

Procedures for the Site Evaluation Visits

Site Evaluation Visits

Site evaluations are held in accordance with Rule 5 of the *ABA Rules of Procedure for Approval of Law Schools*. Generally, site evaluations occur when a law school applies for provisional approval, in years two and four following provisional approval, when a law school applies for full approval, in the third year following full approval, and every tenth year thereafter.

A site team of qualified persons is appointed by the Managing Director's Office to conduct the site evaluation. In addition to the chair, the team will normally include a lawyer, judge or public member, a university administrator, and several persons who are members of the faculty or staff at other law schools. This composition is not required, and some teams may therefore not consist of this exact line-up of professionals.

Accreditation Review

The Council determines whether a fully approved law school complies with the Standards and whether a provisionally approved law school substantially complies with the Standards and has a reliable plan for coming into full compliance. When a law school applies for provisional approval or a provisionally approved law school applies for full approval, the Council conducts its usual review of the law school, and makes a determination whether a school shall receive provisional or full approval.

Materials

Six weeks in advance of the site evaluation, the law school will provide each team member with a completed Self Study. Instructions for completion of the 2018-2019 Self Study are located on the Section's website at:

https://www.americanbar.org/groups/legal_education/resources/questionnaire.html

Site evaluators will also receive from the Managing Director's Office an electronic copy of materials including the Procedures for Site Evaluation Visits, the Site Report Template (2018-2019), and the 2018-2019 *ABA Standards and Rules of Procedure for the Approval of Law Schools*.

Travel Arrangements

Team members usually make their own airline reservations, after receiving confirmation of the dates and time of the first meeting from the site team chair. The law school makes the hotel arrangements. Team members should plan their travel far enough in advance to minimize the expense of the site evaluation to the law school. The Guidelines for the Reimbursement of Site Evaluators, which can be found in the Section's Internal Operating Practices, state:

17. Guidelines for Reimbursement of Site Evaluators and Fact Finder

All reasonable and necessary expenses of members of site evaluation teams and fact finders shall be reimbursed by the visited institution as follows:

- (a) Transportation - All necessary transportation on the basis of coach class airfares and ground transportation expenses.
- (b) Lodging and Meals - Hotel or motel sleeping rooms at a reasonable cost, including a

meeting room when necessary for the work of the site evaluation team or fact finders. Meals shall be reimbursed on a reasonable basis.

(c) Incidentals - Gratuities and miscellaneous items shall be reimbursed.

Team Conference Room

The law school will provide office or conference room space for the team to use during the site evaluation. Telephone, power, computer with Internet connection, and printer should be available in this room as well as a complete hard copy of the Self Study and the materials that are required by the Self Study to be available onsite. The law school should provide the administrative support required by the team during the site evaluation.

Schedule

Site evaluations are typically scheduled for a three-day period. The site team chair will arrange the specific dates with the dean of the law school, making sure that the president/chief executive officer is available. Site evaluations most often begin on Sunday afternoon and conclude by noon on Wednesday, although some may begin on Wednesday and conclude by noon on Saturday. Each member of the site evaluation team should be present during the entire site evaluation without competing business or personal appointments. This includes evenings when the team will meet to review the information gathered during the day and to plan the next day's business. The full attention and engagement of each site evaluator is essential to ensure the integrity of the law school approval process and fairness to the institution. A sample schedule is attached as **Appendix 1**.

Pre-Visits

Some site team chairs like to arrange a pre-visit to the law school several weeks in advance of the formal site evaluation during which the chair spends a day confirming the arrangements, and discussing with the dean and others certain key issues for the law school. Sometimes, the pre-visit will focus on particular matters the chair and the dean expect to be central to the review (e.g., admissions, bar passage, or finances). These visits can help ensure a smooth site evaluation and many schools and site team chairs have found them to be very beneficial.

Conference Calls

The chair of the site team may schedule one or more conference calls with members of the site evaluation team before arriving onsite. The materials supplied by the law school may suggest matters requiring special attention or special preparation prior to the team's arrival at the school.

Initial Team Meeting

At the start of the site evaluation, the team will meet to discuss the site evaluation process and team members' preliminary impressions of the school. It is the chair's responsibility to ensure that each team member understands the role of the site evaluation and the site team report in the review of the law school's program. During this time, the chair should make clear the direction of the site evaluation and should confirm individual tasks of team members. A special briefing should be held for members of the site team who are serving on their first site evaluation. For site evaluations taking place Sunday – Wednesday, the initial team meeting will generally take place Sunday afternoon and for evaluations taking place Wednesday – Saturday, the initial team meeting will generally take place Wednesday afternoon.

Opening Dinner

Upon arrival, conversation with the dean and key administrators (usually at dinner the first evening) will give the team an opportunity to get an overview of the school's program, including strengths and possible weaknesses. This conversation with the dean, the school's assessment of its opportunities and needs, and the data supplied through the completed Self Study should permit the team to decide what matters need special attention.

Day-to-Day Activities

The balance of the time onsite is left open for team members to do the work that must be done to have the facts and observations needed to complete the site report thoroughly and accurately. Team members will make every effort to meet individually with each member of the faculty and administrative staff. Team members will visit as many classes as possible and will spend time with students in a variety of formal and informal ways. Time will be spent understanding a school's clinical programs, including field placement programs. Team members will also evaluate the library, physical facilities, technology, student services, financial resources, and administrative services at the law school.

Team members will confer with each other throughout the day and, particularly, at the end of each day, including at the team's dinner, to compare impressions and to plan the next day's activities. Something that one of the team members learned during the day may dictate a modification in the plans initially made for the next day's schedule. Finally, it is important to reserve adequate time in which to prepare for the exit meetings with the dean and the president/chief executive officer. The preparation often takes place at the team's dinner on the prior evening.

Team members should make every attempt to gather all relevant information during the site evaluation visit. If necessary, after the site evaluation visit, they may contact faculty and administrators to gather additional facts or information necessary to complete the report. As a courtesy, a team member should notify the team chair of these contacts. It is not appropriate, however, to share drafts of the report with school representatives.

Key Elements of the Site Evaluation

1. Meetings with the President or Chief Executive Officer

Two meetings with the president or chief executive officer of the institution typically are scheduled, one at the beginning of the site evaluation and one at the end. The dean attends the first meeting, but typically does not attend the second meeting. It is not mandatory that the president attend the first meeting if the provost or other senior official is present.

The first meeting gives the team an opportunity to ask those questions that study of the school's materials has suggested, such as issues concerning the relationship between the university and law school, poor student outcomes, or financial concerns. The purpose of the second meeting with the president/chief executive officer is to summarize the team's findings. The team should review significant strengths and weaknesses in the law school program. Any concerns that are likely to be noted in the site report should be covered so that the report does not contain any surprises.

In these meetings, the team should emphasize that the purpose of its report is to report facts and observations and not to determine whether the school complies with the Standards. Accreditation decisions are the responsibility of the Council. In making its findings and conclusions with respect to compliance with the Standards, the Council will consider the site evaluation report and other relevant information submitted by the school. As a general rule, the team should not offer peer advice to the school unless specifically requested.

These meetings with the president/chief executive officer do not preclude other meetings with the administrators outside the law school. For example, it is common for a team member to meet with the vice president for academic affairs about appointment and promotion practices and with the vice president for finance about budgeting.

2. Meeting with the Dean

The team or the chair meets with the dean before the exit interview with the president/chief executive officer to discuss the report that the team will give to the president.

As with the meeting with the president/chief executive officer, the team should be clear that accreditation decisions are the responsibility of the Council, not the site team. The meeting with the dean should also identify any concerns that the team will discuss in the report so that the report will not contain any surprises.

3. Class Visits

The site team should visit a substantial number of the classes, both day and evening, conducted during the time of the site evaluation. Reviewing copies of student evaluations also may provide some insights into general patterns or practices. Class visitation is part of the general assessment of the quality of the educational program of the institution. It can reveal important things concerning whether the classroom work is sufficiently rigorous, demanding, and of high quality. All members of the team share the responsibility for class visits. Reports on class visits will be collected and reviewed by the person responsible for completing the faculty section of the site report. The site team should do its best to observe professional skills programs, live client clinics, legal writing classes, distance education classes, and field placement programs. **Appendix 2** is a sample form for reporting on these visits.

4. Faculty Conferences

The site evaluation team should make its best efforts to meet with each member of the full-time faculty. In order to provide an opportunity for all members of the faculty to meet with a team member, all members of the team will participate in faculty office visits. The team member completing the faculty section of the site report should collect and review reports from other team members on these meetings. **Appendix 3** is a sample form for reporting on visits with faculty members.

5. Student Conferences

The schedule will include an open meeting, at a convenient time, for students. The team should also find other ways to meet and interact with students during the site evaluation. Often the schedule will include an arranged lunch with a group of student leaders. In the meetings with students, the team should specifically inquire into the school's strengths and possible

weaknesses as well as any complaints and praise the students may have regarding the school's program of legal education and student services.

6. Conferences with Members of the Administrative Staff

Members of the site evaluation team should confer with members of the law school's administrative staff. Inquiries should be made regarding such matters as law school admissions and financial aid, law school retention practices, law school placement policies, and law school grievance procedures. A review of the school's policies and records in each of these areas should be undertaken to elicit facts that will assist in determining compliance with the Standards and whether the school's actual practices comport with its stated policies. Meetings also should be held with the law school's development staff to discuss their efforts and goals, their plans for reaching them, and the relationship between development efforts and the school's general financial future.

7. Dual Division Schools

Teams that visit schools that have substantial programs or scheduling options other than a traditional full-time day program should make particular efforts to observe a reasonable number of classes in each program and to talk with students in each program or scheduling option. This may require, for example, scheduling more than one open meeting with students and attending evening classes.

8. Meeting with Board of Visitors, Alumni, and Other Members of the Bar

A meeting with leaders of the school's support groups, such as the law alumni association, the board of visitors, local and state bar associations, and members of the bench may help the team understand how the school is viewed by those groups and it also may help the school explain its position to those outside constituencies. The chair will confer with the dean about whether to have such a meeting. This should not be a purely social occasion, nor should it be scheduled for an extended period of time.

Site Evaluation Report

The site team will complete a report using the new site evaluation report template. See Site Evaluation Report Template and Instructions.

The site report should be completed as soon as possible. Delays in preparation of the report are unfair to the law school, create problems for the Council, and make it more difficult to complete the report. The chair will advise team members when to submit their portions of the report to the chair so that the report can be finalized within six to eight weeks of the site evaluation.

The chair of the team will transmit the completed site report electronically to the Managing Director's Office.

The chair shall not distribute the report to the school or other accrediting agencies or member organizations. Members of the team shall consider the report to be a confidential document and shall not share it with others. Team members should be extraordinarily careful in discussing the site evaluation with colleagues or others. In particular, no team member should convey to anyone any criticisms that the individual or team has of the school that was visited.

The Managing Director's Office will conduct an internal review of the site report. In connection with the internal review, the chair may be asked to amplify or modify certain portions as part of the review, so that the report will provide the Council with the information needed to determine the school's compliance with the Standards. The report may also be reviewed by the ABA General Counsel's office to ensure its adherence to post-Consent Decree compliance and other legal matters. Following these reviews, the Managing Director will forward the report to the school and, if the school is an AALS member, to the AALS.

The law school dean and university president or chief executive officer will review the report and will be offered an opportunity to respond to it. This response may correct factual mistakes in the report or include new information occurring after the site evaluation that may be germane to one or more of the team's observations.

The dean and president or chief executive officer will send any response to the site report to the Managing Director, who will distribute it to members of the site evaluation team. The comments from the school will be forwarded along with the site report to the Council.

Team members will get a copy of the report, the school's response, and the Council's decision letter so that they can be informed of the outcome of the process that included their site evaluation. Team members should not discuss with the school matters relating to the content of the site report or the action of the Council. Schools should refrain from asking team members for their reaction or response to parts of the site report or the Council's decision letter.

Document Retention

As a general rule, team members should retain site evaluation materials and notes until the Council conducts its review of the site report. Receipt of the Council's decision letter will signal that the review has taken place. At that point, all hard copies of documents related to the visit should be shredded and electronic copies should be deleted.

Evaluation of the Site Evaluation Process

The deans of visited law schools and the members of the site evaluation teams are asked to complete confidential evaluations of the site team and the site evaluation process, as well as for suggestions on how the site evaluation process may be improved. In addition, the internal reviewers and Council monitors are asked to evaluate the quality of the site team reports. These evaluations will be sent by the Managing Director's Office.

Confidentiality

The *Rules of Procedure for the Approval of Law Schools* make clear that, in general, all matters relating to the accreditation of a law school are confidential. While site inspectors may report to colleagues that they were part of a site evaluation team to a particular school or program, they should refrain from offering any but the most general report or comment on the law school.

Law schools may choose to release information about the site evaluation, the site report, and the decision letter as permitted in Rules 49 to 52 of the *Rules of Procedure for Approval of Law Schools*.

AALS Membership Review Process

Most ABA-approved law schools are also members of the Association of American Law Schools (AALS). The AALS conducts its membership review process in parallel with the ABA review process. This minimizes the burden on law schools. If the site evaluation is to a school that is an AALS member school, then one member of the ABA site evaluation team is appointed by the AALS. This person is a full member of the ABA site evaluation team and will participate in all of the team's work, including drafting portions of the report.

The AALS representative prepares a separate report for the AALS that addresses that organization's specific concerns. The Managing Director's Office provides a copy of the ABA site evaluation report to the AALS. The AALS Membership Review Committee uses these two reports in determining whether a law school is operating in compliance with the AALS membership requirements. The AALS representative's separate report is not provided to members of the site evaluation team, including the team chair, or to the Managing Director's Office.

Appendix 1

SITE EVALUATION SCHEDULE – SAMPLE

Sunday

2:00-4:30 p.m. Initial team meeting
5:00-6:00 p.m. Tour of the law school
6:30 p.m. Dinner Meeting: Team, Dean, Senior Law School Administrators.
(Because this will be a working dinner, it should be held in a private room at a location selected by the dean.)

Monday

9:00-10:00 a.m. Entrance meeting with University President/Chief Executive Officer, Provost, or other senior official.
(optional to include Dean)
*
10:00-12:00 p.m. *
Noon-1:30 p.m. Luncheon meeting: Team Members and Law School Faculty.
1:30-3:00 p.m. *
3:00-4:00 p.m. Open meeting with Students.
4:00-6:00 p.m. *
7:00 p.m. Team Dinner

Tuesday

8:00 a.m.-Noon *
Noon-1:30 p.m. Luncheon Meeting: The team may use this time to meet with students, graduates, visiting committee members, members of the bench and bar, or other appropriate persons. [Note: Some chairs may schedule other meetings with these groups at breakfast or in the early evening.]
*
1:30-6:00 p.m. *
6:00-7:00 p.m. Reception for members of Alumni, Judiciary, and Representatives of Legal Community [optional].
7:30 p.m. Team Dinner: The team should use this opportunity to prepare for the following day's exit meetings.

Wednesday

7:30-9:15 a.m. Chair/Team meeting with Dean.
9:30-11:00 a.m. Meeting with University President/Chief Executive Officer, Provost, or other senior official.
11:00-11:30 a.m. Team meeting, follow-up with any remaining questions or issues, and initial consideration of site report.
Noon Team departs

* During these periods team members may meet with faculty, visit classes, meet with various law school and university administrative officers; meet with appropriate committees; and visit field placement sites.

[Note: If the school has an evening division, the schedule should include an opportunity to visit evening classes and to meet with evening students. This necessarily will require a later team dinner on Monday and Tuesday nights.]

Appendix 2

CLASSROOM VISITATION – SAMPLE REPORT FORM

1. Course Name:
2. Instructor:
3. Evaluator:
4. Date of Visit: Arrived: Departed:
5. a. Approximate number of students attending:
 b. Number registered:
6. a. Room number:
 b. Was the room adequate (seating, sightlines, acoustics, lighting, technology)?
7. If you were present at the start of the class, was attendance taken and, if so, by what method?
8. If you were present at the start of the class, did it begin on time? Did students arrive on time?
9. The general subject matter considered in the class:
10. The method or methods of instruction:
11. Was the class intellectually stimulating and rigorous?
12. Did the instructor appear prepared?
13. Did the students appear prepared and interested in the class?
14. Did the instructor interact with the students and did the class actively participate in the discussion?
15. Did the instructor follow up on weak answers by students and press students for more complete answers?
16. To what degree did the class go beyond a superficial consideration of legal questions?
17. Additional strong or weak points concerning the class:
18. Other comments on the class or the classroom:
19. Overall impression of the class on a scale of 1-10 (10 being highest):

Appendix 3

FACULTY OFFICE VISIT – SAMPLE REPORT FORM

Faculty member visited:

Site evaluator:

Date, day, approximate time of visit:

Faculty member's comments on teaching responsibilities (course assignments, teaching load, scheduling, classrooms, quality of students, students' preparation for class, faculty programs regarding teaching and the improvement of teaching):

Faculty member's comments on research responsibilities (support for scholarship, intellectual environment, collegial support for research and scholarship, information resources, technology, communications of expectations by administration):

Faculty member's comments on service responsibilities (encouragement of service; committee structure; committee assignments; work with university, legal profession, or community groups; pro bono work; etc.):

Faculty member's comments on collegiality, governance, faculty/administration relations (including faculty role in self study and strategic planning, rank and tenure process, annual reviews or post-tenure reviews, etc.):

Other comments and concerns about the law school, its mission, its operation, facilities, etc.: