

STUDENT PETITION

All student petitions shall be submitted in writing to the Associate Dean for Academic Affairs or their delegate. In emergency circumstances, the student may petition by telephone. Petitions should contain the information set forth below.

A. Readmission after Academic Dismissal.

1. A readmission petition shall include the following
 - a. An explanation of the reasons for the student's lack of success in law school;
 - b. A description of the efforts the student made to identify, address, and eliminate the reasons for the student's lack of academic success prior to dismissal;
 - c. Measures the student has taken to remedy these problems;
 - d. If the student has received medical or mental health services to address reasons for the student's lack of academic success, a written statement from the professional(s) providing such services, addressing improvements in the student's condition, the student's ability to address future academic challenges, and recommended continued treatment;
 - e. If the student has received academic assistance, a statement from the person(s) providing such assistance describing the student's efforts to improve academic performance and identifying recommendations for future academic assistance;
 - f. Any other information the student believes would support the relief requested in the petition; and
 - g. If the student is seeking a waiver of the waiting period (§ 3 below), an explanation of the hardship that would result if the student were required to comply with the waiting period.
2. In passing on petitions for readmission, the Associate Dean for Academic Affairs shall consider the student's aptitude for the practice of law as reflected in the student's entire record. The Associate Dean shall not grant a petition for readmission unless the Associate Dean finds that there is a high probability that the student will succeed on readmission. In making this determination, the Associate Dean will consider all evidence before them, including the student's petition and the student's record.
3. Unless waived by the Associate Dean for Academic Affairs because of financial or personal hardship, petitions for readmission will not be granted until the student has complied with the following waiting periods: In the case of students dismissed at the end of the first year, the waiting period is two semesters. For other students, the waiting period is one semester.
4. A student who discontinues their legal education without the approval of a petition for withdrawal shall be treated as dismissed because of failure to meet academic requirements. Failure to seek permission for withdrawal may be considered a negative factor in any petition for readmission.
5. The Associate Dean for Academic Affairs shall set the terms and conditions of readmission. If, however, a student is dismissed at the end of the first year and the student's grade point average is less than 1.900 (or the student receives a final grade below C in 50 percent or more of their courses), the student must repeat the first year and will not be readmitted to the second-year class. For students whose grade point average is between 1.900 and 1.999, the Associate Dean has the discretion to readmit the student to the second year or require the student to repeat the first year. Students who are readmitted shall be on academic probation until the end of

the second semester following readmission. Any readmitted student who does not comply with the requirements of § V, Rule 1 during the probationary period shall be dismissed from school.

6. The student may appeal the Associate Dean's denial of a petition for readmission to the Academic Responsibility Committee.
7. Students who have been twice-dismissed for failure to meet academic requirements and who seek to return must submit a readmission petition to the Academic Responsibility Committee. For the purposes of this subsection, dismissal or suspension as a result of a violation of the Rules of Academic Responsibility shall be considered a failure to meet academic requirements.

B. Petitions to Academic Responsibility Committee Concerning Readmissions After Academic Dismissal.

1. Petition for Review of Decision of Associate Dean for Academic Affairs to Deny Readmission
 - a. General. A student whose petition for readmission was denied by the Associate Dean for Academic Affairs may petition the Academic Responsibility Committee for review of that decision. The Committee may affirm the decision of the Associate Dean or it may reverse and remand that decision upon a conclusion that the decision was clearly erroneous. Decisions of the Committee are final and not reviewable.
 - b. Filing of Petition. A student must petition the Committee no more than seven days after receiving notification that their readmission petition was denied by the Associate Dean for Academic Affairs. The petition must be addressed to the Chair of the Committee and submitted to the Associate Dean in writing. The Associate Dean will promptly transmit the petition to the Chair of the Committee.
 - c. Contents of Petition. A petition for review of a decision of the Associate Dean denying readmission must contain, at a minimum, the following information in the text of the petition or as attached exhibits:
 - i. A copy of the student's petition to the Associate Dean for readmission;
 - ii. A copy of the decision of the Associate Dean to deny readmission;
 - iii. A statement of the reasons whereby the student asserts that the decision of the Associate Dean was clearly erroneous;
 - iv. A statement of the relief the student requests the Committee to grant;
 - v. A copy of the student's transcript or a report of the student's grades;
 - vi. A copy of any correspondence between the student and any member of the faculty or administrative staff concerning the student's dismissal or readmission;
 - vii. A description of the efforts the student made to identify, address, and eliminate the reasons for the student's lack of academic success prior to dismissal;
 - viii. If the student has received medical or mental health services to address reasons for the student's lack of academic success, a written statement from the professional(s) providing such services, addressing improvements in the student's condition, the student's ability to address future academic challenges, and recommended continued treatment;

- ix. If the student has received academic assistance, a statement from the person(s) providing such assistance describing the student's efforts to improve academic performance and identifying recommendations for future academic assistance; and
 - x. Any other information the student believes would support the relief requested in the petition.
- d. **Additional Information.** The Committee may require the student to supplement the petition with such information as the Committee considers pertinent for its decision. The Committee may also request information from members of the faculty or administrative staff who have knowledge of the student's academic performance.
- e. **Veracity of Statements.** The student's submission of information, whether in the student's petition or in response to the Committee's request, constitutes an assertion that the information is true and accurate. Submission of a false statement or omission of a material fact necessary to avoid a misrepresentation of the truth will be considered "lying" under the Honor Code.
- f. **Review and Disposition.** The Committee will review the student's petition in a timely manner. In its review of a petition for review of a decision of the Associate Dean denying readmission, the Committee will consider the student's aptitude for the practice of law, as reflected in the student's complete record. The Committee's decision to grant the petition will constitute a finding that there is a high probability of the student's success upon readmission.
The Committee will notify the Associate Dean of its decision in writing and request that the Associate Dean communicate its decision to the student and take action consistent with its decision. If the Committee grants the petition, it may recommend that the Associate Dean impose terms and conditions on the student's readmission in addition to those expressly required by § VI. A.5.
2. **Petition to Academic Responsibility Committee for Readmission after Second Academic Dismissal**
- a. **General.** A student who has been twice dismissed for failure to meet academic requirements may petition the Academic Responsibility Committee for readmission. The Committee may grant the petition, deny the petition, or grant the petition with conditions. Decisions of the Committee are final and not reviewable.
 - b. **Filing of the Petition.** No fewer than 30 days prior to the semester for which a student seeks second readmission, the student may petition the Committee for readmission by letter addressed to the Chair of the Committee and delivered to the Associate Dean for Academic Affairs in writing. The Associate Dean will promptly transmit the petition to the Chair of the Committee.
 - c. **Contents of Petition.** A petition for second readmission must contain, at a minimum, the following information in the text of the petition or as attached exhibits:
 - i. A copy of the student's transcript or a report of the student's grades;
 - ii. A copy of all correspondence between the student and any member of the faculty or administrative staff concerning the student's previous dismissals and first readmission;
 - iii. A statement of the relief the student requests the Committee to grant;
 - iv. A detailed explanation of the reasons for the student's lack of academic success prior to the dismissals;
 - v. A detailed description of the student's efforts to identify, address, and eliminate the reasons for the lack of academic success and why such efforts were unsuccessful;
 - vi. Measures the student has taken to remedy these problems if readmitted;
 - vii. If the student has received medical or mental health services to address reasons for the student's lack of academic success, the petition should include a written statement from the professional(s) providing such services, addressing improvements in the student's condition, the student's ability to address future academic challenges, and recommended future treatment;
 - viii. If the student has received academic assistance, the petition should include a statement from the person(s) providing such assistance describing the student's efforts to improve academic performance and identifying recommendations for future academic assistance; and
 - ix. Any other information the student believes would support the relief requested in the petition.
- d. **Additional Information.** The Committee may require the student to supplement the petition with such information as the Committee considers pertinent for its decision. The Committee may also request information from members of the faculty and administrative staff who have knowledge of the student's performance.
- e. **Veracity of Statements.** The student's submission of information, whether in the student's petition or in response to the Committee's request, constitutes an assertion that the information is true and accurate. Submission of a false statement or the omission of a material fact necessary to avoid a misrepresentation of the truth will be considered "lying" under the Honor Code.
- f. **Review and Disposition.** The Committee will review the student's petition in a timely manner. In its review of a petition for second readmission, the Committee will consider the student's aptitude for the practice of law, as reflected in the student's complete record. The Committee's decision to grant the petition will constitute a finding that there is a high probability of the student's success upon readmission.
- g. The Committee will notify the Associate Dean of its decision in writing and request that the Associate Dean communicate its decision to the student and take action consistent with its decision. If the Committee grants the petition, it may recommend that the Associate Dean impose terms and conditions on the student's readmission in addition to those expressly required by § VI. A.5.

C. Academic Forgiveness.

A student readmitted as a first-year student may petition the Associate Dean for Academic Affairs for academic forgiveness. Once academic forgiveness has been granted, the following apply to the student's academic record:

1. All curriculum requirements will be in accordance with those in force at the time of or subsequent to the student's readmission.
2. The student's grade point average is recalculated beginning with the semester in which the student was readmitted to the University.

3. Courses in which the student received a passing grade prior to readmission and the granting of academic forgiveness may, at the discretion of the Associate Dean for Academic Affairs, be used for academic credit, and in recalculating GPA.
4. The following statement shall appear on the official academic record of any student granted academic forgiveness: "This student was granted academic forgiveness under the University of South Carolina Joseph F. Rice School of Law Academic Forgiveness Program. No courses taken at the Law School prior to (date of readmission) are used to meet degree requirements or in the calculation of the GPA with the exception of Introduction to the Legal Profession. Introduction to the Legal Profession may be used to meet degree requirements if successfully completed."
5. The following statement shall appear on any unofficial academic record such as a grade sheet of any student granted academic forgiveness: "I was granted academic forgiveness under the University of South Carolina Joseph F. Rice School of Law Academic Forgiveness Program. No courses taken at the Law School prior to (date of readmission) are used to meet degree requirements or in the calculation of the GPA. Introduction to the Legal Profession may be used to meet degree requirements if successfully completed."

D. Withdrawal or Leave of Absence from Law School.

1. A petition for withdrawal or leave of absence shall contain the following:
 - a. An explanation for why the student wishes to withdraw or take a leave of absence. If the withdrawal or leave of absence is sought because of medical reasons, the student should be prepared to present documentation of the medical problem at the request of the Associate Dean for Academic Affairs.
 - b. A statement of when the student would like to return to law school, if the student intends to do so.
2. Petitions for withdrawal or a leave of absence shall be granted by the Associate Dean for Academic Affairs if the Dean finds that bona fide medical or personal circumstances warrant the withdrawal or leave of absence.
3. A student who discontinues their legal education without the approval of a petition for withdrawal or leave of absence shall be treated as being dismissed because of failure to meet academic requirements. Failure to seek permission for withdrawal or leave of absence shall be a negative factor in any petition for readmission.
4. Students may appeal decisions of the Associate Dean for Academic Affairs concerning petitions for withdrawal to the Admissions Committee. The standard of review is whether the decision of the Associate Dean was clearly erroneous.
5. Students seeking to withdraw or take a leave of absence must notify the Associate Dean in writing prior to the first day of the Law School's WF period. Any student who registers and then withdraws pursuant to this rule shall be entitled to the return portion of tuition as may be permitted by the regulations of the University of South Carolina. The student should contact the University Office of Financial Aid and the University Office of the Bursar about the financial implications of the withdrawal or leave of absence.

E. Readmission after Withdrawal or Leave of Absence.

1. A petition for readmission after withdrawal or leave of absence shall contain an explanation of how the circumstances that led to the student's withdrawal or leave of absence have changed.
2. Petitions for readmission after withdrawal or leave of absence shall be granted if the Associate Dean for Academic Affairs finds that the circumstances leading to withdrawal or leave of absence have been alleviated.
3. Appeals from decisions of the Associate Dean for Academic Affairs concerning petitions for readmission after withdrawal or leave of absence may be taken to the Admissions Committee. The standard of review is whether the decision of the Associate Dean was clearly erroneous.

F. Postponement of Examinations and Papers.

1. Petitions for postponement of examinations shall contain the following:
 - a. A list of the examinations that the student wishes to postpone; and
 - b. The reasons why the student is seeking a postponement. If the postponement is sought because of medical reasons, the student should submit documentation of the medical concern on request.
2. The Associate Dean for Academic Affairs may grant examination postponements for good cause. The Associate Dean will not grant permission for a student to take an exam prior to the start of the exam period. The fact that a student has several examinations in sequence does not justify examination postponement. No examination postponement will be granted for a student who has already missed an examination unless the student can demonstrate that it was physically impossible for the student to seek advance approval of an examination postponement.
3. Makeup examinations shall be scheduled on the day designated as a make-up day on the examination schedule or on another day designated by the the Associate Dean for Academic Affairs.
4. There is no appeal from a decision denying the postponement of examinations.
5. Professors may postpone the due dates for papers without the approval of the Associate Dean for Academic Affairs. However, the due date for any paper submitted to satisfy the Writing Requirement may not be postponed beyond the date for completion of the Writing Requirement without the approval of the Associate Dean and the professor to whom the paper will be submitted. For May graduates the paper must be submitted in final form to the faculty member by January 15 of the graduating semester. For December graduates, the paper must be submitted by September 1 of the graduating semester.

G. Waiver of Graduation Requirements.

1. Petitions for waiver of graduation requirements shall include:
 - a. The requirement for which waiver is sought;
 - b. The reasons why the student failed to comply with the requirement; and
 - c. Why failure to grant the waiver would create a hardship for the student.
2. The Associate Dean for Academic Affairs may grant a waiver of a graduation requirement for good cause.

3. A student may appeal a decision of the Associate Dean for Academic Affairs denying their petition for a waiver of graduation requirements to the Curriculum Committee. The standard of review is whether the decision of the Associate Dean was clearly erroneous.

H. Waiver of the 10% Attendance Requirement.

1. Petition to Associate Dean for Academic Affairs for Waiver of Attendance Requirement
 - a. General. A student who was absent for more than 10% but not more than 30% of the class sessions in a course must petition the Associate Dean for Academic Affairs for a waiver of the 10% attendance requirement.
 - b. Filing of Petition. A student seeking waiver of the attendance requirement must use the "Application for Waiver of Class Attendance Requirement" found on the Law Registrar's webpage. Students must submit a separate petition for each course in which they have exceeded the 10% threshold. A petition for a waiver of the attendance requirement must be received by the Associate Dean prior to the beginning of the final exam period in the semester for which the student seeks a waiver of the attendance requirement.
 - c. Contents of Petition. Petitions must include the dates of all absences (not just the absences that exceed the threshold number) and the reason for each absence. Students who do not attend class in person for classes offered in person are counted absent under the school's attendance policy. This includes students who are unable to attend class in person but are allowed by their faculty to view class sessions virtually in real-time or asynchronously.
 - d. Veracity of Statements. The student's submission of the petition in any form constitutes an assertion that all information it includes is true and accurate. Submission of a false statement or omission of a material fact necessary to avoid a misrepresentation of the truth will be considered "lying" under the Honor Code.
 - e. Review and Disposition. In reviewing the student's petition, the Associate Dean will balance the necessity for the maintenance of high academic standards with fairness to the student. The Associate Dean may consider the total number of absences, whether a substantial majority of the absences were the result of illness, personal or family problems, out-of-town job interviews, or out-of-town law school-related activities, such as moot court, and whether the student has otherwise made a good faith effort to minimize the total number of absences.
2. Petition to Academic Responsibility Committee for Review of Decision of Associate Dean to Deny Waiver of Attendance Requirement
 - a. The student may appeal the denial of their petition to the Academic Responsibility Committee. The Committee may affirm the decision of the Associate Dean, or it may reverse and remand that decision upon a conclusion that the decision was clearly erroneous. Decisions of the Committee are final and not reviewable.
 - b. Filing of Petition. Students must petition the Committee no more than five days after receiving notification of the denial of the petition. The student may petition the Committee for a review of that denial by letter addressed to the Chair of the Committee and delivered in writing to the Associate Dean. The Associate Dean will promptly transmit the petition to the Chair of the Committee.
3. Petition to Academic Responsibility Committee for Waiver of Attendance Requirement when Number of Absence Exceeds 30% of Class Sessions
 - a. General. A student who was absent for more than 30% of the number of class sessions in a course must petition the Academic Responsibility Committee for waiver of the attendance requirement for the course. Decisions of the Committee with respect to such petitions are final and not reviewable.
 - b. Filing of Petition. Students must petition the Committee no more than three days after the final class session in the course for which a student seeks waiver of the attendance requirement. The student must petition for such waiver by letter addressed to the Chair of the Committee and delivered to the Associate Dean for Academic Affairs in writing. The Associate Dean will promptly transmit the petition to the Chair of the Committee.
 - c. Contents of Petition. A petition for waiver of the attendance requirement must contain at a minimum, the following information in the text of the petition or as attached exhibits:
 - i. A copy of the student's petition to the Associate Dean for waiver of the attendance requirement;
 - ii. A copy of the Associate Dean's decision denying the waiver;
 - iii. A statement of the reasons whereby the student asserts that the decision of the Associate Dean was clearly erroneous;
 - iv. A statement of the relief that the student requests the Committee to grant;
 - v. A numbered list of the absences and their dates in each course for which the student seeks a waiver of the attendance requirement;
 - vi. A complete description of the reasons for each absence and the efforts the student made to limit the number of absences;
 - vii. A copy of any correspondence between the student and any member of the faculty or administrative staff concerning the absences for which the student seeks a waiver of the attendance requirement.
 - d. Additional Information. The Committee may require the student to supplement the petition with such additional information as the Committee considers pertinent for its review and decision. The Committee may also request information from members of the faculty and administrative staff who have knowledge of the student's attendance records.
 - e. Veracity of Statements. The student's submission of information, whether in the student's petition or in response to the Committee's request, constitutes an assertion that the information is true and accurate. Submission of a false statement or the omission of a material fact necessary to avoid a misrepresentation of the truth will be considered "lying" under the Honor Code.
 - f. Review and Disposition. The Committee will review the student's petition in a timely manner. The Committee may consider those factors identified in § VI.H.1(e) in determining whether the Associate Dean's decision was clearly erroneous. The Committee will notify the Associate Dean of its decision in writing. The Associate Dean will communicate the Committee's decision to the student and take action consistent with the decision.

- i. A numbered list of the absences and dates in the course for which the student seeks waiver of the attendance requirements;
 - ii. The total number of class sessions in the course;
 - iii. A complete description of the reasons for each absence in the course for which the student seeks waiver of the attendance requirement;
 - iv. A complete description of the efforts the student made to limit the number of absences; and
 - v. A copy of any correspondence between the student and any member of the faculty or administrative staff concerning the student's absences or attendance in the course.
- d. Additional Information. The Committee may require the student to supplement the petition with such additional information as the Committee considers pertinent to its review and decision. The Committee may also request information from members of the faculty and administrative staff who have knowledge of the student's attendance records.
- e. Veracity of Statements. The student's submission of information, whether in the student's petition or in response to the Committee's request, constitutes an assertion that the information is true and accurate. Submission of a false statement or the omission of a material fact necessary to avoid a misrepresentation of the truth will be considered "lying" under the Honor Code.
- f. Review and Disposition. The Committee will review petitions in a timely manner. In reviewing the student's petition, the Committee will balance the necessity for the maintenance of high academic standards with fairness to the student. The Committee may consider the total number of absences, whether a substantial majority of the absences were the result of illness, personal or family problems, out-of-town job interviews, or out-of-town law school-related activities, such as moot court, and whether the student has otherwise made a good faith effort to minimize the total number of absences. The Committee will notify the Associate Dean in writing of its decision. The Associate Dean will communicate the decision to the student and take such action as is consistent with the decision.

I. Hardship Admission to Courses.

1. Hardship petitions shall be filed with the Office of the Law Registrar and Academic Services. The petition shall contain a complete statement of why the student is seeking hardship admission to the course. Students seeking hardship admission to second-year preference courses during their third year shall explain why they did not take the course during the second year. Hardship Petition Form (https://sc.edu/study/colleges_schools/law/internal/department/registrar/forms/_documents/hardship.pdf)
2. There is no appeal from a hardship petition by the Associate Dean for Academic Affairs.

J. Approval of Course Credit.

1. Petitions for approval of overloads under §III.B of the Student Handbook and petitions for approval of credit for courses taken at other law schools (See §IV.D) or in other departments of the University under §IV.L of the Student Handbook shall contain the reasons underlying the petition.
2. The Associate Dean for Academic Affairs may grant petitions for approval of course credit if the Dean finds that approval is consistent

with the letter and spirit of academic policies established by the Faculty.

3. Students may appeal the decision of the Associate Dean for Academic Affairs concerning course credit may be taken to the Curriculum Committee. The standard of review is whether the decision of the Associate Dean was clearly erroneous.

K. Other Petitions.

1. Other petitions shall be made in writing to the Associate Dean for Academic Affairs, who shall make a recommendation, and forward the petition to the appropriate faculty committee for action.
2. The Associate Dean's decision of the appropriate faculty committee cannot be appealed.

L. Non-Academic Complaint Procedure.

1. Student Complaints relating to the School of Law's compliance with ABA Standards for Approval of Law Schools:

Any student who believes that the Law School program is not in compliance with ABA Standards may file a written complaint with the Associate Dean for Academic Affairs. In the complaint, the student must identify the Standard(s) alleged to have been violated why the Law School program is not in compliance with the Standard(s).

Upon receipt of a written complaint, the Associate Dean shall meet with the student making the complaint within 30 days. The Associate Dean may conduct an investigation of the allegations contained in the complaint to determine whether the Law School program is in compliance with ABA Standards. Upon completion of any investigation, the Associate Dean shall prepare a written report of findings, including any recommendations, and provide a copy to the complaining student. If the student is dissatisfied with the report and recommendation(s) of the Associate Dean, the student may request a review of the report by the Dean of the School of Law or his designee. All written complaints and reports of findings shall be kept on file in the Dean's Office.

1. Non-Academic Student Complaints of Individual Concern:

A student with a question or complaint about law school operations, policy, or the conduct of a faculty member, a member of the law school staff, or another student should talk with the dean responsible for the area of complaint. The Associate Dean for Academic Affairs is responsible for the academic program, faculty, course scheduling, registration, and the Honor Code. The Associate Dean and Director of the Law Library is responsible for the operation of the law library. The Vice Dean for Admissions and Career and Professional Development is responsible for admissions, scholarships, and career and professional development services. The Assistant Dean for Academic Technology is responsible for law school technology issues. The Vice Dean for Student and Alumni Engagement and Strategic Initiatives is responsible for student affairs, alumni engagement, communications, and events. A student with a concern about a course in which they are enrolled should talk directly with the course instructor.

3. Reporting Harassment, Discrimination, Retaliation, and Interpersonal Violence.

The University of South Carolina does not discriminate in educational opportunities on the basis of race, sex, gender, gender identity, transgender status, age, color, religion, national origin, disability, sexual

orientation, genetics, protected veteran status, pregnancy, childbirth or related medical conditions.

This Law School takes very seriously its commitment to enable its students to work and study in a learning community free from harassment and discrimination. If you have been the victim of harassment or discrimination or have questions about reporting harassment or discrimination, we want to encourage you to make a report to protect yourself.

Complaints of harassment or discrimination are investigated by and through the Office of Civil Rights and Title IX. (https://sc.edu/about/offices_and_divisions/equal_opportunities_programs/) University Policy EOP 1.03 (<http://www.sc.edu/policies/ppm/eop103.pdf>), Prohibition of Unlawful Discrimination and Harassment, includes the procedures for reporting and references regarding applicable disciplinary actions related to incidents of harassment and discrimination.

You can find resources on the Office (https://sc.edu/about/offices_and_divisions/equal_opportunities_programs/) of Civil Rights and Title IX page and a report can be made through the office's reporting portal. (<https://cm.maxient.com/reporting.php?UnivofSouthCarolina>) If you have questions or need assistance in making a report, please reach out to a member of the law school administration, faculty, or staff. We will do our best to answer your questions and guide you through the reporting process.