PART NINE: DISMISSAL AND REINSTATEMENT

Section 901. Academic Dismissal.

(a) **Average Required for Good Standing.** A cumulative grade point average of at least 2.000 is required for a student to be considered in good academic standing.

(b) **Dismissal.** A student who fails to attain a grade point average as required shall be academically dismissed from the law school. A first year student’s academic record will be evaluated once each year after the spring semester. After the first year of study, a student’s record will be evaluated at the end of each semester. If, at any of these reviews, the student’s law school cumulative grade point average is below 2.000 for all law school work attempted, that student is dismissed from the law school.

Section 902. Notice of Dismissal.

(a) **Dismissal by Office of Student Affairs.** Each student dismissed for poor scholarship pursuant to §901 of the Code shall be notified of the dismissal in writing by the Office of Student Affairs. The notice of dismissal shall include an outline of the procedure for filing a petition for reinstatement.

(b) **Definition of Notice.** Dismissal notices shall be sent by both regular and certified mail to the student’s last known address. Each student is required to provide and keep current a mailing address with the Registrar’s office. Notice shall be deemed effective five days after date of mailing.

Section 903. Effect of Academic Dismissal.

(a) **Dismissal Following Fall or Spring Semester.** If a student is dismissed following the release of grades for the Fall or Spring semesters, the student shall be dropped from all courses for the following semester and shall receive a refund of any tuition paid with respect to the next semester. A student who enrolls in courses at the Law School (or at another accredited law school pursuant to §801 of the Code) during the summer term shall not receive academic credit for successful completion of such courses if the student is dismissed following the Spring semester. Students who are enrolled in summer term courses at the Law School shall receive a refund of any tuition paid for the summer term classes and shall not be permitted to complete the summer term.

Section 904. Petition and Standard for Reinstatement.

(a) **General Rule.** Any person dismissed for poor scholarship pursuant to §901 of the Code may petition the Dean’s Office for reinstatement.

(b) **Filing Petition for Reinstatement.** A petition for reinstatement must be filed during the fifteen day period beginning with the day on which notice of dismissal is deemed effective under §902(b) of the Code. The petition shall be filed with the Office of the Dean. The petitioner must provide in or with the petition all information and materials that he or she wishes to be considered. No additional information or materials may be submitted after
the deadline by or on behalf of the petitioner unless the student obtains written consent from the Petitions Committee prior to the deadline.

(c) **Standard for Reinstatement.** The petitioner must make an affirmative showing, by clear and convincing evidence, that he or she possesses the capacity to complete the program of legal education and that there is a strong likelihood that he or she will pass a bar examination and be admitted to the bar. As part of this burden, the petitioner must rebut the strong presumption raised by his or her record that his or her poor scholarship was due to lack of ability or capacity by proving one of the following:

1. **Extraordinary Circumstances.** The petitioner must make an affirmative showing by clear and convincing evidence that academic failure was the result of extraordinary circumstances. Extraordinary circumstances means unanticipated and newly arising circumstances that were beyond the petitioner’s control and that would have had an extreme impact on a student’s ability to pursue the study of law. A petitioner must establish by clear and convincing evidence not only that the extraordinary circumstances occurred but that he or she could not have successfully mitigated their effect and that such circumstances no longer exist. In no event shall a petitioner be reinstated without also showing by clear and convincing evidence that he or she possesses the requisite capacity to complete the program of legal education and that there is a strong likelihood he or she will pass a bar examination and be admitted to the bar.

2. **Significant Increase in Grade Point Average.** If a petitioner’s grade point average significantly improves from fall to spring semester of his or her first year, the Petitions Committee (described in §905(a) below) may conclude that the petitioner’s second semester grades are a more accurate representation of his or her capacity to study law than his or her cumulative grade point average. A petition may be granted under this subsection only if the petitioner’s second semester grade point average is at least 2.300 and if he or she makes an affirmative showing by clear and convincing evidence that he or she possesses the requisite capacity to complete the program of legal education and strong likelihood that he or she will pass a bar examination and be admitted to the bar.

(d) **Dismissal following Reinstatement.** A student who has been dismissed and later reinstated is ineligible to petition if dismissed again.

**Section 905. Consideration of Petition for Reinstatement.**

(a) **Review of Petition.** The Dean shall refer all petitions for reinstatement to the Petitions Committee. The Petitions Committee shall consist of the Dean (or his or her designee) and two other members, both of whom are full time faculty members. The Dean or his or her designee shall chair the Petitions Committee. Decisions of the Petitions Committee shall be by majority vote. The Petitions Committee may review the petitioner’s law school file, including academic record and at its discretion may request additional information, request a meeting with the petitioner, or seek outside information regarding the petitioner but the petitioner has the burden of providing all information and materials he or
she wishes to be considered prior to the deadline for submitting the petition (except upon seeking prior to the deadline and receiving written permission of the Petitions Committee to submit information later).

(b) **Conditions on Reinstatement.** The Petitions Committee may impose whatever conditions it deems appropriate in granting a petition for reinstatement. In extraordinary circumstances, the Petitions Committee may reinstate a first year student on the condition that the petitioner repeat the first year of studies. If the Petitions Committee elects to reinstate a petitioner with this condition, the following rules apply to the petitioner:

1. **Cumulative Grade Point Average Calculation.** Grades received during the initial first year of law studies by any student reinstated under this section shall not be used in computing the student's class rank or grade point average.

2. **Transcript Endorsement.** The following endorsement shall appear on the transcript of each student reinstated under this section:
   
   *This student was readmitted to the first year for good cause after being dismissed for academic deficiencies. For purposes of computing the student's academic average and class rank on this transcript, only the grades for the repeated year are included.*

(c) For every reinstatement, a statement of considerations that led to the decision will be placed in the student’s file.

**Section 906. Readmission after Dismissal.**

(a) **General Rule.** Any former student dismissed for poor scholarship who was not reinstated immediately following dismissal pursuant to §§904-905 of the Code shall not be readmitted to Widener University School of Law unless the Dean and the Admissions Committee determine that the requirements of ABA Standard 501 have been satisfied. This section shall also apply to those students who have been dismissed from another law school and are seeking admission to Widener University School of Law.

(b) **Application for Readmission.** A former student may apply for readmission to the Law School at any time after the end of the two year period beginning on the date notice of dismissal is deemed effective under §902(b). An application for readmission must be submitted to the Admissions Office of the Law School by the deadline established for admissions applications established by the Admissions Office for the year in question. The form of the readmission application shall be the same as that prescribed for all students applying to the Law School.

(c) **Cause for Readmission.** An applicant for readmission must establish in the application for readmission that the nature of the applicant's work, activities or studies during the period following dismissal indicates a stronger potential for law study than that which existed upon dismissal.