

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

**Proposed Revisions to Standard 510
ABA Standards for Approval of Law Schools**

Standard 510. STUDENT LOAN PROGRAMS

A law school shall take reasonable steps to minimize student loan defaults, including provision of debt counseling at the inception of a student's loan obligations and prior to graduation.

Interpretation 510-1

The student loan default rates of a law school's graduates, including any results of financial or compliance audits and reviews, shall be considered in assessing the extent to which a law school complies with this Standard.

Interpretation 510-2

For law schools not affiliated with a university, the school's student loan cohort default rate shall be sufficient, for purposes of Standard 510, if it is not greater than 10% for any of the three most recently published annual cohort default rates. If the school's cohort student loan default rate is not sufficient under this Interpretation, the school must submit a plan for approval by the Accreditation Committee for coming into compliance with this requirement.

Failure to comply with title IV or having a student loan cohort default rate greater than the rate permitted by title IV is cause for review of a law school's overall compliance with the Standards. Schools shall demonstrate that they have resolved all areas of deficiency identified in financial or compliance audits, program reviews or other information provided by the United States Department of Education.

Interpretation 510-2-3

The law school's obligation shall be satisfied if the university, of which the law school is a part, provides to law students the reasonable steps described in this Standard.

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

**Proposed Revisions to Rule 22
ABA Rules of Procedure for Approval of Law Schools**

**Rule 22. Teach-out Plan and Agreement and Law School Closure
(Clean Copy)**

(a) A provisional or fully approved school must submit a teach-out plan for approval by the Accreditation Committee and Council upon occurrence of any of the following events:

(1) The school notifies the consultant's office that it intends to cease operations entirely or close a separate location in which a student can earn all of the necessary credits to earn the J.D. degree;

(2) The Accreditation Committee recommends or the Council acts to withdraw, terminate, or suspend the accreditation of the school;

(3) The U.S. Secretary of Education notifies the Consultant's Office that the Secretary has initiated an emergency action against an institution, in accordance with section 487(c)(1)(G) of the HEA, or an action to limit, suspend, or terminate an institution participating in any title IV, HEA program, in accordance with section 487(c)(1)(F) of the HEA, and that a teach-out plan is required;

(4) A State licensing or authorizing agency notifies the Consultant's Office that an institution's license or legal authorization to provide an educational program has been or will be revoked.

(b) As soon as the decision to close an approved law school or branch is made, the school shall make a public announcement of the decision and shall notify the Consultant, the appropriate State Licensing authority and the U.S. Department of Education of the decision.

(c) The school shall submit the teach-out plan for the school or branch being closed as required by paragraph (a) to the Consultant's office within such time specified by the Consultant. The Consultant's Office, in consultation with the Accreditation Committee leadership, may require a school to enter into a teach-out agreement as part of its teach-out plan.

(d) The Accreditation Committee will promptly review the teach-out plan. The Committee may recommend approval of the plan to the Council, which shall consider the recommendation in accordance with Rule 8. The Accreditation Committee or the Council may deny approval of a plan, or condition approval of the plan on the school

making specified changes to the plan. The Committee's decision not to recommend approval of a plan to the Council is final and may not be appealed to the Council. To be approved by the Accreditation Committee and Council, the teach-out plan must satisfactorily address the items identified in paragraph (e), and, if applicable, the teach-out agreement must satisfactorily address the items identified in paragraph (f). If the Accreditation Committee or the Council denies approval of a school's teach-out plan, the school must revise the plan to meet the deficiencies identified by the Committee or Council; and resubmit the plan as soon as possible and no later than 30 days after receiving notice of the decision.

(e) The teach-out plan must be submitted on Official Form A of these Rules and provide for the equitable treatment of its own students and, at a minimum, address each item in the Form.

(f) If a school voluntarily enters into a teach-out agreement or if the Consultant requires a school to submit a proposed teach-out agreement as part of a teach-out plan, the school must submit a copy of the agreement in the form of Official Form B to these Rules approved by the Council, demonstrate each of the substantive criteria specified by the Form.

(g) Upon approval by the Council of a teach-out plan that includes a program that is accredited by another recognized accrediting agency, the Consultant's Office shall notify that accrediting agency within 30 days of its approval.

(h) Upon approval of a law school's teach-out plan by the Council, the Consultant shall notify within 30 days all recognized agencies that accredit other programs offered by the institution of which the law school is a part.

(i) In the event a School closes without an approved teach-out plan or agreement, the Consultant's office will work with the U.S. Department of Education and the appropriate State agency, to the extent feasible, to assist students in finding reasonable opportunities to complete their education without additional charges.

**Rule 22. Teach-out Plan and Agreement and Law School Closure
(Copy showing changes from current Rule 22)**

(a) A provisional or fully approved school must submit a teach-out plan for approval by the Accreditation Committee and Council upon occurrence of any of the following events:

(1) The school notifies the consultant's office that it intends to cease operations entirely or close a separate location in which a student can earn all of the necessary credits to earn the J.D. degree;

(2) The Accreditation Committee recommends or the Council acts to withdraw, terminate, or suspend the accreditation of the school;

(3) The U.S. Secretary of Education notifies the Consultant's Office that the Secretary has initiated an emergency action against an institution, in accordance with section 487(c)(1)(G) of the HEA, or an action to limit, suspend, or terminate an institution participating in any title IV, HEA program, in accordance with section 487(c)(1)(F) of the HEA, and that a teach-out plan is required;

(4) A State licensing or authorizing agency notifies the Consultant's Office that an institution's license or legal authorization to provide an educational program has been or will be revoked.

(b) As soon as the decision to close an approved law school or branch is made, the school shall make a public announcement of the decision and shall notify the Consultant of the decision, the appropriate State Licensing authority and the U.S. Department of Education.

(c) The school shall submit the teach-out plan for the school or branch being closed as required by paragraph (a) to the Consultant's office within such time specified by the Consultant. The Consultant's Office, in consultation with the Accreditation Committee leadership, may require a school to enter into a teach-out agreement as part of its teach-out plan.

(d) The Accreditation Committee will promptly review the teach-out plan. The Committee may recommend approval of the plan to the Council, which shall consider the recommendation in accordance with Rule 8. The Accreditation Committee or the Council may deny approval of a plan, or condition approval of the plan on the school making specified changes to the plan. The Committee's decision not to recommend approval of a plan to the Council is final and may not be appealed to the Council. To be approved by the Accreditation Committee and Council, the teach-out plan must satisfactorily address the items identified in paragraph (e), and, if applicable, the teach-out agreement must satisfactorily address the items identified in paragraph (f). If the Accreditation Committee or the Council denies approval of a school's teach-out plan, the school must revise the plan to meet the deficiencies identified by the Committee or Council; and resubmit the plan as soon as possible and no later than 30 days after receiving notice of the decision.

~~(be) To be approved by the Accreditation Committee and Council, the teach-out plan must be submitted on Official Form A of these Rules writing and must and provide for the equitable treatment of its own students and, at a minimum, address each item in the Form.~~

(f) If a school voluntarily enters into a teach-out agreement or if the Consultant requires a school to submit a proposed teach-out agreement as part of a teach-out plan, the school must submit a copy of the agreement in the form of Official Form B to these Rules approved by the Council, demonstrate each of the substantive criteria specified by the Form.

~~(e) The Consultant's Office, in consultation with the Accreditation Committee leadership, may require a school to enter into a teach-out agreement as part of its teach-out plan.~~

~~(d) If the school enters into a teach-out agreement, either on its own accord or as required by the Consultant's Office, the agreement must be recommended by the Accreditation Committee and approved by the Council and must comply with all federal and state laws, including regulations of the United States Department of Education. At a minimum, the agreement must be with a law school approved by the Accreditation Committee and~~

~~Council for this purpose, must provide students access to the program and services without requiring them to move or travel substantial distances, and must provide students with information about additional charges, if any.~~

~~(e) The teach-out institution must have the necessary experience, resources and support services to provide a program of legal education that is reasonably similar in content, structure and scheduling to that provided by the institution that is subject to any of the occurrences that are set out in (a)(1-4) above. Additionally, the teach-out institution must be financially stable and able to carry out its mission and meet all of its obligations to its students and must demonstrate that it can provide students access to its program and services without requiring them to move or travel substantial distances and that it will provide relocated students with information about additional charges, if any.~~

~~(fg) If the Accreditation Committee recommends and the Council approves Upon approval by the Council of a teach-out plan that includes a program that is accredited by another recognized accrediting agency, the Consultant's Office ~~must~~ shall notify that accrediting agency within 30 days of its approval.~~

~~(h) Upon approval of a law school's teach-out plan by the Council, the Consultant shall notify within 30 days all recognized agencies that accredit other programs offered by the institution of which the law school is a part.~~

~~(g) In the event of closure or cessation of operation, an approved law school and its parent institution, if any, must agree to provide an opportunity for currently enrolled students to complete their degrees under the terms of a closure plan which meets at least the conditions set out below. As soon as the decision to close an approved law school is made, the institution shall make a public announcement of the decision and shall notify the Consultant of the decision, the appropriate State Licensing authority and the U.S. Department of Education.~~

~~(mi) In the event a School closes without an approved teach-out plan or agreement, the Consultant's office will work with the U.S. Department of Education and the appropriate State agency, to the extent feasible, to assist students in finding reasonable opportunities to complete their education without additional charges.~~

~~(h) Upon deciding or being required to close or cease operations, the law school shall promptly submit a closure plan, which shall be reviewed by the Accreditation Committee and must be approved by the Council.~~

~~(i) The conditions to be met by a closure plan shall include the following:~~

~~(1) The law school shall not thereafter admit or enroll any student (including a transfer or nondegree candidate) who was not a student at the time when the decision to close is announced.~~

~~(2) The governing body of the institution shall take all necessary steps to retain degree granting authority for sufficient time to allow completion of degrees by those students who are degree candidates at the time the decision to close is announced and who complete degree requirements either at the law school or at another ABA-approved law school in the normal period of time required for that student's course of study.~~

~~(3) The law school shall use its best efforts to assist students in transferring to, or acquiring visiting status at, another ABA-approved law school for completion of their degree requirements.~~

~~(4) Until the date of closing the law school shall maintain:~~

- ~~(i) an educational program that is designed to qualify its graduates for admission to the bar;~~
- ~~(ii) a library collection and services adequate to support the curriculum, either on-site or through arrangements with other law libraries in the immediate vicinity;~~
- ~~(iii) a faculty adequate to maintain a sound educational program;~~
- ~~(iv) an adequate administrative staff to handle student problems and recordkeeping along with support of the academic program; and~~
- ~~(v) its existing physical facilities unless prior approval of the Accreditation Committee is obtained.~~
- ~~(j) If the school discontinues instruction or makes a decision to do so prior to the end of the normal period for completion of degrees by current students, then:
 - ~~(1) The school shall take all reasonable steps to avoid closing during an academic year. If the closing occurs during an academic year, then the school shall make adequate arrangements for students to enroll in other law schools for that current year at no additional cost to the student.~~
 - ~~(2) The school shall permit currently enrolled students to complete their degree requirements at other ABA approved law schools by entering into "teach out" agreements with other law schools. Credit earned at other law schools shall be received as transfer credit toward the degree of the closing school.~~
 - ~~(3) Students transferring credit back to the law school shall not be charged fees beyond a reasonable administrative fee for processing of records.~~
 - ~~(4) The Consultant shall notify the Council of the school's decision and the date at which the school intends to cease operations.~~~~
- ~~(k) The law school or the governing body of the institution shall make satisfactory arrangements for the continuation of legal representation undertaken during the operation of a law school skills training program.~~
- ~~(l) The governing body of the institution shall make arrangements for permanent retention and availability of student records.~~

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

**Proposed Revision to Rule 5(a)
ABA Rules of Procedure for Approval of Law Schools**

Rule 5. Jurisdiction of the Accreditation Committee

(a) The Committee has the jurisdiction to make recommendations to the Council concerning:

- (1) the granting of provisional approval or the extension of the period of provisional approval under Standard 102;
- (2) the granting of full approval under Standard 103;
- (3) the granting of acquiescence in major changes under Standard 105, except that the Committee has jurisdiction to make decisions concerning acquiescence in the types of major changes specified in Interpretation 105-6; ~~and~~
- (4) the granting of variances under Standard 802-; and
- (5) approval of a teach-out plan under Rule 22.