ELON UNIVERSITY SCHOOL OF LAW – 2008-2009 ACADEMIC YEAR

ACADEMIC EXCLUSION – READMISSION AND PETITION PROCESS

1. In extraordinary circumstances, the Dean and Faculty may grant relief from the application of the academic exclusion rule.

2. Readmission through the Regular Application Process. A student who has been excluded for academic deficiency during the first year may apply for readmission de novo to join a full-time first year class entering the law school two or more years after the student is notified of his or her exclusion. The Admissions Committee may readmit the reapplying student if the members of that Committee believe there is a substantial likelihood that the applicant is presently able to successfully complete law school. In making this decision, the Admissions Committee shall consider the applicant’s post-dismissal course work, work activity, or study and the applicant’s GPA and LSAT.

   If the Admissions Committee decides to readmit the student, the Admissions Committee Chairperson shall sign and place in the student’s file a statement of the considerations that led to the decision to readmit the student. The Committee may also exercise, on behalf of the Faculty, the right to impose conditions on readmission as provided in paragraph 5 below.

   If the Admissions Committee denies an application, the decision of the Committee shall be final for the academic year in question.

3. Petition Procedure: A student who has been academically excluded may also petition for readmission. The authority to exercise the powers of the Dean and Faculty pursuant to paragraph 1 above with regard to petitions for readmission is delegated to the Petition Committee, which is appointed by the Dean.

   All petitions for relief shall be in writing addressed to the Dean. The petition must be received by the law school Registrar within seven working days of the date of the letter notifying the student that s/he has been academically excluded. The petition shall set forth in detail the relief sought or suggested and the reasons that relief should be granted. While there is no fixed page limit, the suggested page limit is no more than 10 pages.

   The Petition Committee will meet to consider the student’s petition as soon as practicable after its receipt. A student may request in the petition that s/he be allowed to appear before the Petition Committee prior to its determination of the petition. At this appearance, the petitioner may orally present information that is not contained in the original petition concerning the merits of the petition. The Chair of the Petition Committee will conduct the meeting and may regulate the conduct of the meeting, including but not limited to the length and allowable scope of the petitioner’s presentation. Because no transcript or recording of any proceedings or meetings on the petition will be made, the petitioner should submit this information in a supplemental
written statement for purposes of incorporation into the record if s/he wants that additional information available for consideration if the matter is later considered by the Dean.

The petition process and the meetings and other proceedings therein, including any appearance by the petitioner before the Petition Committee, is restricted to the Elon Law student and faculty directly involved in the petition proceeding. Recognizing that the petition process is an in-house procedure, attorneys, other legal counsel and other individuals are not permitted to participate in the petition process or to appear at any meeting, hearing or any other proceeding. Other than the appearance by the petitioner allowed in the preceding paragraph, all meetings, proceedings and deliberations of the Petition Committee and faculty will be closed and attendance limited to members of the faculty.

There will be no transcript or recording of any meetings or proceedings regarding the petition. Rather, the record of the petition process and hearing will consist of the written statements submitted by the petitioner and the written decisions on this petition prepared by the Petition Committee or faculty.

4. **Standards for Readmission Through the Petition Process.** A student who has been excluded has the burden of persuading the Dean and Faculty that s/he should be readmitted. In determining whether the petitioning student should be readmitted, the Faculty and Dean will apply the following standard:

The petitioning student must establish by clear and convincing proof and by a preponderance of the evidence that: (1) s/he has identified the problems or issues that led to his or her exclusion; (2) s/he has taken sufficient steps, or has made sufficient plans, to prevent those or similar problems or issues from interfering with his or her performance in subsequent semesters; and (3) s/he is capable of satisfactory academic performance in each subsequent semester and can satisfactorily complete his or her law studies.

5. **Conditions on Readmission.** When a petition for readmission is granted, the Petition Committee and faculty may impose any conditions on readmission including, but not limited to, requiring the petitioner to retake a particular course or courses, prescribing the level of academic performance (including the number of hours of additional failures) which will again result in exclusion for academic deficiency, limiting the student’s outside employment and involvement in co- and extra-curricular activities, or any other conditions or restrictions it may deem appropriate.

6. **Decision on the Petition.** Upon reaching its decision, the Petition Committee will prepare a written decision and provide a copy of this decision to the petitioning student and the Dean.

7. **Appeal Process.** After a student’s petition for readmission has been considered on its merits by the Petition Committee and a decision reached by that Committee, the petitioning student may appeal this decision to the Dean. Unless otherwise determined
by the Dean, this appeal will be decided based on a review of the information considered by the Petition Committee, without further submissions or appearances. Upon reaching a decision on the appeal, the Dean will notify the petitioning student and the Petition Committee of this decision. There is no right to petition or appeal beyond the law school Dean.

A subsequent petition for readmission may be summarily denied by the Dean. Only if the Dean concludes that new grounds are alleged which justify readmission will the Petition Committee proceed to consider a subsequent petition.

Denial of a readmission petition shall be without prejudice to the right to apply for readmission as an entering first year student as outlined in paragraph 2.