

CHAPTER **1**

General Purposes and Practices

Standard 101. BASIC REQUIREMENTS FOR APPROVAL

- (a) A law school seeking approval by the Council shall demonstrate that it is being operated in compliance with the Standards.
- (b) Approval of a law school by the Council is not transferable. A transfer of all, or substantially all, of the academic programs or assets of (1) a law school, or (2) a university or college of which the law school is a part does not include the transfer of the law school's approval.

Standard 102. PROVISIONAL APPROVAL

- (a) The Council shall grant provisional approval to a law school if at the time the school seeks such approval it demonstrates that it has achieved substantial compliance with the Standards and presents a reliable plan for bringing the law school into full compliance with each of the Standards within three years after receiving provisional approval. In order to demonstrate that it has a reliable plan to come into full compliance with the Standards within three years after receiving provisional approval, a law school must clearly state the specific actions that it

plans to take to bring the school into full compliance and demonstrate that there is a reasonable probability that such actions will be successful. A provisionally approved law school may apply for full approval no earlier than two years after receiving provisional approval and must obtain full approval within five years after receiving provisional approval.

- (b) The Council may withdraw provisional approval if the Council determines that the law school is no longer in substantial compliance with the Standards, is not making adequate progress toward achieving full compliance with each of the Standards, or is no longer able to demonstrate that there is a reasonable probability that the school will achieve full compliance with each of the Standards within the allotted time frame.
- (c) If five years have elapsed since the law school was provisionally approved and the Council has not granted full approval, provisional approval shall terminate. Before the end of the five-year period in an extraordinary case and for good cause shown, the Council may extend the time within which the law school must obtain full approval.
- (d) A provisionally approved law school shall not offer a post-J.D. degree program or other non-J.D. degree program, offer a program in a country outside the United States, or seek to establish a separate location.
- (e) A provisionally approved law school shall state that it is provisionally approved in all of its printed and electronic materials describing the law school and its program and in any other publication that references the law school's approval by the Council.
- (f) A law school seeking provisional approval shall make its status clear in any printed and electronic materials describing the law school and its program and in any other publication that references the law school's approval status. At a minimum, the law school shall state the following in all such communications:

The law school is not currently approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association and makes no representation to any applicant that it will receive approval from the Council before the graduation of any matriculating student.

- (g) A law school seeking provisional approval shall not delay conferring a J.D. upon a student in anticipation of obtaining approval. An approved law school may not retroactively grant a J.D. degree as an approved school to a student who graduated from the law school before its approval.

Interpretation 102-1

Plans to achieve substantial compliance with any of the Standards are not sufficient to demonstrate substantial compliance.

Standard 103. FULL APPROVAL

- (a) The Council shall grant full approval to a provisionally approved law school if at the time the school seeks such approval it demonstrates that it is in full compliance with each of the Standards. Plans to achieve full compliance with any Standard are not sufficient to demonstrate full compliance.

- (b) A law school granted approval under this Standard remains approved unless the Council withdraws that approval.

Standard 104. PROVISION OF INFORMATION BY LAW SCHOOLS TO ACCREDITATION COMMITTEE AND COUNCIL

A law school shall furnish a completed annual questionnaire, self-study, site evaluation questionnaire, and such other information as the Accreditation Committee or Council may require. This information must be complete, accurate, and not misleading, and must be submitted in the form, manner, and time frame specified by the Council.

Standard 105. ACQUIESCENCE FOR MAJOR CHANGE IN PROGRAM OR STRUCTURE

- (a) Before a law school makes a major change in its program of legal education or organizational structure, it shall obtain the acquiescence of the Council for the change. A major change in program or structure that requires application for acquiescence includes:
- (1) Acquiring another law school, program, or educational institution;
 - (2) Acquiring or merging with another university by the parent university where it appears that there may be substantial impact on the operation of the law school;
 - (3) Transferring all, or substantially all, of the program of legal education or assets of the approved law school to another law school or university;
 - (4) Merging or affiliating with one or more approved or unapproved law schools;
 - (5) Merging or affiliating with one or more universities;
 - (6) Materially modifying the law school's legal status or institutional relationship with a parent institution;
 - (7) A change in control of the school resulting from a change in ownership of the school or a contractual arrangement;
 - (8) A change in the location of the school that could result in substantial changes in the faculty, administration, student body, or management of the school;
 - (9) Establishing a branch campus;
 - (10) Establishing a separate location;
 - (11) A significant change in the mission or objectives of the law school;
 - (12) The addition of courses or programs that represent a significant departure from existing offerings or method of delivery since the latest site evaluation including instituting a new full-time or part-time division;

- (13) The addition of a permanent location at which the law school is conducting a teach-out for students at another law school that has ceased operating before all students have completed their program of study;
 - (14) Contracting with an educational entity that is not certified to participate in Title IV, HEA programs, that would permit a student to earn 25 percent or more of the course credits required for graduation from the approved law school;
 - (15) Establishing a new or different program leading to a degree other than the J.D. degree;
 - (16) A change in program length measurement from clock hours to credit hours; and
 - (17) A substantial increase in the number of clock or credit hours required for graduation.
- (b) The Council shall grant acquiescence only if the law school demonstrates that the change will not detract from the law school's ability to remain in compliance with the Standards.

Standard 106. SEPARATE LOCATIONS AND BRANCH CAMPUSES

- (a) A law school that offers a separate location shall provide:
- (1) Full-time faculty adequate to support the curriculum offered at the separate location and who are reasonably accessible to students at the separate location;
 - (2) Library resources and staff that are adequate to support the curriculum offered at the separate location and that are reasonably accessible to the student body at the separate location;
 - (3) Academic advising, career services and other student support services that are adequate to support the student body at the separate location and that are reasonably equivalent to such services offered to similarly situated students at the law school's main location;
 - (4) Access to co-curricular activities and other educational benefits adequate to support the student body at the separate location; and
 - (5) Physical facilities and technological capacities that are adequate to support the curriculum and the student body at the separate location.
- (b) In addition to the requirements of section (a), a branch campus must:
- (1) Establish a reliable plan that demonstrates that the branch campus is reasonably likely to be in substantial compliance with each of the Standards within three years of the effective date of acquiescence as required by Rule 30;
 - (2) Comply with instructional requirements and responsibilities as required by Standard 403(a) and Standard 404(a); and
 - (3) Offer reasonably comparable opportunities for access to the law school's program of legal education, courses taught by full-time faculty, student services, co-curricular programs, and other educational benefits as required by Standard 311.

- (c) A law school is not eligible to establish a separate location until at least four years after the law school is granted initial full approval.

Interpretation 106-1

A law school with more than one location may have one dean for all locations.

Standard 107. VARIANCES

- (a) A law school proposing to make any change that is or may be inconsistent with one or more of the Standards may apply to the Council for a variance only on one of the following bases:

- (1) A law school may apply for a variance in response to extraordinary circumstances in which compliance with the relevant Standard or Standards would create or constitute extreme hardship for the law school and/or its students. In such cases, the law school must demonstrate that: i) the proposed variance is consistent with the general purposes and objectives of the overall Standards, and ii) the anticipated benefits of granting the variance outweigh any anticipated harms to the law school's program or its students.

The variance, if granted, will be for a term certain and limited to the expected duration of the extraordinary circumstances on the basis of which it was granted. It may be extended once for a further term certain, but only if the extraordinary circumstances persist and are beyond the control of the law school.

The decision granting a variance on this basis may require the law school to report to the Managing Director, the Accreditation Committee, or the Council regularly as specified in the decision.

- (2) In all variance applications that do not fall within subsection (a)(1), the law school must demonstrate that: i) the proposed variance is consistent with the general purposes and objectives of the overall Standards, ii) the proposed changes or actions that are the basis for the requested variance are experimental or innovative and have the potential to improve or advance the state of legal education, and iii) the anticipated benefits of granting the variance outweigh any anticipated harms to the law school's program or its students.

The variance, if granted, shall be for a term certain and can be extended once, with the extension being for either a further term certain or indefinite, but subject to revocation on the basis of either a change in the showing made by the law school when the variance was granted or a change in circumstances.

The decision granting a variance on this basis may require the law school to report to the Managing Director, the Accreditation Committee or the Council regularly as specified in the decision.

- (b) If the changes that are the subject of the application for a variance constitute or come to constitute a major change in programs or structure under Standard 105 or 106, then the law school shall seek acquiescence by the Council in order to initiate or continue the changes.
- (c) A variance, when granted, is school specific and shall be based on and limited to the facts and circumstances that existed at the law school at the time it applied for the variance.