

MEMORANDUM

To: Greg Murphy, Chair
Council of the Section of Legal Education and Admissions to the Bar
Maureen O'Rourke, Chair-Elect
Council of the Section of Legal Education and Admissions to the Bar
Jeff Lewis, Vice Chair
Council of the Section of Legal Education and Admissions to the Bar

From: Pamela Lysaght, Chair
Standards Review Committee

Date: July 21, 2017

Re: Proposed Standards Review Committee Agenda for 2017-18

The Standards Review Committee (SRC or Committee) met on Friday morning, July 14, 2017, to consider the proposed SRC agenda for 2017-18. Also present were Maureen O'Rourke and Jeff Lewis; the Committee is grateful for their participation. Additionally, the Committee hosted an Invitational Roundtable on Friday afternoon to seek input from a wide range of groups and ABA entities on the challenges facing legal education. The SRC submits this proposed agenda for Council approval.

In developing the proposed agenda, the Committee was mindful that this is an atypical year as the Council considers a possible restructuring. Consequently, the Committee approached the year in terms of overarching goals that would move important functions of the Accreditation Project forward while also complementing the Council's work on any potential restructuring. The goals are as follows, which are reflected in the proposed agenda:

- Consider changes to the Rules to promote greater transparency in the site inspection process;
- Review those Standards that dovetail or overlap with other Standards and determine if they need to be reconciled or harmonized;
- Continue to streamline the site inspection process through the templates and questionnaires; and
- Consider a more global review of the Standards, especially in light of issues identified in the roundtable discussions, with the goal of making recommendations for the next comprehensive review.

If approved, four working groups will be tasked with taking up these goals. The more detailed proposed agenda follows:

Proposed Agenda for 2017-18 Academic Year

- *Transparency*

Charge: Propose Rule changes to enhance transparency; update recommendations on transparency in 2008 Transparency Report for Council consideration.

- *Proposed Standards to Review*

Charge: Propose Standards changes to harmonize Standards where there is overlap; continue consideration of Standards 105/106, 205/206, 306, and 307. This working group would divide into sub-working groups.

The list of Standards to review where there is overlap include:

- 304 and 303(a)(3)
- 307 and 106, 304, 505, and 311-1
- 311 and 505
- 313 and 105
- 508 and 309

- *Streamline the Site Inspection Process*

Charge: With the staff and the Accreditation Committee liaison to the SRC, work to update and improve current Site Report Template, develop checklists for site teams and chairs; consider how law schools should report on the development and adoption of learning outcomes under Standard 302 and the evaluation and adoption of a program to assess the success of the school's program of legal education as required by Standard 315; make recommendations with accompanying proposed drafts of all templates and questionnaires to streamline further the sabbatical inspection process. This working group would divide into sub-working groups.

- *Global Review of Standards*

Charge: Examine the Standards from the perspective of the questions posed for the Invitational Roundtable; consider recommendations for the next comprehensive review; consider the timing of the next comprehensive review.

The Committee also considered five letters submitted in accordance with the Council's Memorandum to Interested Parties, dated June 5, 2017, requesting suggestions for the Committee's 2017-18 agenda. In reviewing these submissions, the SRC viewed them from the lens of the goals listed in the proposed agenda. The Committee's recommendations are as follows:

1. Dean Douglas, William & Mary Law School, proposed that law schools, when reporting on the diversity of their students, may include the diversity of non-resident aliens, who are currently grouped into one category. The Committee recommends consideration of this

proposal and would refer it to the working group tasked with reviewing questionnaires. Any proposed change would be for reporting on J.D. students.

2. Mr. Andrew Blan requested that the Committee consider more detailed information under Standard 509 with respect to conditional scholarships. The Committee recommends that this matter not be taken up at this time as there is considerable information available on conditional scholarships.
3. Professor Scott Pagel, Director of the Law Library at George Washington Law School, proposes revising Standard 601(a)(3) so that it no longer requires written reports from the library under a Standard that has since been eliminated. The Committee recommends reviewing this issue, which would be assigned to the working group tasked with reviewing specific Standards.
4. Professor Wanda Temm submitted a request, which was co-signed by a number of additional academics, to consider revising the Managing Director's Guidance Memo with respect to the transfer of Uniform Bar Examination Scores for first-time takers. The Committee recommends that this matter be referred to the Managing Director.
5. The ABA Standing Committee on Professionalism requests consideration of amending Standard 303(a)(3)(i) to add a subsection on developing students' professionalism, including their personal values and ethical responsibilities. The group also proposed a new Interpretation that focuses on how law school should develop students' professional identity. Although the Committee sees the value in considering this proposal, it recommends not taking it up at this time.

Thank you for your consideration.