

SOUTHWESTERN LAW SCHOOL

L O S A N G E L E S

Examination Policy

Administrative policy approved July 22, 2022. Effective immediately.

Revision history: Formerly a part of the annually revised Student Handbook. Established as a standalone policy August 2022.

Related policies: Religious and Cultural Observances Policy; Incomplete Policy.

Scheduled Review Date: June 2023 (Registrar's Office)

A. Examination Procedures

All midterm and final examinations—starting with SCALE Period 2 and the Fall 2022 semester— will be in person and on-campus, even if the course is being taught remotely. The Law School will be prepared to pivot to remote administration of exams in case of a surge or other circumstance that renders on-campus exam administration unsafe or unfeasible. The administration will also work with students approved for remote attendance to provide appropriate on-campus testing space.

The examination schedule will be published on the Registrar's Office and Course Specific Information pages on MySWLAW. Each student is responsible for registering for courses that allow for an examination schedule that can be managed without alteration. Each student must take the examination on the date and time scheduled for the course and section in which the student is enrolled. No allowance will be made for students who are late to the examination or who fail for any reason to complete any part of the examination. Exceptions to this policy will be made only in the following instances:

1. Administrative Change of Exam Date or Time

Administrative changes of time or date resulting in a conflict of exam schedules is a basis for a change of exam time and date. Relief from such a conflict will be granted when the conflict is not apparent at the time of registration. A conflict occurs only when two or more examinations are scheduled on the same date and time. Any other administrative changes of time or date of an exam may be made

only due to extraordinary circumstances, religious observance or disability and pregnancy accommodations. (Please see the *Religious Observance* section in *Academic Policies and Procedures* and the *Policy Statement Regarding Students and Applicants with Disabilities*)

The following are examples of reasons that may qualify under this extraordinary circumstances provision:

- a. Student illness. The student will be expected to visit and obtain appropriate documentation from a treatment provider, such as a physician. The student must also obtain a written statement about the student's illness and fitness to return. If the student obtains appropriate documentation on a timely basis, the Dean of Students may permit the student to take the examination at the time and under the conditions as the school administration determines. If the student does not visit or obtain the appropriate documentation on a timely basis, the student risks receiving an "F" or "administrative F" grade in the course. Depending on when during the examination cycle the illness occurs, when the appropriate documentation is received, and other factors, the student may have to wait until the next time the examination for that course is offered to take the examination.
- b. Death or serious illness of person in the immediate family or other person with whom the student has a similarly close relationship, which requires the student's attention away from the Law School. Please note that while the Law School may be able to reschedule an examination that falls on the day of a funeral, it may not be able to reschedule the examination several days after the funeral.
- c. Unavoidable conflicts with court hearings or other administrative proceedings connected to the Law School clinical programs, but only if the student has exhausted all means of avoiding the conflict by attempting to reschedule the hearing or to have another attorney handle the hearing if feasible.
- d. Unavoidable military commitment.

Requests for such changes must be directed to the Dean of Students Office.

2. Deferment of Examination for Exigent Circumstances

When extraordinary circumstances prevent a student from taking an examination at the scheduled time, the following procedures are to be followed:

- a. The student must notify the Dean of Students Office **immediately** upon occurrence of the circumstance that prevents the student from taking the exam. Notification must be made **before** the exam.
- b. The student must submit, as soon as possible, a Special Exam Administration form requesting a deferred examination along with appropriate documentation in support of the request to the Dean of Students Office.
- c. If, after considering the request, permission is granted for a deferred examination, an alternative exam date will be scheduled for that exam period or a grade of Incomplete will be entered for that course. Absent extraordinary circumstances as determined by the Dean of Students, examinations that qualify for rescheduling under this policy will be rescheduled for the next available time that does not create a new conflict under this rule, which may be on a weekend or a date after the official close of the examination period. Absent extraordinary circumstances approved by the Vice Dean(s), no examination will be rescheduled for a time before the regularly scheduled examination. Within these parameters, the Registrar's Office has discretion to select the date and time of the examination.
- d. In most circumstances, a deferred examination to make up an Incomplete will be taken at the next occasion when the faculty member from whom the student took the course offers an examination in that course. In any event, it **must** be taken within one academic year following the missed exam.
- e. If the faculty member is not offering an exam in that course within one year, the student must take the regularly scheduled exam from any other faculty member offering an exam in that course within the one-year period.
- f. It is the student's responsibility to submit a Special Exam Administration form to the Dean of Students Office for approval at least one month before the exam period in which the deferred exam to make up an Incomplete will be taken. The Dean of Students Office will forward the approved form to the Registrar's Office so that appropriate arrangements for the exam can be made.
- g. A student graduating before the course is offered again may petition the Dean of Students for approval to make up the exam in order to avoid a delay of graduation. The student must **not** seek approval directly from the professor as such action will compromise the anonymity of the exam. The student may not graduate with an Incomplete on the transcript.
- h. A student who is denied permission to take a deferred exam or a student who fails to take an approved deferred exam within one year will receive an

Administrative Fail (*F) in the course unless the delay has been approved in writing by the Dean of Students, such as in the case of a disability or pregnancy accommodation. An Administrative Fail counts as an F in the student's GPA.

3. Examination Room Policies

Students are expected to review and abide by all Examination Room Policies. Policy violations may constitute misconduct under Southwestern's Honor Code. The Examination Room Policies can be found on the Registrar's Office portal page at <https://swlawportal.swlaw.edu/registrar/Pages/default.aspx>.

B. Criteria for Final Course Grade

The final grade in all seminars will be based upon the criteria set out in the seminar guidelines. In all other courses, subject to the below paragraphs, final grades will be determined based on an in-class examination. The minimum length of the examination shall be equal to the number of units allotted to the course; however, faculty may elect to give a three-hour examination for a four-unit course. Any faculty member shall have the option of increasing a two-hour examination to three hours, and a three-hour examination to four hours, but no examination shall exceed four hours in length.

Legal Analysis, Writing and Skills I and II, clinics, externships, practicums, skills courses, courses satisfying the writing requirement, Independent Study, credit/no credit courses, and any course specifically adopted by the faculty to be graded on a different basis, are exempt from this provision.

The final examination shall be an in-class examination (unless remote administration of exams becomes necessary) that shall include an essay-type question or questions, each of which shall require a minimum of 40 minutes for analysis and the development of an appropriate answer. Multiple-choice questions may be utilized for up to 50% of the final examination.

In all first-year doctrinal courses (including those that are part of the part-time program and scheduled in the second year), the institution encourages use of a variety of pre-final examination assessment methods, subject to the faculty member basing at least 75% of the final grade on the final examination, which must include an in-class essay examination (unless remote administration of exams becomes necessary). Each graded formative assessment or type of formative assessment (e.g., all quizzes) may not count for more than 15% of the final grade. Section 2: Formal Faculty Policies and Procedures Faculty Manual Exams and Grading-2

In all upper-division required and elective courses, the institution encourages use of a variety of pre-final examination assessment methods, subject to the faculty member

basing at least 50% of the final grade on the final examination, which must include an in-class essay examination.

Faculty are encouraged to use a variety of formative assessments beyond essay and multiple-choice (e.g., shorter essays focused solely on analysis, or multiple-choice with short answer explanation), as long as the assessment fits with the course learning objectives.

Nothing precludes any faculty member from requiring the satisfactory completion of additional ungraded assignments during a semester. Such work will not have any bearing on a student's final grade, but the failure to satisfactorily complete any such assignments will result in the student receiving a grade of F.

The grading methodology used for the final course grade must be clearly delineated in the course syllabus on the first day of class.

Any and all of the above provisions are waivable upon application to the Office of the Vice Dean(s).

C. Examination Review

Faculty normally review final examinations with students upon individual student request. All written examinations will indicate raw points for each question, and a total raw point score will be clearly marked. Students should be aware that the faculty may not change any grade except as provided in the *Policy on Changing Grades* section of the *Grading Policies, Honors, and Specialized Courses*, and that the purpose of the review is solely to enhance the student's education.

1. Grades Below C+

A student with a grade of C or below is entitled to an individual conference with the faculty member to determine the causes of the student's poor performance. In no instance should this conference be construed as an opportunity to dispute the grade assigned. (See *Policy on Changing Grades* section of the *Grading Policies, Honors, and Specialized Courses*.)

2. Grades of C+ and Above

Individual conferences with faculty cannot be expected, but some feedback is appropriate for students with grades of C+ and above. Members of the faculty may devise their own methods to provide such feedback.

3. Examination Retention Policy

The multiple-choice score sheet is returned to the student. The question-and-answer sheets for multiple-choice questions are retained by the law school. The school prohibits the copying, photographing, or other duplication of these items but will make this portion of any examination available to the student during business hours for a reasonable period of time following the completion of the grading process.

Bluebooks and typed examinations are distributed to students following completion of the grading process from the Registration Office. Graded exams are retained in the Registrar's Office for one year and are then shredded.

Copies of prior essay examinations are available through the *MySWLAW* Portal. Faculty members are encouraged, but are not required, to provide either a model answer, an outline of the issues indicating how they were weighted, or a minimum of three student answers. If the last option is selected, the answers should represent a poor or failing answer, an average answer, and a good or excellent answer.

Faculty members are encouraged to conduct a "post-mortem" review of the fall exam in a two-semester course in the early part of the spring semester.