

Dear Common Law Students,

We write to advise you of **special grading rules** that will apply in an extraordinary fashion to the 2020-21 academic year. **Please read this message carefully** as it contains crucial grading information for all Common Law J.D. students.

In light of the pandemic-related challenges that everyone has had to face during the Fall 2020 term, the Executive Committee of the University Senate has passed a resolution (“the Senate Resolution”) to give undergraduate students (including JD students) the option of choosing a qualitative grade (**satisfactory/unsatisfactory**) for one of their eligible Fall 2020 term courses and for one of their eligible Winter 2021 term courses

This measure will allow students, under certain conditions, to select **one course** that will receive a qualitative grade (i.e., **satisfactory/unsatisfactory**) instead of a letter grade in each of the Fall 2020 and Winter 2021 terms.

Please note that this only applies to JD students and does not apply to uOttawa students registered in any graduate programs, including LL.M. and Ph.D. programs. For these students, all regular grading rules apply.

Our 1L program and our January term present challenges to the simple application of this decision and we have been working with the Provost’s office on the application of these changes to Common Law. What follows here is a series of Q & As to explain the Senate Resolution, its application to J.D. students and student options in Common Law.

If you have any general questions about how this process will work, please email VDCMLEvaluations@gmail.com. Questions about whether you should personally opt for the S/NS option should be directed to your professor or the Student Centre and/or the Career and Professional Development Centre

GENERAL INFORMATION

Q: What is the background to this Resolution and what is it meant to accomplish?

A: In March 2020 the Senate passed an emergency resolution that allowed faculties to deviate from normal practices in light of the COVID-19 pandemic. The conditions that existed in March persist today. This new Senate Resolution recognizes that students continue to endure difficult circumstances. It is a measure that is designed to be compassionate to those students whose studies have been seriously impacted this Fall, either because of our shift online or for personal/family reasons.

Q: What does the motion mean in practical terms?

A: Students will be allowed to choose one course in each term (Fall and Winter) and replace an alphanumeric grade with a Satisfactory/Not Satisfactory (S/NS) grade. S/NS grades are not part of the calculation of the overall GPA.

UPPER YEAR (2L AND 3L STUDENTS)

Q: What does this mean for me if I am an upper year student?

A. There are four aspects to this motion that impact upper year students:

1. On January 18, 2021, you will receive your final grades for Fall term courses. Once you have reviewed your grades, you will have the option of replacing one alphanumeric grade with a S/NS.
2. As a result of this motion, you will no longer be able to make a pre-emptive choice for S/NS in your January term course.
3. **Instead**, you will have the opportunity in May 2021 to replace an alphanumeric grade from either January OR the Winter term with a S/NS. January term courses appear as winter courses on your transcript.
4. We emphasize that the Senate Resolution gives you the option to replace one or two grades with a S/NS. You are not required to do so. You may decide to only replace one grade with a S/NS or not to replace any grade with a S/NS.

Q: So how many credits in total will an upper year be able to take as an S/NS in 2020-21?

There are two considerations:

1. Under the resolution passed on December 11th, upper year students in Common Law will be able to take a total of 6 credits as S/NS (one 3 credit course in Fall and/or one 3 credit course in January/Winter).
2. You will still be able to enroll in SPIs or other S/NS opportunities and maintain the S/NS grading systems for these placements.

Q: I am a 2L student. Do you recommend choosing to replace an alphanumeric grade with S/NS?

A: The choice to replace an alphanumeric grade with S/NS will be a personal one that each student must make in their own best interests. As a student at a professional school in a competitive industry, you know that employers rely on grades as one metric for assessing job applicants. We are currently unaware of any other law school in Ontario that has made or is contemplating similar changes to their grading scheme.

Given that the choice to replace an alphanumeric grade will be made after you see your grade in the course, employers may perceive the choice of a "Satisfactory" as a shield for a poor grade. However, if because of the conditions of the pandemic you receive a disappointing grade, excluding it from the overall calculation of your GPA might be helpful.

As a second year student, you should ALSO consider how many 2019-2020 courses you elected as S/NS. You should carefully consider adding further S/NS grades to a transcript that contains several S/NS grades from last year.

In the end, each of you will have to assess whether you should treat this year in as much a “normal” fashion as possible or whether you face extraordinary circumstances that have presented particular challenges that impacted your grades. You do not have to choose to take advantage of this resolution. You can also choose to take only a Fall course OR a January/Winter course, RATHER THAN CHOOSING TO OPT FOR S/NS BOTH TERMS. You should consult with your professors, the Student Centre and/or the Career and Professional Development Centre to assess the impact of exercising this choice.

This decision was taken by the Senate of the University applies to undergraduate students only. This motion does not originate in our Faculty. While our J.D. students are considered “undergraduate” for the purposes of University governance matters, Common Law students face different circumstances and will face different consequences for their decision than the “typical” undergraduate student. You should carefully consider the overall presentation of your transcript, the explanations you might offer for disappointing grades and the need to remain competitive for summer, articling and clerkship positions. Your decision may also have unintended consequences for international bar admissions.

You should also note that you must take a minimum of 9 credits with alphanumeric grading per term in order to maintain eligibility for the Dean’s Honour List and graduation honours.

Q: I am a 3L student, do you recommend choosing to replace an alphanumeric grade with S/NS?

A: The choice to replace an alphanumeric grade with S/NS will be a personal one that each student must make in their own best interests. As a student at a professional school in a competitive industry, you know that employers rely on grades as one metric for assessing job applicants. We are currently unaware of any other law school in Ontario that has made or is contemplating similar changes to the grading scheme.

Given that the choice to replace an alphanumeric grade will be made after you see your grade in the course, employers may perceive the choice of a “Satisfactory” as a shield for a poor grade. However, if because of the conditions of the pandemic you receive a disappointing grade, excluding it from the overall calculation of your GPA might be helpful.

As a third year student, you should ALSO consider whether you took the Winter 2020 semester as a S/NS semester. You should carefully consider adding further S/NS grades to a transcript that contains a semester’s worth already from last year.

In the end, each of you will have to assess whether you should treat this year in as much a “normal” fashion as possible or whether you face extraordinary circumstances that have presented particular challenges that impacted your grades. You do not have to choose to take advantage of this resolution. You can also choose to take only a Fall course OR a January/Winter course, rather than choosing to opt

for S/NS for both terms. You should consult with your professors, the Student Centre and/or the Career and Professional Development Centre to assess the impact of taking advantage of this choice.

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You should also note that you must take a minimum of 9 credits with alphanumeric grading per term in order to maintain eligibility for the Dean’s Honour List and graduation honours.

Q: When will I have to make my election for Fall and January/Winter terms?

A:

1. Fall term grades will be released on January 18, 2021. You must make the election by **12:00 pm (noon) ET on January 26, 2021**. An electronic form will be distributed to facilitate the choice. If you do not make an election, your final grade will stand as published on January 18, 2021. Students who do not make a choice will have their alphanumeric grades finalized as per usual.

2. Similarly for January/Winter term grades will be released on May 14, 2021. An election will be required within a few days. We will communicate the precise date once deadlines for Convocation and other key university dates are communicated by the Registrar. An electronic form will be distributed to facilitate the choice. If you do not make an election, your final grade will stand as published on May 14, 2021. Students who do not make a choice will have their alphanumeric grades finalized as per usual.

3. Once the election is made, your choice is **FINAL**; no revisions will be permitted.

Q: Will my Fall term grades appear on my transcript before I have the ability to make an election for S/NS?

A: Yes. Elections for S/NS will be processed after January 26, 2021.

Q: Will my January term grade appear on my transcript before I have the ability to make an election for S/NS?

A: For 2021 only, January term grades will not appear on the transcript until May 14, 2021. Elections for S/NS will be processed after May 25, 2021.

Q: Will my Winter term grades appear on my transcript before I have the ability to make an election for S/NS?

A: Yes. Elections for S/NS will be processed after May 25, 2021.

FIRST YEAR (1L) STUDENTS:

Q: What does this mean for me if I am a first year student?

A: First year students will make their choice(s) in May 2021 only, once final grades are released for all courses.

English Common Law Program

Students in their first year will have the choice of:

- one 3 credit course in January (Dispute Resolution and Professional Responsibility); OR
- one 3 credit course in the winter (Thematic course); OR
- both of the above; OR
- Legal Foundations: Research, Strategy and Analysis (1 credit); OR
- Legal Foundations (1 credit) AND one of either Dispute Resolution and Professional Responsibility (3 credits) or Thematic course (3 credits); OR
- one 5 or 6 credit full year course (Torts, Property, Criminal Law, Contracts or Public Law/Constitutional Law); OR
- Legal Foundations (1 credit) AND one 5 credit full year course (Torts, Property, Criminal Law, Contracts or Public Law/Constitutional Law).

French Common Law Program and Programme de droit canadien

Students in their first year will have the choice of:

- one 3 credit course in the fall (Droit pénal, Législation, Délits civils et responsabilité extracontractuelle I or Droit, histoire et société); OR
- one 3 credit course in the winter (including January) (Introduction à la résolution des différends et au professionnalisme, Droit des biens, Droit constitutionnel or Délits civils et responsabilité extracontractuelle II); OR
- both of the above; OR
- one 6 credit course (Les contrats, Délits civils et ou Compétences et habiletés juridiques).

Q: Do you recommend choosing to replace an alphanumeric grade with S/NS?

A: The choice to replace an alphanumeric grade with S/NS will be a personal one that each student must make in their own best interests. As a student at a professional school in a competitive industry, you may be aware that law firms rely on grades as one metric for assessing job applicants. Given that the choice to replace an alphanumeric grade will be made after you see your grade in the course, it is likely employers will perceive the choice of a “Satisfactory” as a shield for a poor grade. However, if because of the conditions of the pandemic you receive a disappointing grade, excluding it from the overall calculation of your GPA might be helpful. As a first year student, you should consult with your professors, the Student Centre and/or the Career and Professional Development Centre to assess the impact of taking advantage of this choice. We are unaware of any other law school in Ontario that has made or is contemplating similar changes to the grading scheme.

You do not have to take advantage of this opportunity. You can also choose to only take advantage of it for one 3 credit course (as specified above) rather than a full-year course. Please note that the Grading Guidelines for small group courses, Dispute Resolution and the Thematics have been increased this year to an average of 7.0 (up from 6.5 in previous years).

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Q: When as a first year do I have to make my election?

A: Final grades for first year courses will be released on May 14, 2021. An election will be required within a few days. We will communicate the precise date once deadlines for Convocation and other key university dates are communicated by the Registrar. An electronic form will be distributed to facilitate the choice. If you do not make an election, your final grade will stand as published on May 14, 2021. Students who do not make a choice will have their alphanumeric grades finalized as per usual.

Q: As a first year, will my grades be visible on my transcript before I make my election?

A: For this year only, no grades will appear on a transcript until May 14, 2021. This includes final grades for ADR and Property. Students can self-report on their grades if they choose, including mid-term grades, for the purpose of recruitment.

STUDENTS IN JOINT OR OTHER SPECIAL PROGRAMS

Q. I am a student in the National Program. Can I make an election?

A. Yes. You may elect S/NS in accordance with the resolution.

Q. I am a student in the JD-MA program with Carleton University. Can I make an election?

A: This resolution applies only to the University of Ottawa. You may elect S/NS in courses at the University of Ottawa, with the exception of students in Year 2 of the French joint program, enrolled in CML 3531 Droit international public as transfer students, who are not permitted to elect S/NS for CML 3531.

Q. I am a student in the joint JD-MBA program with Telfer. Can I make an election?

A. The Senate resolution applies only to undergraduate courses. You may elect S/NS in undergraduate common law courses, but not in masters-level courses that meet your post-graduate degree requirements with Telfer. We recommend that you confirm with Telfer whether election of S/NS in your common law courses will affect your ability to meet the program requirements.

Q. I am a student in the joint JD-BCom program with Telfer, or the JD-BSocSci with the Faculty of Social Sciences. Can I make an election?

A: In accordance with the resolution, you are permitted to elect S/NS in one 3-credit course in the Fall 2020 term and one 3-credit course in the January/Winter 2021 term, for a total of 6 credits. These credits may be Common Law credits, Telfer or Political Science credits, or a combination of both, for a maximum of 6 credits.

Q. I am a 1L/2L student and I may enroll in the dual JD program with Washington College of Law or Michigan State University in 3L. Can I make an election?

A. You are required to maintain a 7.0 CGPA in order to qualify for these programs. WCL and MSU review applications and transcripts in order to determine eligibility for entry into their programs. We are unable to predict whether your application will be prejudiced by the presence of elected S/NS on your academic transcript.

Q. I am a WCL or MSU student in the Ottawa portion of my dual JD. Can I make an election?

A. We recommend that you review the academic regulations of your home institution to determine whether electing S/NS will affect your eligibility to graduate from your home institution. We are unable to advise you of the potential consequences of the election with respect to your home institution. Your decision may also have unintended consequences for international bar admissions.