



## **Managing Director's Guidance Memo**

### **Standard 204**

**January 2015, revised April 2016, revised March 2017**

#### **Standard 204. SELF STUDY**

Before each site evaluation visit the law school shall prepare a self study comprising (a) a completed site evaluation questionnaire, and (b) a law school self assessment that includes (1) a statement of the law school's mission and of its educational objectives in support of that mission, (2) an evaluation of the educational quality of the law school's program of legal education, including a description of the program's strengths and weaknesses, and (3) a description of the school's continuing efforts to improve the educational quality of its program.

#### **Background**

This memo provides guidance regarding compliance with Standard 204 in the preparation of the Self Study connected to the periodic review of a law school's accreditation.

#### **Restructuring and renaming the Self Study and the Site Evaluation Questionnaire (SEQ)**

Conceptually under Standard 204, the Self Study is the overarching document that a law school will submit in advance of its site visit. The SEQ is part of it [Standard 204(a)]. This is contrasted to prior practice where the SEQ was the overarching document and the Self Study was a freestanding document required by former Standard 202 and submitted as an SEQ attachment.

This change was driven by at least these two facts: (1) the U.S. Department of Education recognition criteria for accrediting agencies (the standards with which the ABA Standards must comply to be a recognized accreditor) require the Standards to require a "self study" [34 CFR 602.17(b)]; and (b) as practices evolved in the accreditation process and at law schools, there was substantial duplication of reporting facts and information in the old SEQ and self studies that schools submitted that we intend to be minimized or eliminated by this change.

#### **The Self Study going forward**

The new Self Study contains two parts. Part I is the Site Evaluation Questionnaire required by Standard 204(a). Part II is the Law School Self Assessment in which the Law School must prepare an analysis of its program of legal education that covers the substance of the requirements of Standard 204 (b).

Standard 204 does not require or contemplate that the Law School Self Assessment necessarily will be

covered in one or multiple documents. While they appropriately may be included within one or multiple documents, the school must clearly indicate where it is fulfilling the requirements of each of the particular items required by (b)(1) – (3).

While former Standard 202 and prior practice did not require it, many schools prepared a Self Study that was organized according to the Format for a Site Visit Report, which prescribed the required format for site team reports. (The Format for a Site Visit Report has been replaced by the Site Report Template, which can be found on the Accreditation page, [http://www.americanbar.org/groups/legal\\_education/accreditation.html](http://www.americanbar.org/groups/legal_education/accreditation.html).)

Included in many of these Self Studies was a great deal of the descriptive information also reported in the narrative SEQ relating to compliance with the various Standards. This duplication of information was not required then nor is it required or encouraged under the revised Standard. Further, many schools tended to be perfunctory with respect to the evaluation of the strengths and weaknesses of the educational program and the setting of goals to improve the program as required by former Standard 202. These aspects of the Self Study were often incidental to the description of the program and how it complied with the Standards.

By flipping the Self Study and the SEQ – making the SEQ a component part of the larger Self Study rather than the reverse – the new Standard contemplates that schools will focus more closely and substantively in the Self Assessment on evaluation of the educational program and efforts to improve it. Further, schools will report the descriptive information and data that is part of the periodic site review process only once – in the SEQ portion of the reconceptualized Self Study.

Instructions for completing the Self Study can be found on the Section’s website: [http://www.americanbar.org/groups/legal\\_education/resources/questionnaire.html](http://www.americanbar.org/groups/legal_education/resources/questionnaire.html)

### **The continuing need for strategic planning and assessment**

While former Standard 203, which required schools to engage in strategic planning and assessment, has been eliminated, revised Standard 204(b), along with revised Standards 202(a) & (d) [anticipated financial resources] and 315 [Evaluation of Program of Legal Education, Learning Outcomes, and Assessment Methods], require schools to undertake certain planning and assessment efforts related to the quality of the educational program. Under these Standards, a law school must:

- Demonstrate that its anticipated financial resources are sufficient for it to operate in compliance with the Standards and to carry out its program of legal education [Standard 202(a) & (d)]
- Provide its mission statement and the educational objectives that support it [Standard 204(b)(1)]
- Provide an evaluation of the educational quality of the law school’s program of legal education, including a description of the program’s strengths and weaknesses [Standard 204(b)(2)]
- Describe the school’s continuing efforts to improve the educational quality of its program [Standard 204(b)(3)]
- Conduct an ongoing evaluation of the law school’s program of legal education, learning outcomes, and assessment methods and use those evaluations to monitor and improve the curriculum [Standard 315]. Interpretation 315-1 elaborates on the methods that schools

may use to measure student achievement of learning outcomes. As noted below, Standard 315 will be applied to schools beginning in 2016-2017.

Thus, the school is still required to show how it is currently complying with the Standards and making realistic plans for the future. These requirements have been recast and are now more sharply focused on the school's educational program, which is the primary concern of the accreditation process.

### **How schools might prepare for the site visit process, including faculty and administration involvement**

Standard 204 requires the "*law school* [to] prepare a self-study." By contrast, former Standard 202 required "the *dean and faculty* [to] develop a . . . self study." Because the Self Study is now the overarching, umbrella document, some parts of it will call for information that can be developed by a law school's administrative team without the necessity of faculty involvement.

However, the Self Study will also ask schools to respond to the matters outlined in the previous section. These responses will, no doubt, be developed as part of a collegial process that involves both the faculty and the administration. Note that Standard 201(a) provides that "[t]he dean and faculty shall have the primary responsibility and authority for planning, implementing, and administering the program of legal education of the law school, including curriculum, methods of instruction and evaluation, admissions policies and procedures, and academic standards;" and further, that Standard 315 requires that "[t]he dean and faculty shall conduct ongoing evaluation of the law school's program of legal education . . ."

The Standards do not have any particular directives about how a school allocates responsibility for preparing the various components of the new, umbrella Self Study. The school will be asked to describe its process for preparing for a site visit and for determining its responses to questions about planning and assessment, but we expect approaches will vary widely, based on school culture and size. Some schools may choose to continue to have a committee that it designates as the Self Study Committee. Others may form committees with other designations with varied duties, including planning and assessment. The current Standards do not dictate how the precise contours of this process will occur, but do anticipate that it will be described and that the faculty will be appropriately involved as prescribed in the Standards.

**The Managing Director's Office will issue Guidance memoranda from time-to-time when new Standards or Interpretations have been adopted or when, in the course of the Office's dealings with schools about compliance with the Standards, a number of schools are asking for clarification or direction regarding a particular Standard, Interpretation or reporting requirement. The Office does its best to provide helpful guidance, but we remind schools that we do not have the authority to bind either the Council or the Accreditation Committee. That said, the Council and the Accreditation Committee understand the necessity of providing guidance and will take that guidance into account in any determination about a school's operating in compliance with the Standards.**