

Roger Williams University School of Law

## **Cannabis Law**

Spring 2024

Mondays, 11am-1pm ET

Room 244

1 credit

### **Professor Victoria Litman**

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703-964-6368

### **Office Hours:**

Email to schedule an appointment.

### **Course Overview**

Cannabis law is one of the fastest growing new industries and areas of law. Over the last three decades, medical cannabis has been legalized in an overwhelming majority of states with Rhode Island legislatively creating access to cannabis for medical purposes in 2006. In the last decade, more than a dozen states have legalized cannabis for general adult use including Rhode Island in 2022 through the passage of the Rhode Island Cannabis Act. Despite this changing legal landscape at the state level, cannabis remains a federally illegal substance classified as Schedule 1 under the Federal Controlled Substances Act. The reality of federal illegality continues to burden state legal businesses especially in the areas of banking, taxes, and interstate commerce. This one credit course will provide students with an overview of this exciting area of law with a focus on Rhode Island's emerging cannabis program. Students will develop an awareness of the many relevant laws at play including state level law and regulation, FDA, DEA, and USDA law and regulation, and constitutional law issues. Students will also gain an appreciation for the way that cannabis law touches almost every area of law including employment law, property law, tax law, intellectual property law, and family law.

### **Materials:**

This course will not have a casebook. Each class students are assigned to read a mix of primary and secondary sources. Primary sources include selected sections of pertinent statutes, regulations, or case law. Secondary sources include law review articles that are available to students through their research databases for free or otherwise shared to students through the course Bridges site. Secondary sources may also include current news articles shared with students at least 24 hours prior to class time.

### **Learning Outcomes:**

1. Doctrinal and Substantive Knowledge
  - a. Students will continue developing their understanding of constitutional law and specifically separation of power issues.
  - b. Students will be able to articulate the sources of power at the federal and state levels and understand how they intersect including the supremacy clause, preemption, and the commerce clause and dormant commerce clause.
2. Legal Analysis Skills

- a. Students will be able to identify issues inherent in regulation of cannabis at the state and federal levels.
  - b. Students will develop a comfortability with reading, analyzing, and summarizing state and federal statutes.
3. Research Skills
- a. Students will be exposed to several examples of legal scholarship through the assignment of secondary sources.
  - b. Students will develop their skills at researching statutes and regulations through online databases and state and federal websites.
4. Writing Skills
- a. Students will practice writing informal legal analyses of assigned reading with a focus on writing concisely.
5. Oral Communication Skills and Interpersonal Skills
- a. Students will practice communicating orally in an effective manner through current news presentations.
  - b. Students will develop cultural sensitivity through conversations about race and drug law and the development of social equity licensing programs.

### **Attendance**

Under the school's attendance policy, a student cannot miss more than 20% of classes. A student will violate the attendance policy when that student misses more than one class of a 1-credit course. Once a student violates the attendance policy, they will be referred to Academic Affairs. Please see the attached attendance policy in Appendix A for more details.

### **Final Grade Breakdown**

**40% 4 Short Reading Papers**

**25% Cannabis Law Article Summary and Presentation**

**15% Participation**

**20% Final Reflection Paper**

(40%) 4 Short Reading Papers: Students can choose any four classes they want throughout the course and will submit a short reflection by midnight the night before class to the Professor via email. These short reflections should demonstrate that the student has substantially done the reading assigned for each class and thought critically about it. The length of these reflections should be at least 350-500 words and no more than two pages. Each reflection is worth 10% of the student's final grade. These reflections are graded on completion, but students must demonstrate they have read both primary and secondary sources to get full credit. If a student does not receive full credit on a reflection, they can submit more than four and will be given their four highest grades. Examples of questions that can be addressed in these short papers include: What surprised you? What interested you? What did you have to look up? What questions do you have?

(25%) Cannabis Law Article and Summary There are news articles relating to cannabis law written every day about proposed legislation, implementation, and policy issues. Part of learning cannabis law is understanding the importance of staying up to date. At the beginning of the semester, students will sign up to present an article about cannabis law at the beginning of a

specific class. These presentations will be extremely brief (2-3 minutes) and should include: what the headline is, what the most important takeaway of the story is, and why the student chose it. Signing up for [Marijuana Moment](#) is an easy way to access cannabis law news. Students can also find articles by googling cannabis law or a specific subtopic. Articles should be from less than two weeks prior to the class and within 72 hours is preferred. In addition to the short presentation, students are expected to submit a 200–400-word summary of their presentation to the Professor via email prior to the start of the class they are presenting at. The summary is intended to prepare students for their presentation. Both the summary and presentation are graded on completion.

(15%) Participation: Students are expected to come to class having done the readings and prepared to discuss them. There will not be cold calling in this seminar, but students are expected to raise their hand and participate regularly. Given the short duration of the course, the expectation to participate regularly means each student should speak at least once per class.

(20%) Final Reflection Paper: After the completion of the seminar, students are assigned one final reflection paper of at least 500 words and no more than 1000 words. The paper should be a reflection on what students learned from the course and what questions remain. Possible prompts include but are not limited to: What was your favorite class session and why? What do you think is the most important issue related to cannabis law? What is something you learned during this course that made you change your mind about something? What are the biggest questions you still have about the area of cannabis law? What surprised you the most about cannabis law? This paper should demonstrate that you have taken the time to consider the entire course as a whole and should include specific examples of things you have learned. The final reflection paper is graded for completion and due before midnight one week after the last day of class, April 29, 2024.

## **Assigned Readings**

### **Class 1, March 18, 2024: Introduction to Cannabis Law – History and Federal Law**

#### **Primary Sources**

Federal Controlled Substances Act

#### **21 U.S.C. §§ 841 – Prohibited Acts**

**(a) unlawful acts**

**(b) penalties (skim)**

#### **21 U.S.C. §§ 844 – Penalties for Simple Possession**

**Overview of Drug Scheduling and List of Substances [Drug Scheduling \(dea.gov\)](#)**

2018 Farm Bill

**H.R.5485 — 115th Congress (2017-2018)**  
**Sec. 297A. Definitions (1) Hemp**

Cole Memo (2013)

**Cole Memo**

Sessions Memo (2018)

**Sessions Memo**

Statement from President Biden on Marijuana (2022)

**Statement from President Biden on Marijuana Reform | The White House**

**Secondary Sources**

Wexler, Jay and Burns, Connor, American Edibles: How Cannabis Regulatory Policy Rehashes Prohibitionist Fears and What to do About It (March 1, 2021). Seattle University Law Review, Vol. 44, 2021, Boston Univ. School of Law, Public Law Research Paper No. 21-11, Available at SSRN: <https://ssrn.com/abstract=3811846>

- **Introduction (3-9) recommended.**
- **A History of Getting High in America: Lessons from Our Past (9-27) required.**

Chemerinsky, Erwin and Forman, Jolene and Hopper, Allen and Kamin, Sam, Cooperative Federalism and Marijuana Regulation (March 19, 2014). UCLA Law Review, Vol. 62, No.1. 2015, UC Irvine School of Law Research Paper No. 2014-25, U Denver Legal Studies Research Paper No. 14-22, Available at SSRN: [https://ssrn.com/abstract=24\(311707](https://ssrn.com/abstract=24(311707)

- **The History of Marijuana Regulation from the 1930s to the Present (81-90) required.**
- **The CSA and Federal Preemption of State Marijuana Laws (100-13) recommended.**

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**Class 2: March 25<sup>th</sup>, 2024: Medical Cannabis in Rhode Island and Beyond**

**Primary Sources**

The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act  
(21 R.I. Gen. Laws Ann. § 21-28.6 -1 (West))

**Required:**

**21 R.I. Gen. Laws Ann. § 21-28.6 – 2 Legislative Findings,**  
**21 R.I. Gen. Laws Ann. § 21-28.6 – 3 Definitions,**

**21 R.I. Gen. Laws Ann. § 21-28.6 – 4 Protections for the Medical Use of Marijuana.**

**Recommended:**

**21 R.I. Gen. Laws Ann. § 21-28.6 – 5 Departments of Health and Business Regulation to Issue Regulations (skim),**

**21 R.I. Gen. Laws Ann. § 21-28.6 –12 Compassion Centers (skim).**

**Recommended: Implementing Rules and Regulations Related to the Medical Marijuana Program Administered by the Office of Cannabis Regulation at the Department of Business Regulation: Rules and Regulations Related to the Medical Marijuana Program Administered by the Office of Cannabis Regulation at the Department of Business Regulation - Rhode Island Department of State (skim)**

Rhode Island Cannabis Act, 21 R.I. Gen. Laws Ann. § 21-28.11-3 (West)

**21-28.11-10.4. Medical marijuana program parity.**

**21-28.1-27.1 No minors on the premises of marijuana establishments**

**21-28.6-15. Medical marijuana plant tags (revised)**

FDA Statement Relating to Federal Jurisdiction of Hemp

**Statement from FDA Commissioner Scott Gottlieb, M.D., on signing of the Agriculture Improvement Act and the agency’s regulation of products containing cannabis and cannabis-derived compounds | FDA**

Secondary Sources

**Americans for Safe Access State of the States Report – February 2023**

- **Medical Cannabis By the Numbers (4-6)**
- **Introduction and A Snapshot of Medical Cannabis Today (6)**
- **Medical Cannabis 2022: The Good, The Bad, and The Disappointing (7-8)**
- **About the Grading Scale (8)**
- **A Note About Adult-Use Laws (9)**
- **Medical Cannabis Timeline (10-12)**
- **The Medical Use of Cannabis (12-14)**
- **State Medical Cannabis Program Regulations and Oversight (14-16)**
- **State Reports Cards (16-**
  - o **Massachusetts**
  - o **Rhode Island**

**Rhode Island Requirements for Medical Marijuana Patients**

Jake Mantin, Professional Athletes: The Spark to Ignite Medical Marijuana Reciprocity, 12 Ariz. St. Sports & Ent. L.J. 111, 112 (2022)

- **Introduction (112-114)**
  - **Overarching State of Marijuana and Professional Athletics (114-120) (skim)**
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### **Class 3: April 1, 2024: Rhode Island Cannabis Act and the Regulation of Adult-Use/Recreational Cannabis**

#### Primary Sources

Rhode Island Cannabis Act, 21 R.I. Gen. Laws Ann. § 21-28.11 (West)

Required:

**§ 21-28.11-1 Short Title**

**§ 21-28.11-2 Organizational Structure**

**§ 21-28.11-3 Definitions**

**§ 21-28.11-4 Cannabis Control Commission**

**§ 21-28.11-5 Powers and Duties of the Commission (skim)**

**§ 21-28.11-6 Cannabis Advisory Board**

**§ 21-28.11-13 Taxes**

**§ 21-28.11-15 Municipal Authority**

**§ 21-28.11-16 Local Control**

**§ 21-28.11-18.1 Cannabis Office**

**§ 21-28.11-22 Personal Use of Cannabis**

Recommended

**§ 21-28.11-7 Licensed Cannabis Cultivators**

**§ 21-28.11-8 Moratorium Report**

**§ 21-28.11-9 Cannabis Products Manufacturer or Wholesaler**

**§ 21-28.11-10 Hybrid Cannabis Retailers**

#### Secondary Sources

Mikos, Robert A., Marijuana Localism (June 12, 2015). Case Western Reserve Law Review, Vol. 65, p. 719, 2015, Vanderbilt Public Law Research Paper No. 15-18, Available at SSRN: <https://ssrn.com/abstract=2617801>

**Introduction (719-727)**

**Localism Theory (727-731)**

**Marijuana Localism (731-745) skim**

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### **Class 4: April 8<sup>th</sup>, 2024: Social Equity, Worker Owned- Cooperatives, and the War on Drugs**

#### Primary Sources

Rhode Island Cannabis Act, 21 R.I. Gen. Laws Ann. § 21-28.11 (West)

- § 21-28.11-10.1 Transitional Period and Transfer of Authority
- § 21-28.11-10.2 Cannabis Retail Sales
- § 21-28.11-10.3 Geographic Zones
- § 21-28.11-12.1 Criminal Record Information – Permitted Use
- § 21-28.11-12.2 Labor Peace Agreements – Requirements
- § 21-28.11-31 Social equity assistance program and fund
- § 12-1.3-5. Expungement of marijuana records

#### Secondary Sources

Title, Shaleen, Fair and Square: How to Effectively Incorporate Social Equity Into Cannabis Laws and Regulations (December 6, 2021). Ohio State Legal Studies Research Paper No. 672, Drug Enforcement and Policy Center, 2021, Available at  
**SSRN: <https://ssrn.com/abstract=3978766> or <http://dx.doi.org/10.2139/ssrn.3978766>**

(Skim websites and explore programs)

**[CAURD | Office of Cannabis Management \(ny.gov\)](#)**

**[Social Equity Council \(ct.gov\)](#)**

**[Equity Programs - Cannabis Control Commission Massachusetts \(masscannabiscontrol.com\)](#)**

Alexander, Michelle. *The New Jim Crow*. Penguin Books, 2019. (PDF posted on Bridges)

**Introduction**

**Chapter 2: The Lockdown**

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**Class 5: April 15<sup>th</sup>, 2024: Remaining Challenges Caused by Federal Prohibition of Cannabis and State Initiated Interstate Commerce Legislation**

#### Primary Sources

Tax

**Internal Revenue Code 26 U.S. Code § 280E - Expenditures in connection with the illegal sale of drugs**

Banking

**[BSA Expectations Regarding Marijuana-Related Businesses | FinCEN.gov](#)**

State Initiated Interstate Commerce Legislation

- Oregon

**[SB582 2019 Regular Session - Oregon Legislative Information System \(oregonlegislature.gov\)](#)**

**SB0582 (oregonlegislature.gov)**

- Washington State

**Washington State Legislature**

- California

**Bill Text - SB-1326 Cannabis: interstate agreements.**

Secondary Sources

**Warning for Cannabis-Related Charities (And Others): IRS Applies Legality Doctrine in Denial 201917008 – Adler & Colvin (adlercolvin.com)**

Berke, Jeremy and Title, Shaleen and Bloomberg, Scott and Lawrence, Geoffrey and Smith, Adam J., Regulating Cannabis Interstate Commerce: Perspectives on How the Federal Government Should Respond (August 11, 2022). Ohio State Legal Studies Research Paper No. 722, 2022, Drug Enforcement and Policy Center, August, 2022, Available at SSRN: <https://ssrn.com/abstract=4188089> or <http://dx.doi.org/10.2139/ssrn.4188089>

Chemerinsky, Erwin and Forman, Jolene and Hopper, Allen and Kamin, Sam, Cooperative Federalism and Marijuana Regulation (March 19, 2014). UCLA Law Review, Vol. 62, No.1. 2015, UC Irvine School of Law Research Paper No. 2014-25, U Denver Legal Studies Research Paper No. 14-22, Available at SSRN: <https://ssrn.com/abstract=2411707>

**Part II: Problems Posed by Continuing Federal Prohibition**

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**Class 6: April 22<sup>nd</sup>, 2024: Hot Topics in Cannabis Law and Policy: Possibility of Federal Rescheduling and Proposed Federal Legislation**

Primary Sources

Documents Related to Rescheduling:

HHS Rescheduling Recommendation (PDF posted on Bridges) – very long – SKIM

[Senate Letter to Deschedule Cannabis](#)

[Senate Letter to Keep Cannabis Scheduled](#)

Federal Legislation:

Read in their entirety:

**SHIP Act**

**[Text - H.R.363 - 118th Congress \(2023-2024\): Second Amendment Protection Act | Congress.gov | Library of Congress](#)**

Choose one of the following to read more closely, skim the rest.

**[H.R.3884 - 116th Congress \(2019-2020\): MORE Act of 2020 | Congress.gov | Library of Congress](#)**

**[H.R.5977 - 117th Congress \(2021-2022\): States Reform Act | Congress.gov | Library of Congress](#)**

**[Booker, Schumer, Wyden Introduce Cannabis Administration and Opportunity Act \(senate.gov\)](#)**

**[S.910 - 117th Congress \(2021-2022\): SAFE Banking Act of 2021 | Congress.gov | Library of Congress](#)**

#### Secondary Sources

[UN Never Bothered Canada About Legal Marijuana Violating Treaties, Prime Minister Says As U.S. Weighs Rescheduling's International Implications - Marijuana Moment](#)

[Feds Release Marijuana Documents, Confirming Schedule III Recommendation Based On 'Accepted Medical Use' - Marijuana Moment](#)

Choose one:

Packer, Cat and Title, Shaleen and Crockett, Rafi Aliya and Dawson, Dasheeda, Not a SAFE Bet: Equitable Access to Cannabis Banking, An Analysis of the SAFE Banking Act (August 11, 2022). Ohio State Legal Studies Research Paper No. 721, 2022, Drug Enforcement and Policy Center, August, 2022, Available at SSRN: <https://ssrn.com/abstract=4188072> or <http://dx.doi.org/10.2139/ssrn.4188072>

Title, Shaleen, Bigger is Not Better: Preventing Monopolies in the National Cannabis Market (January 26, 2022). Ohio State Legal Studies Research Paper No. 678, Drug Enforcement and Policy Center, 2022, Available at SSRN: <https://ssrn.com/abstract=4018493> or <http://dx.doi.org/10.2139/ssrn.4018493>

## **Appendix A: More Details About Attendance Policy**

### **§305 ATTENDANCE POLICY**

All ABA accredited law schools are required to abide by the Standards for Approval of Law Schools of the American Bar Association, including the rule that “[a] law school shall adopt, publish, and adhere to sound academic standards, including those for regular class attendance . . . .” Standard 308(a), Standards for Approval of Law Schools of the American Bar Association.

Consistent with this directive, the School of Law faculty believes that dependability is an essential characteristic of a good lawyer. The Law School's objective is not only to ensure academic success, of which attendance is a major component, but also the development of good professional habits.

- (a) *General Principles.* Attending class is an essential part of legal education. During class, students learn from the instructor, from class discussion, and from each other. While students will at times have legitimate reasons to miss a class, students should endeavor whenever possible to attend and should not miss class without an excuse for non-attendance that would be acceptable in a professional setting.
- (b) *Student Responsibility:* Students are responsible for monitoring their own compliance with the Attendance Policy and for keeping their own documentation of reasons for any absences. Students need not inform an instructor in advance of an absence unless a particular instructor has requested to be so informed.
- (c) *Faculty Duty.* Faculty should routinely record attendance at individual class sessions.
- (d) *Maximum Absences (20% Absence Rule).* A student exceeds the absences permitted under the Attendance Policy if the student is absent for 20% or more of the total class meetings (the “20% absence rule”).
  - (i) Examples:
    - 1) A class that meets three times each week meets a total of 42 times throughout the semester. A student will exceed the permissible absences when the ninth class is missed.
    - 2) A class that meets two times each week meets a total of 28 times throughout the semester. A student will exceed the permissible absences when the sixth class is missed.
    - 3) A class that meets once each week meets a total of 14 times throughout the semester. A student will exceed the permissible absences when the third class is missed.

- (ii) The 20% absence rule is intended to be sufficient to cover all absences, including absences due to illness; intentional, negligent or accidental class cuts; religious days not included in our schedule or calendar; personal needs; family needs; and emergencies. A student's reasons for missing class will be reviewed by the law school for purposes of the Attendance Policy only insofar as may be necessary if a student exceeds the 20% absence rule in a class, as detailed in (e) below, or if a student requests an advance ruling related to the Attendance Policy, as detailed in (g) below.
  - (iii) Individual instructors have no authority to excuse absences or to allow more absences than the Attendance Policy permits.
  - (iv) A student who is unprepared in class but present may be counted as absent if the instructor announces at the beginning of the semester that unprepared students will be counted as absent.
  - (v) Punctual class attendance is required. A student who enters class late or leaves class early maybe counted as absent at the professor's discretion. Unless stated otherwise by the professor, an absence under this subsection shall count as an absence for the entire class period (and NOT as an absence for a fraction of the class period).
  - (vi) Nothing in this section shall prevent an instructor from taking into account student professionalism when submitting final grades, including student preparation for and participation in class and, when requested by the instructor, advance notice from the student of any absences.
  - (vii) Falsification of attendance records constitutes a violation of the RWU School of Law Honor Code.
  - (viii) Absences during the add/drop period shall not count toward the 20% absence rule when a student is not yet formally enrolled in the course.
  - (ix) Absences from classes that are rescheduled for the convenience of the instructor shall not count toward the 20% absence rule, except for first year classes rescheduled during one of the official first year "make-up" periods, Legal Practice I & II classes rescheduled according to the syllabus, and classes rescheduled by the law school administration due to inclement weather or some other emergency situation.
- (e) *Consequence of Exceeding Maximum Absences.* If a student exceeds the maximum absences in a course, the instructor shall notify the Associate Dean in writing and provide the dates of the absences. Upon receiving such notice, the Associate Dean shall promptly notify the student in writing and provide an opportunity for the student, within seven (7) calendar days, to submit a "Petition for Relief from the Rules on Attendance," conforming substantially to Form AC Four, that explains, and provides suitable documentation of, the circumstances of

each absence. The Associate Dean may extend this time period for good cause. The Associate Dean may, as appropriate, solicit the views of the instructor as to whether the student could proficiently complete the course if allowed to remain enrolled. If application of the Attendance Policy to the petition is unclear, the Associate Dean may refer the petition to the Academic Standards Committee for decision. The student should continue to attend the course while the petition is pending.

(f) Based on the information received, the Associate Dean, or, upon referral from the Associate Dean, the Academic Standards Committee, shall promptly issue a decision as to which of the following consequences is most appropriate:

(i) *Continued enrollment.* The student shall be allowed to stay in the course if (1) most of the student's total absences are for professionally acceptable reasons, as defined in (f) below; and (2) the student can proficiently complete the course if permitted to remain enrolled. Any subsequent absences by the student in that course shall be grounds for reporting the student to the Associate Dean for excessive absences.

(ii) *Entry of "W" Grade.* A grade of "W" shall be entered if continued enrollment is not appropriate but good cause exists to allow the student to withdraw rather than fail the course (for example, the student has continuing health or medical issues or there are other extenuating circumstances justifying withdrawal). A student's poor performance in early assessments or fear of failing an exam does not, by itself, constitute "good cause" for withdrawal.

(iii) *Entry of "W/F" Grade.* A grade of "W/F" shall be entered for a student who fails, without good cause, to timely respond to the Associate's Dean's inquiry about absences. A grade of "W/F" may be entered in exceptional cases when neither continued enrollment nor withdrawal is a sufficient consequence (for example, where a student has missed numerous classes without offering professionally acceptable reasons and there is no issue of mental or physical illness).

(g) *Professionally acceptable reasons for absence.* Students should schedule non-class matters so as not to conflict with class times. At the same time, emergencies and conflicts arise that cannot be avoided by advance planning, such as illness, death in the family, school closures for students with children, court appearances, and the like. When a student's absences in a class exceed the 20% absence rule, the Associate Dean or, upon referral from the Associate Dean, the Academic Standards Committee, shall review the reasons for the absences and treat as excusable those absences attributable to reasons that would be generally acceptable in a professional setting. To reiterate a critical aspect of the standard in section 601(e)(i), most of the student's absences must have been for professionally acceptable reasons.

(i) Examples of professionally acceptable reasons for an absence include:

- Illness or physical or mental condition of student that precludes in-person attendance in class (e.g., contagious or debilitating illness)

- Medical condition of child, parent, or household member that precludes attending class (e.g. need to care for sick child)
- Non-elective surgical procedures or urgent medical appointments
- Death of family member, household member, or person in a comparable relationship with the student
- Religious observance that precludes attendance in class and is not accommodated by law school schedule
- Birth of child (student or partner)
- Sudden cancellation of student's daycare arrangement or closure of child's school
- Job interview that could not be scheduled at another time
- Court appearance that could not be scheduled at another time
- Military service obligations
- Essential family-related events that the student lacks control in scheduling (e.g., child's graduation or school orientation)
- Weather conditions that make travel dangerous

(ii) Examples of reasons that would *not* generally be professionally valid reasons for an absence include:

- Vacation plans
- Leaving early for a long weekend
- Social engagements
- Non-emergency personal appointments
- Sleeping in, alarm failure
- Failure to prepare for class
- Failure to adequately plan for timely arrival

(h) *Advance Ruling Concerning Attendance.* When a student knows, in advance, of circumstances that will require missing a week or more of classes during the semester, the student may write to the Associate Dean explaining the circumstances and the dates and classes likely to be affected and seeking an advance ruling as to whether the absences will be treated as professionally valid reasons for missing class (for example, if the student or the student's partner is expecting a baby). The Associate Dean will either provide a ruling in advance as to whether the planned absences will be treated as professionally valid reasons for missing class or, if the application of the Attendance Policy is unclear, seek such an advance ruling from the Academic Standards Committee. The ruling shall be promptly provided to the student and will bind the law school in any subsequent proceedings related to the attendance at issue. The number of classes excused under such a ruling shall be appropriate to the circumstances and shall not ordinarily exceed more than two weeks of classes.

### **§306 PETITION FOR RELIEF FROM ASSOCIATE DEAN'S DECISION REGARDING ATTENDANCE VIOLATION**

(a) *Petition Process:* If a student is dissatisfied with a decision rendered by the Associate Dean of Academic Affairs under section 601(e) of the Student Handbook (§ 305(f) above), the student

may file a "Petition for Relief from Associate Dean's Decision under Section 601(e)" with the Academic Standards Committee of the faculty. Such petition must be filed within seven (7) calendar days of the Associate Dean's notice of decision to the student. The petition for relief from the Associate Dean's decision under section 601(e) must include as an attachment the student's original Petition for Relief from the Rules on Attendance filed under 601(e) and must offer reasons why the Academic Standards Committee should grant relief from the decision of the Associate Dean.

(b) *Standard for Relief:* The Academic Standards Committee shall apply the standards set out in §§601(e) and (f) in the Student Handbook (§§ 307(e) and (f) above) in ruling on the petition.

(c) *Attend Classes Pending Review:* The student should continue to attend the course while the petition is pending.