WHITTIER LAW SCHOOL
EXAMINATION RULES

A. TIME OF EXAMINATION

1. The proctor shall make every effort to see that the students in an examination room start the exam simultaneously and finish the exam simultaneously.

2. If there is a delay in starting the examination (other than a delay caused by a student's late arrival), the proctor shall allow the students extra time after the scheduled end of the exam to compensate them for the time lost.

3. (a) If a student arrives late to an exam, the proctor shall note the student's name (not student number), arrival time and beginning time on a sheet of paper (separate from the student's bluebook and exam materials) and shall assist the student to begin taking the exam promptly. The proctor shall note the time that the late student completes the exam.

   (b) If a student arrives any time after the time the exam has actually begun, the Dean, Associate Dean or Assistant Dean determines whether to give the student compensatory time. The decision of the Dean, Associate Dean or Assistant Dean is final. If the exam room is closed, the Dean, Associate Dean or Assistant Dean should make arrangements for the student to take the exam in another room. The Dean, Associate Dean or Assistant Dean shall consult with the faculty member when reasonably practicable.

4. (a) A student may not begin writing or typing any words (e.g., outlines, notes, examination answers) until the proctor has announced that the exam has begun.

   (b) A student may not continue writing or typing any words (e.g., outlines, notes, examination answers) after the proctor has announced that the exam has ended.

   (c) Violations of these provisions, 4(a) and 4(b), shall be referred to the professor for deduction of points. The proctor should, with due care to preserve the anonymous grading system, note separately from the student's examination answer the circumstances of such violation (e.g., whether the student wrote before the examination, or after it, how long the student so wrote, how many times the student was told not to write, etc.) The proctor must also refer the matter to whichever Dean is in attendance during the examination. The student should be instructed that he may explain his/her version to the Dean in attendance. If such Dean determines the supposed violation to be flagrant (i.e., such that, if true, the violation would warrant disciplinary action in addition to a deduction of points by the professor), such Dean shall also refer the matter to the Dean's designee under the Code of Student Conduct. If the Dean's designee determines that the supposed violation would, if true, be flagrant, then the Dean's designee shall proceed in accordance with the Code of Student Conduct.
5. No student will be permitted to leave the exam room during the last 10 minutes of the exam. (This insures that the room is quiet for the duration of the examination.)

B. EXAMINATION FORMAT

1. Examinations may be answered by writing in bluebooks, using the examsoft program or marking scantron forms. Occasionally a faculty member will direct students to answer on the examination itself.

2. The Examsoft software program may be used with the prior permission of the Registrar and after registering properly with the Examsoft company on their website. The student must provide his or her personal laptop computer for this substitute for writing in bluebooks. Each student using Examsoft is responsible for the operation of her or his personal laptop computer.

C. AUTHORIZED MATERIALS

1. The school will provide students sitting for examinations with bluebooks, scratch paper, computer disks or scantron forms as appropriate.

2. Students whose native language is not English and who received their undergraduate degree at a university in which classes are conducted in a language other than English shall be permitted to use an approved Foreign Language-English Dictionary during examinations.

D. UNAUTHORIZED MATERIALS

1. The professor shall give the student reasonable notice prior to the exam of what papers, books, notes, outlines and other materials may be referred to by students during the exam. Any books, papers, notes, outlines and other materials not specifically permitted by the instructor shall be considered "unauthorized materials."

2. Students shall not have the unauthorized material near them during the exam. Proctors should instruct the students to place all unauthorized materials at the front of the exam room or at another distant location before the examination questions and bluebooks or scantron forms are distributed. (Students will not be permitted to keep unauthorized materials under desks during the exam.)

3. A purse or pocketbook shall not be considered "unauthorized material" unless so designated by the Dean on duty.

E. DISTRIBUTION AND COLLECTION OF AUTHORIZED MATERIALS

1. The proctor shall not distribute bluebooks, scratch paper, computer disks or scantron forms to the students until the students' desks and adjacent areas have been cleared of all unauthorized materials.

2. The proctor is required to collect all blank and used bluebooks (including student's notes and outlines made during the exam) at the completion of the exam. Students shall put their
number on all used bluebooks, unless the professor specifies otherwise.

F. DISTRIBUTION AND COLLECTION OF EXAMINATION QUESTIONS

1. The proctor shall not distribute examination questions to the students until the students' desks and adjacent areas have been cleared of all unauthorized materials.

2. The proctor is required to collect the examination questions at the completion of the exam. Students shall put their numbers on the examination question, unless the professor specifies otherwise.

G. ACTION OF PROCTORS WHO OBSERVE MISCONDUCT

1. (a) The first concerns of a proctor who suspects misconduct should be to stop the misconduct and to preserve evidence, while not disrupting any student (including the accused) who is taking the exam.

(b) The proctor should request students observed communicating (e.g., talking, gesturing) to stop communicating. The proctor should quietly ask a student suspect of cheating to give the proctor the notes, papers or other materials used to cheat, but the proctor shall allow the student to continue taking the exam. If the student refuses to turn over any materials requested, he/she should not be searched but the proctor should advise him/her that an adverse inference may be drawn by the Code of Student Conduct Committee based on the students' refusal.

(c) When gathering evidence or quieting students during the examination, the proctor should be careful not to disrupt or alarm any student.

2. After the proctor has stopped the misconduct and preserved the evidence, the proctor should notify the Dean on Duty of the problem that has arisen. If possible, the Dean on Duty should be available when the accused student completes the exam to interview the accused student, as described below.

3. The proctor or the Dean on Duty should note the names of students who, during the exam, are seated near the accused students and may have witnessed misconduct. This information may be forwarded by the professor to the Dean's designee who handles disciplinary matters pursuant to the Code of Student Conduct.

4. (a) After the accused has completed his/her exam, and before the accused student has picked up his/her unauthorized materials and left the room, the proctor should request that the student stay Dean of Duty in the room or accompany the proctor to another room, in order to meet the Dean on Duty. The proctor should make this request to the student privately, out of the hearing of other persons.

(b) If the student refuses to stay to meet with the Dean on Duty, he/she cannot be forced to stay. However, the proctor should explain that an adverse inference may be drawn by the Student Conduct Hearing Board based on the student's refusal.
(c) The Dean on Duty should interview the accused student privately, giving him/her a chance to explain the suspicious conduct and to provide relevant evidence. The professor should take complete notes of the interview and preserve evidence for eventual use in connection with the procedures provided by the Code of Student Conduct. The Dean on Duty, at his/her discretion, may forward the information to the Dean's designee who handles disciplinary matters pursuant to the Code of Student Conduct.

5. The failure of a proctor to follow these rules regarding the preservation of evidence shall not preclude the Dean's designee of the Code of Student Conduct Board from considering and acting on the evidence which is available and shall not be offered as an objection to the admissibility or consideration of evidence which is available.

H. EXAMINATION ROOMS

1. There shall be at least one proctor assigned to each examination room.

2. There shall be a sufficient number of examination rooms so that there will be at least one vacant seat between every student who writes the examination.

3. During the administration and collection of the exams, proctors shall take reasonable steps to preserve the anonymity of the student.

I. SPECIAL EXAMINATION ADMINISTRATIONS

1. Upon the approval of the Administration a student may be allowed to take examinations under special circumstances to accommodate a disability.

2. Any accommodation must be approved before the end of classes.

J. DEFINITIONS

1. The term "professor" means any faculty member or course instructor.

2. The term "proctor" means any person (staff member or other) who supervises the administration of the exam.

K. APPLICABILITY OF THE RULES

The rules shall apply only to the examinations given during the exam period at the end of a semester or summer session. The examination rules do not apply to mid-term examinations. However, the Code of Student Conduct (Honor Code) does apply to all examinations.