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Caveat, November 17, 1975

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caveat

Vol. XI No. 12

Golden Gate University School of Law

November 17, 1975

ACADEMIC STANDARDS COMMITTEE REPORT

From the American Bar Association Standards and Rules of Procedure for Approval of Law Schools, Section 304(a) : The law school shall maintain and adhere to sound standards of legal scholarship, including clearly defined standards for good standing, advancement, and graduation. Section 304 (c) : A law school shall not, either by initial admission or subsequent retention, enroll or continue a person whose inability to do satisfactory work is sufficiently manifest that his continuation in school would inculcate false hopes, constitute economic exploitation, or deleteriously affect the education of other students. And from the Committee of Bar Examiners of the California State Bar Association, Section 182, Standard G : The School shall maintain scholastic standards designed to identify and exclude, as soon as possible, those admitted students who are not qualified to continue with their studies.

In order to gain and maintain accreditation, a law school must comply with these generally worded regulations. Our broad standards of compliance are those set forth in the catalog, to the effect that a student must maintain an average of at least a 2.0 "C" on all work attempted throughout law school. This is augmented by the Grading Reform Standards adopted in 1972, in which provision is made for "automatic probation," under which a student may advance to the second year with only a 1.75 GPA. Statistics indicate that most students whose GPA falls between a 1.75 and a 2.00 do indeed attain the requisite 2.00 by the end of the 2nd year, although even when they do very well (e.g. 2.6 - 3.0) in the second year, it is rare that they graduate in the top half of the class, and in most cases they will be in the 4th quartile. This in turn has meant a greatly reduced chance of passing the bar: over the past three years, bar passage rate of the 4th quartile has been about 25%. This may be attributable to a lack of foundation in the first year, and/or to an unwarranted lack of concern by students on automatic probation. For these reasons, consideration is being given to 1) raising the GPA allowable for automatic probation to 1.80 or 1.85; 2) abolishing automatic probation completely; or attaching conditions (e.g. retaking courses) to automatic probation.

A further problem arises from the 1.75 cut-off: while 2.00 is in reality minimal competence, the existence of the 1.75 automatic probation gives the impression that achieving a 1.70 or 1.67 is "in the ballpark" making it more difficult for students to accept or understand a denial of discretionary probation. Articulating the bases for granting discretion has presented severe problems, for discretion is by definition subjective. Although it leaves much to be desired, the following is suggested as a starting point: "Discretionary probation is granted only when outside, non-academic factors which could not have been anticipated and are unlikely to be repeated have affected the student's performance on exams. There must further be some indication of ability to succeed when such factors are removed." Conceptually, petitioners appear before the Committee for extraordinary relief, when their grades have disqualified them. The Committee looks for ameliorating circumstances which will permit a finding that the student is likely to succeed in the following year.

Students on discretionary probation have not enjoyed the success of those on automatic probation. Discretionary probation inevitably requires the re-taking of any class in which a grade of C- or below was received, with the grade upon re-examination counted as no more than a C for GPA purposes. Our statistics for entering classes before 1973 are inadequate to provide more than a general picture of the overwhelming difficulty in achieving a 2.00 thereafter. That impression is substantiated by the experience of the 1973 class (one of seven achieved a 2.00 in the second year). People who exercise the other option (to drop out and re-examine the following year) have experienced equal difficulty, with the exception of those students who have taken the time to attend classes regularly and essentially re-take the whole first year.

This history makes the committee members increasingly reluctant to grant discretionary probation, first because the alternative of re-examination (at no financial cost to the student) is as likely to produce the desired GPA, and second because the right to go forward in one or more classes while re-taking others may work to the student's detriment in transferring to an unaccredited school, if the GPA at the end of the second year is still not a 2.00. Most other schools will not accept a student who has completed more than 30 - 35 units. Note that the distinction between part time and full time students is taken into account in these decisions, for a student with 18 graded units below 1.75 has far less to overcome than one with 29 or 30 graded units.

As to minority retention, the statistics for the past two years (as set forth below) indicate that 6 of the 7 people granted discretionary probation in 1974, and 2 of the 3 in 1975 were minority students. This reflects the Committee's awareness of the special admit status of some of the minority students, and the belief that it may take longer for one whose educational background is disadvantaged to adjust to the demands of law school.

In comparing our policy of retention to those of other schools, ours appears to be at least comparable and in many cases more favorable to the student; only two other accredited California schools have an official automatic probation system. In all others, the right to continue is within the discretion of the dean, the faculty or the Academic Standards Committee.

FIRST YEAR GPA'S: COMPARATIVE STATISTICS

	Day	
	1974(157)	1975(178)
Below 2.00	11% (18)	9% (16)
Auto. Prob.	4% (7)	4.5% (8)
Below 1.75	7% (11)	4.5% (8)
Discretionary Prob.	4	0
	Night	
	(74)	(85)
Below 2.00	23% (17)	27% (23)
Auto. Prob.	7% (5)	13% (11)
Below 1.75	16% (12)	14% (12)
Discretionary Prob.	3	3
	Minority	
Admitted	23	42
Leave of Absence	4	8
Withdrew	1	0
Above 2.00	11% (2)	53% (18)
Below 2.00	89% (16)	47% (16)
Auto. Prob.	17% (3)	18% (6)
Below 1.75	72% (13)	29% (10)
Discretionary Prob.	6	2

**FROM THE WOMEN'S ASSOCIATION:
THE ADMISSIONS LETTER CONTROVERSY**

Members of the Women's Association had several meetings with Dean Judy McKelvey in the last two weeks over our admissions letter and designated list that were deemed "offensive" by a potential applicant and subsequently a trustee of GGU. A compromise was offered by Dean McKelvey and accepted in a vote by The Women's Association on Nov. 10. Instead of including this letter and list in materials for applications, a substitute letter will be sent informing the applicant that we have a Women's Association and that if more information is desired, return the enclosed self-stamped postcard. This means the controversial letter and list will only be sent to people who specifically ask for additional information. The Women's Association accepted this compromise because it is practical, not because it is satisfactory. We feel it is a form of censorship, and not really a compromise. The only alternative was to drop the application material altogether. We did not wish to risk losing this communication with potential women students by carrying the argument further. But this compromise method substantially reduces that communication anyway. We can only hope the postcard response is sufficient to offset this intrusion into our right of self-description and self-identification.

The Women's Association

SBA MEETING NEXT TUESDAY, NOVEMBER 18th at 5:00

Subject: SBA recommendation to Academic Standards Committee regarding re-evaluation of academic standards. All SBA meetings are open to interested students.

HAPPY HOLIDAYS!!

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There will be one more issue of CAVEAT before the end of the Fall Semester. Please submit all materials to the CAVEAT mailbox or office by Thursday noon at the latest.

November 27 and 28 are school holidays, all University facilities will be closed, including the law library. The library will have normal weekend hours November 29 and 30.

INTRAMURAL SPORTS NOTICE!!

NEXT WEDNESDAY, NOVEMBER 19...
VOLLEYBALL at the Mason/Sutter YWCA
3:30 to 4:30 P.M. Come or you won't
get credit for gym. OUT OF THE
LIBRARY AND ONTO THE COURT!!

CAVEAT is published weekly by students of Golden Gate University School of Law. Opinions expressed do not necessarily reflect the views of the University, the Law School or the Student Bar Association.

Editor: Dianne L. Niethamer
Conspiracy Corner: Mark Derzon
Film Articles: John Fisher
Sports: Rita Whalen
Editorial Assistant : Andra McWeeney
Pearldaughter

**PLACEMENT OFFICE ACTIVITY --
SUMMER/GRADUATE JOB INFORMATION**

**THE STATE OF CALIFORNIA ATTORNEY
GENERAL'S OFFICE** open session for all students/alums, originally slated for Thursday, November 20, has been re-scheduled for Monday, November 24, 1975 12:15 to 1:15 PM, ROOM 205. Special Assistant Herb Ellingwood will discuss the functions of the office plus summer and graduate employment opportunities.

FINANCIAL AID FOR SPRING SEMESTER, 1976

Applications for the National Direct Student Loan, and College Work Study are now being accepted for Spring Semester, 1976. Although the deadline date to submit applications is December 31, 1975, students are advised to file their applications at an early date. Students who have already been awarded financial aid for Fall, 1975 and Spring, 1976 are not required to submit another application for Spring Semester, 1976.

Students applying for the Federally Insured Student Loan for the Spring Semester should submit their application **eight weeks** prior to the beginning of the semester to insure receipt of their loan checks in the beginning of the semester.

The California State Graduate Fellowship program will be accepting applications up to December 15, 1975. Applicants must be residents of California, and submit their LSAT scores. Application blanks are available from the Financial Aids Office.

For further information, please contact the Financial Aid Office, Room 102 or 106.

WORLD AFFAIRS COUNCIL OF NORTHERN CALIFORNIA

Dr. Lyman Van Slyke, who spent the summer studying rural industry in China's countryside, will assess rural development in the People's Republic of China during the past 25 years at a World Affairs Council Program at 406 Sutter St., on Wednesday, November 19, at 5:45 P.M. For reservations and further information call 982-2541. Refreshments will be available from 5:15.

FACULTY CENTER MAIL

Gina in the faculty center has asked that the following people please stop by and pick up their mail. If it is not picked up in the next week, it will be thrown out.

Philip Alexander, William Bachrach, Robert J. Brown, Jack R. Cooney, Nancy Davis, Mary Dunlop, Rene Feinstein, Martha Friedberg, Cherie Gaines, Ruth Goldstein, P.J. Hoskins, Sue Langon, James Orr, Leo Paoli, Marshall Patner, Paula Rosenthal, Michael Smith, RL Terrell, Gene Ulansky, and William West.

The CAVEAT staff would like to know if you have been having trouble getting a hold of a copy of CAVEAT. If you have, let us know and we will print more copies.

SPRING REVIEW 1976

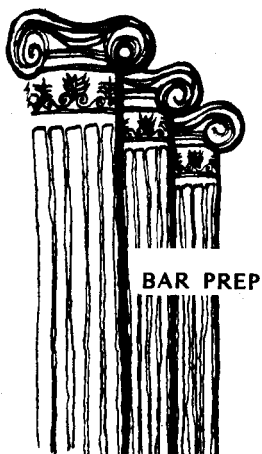
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