I. Request for Rescheduling of Exam

A. General Provisions

A student may request a rescheduling of an exam if one or more of the following   exists and, where applicable, it prevents the student from taking the exam or   substantially diminishes the student's ability to effectively perform during the   exam:

(1). Military service that makes it impossible for the student to both take the exam and comply with his or her military obligations;

(2). An illness or pregnancy, as shown by a written statement, on official letterhead, from a physician, psychologist, psychiatrist or similarly situated person;

(3). The illness or death of a student's family member, "significant other," or close friend;

(4). An emergency beyond the student's control;

(5). Illness during an exam that prevents a student from finishing the exam;

(6). Religious observance as defined in the Law School's Religious Observance Policy;

(7). The student has three exams on three consecutive calendar days and the middle exam should be moved to the next available exam day.

(8). Exceptional circumstances causing a severe hardship to a student, as defined by the Dean or the Dean's designee and left to his or her sole discretion, taking into consideration fairness to other students and the competitive nature of law grades.

B. Request for Rescheduling of Exam Shall Be Made to the Dean or the Dean's Designee

The request shall be made only to the Dean or the Dean's designee who shall have the final authority to grant or deny the request and to select the date of a rescheduled exam. Before making such decisions, the Dean or the Dean's   designee shall consult with the professor of the course during which the student's anonymity shall be maintained.

The request shall not be made to the professor of the course as such might compromise the anonymous grading policy.

C. New Date of Rescheduled Exam

All efforts shall be made to reschedule the exam to a date within the scheduled exam period for the semester.

Only in exceptional circumstances should the exam be rescheduled to a date outside of the scheduled exam period. An exceptional circumstance will exist when:

(1). It would be impossible to reschedule the exam to a date, either before or after the scheduled exam, to avoid the student having to take three exams within three consecutive calendar days;

(2).   The condition warranting the rescheduling of the exam has not been resolved during the scheduled exam period; or

(3).   There is an unusual and substantial reason warranting rescheduling outside of the scheduled exam period, as defined by the Dean or the Dean's designee and left to his or her sole discretion, taking into consideration fairness to other students and the competitive nature of law grades.

Only in extreme situations should an exam not be rescheduled and completed before the beginning of the next semester.

D.   Procedure When A Student Becomes Ill During An Exam

1.   General Provisions

A student who starts an exam but cannot finish it because of an illness while taking the exam, shall immediate inform the professor of the course or the Law Registrar of his or her illness so that one of the them can promptly note on the exam the time when the student gave notice of the illness.

Subsequently, the student shall submit to the Dean or the Dean's designee a written request for permission to reschedule the exam. Along with the request, the student may submit a written statement, on official letterhead, from a physician, psychologist, psychiatrist or similarly situated person, stating the nature of the student's illness and whether it prevented the student from finishing the exam. The Dean or the Dean's designee may request such a written statement when it would assist him or her in making a decision to allow or not allow a rescheduling of the exam.

In resolving the student's request, the Dean or the Dean's designee, after consultation with the law professor while maintaining the student's anonymity, shall decide in his or her sole discretion whether the student shall or shall not be   allowed to reschedule the exam.

If the student's request is granted, the student will be allowed to take a rescheduled exam. If the request is denied, the professor will grade the student's unfinished answer to the exam and the grade earned on the exam will be the student's grade for the exam.

2.   A Different Exam Required

When an exam is rescheduled because of a student's illness while taking the exam, the Dean or the Dean's designee, after consultation with the professor of the course, shall decide whether a different exam will be given, taking into consideration any hardship on other students and on the professor. There shall be a presumption that a different exam will be given. A different exam, the extent possible, shall be of the same difficulty as the exam given to the other students.

E.   Decision to Give or Not Give a Different Exam

In all circumstances, except under Section I(C)(2) regarding illness during an exam, the professor, in his or her sole discretion, shall decide whether to give the same exam or a different exam, taking into consideration the hardship to other students in the course, to the student whose exam has been rescheduled, and to the professor. A different exam, to the extent possible, shall be of the same difficulty as the exam given to the other students.

F.   When possible, a request for rescheduling of an exam shall be made substantially before the date of the

scheduled exam, preferably when the student becomes aware of the need to request a rescheduling of the exam, so that the student can be informed of the grant or denial of the request before the date of the exam.

G.   Appeals

Any decision by the Dean's designee may be appealed to the Dean if an aggrieved student or an aggrieved professor submits the appeal no later than three business days from the date the student or professor received notice of the decision.

H.   Notice

The Dean and the Dean's designee shall promptly give notice of any decisions, under this policy, to the student and to the professor.

Approved by Law Faculty on October 21, 2011