Council Meeting, Open Session
February 21, 2020
Tampa, FL

Council Members present: Dean Mary Lu Bilek; Diane Bosse, Esq. (Chair); Dean David Brennen; David Byers; Zachary Faircloth; Dean Emeritus and Professor Antonio García Padilla; James Hanks, Esq.; Associate Dean and Professor Joan Howland (Section Delegate); Mathew Kerbis, Esq. (Young Lawyers Division Liaison); Professor and Dean Emeritus Jeffrey Lewis; Daniel Madzelan; Professor Leo Martinez; Gregory Murphy, Esq.; Senior Vice Chancellor Charles Nash; the Honorable Solomon Oliver, Jr. (Section Delegate); Dean Eduardo Peñalver; the Honorable Mary Russell; the Honorable Phyllis Thompson; Joseph West, Esq.; and Dean and Professor Emerita Rebecca Hanner White.

Council Members absent: The Honorable Scott Bales; Professor (retired) Pamela Lysaght; Mary McQueen, Esq.; Daniel Thies, Esq.; and Michele Wong Krause (Section Liaison to the Board of Governors).

Staff present: Deputy Managing Director Bill Adams; ABA Senior Associate General Counsel Deborah Boling, Esq.; Director of Operations Carl Brambrink; Senior Accreditation Counsel Edwin Butterfoss; Director of Accreditation Administration JR Clark; Managing Director Barry Currier; Manager of Legal Education Assessment Services Genevieve Ferraro; Accreditation Counsel Stephanie Giggetts; Manager of Legal Education Assessment Services Sam Kwak; Section Director Erin Ruehrwein; and Manager of Law School Analytics Kirsten Winek.

Guests and Affiliates present: Christine Cerniglia (CLEA); Michelle Cosby (AALL); Darby Dickerson (AALS); Judy Gunderson (NCBE); Kendall Kerew (CLEA); Laura LeDuc (WMU Cooley Law School); Beth Lyon (SALT); Patricia Moore (St. Thomas University School of Law); Anne Mullins (ALWD); Kellye Testy (LSAC); and Sarah Wolking (CLEA).

Minutes
The minutes of the November 22, 2019 Open Session Council Meeting were approved as submitted, by voice vote, without dissent.

Standards Review Subcommittee Report
The Standards Review Subcommittee (SRS) presented its preliminary recommendations on proposed changes to the Standards and Rules. During the November Council Meeting, the Council approved for Notice and Comment proposed revisions to the Standards and Rules, listed below, most which are required by the new Department of Education regulations. A
hearing was held on February 19. One change corrects language in the Rule regarding approval of foreign programs. The Council approved the recommended changes.

1. Retroactive application of accrediting decisions
   • Rule 2
2. Provisional approval
   • Rule 22
   • Rule 29
   • Standard 102
   • Standard 103
3. Substantive change
   • Rule 24
   • Standard 105
4. Appeal
   • Rule 39
5. Foreign Programs
   • Rule 27

The Council also approved the proposed changes to Standard 306, Distance Education.

The Standards Review Subcommittee plans to host a roundtable in May. Topics include diversity, lawyer well-being, and financial aid, among others.

Affiliate Reports

AccessLex Institute
President & CEO Chris Chapman reported on the AccessLex Institute | LSSSE Bar Exam Success Initiative; survey on the Nevada Bar Exam and correlations with lawyer competency; New York Board of Law Examiners study; and the various resources including Analytics by AccessLex, Max Financial Literacy Program, and a new and upcoming bar review program.

American Association of Law Libraries (AALL)
President Michele Cosby reported on the AALL Annual Meeting to be held in July in New Orleans, its Leadership Academy, a push to raise awareness of law librarianship as a career, and its new consulting service for law libraries.

Association of American Law Schools (AALS)
President Darby Dickerson reported on the AALS Annual Meeting which featured U.S. Supreme Court Justice Ruth Bader Ginsburg, Pro Bono Survey, Study of the American Law School Dean, and its new faculty book site.
Clinical Legal Education Association (CLEA)
President Kendall Kerew provided updates on its committees including the Committee for Faculty Equity and Inclusion and its New Clinicians Committee. She also stressed the importance of transparency of the work by the Standards Review Subcommittee.

Law School Admission Council (LSAC)
Kellye Testy (President and CEO) provided updates on test taker volume, the launch of the pilot for the Post-1L Formative Assessment Initiative, Skills Analysis Study, Law School Forums, LSAC’s new Unite admission software, and the importance of expanding the legal education pipeline.

National Conference of Bar Examiners (NCBE)
Judy Gundersen (President and CEO) provided an update on the conversion of the Multistate Professional Responsibility Examination (MPRE) from a paper-based test (PBT) to a computer-based test (CBT) to be administered at Pearson VUE centers beginning in March 2020. She also reported that NCBE will begin reporting individual student scores to schools, the Testing Task Force Phase 2 is complete, and the 2020 Comprehensive Guide to Bar Admission Requirements has been published.

2020-2021 Drafts of SEQ, Site Report Template, and the Annual Questionnaire
The drafts for the 2020-2021 versions of the Site Evaluation Questionnaire (SEQ), Site Report Template (SRT), and the Annual Questionnaire (AQ) were approved by the Council as proposed.

Report on the 2019 Employment Questionnaire Outcomes and Process
Deputy Managing Director Bill Adams provided a brief overview of the Random Graduate Reviews and Elevated Reviews based on the Employment Questionnaire (EQ) for the Class of 2018.

Report on 2020 Bar Pass Questionnaire Outcomes
Managing Director Barry Currier provided an overview of the recently released data on bar passage outcomes.

Reports

Managing Director Search
Jeff Lewis provided a brief update on the search for the new Managing Director, which is an ongoing process.
House of Delegates Report
Section Delegates Joan Howland and the Honorable Solomon Oliver, Jr. reported on the two resolutions the Council submitted for the Midyear Meeting, both of which were approved.

Section Director’s Report
Erin Ruehrwein reported on several topics including the Section’s membership, 2020 Workshops for Deans and New Deans, 2020 Law School Development Conference, the newly formed Adjunct Faculty Committee, 2018-29 Annual Report, Legal Writing Sourcebook (3E), Winter issue of Syllabus, and updates on ABA senior staff and membership goals.

YLD Liaison’s Report
Mathew Kerbis reported on the ongoing work of the YLD’s Law Student Debt Task Force which is focusing on post-graduate debt, Public Student Loan Forgiveness, and income driven repayment.

Law Student Division Report
Zachary Faircloth reported on the Law Student Division’s (LSD) initiative on mental health and well-being. As part of the initiative, the LSD held a t-shirt design competition in the fall semester, and the winning design is now featured on apparel being sold for their fundraiser, with all proceeds going to the FJE account for the Commission on Lawyer Assistance Programs.

Managing Director’s Report
Barry Currier provided on update on the Center for Accreditation and Legal Education.

Chair’s Report
Diane Bosse expressed her gratitude to the Council and staff for its hard work in ensuring the success of the new Council structure.

Chair Diane Bosse adjourned the Open Session of the Council at 2:15 p.m.