REVISIONS

STANDARDS
FOR APPROVAL OF LAW SCHOOLS
AND
INTERPRETATIONS

RULES OF PROCEDURE
FOR
APPROVAL OF LAW SCHOOLS

POLICIES OF THE COUNCIL
OF THE SECTION OF LEGAL EDUCATION
AND ADMISSIONS TO THE BAR
AND OF THE
ACCREDITATION COMMITTEE

CRITERIA
FOR APPROVAL OF SEMESTER ABROAD
PROGRAMS FOR CREDIT GRANTING
FOREIGN SEGMENT OF APPROVED
J.D. PROGRAM
AND
FOR APPROVAL OF FOREIGN SUMMER
PROGRAMS OF ABA-APPROVED LAW SCHOOLS

September, 1989
STANDARDS
Standard 211

The law school shall maintain equality of opportunity in legal education, including employment of faculty and staff, 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) This Standard does not prevent a law school from having a religious affiliation and purpose and adopting and applying policies of admission of students and employment of faculty and staff that directly relate to this affiliation and purpose so long as (1) notice of these policies has been given to applicants, students, faculty and staff before their affiliation with the law school, and (2) the religious affiliation, purpose and policies do not contravene any other Standard, including Standard 405(d) concerning academic freedom. These policies may provide a preference for persons adhering to the religious affiliation and purpose of the law school, but shall not be applied to preclude a diverse student
body in terms of race, color, religion, national origin, or sex. This Standard permits religious policies as to admission and employment only to the extent that they are protected by the United States Constitution. It shall be administered as if the First Amendment of the United States Constitution governs its application.

(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.
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(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.
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 the person's continuation in school would inculcate false hopes, constitute economic exploitation, or deleteriously affect the education of other students.
INTERPRETATIONS
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.

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.

Interpretation of 205, 403 and 405(e): A law school should afford to full-time faculty members whose primary responsibilities are in its professional skills program an opportunity to participate in law school governance in a manner reasonably similar to other full-time faculty members. This Interpretation does not apply to those persons referred to in Interpretation 3 of Standard 405(e). (December, 1988)
(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.

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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.

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.

(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 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 geographical 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 of Standard 405(b): An approved law school should make reasonable provisions for faculty access to automated information systems suitable for scholarly research. May, 1986.
Interpretation 1 of 405(d): Promotion and tenure criteria must be clearly defined and made available to the faculty. July, 1980.

Interpretation of Standards 201 and 401-405:

A. Background and Discussion of Educational Effect

(1) 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 increased its determination to become more rigorous.

(2) Every approved school is required by Standard 105 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.

(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.

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.

(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 teaches. 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 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 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-equivalent student body.

**A. Basic Computation of Ratio**

(1) In computing student/faculty ratio, the Committee will consider as full-time those teachers who are employed as full-time teachers on tenure track, or its equivalent under Standard 405(e), and do not hold administrative office or perform administrative duties beyond those normally performed by a full-time teacher. Students who are registered in a part-time program [see Standard 305(a)] are computed on a full-time equivalency basis, so that three part-time students are counted as two full-time students.

(2) The Accreditation Committee will take into account neither graduate students nor graduate faculty (teachers who devote substantially all of their time to the graduate program) in computing FTE student/full-time faculty ratio. In those instances where there is a co-mingling of graduate and J.D. teachers and students which might result in a dilution of J.D. teaching resources, the Committee will consider the circumstances of the individual school in order to determine the teaching resources available to the J.D. program.

(3) Only for the purpose of computing full-time equivalent student/faculty ratio any part-time student who is registered for fourteen or more credit hours per week during any term (semester or quarter), shall be counted as a full-time student during that term. (December, 1987)
B. Statement and Effect of Ratio. Ratios are indicative and useful and, in the experience of the Committee and Council, provide an effective guide to compliance with Standards 201 and 401-405.

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

(2) A ratio of 30:1 or more is presumably not in compliance with Standards 201 and 401-405.

(3) The fact that a school has a ratio of under 30:1 does not preclude examination by the Committee and Council to determine whether the School is in compliance with Standards 201 and 401-405. In such an examination by the Committee, the Committee will consider, in light of the school's educational program, the administrators and librarians who teach, writing instructors and other full-time instructors, part-time adjunct faculty and other instructional resources not counted in the basic ratio computation.

Interpretation 1 of Standard 405(e): A form of security of position reasonably similar to tenure includes a separate tenure track or a renewable long-term contract. Under a separate tenure track, a full-time faculty member, after a probationary period reasonably similar to that for other full-time faculty, may be granted tenure as a faculty member in a professional skills program. After tenure is granted, the faculty member may be terminated only for good cause, including termination or material modification of the professional skills program.
A program of renewable long-term contracts should provide that, after a probationary period reasonably similar to that for other full-time faculty, the services of a faculty member in a professional skills program may be either terminated or continued by the granting of a long-term contract that shall thereafter be renewable. During the initial long term contract or any renewal period, the contract may be terminated for good cause, including termination or material modification of the professional skills program. (August, 1984)

Interpretation 2 of Standard 405(e): In determining if the members of the full-time faculty of a professional skills program meet standards and obligations reasonably similar to those provided for other full-time faculty, competence in the areas of teaching and scholarly research and writing should be judged in terms of the responsibilities of faculty members in the professional skills program. Each school should develop criteria for retention, promotion and security of employment of full-time faculty members in its professional skills program. (August, 1984)

Interpretation 3 of Standard 405(e): Standard 405(e) does not preclude a limited number of fixed, short-term appointments in a professional skills program predominantly staffed by full-time faculty members within the meaning of this Standard, or in an experimental program of limited duration. (August, 1984)
INTERPRETATION

Standard 603

Interpretation of Standard 603(b): This Standard applies only to material that is in printed form. It does not address the issue of which materials should be kept in printed form.
RULES
RULE 13

Council Consideration of Appeal from Committee Action on Application for Provisional Approval

(a) After the Consultant has received a timely notice of appeal to the Council from a law school not recommended for provisional approval by the Committee, the Consultant shall place the school's appeal on the agenda of a Council meeting.

(b) The Consultant shall furnish to the Council all documents that were before the Committee when it considered the law school's application for provisional approval, a written statement of the application for provisional approval, and a written statement of the Committee action and the school's written notice of appeal. These materials shall constitute the record.

(c) The Council may not consider any evidence that has not first been presented to the Committee, unless the Council, by a two-thirds vote of members present, decides that the best interests of the accreditation process would be served by consideration of the evidence.

(d) Representatives of the law school may appear and make a presentation at the meeting of the Council at which the school's appeal is considered.

(e) After the meeting of the Council at which the application is considered, the Consultant, by an action letter, shall inform the president and dean of the law school in writing of the Council action. If the action is adverse to the applicant law school, the letter shall contain the Council's specific reasons therefor.
RULE 23

Council Consideration of Appeal from Committee Action for Full Approval

(a) After the Consultant has received a timely notice of appeal to the Council from a law school not recommended for full approval by the Committee, the Consultant shall place the school's appeal on the agenda of a Council meeting.

(b) The Consultant shall furnish to the Council all documents that were before the Committee when it considered the law school's application for full approval, a written statement of the Committee action, and the school's written notice of appeal. These materials shall constitute the record.

(c) The Council may not consider any evidence that has not first been presented to the Committee, unless the Council, by a two-thirds vote of members present, decides that the best interests of the accreditation process would be served by consideration of the evidence.

(d) Representatives of the law school may appear and make a presentation at the meeting of the Council at which the school's appeal is considered.

(e) After the meeting of the Council at which the application is considered, the Consultant shall inform the president and dean of the law school in writing of the Council action. If the action is adverse to the applicant law school, the action letter shall contain the Council's specific reasons therefor.
RULE 28

Fact Finder

(a) The Chairperson of the Committee may appoint a fact finder to elicit facts relevant to any matter before the Committee or Council. The law school shall reimburse the fact finder for expenses incurred in the fact finding visit.

(b) The Consultant shall furnish the fact finder with a copy of the most recent site evaluation report, annual questionnaire, Consultant's action letters written subsequent to the most recent site evaluation report, notice of Committee hearing and other relevant written information.

(c) Following the fact finding visit, the fact finder shall promptly prepare a written report. The fact finder shall not determine compliance or non-compliance with the Standards, but shall report facts and observations that will enable the Committee and Council to determine compliance. The report of the fact finder should give as much pertinent information as feasible.

(d) The fact finder shall promptly submit the report to the Consultant. After reviewing the report and conforming its format to Council policies, the Consultant shall transmit the report to the president and dean of the law school in order to provide an opportunity to make factual corrections and comments. In the letter of transmittal of the report, the Consultant shall include the date on which the Accreditation Committee will consider the report. The Consultant shall further advise the president and the dean as to the date upon which their response to the report must be received by the Consultant, which date shall be at least thirty (30) days prior to the date of the meeting at which the Accreditation Committee will consider the report. In no event, however, shall a school be given less than thirty (30) days from the date upon which the Consultant mailed the report for subsequent receipt by the Consultant of the school's response.
RULE 35

Credit-Granting Foreign Programs

(a) A law school may not undertake a credit-granting foreign program without first notifying the Consultant and obtaining Committee acquiescence in accordance with published Criteria for Approval of Foreign Summer Programs, or, Criteria for Approval of Semester/Year Abroad Programs of law schools approved by the American Bar Association.

(b) The review process of a law school includes review of any credit-granting foreign program.
Consultant on Legal Education to the American Bar Association a copy of the transmitting letter and of the extract. The Consultant shall review each site evaluation report of an approved school or 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.

13. 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".

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.

15. 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.
16. **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.

17. **Retention of Records**

Law schools approved by the American Bar Association should retain admission, financial aid and placement records for a one-year period.

18. **Statement of Council Policy Regarding Interference in Law School Clinical Activities**

The Council has received several reports of inappropriate interference in law school clinical activities. Improper attempts by persons or institutions outside law schools to interfere in the ongoing activities of law school clinical programs and courses have an adverse impact on the quality of the educational mission of affected law schools and jeopardize principles of law school self-governance, academic freedom, and ethical independence under the ABA Code of Professional Responsibility. In appropriate ways, the Council shall assist law schools in preserving the independence of law school clinical programs and courses.

19. **Written Plans for Affirmative Action**

It is the policy of the Council that each ABA approved law school have a written plan describing its program for achieving compliance with Standard 212.

The Council, in accordance with Rule 38 of the Rules of Procedure for Approval of Law Schools and not as an adopted interpretation of Standard 212, directs the Consultant to have each ABA approved law school (1) prepare a written plan by June 1, 1984, describing its current program and
CRITERIA
(c) If changes are made in the course offerings or other significant aspects of the program, those changes must be communicated promptly to any person who has paid a deposit or registered for the program.

(d) If a program is subject to cancellation for insufficient enrollment or any other reason, the following conditions must be met:

(1) The circumstances under which cancellation will occur must be disclosed in application materials sent to each prospective student.

(e) Approval is effective until terminated through the procedures of Rule 27.

VIII. Library

In accordance with Standards 601 and 704, the program must have or must provide acceptable access to a library and study facility adequate for its academic program. This would entail development and supervision of the library holdings by the parent law school librarian. Library holdings must be adequate to support the course offerings of the academic program, including any research component.

IX. Procedures for Approval

(a) Established programs previously reviewed and approved by the Accreditation Committee will be re-evaluated with a site visit every three years. In the interim, monitoring of the program will be accomplished by completion of an annual questionnaire.

(b) A school seeking to establish a new program will submit an application in the form provided by the Consultant's Office. The Accreditation Committee will acquiesce, or not, in the first year of operation on the basis of the written submission. The program, if the Accreditation Committee acquiesces, will then be evaluated with a site visit during its first year of operation. The Accreditation Committee will then determine whether to approve the program for further operation on the basis of the site evaluation and written materials submitted by the school.
(c) Approval is effective until terminated through the procedures of Rule 27.

X. Maximum Credit Allowable

A school may offer a credit-granting foreign segment program contemplated by these Criteria that runs a full academic year, but no individual student may be permitted to take for a J.D. credit more than one semester, or its equivalent, in such program. Moreover, while a student in an ABA approved law school may be permitted to take courses in foreign segment programs during the course of study toward the J.D. degree in both one semester and one summer, the total credits in such summer or semester foreign segments shall not exceed twenty-five percent of the credits required at the student's home institution for a student's J.D. degree.