

**American Bar Association
Section of Legal Education and Admissions to the Bar**

**Proposed Revisions to Standard 105
ABA Standards for Approval of Law Schools**

Standard 105. MAJOR CHANGE IN PROGRAM OR STRUCTURE

Before a law school makes a major change in its program of legal education or organizational structure it shall obtain the acquiescence of the Council for the change. Subject to the additional requirements of subsections (1) and (2), acquiescence shall be granted only if the law school establishes that the change will not detract from the law school's ability to meet the requirements of the Standards.

(1) If the proposed major change is the establishment of a degree program other than the J.D. degree, the law school must also establish that it meets the requirements of Standard 308.

(2) If the proposed major change involves instituting a new full-time or part-time division, merging or affiliating with one or more approved or unapproved law schools, acquiring another law school or educational institution, or opening a Branch or Satellite campus, the law school must also establish that the law school is in compliance with the Standards or that the proposed major change will substantially enhance the law school's ability to comply with the Standards.

Interpretation 105-1

Major changes in the program of legal education or the organizational structure of a law school include:

- (1) Instituting a new full-time or part-time division;*
- (2) Changing from a full-time to a part-time program or from a part-time to a fulltime program;*
- (3) Establishing a two-year undergraduate/four year law school or similar program;*
- (4) Establishing a new or different program leading to a degree other than the J.D. degree;*
- (5) A change in program length measurement from clock hours to credit hours;*
- (6) A substantial increase in the number of clock or credit hours that are required for graduation;*
- (7) Merging or affiliating with one or more approved or unapproved law schools;*
- (8) Merging or affiliating with one or more universities;*
- (9) Materially modifying the law school's legal status or institutional relationship with a parent institution;*
- (10) Acquiring another law school or educational institution;*
- (11) Acquiring or merging with another university by the parent university where it appears that there may be substantial impact on the operation of the law school;*
- (12) Transferring all, or substantially all, of the academic program or assets of the*

- approved law school to another law school or university;
- (13) Opening of a Branch campus or Satellite campus;
- (14) A change in control of the school resulting from a change in ownership of the school or a contractual arrangement; ~~and~~
- (15) A change in the location of the school that could result in substantial changes in the faculty, administration, student body, or management of the school;:-
- (16) Contracting with an educational entity that is not certified to participate in Title IV, HEA programs, that would permit a student to earn 25 percent or more of the course credits required for graduation from the approved law school;
- (17) The addition of a permanent location at which the law school is conducting a teach-out for student's at another law school that has ceased operating before all students have completed their program of study; and
- (18) A significant change in the mission or objectives of the law school.

Interpretation 105-2

The establishment of a Branch campus of an approved law school constitutes the creation of a different law school. Consequently, a Branch campus must have a permanent full-time faculty, an adequate working library, adequate support and administrative staff, and adequate physical facilities and technological capacities. A Branch campus shall apply for provisional approval under the provisions of Standard 102 and Rule 4.

Interpretation 105-3

The establishment of a Satellite campus at which a law school offers no more than the first year of its full-time program, or the first three semesters (or equivalent) of its part-time program, requires at least:

- (1) Full-time faculty of the law school who teach substantially all of the curriculum offered at the Satellite campus and who are reasonably available at the Satellite campus for consultation with students;
- (2) Library resources and staff at the Satellite campus that are adequate to support the curriculum offered at the Satellite campus and that are reasonably accessible to students at the Satellite campus;
- (3) Academic advising, career services and other student support services that are adequate to support the program offered at the Satellite campus, that are reasonably equivalent to such services offered to similarly situated students at the law school's main campus and that are offered in person at the Satellite campus or otherwise are reasonably accessible to students at the Satellite campus;
- (4) That students attending the Satellite campus have access to the school's co-curricular activities and other educational benefits on a roughly proportional basis; and
- (5) Physical facilities and technological capacities at the Satellite campus that are adequate to support the curriculum offered at and the students attending the Satellite campus.

Interpretation 105-4

A law school that seeks to establish a Satellite campus at which it will offer courses beyond its first-year program must show that it can adequately support its program at the Satellite campus. It must establish at least:

- (1) That students attending the Satellite campus have reasonable access to full-time faculty, library resources and staff, and academic advising, career services and other support services that are adequate to support the program that the law school offers at the Satellite campus and that are reasonably equivalent to the resources and services offered to similarly situated students at the law school's main campus;*
- (2) That students attending the Satellite campus have access to the school's co-curricular activities and other educational benefits on a roughly proportional basis; and*
- (3) That the physical facilities and technological capacities at the Satellite campus are adequate to support the curriculum offered at and the students attending the Satellite campus.*

Interpretation 105-5

If a student would be able to take at a Satellite campus the equivalent of two-thirds or more of the credit hours that a law school requires for the award of the J.D. degree, all of the requirements set forth in Interpretation 105-2 apply to the establishment of such a Satellite campus except the requirement concerning provisional approval.

Interpretation 105-6

The Council has delegated to the Accreditation Committee the authority to grant acquiescence in the types of major changes listed in Interpretations 105-1 (4), (5), ~~and~~ (6), and 16.