Memorandum

To: The Council
From: The Standards Review Subcommittee
Re: Proposed Revisions to the Standards
Date: February 7, 2019

This is the first of two memoranda to the Council for consideration at its February 2019 meeting. This Memorandum addresses proposed changes to the Standards the Council tasked the SRS to review this year. In addition to the Standards placed on the SRS's agenda, two others were subsequently added: Standards 105/306 and 509.

Standard 105 Acquiescence for Substantive Change in Program Structure

Proposed revision:

105(a)(18) Establishing a distance education program in which a law school will grant a student distance education credit for the J.D. degree that is not permitted under Standard 306.

Explanation: This proposed change, which is a new subsection to Standard 105(a), makes clear that the establishment of a distance education program that includes credit permitted under Standard 306 constitutes a substantive change, requiring acquiescence under Standard 105. Rule 24 would also be revised to include the same language.

Accompanying proposed revision to Standard 306 Distance Education:

306(e) Add the following sentence to the current Standard: A law school seeking to grant distance education credit not permitted under this subsection must comply with Standard 105(a)(18) and Rule 24.
Standard 202 Resources for Program

Proposed revision:

(a) The current and anticipated financial resources available to the law school shall be sufficient for it to operate in compliance with the Standards and to carry out its program of legal education.

(b) A law school that is part of a university shall obtain at least annually from its university an accounting for all charges and costs assessed by the university against resources generated by the law school.

(c) A law school is not in compliance with the Standards if its current financial condition has a negative and material effect on the school’s ability to operate in compliance with the Standards or to carry out its program of legal education.

(d) A law school is not in compliance with the Standards if its anticipated financial condition is reasonably expected to have a negative and material effect on the school’s ability to operate in compliance with the Standards or to carry out its program of legal education.

(e) A law school shall be given the opportunity to present its recommendations on budgetary matters to the university administration before the budget for the law school is submitted to the governing board for adoption.

Interpretation 202-1

“Resources generated by the law school” includes law school tuition and fees generated by the law school, appropriated support, endowment income, restricted to the law school, restricted an unrestricted gifts to the law school, and any other revenue generated by the law school, including but not limited to revenue from grants, contracts, and property of the law school.

Interpretation 202-2

A law school satisfies Standard 202(b) if the accounting identifies resources generated by the law school, all charges and costs assessed by the university, and the general disposition of any surplus or source of any deficit. It is anticipated that such an accounting would provide line-item specificity with regard to resources generated and charges and costs.

Explanation: These proposed changes clarify a university’s responsibility under the Standard to provide an accounting of all the charges and costs by the university against the resources generated by the law school. Proposed Interpretation 202-2, which is new, makes clear that the Standard anticipates line-item specificity in the accounting.
**Standard 307 Study, Activities, and Field Placements Outside the United States**

**Proposed revision:**

Interpretation 307-1: For purposes of Standard 307, a course including only a brief visit outside the United States is not considered “study outside the United States.” A “brief visit” is one-third or less of the class time in a course that is offered and based primarily at the law school and approved through the school’s regular curriculum approval process.

**Explanation:** Standard 307 was completely overhauled during the 2017-18 year. The thinking was that the revised Standard was now comprehensive and eliminated the need for the Interpretations. Since that time, however, it has become clear that eliminating prior Interpretation 307-2 may be viewed as eliminating the “brief visit” exception. That was not the intention, and the proposed revision clarifies that brief visits are permitted. The interpretation also provides law schools with guidance as to what constitutes a “brief visit.”

**Standard 310: Determination of Credit Hours for Coursework**

**Proposed revision:**

(a) A law school shall adopt, publish, and adhere to written policies and procedures for determining the credit hours that it awards for coursework.

(b) A “credit hour” is an amount of work that reasonably approximates:

(1) not less than 50 minutes of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time; or

(2) at least an equivalent amount of work as required in subparagraph (1) of this definition for other academic activities as established by the institution, including simulation, field placement, clinical, co-curricular, and other academic work leading to the award of credit hours.

**Interpretation 310-1**

Based on the fifty minutes of classroom or direct faculty instruction and two hours of out-of-class student work per week over the fifteen-week (or its equivalent) period required by the Standard, at least 42.5 hours of total in-class instruction and out-of-class student work is required per credit [15 x 50 minutes + 15 x 2 hours].
Interpretation 310-2
Classroom time devoted to formative assessments or a final examination counts as classroom or direct faculty instruction. Time allowed for studying for formative assessments and a required final examination counts toward the out-of-class time required. However, merely scheduling a general "exam week" or "exam weeks" does not permit allocating "exam time." In order to count time spent studying for and taking a final examination, an exam must be required for the particular class.

Interpretation 310-3
A school may award credit hours for coursework that extends over any period of time, if the coursework entails no less than the minimum total amounts of classroom or direct faculty instruction and of out-of-class student work (42.5 hours) specified in Standard 310(b).

Explanation: The proposed revisions to Standard 310 are not substantive changes, but simply an attempt to clarify the meaning of the Standard and how it is applied. The revisions are intended to address two recurring points of confusion that lead to requests for additional information by the Council:

- First, the revisions state the in-class time required in terms of minutes in the Standard itself; this should eliminate the confusion caused by the current Standard referring to "hours" of in-class time, but then current Interpretation 310-1 defining "hour" as used in the Standard for in-class time as equal to 50 minutes. Revised Interpretation 310-1 then makes clear the total number of actual hours of in-class and out-of-class work required by credit by showing the calculation.

- Second, the revisions make clear that time studying for and taking formative assessments and final exams counts toward either the in-class or out-of-class hours required, but also that in order to count, an exam must be scheduled for the particular class as opposed to allocating time based on scheduling a general "exam week."

Standard 311: Academic Program and Academic Calendar

No substantive changes to the Standard. Instead, the issue of how to address law schools following the quarter system will be governed by a new definition. See infra.
Standard 502: Educational Requirements

Proposed revision:

(a) A law school shall require for admission to its J.D. degree program a bachelor's degree that has been awarded by an institution that is accredited by an accrediting agency recognized by the United States Department of Education.

(b) Notwithstanding subsection (a), a law school may also admit to its J.D. degree program:

(1) an applicant who has completed three-fourths of the credits leading to a bachelor's degree as part of a bachelor's degree/J.D. degree program if the institution is accredited by an accrediting agency recognized by the United States Department of Education; and

(2) a graduate of an institution outside the United States if the law school assures that the quality of the program of education of that institution is equivalent to that of institutions accredited by an accrediting agency recognized by the United States Department of Education.

(c) In an extraordinary case, a law school may admit to its J.D. degree program an applicant who does not satisfy the requirements of subsections (a) or (b) if the applicant’s experience, ability, and other qualifications clearly demonstrate an aptitude for the study of law. For every such admission, a statement of the considerations that led to the decision shall be placed in the admittee’s file.

(d) Except in extraordinary circumstances, a law school shall have on file each enrolled student's official transcripts by the following deadlines:

(i) for students matriculating in the fall, by October 15; and
(ii) for students matriculating at any other time, within 4 weeks of the date classes begin.

Explanation: The current Standard requires law schools to have student transcripts on file “within a reasonable time after a student registers.” This requirement was vague and caused some confusion for law schools. The proposed change clarifies this ambiguity by making October 15 the bright-line date by which a law school must comply with the transcript requirement.

The Council believes October 15 is an appropriate date because it is the date by which law schools must report their student population to the ABA in the Annual Questionnaire. Students included in the population reported in the Annual Questionnaire must be students who have provided copies of their official transcripts.
transcripts, thereby demonstrating their eligibility to continue as an enrolled student.

Additionally, the Council wishes to ensure that a student's eligibility to continue as an enrolled student is verified before the student invests more than a few weeks of time and money in attending law school. The revised standard ensures that if the submission of official transcripts reveals that a student is ineligible for enrollment, the student can be promptly dismissed within a few weeks of the start of the academic term.

The proposed changes also account for the possibility that extraordinary circumstances may, on rare occasions, and through no fault of the student, make it impossible for the student to meet the deadline. In such circumstances, the law school may grant an extension to deal with the extraordinary circumstances. In such a case, the extraordinary circumstances and the terms of the extension should be documented and placed in the student's file. Rather than attempting to outline circumstances that may qualify as “extraordinary,” the proposed changes allow the “extraordinary circumstances” standard to develop over time as the standard is applied.

The proposed change also matches the Accreditation Committee's recent interpretation of the "reasonable time" requirement as expressed in the Managing Director's Guidance Memo of January 2018.

An additional question arose as to the appropriate requirement when a student matriculates in a program that has start dates in the winter, spring, or summer. Proposed change (d)(ii) will ensure that students enrolling at those times have sufficient time to obtain official transcripts, while still imposing a reasonable bright-line requirement.

**Standard 509 Required Disclosures**

**Proposed revision:**

(a) All information that a law school reports, publicizes, or distributes shall be complete, accurate and not misleading to a reasonable law school student or applicant. A law school shall use due diligence in obtaining and verifying such information. Violations of these obligations may result in sanctions under Rule 15 of the Rules of Procedure for Approval of Law Schools.

(b) A law school shall publicly disclose on its website, in the form and manner and for the time frame designated by the Council, the following information:

1. admissions data;
2. tuition and fees, living costs, and financial aid;
3. conditional scholarships;
(4) enrollment data, including academic, transfer, and other attrition;
(5) numbers of full-time and part-time faculty, professional librarians, and administrators;
(6) class sizes for first-year and upper-class courses; number of seminar, clinical and cocurricular offerings;
(7) employment outcomes; and
(8) bar passage data.

(c) A law school shall publicly disclose on its website, in a readable and comprehensive manner, the following information on a current basis:

(1) refund policies;
(2) curricular offerings, academic calendar, and academic requirements; and
(3) policies regarding the transfer of credit earned at another institution of higher education. The law school’s transfer of credit policies must include, at a minimum:
   (i) A statement of the criteria established by the law school regarding the transfer of credit earned at another institution; and
   (ii) A list of institutions, if any, with which the law school has established an articulation agreement.

(d) A law school shall distribute the data required under Standard 509(b)(3) to all applicants being offered conditional scholarships at the time the scholarship offer is extended.

(e) If a law school makes a public disclosure of its status as a law school approved by the Council, it shall do so accurately in a form and manner approved by the Council.

Explanation: The name and address of the Council is now provided on the Required Disclosures form. This proposed revision reflects that change.

Quarter-system Issue

Proposed revision:

As used in the Standards, Interpretations, and Rules of Procedure [this is the current intro to the Definitions]:

(5) “Credit(s) or Credit Hour(s)” means semester hour credits as defined in Standard 310. Law schools that use academic schedules other than semesters, such as a quarter system, shall convert these credits in a manner that is consistent with the provisions of Standard 310 or as otherwise provided in a particular Standard or Interpretation.

Explanation: Please see the attached Appendix for a thorough discussion of the issues related to law schools following the quarter system and how this definition will by applied.
MEMORANDUM

TO: Standards Review Sub-committee
From: Ed Butterfoss
Date: January 2, 2019
Re: Addressing “Quarter Hour” issues in the current Definitions, Standards, and Interpretations

Introduction

The discussion at a recent Council meeting about how to apply the “20% rule” for the maximum number of credits a student may take in a single semester to schools on the quarter system triggered the question of whether similar issues might arise under other Standards. Arguably, any Standard that requires a certain number of “credits” or imposes a limit on the number of “credits” should take into account the difference between a semester hour credit and a quarter hour credit. That issue arises in one Definition and six times in the Standards.

Background

Prior to the comprehensive review of the Standards several years ago, two Standards (former Standard 304 and former Standard 306) directly addressed the “quarter hour” issue in provisions governing the maximum credit load per semester/quarter, the minimum minutes of instruction required for the J.D. degree, and credit limits on distance education courses. However, during the comprehensive review of the Standards, all references to the quarter system were removed. There is no indication in the memos prepared at the time why that occurred, but because only four schools remain on the quarter system, it likely was thought it was not worth “complicating” the Standards by spelling out the adjustments that schools on the quarter system should make in complying with the Standards. If the Council determines it is necessary to address the “quarter hour issue” in the Standards, there are at least four possible approaches that could be considered:

- Amend the relevant Standards to specify the required or maximum credits as both semester credits and quarter credits.
- Amend the relevant Standards to include a “proportionality provision” (e.g., “at least six semester credits (or a proportionate number for schools on other academic schedules, such as a quarter system),”
- Adopt Interpretations for each relevant Standard that impose a “proportionality provision.”
• Adopt a single, stand-alone Standard or Definition specifying a proportionality requirement throughout the Standards for schools on other academic schedules, such as a quarter system.

An analysis of the “quarter hour issues” that arise under each relevant current Standard is set out below. However, given the limited reach of these issues—only four schools are on the quarter system and it is unlikely others will convert to that system—the cleanest, easiest, and perhaps most effective solution is the adoption of a new Definition. There currently are 18 Definitions listed in alphabetical order in front of the Standards. The proposed definition would be for “Credit(s) or Credit Hour(s)” (or something similar), would be Definition (5) in the current listing, and could read as follows:

As used in the Standards, Interpretations, and Rules of Procedure [this is the current intro to the Definitions]:

(5) “Credit(s) or Credit Hour(s)” means semester hour credits as defined in Standard 310. Law schools that use academic schedules other than semesters, such as a quarter system, shall convert these credits in a manner that is consistent with the provisions of Standard 310 or as otherwise provided in a particular Standard or Interpretation.

In order to assess whether the “Definition” approach would effectively address the “quarter hour issues” raised under the current Standards, an analysis of the affected Definitions, Standards, and Interpretations follows.

Definitions

Definition (16) provides:

(16) “Separate location” means a physical location within the United States: (1) at which the law school offers J.D. degree courses, (2) where a student may earn more than sixteen credit hours of the school’s program of legal education, and (3) that is not in reasonable proximity to the law school’s main location.

Prior to the comprehensive review, the definition of separate location (then called a “Satellite campus”) was a location at which a student could take “the equivalent of 16 or more semester credit hours.” The explanatory memo accompanying the proposed revision of the definition focused on the name change (“satellite campus” to “separate location”); no explanation was provided for dropping “equivalent” or “semester” from the definition. It could be those words were viewed as unnecessary because whether a school is on quarter or semester, the apparent objective of requiring that anything more
than one semester or one quarter of study at a location “not in reasonable proximity to the law school’s main location” be acquiesced in by the Council would be accomplished with the generic “sixteen credit hours” with no need to specify any requirement of “equivalency” or “proportionality” for schools on the quarter system. One semester is 1/6 of the full program of legal education on the semester system. One sixth of a quarter system is 1.5 quarters. So, with or without a proportionality requirement, a school on the quarter system would be required to seek acquiescence in order to offer more than one quarter of credits at a separate location and therefore it appears no revision of this definition is required. Nevertheless, if the proposed “Credit Hour” definition is adopted, it would apply to the definition of separate location, but is unlikely to cause any real change or disrupt the current situation.

**Standards**

A. Standard 303(a)(1) provides:

(a) A law school shall offer a curriculum that requires each student to satisfactorily complete at least the following:

(1) one course of at least two credit hours in professional responsibility that includes substantial instruction in rules of professional conduct, and the values and responsibilities of the legal profession and its members;

If strict proportionality is applied, and assuming the proper proportion is 2/3 (6 semesters/9 quarters), then the minimum required quarter hours for graduation should be 124 (the 83 semester credit minimum per Standard 311 divided by 2/3). That suggests three credit hours of professional responsibility should be required in a quarter system: 2/83 = .024; .024 x 124 = 2.976. Applying the possible approaches listed earlier in this memo, if the Council wants to apply proportionality, it could accomplish it by specifying either three quarter hours (“one course of at least two semester credit hours (three quarter credit hours) in professional responsibility . . . .”) or a general proportionality requirement (“one course of at least two semester credit hours (or a proportionate number of quarter credit hours)” in the Standard, or by adopting an Interpretation specifying a proportionality requirement for schools on a quarter system. Because the same issue arises under another subsection of Standard 303, a single “proportionality” Interpretation under Standard 303 would deal with the issue efficiently (see below). Another option is to do nothing relating to this requirement because the substantive effect is not material or at least not worth revising the Standard. Of course, if the proposed Definition of “Credit Hours” is adopted, the burden would be on the schools using the quarter hour system to demonstrate that number of credits they require has been converted “consistent with the provisions of Standard 310,” likely by requiring three credits.
B. Standard 303(a)(3) provides:

(a) A law school shall offer a curriculum that requires each student to satisfactorily complete at least the following:

* * *

(3) one or more experiential course(s) totaling at least six credit hours. An experiential course must be a simulation course, a law clinic, or a field placement, as defined in Standard 304.

The issues here are almost identical to those discussed above concerning Standard 303(a)(1). Proportionality in this case would be require nine credits of experiential courses under a quarter system: \( \frac{6}{83} = .072 \); \( .072 \times 124 = 8.9 \) credits. The greater difference between the proportional semester and quarter credits of three credits rather than just one as with 303(a)(1) may make a more compelling case for imposing a proportionality requirement through one of the options laid out above, although the adoption of the proposed Definition of “Credit Hours” would address the issue as it would with the required credits for Professional Responsibility as discussed above.

C. Standard 306(e) provides:

(e) A law school may grant a student up to one-third of the credit hours required for the J.D. degree for distance education courses qualifying under this Standard. A law school may grant up to 10 of those credits during the first one-third of a student’s program of legal education.

Unlike the previous Standards discussed above that impose less restrictive requirements on schools on the quarter system in the absence of a proportionality requirement, Standard 306(e) imposes greater restrictions if proportionality is not part of the Standard. As written, Standard 306(e) permits a student at a school on the semester system to take 12 percent of the credits required for graduation \( \frac{10}{83} = .12 \) through distance education in their first year of study. For a student at a school on the quarter system, that percentage is only eight percent \( \frac{10}{124} = .08 \). Permitting a student at a quarter system school to take up to 12 percent of the required credits would allow 15 credits of distance education in the first year \( 124 \times .12 = 14.88 \). Interestingly, former Standard 306 included an Interpretation that imposed a proportionality requirement and is the model for the proposed Definition of “Credit Hours”:

**Interpretation 306-9**

“Credits” in this Standard means semester hour credits as provided in Interpretation 304-4. Law schools that use quarter hours of credit shall convert these credits in a manner that is consistent with the provisions of Interpretation 304-4.
Again, if the proposed Definition of “Credit Hours” is adopted, the proportionality issues raised under this Standard are taken care of. Other options for addressing the issue are identical to those discussed above, but there is an additional option with this Standard, that being to make the limit expressed in Standard 306(e) “parallel” in form with the limit on overall distance education in the same subsection. Overall distance education credits are limited to “one-third of the credit hours required for the J.D. degree.” Making the limit on courses permitted in the first year similarly a fraction or percentage would resolve the issue. Options are 12 percent (the current percentage of the minimum required credits for graduation; 10/83 = .12) or a more “round” number of ten percent or fifteen percent. Ten percent likely would face criticism for going backwards in the number of credits permitted; fifteen percent may be viewed as permitting too many credits (83 x .15 = 12.45), particularly when some schools require 91 credits for graduation (91 x .15 = 13.65).

D. Standard 310 provides:

(b) A “credit hour” is an amount of work that reasonably approximates:

(1) not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time; or

(2) at least an equivalent amount of work as required in subparagraph (1) of this definition for other academic activities as established by the institution, including simulation, field placement, clinical, co-curricular, and other academic work leading to the award of credit hours.

Interpretation 310-1
For purposes of this Standard, fifty minutes suffices for one hour of classroom or direct faculty instruction. An “hour” for out-of-class student work is sixty minutes. The fifteen-week period may include one week for a final examination.

Interpretation 310-2
A school may award credit hours for coursework that extends over any period of time, if the coursework entails no less than the minimum total amounts of classroom or direct faculty instruction and of out-of-class student work specified in Standard 310(b).

Although this Standard does not explicitly refer to semester credit hours, it clearly is referring to/defining semester credits since it utilizes a 15-week period, the traditional length of a semester, as the benchmark. Quarters are traditionally 10 weeks (although see the discussion below regarding the tradition for quarters being more flexible, from 10 to
12 weeks), meaning an academic year under both a semester system and a quarter system equals 30 weeks. The former Standards did not define “credit hour” and technically did not require a minimum number of credits for graduation. Instead, former Standard 304 required a semester to include “130 days on which classes are regularly scheduled in the law school” (not including study days and exams) and “for graduation, successful completion of a course of study in residence of not fewer than 58,000 minutes of instruction time.” Unlike current Standard 310, nothing was set out in the Standards about out-of-class work. Although there was not direct predecessor to Standard 310 because a credit hour was not defined in the Standards, Interpretation 304-4 provided examples of typical semester hours and quarter hours:

**[former] Interpretation 304-4**
Law schools may find the following examples useful. Law schools on a conventional semester system typically require 700 minutes of instruction time per “credit,” exclusive of time for an examination. A quarter hour of credit requires 450 minutes of instruction time, exclusive of time for an examination. To achieve the required total of 58,000 minutes of instruction time, a law school must require at least 83 semester hours of credit, or 129 quarter hours of credit.

If a law school on a semester system offers classes in units of 50 minutes per credit, it can provide 700 minutes of instruction in 14 classes. If such a law school offers classes in units of 55 minutes per class, it can provide 700 minutes of instruction in 13 classes. If such a law school offers classes in units of 75 minutes per class, it can provide 700 minutes of instruction in 10 classes.

If a law school on a quarter system offers classes in units of 50 minutes per class, it can provide 450 minutes of instruction in 9 classes. If such a law school offers classes in units of 65 minutes per class, it can provide 450 minutes of instruction in 8 classes. If such a law school offers classes in units of 75 minutes per class, it can provide 450 minutes of instruction in 6 classes.

In all events, the 130-day requirement of Standard 304(a) and the 58,000-minute requirement of Standard 304(b) should be understood as separate and independent requirements.

Thus, the previous Interpretation suggests a proportionality requirement when applying credit minimums and maximums to a quarter hour system. The proportion it suggests is not the 2/3 ratio of the weeks in a quarter and a weeks in a semester (10/15), but a ratio of 450/700, which equals 64 percent rather than 67 percent. Nevertheless, basically two thirds.

The options for addressing the quarter system for Standard 310 are similar to those discussed relating to the other Standards discussed above. The proportionality requirement could be explicitly inserted into the Standard (“not less than one hour of...
classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks (ten weeks in a quarter system) . . . ”) or in an interpretation to similar effect. And the proposed Definition of “Credit Hours” would also address the issue.

As background, it is worth noting that the DOE regulation from which Standard 310 is derived explicitly deals with the quarter hour system. It provides this definition of a credit hour:

One hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately fifteen weeks for one semester or trimester hour of credit, or ten to twelve weeks for one quarter hour of credit, or the equivalent amount of work over a different amount of time;

It is curious that the definition provides a precise number of weeks (15 or equivalent) for semester hours, but a range (10-12 or equivalent) for quarter hours. Presuming our Standard is setting out the minimum, it seems specifying 10 weeks makes sense; obviously 12 weeks of in-class and out-of-class work would meet the Standard. The bottom line is that an academic year under either the semester or quarter system would entail the equivalent of 30 weeks of work, for which a student in a semester system would receive 2 credits (2, 15-week or equivalent semesters) and a student in a quarter system would receive 3 credits (3, 10-week or equivalent quarters), both of which are the same proportion of the minimum credits required for graduation: 2/83 = .024; 3/124 = .024). That assumes, of course, that the Standards require a minimum number of quarter hours to graduate proportional to the minimum number of semester hours—that is governed by Standard 311(a).

E. Standard 311(a) provides:

(a) A law school shall require, as a condition for graduation, successful completion of a course of study of not fewer than 83 credit hours. At least 64 of these credit hours shall be in courses that require attendance in regularly scheduled classroom sessions or direct faculty instruction.

Again, the Standard says nothing about how it applies to schools on the quarter system. As mentioned above, the former Standard did not specify a minimum number of credits for either a semester or quarter system—it simply required 58,000 minutes of instruction regardless of the system the school utilized. Utilizing 700 minutes of instruction per semester credit and 450 minutes of instruction per quarter credit, Interpretation 304-4 calculated that a school on a semester system would need to require 83 credits to reach 58,000 minutes of instruction and a school on a quarter system would need to require 129
credits to reach 58,000 minutes of instruction. But the 700 and 450 minutes per credit were not required anywhere in the Standard; they were simply described as a “example” based on what schools on a “conventional” semester or quarter system “typically” required. Now that Standard 310 imposes the DOE definition of a credit hour, the calculations change slightly.

WARNING: MATH AHEAD! As we know, 42.5 hours of in-class and out-of-class work is required to earn a semester credit hour. Using the minimum 10 weeks in the DOE regulation, the quarter hour equivalent is 28.3 hours, calculated as follows: 8.3 hours [(50 minutes of in-class instruction x 10 weeks) divided by 60 minutes] plus 20 hours [2 hours of out-of-class work x 10 weeks] = 28.3 hours. Once again, a quarter is 2/3 of a semester (28.3/42.5 = .6658). That means 83 semester credits for graduation converts to 124 or 125 quarter credits (83/.6658 = 124.66). Using the same conversion for the number of credits of regular faculty instruction required by the Standard, 64 semester credits converts to 96 credits (64/.6658 = 96.12).

That seems pretty straightforward, but there is a big caveat. It turns out the number of credits required for graduation under a quarter system varies more widely than under a semester system. The credits required for graduation at the approximately 200 schools on the semester system vary from 83-91, but for the four schools on the quarter system vary from 105 to 135 (105, 111, 126, 135). Requiring only 105 quarter hours for graduation seems alarmingly low, especially considering the “minimum” as calculated above arguably should be 124. The answer may lie in the previously mentioned variation in what constitutes a “quarter.” The DOE regulation refers to “ten to twelve” weeks. A 12-week quarter is 80 percent of a 15-week semester (12/15 = .80). Applying that ratio to the credits required for graduation yields a minimum required quarter credits of 104 (83/.80 = 103.75). It could be that the schools with a seemingly low number of quarter credits required for graduation are requiring a proportional amount of “academic engagement” (in-class and out-of-class work) as is represented by 83 semester credits as defined by Standard 310. What that suggests is that Standard 310 should not specify “ten weeks in a quarter system,” but should impose a proportionality requirement either in the Standard itself or through the proposed Definition of “Credit Hours.” Then the burden would be on the school to demonstrate the number of credit hours it requires for graduation has been converted from semester hours “in a manner that is consistent with the provisions of Standard 310.”

F. Standard 311(c) provides:

(e) A law school shall not permit a student to be enrolled at any time in coursework that exceeds 20 percent of the total credit hours required by that school for graduation.
The issues raised by applying this Standard to a quarter hour system are surprisingly complex, and are dealt with in a separate memorandum that proposes revising this Standard for both semester and quarter hour systems as well as other possible options.

**Conclusion**

If the Council determines it is necessary to address the “quarter hour issue” in the Standards, it appears the somewhat complex issues raised by doing so can be most easily and effectively addressed with a new Definition of “Credit Hours” along the lines proposed. Adopting the new Definition will require the least “disruption” to the current Standards and will place the burden on the schools to demonstrate they are appropriately applying the Standards to their academic system, an inquiry the Council would rarely have to undertake given the few schools on an academic system other than the semester system.