for the student (such as the death of a close family member, divorce or separation from a longstanding partner, or being the victim of an assault or other serious crime); or having a documented disability that can be reasonably accommodated but previously was not.

Every factor which the student feels contributed to the student's academic difficulties should be clearly stated in the readmission petition. Every ground for readmission should be supported by relevant documentation to the extent practicable. The petition may also address any remedial steps the student plans to take, or that others might be able to implement on behalf of the student, in the event the petition is granted. The student submitting the petition must certify the truthfulness of all statements in the petition.

III. Timing for petitions

Readmission petitions generally will not be accepted or considered right away, so a student who is dismissed should expect to be out of school for at least one semester even if the student is ultimately going to be readmitted. This avoids having students rush to make decisions about seeking

readmission, and gives students a reasonable period of time in which to step away from school and think about the student's experience with law school, the reasons for seeking readmission, and the means through which the student's academic performance can be improved. It also enables the Student Affairs Committee (or faculty, in the event of an appeal) to consider petitions carefully and not rush to make decisions in haste.

The following general rules therefore will apply:

- When a student is dismissed at the end of the Fall semester, the student's petition will not be accepted and considered until the Summer semester. If readmission is granted, it will take effect for the next Fall semester, at the earliest. For example, if a student was dismissed at the end of the Fall 2020 semester, the student's petition would be heard during the Summer 2021 semester and would result in readmission starting no earlier than the Fall 2021 semester.
- When a student is dismissed at the end of the Spring or Summer semester, the student's petition will not be accepted or considered until the Fall semester. If readmission is granted, it will take effect for the next Spring semester, at the earliest. For example, if a student was dismissed at the end of the Spring 2020 or Summer 2020 semester, the student's petition would be heard during the Fall 2020 semester and would result in readmission starting no earlier than the Spring 2021 semester.

A student may submit a request for a special exception to allow a readmission petition to be submitted and heard immediately after the dismissal occurs. A special exception will be made only if the chair of the Student Affairs Committee and at least one other faculty member on the committee agree that a special exception should be made. When a student is dismissed after the student's first semester of law school (or at the point where a student first has taken a total of 12 credits of law courses, if the student took less than 12 credits in the first semester), the burden of justifying a special exception will be extremely heavy, and a special exception will be made only in the most truly extraordinary circumstances.

IV. Attending classes after dismissal

A student who is dismissed from law school must stop attending classes and withdraw from all courses immediately upon receiving notification of the dismissal, unless a request for a special exception is made, under Part III of these rules, to allow the student to have a readmission petition heard immediately. If a request for a special exception is made, the student can remain enrolled and attend classes until a decision is made on the request for a special exception. If the request for a special exception is denied, the student then must immediately stop attending classes and withdraw from all courses. If the request for a special exception is granted, the student can remain enrolled and attend classes until the process of considering the readmission petition has been completed.

V. Granting a readmission petition

A readmission petition will be granted if a majority of the members of the Student Affairs Committee who are participating in the matter vote in favor of readmission. (This means that if the Student Affairs Committee has an even number of members and the vote is a tie, readmission will not be granted.)

If the Student Affairs Committee makes a decision in favor of readmission, that decision is final and there is no process for further review or rejection of the Committee's decision.

If the Student Affairs Committee makes a decision in favor of readmission, the Committee will specify in writing the conditions on which readmission is granted and provide this document to the readmitted student. The conditions might include (but are not limited to) specifying courses that the readmitted student must take; establishing steps that the readmitted student must take to improve academic performance; or imposing restrictions on having a job or other activities the readmitted student may undertake while attending law school. Ordinarily, a readmitted student will be placed on academic probation and given one semester (Fall or Spring) to raise the cumulative GPA to 2.0, but in appropriate cases the Student Affairs Committee may set other schedules or deadlines that the student's cumulative GPA or semester GPAs must satisfy.

VI. Appeal from the denial of a readmission petition

If the Student Affairs Committee denies a readmission petition but at least one member of the Committee voted in favor of readmission, the student is entitled to appeal that decision and have it reviewed by the faculty of the law school.

If the Student Affairs Committee denies a readmission petition and no member of the Committee voted in favor of readmission, the student is not entitled to appeal the decision, but may ask the law school's dean to review the Committee's decision. Such a request for the dean's review must be made within 10 days of the student receiving notice of the Committee's decision. If the dean finds that extraordinary circumstances justify an appeal, the dean may permit the student to appeal the decision and have it reviewed by the faculty of the law school. If the dean decides to permit the appeal, the dean must state the reasons for doing so, in writing, and provide that explanation to the faculty. If the dean decides not to permit an appeal, that decision is final and not subject to any further review or appeal. The dean may delegate to an associate dean the responsibility for reviewing a Committee decision and determining whether extraordinary circumstances justify allowing an appeal to the faculty.

If an appeal goes to the faculty (either because the Student Affairs Committee's decision to deny the petition was not unanimous or because the dean opted to allow an appeal to the faculty), then the faculty will consider and vote on the appeal at a faculty meeting. If the appeal arises at a time (such as during the summer) when the faculty will not be having a meeting, the faculty's Policy & Planning Committee, which is elected to represent the faculty, may consider and vote on the appeal on behalf of the faculty.

If the faculty votes to deny the readmission petition, that decision is final and there is no process for further review or rejection of the faculty's decision. If the faculty votes to grant the readmission petition, the faculty will specify in writing the conditions on which readmission is granted and provide this document to the readmitted student (just as the Student Affairs Committee would do, under Part V above, if the Committee granted readmission).

VII. New evidence

A student whose readmission petition was not successful will be allowed to submit another petition only if the new petition presents new evidence. New evidence is evidence not available or not reasonably discoverable at the time the previous petition was considered. Subsequent petitions will be considered through the same process and with the same standards set forth above for readmission petitions.

VIII. Petition by a student who was previously readmitted

Only in the most exceptional circumstances will a student who has previously been readmitted and subsequently dismissed be readmitted again.