

American Bar Association
Section of Legal Education and Admissions to the Bar
Standards Review Committee

Overview of Changes to the Standard for Approval of Law Schools

Standard references are to the revised Standards unless otherwise noted.

1. Modified Standards to be more objective rather than subjective

- an objective standard requiring schools to operate (or remain) in compliance with the Standards is now used in the following Standards:
 - 101(a): basic requirements for approval
 - 105(b): acquiescence for major changes
 - 201(d): university policies
 - 201(e): responsibility of governing board
 - 202(a), (c), (d): sufficiency of resources
 - 313(c): degree programs in addition to the J.D.
 - 401: qualifications of faculty
 - 402: size of full-time faculty
 - 506: enrollment of non-degree candidates
 - 603(c): qualifications of library director
 - 701(a) and (b); facilities, equipment, and technology; general requirements
- Standard 601: general provisions – library
- Standard 604: library personnel
- in Standards where schools are required to have policies there is a new requirement that schools must adopt, publish, and adhere to those policies:
 - 207(b): accommodations
 - 308(a): sound academic standards, including those for good standing, academic integrity, graduation, and dismissal
 - 308(b): due process policies with regard to taking any action that adversely affects the good standing or graduation of a student.
 - 310(a): policies and procedures for determining the credit hours that it awards for coursework
 - 311(f): attendance policy
 - 404(a): responsibilities of full-time faculty
 - 510: student complaints

2. Highlighted reporting requirements

- Standard 104: moved current Interpretation 101-1, covering information that must be furnished to the Accreditation Committee and the Council, into a new Standard that provides that information must be complete, accurate and not be misleading
- Standard 509: strengthened reporting requirements regarding consumer information

3. Incorporated Student Learning Outcomes into the Standards

- Introduced student learning outcomes as output measures for the program of legal education, along with related Standards pertaining to the assessment of student learning, and the evaluation of the academic program, learning outcomes, and assessment methods.
 - Standard 301(b): added a new requirement that schools must establish and publish each of the learning outcomes it seeks for its graduating students and for its program of legal education.
 - Standard 314: added a new requirement that schools must apply both formative and summative assessment methods across the curriculum to provide meaningful feedback to students.
 - Standard 315: added a requirement that schools conduct ongoing evaluation of the program of legal education, learning outcomes, and assessment methods.
4. Clarified/strengthened curricular requirements
- Standard 303: revised to require specific numbers of credit hours for professional responsibility instruction; legal writing instruction; and experiential courses
 - Standard 304: new Standard defining simulation courses and law clinics
 - Standard 305: clarified requirements regarding supervision of field placements
 - Standard 305(e)(5) and (7): reduced from 4 to 3 credits the field placements that require periodic site visits and contemporaneous student reflection
 - Standard 307(b): clarified the permissible number of credits for foreign study
 - Standard 307(a)(2): clarified requirements regarding field placements in foreign countries
 - Standard 308: clarified requirements regarding academic standards
 - Standard 309: created new Standard on academic advising and support (moving two interpretations into the Standard)
 - Standard 310: added new Standard and guidance regarding definition of credit hour
 - Standard 311(b): stated requirements for graduation in terms of credit hours rather than minutes
 - Standard 311(c): provided an exception for extraordinary circumstances regarding completion of the J.D. degree
5. Acknowledged the three competencies from the MacCrate Report - knowledge, skills and values
- Standard 301(a): added the word "ethical"
 - Standard 302: included all three competencies in student learning outcomes
 - Standard 303(a)(1): added a requirement that each student complete a course in professional responsibility
 - Standard 303(a)(3): added a requirement that each student complete at least 6 credit hours of experiential courses
 - Interpretation 303-3: added language encouraging law schools to promote opportunities for law students to provide at least 50 hours of pro bono service during law school

6. Modified existing rules to provide greater clarity regarding requirements of Standards
 - Standard 101: clarified that the approving entity is the Council of the Section of Legal Education and Admissions to the Bar
 - Standard 102: clarified requirements for provisional approval
 - Standard 103: clarified requirements for full approval
 - Standard 105: clarified requirements for major changes in program or structure
 - Standard 107: clarified requirements for variances
 - Standard 201: clarified requirements on law school governance by reworking and consolidating current Standard 204 (Governing Board of an Independent Law School), current Standard 205 (Governing Board and Law School Authority), current Standard 207 (Allocation of Authority between Dean and Faculty), and parts of current Standard 210 (Law School University Relationships) into new Standard on law school governance.
 - Standard 203(c): clarified requirements for decanal appointments
 - clarified definition of full-time faculty member found in current Standard 402(b) and moved the definition to the Definitions section
 - Standard 402: clarified requirements regarding size of faculty
 - Standard 403: clarified instructional role of faculty
 - Standard 404: clarified responsibilities of full-time faculty
 - Standard 312: created separate Standard for and clarified requirements for reasonably comparable opportunities for all students [Current Standard 301(b) was moved to new Standard 312]
 - Standard 501: clarified requirements for admission
 - Standard 502: clarified education requirements for admission to law school
 - Standard 504: clarified requirement regarding a law school's responsibility to advise students of character and fitness requirements
 - Standard 505: clarified requirements for granting JD credit for prior law study
 - Standard 506: clarified Standard for enrollment of non-degree candidates
 - Standard 507: clarified responsibility of schools to demonstrate reasonable steps to minimize student loan defaults
 - Standard 603(c): clarified requirements regarding education, skill and experience of library director
 - Standard 701(a): clarified that facilities includes equipment and technology
7. Provided increased guidance in Standards
 - Standard 106: created new Standard for separate locations and branch campuses
 - Standard 204: restructured and revised the Standards relating to Self Study and Strategic Plan
 - Interpretation 311-3: provided guidance regarding "extraordinary circumstances"
 - Standard 504: changed title from "Character and Fitness" to "Qualifications for Admission to the Bar" and added requirement of a specific statement in law school application regarding admission to the bar
 - Standard 508: added debt counseling in the Standard on student support services
 - Interpretation 605-1: added guidance regarding library services
 - Standard 606(a): added guidance on "reliable access" to information resources

- Interpretation 701-1: added guidance on determining whether technology and technology support comply with Standard 701.
8. Streamlined the sabbatical review process
 - Standard 204: restructured and revised the Standards relating to Self Study and Strategic Plan
 9. Implemented directions of the Council to review three special committee reports
 - incorporated student learning outcomes into the Standards
 - increased clarity (transparency) in the Standards
 - made recommendations regarding security of position
 10. Responded to changes and requirements in Department of Education regulations
 - Standard 306(g) and Interpretation 306-2: clarified requirements for verifying the identity of students in distance education courses
 - Standard 310: added new Standard and guidance regarding definition of credit hour
 - Standard 509(c): added new Standard on transfer credit
 - Standard 510: created a new Standard that clarifies the responsibility of law schools to maintain records of student complaints and complies with Department of Education requirements that the Council's requirement be specifically stated in the Standards
 11. Addressed changes in legal education
 - Standard 106: clarified requirements regarding branch campuses
 - Standard 306: increased permissible number of distance education credits and the number that can be taken in one semester
 - Chapter 3: added Standard to address student learning outcomes
 - Standard 505: clarified rules for granting of J.D. credit for prior law study
 - Standard 606: clarified requirements regarding the library collection
 - Interpretation 701-1: clarified Standard regarding technological capacities
 12. Provided schools with increased flexibility
 - Standard 107: modified Standard on variances to emphasize experimentation
 - Standard 306: increased permissible number of distance education credits and the number that can be taken in one semester
 - Standard 311(c): provided an exception for extraordinary circumstances regarding completion of the J.D. degree
 - Current Interpretations 402-1 and 402-2: deleted calculation of student-faculty ratio
 - Standard 501(c): deleted requirement in current Standard 505 that a previously disqualified student must obtain a letter from the disqualifying school to apply to a new school if two years have not elapsed
 - Standard 606: provided greater flexibility on library collection with greater emphasis on reliable access

13. Increased consumer information

- Standard 509(b)(3): strengthened reporting requirements regarding conditional scholarships
- Standard 509(b)(7): strengthened reporting requirements regarding employment outcomes
- Standard 509(c): added new Standard on transfer credit
- Standard 510: created a new Standard that clarifies the responsibility of law schools to maintain records of student complaints and complies with Department of Education requirements that the Council's requirement be specifically stated in the Standards

14. Improved structure of Standards

- reorganized Chapter 2 to provide better guidance and clarity
- reorganized Chapter 7
- moved the requirements for variances from Chapter 8 to Chapter 1
- moved interpretations relating to variances from Chapter 8 into Rules
- deleted Chapter 8 (moved provisions to Chapter 1, Rules and IOPs)

15. Moved Interpretations into Standards where substance of the Interpretation belonged in the Standards

[first reference is to current Standards; second is to new Standards]

- 101-1 to 104
- 101-2 to 101(b)
- 102-2 incorporated into 102(a)
- 102-3 to 102(d)
- 102-5 and 102-9 to 102(g)
- 102-6 to 102(e)
- 102-7 to 102(f)
- 105-1 to 105(a)
- 105-2, 3, 4, 5 replaced by new Standard 106
- 105-6 to Rules
- 802-1 to 107(a)
- 802-2, 3, 4 to Rules
- 802-5 to 107(c)
- 301-4 incorporated into 312
- 302-8 to 315
- 306-3 to 306(a)
- 306-4 incorporated into 306(a) and (d)
- 306-5 and 30606 to 306(c)
- 303-2 to 309(a)
- 303-3 to 309(b)
- 304-5 to 311(e)
- 304-6 to 311(f)

- 304-7 to 505(d)
- 402(b) to definitions
- 601-1 moved to 606-4
- 606-5 to 606(b)

16. Moved Standards that provided guidance into Interpretations

- 305(e)(5): last sentence moved to 305-1
- 306(b): moved 306-1

17. Eliminated Standards and interpretations that are unenforceable, unnecessary, unclear, or repetitive [current Standard references]

- 102-4; 102-8; 102-10
- 103-1
- 201-2
- 204-1
- 209
- 301-1; 301-2; 301-5
- 302-2 to -9
- 304-1; 304-4
- 305-4(b); 305-5
- 306-1; 306-2; 306-7; 306-8; 306-9
- 402-1; 402-2
- 403-1
- 501-4
- 503-3; 503-4
- 505-1; 505-2
- 603-1 to 603-4
- 606-3; 606-6; 606-7
- 702-1