

AAAC Proposed Resolution for Faculty Vote 4.3.20

Emergency & Disaster Operations: COVID-19 Pandemic

A. Applicability

1. This Resolution will apply only to the spring 2020 semester due to the exigent circumstances of the COVID-19 global pandemic that has disrupted normal operations of UNH Franklin Pierce School of Law (“UNH Franklin Pierce Law”).

a. If the pandemic disrupts normal operations past the spring 2020 semester, the Faculty shall convene to consider whether to extend and modify this Resolution.

2. This Resolution seeks to avoid disruption to the UNH Franklin Pierce Law academic program to the extent possible while safeguarding the health and safety of students, staff, faculty, and their families.

3. This Resolution is the result of multi-stakeholder input—including that of faculty, staff, students, and UNH Franklin Pierce Law and UNH administration—and flowed through UNH Franklin Pierce Law’s normal shared governance process for addressing academic rule and related changes: the Academic Affairs and Administration Committee (AAAC) convened and developed a proposal that went before the Law faculty for discussion, action, and adoption.

B. Record-Keeping

1. To properly implement this Resolution, AAAC must address and define record-keeping requirements, including any student documentation that may be required for individual students to avail themselves of any of the options selected. If the AAAC is unable to discharge this duty, a designee appointed by AAAC or the Dean (if it is infeasible for AAAC to convene to delegate) would address record-keeping and student documentation.

2. To the extent that students must demonstrate individual need arising from the exigent circumstances that trigger this Resolution to avail themselves of one or more options, the reviewer of their request (as determined by the AAAC) shall broadly construe the range of ways in which the exigent circumstances might result in such a request, including but not limited to: students becoming ill, students needing to care for loved ones who are ill, financial impact of the exigent circumstances on students’ households, students suffering from mental health challenges as a result of the circumstances, and other such collateral consequences of emergency or disaster.

C. Modifications to Academic Rule I (Requirements for the JD Degree)

This resolution was adopted by the faculty on 4/3/20.

1. Students who are due to graduate in spring 2020 are required to earn a minimum of eighty-three (83) credits if the exigent circumstances triggering this Resolution result in their inability to earn eight-five (85) credits. (Modification to Rule I(C)(4)).
2. UNH Franklin Pierce Law residential courses that are converted to distance learning courses this semester due to exigent circumstances shall not count toward UNH Franklin Pierce Law's limit on the number of distance learning credits students may take to the extent the Law School converts courses in accordance with ABA guidance on emergency & disaster operations (Modification to Rule I(C)(4)(c)) (students should note that some states may have restrictions on the number of distance learning credits they will accept when students apply to sit for the bar exam; UNH Franklin Pierce Law Academic Rules & Resolutions do not control state bar admission rules, but UNH Franklin Pierce Law leadership will make reasonable efforts to obtain waivers or similar measures to avoid complications with bar eligibility arising due to this Resolution).
3. Students who are due to graduate in spring 2020, and who are unable to complete one or more classes in the required curriculum in which they were enrolled this semester due to the exigent circumstances, will have their completion of those classes waived (provided that they achieve the minimum number of credits required for graduation). (Modification to Rule I(C)(5)) (students should note that some states may require certain courses for bar exam admission; UNH Franklin Pierce Law Academic Rules & Resolutions do not control state bar admission rules, but UNH Franklin Pierce Law leadership will make reasonable efforts to obtain waivers or similar measures to avoid complications with bar eligibility arising due to this Resolution).
4. Students who are due to graduate in spring 2020 are required to earn a minimum of four (4) experiential learning credits if the exigent circumstances result in their inability to complete 6 experiential learning credits. (Modification to Rule I(C)(7)(b)).
5. Students who are due to graduate in spring 2020 are required to complete five (5) semesters of full-time enrollment if the exigent circumstances result in their inability to complete six (6) semesters of full-time enrollment; any requirement to cure the deficiency in six (6) semesters of enrollment is waived. (Modification to Rule I(C)(10)(a) and Rule I(E)(3)-(4)).
6. Administration of the Preliminary Bar Exam (Prelim) for the first-year residential JD class and any JD transfers required to take the Prelim will be deferred until fall 2020. (Modification to Rule I(C)(15))
 - a. For any students required to re-take the Preliminary Bar Exam in spring 2020 who are due to graduate prior to the deferred administration of the Preliminary Bar Exam, the re-taking requirement is waived. (Modification to Rule I(C)(15)).

D. Modifications to Academic Rule II (Registration, Enrollment, Withdrawal, and Attendance)

1. Students enrolled in a course in spring 2020 may withdraw from the course until June 1, 2020 if the withdrawal is the result of the exigent circumstances. (Note: students can choose—on a timeline established by the Registrar's Office or that office's designee—whether the

withdrawal appears on their transcripts or whether the withdrawn course is removed from the transcript entirely. Any potential impact of either type of withdrawal on tuition billing, financial aid, scholarships, and other financial matters must be addressed through the Business Services Center, Financial Aid, or other UNH Franklin Pierce Law, UNH, or USNH administrative unit with the relevant financial decision-making authority.) (Modification to Rule II(C)(4)(a))

2. For any course in spring 2020, the requirement for students' synchronous attendance is waived if the exigent circumstances prevent students' attendance of the course in real-time. (Modification to Rule II(D)).

a. Students must inform the faculty member teaching the course of their inability to attend in real-time and are responsible for making up the missed content in the form provided by the faculty member (such as asynchronous video recording).

E. Modifications to Academic Rule III (Examinations)

1. In spring 2020, instructors must give final exams in a timed take-home, open-everything format in order to create as much consistency of student experience and integrity of exam administration as feasible. (Modification to Rule III(C)(2)).

F. Modifications to Academic Rule IV (Grading)

1. In spring 2020, all instructors for all courses (in which all student work has not been completed prior to the date of adoption of this Resolution) must award only Credit/No Credit (CR/NCR) grades.

G. Modifications to Academic Rule V (Numerical Equivalent)

1. CR/NCR grading due to this Resolution does not count toward the cap on ungraded credits. (Modification to Rule V(A)).
2. To receive credit (CR) in a course in spring 2020 pursuant to this Resolution, a D or above is required. (Modification to Rule IV(B)(3)).
3. In spring 2020, UNH Franklin Pierce Law will not calculate class rankings for any student except for internal use by Committee on Academic Standing & Success ("CASS") as required by Rule VI or this Rule or for internal use by the Registrar's Office to the extent necessary to calculate Latin Honors for graduating students under Rule V(D). (Modification to Rule V(C)).
4. For students who were in attendance in spring 2020, UNH Franklin Pierce Law will not calculate class rankings for the spring 2020 even after graduation. (Modification to Rule V(C)).

5. In spring 2020, UNH Franklin Pierce Law will calculate Latin Honors for graduating students and include all CR/NCR results from that semester in its calculation. (Modification to Rule V(D)).
6. For non-graduating students in spring 2020, UNH Franklin Pierce Law will not include grades from that semester in its future calculation of Latin Honors for those students. (Modification to Rule V(D)).
7. For spring 2020 semester, UNH Franklin Pierce Law will place a notation on student transcripts that convey that this semester was subject to the exigent circumstances of the COVID-19 pandemic. [Note for faculty vote: AAAC's recommendation of this provision is subject to the Registrar's Office determining with main campus that this note is possible.]

H. Modifications to Academic Rule VI (Academic Standing & Review)

1. CASS can waive, modify, or extend any and all terms and conditions of probation as needed, on individual basis, if a student on academic probation is unable to satisfy a term or condition of probation due to exigent circumstances in spring 2020. (Modification to Rule VI(I)(3)).
2. CASS can waive, modify, or extend any and all requirements of early intervention status as needed on individual basis if a student on early intervention is unable to satisfy a term or condition of early intervention due to exigent circumstances in spring 2020. (Modification to Rule VI(B)(2)).
3. Within two (2) weeks of this Resolution being adopted, CASS must initiate a review of all students under its jurisdiction (probation or early intervention) to determine whether waiver, modification, or extension of terms and conditions for each identified student are warranted under this part.
4. Within two (2) weeks of this this Resolution being adopted, CASS must make a recommendation to the AAAC about whether and how to modify any of the criteria for determining placement on academic probation, early intervention, or mandatory meetings for the semester subsequent to this Rule being in effect. (Modification to Rule VI(A)(1) & (B)(1) & (C)(1)).
 - a. In the event that CASS proposes modification, the AAAC will process the recommendation in the normal course of governance: working with CASS to develop language for a proposed modification of this Resolution that would go back to the Faculty for a vote.

I. Modifications to Academic Rule XIX (Legal Residencies)

1. In spring 2020, additional sections of Legal Residencies can be created with approval by the Director of Legal Residencies and the Associate Dean of Academic Affairs to award credit amounts commensurate with the work students are able to complete prior to exigent circumstances making completion infeasible. (Modification to Rule IX(C)(2)(a)).

J. Modifications to Academic Rule XI (Leaves of Absence and Rights of Return)

1. Any student who takes a leave of absence in spring 2020 may take a leave of absence for up to two (2) years without having to re-apply for admission in order to return. (Modification to Rule IX(C)(2)(a)).