

Request for Calendar Change Form

Tracking No:
(Senate Secretary's Office
use only)

Date:
04/01/2013

To	Secretary of Senate	
From	Name(Dean):	Faculty
	Professor Lee Stuesser	Law
	Department the change relates to	
	Faculty of Law	
	Contact Person	
	Professor Lee Stuesser	

Is the proposed calendar change Undergraduate

Instructions:

1. In all cases please complete and attach section 1 and 2
2. If the calendar change affect other departments/schools/faculties complete and attach section 3
3. If the answer to any of the questions below is yes, explain. Attach separate sheets with reference to the question

1. Do the proposed changes affect other departments/ schools/faculties in terms of their calendar change?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
2. Is a transition plan needed for student in progress?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
3. Are the proposed changes likely to affect student enrollment in your department/school/faculty?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4. Are the proposed changes likely to affect student enrollment in other departments/schools/faculties at Lakehead University?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
5. Will the proposed changes require additional teaching space and/or teaching staff and/or equipment and/or other resources?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
6. Will the proposed changes affect existing teaching loads within your department/school/faculty?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
7. Will the proposed changes increase demand for teaching support services such as the library, computing services and technical staff ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
8. Will the proposed change require direct or in-kind support from outside the academic unit?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
9. Do the proposed changes include change in course(s) which is/are required core course(s) for a major?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
10. Do the proposed changes include a change in course which is	Yes	No

- service/required course(s) in another program? Yes No
11. Do the proposed changes include change in course(s) which is/are open elective available to any student in any program? Yes No
12. Do the proposed changes include change in course(s) which is/are elective in a major i.e. restricted to students in a major? Yes No

Signatures:



Date approved by faculty council

04/01/2013

Section 1

Description of the Proposed Calendar Change:

Regulations specific to the Faculty of Law

Rationale of the Proposed Calendar Change(s):

(Corresponding to Section 2 where required)

Regulations required in order to inform and guide students who have been admitted to the Faculty of Law

Section 2

Existing Calendar Entries:
(Page reference based on hard copy or
URL based on electronic version of
calendar)

Proposed Calendar Entries/Addition/ Deletion
-If only addition, specify page number and
placement in university calendar
-If only deletion, write Deleted

Existing Entry - None

FACULTY OF LAW

VISION

Preparing law students to serve their community.

MANDATE OF THE FACULTY OF LAW

The Faculty of Law is committed to providing the highest standard of legal education and to prepare its students for the practice of law in smaller centers and in rural regions of Canada.

The Faculty of Law at Lakehead owes its existence to the tenacity and commitment of the community in Northwestern Ontario. The push for a law school first began with the Aboriginal community and local law associations. The Faculty of Law is, therefore, a creation of the community and its reason for being is to serve the needs of smaller communities both in Northern Ontario and throughout Canada. There are three critical needs: 1) the need to prepare law students knowledgeable in and sensitive to the legal needs of Aboriginal communities; 2) the need to redress declining participation in sole and small law firm practice; and 3) the need to provide an educational focus on legal issues related to the environment and resource development. These realities are embedded in the law school's curriculum and will be reflected in its teaching.

GENERAL INFORMATION ON THE JD PROGRAM
[INSERT HERE à the Calendar material already approved by Academic Senate on admission to the Faculty of Law. Omit the heading "FACULTY OF LAW".]

FACULTY OF LAW ACADEMIC REGULATIONS
By registering at the Faculty of Law students accept that they have joined the legal profession community and as such, are bound to conduct themselves in a manner reflective of the

academic, professional and ethical expectations/standards of the legal education program and of the practice of law.

It is the responsibility of each student registered at the Faculty of Law to be familiar with the specific requirements of the JD degree.

Each student is responsible for ensuring that the courses selected at registration satisfy the program requirements of the JD degree; academic advice and counselling for all who need assistance is freely available from the Dean's Office.

It is also understood that every student, by the act of registering, agrees to abide by all rules and regulations of the University and of the Faculty of Law.

1. University Regulations

A student is subject to the General Academic Regulations as stated in the University Calendar and to the specific regulations of the Faculty of Law. The general University regulations governing conduct and academic matters apply except where they are modified by the Faculty of Law regulations.

2. Continuation in Program

To progress to Second Year a First Year student must:

- a. have an overall average of 60% in the First Year program and not have failed any course; or
- b. if the student has one failed course, the student may write a special examination. The student must obtain a pass (50%) in order to clear the failed course. The special examination grade will then be used to calculate the student's overall average. The student must have an overall average of 60% to progress to Second Year.

To progress to Third Year a Second Year student must:

- a. have an overall average of 60% in the Second Year program and not have failed any course; or
- b. if the student has one failed course, the student may write a special examination. The student must obtain a pass (50%) in order to clear the failed course. The special examination grade will then be used to calculate the student's overall average. The student must have an overall average of 60% to progress to Third Year.

To satisfy the requirements for the JD degree a student must maintain an overall average of 60%

throughout the three years, have passed all required courses and passed 18 FCE of courses in the program.

3. Failed Year

A student is deemed to have failed the year if:

- a. the student has failed two or more courses in a given year; or
- b. the student attained an overall average of less than 60% in all courses taken in the year; or
- c. the student has failed a course after special examinations have been given.

4. Repeating A Year

A student who has failed a year is eligible to apply for re-admission to the Faculty of Law. The student's application to be re-admitted will be considered by Law Faculty Council based upon academic grounds. Any application for re-admission must be dealt with prior to the start of the year of studies. A student, who is allowed to repeat and fails a second year in the law program, will not be allowed to continue in the JD program.

- a. A student who fails First Year must repeat all First Year courses;
- b. A student who fails Second Year must repeat all required Second Year courses, but may retain credit for elective courses in which a minimum mark of 60% was attained;
- c. A student who fails Third Year must repeat all required Third Year courses, but may retain credit for elective courses in which a minimum mark of 60% was attained.

5. Special Examinations

a. Special examinations are only available for JD students who fail a course.

b. Special examinations are not available in courses where assessment is based on ongoing performance such as: skill workshops, clinical placements and internships.

c. Students who fail two or more courses in a given year of study are not entitled to write special examinations.

d. Students who fail a course for disciplinary reasons, in whole or in part, are not entitled to write special examinations.

e. Special examinations for all courses will be written in May.

f. In calculation of any revised final grade in a course the special examination replaces the final examination. Marks in all other assessments are still included in the calculation of the final course grade.

g. For the purposes of awards and prizes the original grade and not the special examination grade is used.

6. Definition of "fail"

Under the Faculty of Law regulations a "failed" course is any course where the student obtained a grade of less than 50% before being given an opportunity to write a special examination (if applicable).

7. Attendance

Regular class attendance is expected of all law students; law students learn through interaction with each other and through class discussion and each law student has an obligation to assist in advancing the learning. In certain courses attendance may be made compulsory. When a student fails to attend classes on a regular basis or is unable to do so Law Faculty Council may require the student to withdraw, may bar the student from writing any mid-term or final examinations or doing any assignments in any course, or may refuse the student credit, in whole or in part, for any course. A student who is having difficulty in attending should consult with the Dean's Office.

The JD degree is normally completed in three years. The degree must be completed within six years.

8. Leaves of Absence

Leaves of absence may be obtained for reasons of parental leave, illness or significant personal issue. Requests for leaves of absence must be submitted in writing to the Dean for consideration and approval. All requests for leave must be accompanied by a physician's certificate or other supportive documentation. Leaves of absence may vary in duration depending on the needs of the student; however, no leave of absence is to exceed a period of two years.

9. Grading

Students registered at the Faculty of Law in the JD program must not only know the law, but have the capabilities to use that law. Students will be assessed on their ability to: analyze fact

situations, identify issues, apply law to facts, communicate effectively both orally and in writing, work under pressure, act professionally, and exhibit essential lawyer skills in various legal contexts.

The Faculty of Law uses the University letter grades and percentages:

A+

90 to 100%

A 1st class standing

80 to 89%

B

70 to 79%

C

60 to 69%

D

50 to 59%

E Failed

40 to 49%

F Failed

1 to 39%

F Academic Dishonesty

0

In addition certain courses may be graded on a Pass/Fail basis with the approval of Law Faculty Council.

10. Examinations

a. Examinations will be prepared by, secured, retained and invigilated by the individual instructors.

b. The timetable for December examinations shall be published by mid-October. The timetable for April examinations shall be published by early February. Any changes in the timetable that become necessary after mid-October (in the case of December examinations) or early February (in the case of April examinations), shall be posted on the Faculty of Law bulletin board.

c. Written final examinations may only be scheduled for the examination periods at the end of the fall and winter terms, except with the consent of Law Faculty Council. Mid-term examinations in full year courses may only be scheduled in the examination period at the end of the fall term, except with the consent of Law Faculty Council.

d. Electronic devices can be used for conventional sit-down examinations only with the permission of the Dean's Office.

e. The Dean's Office in consultation with instructors will decide whether to proceed with or to postpone examinations in the event of extreme weather conditions or any other general emergency which occurs when final examinations are in session.

11. Deferred Examinations

A deferred examination is any examination, including a mid-term examination, written by a student other than on the day on which the examination was scheduled and which is in substitution for that examination, but does not include an examination rescheduled on religious grounds or rescheduled by the Dean's Office.

a. The granting of a request for a deferred examination shall be at the discretion of the Dean's Office based upon demonstrated compelling medical or compassionate grounds.

b. The granting of a deferral is intended to be exceptional.

c. A deferred examination includes an examination written either before or after the date of the regularly scheduled examination.

d. If a student is granted a deferral of a mid-term examination, the grade for the course may be based on the other evaluation methods applicable in the course, subject to the approval of the Dean's Office in consultation with the instructor concerned.

e. A student seeking a deferred examination is obliged to apply to do so at the earliest opportunity, preferably in writing, to the Dean's Office. If there are medical grounds for seeking a deferral, a Student Health Certificate is required.

f. Students who sit an examination and become unable to complete the examination may be granted a retroactive deferral.

g. The scheduling of deferred examinations shall be at the discretion of the Dean's Office, but ordinarily deferred examinations are to be written in January for examinations scheduled in December and in May for examinations scheduled in April.

h. A student who writes a deferred examination cannot win a prize or an award based upon that deferred result in the course; however, the

deferred result is included with respect to prizes or awards based upon the student's cumulative grade point average for the year or for the whole JD program.

12. Release of Grades

Final examination results and final grades may only be released after the end of the examination writing period and after being approved for release by Law Faculty Council. Until then instructors shall not disclose final examination results and final grades to students under any circumstances.

13. Appeal of Final Course Grades

The Faculty of Law is committed to the fair and expeditious handling of all appeals of final grades.

a. Students shall be entitled to examine their final examination papers under conditions prescribed by the Dean's Office in consultation with instructors in order to protect the integrity of the examinations.

b. All papers resulting in a final grade of E or F shall be automatically reread by a second instructor and there is no appeal from these grades.

c. For all other grades, an appeal is available, which shall include a re-reading of any mid-term assignment, paper or examination involved in the final grade.

d. Mid-term examinations, assignments, or papers, which are taken into account in the determination of the final grade for a course shall be retained in the custody of the instructor or the Faculty until after the appeal period for final grades has elapsed.

e. The identity of the student appealing a final grade for a course shall not be disclosed.

f. Students who wish to appeal a final grade must file a "Request for Reappraisal of a Final Course Mark" along with the applicable University fee with the Dean's Office.

g. All final grade appeals must be filed within 15 days of the final grades being released to the students.

h. An appeal shall be conducted by the student's instructor and a second reader. In sectioned

courses the second reader is an instructor of another section of the course, and in non-sectioned courses the second reader is another Faculty of Law instructor or a suitable instructor from another law school.

i. Appeals shall be dealt with expeditiously and the results of appeals handled by instructors within the Faculty of Law are to be completed within 15 days from the deadline date for filing appeals.

j. On appeal grades may be raised or lowered and the new mark, whether higher or lower than the original, replaces it as the student's official mark in the course.

k. If the student's grade is raised the Reappraisal Fee will be refunded to the student.

l. There is no appeal of ongoing performance such as: class participation, tutorial performance, in class quizzes, skill exercises and placement work. These marks stand and are to be included in the calculation of the final grade in the course.

m. The result of the final grade appeal outlined above constitutes the finding of a "Reappraisal Committee" under the University regulations and a student may apply for a hearing before the Senate Academic Appeals Committee.

14. Appealing an Academic Decision Other than a Final Course Mark

A student who wishes to appeal an academic decision other than a final course mark should discuss the matter at first instance with the instructor or decision maker involved. If the matter cannot be resolved at this level then it should be raised with the Dean. The Dean will try to resolve the matter informally. The Dean is to provide a written response to the student. The student has 20 Working Days from receiving of the response to file an appeal to the Senate Academic Appeals Committee pursuant to the University Regulations.

15. No Stay Pending an Appeal

No student who has failed a year, been forced to withdraw from the program, or been removed or denied a place in a course, is allowed to attend classes pending an appeal.

16. Faculty of Law Awards and Prizes

a. Faculty of Law Dean's Medal – is awarded to the highest ranking student in the Faculty of Law

degree program.

b. The Dean's Honour List – is based on the weighted grade average and shall comprise the top ten percent of full-time students enrolled in each year.

17. Law Faculty Council

Law Faculty Council is the final decision making body in the Faculty of Law on academic and disciplinary matters involving students. Law Faculty Council may delegate its authority to deal with individual student matters to committee panels of not less than three Law Faculty Council Members.

18. Waiver of Regulations

Only Law Faculty Council has the power to waive application of the Law Faculty regulations.

Section 3

The Faculty(ies) affected by the proposed calendar change

I have been consulted regarding the attached calendar change and understand the academic and budgetary implication on my Dept./School/Faculty.

I agree to this calendar change proposal

Yes

No

Name:

Faculty:

Date:

Signature of Dean