

## ***Executive LL.M. Academic Regulations***

### **Article I. Master of Laws in International Business Law Degree Requirements**

- A. **Master of Laws Degree.** Boston University confers the degree of Master of Laws (LL.M.) in International Business Law on students who, after successful completion of the degree requirements, are recommended by the Program Director to the Dean, presented by the Dean to and voted by the Faculty, and approved by the President and Trustees of the University.
- B. **Degree Requirements.** To receive the degree of LL.M. in International Business Law, a student must satisfy the following requirements:
1. Complete, with a grade of “C” or better, 20 credits in the Executive LL.M. curriculum, including all required courses and workshops listed in item 2 below, with an overall GPA of 3.0 (“B”).
  2. Complete the following required Executive LL.M. courses: Corporations; Contracts; and International Business Transactions and Agreements. Corporations and Contracts may be waived, as per Section E below.
- C. **Concentrations.** Students who fulfill the requirements of a Concentration in the ELLM shall receive that designation on their transcript.
1. Concentration in International Tax. Students who complete 10 or more credits in the online Graduate Tax Program consisting of Federal Tax I and II (2 credits each), International Tax I and II (2 credits each), Corporate Tax I and II (2 credits each) or Transfer Pricing (2 credits) will be eligible to receive the designation of having completed a “Concentration in International Taxation”, provided that they complete International Tax I and II. Students may enroll in any GTP courses, subject to all corequisites and prerequisites. While they will receive credit for all online GTP courses completed, only Federal Tax, International Taxation, Corporate Tax and Transfer Pricing will count towards the degree requirements for the Executive LL.M but shall not replace the degree requirements as set out in Section B above.
  2. Concentration in International Environmental and Energy (IEEL) Law. Students who complete 12 or more credits in the online IEEL Concentration consisting of Environmental Law (3 credits), Administrative Law (3 credits), Energy Law and Policy in a Carbon-Constrained World (3 credits), Energy

Regulation, Markets and the Environment (3 credits), Renewable Energy and Other Alternative Fuels (3 credits), Oil and Gas Development and the Environment (3 credits), or Environmental Dispute Resolution (3 credits) will be eligible to receive the designation of having completed a “Concentration in International Environmental and Energy Law”, provided that they complete Environmental Law. Students may enroll in any of these courses, subject to all corequisites and prerequisites, and all courses will count towards the degree requirements for the Executive LL.M but shall not replace the degree requirements as set out in Section B above.

3. Concentration in Enterprise Risk Management and Compliance (ERMC). Students who complete 12 or more credits in the online ERMC Concentration consisting of Enterprise Risk Management (4 credits), Enterprise Risk Planning and Compliance (4 credits), Enterprise Risk Analytics (4 credits), Global Compliance: Introduction and Best Practices (3 credits), and Global Cyber Law and Governance (3 credits) will be eligible to receive the designation of having completed a “Concentration in Enterprise Risk Management and Compliance.” Students may enroll in any of these courses, subject to all corequisites and prerequisites, and all courses will count towards the degree requirements for the Executive LL.M but shall not replace the degree requirements as set out in Section B above.

D. **Certificates.** Students who fulfill the requirements of a Certificate shall receive that designation on their transcript.

1. Certificate in International Business Law (CIBL). Students who complete 12 or more credits towards the CIBL, consisting of any courses in the ELLM curriculum, will be eligible to receive the designation of having completed a “Certificate in International Business Law” on their transcript, provided they complete International Business Transactions (3 credits). Students who successfully complete the CIBL may apply to admission into the ELLM in the usual course and, if accepted, may apply all CIBL credits towards the ELLM degree requirements.
2. Certificate in Enterprise Risk Management and Compliance (CERMC). Students who complete 12 or more credits towards the CERMC, consisting of Enterprise Risk Management (3 credits), Enterprise Risk Planning and Compliance (3 credits), Enterprise Risk Analytics (3 credits), Global Compliance: Introduction and Best Practices (3 credits), Global Cyber Law and Governance (3 credits), and a Directed Study (3 credits) will be eligible to receive the designation of having completed a “Certificate in Enterprise Risk Management and Compliance” on their transcript. Students who successfully complete the CERMC may apply to

admission into the ELLM in the usual course and, if accepted, may apply all CERMC credits towards the ELLM degree requirements.

3. **Student Status.** All students enrolled in the Executive LL.M. Program shall be deemed “part time,” and under no circumstances will a student be eligible for “full time” student status.
- E. **Course Load.** Students can take one or two courses per session, subject to all academic requirements. Students may not enroll in a Colloquium without also enrolling in at least one course in the same session. Students enrolling in only one course in a residential session must also enroll in the colloquium if it is offered, unless waived out as set out in Section F(5), below.
- F. **Course Waivers.** Corporations and Contracts are required components of the Executive LL.M. Program unless waived. Waivers will be granted in the following circumstances:
1. **Mandatory waiver.** Students who have taken Corporations, Contracts, or both in an ABA-accredited law school within a three year period prior to their matriculation must fulfill the Program’s degree requirements by substituting another course or courses from the Executive LL.M. curriculum.
  2. **Optional waiver based on three year exclusion.** Students who have taken Corporations, Contracts or both in an ABA-accredited law school but not within a three year period prior to their matriculation, may request to waive out of one or both of these courses.
  3. **Optional waiver based on non-U.S. common law programs.** Students who have taken Corporations, Contracts, or both, but not in an ABA-accredited law school, may request a waiver for one or both of these courses.
  4. **Optional waiver based on work experience.** Students who have had extensive work experience in a common law jurisdiction in the field of corporations or contracts may request a waiver of one or both of these courses.
  5. **Hardship Waiver.** Should scheduling changes to the program create a hardship, students may request a hardship waiver be granted. No such waivers shall be granted unless there are compelling grounds for doing so.
  6. **Waiver process.** Requests for waivers as per Sections 2, 3, 4 and 5 above, or for any other reason, must be made to the Program Director or his/her

designee and shall only be granted at their discretion upon the provision of sufficient evidence to substantiate the same.

- G. **Executive LL.M. Committee.** The Executive LL.M. Committee, as appointed by the Dean, shall be the supervisory board for the Executive LL.M. Program, and shall have jurisdiction over all petitions, issues, and academic and other matters pertaining to this Program unless falling within the purview of the Academic or Program Director's discretion. The Program Director or his/her designee shall serve as Committee Chair. Should the Executive LL.M. Committee not be constituted, the Graduate and Foreign Programs Committee shall be the supervisory board for all matters related to the Executive LL.M. Program.
  
- H. **Timing Requirements for Matriculation.** Students must matriculate in at least one course within the Executive LL.M. program within one calendar year of the date of their acceptance. Failure to do so will require the student reapply for admission into the program. Prior acceptance will not guarantee successful reapplication. The Committee will not entertain any petitions to extend the Timing Requirement beyond four years of the student's original matriculation date.
  
- I. **Timing Requirements for completion of Degree Requirements.** A student must complete the Degree Requirements within three calendar years of his or her original matriculation date.
  - 1. **Petition for Waiver of the Timing Requirement.** The Executive LL.M. Committee may extend the Timing Requirement for up to one calendar year in the event of good cause and upon the written petition of a student, for a durational maximum of four years from the original date of matriculation. Petitions will not be considered unless made no later than ninety calendar days prior to the end of the three year period.
  
- J. **Auditing.** Students are permitted to audit classes offered in the Executive LL.M. Program with the approval of the instructor and the Program Director.
  
- K. **Non-Degree Candidates.** Non-degree candidates may enroll in, and receive credit for, Executive LL.M. courses, provided they have gone through the standard Program application process and have been admitted. Non-degree candidates will be held to the same academic standards and assessments as degree candidates. Non-degree candidates may petition the Executive LL.M. Committee to convert to degree candidates, provided that such candidates have completed a minimum of four Executive LL.M. courses total and are otherwise in good standing, and provided they complete all degree requirements within five years from their initial matriculation as a non-degree candidate.

- L. **Failure to Satisfy Degree Requirements.** A student who fails to satisfy one or more Degree Requirements within the Timing Requirements and has not received a waiver of that requirement as provided for in these Regulations will be dropped from the Executive LL.M. Program. Any student so dropped may petition the Executive LL.M. Program Committee to request relief, pursuant to Article VI of these Regulations.
- M. **Commencement Participation.** All students who fulfill the requirements for the LL.M. in International Business Law shall be eligible to participate in the School of Law Convocation and the Boston University Commencement in the May following completion of all of their degree requirements, or the subsequent May commencement, unless alternative arrangements have been made with the Program Director to participate in a Boston University Convocation or Commencement at another time.
- N. **Directed Study Option.** Students may earn up to six credits for supervised research and writing on a topic broadly related to international business law.
1. **Structure.** A student who has prepared a detailed statement of proposed study (including a preliminary project outline and a specification of the number of credits sought), and who has obtained the written approval of the Director and of an instructor who agrees to supervise the work, may register for a Directed Study with supervised research and writing, awarding up to six credits.
  2. **Standard for evaluation.** The work must involve a substantial investment of time and effort and must result in written work that meets a high standard of academic performance. The student's final grade will be based solely on the written work submitted and will be included on the student's transcript. While the exact parameters of the project shall be at the discretion of the supervising instructor, it is anticipated that most papers will generally be approximately 7,500 words per credit.
  3. **Instructors.** The supervising instructor shall be a member of the ELLM teaching faculty, or another BU LAW faculty member or adjunct as approved by the Program Director.
  4. **Timing.** Directed Study projects are to be completed, and final grades submitted, within the normal deadlines set for the semester in which the student is enrolled in the Directed Study.
  5. **Credit Maximum.** No more than a total of six credits of Directed Study may be counted towards the degree requirements.

- O. **Advanced Standing.** Applicants to the Executive LL.M. Program may petition to have up to six credits applied towards the Degree Requirements, subject to the following conditions:
1. **Grades and Programs.** Only courses that are comparable to those for which credit is granted in the ELLM program may, at the Director's discretion, qualify for advanced standing credit.
  2. **No other waiver granted.** No credit granted for advanced standing shall count as a waiver of any other Degree Requirements, unless the courses taken for advanced standing also meet Degree Requirements as per section I (B), above.
  3. **Reduction of credits.** The credits granted, up to six in total, shall reduce the 20 credits required for the degree by the equivalent amount, but shall not change other Degree Requirements as set out in section 2, above.
  4. **Concentrations.** Advanced standing credits may be applied to a Concentration provided those courses for which advanced standing were granted constitute part of an ELLM Concentration.
  5. **Lazarski.** Graduates of Lazarski University may apply up to seven credits of ELLM-offered courses towards advanced standing in the ELLM program, after applying and being accepted into the program.

**Article II. Registration, Course Selection and Program Changes**

- A. **Registration.** Every student must register by the end of the official registration period for each session. The University reserves the right to require earlier completion of registration by pre-registration and pre-payment of tuition and fees.
- B. **Late Registration.** The University will charge a late registration fee to a student who registers after the official registration period. A student may not register later than one week after the official registration period without the Program Director's written approval.
- C. **BU Login and Email account.** All students must establish Boston University Academic Computing System (ACS) accounts, which will allow them to access email and other computer resources. Information on setting up such an account will be provided to each student before registration.
- D. **Terrier Card.** Students must obtain a Terrier Card.

- E. **Course Selection.** All students registered in this program are deemed part-time and must complete all degree requirements as per Section B(1) and B(2) above. Students may not count any other J.D. or LL.M. course, at Boston University or elsewhere, towards their program requirements.
- F. **Prerequisite and Corequisite Courses.** In order to provide for optimal flexibility in program structure, courses in the Executive LL.M. Program have no prerequisites or corequisites.

**Add/Drop Period and Course Withdrawal.** Students may drop and add courses at the beginning of each session during the “Add/Drop” period specified on the Executive LL.M. academic calendar. Students must complete an Add/Drop form available at the Executive LL.M. Program office. The Academic or Program Director may authorize late drops and, with the instructor’s approval, course adds. Unless a student demonstrates good cause for such a delay, a course that the Academic or Program Director permits to be dropped after the relevant deadline will appear on the student’s transcript with a notation of “W/D” (withdrawal).

**Article III. Attendance, Preparation, Participation, and Behavior**

- A. **Attendance.** Regular and punctual attendance is expected during the residential components of each class for which a student is registered. Students must notify the Academic Director, in advance if possible, of extended absences of two or more classes, subject to Section C below.
- B. **Preparation, Online/Classroom Participation.** Preparation of class assignments and informed engagement in class discussions, both online and during residential periods, are expected of every student.
- C. **Disruptive and Disrespectful Behavior.** Students are expected to comport themselves professionally at all times and to treat their classmates, faculty, staff, members of the Boston University community and the members of the public courteously and with respect. Behavior that creates a hostile environment, is disruptive or is otherwise not conducive to the program’s educational purpose may result in sanctions as per Section E below.
- D. **Post-Session Participation.** Students must complete the post-residency period in the period immediately following the residential component of each session for which they are registered.

**E. Effect on Final Grades and on Continued Participation in the Program.**

- 1. Absences from Residential Period.** A student whose cumulative absences from the residential period consist of two or more classes (or as set by the course instructor with the agreement of the Academic Director) within the two week period may be excluded from the final examination or any other further participation in the course at the instructor's discretion. Such a student will receive a failing grade for the course. These sanctions may be imposed by an instructor without prior notification.
- 2. Lack of Preparation or Participation.** A student who, without permission of the Academic or Program Director, has been deemed by an instructor to not have meaningfully participated or demonstrated preparedness in a course, whether during the online or residential periods or both, as set out in Section B above, may be excluded from the final examination or any other further participation in the course, or administratively dropped from the Executive LL.M. Program. Administrative dropping shall be imposed following a convening of the Executive LL.M. Program Committee and an unanimous vote of all voting Committee members, while other sanctions may be imposed by the instructor without prior notification.
- 3. Disrespectful or Disruptive Behavior.** A student who has been shown to conduct him or herself in a manner which interferes with the educational mission of the program, as set out in Section C above, may be excluded from the final examination or any other further participation in the course, and may be administratively dropped from the Executive LL.M. program following a convening of the Executive LL.M. Program Committee and an unanimous vote of all voting Committee members.
- 4. Petition for Readmission.** A student upon whom these sanctions have been imposed may petition the Executive LL.M. Program Committee for readmission to the course, Program or component thereof. However, there shall be a rebuttable presumption against readmission.
- 5. Warning of Sanctions.** On the basis of absence from the residential period, non-participation or lack of informed engagement in any portion of the course, an instructor may (but is not required to) warn a student of possible sanctions as set out in Section D, above. A "warning" under this section may be communicated orally or in writing.
- 6. Lowering Final Grades.** An instructor shall announce any policy, apart from the provisions of paragraphs (1) and (2) of this section, of lowering a student's grade on account of classroom attendance, preparation and participation by the first day of



residency. Such a policy shall not preclude enforcement of paragraphs (1) and (2) of this section.

**7. Raising Final Grades.** An instructor in any course may adopt and apply a policy of raising final grades by one increment (e.g., from 'B+' to 'A-', 'A-' to 'A', etc.) to reflect a student's high level of preparation or participation, provided the instructor has previously announced such a policy.

**F. Petitions to Executive LL.M. Committee for extraordinary circumstances.** As per Article 1, Section F above, the Executive LL.M. Committee shall be the general appellate body for all appeals related to academic matters in the Executive LL.M. Program. A general petition for matters not covered within these Regulations may be made to the Committee through the Academic Director in his/her role as Chair of the Committee.

#### **Article IV. Examinations and Failed Courses**

**A. Examinations and Assessments.** Students are required to take examinations or other forms of assessment as scheduled in each course for which the student is registered, unless otherwise permitted by the Academic or Program Director.

**B. Absence from Examinations and Assessments.** Any student who is unable for any reason to take an examination or other form of assessment as scheduled must promptly report the facts to the Academic or Program Director.

**C. Excused Absences from Examinations or Assessment Due to Illness or Compelling Cause.** Requests to be excused from an examination or other form of assessment will be granted if a student demonstrated promptly that he or she is unable to take the examination or other form of assessment as scheduled by reason of serious illness or other compelling cause beyond his or her control. Requests may be made prior to, during, or after the examination or assessment, as provided in paragraphs (D) and (E) below. When illness is the cause, the request is to be supported by a statement from a treating physician that supports the claim. Ordinarily, requests for excuse should be made prior to the scheduled time of the examination or assessment in question.

**D. Requests Made Prior to, or During, the Examination or Assessment.** Requests for excused absences made prior to, or during, the time set for the examination or assessment are determined by the Academic or Program Director.

**E. Requests Made After Examination or Assessment.** Requests for excused absences made after the time set for the examination or assessment are determined by the Executive LL.M. Committee upon petition for relief.

- F. Excused Failure to Take or Submit an Examination or Assessment on Time.** If the Program Director or the Executive LL.M. Committee, as set out in paragraphs (D) and (E) above, decides that the student's failure is excused, then an appropriate remedy will be granted, which ordinarily will be to reschedule the examination or assessment for the earliest date consistent with the reason for recognizing the excuse. If it is decided that the student's failure is not excused, then the petition shall be disposed of according to paragraph (G), below.
- G. Unexcused Failure to Take or Submit an Examination or Assessment on Time.** If the Academic or Program Director, or the Executive LL.M. Committee as set out above, determines that a student without compelling cause has failed to take an in-class examination or other form of assessment on time or has failed to submit a take-home or online examination or other form of assessment on time, then the Executive LL.M. Committee may allow the student to take and submit the examination or assessment, provided that the student does so immediately. A penalty may be imposed that reflects both the student's fault and any benefit the student might have obtained from the delay. Ordinarily, this penalty will be a substantial reduction of the student's examination or assessment grade.
- H. Failed Courses.** Except as otherwise provided in Section J, below, a student who fails a course will not receive credit for that course. The failing grade will be included on the student's transcript along with the replacement grade for retaken courses.
- I. Unexcused Failure.** A student who fails to take an examination or other form of assessment without excuse and who has not been allowed to take the examination or assessment at a rescheduled time pursuant to Section G, above, will receive a failing grade for the course and will receive no credit for the course, which will be reflected on the student's transcript.

## **Article V. Grades, Transcripts and Class Rank**

### **A. Grading Scale and Procedures.**

1. The Executive LL.M. Program follows BU Law's conventional letter grading scale, as follows:

A+ (4.3)

A (4.0)

A- (3.7)

B+ (3.3)

B (3.0)

- B- (2.7)
- C+ (2.3)
- C (2.0) (pass)
- C- (1.7)
- D (1.0)
- F (0.0)

The minimum passing grade for each course is a "C". Colloquia are graded as "credit" and "no credit". The minimum passing grade for each colloquium is therefore "credit".

2. For all Executive LL.M. courses, it is suggested to faculty that the grades of "C" or below, and "A" and above, should be rare, and the suggested median grade in classes should be "B+". There shall be no mandatory grade curve for classes of 25 or fewer students.
  3. Final grades will be released by the Registrar as soon as possible after the completion of all course components and assessment period. Final grades will not be released to students directly by instructors under any circumstances.
  4. Except for reasons of clerical error, final grades may not be changed, except by vote of the full BU Law faculty.
- B. Transcripts and Student Records.** A student's transcript and record will be made available to the Dean, his or her representative, the Director, the Director's delegate, members of the faculty, the student, and others to the extent permitted by law. No other persons may have access to a student's transcript and record without the student's written consent.
- C. Class Rank.** No class ranks shall be calculated or assigned in the Executive LL.M. Program.

## **Article VI. Reinstatement**

### **A. Petitions for Reinstatement**

Any student who is dropped from the Executive LL.M. Program for failure to maintain minimum requirements for graduation or other cause, may petition the Executive LL.M. Committee for reinstatement. Such petitions must clearly state all circumstances leading to the student's deficient performance, and must be accompanied by supporting statements or documents are appropriate. Grounds or circumstances omitted from such a petition will not afford a basis for reconsideration of a petition that has been denied. Where a student's medical condition has been a contributing factor, a full statement from the attending physician must accompany the petition.

## **B. Relief Available from the Academic or Program Director**

Petitions for reinstatement in cases of academic deficiency will normally be granted only when the Academic or Program Director is satisfied that the student's academic deficiency resulted from serious illness or other compelling cause beyond the student's control. When such a petition is granted, the reinstatement may be made subject to such conditions as the Academic or Program Director concludes are appropriate under the circumstances. Such conditions imposed on the student may include, but are not limited to, the following:

1. Passing all courses;
2. Maintaining a specified level of performance in future work.

## **Article VII. Withdrawal and Leaves of Absence**

### **A. Withdrawal in good standing.**

1. **Withdrawal form required.** A student desiring to withdraw from the Program in good standing must submit an official Withdrawal Form to the Academic or Program Director. Such a withdrawal becomes effective only upon submission of the official Withdrawal Form. This rule applies regardless of the reason for withdrawal and whether or not the student seeks leave to return.
2. **Tuition and Fees.** No student may withdraw in good standing until all current obligations to the University have been paid. Tuition refunds may be sought in accordance with University regulations.

### **B. Readmission of students who have withdrawn without leave to return.**

Applications for readmission by students who have withdrawn without leave to return shall be considered on a case-by-case basis whatever the reason for the withdrawal. Students seeking readmission must petition the Academic or Program Director, stating both the circumstances of the withdrawal and the events leading to the request for readmission. The Academic or Program Director has discretion to grant such readmission if in his or her judgment the student will be able to successfully complete the requirements for the LL.M. degree.

*Approved by Executive LL.M. Program Committee, February 2011.*

*Amendments:*

*May 2012*  
*July 2012*  
*August 2012*  
*November 2012*  
*March 2013*  
*December 2014*  
*January 2015*  
*February 2015*  
*November 2015*  
*April 2016*  
*June 2016*  
*December 2016*  
*March 2017*  
*September 2017*