Dear Colleagues:

The new school year is almost upon us, and I know that most of you are busy planning your courses for the fall semester. I want to share some information that may be important as you finish your course planning.

Specifically, this message addresses the following topics:

1. Grading Policies
2. Course Materials (including an important note about e-books)
3. Midterms (including an exciting new development in response to faculty concerns)
4. Exam Administration, In General
5. Attendance (including a link to the more comprehensive summary of our attendance rules)
6. Waitlist Processing
7. Make-up Classes

I hope that this information is useful to you as you plan your fall 2015 courses. Please let me know if you have any questions.

1) **Grading Policies (Beginning with the End in Mind)**

   i) **Planning your evaluation scheme so you will be able to comply with the grading rules.** As you consider how you want to evaluate your students, please keep in mind the grading rules that will be imposed at the end of the semester. For classes of 30 or more, the grading curve will be imposed. For classes of less than 30, a range of grades must be assigned. If you plan to give participation (or other) grade bumps, you will need to be sure that the other grading you do throughout the semester is strict enough so that, **even with the participation bumps**, you will comply with the grading rules. Please remember that, in courses subject to the “range of grades” rule, faculty members who want to award more than 50% A range grades will be required to explain why they believe that is appropriate.

   ii) **Providing written notice about evaluation methods.** During the first week of classes, please provide written notice both to your students and to Simona Scotti in the Records Office about the manner in which you intend to evaluate students. Providing such notice to students is required by the Academic Regulations. Please see below (in the **Midterms** section) for more detail about the information you should provide with respect to any midterms that you plan to offer.
2) **COURSE MATERIALS**

i) **First Class Assignments** – If you have not already done so, please post your first class assignment on your course’s Blackboard page.

ii) **Textbooks & Online Bookstore** – If you provided your course’s textbook requirements to Tom McCarthy in a timely fashion, your book(s) should be available for purchase by students through the [online bookstore](https://example.com). All students have been advised to use the online bookstore. We have double-checked the listings, and we have been working to address some glitches. You are also encouraged to double-check the textbook listing there to confirm that it is correct. If you find any errors, please email textbooks@uchastings.edu as soon as possible.

iii) **E-Books (& Their Impact on In-Class Exams).** E-books are becoming increasingly popular replacements for hard copy textbooks. This has important implications for our in-class examinations in situations where (1) a faculty member anticipates giving an open-book exam or a limited open book exam where the textbook is among the allowed materials, and (2) the text/reader for the class is available as an e-book. The concern arises because, at this time, our only options with ExamSoft, our exam administration software, are (1) to limit student access only to the exam (i.e., no access to any e-books or anything else on the student's computer) or (2) to allow student access to everything on the student's computer (i.e., including the e-book, but also including the student's notes, outlines, etc.). No internet access is allowed in either case.

Thus, if you are considering an open book in-class exam or a limited open book exam in which the allowed materials include the textbook, you will need to decide whether you are comfortable administering an exam in which students can access everything on their hard drives. If not, you are advised to tell students that your references to “open book” or “limited open book” refer only to hard copy, not electronic, materials. If you have questions about this, please contact Simona Scotti in the Records Office or me.

In addition, due to the digital rights management in e-books, many e-books are not accessible to students with disabilities who rely on assistive technology to access printed material (e.g., students who are blind, visually impaired or who have dyslexia). In order to ensure that we are meeting our institutional obligations to these students, please communicate with Lisa Noshay Petro, Director of the Disability Resource Program, if you allow e-books for your course.

iv) **Accessible Course Materials & Technology Tools** – UC Hastings is committed to complying with the ADA and to making its programs accessible, usable, and user-friendly to people with disabilities. You play an important role in our efforts. If you are considering using an innovative technology tool as part of your teaching experience, please touch base with Lisa Noshay Petro, Director of the Disability Resource Program, to make sure that the technology tool is accessible to students with disabilities. In addition, for assistance ensuring that all of your materials are accessible to students with disabilities, please see our [Accessibility webpage](https://example.com), which includes a link for [how to create accessible Word documents and PDFs](https://example.com), among other great resources. Lisa Noshay Petro also has information about creating accessible PowerPoint decks, and she is happy to talk with you about this. Thank you for continuing to innovate in your classroom and to your commitment to ensuring access to the learning environment for all students.
3) **Midterms** – A significant number of faculty members are now giving midterms or other exams before the finals period begins. We hope you will continue to find innovative ways to provide students timely feedback and use a variety of methods to evaluate their performance.

The increase in the use of midterms and other exams has a number of benefits for our students, but it also presents logistical challenges because we strive, to the extent possible, to have the midterms conducted in a manner similar to final exams, which has led to space and scheduling problems. Additionally, UC Hastings has well over 150 students who are registered with the Disability Resource Program (DRP). Virtually every course includes at least one student – often several students -- entitled to exam accommodations (extra time, reduced distraction environment, specialized equipment, alternative text formats, etc.). Providing these students with the accommodations to which they are legally entitled and with the fair treatment we believe to be appropriate also presents logistical challenges. Similar logistical challenges are presented by midterms taken by LLM/MSL students entitled to language accommodations under our Academic Regulations.

Given our desire to encourage the use of midterms and other feedback opportunities during the semester and the challenges such approaches present, we ask that to the extent possible faculty members adhere to the following recommendations:

i) **Exam date and scheduling.** We strongly encourage you to schedule any midterm exams, quizzes, etc., which are not take-homes, NOT during the regular class period. Instead, please talk to Simona Scotti in the Records Office about scheduling these exams.

The reasons for this request are as follows: If you proctor the exam yourself during a regular class period, those students who are entitled to take the exam in specialized environments are exposed to you. Such exposure has a chilling effect on the willingness of students to take advantage of their accommodations. Additionally, during regular class sessions, we may not have enough extra rooms to accommodate the many students who have language or disability accommodations. Midterms and early final exams scheduled during regular class periods present scheduling conflicts for the students with exam accommodations. This is because accommodated exams take longer to set up and proctor than standard exams, even for students who do not have additional time. Students taking accommodated exams during regular class periods have limited options: Skip or miss part of the class scheduled immediately before or after the class with the exam (including skipping lunch), forego the accommodations to which they are legally entitled and which results in an exam that more accurately demonstrates their command of the subject matter (or in the case of language accommodations, forego the extra tie accommodations to which they are entitled under our Academic Regulations), or try to reschedule their exam for another day outside of the class period. Since we cannot force students to choose between attending class and using their accommodations, DRP has routinely worked with each student individually to reschedule their exams, and Records has similarly worked with individual language-accommodated students. This, however, presents concerns regarding staffing and room resources, as well as exam integrity.

We hope that these problems can be minimized by having you work with Simona Scotti to determine the best time to schedule these exams outside of your regular class period.
ii) **Advance notice and deadlines.** Whether you plan a take-home or an in-class midterm, please provide written notice to your students and to the Records Office during the first week of classes. To the extent possible, the notice should include midterm exam length, format, and the materials that are allowed. The Academic Regulations require the notice to indicate if the exam will count towards the grade in the course. The Records Office and DRP need this information as soon as possible. Moreover, making any changes in format, etc., and especially length, causes serious problems for both departments and may not be possible. Moreover, any failure to honor deadlines for submitting your exam copy may also create substantial problems for Faculty Support, the Records Office, and DRP.

iii) **NEW!!! Exam numbers for anonymously-graded midterms that count toward students’ final grades.** In response to faculty requests, the Records Office has been able to devise a system pursuant to which students can have one exam number for an anonymously graded midterm exam and a different exam number for an anonymously graded final exam in the same class. This will require significant additional work by our staff, but we hope that this work has the pedagogical benefit you have been seeking—to make it easier for you to meet with individual students to give them feedback on their midterms without affecting your ability to grade final exams anonymously. To make this new process feasible, the limits on this new system are as follows: A midterm that is to be graded anonymously with a midterm exam number must be given no earlier than September 16, 2015, and no later than October 31, 2015. No more than one anonymously graded midterm exam that counts toward students’ final grades may be given per course per semester; additional exercises and assignments given during the semester should be graded non-anonymously, as you have done in the past. The Records Office will only provide you with a report that contains the midterm exam grades matched up with the final exam numbers only in courses where the midterm exam counts toward the students’ total grade in the course. If you plan to give an anonymously-graded midterm exam that counts toward students’ final grades, please notify Simona Scotti in the Records Office by August 27, 2015. Simona can also assist you if you have questions about this new process.

4) **EXAM ADMINISTRATION, IN GENERAL** – If you plan to give an exam that counts toward students’ final grades, the exam must be administered by the Records Office. All such exams must be anonymously graded, and the exam administration must comply with the examination policies (including re: scheduling, delays, and extra time for LLM students who do not speak English as a first language) that are articulated in the Academic Regulations. In addition, the College must meet its obligations under the ADA, meaning that we must ensure that a student with a disability is able to take the exam with the accommodations that have been approved by the College’s Disability Resource Program. Exam administration by the Records Office helps us meet all of these goals. **Please note that the requirement that all exams be administered by the Records Office applies to midterms and final examinations that count toward students’ final grades, and this requirement applies regardless of the course’s categorization as a lecture course, seminar, or non-GPA course.** However, this requirement does not apply to quizzes (which would count for only a small part of a final grade) or to exams that do not count toward students’ grades; if you plan to use either of these tools for formative assessment, please contact Lisa Noshay Petro, Director of the Disability Resource Program, to ensure that you are administering your assessment in a way that is accessible to students with disabilities.
5) **ATTENDANCE** – Both the ABA Accreditation Standards and the UC Hastings Academic Regulations require regular and punctual attendance by students.

i) **Monitoring student attendance.** As Provost & Academic Dean Elizabeth Hillman mentioned in her recent message, the Academic Dean's office encourages all faculty members to take attendance. Regular and punctual attendance is a critically important part of the law school learning process and is required by ABA Accreditation Standards and the UC Hastings Academic Regulations. In addition, failing attendance is often one of the first signs that a student is having serious personal or academic difficulty. When the Academic Dean's office is alerted that a student is not attending class, an effort can be made to intervene and help the student. Thus, please take attendance, and please report deficient attendance to me so that I can try to intervene.

ii) **Imposing course-specific attendance rules.** If you would like to establish specific attendance rules for your course (in addition to the general attendance rules that apply to all courses), you may do so as long as you notify the students about those rules both in class and in writing during the first week of class.

iii) **Comprehensive summary of attendance rules.** For everyone’s reference, a more comprehensive summary of UC Hastings’ existing attendance rules/expectations has been posted here. I encourage you to review it. All incoming students are advised about these rules, and all returning students will be reminded about these rules.

6) **WAITLIST PROCESSING** – Please remember that all waitlist processing is handled in accordance with the Records Office rules. Students have been advised of this process, and they should not approach individual faculty members to try to get into the faculty member’s class off of the waitlist. You cannot grant them any dispensation. Thus, if any student approaches you about getting into the class off of the waitlist, please refer the student to the Records Office, and please explain that all waitlisting is handled by the Records Office in accordance with the established process. Also, if a student enrolled in your class does not attend during Add/Drop, that student may be dropped to allow a student on the waitlist to have the seat; please contact the Records Office if students are absent during Add/Drop.

7) **MAKE-UP CLASSES** – From time to time, faculty members need to cancel a class due to illness, a speaking engagement, or other important reason. Please try to keep this to a minimum. If, however, you need to cancel a class and schedule a make-up class, you can submit a room reservation request directly through Astra, and/or you can work with Lan Tran and Stella Cunanan in the College Events Center (formerly known as the Student Information Center) to schedule your make-up class. Before finalizing a date/time for your make-up class, please consult the Master Events Calendar to see if there are any major events already scheduled at the same time you would like to use.

Thank you for reading this long (but important) message. If you have any questions or concerns about any of the foregoing, please let me know. I wish each of you a great semester.

Best regards,
Heather