



Leaves of Absence and Withdrawals from School

The College of Law understands some students may need to leave school for some period of time. The policies and procedures below describe the circumstances under which a student may leave and return to the College of Law.

A. Definitions

1. **Leave of Absence:** A student on leave of absence continues to be considered a student at the College of Law, but is not enrolled in classes during the semester(s) in which the student is on leave. Other than part-time students in their first calendar year of classes, students are not required to attend summer classes and thus do not need a leave of absence to skip that session.
 - a. **Voluntary Leave of Absence:** Except as noted in subsection (A)(1)(b), a voluntary leave of absence is a leave requested by the student.
 - b. **Military Leave of Absence:** A military leave of absence is a leave that a student requests to fulfill military or other national-defense service obligations.
 - c. **A College-Initiated Leave of Absence:** A college-initiated leave of absence is a leave that the College of Law requires that a student take due to a potential threat to the safety or welfare of the student or other members of the College of Law community. A student who is placed on college-initiated leave will not be permitted to attend classes or to be on College of Law or University property without prior written permission from the Dean or Associate Dean for Academic Affairs.
2. **Withdrawal:** As used in this policy, withdrawal means dropping all academic credits in a given semester or required summer session. Withdrawing from just a portion of the credits in a given semester is covered by the separate policy titled Course Withdrawals. A student who has withdrawn from the College of Law is no longer considered a student at the College of Law.

B. Eligibility and Circumstances Warranting Leave or Withdrawal

1. **Voluntary Leave of Absence:** A student who has completed at least one semester of study at the College of Law may apply for a voluntary leave of absence. However, a student typically will not be eligible for a leave of absence if he or she is being investigated for an honor or conduct code violation. Unless a student is called to active military service, a request for a leave of absence typically will not be considered during

the last week of classes or the reading and examination periods. The College of Law will grant a voluntary leave only in circumstances of extraordinary hardship, such as selection for extended jury duty, or for sustained illness of the student or of a person in the student's immediate family and for whom the student serves as caregiver. When leave is for the sustained illness of a student and the student is incapacitated, leave details will be coordinated with the student's next of kin or another person who has been designated through legal process as responsible for the student's affairs. International students are advised that taking a Voluntary Leave of Absence may affect their student visa status; they should consult with the Office of International Programs before seeking leave.

2. **Military Leave of Absence:** A Military Leave of Absence is available for a student who is called or ordered to active-duty service — whether voluntary or involuntary and including such service by a member of the National Guard or Reserve — in the United States Armed Forces for more than 30 days. For periods of less than 30 days, students should contact the Associate Dean for Academic Affairs to see if appropriate accommodations can be made or whether a Leave is necessary.
3. **College-Initiated Leave of Absence:** The College of Law reserves the right to initiate a mandatory leave of absence when (a) a student presents an immediate danger to self or others by threatening and/or inflicting bodily harm to self or to others, or (b) when a student's behavior could result in bodily or other substantial harm to self or others.
4. **Withdrawal:** A student may withdraw from the College of Law at any time, but must be in good standing. A student who is not in good standing will fall under the Exclusion policy.

C. **Procedures for Various Types of Leave:** Procedures for the various types of leave are detailed below. While each contemplates that the student is available to submit the necessary paperwork and secure the needed signatures to approve leave, the College of Law recognizes that extenuating circumstances may sometimes exist where the student is not on campus or is otherwise unavailable to complete any required actions in person. In such circumstances and with the approval of the Dean or Associate Dean for Academic Affairs, the Registrar is empowered to effectuate alternate procedures that may be necessary to process leave requests.

1. **Voluntary Leave of Absence**

- a. **Application:** A student seeking a voluntary leave of absence must initiate the process either by completing the Leave of Absence form or submitting a written petition to the Associate Dean for Academic Affairs. The submission must be signed by the student and must set forth the circumstances necessitating a leave and the length of the requested leave. The Associate Dean may grant the petition — with or without conditions — or deny the petition. If the leave request was submitted by petition, the student must also obtain and complete the Leave of Absence form, which is available in the Registrar's Office and on the Registrar's intranet page. The student must meet with and obtain the signatures of the Associate Dean for Academic Affairs and representatives from the Office of Financial Aid and the

Business Office. These signatures are necessary to prove that the student has fulfilled all outstanding financial and other obligations. The student must then return the completed form to the Registrar's Office. A leave request is not complete until the completed Leave of Absence form is returned to the Registrar's Office.

If the petition is granted by the Associate Dean, the Registrar will respond in writing and set forth the period of the approved leave and any conditions associated with the leave. In the Associate Dean's absence, the Dean or Chair of the Academic Standards Committee may grant the leave. A copy of this approval letter will be placed in the student's file in the Registrar's Office with copies to the Office of Financial Aid and Business Office.

If the leave is denied, the student is expected to complete the semester; alternatively, if the student is in good standing, he or she may withdraw.

- b. Time of Leave:** To be eligible for a Voluntary Leave of Absence, the student must intend to return to the College within the granted leave period, which typically should not exceed one calendar year. If the requested leave exceeds one year, the Associate Dean for Academic Affairs will forward the petition to the Academic Standards Committee for approval. If a student has previously been granted a one-year of leave of absence, any subsequent leave must be approved by the Academic Standards Committee.
- c. Returning to School:** At least four weeks before the start of the semester in which the student plans to return, or when otherwise requested, the student must submit a letter to the Associate Dean for Academic Affairs indicating his or her intent to return to school. If special conditions were attached to the leave, the student must demonstrate compliance with those conditions in the letter and provide accompanying documentation where needed. If the student fails to submit a letter or goes beyond the time of the granted leave, the student will not be able to return automatically. Instead, the student must petition the Academic Standards Committee and request to be readmitted. The Associate Dean or Academic Standards Committee may require additional documents as warranted in their discretion to verify that the student has met stated conditions of the leave and/or is ready and able to return to school.

A student who does not return to the College within two years of the beginning of a leave of absence risks losing all credits already earned and may be required to reapply for admission as a new student. The Academic Standards Committee has discretion to readmit a student who has been out of school for more than two years if good cause is demonstrated. Unless granted an exception by the Academic Standards Committee, a full-time or part-time student must complete all degree requirements within six calendar years, counting all periods of leave or withdrawal.

- d. **Matriculation at Another School:** If the leave petition is granted, the student may not enroll as a degree candidate at another institution. If a student enrolls as a degree candidate at another school, the leave of absence will be converted to a withdrawal. A student may enroll as a non-degree seeking student at another institution only with the permission of the Associate Dean for Academic Affairs.
- e. **Residency:** The period of the leave of absence will not be counted as part of the time needed for residency or for other degree requirements.
- f. **Tuition and Fees:** Normal rules regarding tuition refunds typically will apply if the student is granted a Voluntary Leave of Absence after the start of the semester. Students with scholarships should refer to the conditions contained in the scholarship notification for details on the impact of leaves on scholarships. In the case of a Voluntary Leave of Absence for medical reasons or other extraordinary and compelling circumstances, the Associate Dean for Academic Affairs, with the approval of the Dean, may approve a full refund of tuition and fees. Any request for a waiver of tuition and fees should be included as part of the student's leave request.
- g. **Financial Aid Impact:** For purposes of financial aid under Title IV, a Voluntary Leave of Absence is treated as a withdrawal under Title IV. Students should review for the Return of Title IV Funds policy for details on the return of funds.

2. **Military Leave of Absence:**

- a. **Application:** A student seeking a Military Leave of Absence must initiate the process either by completing the Leave of Absence form or submitting a written petition to the Associate Dean for Academic Affairs. The submission must be signed by the student and must set forth the circumstances necessitating a leave and the length of the requested leave. The student should also submit a copy of the military orders calling the student to service. If the leave request was submitted by petition, the student must also obtain and complete the Leave of Absence form, which is available in the Registrar's Office and on the Registrar's intranet page. The student must meet with and obtain the signatures of the Associate Dean for Academic Affairs and representatives from the Office of Financial Aid and the Business Office. These signatures are necessary to prove that the student has fulfilled all outstanding financial and other obligations. The student must then return the completed form to the Registrar's Office. A leave request is not complete until the completed Leave of Absence form is returned to the Registrar's Office.

The Associate Dean may grant the petition — with or without conditions — or deny the petition. If the petition is granted by the Associate Dean, the Registrar will respond in writing and set forth the period of the approved leave and any conditions associated with the leave. In the Associate Dean's absence, the Dean or Chair of the Academic Standards Committee may grant the leave. A copy of this approval letter will be placed in the student's file in the Registrar's Office

with copies to the Office of Financial Aid and the Business Office.

If the leave is denied, the student is expected to complete the semester; alternatively, if the student is in good standing, he or she may instead withdraw.

- b. Time of Leave:** To be eligible for a leave of absence, the student must intend to return to the College within the granted leave period, which typically should not exceed one calendar year. If the requested leave exceeds one year, the Associate Dean for Academic Affairs will forward the petition to the Academic Standards Committee for approval. If a student has been granted a one-year of leave of absence, any subsequent leave must be approved by the Academic Standards Committee.
- c. Returning to School:** At least four weeks before the start of the semester in which the student intends to return, or when otherwise requested, the student must submit a letter to the Associate Dean for Academic Affairs indicating his or her intent to return to school. If the student fails to submit a letter or goes beyond the time of the granted leave, the student will not be able to return automatically unless the student qualifies for automatic readmission under federal regulations governing service member readmission requirements. Instead, the student must petition the Academic Standards Committee and request to be readmitted. The Associate Dean or Academic Standards Committee may require documents relating to the student's service or military discharge type in support of the request for readmission.

Except when otherwise required by regulations governing the return of service members to school, a student who does not return to the College within two years of the beginning of leave of absence or withdrawal risks losing all credits already earned and may be required to reapply for admission as a new student. The Academic Standards Committee has discretion to readmit a student who has been out of school for more than two years if good cause is demonstrated. Unless granted an exception by the Academic Standards Committee, a full-time or part-time student must complete all degree requirements within six calendar years, counting all periods of leave or withdrawal.

- d. Petition to Receive Course Credit:** If the student called to military or other national-defense service has attended at least 70% of the classes in a particular law course, the student may petition the Academic Standards Committee to grant him or her course credit. If a student is in the first 30 credit hours of the J.D. program, there will be a presumption against granting course credit in classes in which the sole or primary grade is based on a final examination. To pursue this option, the student should prepare a written memorandum to the Committee and submit the petition to the Associate Dean for Academic Affairs. The memorandum should contain at least the following information:

- A brief statement that the student has been called to military or other national-defense service;

- A list of classes for which the student is seeking credit;
 - A statement regarding how many class sessions the student has attended in each course, stated in terms of days and a percentage of overall class sessions in the course;
 - A list of assignments, if any, completed in the course, along with any grades the student has received to date; and
 - A request for relief (examples of requests for relief are to receive an “S” in a course, to receive a specific grade based on work performed to date, the option to take an incomplete in a course, and any other relief the student would like the Committee to consider).
- e. **Procedure for Approving Course Credit:** Upon receiving a petition seeking course credit, the Academic Standards Committee will review the petition and seek input and recommendations from the student’s professors, the Associate Dean for Academic Affairs, and the Director of Academic Success. The Committee has the authority to award “S/U” credit in a graded or non-graded course, a specific grade based on work already completed in the course, an “incomplete” grade, or any other relief deemed equitable. The Committee also has the authority to deny the petition. If the petition is granted, tuition and fee refunds and residency credit — if any — will be based on the amount of credit awarded for the semester. For example, if a full-time student is awarded course credit for 10 or more credit hours, the student will not receive a tuition or fee refund, but will receive full residency credit for the semester. If the Committee awards less than 10 hours of credit for a full-time student, the student will receive a pro-rata tuition and fee refund and will be granted pro-rata residency credit. For part-time students, tuition will not be refunded if at least 6 credits are awarded for the semester; partial tuition and fees will be refunded if fewer than 6 credit hours are approved. If the petition is denied in full, the student will receive a full tuition and fee refund for the semester, regardless of the date on which the student leaves school.
- f. **Petition to Graduate:** If a student is called to service within four weeks of his or her graduation date, the student may petition the full faculty to be allowed to graduate on time. The petition should be submitted to the Associate Dean for Academic Affairs, who will then present the petition to voting members of the faculty, as defined in the Faculty Bylaws. If the petition is circulated by paper ballot, the petition will be granted if at least one-half of the eligible voting members vote in favor of the petition. If the petition is presented at a faculty meeting, the petition will be granted if one-half of the eligible voting members present vote in favor of the petition.
- g. **Matriculation at Another School:** If the leave petition is granted, the student may not enroll as a degree candidate at another institution. If a student enrolls as a degree candidate at another school, the leave of absence will be converted to a withdrawal. A student may enroll as a non-degree seeking student at another institution only with the permission of the Associate Dean for Academic Affairs.

- h. Residency:** The period of the leave of absence will not be counted as part of the time needed for residency or for other degree requirements.
- i. Tuition and Fees:** A student granted a Military Leave of Absence who must leave school before he or she has attended at least 70% of the classes in the semester will receive a full refund of tuition and fees for the semester, regardless of the date on which the student leaves school. A student in this situation will not receive course or residency credit for the semester. Students with scholarships should refer to the conditions contained in the scholarship notification for details on the impact of leaves on scholarships. A student who has attended at least 70% of his or her classes in the semester may opt for a full tuition refund, or may petition to receive course credit, as outlined in paragraph 2(d) above.
- j. Financial Aid Impact:** For purposes of financial aid under Title IV, a military leave of absence where a student has not successfully petitioned for course credit is treated as a withdrawal under Title IV. Students should review for the Return of Title IV Funds policy for details on the return of funds.

3. College-Initiated Leave of Absence

- a. Initial Decision:** The Dean or Associate Dean for Academic Affairs will make the final decision regarding whether a student will be placed on a College-Initiated Leave of Absence after consulting with other appropriate campus officials. The student will be notified about the decision immediately and in writing, and will be given an opportunity to address concerns with the Dean or Associate Dean.
- b. Appeal of College-Initiated Leave of Absence:** After the College initiates a mandatory leave, the student, within three school days, may initiate an appeal in writing to the Associate Dean for Academic Affairs. Any appeal should include an evaluation by a licensed physician, psychiatrist, or mental health clinician. The Associate Dean and/or the Dean will review the appeal and determine whether the student should be permitted to return to classes and University property. The College of Law reserves the right to request, at its own expense, a second opinion of the student's fitness and suitability for return.
- c. Return to School Other Than Under Appeal Process:** When the student has not appealed a decision to be placed on mandatory leave, or when an appeal has been denied, a student who is ready to resume studies at the College of Law must notify the Associate Dean for Academic Affairs in writing of her or his intent to return for the next semester. Before being allowed to return, the student must submit a comprehensive written report from the treating professional that includes the professional's diagnosis, treatment (including duration and response), medication, recommendations for return to the College (including any restrictions), and necessary follow-up care. These materials must be submitted at least four weeks before the start of the semester in which the student wishes to return. The College of Law reserves the right to request, at its own expense, a

second opinion of the student's fitness and suitability for return. The Associate Dean will consult with the Dean to determine whether the student may return. If the student's request is denied, the student may appeal to the Academic Standards Committee.

- d. **Timing of Return:** A student who does not return to the College within two years of the beginning of leave of absence or withdrawal risks losing all credits already earned and may be required to reapply for admission as a new student. The Academic Standards Committee has discretion to readmit a student who has been out of school for more than two years if good cause is demonstrated. Unless granted an exception by the Academic Standards Committee, a full-time or part-time student must complete all degree requirements within six calendar years, counting all periods of leave or withdrawal.
- e. **Residency:** The period of the leave of absence may not be counted as part of the time needed for residency or for other degree requirements.
- f. **Relationship to Other College of Law Policies:** This policy does not supersede or release a student from accountability under the Code of Student Professionalism and Conduct, Academic Honor Code, or other policies of the College.
- g. **Tuition and Fees:** A student who is placed on College-Initiated Leave and does not successfully appeal the decision will be afforded a complete refund of tuition or fees for that semester. Students with scholarships should refer to the conditions contained in the scholarship notification for details on the impact of leaves on scholarships.
- h. **Impact on Financial Aid:** A student who is on a College-Initiated Leave retains in-institution status for Title IV loan repayment purposes until either the appeal period has passed, or in the case of an appeal, the appeal is resolved. When a student retains in-institution status, no impact on financial aid occurs. If the student does not appeal a College-Initiated Leave, or if appeal is denied and the student is not allowed to return in the semester in which the leave was initiated, the leave is treated as a withdrawal for Title IV purposes. Students should review for the Return of Title IV Funds policy for details on the return of funds.

D. Withdrawal

- 1. **Notice:** To withdraw, a student should obtain and complete a Withdrawal form, which is available in the Registrar's Office and on the Registrar's intranet page. The student must meet with and obtain the signatures of the Associate Dean for Academic Affairs and representatives from the Office of Financial Aid and the Business Office. These signatures are necessary to prove that the student has fulfilled all outstanding financial and other obligations. The student must then return the completed form to the Registrar's Office. A withdrawal request is not complete until the completed Withdrawal form is returned to the Registrar's Office.

Petition for Readmission: A student who withdraws after completing at least one full semester, including final examinations, may petition the Academic Standards Committee for readmission. At least four weeks before the start of the semester in which the student seeks to return, he or she should obtain a petition form from the Registrar. The completed form should be returned to the Registrar, who will present the petition at the Committee's next meeting. The Committee may grant, grant with conditions, or deny the petition. The Committee will use the standards outlined in the general readmissions policy. The Committee may require documents, such as a doctor's note, that reflect the student has met stated conditions of the leave and/or is ready and able to return to school.

2. **Reapplication:** A student who withdraws during the first semester must re-apply as a new student to the Office of Admissions and Financial Aid. Regular deadlines for admission, and all other admissions policies will apply. Readmission is not automatic.
 3. **Returning to School:** A student who does not return to the College within two years of the beginning of leave of absence or withdrawal risks losing all credits already earned and may be required to reapply for admission as a new student. The Academic Standards Committee has discretion to readmit a student who has been out of school for more than two years if good cause is demonstrated. Unless granted an exception by the Academic Standards Committee, a full-time or part-time student must complete all degree requirements within six calendar years, counting all periods of leave or withdrawal.
 4. **Tuition and Fees:** Normal rules regarding tuition refunds will apply if the student withdraws mid-semester. Students should review the *Refund of Tuition and Fees* policy for details.
 5. **Withdrawal Without Notification:** If a student stops attending school without notifying the College of Law, the student will be treated as withdrawn as of the date the student has exceeded the attendance requirements in all courses and is no longer eligible for any course credit.
 6. **Financial Aid Impact:** For purposes of financial aid under Title IV, a withdrawal, with or without notice, requires that a return of funds calculation be performed under Title IV. Students should review the Return of Title IV Funds policy for details on the return of funds.
- E. Amendment to Application:** All students returning from leave must review the Amendment to Application policy and provide any updates to the Associate Dean for Academic Affairs as part of the notice of intent to return.

Conduct or Honor Code Proceedings: If a student is approved for leave or withdraws when an honor or conduct code investigation or proceeding is pending, the Investigator, Associate Dean for Academic Affairs, or Dean may place a memo in the student's file in the Registrar's Office outlining the charges and the status of the proceedings. Proceedings will either be held in abeyance pending return if the case of a leave, or may continue even after a student takes leave or withdraws.

F. Transcript Notation

- 1. Leave of Absence:** A student who is granted or placed on a Voluntary or Military Leave of Absence after the first day of class in a semester in which the student is enrolled will receive “W” grades on his or her transcript. The transcript also will contain the notation “Leave of Absence.” A student who is placed on a College-Initiated Leave that is not successfully appealed will receive “W” grades on his or her transcript. The transcript will also contain the notation “Leave of Absence.”
- 2. Withdrawal:** A student who withdraws after the first day of a semester in which the student is enrolled will receive “W” grades on his or her transcript. The transcript also will contain the notation “Withdrew.” However, if the student withdraws after having taken one or more examination, the grades for the examination(s) will be posted on the student’s transcript. Those grades may be converted to “W” only if a petition is submitted to and granted by the Academic Standards Committee.

Cross-references: Course Withdrawals, Refund of Tuition and Fees, Return of Title IV Funds, Requirements for Degree and Maximum Time to Complete J.D. Degree.

Administrative policy adopted effective November 25, 2009 (replaces Leaves of Absences and Withdrawals from School, College-Initiated Leave of Absences, Students Called to Military or Other National Defense Service). Administrative revision, October 14, 2015.

Christopher M. Pietruszkiewicz