



AMERICAN BAR ASSOCIATION

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

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**COUNCIL DECISION**

**PUBLIC NOTICE OF SPECIFIC REMEDIAL ACTION**

**Florida Coastal School of Law**

**August 2018**

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**Background**

At its March 15-17, 2018 meeting, the Accreditation Committee of the Council of the Section of Legal Education and Admissions to the Bar (the “Committee”) conducted a hearing pursuant to Rules of Procedure 2, 3, 14, 16-18, 20, and 21 with respect to the compliance of Florida Coastal School of Law (the “Law School”) with ABA Standards 301(a), 309(b), and 501(a) and 501(b) and Interpretation 501-1.<sup>1</sup>

Following the hearing and based on the record, the Committee concluded that the Law School is in compliance with Standard 501(a). The Committee further concluded that the Law School remains in non-compliance with Standards 301(a), 309(b), and 501(b) and Interpretation 501-1.

The Law School appealed the March 2018 decision and that appeal was considered by the Council of the Section of Legal Education and Admissions to the Bar (the “Council”) at its August 2-3, 2018 meeting. Following the Law School’s appearance and the Council’s review of both the written materials submitted on behalf of the Law School and the record in the matter, and in accordance with the provisions of Rules 2, 24, and 25, the Council adopted a motion affirming the Committee’s Findings of Fact and Conclusions with respect to the Law School’s non-compliance with Standards 301(a), 309(b), and 501(b) and Interpretation 501-1, and affirming the specific reporting requirements delineated in the Committee’s letter. The Law School is directed to take the following specific remedial actions, including, but not limited to, this public notice.

**Remedial Actions Required**

Consistent with the Committee’s action and in light of the Council’s denial of the Law School’s appeal, the Law School is directed to take the following specific remedial action:

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<sup>1</sup> The *ABA Rules of Procedure for Approval of Law Schools* were modified in certain respects effective August 6, 2018. The citations to Rules in the “Background” section of this notice are to the 2017-2018 Rules in effect during the Law School’s appeal.

(1) The Law School shall develop a written reliable plan for bringing itself into compliance with Standards 301(a), 309(b), and 501(b) and Interpretation 501-1. In developing its plan, the Law School must address, *inter alia*, each of the factors identified in Interpretation 501-1. In addition, the reliable plan must include the Law School's admissions data and methodology, including its admissions practices and policies, for the fall 2018 entering class. Where factors other than undergraduate grade point average and LSAT are used to support an admission decision, the Law School shall report those factors, explain how they are determined and applied in the review of applicant files, and report on any analyses that have been done or are contemplated to review the outcomes of admissions decisions based on these factors. The Law School shall submit that plan to the Managing Director by November 1, 2018.

(2) The Law School shall continue to provide to all admitted students and publish on its website along with other ABA disclosures this appendix. The statement must be published (or a link to the statement must be provided) in any place on the Law School website where the status of the Law School as an ABA-approved law school is discussed, including the section of the website with the ABA Required Disclosures and the section of the website related generally to accreditation. This appendix, or a link to the statement on the Law School's website, shall also be published on the website of the Section of Legal Education and Admissions to the Bar.

(3) Until the Law School is determined by the Council to be operating in compliance with Standards 301(a), 309(b), and 501(b) and Interpretation 501-1, each semester, within 30 days of the completion of the assignment and distribution of semester grades for the Law School's students, the Law School shall advise each law student, in writing, of the following, in the same communication: (a) the Florida and Georgia first-time bar examination passage rates, by class quartiles, for Law School graduates sitting for the Florida and Georgia bar examinations over the six administrations preceding the semester; (b) the class quartile in which the student then falls; and (c) attrition rates. (For example, at the conclusion of the spring 2018 semester, the Law School would advise its students of the results from the last six administrations of the Florida and Georgia bar examinations, through the February 2018 bar examination.) The Law School shall provide evidence to the Managing Director's office, within five days of its distribution to students, that the required information has been appropriately and timely communicated.

Further, the Managing Director shall appoint a fact finder to visit the Law School to review the admissions data and admissions methodology provided by the Law School, as well as the overall rigor of its program of legal education. The Council will conduct a hearing pursuant to Rule 18, at a date, time, and location to be identified, in order to monitor the Law School's compliance with the requirements for remedial action and to evaluate the Law School's compliance with Standards 301(a), 309(b), and 501(b) and Interpretation 501-1, based on the record, the Law School's reliable plan, the fact finder's report, and the Law School's response. If, after considering the fact finder's report and the Law School's response, the Council concludes that the Law School is not in compliance with Standards 301(a), 309(b), and 501(b) and Interpretation 501-1, and/or is non-compliant with the requirements for remedial action, the Council may take any appropriate action pursuant to Rules 11(b) and 15-17.<sup>2</sup>

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<sup>2</sup> The citations to Rules in the "Remedial Actions Required" section of this decision letter are to the 2018-2019 *ABA Rules of Procedure for Approval of Law Schools* that became effective August 6, 2018.