The Consultant’s Office is monitoring the H1N1 flu situation and will be developing policies and processes for schools to follow as quickly as necessary. For now, I am providing a link (http://www.cdc.gov/h1n1flu/schools/) to the guidance provided by the CDC for institutions of higher education and encourage you to consult and follow the guidance to the extent it applies to your school. In the CDC materials, there is advice about educating individual students who miss substantial time as well as what to do in case of a school closure. We do not endorse any particular approach, but you should be aware of this guidance. In addition, Associate Dean Aric Short of Texas Wesleyan has created a “wiki” which aggregates school materials on the subject and provides a platform for possible collaborative drafting. You can access the wiki by going to http://lawdeansflu.wetpaint.com.

At this stage, I can say the following:

1. If a student misses classes, but the school does not close, that situation should be covered by your current policies and procedures. The ABA Standards most likely will not be implicated in such a situation.

2. If the school closes (either by university mandate, government requirement or board decision), the Standards could be implicated depending on the length of closure [see Standards 304(a) and (b)]. It is hoped that the school will be able to make up the lost class time in the weeks or months remaining in the semester or academic year. If this is impossible (lack of time remaining, other intervening factors, etc.), then we anticipate implementing an “emergency variance” procedure pursuant to Standard 802. This was done after Hurricane Katrina and worked well for the schools affected. The school affected would submit a variance request to the Consultant’s Office and be asked to provide all relevant information. The variance request would be processed as quickly as feasible and appropriate. The Consultant's Office will be working over the next several weeks on a template for that submission, specifically delineating the kinds of information the school would be expected to provide. I can imagine that at a minimum the Accreditation Committee and Council would want to know the reasons for the closure, the reason why the classes cannot be made up and the steps the school has taken to ensure the delivery of the full course content for the semester. We will be in further communication once these procedures are put into place.

Our goal is similar to yours: to avoid disruption to the extent possible while respecting the health concerns of students, faculty, staff and the institution. The primary objective will be to get the educational program delivered to all students in a safe and secure environment, and at the same time, to make certain the Standards are followed.

I encourage you to contact the Consultant’s Office as soon as it is evident to you that disruption to the school calendar will likely occur.