

American Bar Association
Standards and Rules of Procedure
for the
Approval of Law Schools
and
Interpretations

AMERICAN BAR ASSOCIATION
STANDARDS AND RULES OF PROCEDURE
FOR APPROVAL OF LAW SCHOOLS

AND
INTERPRETATIONS

August, 1981

Table of Contents

Standards for the Approval of Law Schools	
Foreword.....	
General Purposes and Procedures: Definitions	
Standards 101-106.....	
Organization and Administration	
Standards 201-213.....	
Educational Program	
Standards 301-308.....	
Faculty	
Standards 401-406.....	
Admissions	
Standards 501-506.....	
Library	
Standards 601-605.....	
Physical Plant	
Standards 701-705.....	
Authority	
Standards 801-805.....	
Adoption and Amendment	
Standards 901-902.....	
Principles of Academic Freedom and Tenure	
Annex I.....	
Library Schedule A	
Annex II.....	
Library Schedule B	
Annex III.....	
Rules of Procedure for the Approval of Law Schools	
Accreditation Committee	
Rule I.....	
Procedure for Securing Approval	
Rule II.....	

Procedure for Assuring Continued Compliance	
Rule III.....	
Removal from List of Approved Schools - Provisional,	
Full	
Rule IV.....	
Changes in Structure or Operation	
Rule V.....	
Appeal	
Rule VI.....	
Reinstatement	
Rule VII.....	
List of Approved and Unapproved Schools	
Rule VIII.....	
Accreditation Committee Policies.....	
Adopted Policies of Statement and Procedures of	
the Council of the Section of Legal Education	
and Admissions to the Bar.....	
Key Word Index to Standards and	
Interpretations.....	
Statement of Good Practice on Impartiality	
and Propriety in the Process of Law School	
Accreditation.....	

Foreword

From its inception the American Bar Association has been devoted to the improvement of the legal profession through the improvement of the pre-legal and legal education of those who apply for admission to the Bar.¹ This objective is clearly stated in the By-laws of the Section of Legal Education and Admissions to the Bar² of the American Bar Association:

Article 1-Section 3. Purposes. The purposes of the Section shall be to consider, discuss, recommend to the Association, and effectuate measures for the improvement of the systems of pre-legal and legal education in the United States; methods for inculcating in law students the sincere regard for the ethics and morals of the profession necessary to its high calling; and means for the establishment and maintenance in the several states of adequate and proper standards of general education, legal training, and moral character of applicants for admission to the Bar, including the manner of testing their qualifications.

The By-laws of the Section of Legal Education and Admissions to the Bar, in Article 1, Section 4, empower the Section, through its Council, subject to the approval of the House of Delegates:

(b) To recommend to the House of Delegates uniform standards and requirements to be met by law schools for approval, or retention of approval, either provisional or full, by the Association;

1. See, Harno Legal Education in the United States (1953); Sullivan, The Professional Association and Legal Education, 4 Journal of Legal Education 401 (1952).

2. As approved by the House of Delegates of the ABA, Feb., 1961.

(c) To establish procedures and requirements to be met and observed by law schools in obtaining and retaining the approval of the Association; to receive and process applications of law schools for approval; and to make recommendations thereon to the House of Delegates;

(d) To prescribe procedures for changing the status of a law school from provisional to full approval, or from full to provisional approval, or for withdrawal of either provisional or full approval from law schools;

(e) To establish conditions and procedures for the inspection and re-inspection of the approved law schools, with power in the Council to make the same at the expense of the school or schools in question;

(f) To observe and determine the adherence of the approved law schools to the Standards for Legal Education of the Association, and after investigation and hearing, and upon a finding of non-adherence in a given school, to recommend to the House of Delegates a change in the approval status of said law school.

All of the standards, requirements and procedures recommended by the Section and approved by the House of Delegates are printed and distributed to law schools, universities, libraries, boards of bar examiners, professional groups or associations and others concerned with legal education.

Pursuant to these objectives and powers, the Section of Legal Education and Admissions to the Bar prepared the following Standards and Rules of Procedure for the Approval of Law Schools. A first draft was distributed for comment on December 8, 1971, to the chief appellate judge of each state, the bar examiners of all jurisdictions, the deans of all ABA approved law schools, and the members of the Section. In addition, the deans of over 100 law schools discussed the draft at a meeting with the Section Council and the drafting committee held February 4, 1972. A second draft was prepared and circulated on April 10, 1972. Hearings were held in San Francisco on May 6, and in Chicago on May 13, 1972. Nearly 100 practitioners, judges, teachers and deans participated in the hearings. Thereafter, a final

draft was prepared and adopted by the Section at its annual meeting on August 15, 1972. The House of Delegates approved and adopted the Standards and Rules of Procedure on February 12, 1973.

The Standards recognize the diversity in quality legal education and represent an important step in advancing the cause of quality legal education and the American Bar Association's concern therefor.

The Rules of Procedure were prepared to implement the Standards and also were drafted to conform to the Criteria for Nationally Recognized Accrediting Agencies and Associations promulgated by the Office of Education, Department of Health, Education and Welfare.

The Standards were amended by the House of Delegates in August, 1974 [Standard 302(a)(iii)], in August, 1975 [Standard 902(a)], in August, 1976 [addition of Standard 308], in February, 1977 [Standards 601, 602, 603, 604, 605, 704 and 705], in August, 1978 [addition of Standard 212, renumbered Standard 213 in August, 1980], in August, 1979 [style changes to remove references to male gender and amendments to Standards 105, 303(a) and 308], and in August, 1981 [Standards 211, new section (b) and (c), old (b) and (c) renumbered (c) and (e), and Standard 302 (a)]. The Rules of Procedure were rewritten and so adopted in February, 1975, with further amendments adopted from time to time thereafter. This pamphlet contains all amendments through August, 1981.

Standard 101

The American Bar Association is vitally and actively interested in ways and means of bringing about the improvement of the legal profession. These Standards for the Approval of Law Schools by the American Bar Association are promulgated in pursuance of that objective.

Standard 102

The American Bar Association believes that every candidate for admission to the bar should have graduated from a law school approved by the American Bar Association, that graduation from a law school should not alone confer the right of admission to the bar, and that every candidate for admission should be examined by public authority to determine fitness for admission.

INTERPRETATIONS

Standard 102

Interpretation 1 of 102 and 103: Support from the State Bar Association is not necessary in order for a school to be approved by the ABA, and a school which meets the Standards may be approved even though the local bar is opposed. However, actions and judgments by the bar or by individual members of the bar are not irrelevant. July, 1974.

Interpretation 2 of 102 and 103: It is the responsibility of a law school approved by the American Bar Association or seeking ABA approval to demonstrate compliance with the Standards. The Council cannot determine if a school is being operated in accordance with the Standards if the school refuses to submit information requested by the Council. Refusal to supply information could be determined a violation of the Standards. August, 1977.

Interpretation 3 of 102 and 103: It is the intent of the Standards that each approved law school or law school seeking provisional approval provide appropriate information to the Council and Accreditation Committee, including the completion of appropriate questionnaires and self-studies. July, 1977; August, 1977.

Standard 103

In order to obtain or retain approval by the American Bar Association, a law school must demonstrate that its program is consistent with sound educational policies. It shall do so by establishing that it is being operated in accordance with the Standards.

INTERPRETATIONS

Standard 103

Interpretation 1 of 102 and 103: Support from the State Bar Association is not necessary in order for a school to be approved by the ABA, and a school which meets the Standards may be approved even though the local bar is opposed. However, actions and judgments by the bar or by individual members of the bar are not irrelevant. July, 1974.

Interpretation 2 of 102 and 103: It is the responsibility of a law school approved by the American Bar Association or seeking ABA approval to demonstrate compliance with the Standards. The Council cannot determine if a school is being operated in accordance with the Standards if the school refuses to submit information requested by the Council. Refusal to supply information could be determined a violation of the Standards. August, 1977.

Interpretation 3 of 102 and 103: It is the intent of the Standards that each approved law school or law school seeking provisional approval provide appropriate information to the Council and Accreditation Committee, including the completion of appropriate questionnaires and self-studies. July, 1977; August, 1977.

Interpretation of 103: The intent of Standard 103, in part, is to put the obligation on the school to demonstrate that its program is consistent with sound educational policy and to establish that it is being operated in accordance with the Standards. Each law school, to retain approval, shall, in accordance with Rule III(1), furnish the Council with such information as is requested by the Council. The reinspection and annual questionnaires distributed by the Consultant on behalf of the Council provide the means through which each school demonstrates continuing compliance with the Standards. The annual questionnaire not only furnishes the Council with information regarding the status of each school, but, in meeting its concern with legal education as a whole, furnishes the Council with information regarding American law schools generally, so that the Council can determine the areas in which improvements are being made and the areas in which appropriate action should be taken and to provide the Council with information which reflects the norms of legal education. The annual questionnaire provides a uniform and regular method for the Council to meet its responsibilities, and, accordingly, each school shall furnish all the information requested on the annual questionnaire August, 1978

Standard 104

The authority to grant and to withdraw approval is vested in the House of Delegates.

(a) A law school will be granted provisional approval when it establishes that it substantially complies with the Standards and gives assurance that it will be in full compliance with the Standards within three years after receiving provisional approval.

(b) A law school will be granted full approval when it establishes that it is in full compliance with the Standards and it has been provisionally approved for at least two years.

(c) A law school that is provisionally approved may have this approval withdrawn if it is determined that it is not substantially complying with the Standards, or if more than five years have elapsed since the law school was provisionally approved and it has not qualified for full approval and the Council has not extended the time within which full approval must be obtained.

(d) If it is determined that an approved school is no longer complying with the Standards its approval may be withdrawn. However, if the school gives assurance that the deficiencies will be corrected within a reasonable time, as fixed by the Council, the school may remain an approved school.

(e) The students at provisionally approved law schools and persons who graduate while a school is provisionally approved are entitled to the same recognition accorded to students and graduates of fully approved law schools.

(f) A person who matriculates at a law school that is then approved and who completes the course of study and graduates in the normal period of time required therefor, shall be deemed a graduate of an approved school, even though the school's approval was withdrawn while that person was enrolled therein.

INTERPRETATIONS

Standard 104

Interpretation of 104: Events since the granting of provisional approval may raise doubts as to the ability of an institution to fulfill commitments made in connection with the application for provisional approval and may nullify previously given assurance that a law school will be in full compliance with the Standards within three years of the initial granting of provisional approval. July, 1980.

Interpretation 1 of 104(a): A law school seeking provisional approval by the American Bar Association must furnish separate financial operating statements for the last three fiscal years. If the applicant institution is a private institution, the statements shall be certified. August, 1977.

Interpretation 2 of 104(a): A law school seeking provisional approval by the ABA shall provide appropriate supporting documents detailing the actual cost of all facilities used solely for the support of the law school.

If the applicant institution is a private institution, the institution shall state the MAI appraised fair market value of facilities used solely for support of the law school. August, 1977.

Interpretation 3 of 104(a): Substantial compliance means appropriate and substantial compliance with each of the Standards for Approval of Law Schools and further, that a law school gives assurance that it will be in full compliance within three years after receiving provisional approval. June, 1978.

Interpretation 4 of 104(a): Plans for construction, financing, library improvement, salary increases and employment of faculty which are presented by a law school seeking provisional approval are not, in themselves, matters of substantial compliance with the Standards. Substantial compliance means substantial compliance at the time a law school seeks provisional approval and not future realization of existing plans. June, 1978.

Interpretation of 104(c): Provisional approval may be withdrawn if more than five years have elapsed since a law school was provisionally approved if the

INTERPRETATIONS

Page 2

Standard 104

law school has not qualified for full approval by placing itself in full compliance with each and every Standard. June, 1978.

Interpretation of Standard 104(e): A currently approved law school cannot retroactively grant a J.D degree to a graduate of its predecessor institution. May, 1980.

Standard 105

An approved school shall seek to exceed the minimum requirements of the Standards.

INTERPRETATIONS

Standard 105

Interpretation 1 of 105: A law school whose academic program does not meet its own stated goals and objectives does not comply with the Standards for Approval of Law Schools by the American Bar Association. August, 1977.

Interpretation 2 of 105: If an institution takes the view that the choice is between a law school meeting only the minimum requirements of the Standards and making no effort to exceed minimum requirements, the law school appears to violate Standard 105. May, 1979.

Interpretation of 105 and 210: In part, the intent of Standard 210, coupled with Standard 105, is that the resources generated by a university-affiliated law school should be fully available for the school to maintain and enhance its educational program. "Resources generated" includes tuition, endowment restricted to the law school, gifts to the law school, and resources such as grants, contracts, and property interests committed to the law school. Serious questions concerning the adequacy of a law school's financial support arise when resources generated by a university-affiliated law school are not made available to the school to maintain and enhance its educational program. The university should provide the law school with a satisfactory basis, in accordance with generally accepted accounting principles, for the use of such portion of the resources as may be employed to support non-law school activities and functions, such as central university services. In turn, the law school should benefit on a reasonable basis in the allocation of university resources. December, 1978.

Standard 201

(a) Through development and periodic reevaluation of a written self-study, the law school shall articulate the objectives of the school's educational program consistent with the Standards.

(b) The law school shall have the resources necessary to provide a sound legal education and accomplish the objectives of its educational program, and shall be so organized and administered as to utilize fully those resources for those purposes.

INTERPRETATIONS

Standard 201

Interpretation 1 of 201: Although a particular law school may satisfy minimal Standards, failure of a law school to achieve its own stated goals and objectives may place the school in violation of the Standards. August, 1977.

Interpretation 2 of 201: A law school which is almost totally dependent on tuition and fee income, has experienced operating deficits in recent years, and projects the necessity to more than double its entering class in order to meet projected budget deficits, is not in substantial compliance with the Standards. August, 1980.

Interpretation 3 of 201: The intent of the Standards is that the establishment of a branch campus of an approved law school would require the appointment of a permanent full-time faculty for the branch campus, the establishment of an adequate working library for the branch campus, an adequate physical facility, including plans for a permanent physical plant and adequate supporting staff for the program. February, 1979.

Interpretation 1 of 201 and 209: A law school, organized on a not-for-profit basis, does not meet the requirements of Standard 201 and of Standard 209 when:

- (1) A law school is almost entirely dependent upon tuition income;
- (2) Operational and building conversion costs have exceeded income and have necessitated the borrowing of considerable sums of money;
- (3) Acquisition of a permanent law school plant is dependent upon loan commitments which are themselves contingent upon the school's obtaining provisional accreditation by the American Bar Association; and
- (4) Budget projections designed to cover debt service and operational expenses over the years 1975-81 contemplate and are dependent on substantial increases in the size of the student body, together with substantial increases in student tuition.

June, 1978.

INTERPRETATIONS

Page 2

Standard 201

Interpretation 2 of 201 and 209: A law school must have sufficient resources specifically allocated to the school in order to sustain the school's sound educational program and to accomplish the objectives of its educational program as set forth in its self-study. May, June, 1978.

Interpretation 1 of 201, 209 and 210: A not-for-profit law school's commitment to become affiliated with an established institution and a present definitive proposal for the sale of its property and its merger with another institution portend changes which must materially affect compliance with Standards 201, 209 and 210, and accordingly, substantial compliance with these Standards can adequately be established only after consummation of these fundamental changes in the school's organization and administration. June, 1978.

Interpretation 2 of 201, 209 and 210: The financial resources of the law school may not be in conformance with Standards 201, 209 and 210 when particular concern is noted with regard to very high overhead costs assessed the law school by the university, especially in view of inadequate resources of the law school with regard to faculty salaries, support for faculty research, library staff and new acquisitions for the library collection. May, 1978; June, 1978

Interpretation of 201 and 405: A statutorily imposed faculty and decanal salary maximum may place a school in non-compliance with the Standards. January, 1980; February, 1980.

Interpretation of 201, 209, 210 and 304(c): Where a law school has a declining median LSAT score and a declining GPA for the entering class and where the school contemplates expansion in the size of the student body, further expansion of the entering class may threaten the quality of the school's student body and the school's capacity to comply with Standards 201, 209, 210 and 304(c). November, 1980.

Standard 202

The law school shall be organized as a non-profit educational institution and may not be operated for private profit.

INTERPRETATIONS

Standard 202

Interpretation of 202:

WHEREAS, the Council of the Section of Legal Education and Admissions to the Bar adopted the following resolutions on February 12, 1977:

- (1) "That at this time no change or material modification of Standard 202 of the Standards for Approval of Law Schools by the American Bar Association be recommended to the House of Delegates."
- (2) "That the Council declares its willingness for a period of two years following the adoption of this resolution to grant a Standard 802 variance of Standard 202 and the last clause of Standard 203 and the interpretations placed upon it, in connection with an application for provisional approval from any proprietary law school which believes it can show that it is in substantial compliance with all of the other Standards for Approval of Law Schools by the American Bar Association except Standard 202 and the last clause of Standard 203."

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Section of Legal Education and Admissions to the Bar, in modification and clarification of the above resolutions, hereby determines that until the date of July 1, 1981, it will accept an application for provisional approval from any proprietary law school which can show that it substantially complies with all of the Standards for Approval of Law Schools by the American Bar Association except Standard 202 and the last clause of Standard 203 and gives assurance that it will be in full compliance with all of the Standards for Approval of Law Schools by the American Bar Association except Standard 202 and the last clause of Standard 203 within three years after receiving provisional approval;

BE IT FURTHER RESOLVED, that if the Council of the Section of Legal Education and Admissions to the Bar recommends to the House of Delegates of the American Bar Association that any proprietary law school be granted provisional approval, at that time, the Council will also recommend to the House of Delegates of the

INTERPRETATIONS

Page 2

Standard 202

American Bar Association the repeal of Standard 202 and the last clause of Standard 203 from the Standards for Approval of Law Schools by the American Bar Association.

June, 1977; Revised February, 1979.

Standard 203

The law school shall be governed by a Board whose members are dedicated to the maintenance of a sound educational institution, possess the capability of participating in the formulation and development of such an institution, and have no financial interest in the operation of the law school.

INTERPRETATIONS

Standard 203

Interpretation of Standard 203: The Governing Board of a law school not affiliated with a college or university should empower the dean to serve as chief executive or chief academic officer of the law school and should define the scope of the dean's authority in accordance with the Standards, with particular reference to Standards 204, 205, 206, 207 and 403. The dean should be responsible to the Governing Board. The dean should not serve as president or chairman of the Governing Board. It is desirable that the dean be present at all meetings of the Governing Board.

Standard 204

The Governing Board may establish general policies for the law school, provided they are consistent with a sound educational program and the Standards.

INTERPRETATIONS

Standard 204

Interpretation of 204: The mere fact that the rules of a Board of Trustees regarding promotion and tenure vest in the Board final authority for all determinations of hiring, firing, promotion and tenure, and permit the Board to conduct its own investigation or hearings regarding tenure is not in itself violation of the Standards. June, 1980.

Standard 205

Within those general policies, the dean and faculty of the law school shall have the responsibility for formulating and administering the program of the school, including such matters as faculty selection, retention, promotion and tenure; curriculum; methods of instruction; admission policies; and academic standards for retention, advancement, and graduation of students.

INTERPRETATIONS

Standard 205

Interpretation 1 of 205: A law faculty as a professional faculty should not be required to be part of a general university bargaining unit. July, 1975.

Interpretation 2 of 205: The intent of Standard 205 is that there be full communication between the dean and faculty that the dean and faculty together join in the establishment of general educational policies and the development of the School's educational goals and objectives. July, 1977.

Interpretation 3 of 205: To facilitate the accomplishment of the objectives of the school, the dean and faculty must engage in and complete a self-study. This self-study, in its current form, is to be submitted by a school seeking provisional approval, by a provisionally approved law school having its annual inspection, and by a fully approved law school having a regular or special inspection. June, 1978.

Interpretation 4 of 205: A university policy which permits review and overriding of decisions of the law faculty as to sanctions imposed upon law students found guilty of academic dishonesty appears to violate the intent of Standard 205. July, 1978.

Interpretation 5 of 205: The law faculty shall have a substantial degree of involvement in the process by which a law dean is selected, appointed, or (as to terms over one year) reappointed. The process should entail a joint effort by the law faculty and the university administration of governing board. Except in rare cases and for compelling reasons, a law dean shall not be appointed or reappointed over the objections of a majority of the law faculty. December, 1978.

Interpretation 6 of 205: Actions of a University Advisory Committee may violate Standard 205 because they deprive the dean and faculty of the law school of responsibility for promotion and tenure decisions. July, August, 1980.

Interpretation 7 of 205: It is inconsistent with Standard 205 for a law school to deny to a law librarian who is a member of the faculty the rights and procedures respecting reappointment or termination which are accorded to faculty members generally. July, August, 1980.

INTERPRETATIONS

Page 2

Standard 205

Interpretation of 205 and 206: Action of the Board of Trustees of a university authorizing the president of a university to determine a fixed percentage of an entering class without the approval of the dean and faculty of the law school violates Standards 205 and 206 of the Standards and places a law school in a posture of violation of the Standards, which would result in the withdrawing of ABA accreditation. December, 1975.

Interpretation of 205, 207 and 405(d): Whether examination scheduling is a purely administrative matter, within the authority of the dean of the law school, or is for the faculty, is a matter for the dean and faculty to determine. (If the dean and faculty have made a determination on the question of responsibility for examination schedules, and the schedule has been announced by the authority consequently responsible for it, it is not a violation of academic freedom for a member of the law faculty to be required to adhere to the schedule.) August, 1979.

Standard 206

The dean and faculty of the law school shall have the opportunity to present their recommendations on budgetary matters before the budget for the law school is submitted to the Governing Board.

INTERPRETATIONS

Standard 206

Interpretation of 205 and 206: Action of the Board of Trustees of a university authorizing the president of a university to determine a fixed percentage of an entering class without the approval of the dean and faculty of the law school violates Standards 205 and 206 of the Standards and places a law school in a posture of violation of the Standards, which would result in the withdrawing of ABA accreditation. December, 1975.

Standard 207

The allocation of authority between the dean and the faculty is a matter for determination by each institution.

INTERPRETATIONS

Standard 207

Interpretation of 205, 207 and 405(d): Whether examination scheduling is a purely administrative matter, within the authority of the dean of the law school, or is for the faculty, is a matter for the dean and faculty to determine. (If the dean and faculty have made a determination on the question of responsibility for examination schedules, and the schedule has been announced by the authority consequently responsible for it, it is not a violation of academic freedom for a member of the law faculty to be required to adhere to the schedule.) August, 1979.

Standard 208

The law school may involve a Committee of Visitors or current students, or both, in a participatory or advisory capacity. The dean and faculty shall retain control over matters that are entrusted to them under the Standards.

Standard 209

The present and anticipated financial resources of the law school shall be adequate to sustain a sound educational program.

(a) If tuition is a substantial source of the law school's income, the school is faced with a potential conflict of interest whenever the exercise of sound judgment in the application of admission policies or academic standards and retention policies might reduce enrollment below the level necessary to support its program. The law school shall not permit financial considerations detrimentally to affect those policies and their administration.

(b) The law school may not base the compensation paid any person for service to the law school (other than compensation paid a student or associate for reading and correcting papers or similar activity) on the number of persons enrolled in the law school or in any class or on the number of persons applying for admission to or registering in the law school.

INTERPRETATIONS

Standard 209

Interpretation of 209(a): Where a law school has a present student body which is only marginally qualified for the study of law and where this student body is considered with the school's reported plans to increase the size of its student body, at a time when the number of applications for admission to law school is declining, provoke a serious concern with regard to Standard 209(a). May, June, 1977.

Interpretation 1 of 201 and 209: A law school, organized on a not-for-profit basis, does not meet the requirements of Standard 201 and of Standard 209 when:

- (1) A law school is almost entirely dependent upon tuition income;
- (2) Operational and building conversion costs have exceeded income and have necessitated the borrowing of considerable sums of money;
- (3) Acquisition of a permanent law school plant is dependent upon loan commitments which are themselves contingent upon the school's obtaining provisional accreditation by the American Bar Association; and
- (4) Budget projections designed to cover debt service and operational expenses over the years 1975-81 contemplate and are dependent on substantial increases in the size of the student body, together with substantial increases in student tuition.

June, 1978.

Interpretation 2 of 201 and 209: A law school must have sufficient resources specifically allocated to the school in order to sustain the school's sound educational program and to accomplish the objectives of its educational program as set forth in its self-study. May, June, 1978.

INTERPRETATIONS

Page 2

Standard 209

Interpretation 1 of 201, 209 and 210: A not-for-profit law school's commitment to become affiliated with an established institution and a present definitive proposal for the sale of its property and its merger with another institution portend changes which must materially affect compliance with Standards 201, 209 and 210, and accordingly, substantial compliance with these Standards can adequately be established only after consummation of these fundamental changes in the school's organization and administration. June, 1978.

Interpretation 2 of 201, 209 and 210: The financial resources of the law school may not be in conformance with Standards 201, 209 and 210 when particular concern is noted with regard to very high overhead costs assessed the law school by the university, especially in view of inadequate resources of the law school with regard to faculty salaries, support for faculty research, library staff and new acquisitions for the library collection. May, 1978; June, 1978.

Interpretation of 209 and 210: Where a university has entered into an executory accord on most of its debt, where such debt is substantial, and where no significant payments have yet been made under this accord, the university does not appear to have achieved the stability and normalcy which should characterize a fully approved school and is not on a financial footing which satisfies Standards 209 and 210. November, 1980.

Interpretation of 209 and 501: A law school which denies almost no one admission for academic reasons and which is experiencing consistently declining average LSAT scores, combined with low GPA's, for admitted students and which has operating deficits and heavy dependence on tuition income, does not comply with Standards 209(a) and 501. August, 1980.

Interpretation of 201, 209, 210 and 304(c): Where a law school has a declining median LSAT score and a declining GPA for the entering class and where the school contemplates expansion in the size of the student body, further expansion of the entering class may threaten the quality of the school's student body and the school's capacity to comply with Standards 201, 209, 210 and 304(c). November, 1980.

Standard 210

Affiliation between a law school and a University is desirable, but is not required for approval. If the law school is affiliated with or a part of a University, that relationship shall serve to enhance the program of the law school. If the law school is an independent institution, it shall endeavor to secure the advantages that would normally result from being part of a University.

(a) A University affiliation permits an educational program that extends beyond the traditional law school curriculum, the development of academic programs that involve other disciplines, and enables law students and faculty to enjoy the advantages of the University library and other facilities and to participate in the academic life of the University community.

(b) If a law school is separate, either because it is unaffiliated with a University, or although affiliated, is so located as to be physically remote from the rest of the University, it should take appropriate measures to supply the advantages of University affiliation, for example, by providing a more extensive library, particularly on non-legal subjects, and by developing a working relationship with other institutions of higher learning in the community.

(c) If the University's general policies relating to rank, advancement, tenure, and compensation do not provide adequately for the recruitment and retention of a qualified law faculty, separate policies should be established for the law school.

INTERPRETATIONS

Standard 210

Interpretation of 210: When a school of law has inadequate resources to fund its program and its parent university is concurrently withholding excessive portions of revenue which should be available to the school of law, the school of law is not in compliance with the Standards. July, August, 1980.

Interpretation of 210(c): University tenure and promotion policies which are dependent upon the fiscal stability of the parent university may inadequately provide for the recruitment and retention of qualified law faculty as required by Standard 210(c). November, 1977.

Interpretation of 105 and 210: In part, the intent of Standard 210, coupled with Standard 105, is that the resources generated by a university-affiliated law school should be fully available for the school to maintain and enhance its educational program. "Resources generated" includes tuition, endowment restricted to the law school, gifts to the law school, and resources such as grants, contracts, and property interests committed to the law school. Serious questions concerning the adequacy of a law school's financial support arise when resources generated by a university-affiliated law school are not made available to the school to maintain and enhance its educational program. The university should provide the law school with a satisfactory basis, in accordance with generally accepted accounting principles, for the use of such portion of the resources as may be employed to support non-law school activities and functions, such as central university services. In turn, the law school should benefit on a reasonable basis in the allocation of university resources. December, 1978.

Interpretation 1 of 201, 209 and 210: A not-for-profit law school's commitment to become affiliated with an established institution and a present definitive proposal for the sale of its property and its merger with another institution portend changes which must materially affect compliance with Standards 201, 209 and 210, and accordingly, substantial compliance with these Standards can adequately be established only after consummation of these fundamental changes in the school's organization and administration. June, 1978.

INTERPRETATIONS

Page 2

Standard 210

Interpretation 2 of 201, 209 and 210: The financial resources of the law school may not be in conformance with Standards 201, 209 and 210 when particular concern is noted with regard to very high overhead costs assessed the law school by the university, especially in view of inadequate resources of the law school with regard to faculty salaries, support for faculty research, library staff and new acquisitions for the library collection. May, 1978; June, 1978

Interpretation of 209 and 210: Where a university has entered into an executory accord on most of its debt, where such debt is substantial, and where no significant payments have yet been made under this accord, the university does not appear to have achieved the stability and normalcy which should characterize a fully approved school and is not on a financial footing which satisfies Standards 209 and 210. November, 1980.

Interpretation of 201, 209, 210 and 304(c): Where a law school has a declining median LSAT score and a declining GPA for the entering class and where the school contemplates expansion in the size of the student body, further expansion of the entering class may threaten the quality of the school's student body and the school's capacity to comply with Standards 201, 209, 210 and 304(c). November, 1980.

Standard 211

The law school shall maintain equality of opportunity in legal education without discrimination or segregation on ground of race, color, religion, national origin, or sex.

(a) The denial by a law school of admission to a qualified applicant will be treated as made upon the ground of race, color, religion, national origin, or sex if the ground of denial relied upon is

(i) a state constitutional provision or statute that purports to forbid the admission of applicants to a school on the ground of race, color, religion, national origin, or sex; or

(ii) an admissions qualification of the school that is intended to prevent the admission of applicants on the ground of race, color, religion, national origin, or sex though not purporting to do so.

(b) The law school shall not use admission policies that preclude a diverse student body in terms of race, color, religion, national origin or sex.

(c) The denial by a law school of employment to a qualified individual will be treated as made upon the ground of race, color, religion, national origin, or sex if the ground of denial relied upon is an employment policy of the school which is intended to prevent the employment of individuals on the ground of race, color, religion, national origin, or sex though not purporting to do so.

(d) Nothing herein shall be construed to prevent a law school from having a religious affiliation and purpose and adopting policies of admission and employment that directly relate to such affiliation and purpose so long as notice of such policies has been provided to applicants, students, faculty and employees.

(e) Equality of opportunity in legal education includes equal opportunity to obtain employment. Each school should communicate to every employer to whom it furnishes assistance and facilities for interviewing and other placement functions the school's firm expectation that the employer will observe the principle of equal opportunity and will avoid objectionable practices such as

(i) refusing to hire or promote members of groups protected by this policy because of the prejudices of clients or of professional or official associates;

(ii) applying standards in the hiring and promoting of such individuals that are higher than those applied otherwise;

(iii) maintaining a starting or promotional salary scale as to such individuals that is lower than is applied otherwise; and

(iv) disregarding personal capabilities by assigning, in a predetermined or mechanical manner, such individuals to certain kinds of work or departments.

INTERPRETATIONS

Standard 211

Interpretation 1 of 211: The Council has directed the Consultant on Legal Education to the American Bar Association to advise each approved law school that it is the opinion of the Council that, in those cases where a law firm (or lawyer professional corporation) holds out to prospective lawyer employees, expressly or by implication, the possibility or probability of eventual advancement in partnership (or equivalent status in a lawyer professional corporation) after a period of salaried employment, it is an improper practice for such law firm (or corporation) to discriminate in advancement of its employees to partnership (or such equivalent status) on ground of race, color, religion, national origin, or sex. June, 1976.

Interpretation 2 of 211: It is a violation of Standard 211 for a law school to request or compile information regarding the religious belief, religious activities, or current church affiliation of a member of its faculty who is being reviewed for salary, promotion, or tenure, or for a law school or its dean to include such information as part of a recommendation concerning salary, promotion, or tenure. May, 1980.

Standard 212

Consistent with sound educational policy and the Standards, the law school shall demonstrate, or have carried out and maintained, by concrete action, a commitment to providing full opportunities for the study of law and entry into the profession by qualified members of groups (notably racial and ethnic minorities) which have been victims of discrimination in various forms. This commitment would typically include a special concern for determining the potential of such applicants through the admission process, special recruitment efforts, and a program which assists in meeting the unusual financial needs of many such students, provided that no school is obligated to apply standards for the award of financial assistance different from those applied to other students.

Standard 213

The law school should provide adequate staff, space and resources, in view of the size and program of the school, to maintain an active placement service to assist its graduates to make sound career choices.

INTERPRETATIONS

Standard 213

Interpretation of 213: The Council does affirm that it encourages the establishment and effective operation of placement programs in all approved law schools. August, 1978.

Standard 301

(a) The law school shall maintain an educational program that is designed to qualify its graduates for admission to the bar.

(b) A law school may offer an educational program designed to emphasize some aspects of the law or the legal profession and give less attention to others. If a school offers such a program, that program and its objectives shall be clearly stated in its publications, where appropriate.

(c) The educational program of the school shall be designed to prepare the students to deal with recognized problems of the present and anticipated problems of the future.

INTERPRETATIONS

Standard 301

Interpretation of 301: Courses conducted specifically for improving student performance on bar examinations may be offered at law schools approved by the American Bar Association, but credit may not be given for courses conducted for this purpose. August, 1977.

Standard 302

- (a) The law school shall:
- (i) offer to all students instruction in those subjects generally regarded as the core of the law school curriculum;
 - (ii) offer to all students at least one rigorous writing experience;
 - (iii) offer instruction in professional skills;
 - (iv) require of all candidates for the first professional degree, instruction in the duties and responsibilities of the legal profession. Such required instruction need not be limited to any pedagogical method as long as the history, goals, structure and responsibilities of the legal profession and its members, including the ABA Model Code of Professional Responsibility, are all covered. Each law school is encouraged to involve members of the bench and bar in such instruction.
- (b) The law school may not offer to its students, for academic credit or as a condition to graduation, instruction that is designed as a bar examination review course.

INTERPRETATIONS

Standard 302

Interpretation 1 of 302(a)(ii): There is no ABA ruling that a student requesting enrollment in an advocacy course must be admitted to that course. The Standard in question states merely that the law school shall offer training in professional skills. June, 1974.

Interpretation 2 of 302(a)(ii): This section requires training in professional skills. To which of the many professional skills the curriculum will give special attention is left to the individual schools. Therefore, it is incorrect to say that this Standard requires an approved school to offer a course in Trial Practice. The only subject matter in which approved law schools must provide instruction is in professional responsibility. August, 1975.

Interpretation of 302(a)(iii): A law school's failure to offer adequate training in professional skills, whether through clinics or otherwise, violates Standard 302(a)(iii). May, 1980.

Interpretation of Standard 302(a)(iii): Such instruction need not be limited to any specific skill or list of skills. Each law school is encouraged to be creative in developing programs of instruction in skills related to the various responsibilities which lawyers are called upon to meet, utilizing the strengths and resources available to the law school.

Thoughtful professional studies have urged that trial and appellate advocacy, counseling, interviewing, negotiating, and drafting be included in such programs. August, 1981.

Interpretation of 302 and 303: The academic program of a law school violates Standards 302 and 303 when the program of study lacks fundamental core subjects, and provides inadequate training in writing, research, study techniques, and trial tactics and provides very few seminars and small class courses. August, 1978.

Standard 303

- (a) The educational program of the law school shall provide adequate opportunity for:
 - (i) study in seminars or by directed research;
 - (ii) small classes for at least some portion of the total instructional program.
- (b) The law school may not allow credit for study by correspondence.

INTERPRETATIONS

Standard 303

Interpretation of 303(a): When a law school does not afford its students adequate opportunity for seminar and small class study, the school is in non-compliance with the Standards. July, August, 1980.

Interpretation of 302 and 303: The academic program of a law school violates Standards 302 and 303 when the program of study lacks fundamental core subjects, and provides inadequate training in writing, research, study techniques, and trial tactics and provides very few seminars and small class courses. August, 1978.

Standard 304

(a) The law school shall maintain and adhere to sound standards of legal scholarship, including clearly defined standards for good standing, advancement, and graduation.

(b) The scholastic achievement of students shall be evaluated from the inception of their studies. As part of the testing of scholastic achievement, a written examination of suitable length and complexity shall be required in every course for which credit is given, except clinical work, courses involving extensive written work such as moot court, practice court, legal writing and drafting, and seminars and individual research projects.

(c) A law school shall not, either by initial admission or subsequent retention, enroll or continue a person whose inability to do satisfactory work is sufficiently manifest that his continuation in school would inculcate false hopes, constitute economic exploitation, or deleteriously affect the education of other students.

INTERPRETATIONS

Standard 304

Interpretation of 304(c): The examination should be by either written examination or term paper. The examination should not be an oral examination, nor should it be a progress report graded by fellow students. The intent of the Standard is to have a meaningful faculty assessment of the student's work product. February, 1975.

Interpretation of 304(c) and 501: A law school's admission standards and procedures may not fulfill the requirements of Standards 304(c) and 501 in that they may result in admissions inconsistent with the objectives of its educational program and the enrollment of persons unable to do satisfactory work and may be inconsistent with the requirement of faculty control in the admissions process. July, August, 1978.

Interpretation of 201, 209, 210 and 304(c): Where a law school has a declining median LSAT score and a declining GPA for the entering class and where the school contemplates expansion in the size of the student body, further expansion of the entering class may threaten the quality of the school's student body and the school's capacity to comply with Standards 201, 209, 210 and 304(c). November, 1980.

Standard 305

(a) Subject to the qualifications and exceptions contained in this Chapter, the law school shall require, as a condition for graduation, the completion of a course of study in residence of not less than 1,200 class hours, extending over a period of not less than ninety weeks for full-time students, or not less than one hundred and twenty weeks for part-time students.

(i) "In residence" means attendance at classes in the law school.

(ii) "Class hours" means time spent in regularly scheduled class sessions in the law school, including time allotted for final examinations, not exceeding ten percent of the total number of class session hours.

(iii) "Full-time student" means a student who devotes substantially all of his working hours to the study of law.

(b) To receive residence credit for an academic period, a full-time student must be enrolled in a schedule requiring a minimum of ten class hours a week and must receive credit for at least nine class hours and a part-time student must be enrolled in a schedule requiring a minimum of eight class hours a week and must receive credit for at least eight class hours. If a student is not enrolled in or fails to receive credit for the minimum number of hours specified in this subsection, he may receive residence credit only in the ratio that the hours enrolled in or in which credit was received, as the case may be, bear to the minimum specified.

(c) Regular and punctual class attendance is necessary to satisfy residence and class hours requirements.

INTERPRETATIONS

Standard 305

Interpretation 1 of 305: This Standard "requires that at least 900 hours (60 semester hours) must be in actual attendance in regularly scheduled class sessions in the law school. The remaining hours may be in studies or activities away from the law school provided such study or activity is conducted or periodically reviewed by a member of the faculty of the law school." November, 1974.

Interpretation 2 of 305: A law school must undertake to enforce appropriate rules in order to assure that full-time division students satisfy requirements for full-time study. June, 1978.

Interpretation 1 of 305(a): Where students are enrolled in courses which do not have final examinations, including seminars and some clinical courses, those students who are subject to examinations in other law school courses during the same period of instruction, continue to be "in residence" during that period of instruction, including the examination period. August, 1979.

Interpretation 2 of 305(a): In computing the weeks of residence study, the time devoted to class instruction and examination is counted. The period devoted to vacation and registration is not counted. No more than one week of examinations may be included in computing semester weeks for residence. "Reading periods" may not be included in residence computation. If a school has fifteen weeks in each semester, then it meets the ABA requirement of at least 90 weeks for a three-year, full-time program. June, 1976.

Interpretation 3 of 305(a): Time spent in regularly scheduled class sessions does not include the time allotted to reading periods. "Reading periods"--a period of time usually designated prior to examinations during which no classes are scheduled and the student has "free time"--cannot be included within the required 1200 class hours as defined in Standard 305. June, 1976.

Interpretation 4 of 305(a): Classes for full-time students should extend over not less than 90 weeks and classes for part-time students should extend over not less than 120 weeks; a week, as defined in 305(a), means a week in which classes are regularly scheduled to meet at least Monday through Friday; and that the 90 and 120 week requirement does not include the time allotted for reading periods. August, 1976.

INTERPRETATIONS

Page 2

Standard 305

Interpretation 5 of 305(a): Where students are enrolled in a fifteen week semester in courses which do not have final examinations, students so registered who have examinations in other courses continue to be in residence during the examination period. August, 1979.

Interpretation 1 of 305(a)(ii): "Class hours" means time spent in regularly scheduled class sessions in the law school, including time allotted for final examinations, not exceeding 10 percent of the total number of class session hours and not including time allotted for reading periods and not exceeding one week of examinations. June, 1976.

Interpretation 2 of 305(a)(ii): "Class hours" means time spent in regularly scheduled class sessions in the law school, including time allotted for final examinations. For computation purposes, the examination period may not exceed 10 percent of the total class sessions. A maximum of one week (5 days) may be counted for examinations. Time allotted for reading periods may not be counted in computing class hours. June, 1976.

Interpretation of 305(a)(iii): A student may not work in excess of 20 hours per week while attending a school on a full-time basis. The law school has the burden to show that it has adopted and enforces policies assuring that full-time students devote substantially all working hours to the study of law, including policies relating to class scheduling, attendance requirements, and performance standards. These restrictions also apply during the summer in the same manner as they do during the normal year if the student is enrolled for summer session. August, 1980.

Interpretation 1 of 305(b): Transfer credit may be given for work taken only at another ABA approved school. Credit may not be given for work taken at a non-ABA approved school or work taken at an approved school prior to ABA approval. November, 1975.

INTERPRETATIONS

Page 3

Standard 305

Interpretation 2 of 305(b): To receive residence credit for an academic period, a full-time student must be enrolled in a schedule requiring a minimum of ten class hours in a week and must receive credit for at least nine class hours and a part-time student must be enrolled in a schedule requiring a minimum of eight class hours a week and must receive credit for at least eight class hours. Residence credit for summer sessions is to be computed on the same proportional basis. If a student is not enrolled in or fails to receive credit for the minimum number of hours specified in the subsection, the student may receive residence credit only in the ratio that the hours enrolled in or in which credit was received, as the case may be, bear to the minimum specified. May, 1980.

Interpretation of 305(a) and (b):

- (1) It is the interpretation of the Council of the Section of Legal Education and Admissions to the Bar that a "class hour" as stated in Section 305 of the Standards for Approval of Law Schools is to be defined as a unit of classroom instruction of 50 to 60 minutes in duration. An additional fraction of a class hour may only be computed in increments of 10 minutes or more. Examples of acceptable units of instruction are 50, 60, 70, 80, and 90 minutes in duration.
- (2) The Council, at its August 6, 1977 meeting, also approved a 75 minute teaching unit (one and one-half 50 minute units) as an acceptable teaching unit for compliance with this aspect of 305. In all other instances a 5 minute increment would be counted to the lower ten, e.g., 55 minutes would be counted as 50 minutes, etc.
- (3) In addition, Section 305 mandates 750 minutes of classroom instruction per semester credit or at least 500 minutes of classroom instruction per quarter credit.
- (4) However, even if a school meets or exceeds the minimum number of classroom minutes required by 305, the school still must meet the minimum week standard imposed by 305.

INTERPRETATIONS

Page 4

Standard 305

- (5) Thus, a school on the semester system must offer at least 750 minutes of classroom instruction over a 15 week period per semester credit to meet 305. A school on the quarter system must offer at least 500 minutes of classroom instruction over a 10 week period per quarter credit to meet 305.

August, 1977.

Interpretation of 305(c): It is the interpretation of the American Bar Association that regular and punctual class attendance is an important part of the learning process. The implementation of the rule is left to the good judgment of the various faculty and the administration of each law school. The law school has the burden to show that it has adopted and enforces policies relating to class attendance. August, 1980.

Interpretation 1 of 305 and 306: A law school has the burden to show that it has adopted and enforces policies insuring that full-time students devote substantially all working hours to the study of law, including the implementation of policies relating to class scheduling, attendance requirements, and performance standards. November, 1980.

Interpretation 2 of 305 and 306: In any joint degree program between the law school and another school or college, (i) at least 900 hours out of the minimum of 1200 hours of study required for the law degree must be in courses in residence in the law school; (ii) all, or any part, of the remaining 300 hours required to make up the minimum of 1200 hours of study, may be in studies or courses outside the law school and may be used to satisfy requirements for each of the degrees in the joint degree program provided that all of such hours applied in satisfaction of the requirements for the law degree must be in studies or courses that satisfy the requirements of Section 305 or 306 and have been specifically approved by the law school as appropriate for the law school. February, 1974.

Standard 306

If the law school has a program that permits or requires student participation in studies or activities away from the law school or in a format that does not involve attendance at regularly scheduled class sessions, the time spent in such studies or activities may be included as satisfying the residence and class hours requirements, provided the conditions of this section are satisfied.

(a) The residence and class hours credit allowed must be commensurate with the time and effort expended by and the educational benefits to the participating student.

(b) The studies or activities must be approved in advance, in accordance with the school's established procedures for curriculum approval and determination.

(c) Each such study or activity, and the participation of each student therein, must be conducted or periodically reviewed by a member of the faculty to insure that in its actual operation it is achieving its educational objectives and that the credit allowed therefore is, in fact, commensurate with the time and effort expended by, and the educational benefits to, the participating student.

(d) At least 900 hours of the total time credited towards satisfying the "in residence" and "class hours" requirements of this Chapter shall be in actual attendance in regularly scheduled class sessions in the law school conferring the degree, or, in the case of a student receiving credit for studies at another law school, at the law school at which the credit was earned.

INTERPRETATIONS

Standard 306

Interpretation of 306: The establishment of credit granting programs by approved law schools at off-campus locations, including overseas programs, requires that no such program will be undertaken without notice to the Accreditation Committee and its prior approval by application of all appropriate Standards. August, 1979

Interpretation of 306(a): Student participants in a law school externship program may not receive compensation for a program for which they receive academic credit. November, December, 1979.

Interpretation of 306(c): Lack of substantial supervision given by a law school faculty to law students working with practicing lawyers throughout a state does not conform with Standard 306(c). November, 1977.

Interpretation 1 of 305 and 306: A law school has the burden to show that it has adopted and enforces policies insuring that full-time students devote substantially all working hours to the study of law, including the implementation of policies relating to class scheduling, attendance requirements, and performance standards. November, 1980.

Interpretation 2 of 305 and 306: In any joint degree program between the law school and another school or college, (i) at least 900 hours out of the minimum of 1200 hours of study required for the law degree must be in courses in residence in the law school; (ii) all, or any part, of the remaining 300 hours required to make up the minimum of 1200 hours of study, may be in studies or courses outside the law school and may be used to satisfy requirements for each of the degrees in the joint degree program provided that all of such hours applied in satisfaction of the requirements for the law degree must be in studies or courses that satisfy the requirements of Section 305 or 306 and have been specifically approved by the law school as appropriate for the law school. February, 1974.

Standard 307

Upon request, the Council may authorize a fully approved law school to establish a course of study leading to a degree other than the first professional law degree. Programs in addition to the first professional law degree may not detract from the law school's ability to maintain a sound educational program leading to that degree. A law school shall not undertake a program in addition to the first professional law degree unless the quality of its program leading to the first professional law degree exceeds the requirements of the Standards.

INTERPRETATIONS

Standard 307

Interpretation 1 of 307: The Accreditation Committee and Council in denying previous applications with regard to the proposed establishment of an LL.M. program gave as reasons for denial:

- (1) Inadequate full-time faculty sufficient to conduct the J.D. program of the School of Law.
- (2) Lack of sufficient full-time faculty to direct and conduct a full-time LL.M. program.
- (3) Lack of a fully adequate physical plant.
- (4) Lack of an adequate law library to support both a J.D. and LL.M. program.
- (5) A J.D. curriculum lacking sufficient diversity and richness in course offerings.

August, 1977.

Interpretation 2 of 307: The quality of the first-degree-in-law program of a law school must exceed the requirements of the Standards, in order for the law school to establish a graduate law program in compliance with Standard 307. June, 1978.

Interpretation 3 of 307: Admission to candidacy for an advanced degree shall be conditioned upon (i) graduation from a law school approved by the American Bar Association, or (ii) graduation from a faculty of law in a foreign country whose educational authority has authorized that faculty to issue degrees in law. August, 1979.

Standard 308

The law school may admit with advanced standing and allow credit for studies at a law school outside the United States if the studies

- (i) either were "in residence" as provided in Section 305, or qualify for credit under Section 306, and
- (ii) the content of the studies was such that credit therefor would have been allowed towards satisfaction of degree requirements at the admitting school, and
- (iii) the admitting school is satisfied that the quality of the educational program at the prior school was at least equal to that required for an approved school.

Advanced standing and credit allowed for foreign study shall not exceed one-third of the total required by the Standards for the first professional degree unless the foreign study related chiefly to a system of law basically followed in the jurisdiction in which the admitting school is located; and in no event shall the maximum advanced standing and credit allowed exceed two-thirds of the total required by the Standards for the first professional degree.

INTERPRETATIONS

Standard 308

Interpretation 1 of 308: Section 308 states the only circumstances under which an approved school may admit with advanced standing and allow credit for studies at a law school that is not on the list of law schools approved by the American Bar Association. Credit may not be allowed for studies at a law school in the United States that is not on the list of law schools approved by the American Bar Association. Credit may be allowed for studies at a law school in the United States that is on the list of law schools approved by the American Bar Association in the discretion of the admitting school. Credit may be allowed for studies at a law school outside the United States only to the extent authorized by Section 308. February, 1977.

Interpretation 2 of 308: A candidate school for provisional approval may accept student transfer credit from an approved law school, but may not accept student transfer credit from unapproved law schools. December, 1977.

Standard 401

The members of the faculty shall possess a high degree of competence, as demonstrated by education, classroom teaching ability, experience in teaching or practice, and scholarly research and writing.

INTERPRETATIONS

Standard 401

Interpretation: A law school teaching effectiveness committee demonstrates a law school program designed to improve teaching effectiveness, a necessary requirement of a competent faculty. July, 1980.

Standard 402

(a) The law school shall have not fewer than six full-time faculty members, in addition to a full-time dean and a full-time law librarian. It shall have such additional members as are necessary to fulfill the requirements of this Chapter and the needs for its educational program, with due consideration for

(i) the size of the student body and the opportunity for students to meet with and consult faculty members on an individual basis,

(ii) the nature and scope of the educational program, and

(iii) adequate opportunity for effective participation by the faculty in the governance of the law school.

(b) A full-time faculty member is one who during the academic year devotes substantially all working time to teaching and legal scholarship, has no outside office or business activities and whose outside professional activities, if any, are limited to those which relate to major academic interests or enrich the faculty member's capacity as scholar and teacher, or are of service to the public generally, and do not unduly interfere with one's responsibilities as a faculty member.

INTERPRETATIONS

Standard 402

Interpretation 1 of 402: The historic interpretation of Standard 402 by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association and its Accreditation Committee has been that the count of full-time faculty, under the provisions of Standard 402, does not include the dean, librarian, associate or assistant deans or other administrators holding academic appointment. The interpretation of Standard 402 by the Council and its Accreditation Committee continues to be that of not including the dean, librarian, associate or assistant deans or other administrators holding academic appointment, in any computation of full-time faculty, under the provisions of Standard 402. August, 1976.

Interpretation 2 of 402: A fte student/full-time faculty ratio at 37:1 does not comply with the Standards when there is resulting overloading of faculty worsened because the faculty must serve both a full-time and part-time division. November, 1980.

Interpretation 3 of 402: a fte student/full-time faculty ratio in excess of 30:1 is unfavorable. The dean and faculty of the school must demonstrate efforts to have the school's academic program comply with the Standards. November, 1980.

Interpretation 1 of 402(a): The intent of Standard 402(a) is that a single division law school in its first year of operation should have a minimum of six full-time faculty, in addition to a full-time dean and law librarian. A dual division law school or a law school offering instruction in more than one year must have additional full-time faculty in a satisfactory proportional ratio. August, 1976.

Interpretation 2 of 402(a): A law school having a fte student to full-time faculty ratio of 40:1, 39:1, 38:1 or 35:1 is not in compliance with Standard 402(a) of the Standards for Approval of Law Schools by the American Bar Association. August, 1977, May, 1980.

INTERPRETATIONS

Standard 402

Interpretation 3 of 402(a): An fte student to full-time faculty ratio of 29:1 is not adequate for a dual division school. February, 1980.

Interpretation 4 of 402(a): A law school needs experienced core faculty to fulfill the needs of its educational programs, to reduce teaching obligations and to provide reasonable opportunity for scholarly research and writing. August, 1977.

Interpretation 5 of 402(a): A high student/faculty ratio and the consequent need for additional full-time faculty or the reduction of admissions are necessary to fulfill the requirements of the Standards and the needs of the law school's educational program. November, 1977; December, 1977.

Interpretation 1 of 402(b): A full-time faculty member of an ABA approved law school who is teaching an additional full-time load at another ABA approved law school cannot be considered as full-time faculty for either institution. February, 1977.

Interpretation 2 of 402(b): Faculty who are "of counsel" to a law firm, have a permanent and ongoing relationship to a law firm, having their names on a law firm letterhead, maintaining a separate law office or having a professional telephone listing may not be considered as full-time faculty within the definition of 402(b). July, 1977; May, 1980.

Standard 403

The major burden of the educational program and the major responsibility for faculty participation in the governance of the law school rests upon the full-time faculty members.

(a) Students shall receive substantially all of their instruction in the first year of the full-time curriculum or the first two years of the part-time curriculum, and a major proportion of their total instruction from full-time faculty members.

(b) The proper use of qualified practicing lawyers and judges as part-time faculty members is an appropriate means of enriching the educational program.

INTERPRETATIONS

Standard 403

Interpretation 1 of 403: In the usual course of events, a prospective appointee as dean or a person serving as dean who has failed to acquire or has lost the confidence of the substantial majority of the faculty should not be appointed or have his appointment as dean continued. The appointment of a law school dean must be in both the spirit and the letter of ABA Standards and Regulations. June, 1978.

Interpretation of 403 and 405:

(1) The dean of an approved school should be a tenured member of the full-time law faculty. This status is essential to the dean's carrying out his duties under Standard 403 and exercising the leadership which will result in the law faculty's assuming its responsibilities under the Standards.

(2) Standard 405, in requiring "conditions adequate to attract and retain a competent faculty" includes the dean who, in the history of American legal education, has almost always been a tenured member of the law faculty.

(3) Extraordinary circumstances may compel a departure from the principle stated in this interpretation. However, in no case shall a dean be appointed without tenure unless withholding tenure is the decision both of a majority of the full-time law faculty and the chief executive officer of the school's university or governing board. December, 1979; February, 1980.

Interpretation 2 of 403: Each law school should have established policies with respect to faculty members' responsibilities in teaching, scholarship, service to the law school community, and professional activities outside the law school. The purpose of this interpretation is not to develop uniformity among faculty members, but to assure that the faculty as a whole meets its academic and professional responsibilities by maximizing the talents and interests of each of its members. The established policies may be in any form the institution deems appropriate, either written or by established tradition. Such policies might appropriately address themselves to:

INTERPRETATIONS

Page 2

Standard 403

- (a) Faculty teaching responsibilities, such as carrying a fair share of the law school's course offerings, preparation for classes, availability for student consultation, and creation of an atmosphere in which students and faculty may voice opinions and exchange ideas;
- (b) Research and publication, and integrity in the conduct of scholarship, such as appropriate use of student research assistants, acknowledgement of the contributions of others, and responsibility of faculty members to keep abreast of developments in their specialties;
- (c) Obligations to the law school or university community, such as participation in the governance of the law school; and
- (d) Conduct of professional activities outside the law school university community and their relationship to teaching responsibilities.

In the absence of other provision, the dean is responsible for enforcement of this interpretation. May, 1980.

Interpretation 3 of 403: The procedures, used by a law school not affiliated with a college or university, in considering and deciding on appointment, termination, promotion and tenure of faculty members should be in accordance with the same principles of fairness and due process that should be employed by an affiliated law school. Where the dean and faculty have made a recommendation that is unfavorable to a candidate, the candidate should be given an opportunity to appeal to the president, chairman, or Governing Board. May, 1980.

2/9/81

Standard 404

(a) To the extent that a faculty member is teaching only regularly scheduled class sessions over fixed periods of time, the faculty member shall not teach more than

(i) an average of eight scheduled class hours per week, counting repetitions during the same academic period as one-half for this purpose, or

(ii) an average of ten scheduled class hours per week, counting repetitions during the same academic period at full value.

(b) To the extent that a faculty member's teaching assignment is not limited to regularly scheduled class sessions over fixed periods of time, the total teaching responsibilities may not exceed a maximum comparable to that set forth in subsection (a).

(c) If the institutional responsibilities of a full-time faculty member include extensive participation in activities of the academic community, research, or public service, the maximum assignments permitted by this section shall be correspondingly adjusted.

Standard 405

The law school shall establish and maintain conditions adequate to attract and retain a competent faculty.

(a) The compensation paid faculty members should be sufficient to attract and retain persons of high ability and should be reasonably related to the prevailing compensation of comparably qualified private practitioners and government attorneys and of the judiciary. The compensation paid faculty members at a school seeking approval should be comparable with that paid faculty members at similar approved law schools in the same general geographical area.

(b) The law school shall afford faculty members reasonable opportunity for leaves of absence and for scholarly research.

(c) The law school shall afford faculty members reasonable secretarial and clerical assistance.

(d) The law school shall have an established and announced policy with respect to academic freedom and tenure of which Annex I herein is an example but is not obligatory.

INTERPRETATIONS

Standard 405

Interpretation 1 of 405: Any fixed limit on the percent of a law faculty that may hold tenure under any circumstances is in violation of the Standards, especially Standard 405. February, 1973.

Interpretation 2 of 405: Subsection (a) of Standard 405 must be read as one of the things to consider when determining whether the requirements of Section 405 "to establish and maintain conditions adequate to attract and retain a competent faculty" are met. The word "similar" does not exclude state supported schools, nor exclude national, as opposed to "regional" schools. June, 1976.

Interpretation 3 of 405: The Council adopted the position in 1971 and reaffirmed it in July of 1975 and May of 1980 that "a law faculty as a professional faculty should not be required to be a part of the general university bargaining unit". July, 1975; May, 1980.

Interpretation 4 of 405: If law school merit salary raises are precluded and if "across-the-board" salary increases are limited to an amount substantially less than the annual increase in the cost of living a law school may not comply with Standard 405. August, 1977.

Interpretation 5 of 405: When faculty salaries are too low, there is an unfavorable fte student/full-time faculty ratio; there is no paid research assistant support for faculty research; and faculty tenure is limited by a percentage quota; the conditions with respect to the faculty do not conform to the requirements of Standard 405(a), (b) and (c). May, 1978; June, 1978.

Interpretation 6 of 405: Adequate research, travel, and secretarial support must be available to a faculty in order to enable it to develop academically and professionally. May, 1978; June, 1978.

Interpretation 7 of 405: A law school which appears to have no comprehensive system for evaluation for and granting of tenure is not in compliance with Standard 405. August, 1978.

INTERPRETATIONS

Page 2

Standard 405

Interpretation 8 of 405: A university copyright policy which provides that the benefits of copyright accrue to the university and not to the individual faculty member may discourage and inhibit the production of scholarly material by the law faculty in violation of Standard 405. July, 1978; August, 1978.

Interpretation 9 of 405: The procedures, used by a law school not affiliated with a college or university, in considering and deciding on appointment, termination, promotion and tenure of faculty members should be in accordance with the same principles of fairness and due process that should be employed by an affiliated law school. Where the dean and faculty have made a recommendation that is unfavorable to a candidate, the candidate should be given an opportunity to appeal to the president, chairman, or Governing Board. May, 1980.

Interpretation of 205, 207 and 405(d): Whether examination scheduling is a purely administrative matter, within the authority of the dean of the law school, or is for the faculty, is a matter for the dean and faculty to determine. (If the dean and faculty have made a determination on the question of responsibility for examination schedules, and the schedule has been announced by the authority consequently responsible for it, it is not a violation of academic freedom for a member of the law faculty to be required to adhere to the schedule.) August, 1979.

Interpretation of 403 and 405:

(1) The dean of an approved school should be a tenured member of the full-time law faculty. This status is essential to the dean's carrying out his duties under Standard 403 and exercising the leadership which will result in the law faculty's assuming its responsibilities under the Standards.

(2) Standard 405, in requiring "conditions adequate to attract and retain a competent faculty" includes the dean who, in the history of American legal education, has almost always been a tenured member of the law faculty.

INTERPRETATIONS

Page 3
Standard 405

(3) Extraordinary circumstances may compel a departure from the principle stated in this interpretation. However, in no case shall a dean be appointed without tenure unless withholding tenure is the decision both of a majority of the full-time law faculty and the chief executive officer of the school's university or governing board.

Interpretation of 201 and 405: A statutorily imposed faculty and decanal salary maximum may place a school in non-compliance with the Standards. January, 1980; February, 1980.

Interpretation 1 of 405(a): A law school's faculty salaries, especially of full and associate professors, which remain unfavorable in comparison with the national median and with faculty salaries at approved law schools in the same geographic area may not be sufficient to attract and maintain a competent faculty. May, 1980.

Interpretation 2 of 405(a) A faculty salary structure which ranks at the very bottom of salaries at ABA approved law schools is non-competitive and presumptively in non-compliance with the Standards. November, 1980; December, 1980.

Interpretation 1 of 405(d): Promotion and tenure criteria must be clearly defined and made available to the faculty. July, 1980.

Interpretation 2 of 405(d): Individuals in the "academic personnel" category whose full time is devoted to clinical instruction and related activities in the J.D. program constitute members of the "faculty" for purposes of Standard 405, and denial to them of the opportunity to attain tenure appears to be in violation of Standard 405(d). July, 1980.

INTERPRETATIONS

Standards 201 and 401-405

Background and Discussion of Educational Effect

A. Background. A series of actions by the Accreditation Committee, over the period 1975-78, together with the Committee's analysis of statistics from the last decade of law school growth in the United States, indicate a deterioration in legal education of the values and academic opportunities which Standards 201 and 401-405 are designed to insure. It has become clear that ratios of students to full-time faculty have increased remarkably. Attention to this fact and to the educational effects of the size of the full-time law faculty has occupied increasing amounts of the Committee's time, and has increased its determination to become more rigorous.

Every approved school is required by Standard 105 and Rule III(3) to improve its educational program beyond the minimum requirements of Standards 201, 401-405. Under Standards 201, 401-405; this duty is subject to inquiry in terms of ratio and of the effect of faculty size.

B. Educational Effect. Inquiry into the effect of the size of a full-time faculty takes into account every aspect of Standards 201 and 401-405 and should consider, among other effects, the following:

(1) Effect on Teaching Load. Standard 404 sets maximums for teaching loads in terms of "regularly scheduled sessions...per week." In addition to demonstrating compliance with Standard 404, a school should be prepared to demonstrate an acceptable allocation of students to each member of the full-time faculty. One method of analyzing the allocation of students is in terms of student-hour loads (students times hours per week in class). In a less statistical perspective, a school should take into account that heavy student-hour loads have an adverse effect on scholarship and on time for the reflection which good teaching requires.

INTERPRETATIONS

Page 2

Standards 201 and 401-405

(2) Effect on Small-Group Classes. Legal educators have traditionally found special value in classes of fewer than 30 students each. The Committee has recently, and in several cases, required extensive documentation on size of classes in schools which are before it, in an effort to find out whether the average student spends a significant amount of class time in groups where collaborative teaching techniques (simulation, clinical work, close discussion) are possible, and there can be hope for personal relationships with teachers. In most cases, these small classes are in either specially-sectioned required or core courses or in elective courses, and, typically, they are taught by full-time faculty. The intellectual difference is that required or core courses are in basic subjects (contracts, torts, corporations) and electives are in the more specialized areas to which a maturing teacher tends to devote special interest (legal history, estate planning, business planning, juvenile law, mass communications law, products liability). There are two disadvantages in a program which does not seek this small-class effect:

(a) Faculty are denied the experience of teaching small groups of students, with the attendant rapport and personal growth which the small group provides for a teacher.

(b) Faculty are denied the intellectual experience of ordering and teaching a subject which is more complex and specialized than elementary law school instruction.

Both disadvantages have student-centered implications. Legal educators assume that a full-time, experienced teacher knows how to use the advantages of small groups and specialized subject matter. The result of the teacher's opportunity in these courses will be better and more innovative teaching methods, methods which benefit students in ways students do not benefit from larger classes.

INTERPRETATIONS

Page 3

Standards 201 and 401-405

The typical law student should spend a substantial part of his or her education in small classes taught by full-time teachers. Students who are denied this experience are denied one of the principal benefits which Standards 401-405 are meant to give them.

(3) Effect of Pervasive Large Classes. A normal effect of a favorable student/faculty ratio is that some elementary law courses are taught in small groups. The advantages to student and teacher are similar to those of small classes in elective courses, but the advantages are more pervasive since the basic-course small class reaches all students. It is therefore peculiarly important to give some play to small-group teaching methods in basic courses. Some law schools provide these advantages in elementary courses (first-year courses in contracts and torts, for example) by employing enough faculty to provide every student with one or more small-group classes. The learning effect beyond communication of information is almost certainly different in a class of 30 than in a class of 150. The psychological effect of learning in a group which is small enough to invite collaboration is one of the principal reasons law schools try to provide small classes. Classes of more than 50 students tend to be taught with impersonal methods (lecture, largely), and relatively structured syllabi.

(4) Effect on Student/Faculty Contact. The dominant model in law teaching is an academic model. The model of the academy assures personal contact between teachers and students. Standards 401-405 contemplate that a full-time teacher on a law faculty be able to spend time with each of his students in each of his courses. Heavy student-hour loads, and assignments which make significant student-teacher consultation difficult, tend to a law school climate in which only the occasional student, or the exceptional student, seeks the benefit of personal conference with his teachers.

INTERPRETATIONS

Page 4

Standards 201 and 401-405

(5) Effect on Scholarship and Public Service. The presupposition in legal education is that a teacher needs time to think, to write, and to serve the community. Law schools provide time for these necessary activities by observing limits on (i) the number of weeks a year in which a teacher teaches; (ii) the number of students in each teacher's courses; and (iii) each teachers' course-hour load. Scholarship in non-legal areas is particularly important in a school which does not have a university affiliation (Standard 210).

(6) Effect on Improvement in Teaching. A teacher should have time to think about teaching, prepare teaching materials (or, at least, reorganize the syllabus for someone else's materials), and devise, carry out, and monitor experiments in the way he or she teachers. One benefit of a favorable student/faculty ratio is that a teacher has time for this sort of thing--because at least one assigned class is a small one, or because three months are available to work on courses in the summer, or because the law school occasionally allows a light teaching load. Improvement in teaching is in part a function of numbers. Interest in improvement is in part a function of teaching in specialized areas in one's own field, or teaching temporarily in a novel field. A sound law school program assures teachers the space and encouragement for this sort of improvement.

(7) Effect on Governance. Inquiries about the size of the full-time faculty should determine whether there is enough personnel for the required faculty participation in the governance of the law school (Standard 403). All law school programs should be constantly open to re-evaluation by faculties. Full-time faculty, especially, must have personal resources for study and planning. A faculty must find the time for extensive self-study if it is to assume, in the language of Standard 403, "the major burden of the educational program and the major responsibility for faculty participation in the governance of the law school."

(8) Effect on Examinations. Most law school programs tend to depend on stiff, end-of-course examinations. An inquiry into the adequacy of

INTERPRETATIONS

Page 5

Standards 201 and 401-405

the size of a full-time faculty should consider that it probably requires half an hour to grade a student in a three-hour course. This burden may become so great that a teacher is not likely to have time to reorganize, redraft, and, most importantly, re-think what is done in the preparation of an examination. An unreasonable grading burden on teachers is certain to accelerate entropy in the examination process. Teachers who are required to spend an unreasonable amount of time in grading cannot fail to reduce the attention they pay to teaching and scholarship.

On the basis of the foregoing, the Accreditation Committee has concluded that the relationship of the size of the full-time law faculty to the size of the full-time and full-time equivalent student body of the school has a major effect, in the context of the other factors, upon the establishment and maintenance of a program consistent with sound educational policies (Standard 103) and therefore upon compliance with Standards 201 and 401-405.

Interpretation

Therefore, in determining whether a school has established or maintained compliance with the foregoing Standards, the Committee will consider the ratio of the size of the full-time faculty of the school to its full-time and full-time equivalent student body as a significant factor.

A. Statement and Effect of Ratio. Ratios are indicative and useful, but in no case are they a sufficient guide to compliance with Standards 201 and 401-405. Based on the Committee's recent experience:

(1) A ratio of 20:1 or less is favorable, but the Committee and Council should inquire into the effects of faculty size, to make certain that the size and duties of the full-time faculty meet Standards 201 and 401-405.

(2) A ratio of 30:1 or more is not favorable; the Committee and Council should require schools with unfavorable ratios to demonstrate that their programs meet Standards 201 and 401-405.

B. Computation of Ratio. For purposes of the foregoing, in computing student/faculty ratio, the Committee will consider as full-time only those teachers who are (a) employed as full-time teachers; and (b) do

INTERPRETATIONS

Page 6
Standards 201 and 401-405

not hold administrative office or perform administrative duties beyond those normally performed by a full-time teacher. Students who are in a part-time program, as that is defined in Standard 305(a), as computed on a full-time equivalency basis, so that three part-time students are counted as two full-time students. The Committee takes into account that teaching administrators and librarians, and part-time teachers, may provide strength to a school which has an adequate full-time faculty. Teaching contributions from these sources are taken into account in assessing each of the educational effects which are considered in the Discussion of Educational Effect above. June, 1978.

2/9/81

Standard 501

The admission policies of the law school shall be consistent with the objectives of its educational program and the resources available for implementing those objectives. The school may not admit applicants who do not appear capable of satisfactorily completing that program.

INTERPRETATIONS

Standard 501

Interpretation of 501: In an effort to assist students in making informed judgments regarding law school programs, and in recognition of significant investment by students and institutions arising from such judgments, a school's bulletin of information, and other materials which are made available to students considering a course of study at the law school, should fairly and adequately reflect: the educational objectives of the school; its admission and financial aid policies; the nature of the curriculum; the composition and size of the faculty and library; and curricular and placement opportunities.

Interpretation of 209 and 501: A law school which denies almost no one admission for academic reasons and which is experiencing consistently declining average LSAT scores combined with low G.P.A.'s for admitted students and which has operating deficits and heavy dependence on tuition income, does not comply with Standards 209(a) and 501. August, 1980.

Interpretation of 304(c) and 501: A law school's admission standards and procedures may not fulfill the requirements of Standards 304(c) and 501 in that they may result in admissions inconsistent with the objectives of its educational program and the enrollment of persons unable to do satisfactory work and may be inconsistent with the requirement of faculty control in the admissions process. July, August, 1978.

Standard 502

(a) The educational requirement for admission as a degree candidate is either a bachelor's degree from a qualified institution, or successful completion of three-fourths of the work acceptable for a bachelor's degree at a qualified institution. In the latter case, not more than ten percent of the credits necessary for admission may be in courses without substantial intellectual content, and the pre-legal average on all subjects undertaken and, in addition, on all courses with substantial intellectual content, whether passed or failed, must at least equal that required for graduation from the institution attended.

(b) A qualified institution is one that is accredited by or is a member of North Central Association of Colleges and Secondary Schools, New England Association of Schools and Colleges, Middle States Association of Colleges and Secondary Schools, Southern Association of Colleges and Schools, Northwest Association of Secondary and Higher Schools, Western Association of Schools and Colleges or the Department of Education of the State of New York.

(c) In exceptional cases, applicants not possessing the educational requirements of subsection (a) may be admitted as degree candidates upon a clear showing of ability and aptitude for law study. The admitting officer shall sign and place in the admittee's file a statement of the consideration that led to the decision to admit the applicant.

INTERPRETATIONS

Standard 502

Interpretation of 502: The issue is whether a photocopied transcript which accompanies the Law School Data Assembly Service Report is sufficient, or must the applicant also obtain an original official transcript. An official transcript means a transcript certified by the issuing school to the admitting school or delivered to the admitting school in a sealed envelope with seal intact. Copies, supplied by LSDAS are not official transcripts and while adequate for preliminary determination as to eligibility for admission do not constitute official transcripts. An official transcript should be on file at the time a student registers in the law school or within a reasonable time thereafter. February, 1974.

Standard 503

All applicants, except those physically incapable of taking it, should be required to take an acceptable test for the purpose of determining apparent aptitude for law study. A law school that is not using the Law School Admission Test administered by Educational Testing Service should establish that it is using an acceptable test.

Standard 504

The law school shall advise each applicant to secure information regarding the character and other qualifications for admission to the bar in the state in which the applicant intends to practice. The law school may, to the extent it deems appropriate, adopt such tests, questionnaires, or required references as the proper admission authorities may find useful and relevant, in determining the character and fitness of the applicants to the law school. If the law school considers an applicant's character qualifications, it shall exercise care that the consideration is not used as a reason to deny admission to a qualified applicant because of political, social, or economic views which might be considered unorthodox.

Standard 505

Admission or re-admission may be granted a law student who has been previously disqualified for academic reasons, upon an affirmative showing that the student possesses the requisite ability and that the prior disqualification does not indicate a lack of capacity to complete the course of study at the admitting school. In the case of an admission to another law school this showing shall normally be made by letters from the dean or faculty of the school previously attended. A previously disqualified student may also be admitted when two or more years have elapsed since that disqualification and the nature of interim work, activity, or studies indicates a stronger potential for law study. In each case the admitting officer shall sign and place in the admittee's file a statement of the considerations that led to the decision to admit or readmit the applicant.

INTERPRETATIONS

Standard 505

Interpretation 1 of 505: The two year period would begin on the date of determination that the student was disqualified for academic reasons. Any review, appeals or requests for reconsideration of that decision are in the nature of post-decision remedies.

Interpretation 2 of 505: Law school credit for work taken in pre-admission is in violation of the Standards for Approval of Law Schools by the American Bar Association.

Students enrolled in special pre-admission programs may not be considered as matriculated law students since their prospective admission to law school is conditional, among other matters, upon their successful completion to the pre-admission program. Credit for law school course work is only given after the law student has matriculated in the school.

Students not selected to enroll in the next semester/quarter of the law school should not be considered as having suffered academic disqualification under Standard 505. February, 1973; June, 1979.

Standard 506

Pursuant to an established policy, the law school, without requiring compliance with its admission standards and procedures, may permit the enrollment in a particular course or limited number of courses, as auditors, as non-degree candidates, or as candidates for a degree other than a law degree, of:

- (i) students enrolled in other colleges or universities or in other departments of the university of which the law school is a part, and
- (ii) members of the bar, graduates of other approved law schools, and other persons satisfying the requirements for admission set forth in section 502.

Standard 601

The law school shall maintain and administer a library adequate for its program.

(a) In order to inform applicants for accreditation of procedures and important facets of law library operations relating to adequacy, the Consultant may prepare appropriate memoranda.

(b) The Dean and the Law Librarian shall maintain a current written plan for implementation of law library support for the law school program as developed in its self-study.

INTERPRETATIONS

Standard 601

Interpretation 1 of 601: Scantiness of a library collection, the nature of its arrangement, deficiencies in shelf and seating space, the relative physical isolation from students and faculty, the hours of operation, the low salary levels of current library staff, the minimal size of the staff and a totally inadequate library budget violates Standard 601. December, 1977.

Interpretation 2 of 601: A weakness of a law library collection must be addressed with the degree of financial support commensurate with the need, as required by Standard 601. May, 1978; June, 1978.

Interpretation 3 of 601: Where a law school library collection is inadequate in terms of total volumes and the depth and breadth of the collection, Standard 601 cannot be satisfied by stating that the students have access to other law libraries within the region. February, 1980.

Standard 602

(a) The law school library shall contain:

(i) all publications listed in Library Schedule A, attached as Annex II,

(ii) those other materials that are reasonably necessary for the proper conduct of its educational program,

(iii) all publications listed on Library Schedule B, attached as Annex III, except those that are readily accessible to and available for use by students and faculty in another library facility. All arrangements for such sharing of collections shall be adequate to insure ease of access and availability of the materials when and where needed.

(b) The Council is delegated the authority to revise the Library Schedules from time to time.

Standard 603

- (a) All materials necessary to the program of the law school shall be current with respect to continuations, supplements, and replacements.
- (b) All sets of materials necessary to the program of the law school shall be complete and unbroken except when early volumes of a set are either unavailable or are available only at an excessive price. A set is not complete unless it includes all supporting materials, including indices, desk books, digests, finding tools, and citators published as a part of the set or generally available for use with the set.
- (c) All periodical and other materials of long-term value shall be permanently bound as soon as practicable after their receipt. A reasonable binding program shall be required in order to keep materials in usable condition.
- (d) If the library contains any materials in microform, tape, or similar form, it shall provide the necessary viewing and listening equipment in an area suitable for its use. If items in Schedule A are held exclusively in microform, adequate equipment shall be provided to make hard-copy printouts readily available.
- (e) The library shall contain additional sets of more commonly used materials whenever necessary for efficient use by the faculty and students.
- (f) The library shall be kept current with respect to new publications and new forms of publications.
- (g) For purposes of this Section, all items in Library Schedules A and B shall be among those deemed necessary to the program of the law school.

Standard 604

The law school library must be a responsive and active force within the educational life of the law school. Its effective support of the school's teaching and research programs requires a direct, continuing and informed relationship with the faculty and administration of the law school. The law school library shall have sufficient administrative autonomy to direct its growth, development and utilization to afford the best possible service to the law school.

(a) The dean, law librarian, and faculty of the law school shall be responsible for determining library policy, including the selection and retention of personnel, the selection of acquisitions, arrangement of materials and provision of reader services.

(b) The budget for the law library shall be determined as part of, and administered in the same manner as, the law school budget.

(c) The selection and retention of the law librarian shall be by the dean and faculty of the law school.

INTERPRETATIONS

Standard 604

Interpretation 1 of 604: The intent of this Standard is to recognize that substantial operating autonomy rests with the dean and faculty of a school of law with regard to the operation of the law school library. The accreditation standards do not preclude administration of the law library as part of the university library system. Rather, the Standards require that decisions with regard to the law library be enlightened by the interests and demands of the law school educational program and not simply made on the basis of rules governing uniform administration of the university library. While the preferred structure for administration of a law school library is one of law school administration, a law school library may be administered as part of a general university library system if the dean, law librarian, and faculty are responsible for the determination of basic law library policies. June, 1979.

Interpretation 2 of 604: Inefficiencies created by centralized university library supervision of the law school library may place a law school in violation of Standard 604. May, 1978; June, 1978.

Interpretation 3 of 604: A law school in which the dean of the law school and the law librarian are not granted adequate administrative autonomy from the university library system, particularly with respect to budgeting, salaries, acquisitions and the employment of library personnel is in violation of Standard 604. August, 1978.

Interpretation 4 of 604: A law library must have adequate staffing and physical housing of all of the collections of the library to permit its continued development and conformity with Standard 604. July, 1978; August, 1978.

Interpretation of 604(c): Appointment of a law librarian is to be "by the dean and faculty of the law school." (emphasis added) This standard contemplates that faculty participation include formal faculty approval of appointment of a law librarian. November, December, 1980.

Standard 605

The law library shall be administered by a full-time law librarian whose principal activities are the development and maintenance of the library and the furnishing of library assistance to faculty and students, and may include teaching courses in the law school.

(a) The law librarian should have a degree in law or library science and shall have a sound knowledge of library administration and of the particular problems of a law library.

(b) The law library shall have a competent staff, adequate to maintain library services, under the supervision of the law librarian.

Standard 701

The law school shall have a physical plant that is adequate both for its current program and for such growth in enrollment or program as should be anticipated in the immediate future.

INTERPRETATIONS

Standard 701

Interpretation 1 of 701: Full approval will not be considered by the Council or its Accreditation Committee until a law school is conducting its operations in permanent and adequate facilities. The Accreditation Committee will not act on plans presented for building construction or if construction or remodeling is in process. This Standard does not contemplate leased or rented facilities for permanent facilities owned by the law school or its parent educational institution. This Standard requires that the adequate physical facilities must be completed and occupied before a law school can be granted full approval. May, 1977; July, 1977; August, 1977.

Interpretation 2 of 701: If satisfactory steps are not taken by an approved law school to correct the inadequacies of an existing physical plant, then the law school is not in compliance with Standard 701 and a proceeding for removal of approval should be begun. August, 1977.

Interpretation 3 of 701: Where the issue of physical facilities has been before the Accreditation Committee and Council for more than two years, without progress toward compliance, a law school is not making appropriate progress toward meeting Standard 701 and may be grounds for removal of accreditation. June, 1978.

Standard 702

There shall be adequate classrooms and seminar rooms to permit reasonable scheduling of all courses and there shall be such additional rooms as may be necessary adequately to provide for all other aspects of the law school's program.

(a) The physical facilities shall be under the exclusive control and reserved for the exclusive use of the law school. If the facilities are not under the exclusive control of the law school or are not reserved for its exclusive use, then the arrangements must permit proper scheduling of all law classes and other law school activities.

(b) Adequate provision should be made for the conduct of moot court programs, both at the trial and appellate level, either by a separate courtroom, or one or more classrooms that can readily be adapted to such a program, or by reasonably available public courtroom facilities.

Standard 703

Each full-time member of the faculty shall have a private office. In addition, suitable office space shall be provided for the use of part-time faculty members.

INTERPRETATIONS

Standard 703

Interpretation of 703: An approved law school must provide appropriate office space for use of its part-time faculty. August, 1976.

Standard 704

Space for study purposes shall be provided in the law school library that is sufficient to accommodate at least the following percentage of the total enrollment: if the school is exclusively a day school, 50 percent; if the school is exclusively an evening school, 35 percent; if the school has both day and evening divisions, 50 percent of whichever division is the larger. In addition to the regular study area, there shall be one or more suitable conference rooms under the control of the law school library in which students may gather in small groups for discussion.

Standard 705

There shall be adequate areas for secretarial, administrative and library personnel and for the maintenance of all necessary records. These areas shall be in close proximity to the persons, offices and library functions served thereby.

Standard 801

The Council shall have authority to:

- (i) interpret the Standards,
- (ii) adopt rules implementing the Standards
- (iii) adopt procedural rules for the initial application by and approval of law schools and for the review and reinspection of approved schools, provided that until procedural rules are so adopted, the procedural rules in effect on the adoption of the Standards apply, and
- (iv) amend any rules from time to time.

All interpretations and rules shall be published and shall be available to all interested persons.

INTERPRETATIONS

Standard 801

Interpretation of 801(iii): Routine reinspection of fully approved law schools shall be held in the academic year in which they were scheduled. The Consultant may, in his discretion, postpone a routine reinspection of a fully approved law school until the next academic year if the law school will occupy new physical facilities during the coming academic year. July, 1977; August, 1977.

Standard 803

The Council shall have the authority to consider any request for provisional or full approval. If the Council's decision is that approval should be granted, it shall so recommend to the House. If the Council's decision is that approval should not be granted, its action shall be communicated to the school which then has the right of appeal provided for in Article 5, Section 5.2 of the Constitution of the American Bar Association.

Section 804

The House of Delegates will not act on any request for the withdrawal of approval until it has first received the advice and recommendations of the Council.

Standard 805

The Council shall, from time to time, publish the names of those law schools which have been approved and those schools which have not been approved and shall make these publications available to interested persons.

Standard 901

(a) These Standards become effective upon their adoption by the House of Delegates. The Standards for Legal Education and the Factors Bearing on the Approval of Law Schools by the American Bar Association, heretofore in effect, are repealed.

(b) For a period of two years after these Standards become effective a law school that was provisionally or fully approved at the time these Standards became effective will not have its approval withdrawn if it either continues to be in compliance with the Standards heretofore in effect or complies with these Standards.

(c) Two years after these Standards become effective, all approved law schools must comply with them.

(d) After these Standards become effective, an unapproved law school will not be granted a provisional approval and a provisionally approved law school will not be granted a full approval unless it complies with these Standards.

INTERPRETATIONS

Standard 901

Interpretation of 901: In an action by the Committee on Standards, which was adopted by the Council of the Section of Legal Education and Admissions to the Bar on August 13, 1974, the following interpretation was proposed:

"Schools that were approved at the time the Standards were adopted are allowed until the start of the academic year commencing after February 1, 1975, to comply with the new Standards."

Therefore, Standard 901(b) and, by implication, Standard 901(c) are interpreted to provide that the two year period should not run from February, 1973 to February, 1975, but that schools should be required to be in compliance commencing with the start of the first academic year commencing after February 1, 1975, in other words, after the 1975-76 academic year.

Standard 902

(a) The power to approve an amendment of the Standards is vested in the House of Delegates, but the House of Delegates will not act on any amendment until the Council, the Section, and the Board of Governors have been given a reasonable opportunity to consider the proposed amendment and report thereon to the House of Delegates.

(b) A member of the Section of Legal Education and Admissions to the Bar may propose an amendment of these Standards by submitting the proposed amendment and a statement of its purpose to the Secretary of the Section, who shall transmit the proposed amendment and the statement of purposes to the members of the Council. The Council shall consider such a proposed amendment at the next Council meeting held 30 or more days thereafter and may consider any other proposed amendment. The Council shall submit to the Section at the next annual meeting such proposed amendments of the Standards as it, by majority vote, deems appropriate. If an amendment proposed by a member as described above is not submitted favorably by the Council to the Section, the amendment shall be submitted to the Section at the next following annual meeting, if a petition signed by 100 or more Section members requesting its submission is filed with the Secretary at least 30 days prior to the annual meeting at which the amendment is to be submitted to the Section. The Section may consider only those amendments of the Standards that are submitted to it by the procedures described above. If a majority of the members of the Section present at an annual meeting and voting approve, the amendment is adopted. The amendment becomes effective when it is approved by the House of Delegates after a report by the Board of Governors.

INTERPRETATIONS

Standard 902

Interpretation of 902: Standard 902(a) now provides that the House will not consider an amendment to the Standards until the Council of the Section of Legal Education and Admissions to the Bar, the Section of Legal Education and Admissions to the Bar, and the Board of Governors have been given a reasonable opportunity to consider any proposed amendment. In compliance with this change, the Consultant will notify deans of ABA approved law schools and other appropriate parties of any proposed changes in the ABA Standards in order to permit comment on any proposed change. The Council will then make a recommendation, based upon such comments, to the Board of Governors of the American Bar Association. September, 1975.

Annex I

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

Academic Freedom

The teacher' is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

'The word teacher as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties.

The teacher is entitled to freedom in the classroom in discussing his subject, but he should be careful not to introduce into his teaching controversial matter which has no relation to his subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence, he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he is not an institutional spokesman.

Academic Tenure

After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies.

In the interpretation of this principle it is understood that the following represents acceptable academic practice:

- (1) The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.
- (2) Beginning with appointment to the rank of full-time instructor or a higher rank, the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that his new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum

of seven years. Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.

(3) During the probationary period a teacher should have the academic freedom that all other members of the faculty have.

(4) Termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should, if possible, be considered by both a faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges against him and should have the opportunity to be heard in his own defense by all bodies that pass judgment upon his case. He should be permitted to have with him an adviser of his own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars, either from his own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.

(5) Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.

Annex II

Library Schedule A

I. National Materials

American Digest system
Corpus Juris and Corpus Juris Secundum
and American Jurisprudence, Second
Shepard's Citations, U.S. and Federal
Words and Phrases
ALR Complete
Restatements
Uniform Laws Annotated, Master Edition

II. Federal Materials

U.S. Reports, Supreme Court Reporter, United
States Supreme Court Reports, Lawyers
Edition
Federal Reporter Complete
Federal Supplement
Federal Rules Decisions
Tax Court Reports
Federal Digest and Modern Federal Practice
Digest and Federal Practice Digest, Second
Statutes at Large, current from 1950
U.S. Code, any annotated edition, with supple-
mental service from 1950
Code of Federal Regulations
Administrative Agency Reports for at least
those agencies whose work is relevant to
courses in the school
Attorney General Opinions

III. Official State reports of the State and, for
any period during which official reports
were not published, one additional copy
of the National Reporter System units
containing the reports of that State
Specialized reports whose subject matter is
particularly relevant to the educational
program of the law school
Session law, complete

Latest code or other statutory compilation with the session law service, if any
Earlier state codes, if available
Attorney General Opinions
Administrative code or similar publication, if any
Local digests and encyclopedias, if any
Form and practice books
CLE materials
Shepard's Citations

IV. Additional Materials

National Reporter System, Complete
Shepard's regional reporter citations
Reporters prior to the National Reporter System for 20 selected states whose case law is significant in the educational program of the school

V. Specialized reports whose subject matter is particularly relevant to the educational program of the law school

VI. Texts, Treatises, Loose-leaf Services

Generally recognized texts and treatises and loose-leaf services for subjects relevant to the educational program of the law school

VII. Reviews and Journals

Publications of the State Bar Association (or Associations) and continuing legal education programs conducted in the State)
The American Bar Association Journal, complete, and the publications of the ABA sections, exclusive of newsletters, current from the date of application for approval
Publications of the American Bar Foundation, current from the date of application for approval
All publications by approved law schools in the State, complete
An additional twenty publications of recognized national significance, complete from at least 1950

Specialized journals whose subject matter
is particularly relevant to the educa-
tional program of the school
Index to Legal Periodicals
Legal Newspaper, if published in the area

Annex III

Library Schedule B

Federal Materials

Federal Cases
Board of Tax Appeals
Federal Register

Other States

Statutes, in current compilation, of those
states whose statutory law is significant
in the educational program of the school

English

Coverage of English case law from 1220 forward or
from 1530 forward, in any of the following
combinations:

- (a) English Reports (full reprint) 1220-1865
and Law Reports 1865+
- (b) All England Law Reports Reprint 1558-1935
and all England Law Reports 1936+
- (c) All England Law Reports Reprint 1558-1935
and Law Reports 1935+

Halsbury's Laws of England
Halsbury's Statutes of England
English and Empire Digest

Rule I
Accreditation Committee

(1) The Council may appoint an Accreditation Committee, and delegate to this Committee, or to a subcommittee designated by the Chairperson of this Committee, tasks in connection with the accreditation of law schools.

(2) The Accreditation Committee will act on all matters relating to accreditation. A summary of the Accreditation Committee resolutions and determinations and a copy of each of the reports and of the material relevant to the accreditation matters to be considered at the next Council meeting, together with a brief description of the significant issues involved, will be sent to each of the Council members approximately two weeks prior to the Council meeting.

An institution adversely affected by an Accreditation Committee action may petition to the Accreditation Committee for a review of its action. Such request shall demonstrate that on rehearing the Committee would receive information or undertakings which have not been adequately communicated to the Committee. The Chairman of the Committee shall determine whether such showing has been made and in such case may afford to such representatives an opportunity to submit additional material.

Such petition for review shall be filed with the Consultant on Legal Education to the American Bar Association within fifteen days after receipt of the decision of the Accreditation Committee.

(3) The institution may appeal, as a matter of right, to the Council, any determination adverse to the institution relating to the granting of provisional or full approval, or removal of approval.

Such petition for appeal shall be filed with the Consultant on Legal Education to the American Bar Association within fifteen days after receipt of the decision of the Accreditation Committee.

In the absence of any such appeal, the Council shall act to recommend the resolution to the House of Delegates.

Rule I

(4) The Council will act on other accreditation matters upon which the Standards or Rules require the Council to act.

In addition, the Council may, upon motion of no less than five members of the Council, review other accreditation matters.

(5) The Council will not consider material which was not presented to the Accreditation Committee unless a majority of the members of the Council present agree to consider the material.

(6) The Accreditation Committee normally will only consider reports submitted to the Consultant at least one month prior to its meeting. Exceptions will only be made in unusual circumstances.

(7) In accordance with the current practice, the Chairman of the Accreditation Committee will assign each member of the Accreditation Committee the responsibility for the critique of particular inspection matters. The Committee member will be responsible for presentation of the particular matter to the Accreditation Committee. The member to whom an individual report is assigned will draft a proposed resolution or alternative resolutions in advance of the Accreditation Committee meeting.

(8) A copy of the Accreditation Committee meeting agenda, the assignment list indicating the particular matters for which each Accreditation Committee member is responsible, and the reports and materials relevant to the Accreditation Committee meeting will be sent to each member of the Accreditation Committee prior to the meeting. In addition, each member who is assigned responsibility for a particular matter will also be sent a copy of the necessary background material at this time.

(9) In the ordinary case, when the Accreditation Committee is considering an application for provisional or full approval, a member of the inspection team will be asked to attend the meeting.

Rule II
Procedure for Securing Approval

(1) Provisional and full approval of an applicant law school is granted by the House of Delegates of the American Bar Association upon the recommendation of the Council of the Section of Legal Education and Admissions to the Bar.

Provisional Approval

(2) The Accreditation Committee and Council will not consider an application for provisional approval until the applicant school has completed the first academic year of its program.

(3) A university, college, or other institution considering the establishment of a law school or a law school considering application for provisional approval may obtain information and advice from the American Bar Association upon request. Inquiries may be addressed to the American Bar Association, or to the Chairperson of the Section of Legal Education and Admissions to the Bar, or to the Consultant. The requesting school will be sent a copy of the Standards, Council Interpretations, Rules of Procedure, other pertinent data, and a copy of a questionnaire devised to permit the school and the Council to evaluate the status of the school in the light of the Standards as interpreted by the Council. Requests for additional information and advice will be honored.

(4) A university, college, or other institution contemplating the creation or acquisition of a law school should complete a comprehensive feasibility study, prior to commencement of a program of instruction. An existing institution making application for provisional approval should complete a comprehensive feasibility study prior to seeking provisional approval. This study should be submitted to the Council when the law school requests provisional approval. The study should include the consideration of such matters as the character and goals for the proposed law school, the distance from other law schools in the area from which the proposed school might attract students, the number, characteristics, and interests of the students who might apply, the resources necessary to create and sustain the proposed law school (particularly if this relates to

the resources of a parent institution), and the demand for legal education and the need for lawyers in the area in which the graduates of the proposed school might be expected to pursue their careers.

(5) The dean and faculty of a law school seeking provisional approval should also undertake a self-study of the institution prior to applying for provisional approval. This study should be submitted to the Council when the law school requests provisional approval.

(6) Experience has shown that a qualified consultant can be helpful. The institution should obtain the advice and assistance of a qualified consultant with experience in legal education and knowledge of the Standards and Rules of Procedure for approval.

(7) A school applying for provisional approval shall return the completed questionnaire and a copy of the feasibility study, a copy of the self-study, and request an inspection. A school seeking provisional approval shall also submit separate financial operating statements for the last three fiscal years (if the institution has been in existence for that period of time). If the applicant is a private institution, the statements shall be certified. The school shall also submit appropriate supporting documents detailing the cost of all facilities used solely for the support of the school. If the applicant institution is a private institution, the institution shall state the MAI appraised fair market value of facilities used solely for support of the law school. The covering letter shall state that the chief executive officer of the parent institution and the dean of the law school have read and carefully considered the Standards and Council Interpretations, have answered in detail the questions asked in the questionnaire, and by this letter give assurance to the Council that in their opinion the law school meets the requirements of these Standards for provisional approval. The Council and the Consultant welcome the opportunity to render assistance

(8) When the school returns the completed questionnaire, the feasibility study, the self-study, and the assurances, a request for an inspection, at the school's expense, is in order. The school shall be charged a uniform fee payable to the American Bar Association. Thereafter, arrangements will be made for an inspection by qualified and objective persons selected by the Consultant. If there is a state agency or official with the responsibility to super-

viser or regulate legal education, the school shall inform the Consultant who shall invite the agency or official to observe the inspection. An inspection usually requires three days, as classes are visited, records and transcripts inspected, the library canvassed, information set forth in the questionnaire checked, the financial statements of the law school and the parent institution reviewed, and consultations held with the chief executive officer of the institution, the dean of the law school, members of the law school faculty, and the law students.

(9) The Council shall not consider any evidentiary or other matter which has not first been presented to the Accreditation Committee bearing on any fact relating to a matter concerning which the Accreditation Committee has recommended the adoption of a resolution.

(10) If an application or reapplication for provisional approval is not granted, another application by the law school for provisional approval will not be considered by the Council or the Accreditation Committee until at least ten months thereafter. The Council may allow an earlier reconsideration in exceptional circumstances.

(11) A provisionally approved school shall be reinspected each year during the period of provisional approval and shall be granted full approval when it complies with the requirements of the Standards for full approval. The school shall be charged a uniform fee payable to the American Bar Association for the annual inspections and shall reimburse the inspectors for their travel and living expenses

Full Approval

(12) A provisionally approved school will be considered for full approval by the House of Delegates when the Council finds, after inspection, that the school meets the Standards established by the American Bar Association as interpreted by the Council on a basis that assures continued compliance with the letter and the spirit of the Standards, with particular emphasis on a steady improvement in the quality of the educational program.

Inspection

(13) Following an inspection for provisional approval or full approval, a written report based upon the inspection is sent to each member of the Accreditation Committee and the Council, and the application is placed on the agenda of the Accreditation Committee and the Council. The written report is submitted to the chief executive officer of the institution and the dean of the inspected school for confirmation of the accuracy of the facts stated in the report.

(14) The Accreditation Committee and the Council regularly meet immediately before the annual and the midyear meetings of the American Bar Association and may meet at other times. Applications for approval are considered by the Accreditation Committee and the Council, with the chairperson of the inspection, or an inspector designated by the chairperson, present, if requested by the Chairperson of the Accreditation Committee or the Chairperson of the Council. The travel and living expenses incurred by the inspector to attend the meetings of the Accreditation Committee and the Council shall be reimbursed by the law school applying for approval.

(15) The reports of inspections and reinspections are received in confidence by the inspectors, the Consultant, and the members of the Accreditation Committee and the Council and may be disclosed only with the approval of the Council. It is permissible to discuss the contents of the report with the faculty, the university administration and the governing board, but it is not consistent with American Bar Association policy to have the inspection report copied or otherwise publicly distributed. After notification of the Accreditation Committee's action, or the Council's action, as the case may be, to the school, the nature of the action on applications for provisional approval and for full approval may be disclosed to others than the dean of the law school and the chief executive officer of the parent institution. The staff may release the nature of the action to the public, with an explanation of the procedural steps for consideration of an application.

After consideration of the inspection report by the Council and Accreditation Committee of the Section of Legal Education and Admissions to the Bar, a resolution concerning the inspection report and the determination of the Accreditation Committee an/or Council will be transmitted by the Consultant on Legal Education to the American Bar Association to the dean and president of the institution. The policy of the American Bar Association regarding the Council and/or Accreditation Committee's resolution is that the school is free to make use of the resolution as contained in the Consultant's letter addressed to the president and dean. However, any release of the Council and/or Accreditation Committee's resolution should be a full release, and not selected excerpts of the resolution. Additionally, the president and dean are free to make such use of information contained in the Consultant's letter that they may deem appropriate.

One year from the date of the initial transmission of the determinations of the Accreditation Committee, including specific findings of compliance or non-compliance with the Standards, resulting from a regular, special or sabbatical inspection of a provisionally or fully approved school, the remaining specific findings of non-compliance will be made available by the American Bar Association to any party upon request.

Approval Granted

(16) If the school is recommended by the Council for approval, the recommendation is sent to the House of Delegates for action. If the House of Delegates grants provisional approval, the chief executive officer of the institution and the dean of the law school may be sent a written report commenting on the school's strengths and weaknesses and areas of Council concern and recommending means of improvement.

Rule III
Procedure for Assuring Continued Compliance

(1) To the end that the American Bar Association Standards shall be maintained to insure compliance and to advance the continued improvement of legal education, provisionally approved and fully approved schools will be expected to furnish to the Council such information as is requested by the Council and Accreditation Committee.

The law school shall provide the Council each year with information in the manner provided by the Council, so as to insure that the Standards are being maintained, and so as to provide the Council with information relating to the state of legal education as a whole.

(2) All fully approved schools are subject to periodic reinspections. The school shall be charged a uniform fee payable to the American Bar Association, and shall reimburse the inspectors for their travel and living expenses. Additional reinspections at the school's expense may be ordered by the Council when special circumstances warrant. The school is expected to furnish information to the Council prior to the inspection, including the completion of a self-study undertaken by the dean and faculty and relating to the goals and objectives of the school.

(3) A provisionally approved or fully approved school is expected to maintain the qualitative level which justified its approval, and to demonstrate a genuine and continuous effort to improve the quality of its educational efforts.

(4) Written complaints from faculty or students at ABA approved schools are received by the Council of the Section of Legal Education and Admissions to the Bar. Upon receipt of a complaint, the Consultant on Legal Education to the American Bar Association acknowledges receipt of the complaint and makes a request for any additional information which is deemed necessary.

If a complaint alleges facts that warrant further investigation, the Chairperson of the Accreditation Committee may appoint an Investigator or Investigators to visit the institution and to report the facts determined by the Investigator to the Council and its Accreditation Committee. The aggrieved party may also be given an

opportunity to meet with the Investigator.

Travel and associated actual expenses of Investigators and expenses authorized by the Consultant or the Council are the obligation of the school. Costs of representation will in all cases be borne by the party represented.

The Council and its Accreditation Committee may then review the matter with notice to all concerned parties. If the Council finds that the school is in violation of the Standards, it may then take appropriate action under provisions of its Standards and Rules of Procedure for Approval of Law Schools for removal of the institution from the list of approved schools.

Rule IV
Removal from List of Approved Schools

(1) The American Bar Association has delegated to the Council of the Section of Legal Education and Admissions to the Bar the responsibility for insuring continued compliance with the Standards as interpreted by the Council. The Rules of Procedure for Approval of Law Schools by the American Bar Association provide that the Accreditation Committee will act on all matters relating to accreditation. If the school fails to meet the requirements, approval may be withdrawn by action of the House of Delegates of the American Bar Association upon the recommendation of the Accreditation Committee and Council.

(2) Whenever the Accreditation Committee has reason to believe that an approved school has failed to maintain the Standards established by the American Bar Association as interpreted and administered by the Council, or has refused requests for information or reinspection, the Accreditation Committee may notify the school of its apparent deficiencies and that, if the matter is not resolved satisfactorily by routine procedures by a certain date, a notice for a hearing on a certain date shall issue.

(3) The Chairperson of the Accreditation Committee may appoint an Investigator or Investigators to conduct a hearing. Expenses of the Investigator or Investigators shall be borne by the school.

(4) The school shall be given at least 30 days notice of the hearing, and, upon request, it may be granted additional time not to exceed 30 days for good cause shown. Both the notice and the request for extension of time shall be in writing. The notice shall be addressed and sent to the chief executive officer of the law school by certified U. S. mail, return receipt requested, and shall be deemed given upon deposit of same in the U. S. mail.

(5) The purpose of the hearing shall be to report the facts and circumstances respecting current compliance by the school with the Standards.

(6) The written report of the inspection of the school held most recently prior to the hearing shall be considered as evidence. Additional material may be referred to the Investigator by

Rule IV

the Consultant on Legal Education to the American Bar Association, or his designee.

(7) The school shall be given an opportunity to appear at the hearing and to submit such evidence on the issues as it desires.

(8) The school shall submit to the Consultant, at least 15 days prior to the hearing, a written document specifying any inaccuracies it may allege to be present in the report of the inspection of the school held most recently prior to the hearing.

(9) The chairperson of the inspection of the school held most recently prior to the hearing or an inspector designated by the Consultant, shall be present at the hearing. The travel and living expenses incurred by the chairperson or designated inspector to attend the hearing shall be reimbursed by the school.

(10) The Investigator shall submit to the Accreditation Committee a written report. A copy of the Investigator's report shall be forwarded to the school.

(11) After the hearing, the Accreditation Committee shall make a determination as to whether the school is in compliance, and, if not, what remedial action is appropriate, including whether to recommend removal of the school from the list of approved law schools. The school and other parties shall have an opportunity to state their positions at the meeting of the Accreditation Committee which considers the question of whether to recommend its removal from the list of approved schools.

If the Committee determines that the school is in compliance, the matter shall be concluded by proper resolution, a copy of which shall be transmitted by the Consultant to the school.

If the Committee determines that the school is not in compliance, the Accreditation Committee will place on the agenda of the next meeting of the Council its recommendation that the Council should recommend to the House of Delegates that the school be removed from the list of approved schools. Representatives of a school may appear before the Council at the meeting where the Council acts upon the finding of the Accreditation Committee. The Investigator or Investigators may

be requested to be present at the meeting of the Accreditation Committee and Council. The travel and living expenses incurred by the Investigator to attend the meeting of the Accreditation Committee or Council shall be reimbursed by the school.

(12) If the Council adopts a finding of non-compliance, a recommendation for removal of the law school from the list of approved law schools shall be placed on the agenda of the next meeting of the House of Delegates. The Council's resolution will be communicated to the school and may be communicated to the Executive Committee of the Association of American Law Schools, the National Conference of Bar Examiners, the bar examining authority of the state in which the school is located, the highest administrative officer of the institution of which it is a part, and the appropriate regional institutional accrediting agency.

(13) If, before the House of Delegates acts on a recommendation of the Council that the school be removed from the list of approved schools, the school corrects the deficiency and is found by the Council to be in compliance with the Standards, the Council shall take steps to recall its recommendation and to notify all persons who were notified of the school's apparent non-compliance of the school's current status, and the Council shall close the matter with a resolution in its Minutes setting forth the facts of compliance.

Rule V
Changes in Structure or Operation

(1) Since a major change in structure or operation may raise questions as to a law school's continued compliance with the Standards, a provisionally approved or fully approved law school, prior to making the proposed change, shall make a timely report on the change to the Consultant, analyzing the effect of the proposed change on the school's ability to meet American Bar Association Standards. The Accreditation Committee or the Council may require an inspection of the school. Examples of changes that must be reported include:

- A. Instituting a new division (full-time or part-time);
- B. Shifting from a full-time to a part-time program, or from a part-time program to a full-time program;
- C. Establishing the school or a branch thereof in a new location;
- D. Offering a two-year undergraduate, four-year law school, or similar program;
- E. Merging with another law school, whether approved or unapproved;
- F. Activating a program leading to any degree beyond the first degree in law; or
- G. Changing its relations with its parent institution or affiliating with a college or university.

(2) Before establishing a full-time or part-time program or a graduate division, before establishing the school or a branch thereof in a new location, and before concluding a merger, the law school shall obtain the Council's acquiescence to the action. When the Council acquiesces to a major change, it shall make its acquiescence subject to a reinspection no later than two years of the date of the merger for the purpose of ascertaining whether the anticipated benefits to the law school and the other institution have been obtained.

(3) Approval of graduate degree programs at ABA approved law schools shall be based upon minimum standards for such programs. The same approval

criteria and process shall be used whether the graduate program is an "academic" program (e.g., S.J.D. degree) or a "professional" program (e.g., LL.M. in Taxation).

(4) The establishment of credit granting programs at off-campus locations requires that:

- (a) No such program shall be undertaken without notice to the Accreditation Committee and its prior approval by application of appropriate Standards;
- (b) Such programs will be included in any inspection, reinspection, and review process of the approved school conducting the same; and
- (c) Such programs presently operated by approved schools which are now within the inspection and review process of the Accreditation Committee are subject to this review.

Rule VI

Appeal

Appeal from Council action is provided for
in Article 5, Section 5.2 of the Constitution
of the American Bar Association.

Rule VII
Reinstatement

A law school that has been removed from the list of approved law schools may be reinstated by complying with the procedures for obtaining approval, as though it had never been approved.

Rule VIII

List of Approved and Unapproved Schools

The Council of the Section of Legal Education and Admissions to the Bar shall publish from time to time the names of those law schools which comply with the Association's Standards and those which do not. A complete list of all approved law schools and as many unapproved law schools as are known shall be published annually in the Review of Legal Education, which is published by the Section and distributed upon request without charge.

ACCREDITATION COMMITTEE POLICIES

1. Minutes of Meetings

Accreditation Committee meetings are held in executive session and its minutes are confidential. May, 1980.

2. Granting of Degrees to Predecessor Institutions

The policy of the Accreditation Committee is that a currently approved school cannot retroactively grant a J.D. degree to a graduate of its predecessor institution. May, 1980.

3. Procedure for Petition for Review of Accreditation Committee Action and Appeal to the Council

It is the policy of the Accreditation Committee that, with respect to an application of a school seeking full or provisional approval, a petition for review of the Committee's action will be received only if the facts communicated to the Committee were erroneous at the time of the initial consideration of the school by the Committee [Rule I(2)]. If the school is denied full or provisional approval by the Committee, it may appeal to the Council [Rule I(3)]. July, 1980.

4. Postponement of Reinspection

The Accreditation Committee and the Council of the Section of Legal Education and Admissions to the Bar at their November, 1977 and December, 1977 meetings adopted the policy that a request for postponement of reinspection will only be granted if the law school is in the process of moving to a new physical facility or if extraordinary circumstances exist which would make it impossible for the scheduled reinspection to take place. The policy of the Accreditation Committee and Council is that the pending resignation of a dean, the appointment of an acting dean or the appointment of a permanent dean is not grounds for the postponement of a scheduled reinspection.

5. Right of Appearance and Written Submissions to the Committee

The Accreditation Committee shall:

- (i) recommend to the Council denial of an application for provisional approval;
- (ii) recommend to the Council denial of an application for full approval; or
- (iii) recommend to the Council removal of approval;

in each case only upon the condition that the Committee has received and considered

- (a) any written report of an inspection team or an investigator; and
- (b) any timely submission concerning such report received from the institution affected by such action. Failure on the part of the institution to respond will not preclude action of the Accreditation Committee.

Exceptions will be made only in unusual circumstances.

The Committee may, but is not required to, consider any report of an inspection team or hearing officer or commission submitted to the Consultant less than one month prior to the Committee's meeting.

"Timely written submission" for purposes of the foregoing procedural rule shall mean a written submission of such institution received by the Consultant within twenty (20) days prior to the first meeting of the Committee following receipt by the institution of such report, or within ten (10) days after receipt by the institution of such report, whichever shall last occur.

Personal Appearances Before the Committee

There shall be no right of personal appearance on behalf of any institution before the

ACCREDITATION COMMITTEE POLICIES

Accreditation Committee in connection with any matter affecting the status of that institution. However, the opportunity to appear may be granted by the Accreditation Committee, acting through its Chairman, or the Consultant after conferring with the Chairman, upon written request by the school received by the Chairman of the Accreditation Committee or the Consultant.

It is the policy of the Committee that personal appearances before the Committee normally will not be permitted except in connection with the Committee's consideration of a recommendation to the Council of denial of an application for provisional or full approval or of removal of approval.

COUNCIL OF THE SECTION OF LEGAL EDUCATION
AND ADMISSIONS TO THE BAR

ADOPTED POLICIES OF STATEMENT AND PROCEDURES

The following is a summary of policy statements and procedures which have been adopted by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association and are not contained in the printed Standards and Rules of Procedure for Approval of Law Schools or the "Interpretations of the Standards".

1. Selection of Members of the Council:

Members of the Council of the Section of Legal Education and Admissions to the Bar shall be chosen without reference to their race, color, creed, sex, or national origin.

Members of the Council shall be persons of integrity and intelligence who have evidenced interest in legal education and whose participation is likely to be guided by the interests of the public and by the high standards of the legal profession, rather than any personal interest.

2. Selection of Members of the Accreditation Committee:

Members of the Accreditation Committee shall be persons of integrity and intelligence who are interested in legal education and whose participation will be guided by the interests of the public and by the high standards of the legal profession rather than any personal interest.

The Accreditation Committee shall have two non-lawyer public members who shall be outstanding and knowledgeable persons who are concerned about professional education and training and who do not have a current or ongoing relationship with the American Bar Association. Professional members of the Accreditation Committee shall be persons who are knowledgeable and experienced in law and legal education.

3. Unapproved Law Schools Intending to Seek ABA Approval:

The American Bar Association requests that an unapproved law school intending to seek provisional approval include the following language in its bulletin:

The Dean has informed himself fully as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The College Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association.

The Council of the Section of Legal Education and Admissions to the Bar requests that an unapproved law school intending to seek ABA approval include the additional language in its bulletin:

The _____ Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

4. Postponement of Graduation

WHEREAS, most state supreme courts require graduation from an ABA approved law school as a requisite for bar admissions in order to assure the public that persons representing them in legal matters have received a quality legal education, and

WHEREAS, some individuals begin and complete substantially all of their legal education at unapproved law schools, which law schools have been inspected for possible ABA provisional approval but are found not to meet the ABA Standards during the time of such attendance; and these individuals may then delay their formal graduation until after the law school received ABA provisional approval, and

WHEREAS, some law schools receiving ABA provisional approval have permitted students to delay their graduation until such approval was received by the school and have then awarded degrees dated subsequent to receipt of ABA provisional approval to such students,

THEREFORE, the Council of the Section of Legal Education and Admissions to the Bar hereby adopts a policy disapproving this practice, and requests that all provisionally approved law schools, all other schools seeking provisional approval, all law school inspectors, and all state bar admitting authorities be notified of this policy.

5. Provisionally Approved Law Schools:

A provisionally approved law school shall state in its bulletin, catalog, publicity releases and in communications with all students, applicants or other interested parties that it is a provisionally approved law school.

A law school will be granted provisional approval when it establishes that it substantially complies with the Standards and gives assurance that it will be in full compliance with the Standards within three years after receiving provisional approval.

A law school will be granted full approval when it establishes that it is in full compliance with the Standards and it has been provisionally approved for at least two years.

A provisionally approved school shall be reinspected each year during the period of provisional approval and shall be granted full approval when it complies with the requirements of the Standards for full approval.

A provisionally approved school will be considered for full approval by the House of Delegates when the Council finds, after inspection, that the school meets the Standards established by the American Bar Association as interpreted by the Council on a basis that assures continued compliance with the letter and the spirit of the Standards, with particular emphasis on a steady improvement in the quality of the educational program.

The student at provisionally approved law schools and persons who graduate while a school is provisionally approved are entitled to the same recognition accorded to students and graduates of fully approved law schools.

6. Reinspection of Provisionally Approved Law Schools Granted Full Approval:

Each law school which is fully approved by the American Bar Association is to be reinspected three years after the date on which full approval is granted. (This policy becomes effective with regard to law schools granted full approval by the House of Delegates of the American Bar Association at its February, 1978 meeting and at any future time.)

7. Release of Information Concerning Applications For Provisional or Full Approval of Law Schools

In the case of schools seeking provisional or full approval, the staff persons of the American Bar Association are hereby authorized by the Council of the Section of Legal Education and Admissions to the Bar to state:

- (1) Whether or not a specific school has submitted application to the American Bar Association for provisional approval.

- (2) The procedural steps for consideration of an application.
 - a. Consideration of an application by the Accreditation Committee.
 - b. Action by the Council upon the Accreditation Committee's recommendation and an explanation that action of the Council may not follow that of the recommendation made by the Accreditation Committee.
 - c. Action by the House of Delegates
 - (3) After notification of the Accreditation Committee's action or the Council action, as the case may be, to the school, the staff may release the nature of the action to the public, with the explanation of the procedural steps for consideration of an application as outlined in Subparagraph (2) of this policy.
8. Confidentiality of Inspection Reports and Letter of Transmittal of Action:

The reports of inspections and reinspections are received in confidence by the inspectors, the Consultant, and the members of the Accreditation Committee and the Council and may be disclosed only with the approval of the Council. It is permissible to discuss the contents of the report with the faculty, the university administration and the governing board, but it is not consistent with American Bar Association policy to have the inspection report copied or otherwise publicly distributed. After notification of the Accreditation Committee's action, or the Council's action, as the case may be, to the school, the nature of the action on applications for provisional approval and for full approval may be disclosed to others than the dean of the law school and the chief executive officer of the parent institution. The staff may release the nature of the action to the public, with an explanation of the procedural steps for consideration of an application.

COUNCIL POLICIES AND PROCEDURES

After consideration of the inspection report by the Council and the Accreditation Committee of the Section of Legal Education and Admissions to the Bar, a resolution concerning the inspection report and the determination of the Accreditation Committee and/or Council will be transmitted by the Consultant on Legal Education to the American Bar Association to the dean and the president of the institution. The policy of the American Bar Association regarding the Council and/or Accreditation Committee's resolution is that the school is free to make use of the resolution as contained in the Consultant's letter addressed to the president and dean. However, any release of the Council and/or Accreditation Committee's resolution should be a full release, and not selected excerpts of the resolution. Additionally, the president and dean are free to make such use of information contained in the Consultant's letter that they may deem appropriate.

One year from the date of the initial transmission of the determinations of the Accreditation Committee, including specific findings of compliance or non-compliance with the Standards, resulting from a regular, special or sabbatical inspection of a provisionally or fully approved school, the remaining specific findings of non-compliance will be made available by the American Bar Association to any party upon request.

The dean of the school shall review the inspection report to determine whether it contains criticism of the professional performance or competence or the behavior of a member of the school's full-time faculty or professional staff. If the report contains this criticism, the dean shall make available to the person concerned the germane extract of the report and shall send the Consultant on Legal Education to the American Bar Association a copy of the transmitting letter and of the extract. The Consultant shall review each inspection report on an approved school or an applicant school to determine whether it contains the above described criticism. If the Consultant finds this criticism and has not received a copy of a letter from the dean to the person concerned transmitting the extract of the report, the Consultant shall inform the dean of the criticism and ask her or him to make available to the person concerned the germane extract of the report. The dean shall send the Consultant a copy of her or his written communication with the affected person. The member of the faculty or professional staff is entitled to submit in writing her or his comments on the statement in the report to the persons who have received the report.

9. Law School Admission Fees:

The American Bar Association Section of Legal Education and Admissions to the Bar condemns the practice of requiring persons seeking admission to a law school to pay a fee, in addition to the regular application fee, to be placed on a list of persons who will be admitted if additional places become available, commonly known as a "waiting list"

10. Admission of Students Who Wish to Transfer Credit:

Advanced standing for credit earned in another law school in the United States shall be given only when such work has been taken in a school approved by the American Bar Association.

11. Period of Retention of Examination Materials:

Law Schools approved by the American Bar Association should practice the policy of retaining examination booklets for a period of one year. This policy applies only if the examination booklet has not been returned to the student.

12. Courses Conducted for the Purpose of Improving Student Performance on Bar Examination:

Law school courses conducted for the purpose of improving student performance on bar examinations may not be offered for credit, although such courses may be offered as non-credit courses.

13. J.D. Degree

It is the Council's position that no graduate degree in law is or should be a substitute for the first professional degree in law (J.D.) and should not serve as the same basis as the J.D. degree does for bar admission purposes.

14. Diversity in Admission and Employment

It is the policy of the Council that diversity is valuable to educational quality. There are educational values to be derived from diversity in admission and employment and the Council supports the use of admission standards and employment criteria which promote diversity in law schools.

Key Word Index to the
American Bar Association
Standards for Approval of Law Schools

	<u>Standard</u>	<u>Interpretation</u>
Academic Freedom	S405(d)	I205, I207, I405(d)
Academic Standards	S205, S209, S304, S305	I201, I209, I210, I304(c) I305(a)(iii), I305, I306, I501, I4-205
Administration of the Law Library	S601(b), S604	I1-601, I2-601, I1-604, I2-604
Administration and Organiza- tion of the Law School	S201(b), S203, S204, S205, S206, S207, S208, S210	I1-201, I203, I204, I2-205, I4-205, I5-205, I6-205, I205, I206, I207, I209, I210, I405(d)
Administrators	S703	I201, I401, I405 (ratios B)
Admission Policies	S205, S209, S211, S212, S304(c), S501, S504, S505, S506	I2-201, I201, I205, I206, I209, I210, I304(c) I501, I1-505, I2-505
Admission Requirements	S502, S503, S504, S506	I502
Adoption of Standards	S901	
Advance Standing	S306(d), S308	I1-305(b), I1-308, I2-308
Advisory Committees	S208	I6-205
Advocacy Training	S302(a)(ii), S304(b), S702(b)	I1-302(a)(ii), I2-302(a) (ii), I302, I303
Affiliated Law Schools	S210, S506(i)	I105, I1-201, I1-205, I209, I210, I210(c), I1-604, I2-604, I3-604
Amendments to Standards	S902	I902
ABA Code of Professional Responsibility	S302	I2-302(a)(ii)
Annual Questionnaires		I103

Key Word Index - 2

	<u>Standard</u>	<u>Interpretation</u>
Associate Level Faculty		I1-405(a)
Auditing Classes	S506	
Authority for Law School Approval Decisions	S104, S803	
Bachelor of Laws	S106(d), S307, S308	I2-307
Bar Review Courses	S302	I301
Board of Governors for the ABA	S902	I902
Borrowing Funds		I1-201, I209(2)(3)
Budget	S206, S209, S604(b)	I105, I1 201, I2-201, I209, I210, I501
Career Development Office	S211(c), S213	I1-211, I213, I501
Class Attendance	S305	I1-305, I1-305(a)(iii) I305(c), I305, I306
Class Hours	S305, S306	I1-305, I1-305(a)(ii), I2-305(a)(ii), I2-305(b) I305(a), I305(b)
Class Size	S303(a)(ii)	I201, I303(a), I401, I402, I403, I404, I405 (B2)
Clinical Programs	S304, S306	I1-305, I1-305(a)
Community Service (Faculty)	S402(b), S404(c)	I201, 401, 405(B5), I2-403
Consultant on Legal Education to the ABA	S601	I1-211, I801(iii)
Contracts of the Law School		I105, I210
Correspondence Courses	S303(b)	

	<u>Standard</u>	<u>Interpretation</u>
Council to the Section of Legal Education	S106(c), S602(b), S801, S802, S803, S804, S805, S902	I202, I901, I902
Curriculum (Educational Prog.)		
Design	S205, S301, S302	I201, I401, I402, I403, I404, I405 (A & Bkgr.)
Substance of Program	S303	I2-302(a)(ii), I2-302(a)(iii), I303(a)
Variance	S306(b), S306(c), S802	I302, I303
See also "Doctorate of Jurisprudence," "Master of Laws," and other specific courses and programs.		
Day School Division	S704	
Dean of a Law School		
Chief Academic Officer		I2-205, I3-402
Chief Executive Officer		I6-205, I205, I206
Definition of Position	S206, S207, S402	I203, I205, I207, I2-211, I1-402, I405(d)
General Duties	S205, S208	I205, I206, I2-403
Library Responsibilities	S601(b), S604	I1-604, I3-604, I-604(c)
Selection Process		I5-205, I1-403, I403, I405
Degree Programs (Additional Programs)	S307	I1-307, I2-307, I3-307
Doctorate of Jurisprudence	S106(d), S307, S308	I2-307
Employment Policies	S211	I2-211
Endowments		I105, I210
Enrollment	S205, S209	I2-201, I201, I205, I206, I209(a), I209(4), I209, I210, I304(a), I501

Key Word Index - 4

	<u>Standard</u>	<u>Interpretation</u>
Equal Opportunity	S211, S212	I1-211, I2-211
Evening School Division	S704	
Examinations	S304(b), S305	I201, I205, I207, I304(c), I1-305(a), I1-305(a)(ii), I2-305(a), (ii), I5-305(a), I401, I402, I403, I404, I405 (B8)
Executory Accord		I209, I210
Extension of Approval Time	S104(c), S901	I901
Faculty Administrative Responsibilities	S205, S206, S207, S208, S402, S404, S604	I201, I205, I1-205, I2-205, I4-205, I5-205, I6-205, I206, I207, I401, I402, I403, I404, I405(d), I405(B7) (Bkgrd), I1-604 I-604(c)
Faculty Assistance Bench and Bar Members	S302	I2-402(b)
Faculty Education Respon- sibilities	S401, S402(b), S403, S404	I2-403
Faculty Firing		I204, I7-205, I9-405
Faculty Hiring	S205, S211	I204, I7-205, I9-405
Faculty Improvement		I201, I401, I402, I403, I404, I405(B6)
Faculty Offices	S703	I703
Faculty Qualifications	S401, S402	I402
Faculty Research	S402(b), S404(c), S405(b)	I201, I2-201, I209, I210, I401, I402, I403, I2-403, I404, I405(Bkgrd), I5-405, I6-405, I8-405
Faculty Salaries	S210(c), S405	I104(a), I201, I2-201, I1-205, I209, I210, I2-211, I405, I1-405(a) I2-405, I2-405(a), I3-405, I4-405, I5-405

	<u>Standard</u>	<u>Interpretation</u>
Faculty Size	S402	I201, I401, I402, I403, I404, I405, I501
Financial Aid	S212	I501
Financial Resources	S201(b), S209	I105, I2-201, I209, I210
Financial Statements	S202, S601(b)	I1-104(a), I2-104(a), I4-104(a), I1-201, I2-201, I209
First Professional Law Degree (J.D.) (L.L.B.)	S106(d), S307, S308	I2-307
Foreign Study	S308	
Full Approval		
1. Authority to determine	S104, S901	I901
2. Financial position		I209, I210
3. Reinspection		I3-205
4. Requirements	S104(b)	I104(c)
5. Self-study		I3-205
Full Compliance	S104(a), S104(b)	I104, I104(c), I3-104(a), I202
Full-time Faculty	S211, S402, S404, S703	I201, I3-201, I401, I402, I1-402, I1-402(b), I2-402, I2-402(b), I3-402, I403, I404, I405, (Bkgrd.), I2-405(d)
Full-time Students	S305	I305, I305(a)(iii), I2-305, I2-305(b), I3-305(a), I4-305(a), I306
Goal of the ABA	S101	
Governing Board of a Law School	S106(c), S203, S204, S206	I203, I204, I205, I5-205, I206
Grade Point Averages (GPA)		I201, I209, I210, I304(c), I501
Graduation from Law School		
1. Admission to the Bar	S102	
2. Other policies	S205, S213, S301(a)	
3. Pre-requisites for Graduation	S305, S302(b)	I2-302(a)(ii)
4. Provisionally Approved School Graduates	S104(e)	
5. Withdrawal of ABA Approval	S104(f)	

Key Word Index - 6

	<u>Standard</u>	<u>Interpretation</u>
Grants		I105, I210
House of Delegates	S104, S106(a), S803, S804, S901, S902	I902
Individual School Policies		
1. Distribution of Power	S207, S208	I205, I207, I405(d)
2. Educational Policies	S205	I2-205, I4-205
3. Employment Policies		I204, I5-205, I6-205
4. Faculty Policies	S205	I7-205
5. Governing Board Policies	S204,	I205, I206
6. Other Individual School Decisions	S210, S212	
Internships & Special Programs	S304, S306	I1-305, I1-305(a)
Interpretation of Standards	S801	
Joint Degree Programs		I2-305, I306
Law Librarian	S402, S601(b), S604, S605	I201, I7-205, I401, I402, I403, I404, I405 (Bkgrd.), I1-601, I604, I604(c)
Law Library Budget	S604(b)	I1-601, I3-604
Law Library Support	S601(b)	I2-601
Law School Admissions Tests (L.S.A.T.)	S503	I201, I209, I210, I304(c), I501
Law School Data Assembly Service Reports (LSDAS)		I502
Law School Facilities-- "Physical Plant"		
Actual Cost		I2-104(a)
Adequate Facilities	S701, S702, S703	I1-701
Branch Campus		I3-201
Classrooms	S702	
Construction	S701	I4-104(a)
Correcting Inadequacies		I2-701, I3-701
Future Plant		I4-104(a), I1-701
Loans		I1-201, I209(2), I209(3)
Office Space-Faculty	S703	I703
Reinspection		I801(iii)
Size of Facility	S701	
Leave of Absence (Faculty)	S405(b)	

Key Word Index-7

	<u>Standard</u>	<u>Interpretation</u>
Library Collection	S210(b)(a), S601, S602, S603	I4-104(a), I2-201, I209, I210, I501, I1-601, I2-601, I3-601, I3-604
Library Employees	S211, S601, S604, S605(b), S705	I4-104-(a), I2-201, I209, I210, I1-601, I3-604, I4-604
Library Equipment	S603(d)	
Library Facility	S601, S603(d), S704, S705	I4-104(a), I3-201, I501, I1-601, I4-604
Local Bar Associations		I1-102, I103
Master of Laws (L.L.M.)		I1-307, I2-307, I3-307
Minorities	S211, S212	
Non-Affiliated Law Schools	S210	I203, I3-403
Non-Degree Candidates	S506	
Non-Proprietary Law Schools	S202, S203	I1-201, I202, I209, I210
Non-University Affiliated Law Schools	S210	I203, I3-403, I9-405
Organization of A.B.A.	S106, S902	I902
Part-time Employment for Students		I305(a)(iii)
Part-time Faculty	S403(b), S703	I201, I401, I402, I403, I404, I405, I703
Part-time Students	S305	I2-305(b), I4-305(a)
Private Institutions		I1-104(a), I2-104(a)
Procedural Rules	S801	
Promotion	S205, S210(c)	I204, I6-205, I7-205, I210(c), I2-211, I1-405(d), I9-405

Key Word Index -8

	<u>Standard</u>	<u>Interpretation</u>
Property Interests		I105, I210
Proprietary Law Schools	S202, S203	I202
Provisional Approval		
1. Advancing to Full Approval	S104(b)	I104, I3-104(a)
2. Authority to Determine	S104, S401(c), S901	I901
3. Extension of Full Approval Time	S401(c)	
4. Financial Statement Requirements		I1-104(a), I2-104(a), I202
5. Graduates	S104(c)	
6. Requirements for Provisional Approval	S104(a)	I4-104(a), I1-201, I1-209(3), I3-205
7. Self-study and Re-inspection		I3-205
8. Transfer Students		I2-308
9. Withdrawn Provisional Approval	S104(c), S901	I104(c), I901
Publications of the Council	S801, S805	
Quarter Hours		I305(a)(4 & 5) I305(b)(4 & 5)
Questionnaires		I3-102, I103
Reading Periods		I1-305(a)(ii), I2-305(a) I2-305(a)(ii), I3-305(a) I4-305(a)
Re-admission Policies	S505	I1-505
Recommendations to House of Delegates	S803	I202
Recruitment Policies	S212	I501
Religious Discrimination	S211	I2-211
Reinspection of Approved Schools		I103, I3-205, I803(iii)
Research and Writing Training	S303(a)(i), S304(b), S604, S605	I302, I303

Key Word Index-9

	<u>Standard</u>	<u>Interpretation</u>
Residence Requirements	S305, S306, S308	I305(a), I305(b), I1-305, I2-305(a), I2-305(b), I3-305(a), I5-305(a), I306
Resolutions of the Council		I202
Retention Policies	S209, S304(c), S505	I1-505, I3-505
School Goals and Objectives	S201(a), S201(b)	I1-105, I1-201, I2-201, I2-205, I3-205, I209, I304(c), I501
School Staff	S209(b), S211, S213, S405(c), S705	I3-201
Secretarial and Clerical Assistance	S405(c)	I6-405
Section of Legal Education and Admissions to the Bar of the ABA	S106(b), S902	I902
Self-Studies	S201(a), S601(b)	I3-102, I103, I2-201, I3-205, I209
Semester Hours		I305(a) (4 & 5) I305(b) (4 & 5)
Seminars	S303(a)(i), S304(b), S702	I302, I303, I303(a), I304(c), I305(a)
Standards for Legal Education and the Factors Bearing on the Approval of Law Schools (repealed)	S901	
State Bar Associations		I102
Student Discipline (Academic Dishonesty)		I4-205
Student Disqualification	S209, S304(c), S505	I1-505, I3-505
Student-Faculty Ratio		I201, I1-402(a), I2-402, I2-402(a), I3-402, I3-402(a), I401, I402, I403, I404, I405(Bkgrd), I5-405

Key Word Index - 10

	<u>Standard</u>	<u>Interpretation</u>
Student Government	S208	
Student-Hour Loads		I201, I401, I402, I403, I404, I405(B1)
Substantial Compliance		
Definition		I3-104(a)
Impact of Organizational Changes		I1-201, I209, I210
Provisional Approval	S104(a), S104(c)	I4-104(a), I202
Withdrawal of Approval	S104(c)	
Summer School		I305(a)(iii)
Teaching Administrators		I201, I401, I402, I403, I404, I405 (Ratios B)
Teaching Effectiveness Committee		I201, I401, I402, I403, I404, I405(B6)
Tenure	S205, S210(c), S405(d)	I204, I6-205, I7-205, I210(c), I2-211, I1-405 I1-405(d), I5-405, I7-405 I9-405
Transfer Students	S306(d), S308	I1-305(b), I1-308, I2-308
Tuition	S209(a)	I105, I201, I1-201, I2-201, I209, I1-209(1) I1-209(4), I210, I304(d), I501
Undergraduate Requirements	S502	I502
Variances	S802	I202
Withdrawal of Law School Approval		
1. Authority to Withdraw Approval	S104, S804, S901	I901
2. Full Approval	S104(d), S3-701, S804	I2-701
3. Graduates, Impact on	S104(f)	
4. Provisional Approval	S104(c), S804	I2-701, I3-701

AMERICAN BAR ASSOCIATION AND
ASSOCIATION OF AMERICAN LAW SCHOOLS
STATEMENT OF GOOD PRACTICE ON
IMPARTIALITY AND PROPRIETY
IN THE PROCESS OF LAW SCHOOL ACCREDITATION

(A) Those who have significant responsibility in the process leading to accreditation of law schools serve a vital and quasi-judicial function in the legal system of the United States. It is important to the fair and effective functioning of the system of law school accreditation and to the maintenance of public and professional respect for that system that those who act in it act impartially and avoid even the appearance of impropriety.

(B) One who has significant responsibility in this system or who has had significant responsibility in this system within a period of two years past, as enumerated in paragraph "D" below, should not serve as a consultant to a law school in any matter relating to:

- (1) accreditation by the American Bar Association;
- (2) membership in the Association of American Law Schools; or
- (3) reinspection and continuation of American Bar Association accreditation or membership in the Association of American Law Schools.

(C) This restriction applies to service as consultant whether or not that service is for compensation. It does not apply to informal advice which an advisor renders (1) without fee, (2) informally, and (3) which he or she discloses fully to the other members of the accreditation or membership body on which he or she serves or has served; nor does it apply to the routine or official advice and assistance which is rendered by members of an inspection team or hearing commission, by the Consultant on Legal Education to the American Bar Association, by the Executive Director of the Association of American Law Schools, or by persons acting on behalf of the Consultant or Executive Director, (4) or by a person acting in the normal course of his or her employment.

(D) This restriction applies to:

- (1) members of the Accreditation Committee of the Council on Legal Education and Admissions to the Bar of the American Bar Association;
- (2) the President, other Officers, members of the Board of Governors, and members of the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association;
- (3) members of the Accreditation and Academic Freedom Committees of the Association of American Law Schools;
- (4) the President and members of the Executive Committee of the Association of American Law Schools;
- (5) members of the professional staff of the American Bar Association or the Association of American Law Schools, except as provided in paragraph "C" above;
- (6) a member of an inspection team or hearing commission for either Association accepting appointment as a consultant to a law school that he or she has inspected or conducted hearings on, in behalf of either Association within two years after the inspection or while either Association still has under consideration matters developed by the inspection, whichever is the longer;
- (7) the Executive Director of the Association of American Law Schools or other person acting on behalf of the Association of American Law Schools may not acquiesce in the appointment as consultant on readiness of any person who by this Statement should not accept appointment as a school's consultant.

(E) Service as a consultant for a law school does not disqualify a person from any of the offices or committees in paragraph "D." However, the officer or committee member should excuse himself or herself from participation in discussion, formal or informal, of the affairs of a school which he or she has served as consultant or employee and from taking part in any vote with respect to its status.

(F) A person who has served as a consultant or employee of a law school within two years prior to assuming a significant responsibility in the accreditation process should decline to participate in the determination of the accreditation status of the school with which he or she previously served.

(G) The Consultant on Legal Education to the American Bar Association, Executive Director of the Association of American Law Schools or either of them if they are acting cooperatively shall bring this regulation to the attention of persons who are nominated for or appointed to any of the positions enumerated in paragraph "D" above and to all persons who are holding these positions or who have held them within two years past, at the time the regulation becomes effective.

Adopted by the Council of the Section of Legal Education and Admissions to the Bar—
December 10, 1977.

Adopted by the AALS Executive Committee—December 27, 1977.

