

Summary of Actions of the Section's Council at its Meeting May 10-12, 2018

The Council of the ABA Section of Legal Education and Admissions to the Bar met in Washington, D.C., in open session on Friday, May 11 to consider recommendations, reports and other issues. The Council's open session agenda, including reports and memorandums, can be found [here](#).

At this meeting, the Council approved a number of changes, including adopting recommendations from its Standards Review Committee (SRC). These actions included:

- New language for Standards 205 and 206. In both standards, "gender identity" has been added to the list of characteristics that are covered by those provisions. Further, language was inserted to make clear that these standards do not require a religiously affiliated law school to act inconsistently with the essential elements of its religious values and beliefs provided that the actions are protected by the First Amendment of the U.S. Constitution.
- Changes to Standard 303 and Standard 304 to make clear that an experiential course be "primarily experiential in nature," and that "direct supervision of the student's performance by the faculty member" is required for both simulation and clinic courses and for field placements.
- Revisions to Standard 306 that will allow law schools to give credit for up to one-third of the credits it requires for the J.D. degree for distance learning courses, and to allow up to ten of those credits to be in the 1L year.
- Changes to the requirements related to law school admissions to eliminate Standard 503, which requires a valid and reliable admissions test score from every applicant, and the interpretations to that Standard, and to amend Standard 501 to include in the Standard those factors that are appropriate and helpful for a law school to include in a sound admissions policy, including a law school admissions test. Also added would be an interpretation to establish a "rebuttable presumption" that a school whose admissions policy and practices are called into question is presumptively out of compliance with Standard 501 if it does not require a valid and reliable admissions test as part of its admission policy.
- Changes to Standard 601, which would delete the requirement of a written assessment of the law library during the reaccreditation process.
- The Council also approved a restructuring plan and made changes to its bylaws and rules and procedures necessary to fold the work currently done by the SRC and the Council's Accreditation Committee into the Council to improve the effectiveness and efficiency of the ABA law school accreditation process. The bylaw changes must be approved by the ABA Board of Governors and the Section membership at the Section's annual business meeting during the upcoming ABA Annual Meeting. Changes in the Standards and Rules of Procedure must be concurred in by the ABA House of Delegates.

Changes to the Standards and Rules of Procedure are subject to a process that gives the ABA House of Delegates the authority to concur or not concur in proposed changes. Under this procedure, if the House concurs in the changes adopted by the Council, they become effective on the conclusion of the House's meeting. If the House does not concur in the proposed changes after two references of those changes by the Council, and the Council thereafter reaffirms them, then the changes become effective

upon that reaffirmation by the Council. Final authority and responsibility for the ABA law school accreditation process rests with the Council.

In closed session during this meeting, the Council considered individual school matters. The outcomes of those matters that are not subject to the confidentiality provisions of Rules of Procedure 49-55 will be publicly reported after decisions are communicated by letter to the affected schools.

Media seeking further information, please contact Bill Choyke in the ABA Division of Communications and Media Relations at bill.choyke@americanbar.org or (202) 662-1864.