

TITLE 4. ADMISSIONS AND EDUCATIONAL STANDARDS

Adopted July 2007

DIVISION 2. ACCREDITED LAW SCHOOL RULES

Chapter 1. General Provisions

Rule 4.100 Authority

The Committee of Bar Examiners (“the Committee”) is authorized by law to accredit law schools in California (“accredited law schools”) and oversee and regulate those law schools. The Committee is the degree-granting authority for law schools subject to these rules.

*Rule 4.100 adopted effective January 1, 2009.*

Edited Rule	Comments	Staff Edit	Staff Comment
Rule 4.101 What these rules are			
(A) The Accredited Law School Rules (“these rules”) apply to law schools seeking provisional accreditation by the Committee, law schools provisionally accredited by the Committee, and law schools accredited by the Committee. These rules do not apply to law schools fully or provisionally approved by the American Bar Association.	<i>These edits are grammatical only, for clarity.</i>		
(B) The rules have been approved by the Committee and adopted by the Board of Trustees as part of the Rules of the State Bar of California and may be amended in accordance with those rules. Provisional accreditation by the Committee of Bar Examiners of the State Bar of California is granted when a school demonstrates substantial compliance with these rules. Accreditation by the Committee of Bar Examiners of the State Bar of California is granted when a school demonstrates	<i>With the shift away from two sources of enforceable standards (Rules and Guidelines) to one, the rules are now the enforceable standards, and this insertion explains the Rules’ effect in this model of regulation.</i>	Provisional accreditation by the Committee of Bar Examiners of the State Bar of California is granted when a school demonstrates substantial compliance with these rules. Accreditation by the Committee of Bar Examiners of the State Bar of California is granted when a school demonstrates compliance with these rules.	<i>The first sentence is not needed, as it is a Rule of the State Bar, which are, by definition adopted by the Board of Trustees and can only be amended following certain procedures. Inclusion of this sentence suggests that rules without this caveat are not adopted by the Board and may be amended without following procedures</i>

compliance with these rules.			
(C) These rules do not apply to unaccredited law schools registered by the Committee, paralegal programs, undergraduate legal degree programs, or other legal studies programs that do not lead to a professional degree in law, unless offered by a law school to which these rules apply. The appropriate entity must approve such programs, except where they are offered by an accredited, approved, or registered law school or an institution of which it is a part to which these rules apply.	<i>As discussed in connection with the State Bar's efforts to promote greater access (by support of Limited License Legal Technicians or similar non-JD but licensed professionals), the State Bar should retain regulation of non-JD programs offered by the schools it accredits, rather than requiring confusing, duplicative, and expensive regulation by multiple agencies.</i>	These rules do not apply to unaccredited law schools registered by the Committee, paralegal programs, undergraduate legal degree programs, or other legal studies programs that do not lead to a professional degree in law. The appropriate entity or entities must approve such programs, even when they are offered by an accredited, approved, or registered law school or an institution of which it is a part.	<i>As written, for example, this could mean that the State Bar is certifying a paralegal program offered by a law school. Other entities are responsible for that, and the State Bar cannot assume responsibility for certification of such a program. Changes that are needed to these rules to accommodate, a paraprofessional program as referenced in the notes can be made at the time that such rules/regulations go into effect. Other changes may be required at that time to address any new rules on that subject, and we are unable to anticipate at this time what those changes might be and should not draft in anticipation of them.</i>

Rule 4.101 adopted effective January 1, 2009; amended effective January 1, 2012.

<b>Edited Rule</b>	<b>Comments</b>		
Rule 4.102 Law schools approved by other accreditors	<i>This name change is related to the "deemed accredited" option.</i>		
(A) A law school provisionally or fully approved by the American Bar Association is deemed accredited by the Committee and exempt from these rules, unless the American Bar Association withdraws its approval.			
(B) A law school provisionally or fully approved by any accreditor recognized by the United State Department of Education and authorized to accredit schools offering the	<i>This section is the framework for the "deemed accredited" option. All that must be done now is</i>	A law school provisionally or fully approved by any accreditor recognized by the United States Department of Education and authorized to accredit schools offering the first professional degree in law may apply to be	<i>Placeholder for Followup: this assumes that all of the requirements of these rules that deemed accredited schools need</i>

<p>first professional degree in law is deemed accredited by the Committee and exempt from these rules if it complies with the requirements in section [redacted] of these rules.</p>	<p><i>determine where to put the new section and which parts of Chapter 4 “deemed accredited” schools would still be required to comply with. It can literally be a list of rule numbers.</i></p> <p><i>NEW: This is the section referenced in the definition in 4.105 (P), so good rule drafting would make this the section operative to grant the deemed accredited status. The staff editing here has, however, removed the operative language granting deemed accredited status, including its effect (exemption from the rest of the rules.) What replaced it is only an authorization to apply, with no explanation of the effect of the status if granted. Thus, edits to the staff version removed the “may apply” language and restored the “exempt from these rules” language to address this.</i></p> <p><i>Three concerns about the remainder of the staff changes to this section stand out:</i></p>	<p>deemed accredited by the Committee so long as the school and the institution of which it is a part remains accredited in good standing, and the school complies with the requirements in section [redacted] of these rules, and submits compliant required annual documentation and otherwise complies with State Bar or Committee requests related to compliance, unless the recognized accreditor withdraws its approval.</p> <p>-or- CSBARS Edit: A law school provisionally or fully approved by any accreditor recognized by the United States Department of Education and authorized to accredit schools offering the first professional degree in law <del>may apply to be</del> is deemed accredited by the Committee and exempt from these rules so long as the school and the institution of which it is a part remains accredited in good standing, and the school complies with the requirements in section [redacted] of these rules., and submits required annual documentation and otherwise complies with State Bar or Committee requests related to compliance.</p>	<p><i>to complete are set forth in the unspecified section.</i></p> <p><i>NEW: To respond to the comment immediately above... It was anticipated that the [redacted] unspecified section would refer to the final rule numbers and captions and not repeat, fully, the rules that apply. (I think we agree; just being clear here.)</i></p> <p><i>NEW Response to CSBARS: The issue is partial satisfaction of the rules rather than exemption.</i></p>
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*1. An institution is either approved or not approved by an accreditor, so there's no need for the language about "remains accredited". If it is not approved, it is not deemed accredited, and that is that. A concern about schools which may lose their other approval would be more clearly addressed, if desired, by adding a section on that. Edit to staff language.*

*2. There is no such thing as "good standing" determinations by most accreditors, so striking that concept is suggested. If the desire is to exclude schools on probation or notice of noncompliance with an accreditor, then the language ought to address that specifically. But query whether that is the right policy. As long as the school is still approved by the other accreditor, on whatever status, the State Bar should rely on the other accreditor's processes until something changes. If desired, a requirement can easily be added to the            unspecified*

<p><i>section that schools disclose/post their accreditation status with their other accreditor at all times, though every accreditor already has a means for people to check that right on their websites.</i></p>	<p><i>3. Lastly, the last portion (stricken in staff edit) belongs in the [redacted] unspecified section, not here. Annual reporting will be one of the things listed there, certainly. Putting that list for the [redacted] unspecified section together would probably help in these discussions.</i></p>		
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*Rule 4.102 adopted effective January 1, 2009.*

<b>Edited Rule</b>	<b>Comments</b>	<b>Staff Edit</b>	<b>Staff Comment</b>
Rule 4.103 Interpreting and applying the rules			
<p>(A) The Guidelines for Accredited Law Schools as adopted by the Committee of Bar Examiners, provide example interpretations of these rules as guidance only. The Committee has the authority to amend the guidelines, subject to considering the advice of the Committee of State Bar Accredited and Registered Schools (CSBARS), reasonable notice, a reasonable public comment period, and after consideration of any comments received.</p>	<p><i>The first change here brings about the conversion of the present Guidelines to “guidance” that can be relied upon for the stated period but no longer represents a set of requirements that have to be met in every case. The new standards in Chapter 4 represent the values determined for accreditation as reflected by many of the</i></p>	<p>The Guidelines for Accredited Law School Rules as adopted by the Committee of Bar Examiners, govern the interpretation and application of these rules. The Committee has the authority to amend the guidelines, subject to a reasonable public comment period, and after consideration of any comments received. Except in extraordinary circumstances when time does not permit, the Committee shall seek the input of the Committee of State Bar Accredited and Registered Schools (CSBARS) before circulating amendments for public comment.</p>	<p><i>It is contemplated that as often as practical and appropriate, changes would be submitted to CSBARS. In practice, this has been done in every instance and that would be expected to continue. The State Bar has expanded feedback avenues from schools in a number of ways including this one.</i></p>

*main principles of the present Guidelines – without the specific details. Something like this has to be done if the regulatory system is to be simplified.*

*The second change describes the CSBARS advisory role in the process of making Rules and guidance documents.*

*NEW member perspective: When undertaking this re-drafting exercise, we explicitly discussed and agreed upon a guidance approach to the Guidelines going forward, for the purely practical reason that there's no way revised Guidelines can be prepared, to match these new rules, in anything like the timeframe desired. The staff version has not been edited to remove the change to treating guidelines as governing because it appears this has been decided by the Bar and it not subject to further discussion.*

*But for just one example of the problem, we need only to look at the “extraordinary*

	<p><i>circumstances when time does not permit” standard added here. That kind of thing would need to be defined and fleshed out by a Guideline, or it represents nothing more than pure discretion to ignore rulemaking processes at any desired time. Standards from a couple areas, such as emergency legislation, could be used to make this clearer, but it would take time to create something like that.</i></p>		
<p>(B) The Guidelines in effect on January 1, 2020 shall be effective as a “safe harbor” by which any school seeking accreditation, or which is provisionally accredited or accredited by the Committee, may demonstrate substantial or full compliance with these rules through December 31, 2025 or the school’s next periodic inspection, whichever is later.</p>	<p><i>To support an orderly transition, it is suggested that a “Safe Harbor” period be established and publicized, to reassure schools and the public that standards changes are neither relaxing rigor of accreditation nor requiring radical, immediate change. Schools can begin to make transitions to compliance under the new Rules and away from the present Guidelines on a pace that is realistic given the magnitude of the changes. The public is protected, as the present Guidelines continue to serve as</i></p>	<p>The Guidelines in effect on January 1, 2020 shall be effective as a “safe harbor” by which any school which is provisionally accredited or accredited by the Committee may demonstrate substantial or full compliance with these rules through December 31, 2025 or the school’s next inspection, whichever is later. This “safe harbor” will sunset effective December 31, 2025.</p>	<p><i>This transition assumes that nothing prevents a school from complying with the new rules or seeking deemed accredited status immediately.</i></p> <p><i>It makes sense that newly accredited schools would apply with the rules as newly adopted.</i></p> <p><i>The appropriate date could be expressed here, or could be expressed as usual in the Board’s Motion.</i></p> <p><i>The rule as written offers each school the opportunity to go through one inspection cycle to demonstrate full transition.</i></p>

<p><i>“guidance” during the period of transition, during which new guidance documents can be discussed and developed. Something like this can allow the process to proceed much more quickly than it would, as sufficient conversations on new, enforceable “Guidelines” cannot be completed in the proposed time frame.</i></p>	<p><i>Language added to clarify that the current Guidelines are not operative after December 31, 2025.</i></p>
	<p><i>NEW: Once the new rules are effective, schools seeking accreditation should apply under the new rules reflecting the new purpose for accreditation.</i></p>
	<p>This may more likely be handled in the Board motion per past practice.</p>

*Rule 4.103 adopted effective January 1, 2009.*

#### Rule 4.104 Citation

These rules may be cited as Accredited Law School Rules.

*Rule 4.104 adopted effective January 1, 2009.*

#### Rule 4.105 Definitions

- (A) “Admissions Rules” are the rules contained in Title 4, Division 1 of the Rules of the State Bar of California (Admissions Rules).
- (B) A “Law School approved by the Council on Legal Education and Admissions to the Bar of the American Bar Association” is a law school fully or provisionally approved by the American Bar Association and deemed accredited by the Committee.
- (C) A “California Accredited Law School” is a law school that has been provisionally or fully accredited by the Committee.
- (D) “Provisional Accreditation” is the status of a provisionally accredited law school. The Committee grants provisional accreditation for a specific period.
- (E) A “Provisionally Accredited Law School” is a registered, unaccredited law school that is pursuing accreditation and has been recognized by the Committee as being in substantial compliance with applicable law and these rules.

(F) A “deemed accredited law school” is a law school fully accredited by the Committee and that has been recognized as “deemed accredited” within the meaning of Rule 4.102(B).	<i>Adding a definition of deemed accredited will make it consistent, as the other types of schools are defined here.</i>	Staff Edit A “deemed accredited law school” is a law school fully accredited by the Committee and that has also been recognized as “deemed accredited” within the meaning of Rule 4.102(B).	Staff Comment
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(G) “The Committee” is the Committee of Bar Examiners of the State Bar of California.

(H) The “First-Year Law Students’ Examination” is the examination required by statute and by Division 1. Admission to Practice Law in California Admission to Practice Law in California rules.

(I) The “Guidelines” are the Guidelines for Accredited Law School Rules adopted by the Committee of Bar Examiners.

(J) “Inspection” means an on-site visit to a law school by an individual or a team appointed by the State Bar in accordance with these rules.

(K) A “Major Change” is one of the changes specified in rule 4.165, Major changes.

(L) A “Professional Law Degree” is the LL.B. (Bachelor of Laws), M.L.S. (Master of Legal Studies), J.D. (Juris Doctor), Executive Juris Doctor Non-Bar-Qualifying Degree (E.J.D.), LL.M. (Master of Laws), or other post-graduate degree authorized by the Committee. The J.D. degree may be granted only upon completion of a law program that qualifies a student to take the California Bar Examination.

(M) A “California Registered, Unaccredited Law School” is an unaccredited law school that has been registered by the Committee.

Edited Rule	Comments	Staff Edit	Staff Comment
(N) “Committee staff” means “Director of Admissions” or that person’s designee.	<i>This change replaces the present definition of Senior Executive -- a title that no longer exists -- with a title that does. Other areas that used to refer to the Senior Executive have been changed to refer to “Committee staff” so those won’t need to change if this title changes again.</i>	“State Bar staff” means assigned staff	<i>In some cases, this could be the Board or Executive Director or other admissions staff assigning depending upon internal policy. The State Bar handles staffing.</i>

(O) An “Unaccredited Law School” is a correspondence, distance learning, or fixed facility law school operating in California that is registered as a California unaccredited law school by the Committee but is not accredited by the State Bar.

- (1) An “Unaccredited Correspondence Law School” is an unaccredited law school that conducts instruction principally by correspondence. A Correspondence Law School must require at least 864 hours of preparation and study per year for four years.
- (2) An “Unaccredited Distance-Learning Law School” is an unaccredited law school that conducts instruction and provides interactive classes principally by technological means. A distance-learning law school must require at least 864 hours of preparation and study per year for four years.
- (3) An “Unaccredited Fixed-Facility Law School” is an unaccredited law school that conducts its instruction principally in classroom facilities, whether in-person or via synchronous classroom. An unaccredited fixed-facility law school must require classroom attendance of its students for a minimum of 270 hours a year for four years.

New Rule	Comments	Staff Edit	Staff Comment
(P) “Substantial compliance, for institutions and with respect to individual rules, is:			
1) “Substantial compliance” for an institution exists where the institution has met the core objectives of the majority of the rules, the institution has demonstrated the capacity to operate compliantly by the end of the permitted timeframe, and the institution has complied in full with the Minimum Cumulative Pass Rate (MPR) requirement of Rule 4.160(D)(6). In a substantially compliant institution, critical or essential requirements for accreditation are met at a level less than full compliance, but one which satisfies the purpose or objective of the majority of the rules even though the school is not, or is not yet, fully compliant with all rules.	<p><i>The proposed definition of “substantial compliance” includes definitions for overall substantial compliance by the institution and substantial compliance by the institutions with individual rules. Both definitions will be useful to the Committee and its consultants and staff, and both reflect a shared understanding of the level of compliance required, the factors to consider in determining the level of compliance, and the use of expert and peer judgment in the determination of substantial compliance (an accreditation best practice.)</i></p> <p><i>CSBARS Comment: Would accept staff edit, but change core to reasonable and would identify those items that are called core by the State Bar as minimums for maintaining accreditation.</i></p>	“Substantial compliance” for an institution exists where the institution has demonstrated that it meets the core objectives of the rules, the institution has demonstrated the capacity and intent to operating in full compliance within a timeframe specified by at the discretion of the Committee, and the institution is in full compliance with the Minimum Cumulative Pass Rate (MPR) requirement of Rule 4.160(D)(6) and all financial obligations incurred under the Schedule of Charges and Deadlines, and has not otherwise engaged in material or dishonest conduct that would warrant termination.	<p><i>Recognizes that certain material conduct such as lawful operation and timely payment of fees incurred are core principles.</i></p> <p><i>Language changed from permitted timeframe to a specified timeframe to be determined at the discretion of the Committee, to increase clarity.</i></p> <p><i>Substantial compliance is intended to be for a temporary and period.</i></p>
2) “Substantial compliance” for an	<i>This approach – to recognize</i>	“Substantial compliance” for an individual rule exists	

<p>individual rule exists where the institution complies with the core objectives of that rule, even if its expression, application, procedure, mechanics, or other circumstances deviate from the expectation. In a substantial compliance situation, the critical or essential requirements of the rule are met at a level less than full compliance, but one which satisfies the purpose or objective of the rule even though the school is not, or is not yet, fully compliant with that rule.</p>	<p><i>compliance as substantial where it satisfies the essential purpose of the rule – is similar to the one adopted by WASC and NEASC for initial accreditation determinations.</i></p>	<p>where the institution complies with the core purpose or objectives of that rule and is making material progress toward full compliance even though the school is not, or is not yet, fully compliant with that rule. CSBARS Add: This definition applies to all rules [[except those identified in (1) above]] those which require specific language to be stated or published by a school in order to be in compliance, in which case the school must show actual compliance.</p>	
<p>3) Substantial compliance is a qualitative judgment made by the Committee giving principal attention to the rule and its reasonable objectives. The Committee’s judgment may not be arbitrarily exercise, but should be informed by experts, peers, and members of the public as to the level of compliance with each rule.</p>	<p><i>Note that the statement of the rule has primacy in the determination of compliance, followed by the judgment of expert, peers, and members of the public the Committee serves and represents.</i></p>	<p>Substantial compliance is a qualitative judgment made by the Committee, which.</p>	<p>Divergent approaches between staff and CSBARS.</p>

Rule 4.105 adopted effective January 1, 2009; amended effective May 17, 2019.

Edited Rule	Comments	Staff Edit	Staff Comment
<p>Rule 4.106 Lists of law schools</p>			
<p>The Committee maintains lists of law schools operating in California: those provisionally and fully accredited by the Committee, those registered as unaccredited by the Committee, those approved by other recognized accreditors and deemed accredited by</p>	<p><i>This change, related to the “deemed accredited” option, assumes those schools would have a separate listing on the Bar website.</i></p>	<p>The Committee maintains lists of law schools operating in California: those provisionally and fully accredited by the Committee, those registered as unaccredited by the Committee, those approved by other recognized accreditors and deemed accredited by these rules, and those approved by the American Bar Association.</p>	<p><i>While the lists will be posted and updated, in the current state of technology and CPRA, the notation of the list on the web and upon request is no longer needed.</i></p>

these rules, and those approved by the American Bar Association. The lists are available on the State Bar Web site and upon request.			
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*Rule 4.106 adopted effective January 1, 2009; amended effective May 17, 2019.*

**Rule 4.107 Student complaints**

Current Rule	Comments	Staff Suggestion	Staff Comments
The Committee does not intervene in disputes between a student and a law school. It retains complaints about a law school submitted by students and considers those complaints in assessing the law school's compliance with these rules.		[[New: Here is a potential expanded version that requires recordkeeping, consistent with a suggestion from CSBARS]]: "A student, employee or third party may submit complaints or comments to the State Bar regarding the school if the student believes that the school may not be in compliance with one or more rules. The State Bar will not mediate grievances between a school and a student or employee, and will not respond directly to the complaining party, but it will use the information to help evaluate the school's compliance with the Accredited Law School Rules. ]]	The expanded version was meant to respond to a CSBARS complaint, but It raised a concern that the school would be asked to keep excessive informal communication such as offhand social media comments.

*Rule 4.107 adopted effective January 1, 2009.*

**Rule 4.108 Public information**

Release of information contained in the files of applicants for provisional accreditation, provisionally accredited law schools, and accredited law schools is subject to the requirements and limitations imposed by state law.

*Rule 4.108 adopted effective January 1, 2009; amended effective November 18, 2016.*

Edited Rule	Comments	Staff Edit	Staff Comment
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Rule 4.109 Waiver of requirements			
(A) A law school may request that the Committee waive any rule. The request must clearly show that the law school otherwise complies with these rules. The Committee considers the waiver request at the next available meeting, unless withdrawn after consultation.	<i>This change is related to the “deemed accredited” option. Because those schools will have other accreditors to respond to and coordinate, they will not be able to accommodate a system where decisions on such requests are postponed beyond a reasonable period of time.</i>	A law school may request that the Committee temporarily waive any rule. The request must clearly show that the law school otherwise complies with these rules. The Committee shall review the request as a scheduled Committee meeting as soon as reasonably practicable. In a situation of extreme emergency or declared disaster, a school may seek a waiver ratifying emergency action.	<i>While requests should always be considered as soon as possible, the State Bar needs time to provide the required regulatory research accompanying any request.</i>  <i>NEW: Proposed emergency language added.</i>
(B) Waivers may be continued by the Committee indefinitely or for a defined period of time. A request to renew a waiver must be filed with the Annual Compliance Report.	<i>This change comports the Rules to the present practice of granting waivers for a specified period or reviewing waivers periodically but continuing them in most cases.</i>	The committee will allow a law school a reasonable time to comply with the rule for which it has granted a waiver, but a waiver is temporary. A request to renew a waiver must be filed with the Annual Compliance Report.	<i>All schools are held to the same standard of compliance.</i>  <i>Divergent: Waiver is temporary. All schools treated equally.</i>

Rule 4.109 adopted effective January 1, 2009.

Edited Rule	Comments	Staff Edit	Staff Comment
Rule 4.110 Fees			
(A) The regulatory and oversight services provided by the Committee are funded by reasonable fees that are set forth in the Schedule of Charges and Deadlines.		No change from current	
(B) Fees for the services of the Committee staff or a consultant engaged by the Committee are based on an hourly rate that covers the cost of providing the service, including preparation and travel time.	<i>This change is related to the elimination of the title of Senior Executive by the Bar, and to reflect current practice. Fees for activities of the Committee staff and consultants are billable, along with costs.</i>  <i>NEW CSBARS Comment as to staff: Questions whether the added portion should be in the Rules or can be handled via agreements.</i>	Fees for the services of State Bar staff or their designees are listed in the Schedule of Charges and Deadlines. The State Bar act efficiency, but will be have final determination as to the nature and amount of services required. Schools seeking provisional or full accreditation agree to promptly pay all fees incurred under the Schedule of Charges and Deadlines and understand that failure to do so will be a basis for a finding of Noncompliance.	<i>The State Bar needs to do all research required to discharge its regulatory duty to protect the public, and will balance this with the desire to limit unnecessary costs to promote affordability of a legal education.</i>

(C) Travel expenses are reimbursed at actual cost, in accordance with State Bar travel reimbursement policies.		No change.	
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Rule 4.110 adopted effective January 1, 2009.

Rule 4.111 Extensions of time

For good cause, the Committee may extend a time limit prescribed by these rules.

Rule 4.111 adopted effective January 1, 2009.

Chapter 2. Application for Provisional Accreditation

Edited Rule	Comments	Staff Edit	Staff Comment
Rule 4.120 Application based on substantial compliance			
A registered unaccredited law school that demonstrates substantial compliance with these rules may apply for provisional accreditation. If the Committee grants provisional accreditation, the provisionally accredited law school may be subject to annual inspection and its students are subject to the First-Year Law Students' Examination requirement. The Committee grants provisional accreditation for a specified period as determined by the Committee.	<p><i>The first change comports the language to the standard of substantial compliance used elsewhere in the Rules.</i></p> <p><i>The second change eliminates the two-year expectation for provisional accreditation, since it is our understanding that the Committee intends to consider direct applications for full accreditation in some cases.</i></p>	A registered unaccredited law school may apply for provisional accreditation. The Committee will grant provisional accreditation if it finds that the law school has demonstrated that it is in substantial compliance with these rules. The provisionally accredited law school may be subject to annual inspection and its students shall be subject to the First-Year Law Students' Examination requirement. Provisional accreditation shall be granted for a specified period to be determined by the Committee.	

Rule 4.120 adopted effective January 1, 2009; amended effective May 17, 2019.

Edited Rule	Comments	Staff Edit	Staff Comment
Rule 4.121 Application procedure			
A. A registered unaccredited law school may apply for provisional accreditation			

by			
(1) completing and submitting the Application for Provisional Accreditation and self-study with the fee set forth in the Schedule of Charges and Deadlines;			
(2) submitting a self-study of its educational program and other information as required by the Committee;			
(3) agreeing to allow the Committee to make any inspection it deems necessary; and			
(4) agreeing to promptly pay all expenses of the inspection.		agreeing to promptly pay all fees incurred whether or not the school receives provisional accreditation.	
B. An accredited law school may apply for "deemed accredited" status by			
(1) completing and submitting the Application for Deemed Accredited status with the fee set forth in the Schedule of Charges and Deadlines;			
(2) submitting evidence that it meets the definition of deemed accredited status as defined in Rule 4.102(B);	<i>Not a big thing, but this requirement to respond promptly and fully should, instead, be in the <span style="background-color: yellow;">unspecified section</span>, so requirement for deemed accredited schools are not scattered around. That section is referred to by 4.102(B), so it is covered as a requirement if it is in there. Or, if it needs to be here, then make it a #3, so the structure of 4.121 (A) and (B) are the same.</i>	(2) Providing evidence demonstrating that the law school meets the definition of deemed accredited status as defined in Rule 4.102(B), and agrees to fulfill all obligations required of a deemed accredited law school.	NEW rephrasing responsive to CSBARS comment

Rule 4.122 Status Report on Application For Provisional Accreditation

- A. Within sixty days of submitting an Application for Provisional Accreditation, a law school will be notified of the status of the application and the estimated date of Committee consideration.

*Rule 4.122 adopted effective January 1, 2009.*

Edited Rule	Comments	Staff Edits	Staff Comment
Rule 4.123 Committee action on application for provisional accreditation			
After considering an Application for Provisional Accreditation, the Committee may			
(1) notify the law school within thirty days of considering the application that it does not appear to substantially comply with these rules and, for reasons stated in the notice, advise the law school to withdraw its application; or		make a finding, and notify the law school of that finding within thirty days of considering the application, that the school does not appear to have demonstrated at least substantial compliance with these rules, and deny the application; or	
(2) require an inspection within sixty days of the Committee's consideration of the application for provisional accreditation. Make a finding, and notify the law school of that finding within thirty days of considering the application, that the school appears to be in at least substantial compliance with these rules and schedule an inspection to occur within 60 days of notice to the school of the finding, to verify the school's level of compliance.	New: CSBARS suggests timeframe requiring inspection to occur within 60 days.	Make a finding that the school appears to be in at least substantial compliance with these rules and schedule in inspection within 90 days to verify the school's level of compliance.	<i>Timing relates to scheduling the inspection, rather than holding it, because the State Bar or the school could have reason to need more time, but proceed as quickly as possible, continuing current practice and taking the time needed to engage in a full and thoughtful analysis.</i>  <i>Staff notes that there is no reason to delay, but at certain times of year, such as summer and holiday, additional time may be needed.</i>
(a) upon determining that the law school appears to substantially comply with the standards; or			<i>Combined with two above</i>

(b) if the law school refuses to withdraw its application in spite of the Committee's advice that it do so; or			<i>Delete to reduce unnecessary effort</i>
(3) request further information, allowing a reasonable time for review; or			
(4) deny the application.			
(B) Within 30 days of submitting an Application for Deemed Accredited Status, a law school will be notified whether it meets the definition of deemed accredited as defined in Rule 4.102(B).		Within 90 days of submitting a complete application for Deemed Accredited Status, or as soon as practicable thereafter, a law school will be notified whether it meets the definition of deemed accredited as defined in Rule 4.102(B).	<i>Application must be complete. Often applications are submitted in partial format and cannot be considered without more information.</i>

Rule 4.123 adopted effective January 1, 2009.

<b>Edited Rule</b>	<b>Comments</b>	<b>Staff Edit</b>	<b>Staff Comment</b>
Rule 4.124 Inspection for provisional accreditation			
(A) An inspection visit is required of every applicant for provisional accreditation. The purpose of the inspection is to verify the information submitted by the law school and determine the extent of the law school's compliance with these rules.			
(B) The Committee will notify the law school of the dates of the inspection. The inspection will be conducted by a team composed of the Committee staff or consultant, at least one member of the Committee who has not previously visited the law school, a law school representative selected by the Committee staff or consultant,	<i>This change is related to the elimination of the title of Senior Executive, and to reflect current practice. Inspections are conducted by Committee staff, other Bar staff, and consultants.</i>	The Committee will notify the law school of the dates of the inspection. The inspection will be conducted by State Bar staff or designee and may include members of the Committee, law school representatives, or other people selected by the Committee.	Balancing transparent process with ability to set and conduct inspection within a reasonable time.  Also experiencing more limited availability of Dean participants on average.

and any other person selected by the Committee.			
(C) A law school may challenge the appointment of a team member for bias or for financial interest in or employment by a competing institution and request an alternative appointment. The challenge must be filed within ten days of the date the Committee, through its staff, gives notice to the law school of the composition of the inspection team. An allegation of bias must be documented by written evidence. The Committee, through its staff, will consider the challenge and may appoint an alternative team member for good cause within thirty days of receipt of the challenge. CSBARS would add bases for challenge as: protection of proprietary or trade secret information, or conflict of interest, documented with evidence and submitted in writing	<i>This change is related to the elimination of the title of Senior Executive, and to reflect current practice. Inspections are conducted by Committee staff, other Bar staff, and consultants.</i>  <i>NEW: CSBARS Concern: Is ten days enough to develop specific evidence? Also are concerned with two schools with variances on the same issue, and identifies it as a conflict of interest or trade secrets problem.</i>	Within ten calendar days of notification of the proposed team by the State Bar, a law school may challenge the appointment of a team member for bias or conflict of interest, documented with evidence and submitted in writing other than employment by a competing institution. and request an alternative appointment. The State Bar will consider the challenge and may appoint an alternative team member for good cause within thirty days of receipt of the challenge.	<i>NEW Staff Comment: While previously schools were segregated by geography, this is not possible as the prevalence of distance education increases.</i>  <i>Do the schools have a recommendation as to removing the requirement of a dean on a team if the suggested edits are not practical?</i>

Rule 4.124 adopted effective January 1, 2009.

<b>Edited Rule</b>	<b>Comments</b>	<b>Staff Edit</b>	<b>Staff Comment</b>
Rule 4.125 Inspection report for provisional accreditation			
The team inspecting a law school must complete its inspection within sixty (60) days of the school's application for provisional accreditation, and provide the Committee with a report on the visit within sixty days of the last day of the inspection. The Committee must provide the law	<i>The first change conforms Rule 4.125 to present guideline 1.1(B)(2) in terms of timelines.</i>  <i>The first second change is related to the elimination of the title of Senior</i>	Within 90 days after the conclusion of the inspection, or as soon thereafter as practicable, the law school will receive a copy of the report for its review. If the law school takes exception to any of the findings in the report, it must notify the Committee in writing within thirty days of the date the report was mailed, and may take up to sixty days from the date the report was	<i>Reordered to reflect the chain of events as they actually happen. Timelines adjusted to allow for research, team availability, and compliance with notice requirements. Speed remains a key priority.</i>

<p>school with a copy of the report within thirty days of receiving it. If the law school takes exception to the report, it must notify the Committee in writing within thirty days of receipt of the report. The Committee must allow the law school sixty days from the date of receipt to submit material in support of its exceptions.</p>	<p><i>Executive.</i></p> <p><i>New: CSBARS would like a specific timeframe.</i></p>	<p>mailed to submit evidence in support of the exceptions. The Committee will consider the inspection report at the next regularly scheduled Committee meeting after the time for submitting exceptions has passed; or, if exceptions have been submitted, at the next regularly scheduled Committee meeting after the time for submission of materials has passed.</p>	
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Rule 4.125 adopted effective January 1, 2009.

Edited Rule	Comments	Staff Edit	Staff Comment
<p>Rule 4.126 Committee action on provisional accreditation inspection report</p>			
<p>After considering the inspection report on the law school, any exceptions filed by the law school, and any additional information it has requested, the Committee may deny provisional accreditation or grant it for some period of time it deems appropriate. A law school granted provisional accreditation may be subject to an annual inspection and other conditions the Committee deems appropriate.</p>	<p><i>The first change eliminates the two-year expectation for provisional accreditation, since it is our understanding that the Committee intends to consider direct applications for full accreditation in some cases.</i></p> <p><i>The second change reflects current practice in that it is our understanding that the Committee does not intend to inspect provisionally accredited schools every year.</i></p>	<p>After considering the inspection report on the law school, any exceptions filed by the law school, and any additional information it has requested, the Committee may deny provisional accreditation or grant it for an specified period of time up to two years.. A law school granted provisional accreditation may be subject to an annual inspection and other conditions the Committee deems appropriate.</p>	<p><i>Continues current practice limiting the period during which a school can remain in provisional accreditation status, and maintains consumer protection element of the FYLSX for a school that is not yet full compliance.</i></p>

Rule 4.126 adopted effective January 1, 2009.

Chapter 3. Application for Accreditation [This portion would be conformed to the Accredited Portion as far as timelines when all agree]

Rule 4.140 Application for accreditation by provisionally accredited law school

No later than 180 days before the expiration of provisional accreditation, a provisionally accredited law school that is in compliance with these rules must apply for accreditation. A provisionally accredited law school that does not apply for accreditation by this time becomes an unaccredited law school.

*Rule 4.140 adopted effective January 1, 2009.*

#### Rule 4.141 Application procedure

A provisionally accredited law school may apply for accreditation by

- (A) completing and submitting the Application for Accreditation with the fee set forth in the Schedule of Charges and Deadlines;
- (B) submitting a self-study of its educational program and other information as required by the Committee;
- (C) agreeing to allow the Committee to make any inspection it deems necessary; and
- (D) agreeing to promptly pay all expenses of the inspection.

*Rule 4.141 adopted effective January 1, 2009.*

#### Rule 4.142 Status report on Application for Accreditation

Within sixty days of submitting an Application for Accreditation, a law school will be notified of the status of the application and the estimated date of Committee consideration.

*Rule 4.142 adopted effective January 1, 2009.*

#### Rule 4.143 Committee Action on Application for Accreditation

After considering an Application for Accreditation, the Committee may

- (A) notify the law school within thirty days of considering the application that the law school does not appear to be in compliance with these rules and, for reasons stated in the notice, advise it to withdraw its application; or
- (B) require an inspection within sixty days
  - (1) upon determining that the law school appears to be in compliance with these rules
- (C) request further information, allowing a reasonable time for review; or
- (D) deny the application.

Edited Rule	Comments	Staff Edit	Staff Comment
Rule 4.144 Inspection for accreditation			
(A) An inspection visit is required of every applicant for accreditation. The purpose of the inspection is to verify the information submitted by the law school and determine the extent of the school's compliance with these rules.		See edits above. Will be conformed to agreed-upon edits in the provisional accreditation section once that is finalized for the entire rule.	
(B) The Committee will notify the law school of the dates of the inspection. The inspection will be conducted by a team composed of the Committee staff or consultant, at least one member of the Committee who has not previously visited the law school, a law school representative selected by the Committee staff or consultant, and any other person selected by the Committee.	<i>This change is related to the elimination of the title of Senior Executive, and to reflect current practice. Inspections are conducted by Committee staff, other Bar staff, and consultants.</i>		
(C) A law school may challenge the appointment of a team member for bias or for financial interest in or employment by a competing institution and request an alternative appointment. The challenge must be filed within ten days of the date the Committee, through its staff, gives notice to the law school of the composition of the inspection team. An allegation of bias must be documented by written evidence. The Committee, through its staff, will consider the challenge and may appoint an alternative team member for good cause within thirty days of receipt of the challenge.	<i>This change is related to the elimination of the title of Senior Executive, and to reflect current practice. Inspections are conducted by Committee staff, other Bar staff, and consultants, chosen by Committee staff.</i>		

Rule 4.144 adopted effective January 1, 2009.

Edited Rule	Comments		
<b>Rule 4.145 Accreditation inspection report</b>			
<p>The team inspecting a law school applying for accreditation must provide the Committee with a report on the visit within sixty days of the last day of the inspection. The Committee, through its staff, must provide the law school with a copy of the report within thirty days of receiving it. If the law school takes exception to the report, it must notify the Committee in writing within thirty days of receipt of the report. The Committee must allow the law school sixty days from the date of receipt to submit material in support of its exceptions.</p>	<p><i>This change is related to the elimination of the title of Senior Executive, and to reflect current practice. Inspections are conducted by Committee staff, other Bar staff, and consultants, and are forwarded to the schools by the Committee staff.</i></p>		<p><i>This section would be conformed to the inspection changes above.</i></p>

Rule 4.145 adopted effective January 1, 2009.

Rule 4.146 Committee action on accreditation inspection report

After considering the inspection report on the law school, any exceptions filed by the law school, and any additional information it has requested, the Committee may deny accreditation, grant it, or extend provisional accreditation.

Rule 4.146 adopted effective January 1, 2009.

Edited Rule	Comments	Staff Edit	Staff Comment
Rule 4.147 Multiple Locations			
<p>Accreditation is granted to a law school as an institution. If a law school receives approval to open a branch campus or a satellite campus, the branch or satellite campus must be operated in compliance</p>	<p><i>This is not new text; it was just relocated from Rule 4.160 to prevent its elimination when that rules became the location of the new values-based standards for</i></p>	<p>Accreditation is granted to a law school as an institution. If a law school receives approval to open a branch campus or a satellite campus, the branch or satellite campus must be operated in compliance with these Rules, subject to all</p>	<p><i>This is a specific request from the Committee. The basis for allowing the branch to open as accredited is that the school has already achieved compliance and can open the branch in compliance; therefore it should</i></p>

<p>with these Rules, subject to all site specific operational requirements and any waivers approved by the Committee. The new campus must be in substantial compliance with these Rules and all operational requirements no less than one month prior to the start of classes, and in full compliance within two years. The Dean of the law school will certify the substantial compliance of each new branch or satellite campus, by a letter to the Committee, no later than 30 days prior to the start of classes. If a law school conducts seminars or classes other than at its principal facility, satellite or branch campuses, the seminars and classes must be conducted in compliance with these Rules.</p>	<p><i>accreditation. There were no changes to this text in the move except in the last line, which previously referred to the “Standards and Guidelines” instead of the “Rules”.</i></p> <p><i>NEW: CSBARS advocates for branch opening in substantial compliance.</i></p>	<p>site specific operational requirements and any waivers approved by the Committee. The new campus must be in substantial compliance with these Rules and all operational requirements no less than one month prior to the start of classes, save those elements that can only be implemented upon opening, and must otherwise open in compliance. The school must submit a detailed plan establishing how the branch will open in compliance, whether or how the other campuses will be affected, and whether the school has sufficient resources to execute its plan. The school must receive approval from the Committee prior to opening the branch.</p>	<p><i>be held to the compliance.</i></p> <p><i>For Discussion: Should a period of substantial compliance be allowed? If so, if so, why, when a newly accrediting school would be held to a higher standard?</i></p> <p><i>If branch opens in substantial compliance, when would be a reasonable time period for inspection to establish full compliance?</i></p>
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Chapter 4. Responsibilities of Provisionally Accredited and Accredited Law Schools

<b>Edited Rule</b>	<b>Comments</b>	<b>Staff Edit</b>	<b>Staff Comment</b>
	<p><i>These Standards have been replaced by the values-based standards drafted by CSBARS in response to the staff request and embodied in new Rules 4.160(A) through (D) below.</i></p> <p><i>It is worth noting that nearly all concepts expressed in the former 4.160 – for example lawful operation -- are also expressed, in some manner, by the new purpose for accreditation.</i></p>		

**Chapter 4. Responsibilities of Provisionally Accredited and Accredited Law Schools**

<b><u>Chapter 4. Responsibilities of Provisionally Accredited and Accredited Law Schools</u></b>			
<b>New Rule</b>	<b>Comments</b>	<b>Staff Edit</b>	<b>Staff Comments</b>
<b><u>Rule 4.160 Responsibilities of Provisionally Accredited and Accredited Law Schools</u></b>	<i>Chapter 4 has been reorganized to reflect the new purpose for accreditation. In some cases, language from various Rules and Guidelines have been adopted with little or no editing, in other cases, the language has been edited to meet the goal of a streamlined and modern approach to accreditation. Some Guidelines no longer appear and will either remain as part of the interpretive guidelines or will no longer be applicable.</i>	The purpose for accreditation is fourfold: Ensure Consumer Protection and Transparency; Student Success; and Preparation for Licensure while promoting Diversity, Equity and Inclusion in legal education. A law school shall maintain sufficient records between periodic inspections to demonstrate compliance to the Committee.	<i>Lays out the four purposes of accreditation, continued as A, B, C, D.</i>  <i>New Decision Point: CSBARS prefers public good over public protection.</i>
<b>(A) Consumer Protection and Transparency</b>			
A law school shall ensure that prospective and current students are informed of the rights, responsibilities, and limitations of attending the school, the resources required to earn a J.D. degree, and the school’s student outcomes with respect to licensure and career outcomes.	<i>Current Guideline 1.6</i>	A law school shall ensure that prospective and current students are informed of the rights, responsibilities, and limitations of attending the school, the resources and requirements needed to earn a J.D. degree, and the school’s student outcomes with respect to licensure, retention, and career outcomes.	<i>The addition of requirements is edit from CSBARS member to recognize that requirements are not only financial.</i>  <i>NEW Note: Career outcomes may be subjective due to the level of reporting and the fact that many CALS students are already employed.</i>

1. Compliance with Laws			
Law schools must operate in compliance with all applicable federal, state, and local laws and regulations. Noncompliance with applicable government laws and regulations may result in noncompliance with the Rules.	<i>Reflects Guideline 2.3(D)(1) requirement of a disclosure statement regarding licensure.</i>	Law schools must operate in compliance with all applicable federal, state, and local laws and regulations. While the State Bar will not warrant a school's compliance with laws, evidence of violation of laws or regulations may result in a determination of noncompliance with the Rules.	NEW: Clarifies that adjudication takes place by the appropriate enforcement body, rather than the State Bar.
2. Disclosures			
A law school shall publish, on its Accreditation webpage, a disclosure statement, revised annually and submitted with the Annual Report, that complies with Business & Professions Code section 6061.7.	<i>Reflects Guideline 2.3(D)(1) requirement of a disclosure statement regarding licensure.</i>	A law school shall publish, on its Disclosure of Consumer Information (Accreditation) webpage, a disclosure statement, revised annually and submitted with the Annual Report, that complies with Business & Professions Code section 6061.7 in a format prescribed by the State Bar. The Committee may also require additional information as needed, including statistics on retention and diversity.	<p><i>Added back State Bar form language to allow consistent information. Propose changing the name to alert the consumer to look at the information.</i></p> <p><i>CSBARS suggestion of Disclosure of Consumer Information page rather than accreditation page to conform to the name used by the ABA to make it easier for the public to find.</i></p> <p><i>NEW: Adjusted to note that the legislative mandate of B&amp;P 6061.7 has not changed.</i></p>
3. Statement of Consumer Information		3. <b>Statement of Bar Examination Restriction</b>	<i>Title is open to discussion because it needs to be clear for consumer protection reasons, because it will have a material effect on the student's choices upon graduation.</i>
A law school shall publish, on its website, the	<i>Reflects Guideline 2.3(D)(3)</i>	A law school shall publish, on its home page, the	<i>NEW: Could also be on a</i>

following Statement of Consumer Information on a discrete page readily accessible to the public found on the law school's website entitled "Accreditation" or "Disclosure of Consumer Information":	<i>requirement of compliance with the section 6061.7 requirements.</i>  <i>NEW: CSBARS suggests link on home page rather than disclosure on home page.</i>	following Statement of Consumer Information, as well as on the Consumer Information Page, Application and Enrollment Agreement page	<i>general disclosure page, application and enrollment agreement per CSBARS in addition to home page.</i>
<i>Study at, or graduation from, this law school may not qualify a student to take the bar examination or be admitted to practice law in jurisdictions other than California. A student who intends to seek admission to practice law outside of California should contact the admitting authority in that jurisdiction for information regarding its education and admission requirements.</i>		<i>Study at, or graduation from, this law school may not qualify a student to take the bar examination or be admitted to practice law in jurisdictions other than California. A student who intends to seek admission to practice law outside of California should contact the admitting authority in that jurisdiction for information regarding its education and admission requirements prior to enrolling at this school.</i>	
4. Refund Policy			
A law school must adopt a written refund policy that is fair and reasonable. A law school must provide refunds in accordance with its written refund policy, accompanied by a clear explanation of the method of calculation, within thirty days after a student withdraws from a class or a program, or within thirty days of the law school's discontinuing a course or educational program in which a student is enrolled.	<i>Reflects current Guideline 2.2</i>		
5. Public Communications			
A law school must be honest and forthright in communications with the State Bar, the legal profession, and the public.	<i>Guideline 2.3 (A)</i> <i>New: CSBARS raises concerns about controlling social media</i>	A law school must be honest and forthright in communications with the State Bar, the legal profession, and the public in all forms of communication, including its social media.	<i>Staff edits to clarify that the schools cannot control others' social media, but can control its own.</i>
A. A law school must not mislead students as to their reasonable prospects of obtaining the degree in the program in which they are enrolled, their ability to qualify for or be admitted to the bar in any jurisdiction, the cost of the requirements for obtaining the	<i>Guideline 2.3 (B)</i>	A law school must not mislead students as to their reasonable prospects of obtaining the degree in the program in which they are enrolled, their ability to qualify for or be licensed by the bar in any jurisdiction, the cost of the requirements for obtaining the degree in the program in which they are enrolled, or the financial	

degree in the program in which they are enrolled, or the financial support available through loans or scholarships for their course of study.		support available through loans or scholarships for their course of study.	
B. A law school must not mislead prospective students as to their reasonable prospects of admission, obtaining the degree in the program in which they seek to enroll, their ability to qualify for or be admitted to the bar in any jurisdiction, the cost of the requirements for obtaining the degree in the program in which they are interested in enrolling or seek to be enrolled, or the financial support available through loans or scholarships for their course of study.	<i>Guideline 2.3 (C)</i>	A law school must not mislead prospective students as to their reasonable prospects of admission, obtaining the degree in the program in which they seek to enroll, their ability to qualify for or be licensed by the bar in any jurisdiction, the cost of the requirements for obtaining the degree in the program in which they are interested in enrolling or seek to be enrolled, or the financial support available through loans or scholarships for their course of study.	
6. Student Privacy			
A law school must protect student privacy and the confidentiality of student communications and records in accord with the law. All data should be de-identified, and data on groups of students smaller than 11 in number should be protected.	<i>Reflects current Guideline 2.8 and adds the State Bar policy regarding protecting groups with fewer than 11 students.</i>	A law school must protect student privacy and the confidentiality of student communications and records in accord with the law.	<i>The State Bar will continue to protect the privacy of students embodied through its other policies and practices.</i>
Notwithstanding any other provision of law, a law school must not disclose, without a student's consent grades, grade average, class schedule, address, telephone number, or other personally identified information, unless:			<i>For discussion: Would privacy laws now be sufficient to replace this?</i>
(A) Required by law, including administrative subpoena or court order;			
(B) The information is requested by the State Bar;			
(C) The information is designated "directory information" and students are advised of its designation as such;	<i>"Directory Information" is a term of art, defined in FERPA. FERPA already requires certain notifications and actions respecting "directory</i>		<i>Resolved: If this is referring to putting the information in a student directory to be delivered to other students,</i>

	<i>information”, so there is no need to repeat those requirements here.</i>		<i>should the language clearly state that, with the right of students to opt out?</i>
(D) The information is requested by another accrediting agency; or			
(E) In case of emergency.			
7. Academic Standards			
A law school must adopt written academic standards, including standards for examinations and grading, that are fair and published.	<i>This is language is from Guideline 2.7. The rule is significantly shorter and contains fewer details than the Guidelines. This approach is consistent with the move to simplify the Rules.</i>	A law school must adopt and publish written academic standards, including <ul style="list-style-type: none"> <li>• Standards for examinations. grading</li> <li>• Review and appeal of grades,</li> <li>• The courses, units, grades, and grade point average required for retention, good standing, advancement, and graduation</li> <li>• The terms of the student probation policy including the circumstances under which a student may continue</li> <li>• The circumstances under which a student is subject to disqualification for academic deficiency</li> <li>• <i>Policy on pass-fail grading, including prohibition on pass-fail grading in bar-tested subjects</i></li> <li>• <i>Policy on course repetition</i></li> <li>• <i>Prompt return of grades</i></li> <li>• <i>Ability to review and appeal grades pursuant to a written policy</i></li> <li>• <i>Policy for authenticating student work</i></li> </ul>	<i>Agree with policy, but potentially adding a bit more back including 2.7 (A)(4)&amp;(6). NEW addbacks based on CSBars discussion.</i>
A. A law school must provide each student with a written statement of the grading system used.			
B. Changes in adopted academic standards may not be made without adequate prior notice to all affected students.			
8. <u>Student Discipline</u>			
A law school must have a written policy for the	<i>Reflects current Guideline 2.6</i>		

imposition of student discipline and that policy must be fair.			
(A) The law school's policy must include, but is not limited to, cancellation of an examination, denial of course credit, suspension, and dismissal.			
(B) The law school's policy must include reasonable notice to the student of the intended discipline or action to be taken and provide an opportunity for the student to be heard, in person or in writing, at the student's option.		(B) The law school's policy must include reasonable notice to the student of the intended discipline or action to be taken and provide an opportunity for the student to be heard in person or in writing before a panel or members of the faculty and/or administration. An in-person hearing may be held electronically at the school's discretion.	<i>It may be appropriate to add language specifically about sexual harassment or sexual assault.</i>  <i>NEW: Adjusted so that schools can provide a live hearing via electronic means. Are the students entitled to a verbal hearing or can they be limited to writing?</i>
(C) The law school's imposition of student discipline policy does not apply to academic probation or disqualification; other failures to meet academic standards; or failure to pay tuition, fees, or charges billed to the student.		(C) The requirements of these rules for a law school's student discipline policy do not apply to academic probation or disqualification; other failures to meet academic standards; or failure to pay tuition, fees, or charges billed to the student.	<i>Suggestion from CSBARS member.</i>

<b>New Rule</b>	<b>Comments</b>	<b>Staff Edit</b>	<b>Staff Comments</b>
<b>(B) Student Success</b>			
Consistent with its mission and the <i>Rules</i> , a law school provides curriculum and teaching that is focused on student success. Student success is measured by the learning outcomes designated by the school for its courses and programs. The law school	<i>This section contains a mix of current Rule or Guideline language and completely new requirements that reflect best practices in accreditation,</i>	Consistent with its mission and the <i>Rules</i> , a law school must provide J.D. curriculum and teaching designed to promote student success, measured by the learning outcomes designated by the school for its courses and	<i>Note that this section previously required specific actions, but now requires specific outcomes.</i>  <i>NEW: Clarified per request from</i>

may seek to attain these outcomes with its students in any manner consistent with law and these <i>Rules</i> . In addition, student success is served by the integrity of the academic program as defined by these <i>Rules</i> .	<i>including a focus on student learning beyond the bar passage rate of graduates.</i>	programs and maintenance of a compliant MPR. In addition, student success is served by the integrity of the academic program as defined by these <i>Rules</i> .	<i>CSBARS and edited for brevity.</i>
1. A law school must be governed, organized, and administered so as to maintain a sound program of legal education.	<i>Substantially reflects CBE Guidelines for Accredited Law School Rules, May 17, 2019, Division 3, Governance, Section 6.1, p. 20</i>	A law school must be governed, organized, and administered so as to maintain a program of legal education that provides students with a reasonable opportunity to complete the JD program and become licensed as California attorneys should they so choose.	<i>CSBARS wonders if this belongs here or stating as MPR is enough? Staff connects sound program of legal education to licensure as one measure.</i>
2. Statement of Program Outcomes			
A law school must state the knowledge, skills, abilities, and values that each program of the law schools seeks to provide to, or develop in, graduates of that program.	<i>A statement of program outcomes is already effectively being required by the State Bar, even though no Rule or Guideline presently requires it.</i>	A law school must state the knowledge, skills, abilities, and values that each program of the law schools seeks to provide to, or develop in, graduates of that program. The school's JD awarded must meet qualifications of the JD required to take the bar examination.	<i>Staff edit removed original edit as identified as overbroad by CSBARS.</i>
3. Course Outcomes	<i>Course level outcomes are also not presently required, but are an important feature of quality learning design, since course learning activities are designed/intended to achieve these outcomes. Articulating them and sharing them with students is considered a best practice.</i>		
A law school should, but is not required to, state the knowledge, skills, abilities, and values, that each course in each program of the law school's curriculum seeks to provide to, or develop in, graduates of that program.			
4. Outcomes Assessment			

<p>A law school must engage in ongoing and systematic program outcomes assessment. A law school may use any assessment method consistent with law and these <i>Rules</i> to achieve and evaluate its mission-appropriate program outcomes.</p>	<p><i>Program assessment is a common feature of regional accreditation, but this item is not intended to require it at that level. Guideline 6.1 already requires yearly analysis of the effectiveness of the school's program of legal education, and this requirement would be stratified by that analysis, if it focused on program outcomes. See CBE Guidelines for Accredited Law School Rules, May 17, 2019, Division 6, Academic Program, Section 6.1, p. 29.</i></p>		
<p>5. Admissions</p>			
<p>A law school must maintain a sound admissions policy. A sound policy is one which ensures that the law school does not regularly admit students who are obviously unqualified, or who do not appear to have a reasonable prospect of completing the degree program, based on the information available to the school at the time of admission.</p>	<p><i>Schools must have and follow a published admissions policy. The schools are expected to screen students and eliminate those obviously unqualified or likely to complete the program based on the information available to the school at the time of admission. Schools are not expected to guarantee or predict success or program completion from the limited information available to them at the time of admission.</i></p> <p><i>Substantially similar to Rule 4.160 (H)</i></p>	<p>A law school must maintain a sound admissions policy in compliance with Business &amp; Professions Code 6060. A sound policy is one which ensures that the law school does not regularly admit students who appear to lack the commitment or current capacity are obviously unqualified, or who do not appear to have a reasonable prospect of completing the degree program, meeting the learning objectives, and becoming licensed. Schools must also inquire about prior law school attendance and require official transcripts of all prior study no later than 45 days after enrollment in order for a student to continue study.</p>	<p><i>NEW: Removed the last phrase to highlight that the school maintains the responsibility to maintain an effective admissions policy, affirmatively requesting relevant admissions to allow for fair decisions and study its admissions process versus student success.</i></p>

6. Compensation Based on Number of Applicants, Enrollment & Students Prohibited			<i>NEW Decision Point: Does this fit better in the consumer protection section?</i>
A law school may not base the compensation paid any employee of the law school engaged in work related to advertising, marketing, and admissions on the number of persons enrolled in any class or on the number of persons applying for admission to or registering to enroll in the law school.	<i>Reflects Guideline 2.5 with adjustments to accommodate the reality of marketing firms in the Internet marketing era. Modernly, marketing strategies and the firms and service engaged to undertake them (e.g., Google Ad Words) are appropriately evaluated based on their ability to produce valid results, such as “clicks”, that ultimately translate to inquiries and students. It needs to be clear that this kind of activity is not the type prohibited by this regulation. Other accreditors have made this kind of shift already.</i>	A law school may not base the compensation paid any employee of the law school (other than compensation paid to a student or associate for reading and correcting assignments, tutoring, or similar activity), including those engaged in work related to advertising, marketing, and admissions, on the number of persons enrolled in any class or on the number of persons applying for admission to or registering to enroll in the law school.	<i>Agree with wording. Retaining the practice that it is not limited to those in marketing and admissions.</i>  <i>New: Per CSBARS, address tutoring.</i>
7. Scholastic Standards			
A law school must have a written policy clearly defining academic standing, academic disqualification, advancement in good standing and on probation, retention, and the requirements for graduation. A law school must as soon as possible identify and disqualify those students who lack the capability to satisfactorily complete the law school’s J.D. degree program.	<i>Reflects Guideline 7.2 and Rule 4.160(G).</i>		
8. Assessment of Student Learning			
	<i>This provides the law school the autonomy to establish methods of evaluation that are</i>	A law school must determine a method to evaluate student learning based onevidence. A law school must establish that the method	

	<p><i>consistent with best practices and improving student learning.</i></p> <p><i>NEW: CSBARS asks if it is inconsistent with no prescribed program of legal education to require the school to make decisions based upon reasonable evidence.</i></p> <p><i>CSBARS suggests delete this and Add 4.160 Course Level Assessment of distinguish between student learning assessment and grading</i></p>	<p>of evaluation tests the students' ability and knowledge of fundamental principles encompassed within the subject matter of the course.</p>	
9. Grading			
<p>A law school must adopt written grading standards. Grading standards should reflect the method of assessment (i.e. formative or summative) of student learning adopted by the school and seek to promote accuracy and consistency in the evaluation of student performance that will allow the student a fair opportunity to qualify as an examinee for the California Bar examination should they so choose.</p>	<p><i>Substantially similar to Guideline 6.14</i></p> <p><i>NEW: CSBARS Comment - Murphy – provide students with past bar exam performance of those in their grading quadrant.</i></p>	<p>A law school must adopt written grading standards. Grading standards should reflect the method of assessment of student learning adopted by the school and seek to promote accuracy and consistency in the evaluation of student performance, as well as to reasonably assess the student's progress toward potential licensure.</p>	<p><i>NEW Staff comment: Schools raised the point that not every course is part of preparation for licensure. Staff point is that the school's grading should measure assessment and also correlate with likelihood of success at licensure, ie no grade inflation.</i></p>
<p>This would be a new 4.160(B)(9) Course Level Assessment</p> <p>A law school may determine the best method to evaluate student learning in courses. A law school must establish that the method of evaluation tests the students' ability and knowledge of fundamental principles encompassed within the subject of the course in the context of that course's learning outcomes</p>			<p><i>NEW attempt to address CSBARS Comment: Guideline Rule 4.160(B)(9) is presumed to be met if the school adopts a final written exam in bar-tested subjects whose results are correlated on a regular basis with bar exam outcomes and adjusted as necessary.</i></p>

<p>Potential Guideline Language</p> <p>Rule 4.160(B)(9) is presumed to be met if the school adopts a final written exam in bar-tested subjects.</p> <p>-or</p> <p>Rule 4.160(B)(9) is presumed to be met if the school adopts a final written examination in a format in bar tested subjects that parallels the examination style, subject and complexity of the Committee of Bar Examiners.</p>			
<p>10. Verifiable Academic Engagement</p>	<p><i>Reflects current Guideline 6.5</i></p>		
<p>A law school must have a written policy that requires the verifiable academic engagement of each of its students. The policy must also include requirements to verify student participation in an approved experiential or clinical program. Law schools may comply with this requirement by either establishing and documenting a curriculum requiring verifiable academic engagement required or documenting completion of the verifiable academic engagement by each student. <sup>1</sup></p>	<p><i>NEW: Response to staff comment: Restoring the 6.5(A) counting of hours requirement, would not really follow best practice anymore. If there is a concern to address a minimum requirement for the J.D., then a minimum number of credits a student must earn (e.g. 80 semester units) to earn a J.D. would better address the issue. That way, the school can establish the best way to deliver the units, including innovative ways (e.g., competency evaluation) that cut cost and time compared to</i></p>	<p>A law school must have a written policy that requires the verifiable academic engagement of each of its students. The policy must require attendance or participation in academic engagement, and also include requirements to verify student participation in an approved experiential or clinical program. Law schools may comply with this requirement by either establishing and documenting a curriculum requiring verifiable academic engagement required or documenting completion of the verifiable academic engagement by each student. <sup>2</sup> A JD program should include the completion of a minimum of eighty semester units of courses taught at law schools.</p>	<p><i>For Discussion: Reconsider elimination of 6.5(A)– there is a need to set an overall expectation of hours of academic engagement required for a degree</i></p> <p><i>The addition of the phrase at the right is to give necessary context to (A) below</i></p>

<sup>1</sup> Guideline 6.5 (C)

<sup>2</sup> Guideline 6.5 (C)

	<i>live synchronous activities.</i>		
(A) A policy requiring completion of not less than eighty percent of the academic engagement required by the academic program in which the student is enrolled is presumptively sufficient.	<i>NEW: Response to staff comment immediately above: Setting minimum and maximum periods of study for degree programs is not really a best practice, since it impacts innovative techniques, such as competency assessment and competency-based teaching, to reduce time and cost to the student. Similarly, an outer boundary is normal a program, not accreditor, decision, based on degree program requirements. (For example, a program with clinical requirements will often take much longer than a program with only doctrinal requirements.)</i>	A policy requiring completion of not less than eighty percent of the academic engagement required by the academic program in which the student is enrolled is presumptively sufficient for attendance. A JD degree must be completed in no less than thirty or no more than 84 months. If a student requires more than 84 months, the school must place a letter in the student's file documenting good cause for the extension.	<i>For Discussion: Here, suggest keeping the 30-84 timeframe, noting that for periods over 84, a letter must be placed in the student's file documenting good cause and outcome must be tracked.</i>
(B) For purposes of this section, "academic engagement" includes instruction offered through any of the following means: (a) student attendance in a physical classroom; (b) student participation in a synchronous or asynchronous curriculum offered through distance-learning technology; (c) a combination of academic engagement offered through (a) and (b). Academic engagement may include up to 120 hours of student participation in	<b>NEW: Response to staff comment immediately above: Restoring the 6.5(A) counting of hours requirement, would not really follow best practice anymore. If there is a concern to address a minimum requirement for the J.D., then a minimum number of credits a student must</b>	For purposes of this section, "academic engagement" includes instruction offered through any of the following means: (a) student attendance in a physical classroom; (b) student participation in a synchronous or asynchronous curriculum offered through distance-learning technology; (c) a combination of academic engagement offered through (a) and (b). Academic engagement	

<p>an experiential or clinical program. Final examination time, not exceeding ten percent of the total number of hours of academic engagement in the program in which the student is enrolled.</p>	<p><b>earn (e.g. 80 semester units) to earn a J.D. would better address the issue. That way, the school can establish the best way to deliver the units, including innovative ways (e.g., competency evaluation) that cut cost and time compared to live synchronous activities.</b></p>	<p>may include up to 120 hours of student participation in an experiential or clinical program. Final examination time, not exceeding ten percent of the total number of hours of academic engagement in the program in which the student is enrolled, may be included as academic engagement hours.</p>	
<p>(C) For purposes of this section, students may earn credit for verified academic engagement using distance learning technology in any manner, including but not limited to any of the following: (1) participating in a synchronous class session; (2) viewing and listening to recorded classes or lectures; (3) participating in a live or recorded webinar offered by the law school; (4) participating in any synchronous or asynchronous academic assignment in any class monitored by a faculty member; (5) taking an examination, quiz or timed writing assignment; (6) completing an interactive tutorial or computer- assisted instruction; (7) conducting legal research assigned as part of the curriculum in any class; and (8) participating in any portion of an approved clinical or experiential class or activity offered through distance learning technology.</p>			
<p>11. Faculty</p>			
<p>A law school and each campus it operates must have sufficient faculty to maintain a sound program of legal education, ensure timely response to, and evaluation</p>	<p><i>Reflects Guideline 4.3</i> <i>NEW: CSBARS would delete</i></p>	<p>A law school and each campus it operates must have sufficient faculty to maintain a program of legal education reasonably</p>	

of, each student, and the prompt evaluation of assignments.	<i>staff addition as covered elsewhere.</i>	calculated to provide students with the opportunity to become licensed to practice law, ensure timely response to, and evaluation of, each student, and the prompt evaluation of assignments.	
12. Faculty Development			
Instructors must continually strive to improve their teaching skills and expertise in the subjects they teach. Instructors are expected to keep informed of changes in the law and include in their courses a discussion of recent significant statutory changes and case law developments.	<i>Reflects Guideline 4.6</i>		
13. Evaluation of Faculty			
A law school must adopt a written process for the evaluation of instructor competence.	<i>Reflects Guideline 4.7 NEW: CSBARS notes faculty does not teach every year and requests periodic assessment.</i>	A law school must adopt a written process for the evaluation of instructor competence including annual assessment, periodic evaluation by the institution, and written record of performance.	<i>The annual assessment can be a student survey.</i>
14. Academic Freedom			
A law school should adopt an academic freedom policy. Under the policy, a faculty member can articulate a position or concept that may be controversial without fear of reprisal. Since the degree of academic freedom permitted will frequently depend on the nature of the institution, each law school should articulate its own policy.	<i>Reflects Guideline 4.8 &amp; 4.9.</i>	A law school must adopt an academic freedom policy. Under the policy, a faculty member can articulate a position or concept that may be controversial without fear of reprisal.	Deleted as duplicative of the first sentence, since no specific policy is prescribed.
15. Academic Support			
A law school, through its faculty or otherwise, must provide academic counseling to students. A law school with a full-time division is expected to offer more services, experiences, and activities than a law school with only part-time students.	<i>Reflects Guideline 2.10(B)</i>	A law school, through its faculty or otherwise, must provide academic counseling to students. A law school must provide services, experiences, and activities targeted to the size and the need of its enrolled student body..	<i>Suggest basing it on the student body rather than full or part time profile.</i>
16. Statement of Student Services			

<p>A law school must publicly state what services, experiences, and activities are available to students, and must provide adequate support and resources for all such provided services, experiences, and activities. Student services, experiences, and activities must be made reasonably available to all students though a law school may impose reasonable qualifications (such as minimum grade average or year in school) for participation in services, experiences, and activities, other than academic counseling.</p>	<p><i>Reflects Guideline 2.10(A)</i></p>		
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<b>New Rule</b>	<b>Comments</b>	<b>Staff Edit</b>	<b>Staff Comment</b>
<p><b>(C) Diversity, Inclusion, and Equity</b></p>		<p><b>Diversity, Equity and Inclusion</b></p>	<p><i>More typically this is ordered as Diversity, Equity, and Inclusion (DEI)</i></p>
<p>Consistent with sound educational policy and the <i>Rules</i>, a law school must operate in accordance with law, so as to provide equal opportunity for success to all of its applicants, students and employees and to prohibit unlawful discrimination.</p>	<p><i>Division 14 of the Guidelines for Accredited Law School Rules includes the requirement of compliance with the Constitution and laws that this general standard reflects. Substantially reflects CBE Guidelines for Accredited Law School Rules, Division 14.</i></p> <p><i>NEW: CSBARS further comment: Prefers CSBARS version not because it disagrees, but because the schools are so diverse in geography and size, yet may have a mission to serve the local community, which may not reflect the full diversity of the state of california</i></p>	<p>A school must have mission-appropriate policies in accordance with California and federal law and outcomes to affirmatively support student success, encourage the participation of historically underrepresented communities within the student body, and promote cultural competency and respectful discourse across a wide range of issues.</p>	<p>NEW including COAF comment in full DEI section: Staff would replace the last clause with cultural competency clause at the end of the staff edit.</p>
<p>1. Anti-Discrimination Policy</p>			
<p>A law school shall have and publish a mission-</p>	<p><i>The accreditation best practice is to</i></p>	<p>Consistent with California and federal law, a law</p>	<p>Staff edit includes</p>

<p>appropriate anti-discrimination policy for faculty, staff, and students.</p>	<p><i>permit an institution to determine, based on its mission, how to implement/effect anti-discrimination and diversity/inclusion initiatives. Division 14 of the Guidelines for Accredited Law School Rules effectively already requires each school to have an anti-discrimination policy, and all schools have one. The nature of the policy required is described reflecting an approach taken by the Liaison Committee on Medical Education (LCME).</i></p> <p><i>CSBARS continues to prefer the policy on the left.</i></p>	<p>school shall have and publish anti-discrimination policies for faculty, staff and students, including policies regarding sexual harassment, and sexual assault.</p>	<p>harassment and sexual assault based on current issues.</p>
<p>2. Diversity Responsibilities</p>		<p>Creating an Inclusive and Diverse Law School Environment and Experience</p>	
<p>A law school demonstrates a commitment to address, engage, and respond to issues on which a diversity of views can be expected (e.g., diversity, inclusion, sustainability, public policy, politics, religion, and globalization of legal and economic activity across cultures), including both those which are current and those emerging, through its policies, procedures, curricula, research, and/or outreach activities.</p>	<p><i>This Rule reflects the unique nature of law as a discipline focused on argumentation and policy. Diversity and inclusion of differing views on important policy issues is as important to protect as diversity of individuals by race, gender, ethnicity, etc.</i></p>	<p>(A) A law school must demonstrate a commitment to create an environment in which students, faculty and staff can respectfully discuss and respond to issues upon which a diversity of views can be expected, , through mission-appropriate policies, procedures, curricula, research, and/or outreach activities.</p>	
<p>3. Access/Diversity Programs and Partnerships</p>			
<p>A law school must have effective policies and practices in place, and engage in ongoing, systematic, and focused recruitment and retention activities, to achieve mission-appropriate access, diversity, inclusion, and elimination of bias outcomes among its students,</p>	<p><i>Again, using the LCME as a guide, this Rule represents a new obligation on law schools to engage in mission-appropriate activity for the promotion of diversity and inclusion. It encourages partnerships with</i></p>	<p>(B) A law school must put in place effective policies and practices, and engage in ongoing, systematic, and focused recruitment and retention activities, to achieve mission-appropriate access, diversity, equity, inclusion, and cultural competency outcomes among its</p>	

<p>faculty, senior administrative staff, and other relevant members of its academic community.</p> <p>Alternate Option:</p> <p>A law school must engage in ongoing, systematic, and reflective assessment of its progress in its diversity responsibilities using well-articulated metrics such as examining disaggregated retention, graduation and bar passage outcomes to achieve mission-appropriate access, diversity, equity, inclusion and cultural competency outcomes among its students, faculty and staff and other relevant stakeholders and to work to eliminate bias, both explicit and implicit.</p>	<p><i>other schools, such as community colleges, for the attainment of these mission-driven goals.</i></p> <p><i>NEW CSBARS: Suggests deletion of last sentence.</i></p>	<p>students, faculty, senior administrative staff, and other relevant members of its academic community, and to work to eliminate bias, both implicit and explicit. The law school will assess its progress using well-articulated metrics including examining disaggregated retention and graduation outcomes</p>	
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New Rule	Comments	Staff Edit	Staff Comment
<b>(D) Preparation for Licensure and Professionalism</b>			
<p>A law school shall prepare Juris Doctor (J.D.) students to become licensed attorneys and to practice law in an ethical and professional manner. The Juris Doctor (J.D.) degree must be granted only upon completion of a law program that qualifies a student to take the California Bar Examination.</p>	<p><i>Reflects Guideline 1.3. The language also emphasizes that this requirement is limited to the J.D. program.</i></p>		
<p>1. Access to the Faculty</p>			
<p>A law school must provide a policy for students to access the faculty, whether through scheduled office hours, regular or electronic mail, chat rooms, telephone contact or other means.</p>	<p><i>Reflects Guideline 6.10</i></p>		
<p>2. Practice-Based Skills and Competencies</p>	<p><i>Reflects current Guideline 6.9 definitions and policies.</i></p>		
<p>a. The law school must require that each student enrolled in its Juris Doctor Degree program satisfactorily complete a minimum of six semester units (or their equivalent) of course work designed</p>		<p>The law school must require that each student enrolled in its Juris Doctor Degree program satisfactorily complete a</p>	<p><i>CSBARS suggestion MP.</i></p>

<p>to teach practice-based skills and competency training. Such competency training must teach and develop those skills needed by a licensed attorney to practice law in an ethical and competent manner.<sup>3</sup></p>		<p>minimum of six semester units (or their equivalent) of course work designed to teach practice-based skills and competency training. Such competency training must teach and develop those skills needed by a newly licensed attorney to practice law in an ethical and competent manner.<sup>4</sup></p>	
<p>b. A law school must provide the opportunity for students in the J.D. degree program to complete a minimum of fifteen units of practice-based skills and competency training. A law school is encouraged to provide externship clinical, law review, and similar experiences to enrich the legal education of its students.</p>			
<p>c. A law school must provide the opportunity for foreign-educated LL.M. students who are enrolled in the law school to qualify to sit for the California Bar Examination to complete a minimum of five (5) units of practice-based skills and competency training.</p>		<p>A law school must provide the opportunity for LL.M. students who are enrolled in the law school to qualify to sit for the California Bar Examination to complete a minimum of five (5) units of practice-based skills and competency training.</p>	
<p>3. Expenditure of Assets and Funds To Provide Sound Program of Education</p>			
<p>A law school must use its assets and funds, including tuition, fees, and other charges collected from or on behalf of students, to provide a sound program of legal education. A law school must establish reasonable safeguards against financial</p>	<p><i>Substantially reflects CBE Guidelines for Accredited Law School Rules, May 17, 2019, Division 10, Financial Resources, Section 10.2, p. 48 and Guideline 2.2 (C). This could</i></p>	<p>A law school must use its assets and funds, including tuition, fees, and other charges collected from or on behalf of</p>	

<sup>3</sup> Rule 4.160 (F)

<sup>4</sup> Rule 4.160 (F)

fraud and other financial improprieties.	<i>also go under the Consumer Protection value.</i>	students, to provide a program of legal education reasonably calculated to lead to licensure in the law. A law school must establish reasonable safeguards against financial fraud and other financial improprieties.	
4. Curriculum			
There is no prescribed program of legal education. A sound program of legal education for the Juris Doctor (J.D.) degree will include, but not be limited to all of the following:		An effective program of legal education for the Juris Doctor (J.D.) degree will include, but not be limited to all of the following:	
(A) a balanced and comprehensive course of study with subjects and materials presented in an organized and logical manner and sequence that satisfies the legal education requirements to take the California Bar Exam although the law school is not a guarantor of the student's eligibility to sit for the exam;	<i>Substantially reflects CBE Guidelines for Accredited Law School Rules, May 17, 2019, Division 6, Academic Program, Section 6.8, p. 35</i>		
(B) learning experiences that support the acculturation of program graduates to the mores and values of the legal profession, including service, preparation, responsiveness, confidentiality, excellence, civility, professionalism, and ethics;	<i>Reflects CSBARS Draft Purpose for Accreditation, May – October, 2019</i>		
(C) knowledge of process and skills for legal research, which shall include access to legal research resources adequate to accomplish this requirement;	<i>Reflects CSBARS Draft Value to Guide Accreditation, May – October, 2019</i>	(C) knowledge of process and skills for legal research and writing, which shall include access to legal research resources adequate to accomplish this requirement;	<i>Writing is also critical and they usually go together. CSBARS comment MP.</i>
(D) the subjects tested by the California Bar Examination, including a course in Professional Responsibility that all students must complete and pass;	<i>Substantially reflects CBE Guidelines for Accredited Law School Rules, May 17, 2019, Division 6, Academic Program, Section 6.7, p. 35</i>		

(E) the opportunity for students in the J.D. degree program to complete the equivalent of a minimum of fifteen (15) semester units of practice-based skills and competency training;	<i>Substantially reflects CBE Guidelines for Accredited Law School Rules, May 17, 2019, Division 6, Academic Program, Section 6.9, p. 36</i>		<i>This 15 hours is described above and repeated here as a proposed element for an effective legal program.</i>
5. Academic Program Plan			
A law school must adopt and maintain a written plan for its academic program.	<i>Substantially reflects CBE Guidelines for Accredited Law School Rules, May 17, 2019, Division 6, Academic Program, Section 6.1, p. 29</i>		
6. Minimum Cumulative Pass Rate (MPR)			
The law school must maintain a minimum, cumulative bar examination pass rate (MPR) of forty percent (40%) in each five-year lookback period. The “reporting period” covers the five most-recent twelve-month periods (August 1 through July 31) prior to the calendar year in which the MPR is reported to the Committee.	<i>Division 12, Guideline 12.1 is included in full.</i>		<i>For discussion: Will a summary here provide confusion versus the explicit formula below?</i>
For purposes of MPR calculation, a “qualified taker for the reporting period” includes any student who both graduates from the law school during the reporting period, and takes any administration of the California Bar Exam (CBX) during the reporting period or the first February administration after the reporting period that was also no more than 10 administrations after the taker’s graduation. A student who does not meet both requirements is not a qualified taker for the purpose of the MPR report and is not to be included in the calculation of a law school’s MPR.			<i>Consider deleting. The definition of an examination taker is not defined by these rules, and rather adopts from the Committee’s practice as to the Bar Examination.</i>
A law school’s MPR is to be calculated as a fraction that is the sum of all qualified takers for the reporting period who passed any administration of the CBX during the reporting period or the first February administration after the reporting period that was no more than 10 administrations after the taker’s graduation (the numerator) divided by the sum of all qualified			

takers for the reporting period who, whether they passed or failed, took any administration of the CBX during the reporting period or the first February administration after the reporting period that was also no more than 10 administrations after the taker's graduation (the denominator), with the resulting numeral being expressed as a percentage.			
The minimum, cumulative bar examination pass rate for a law school with one or more branch campuses is to be calculated and reported as the combined rate of all such campuses.	<i>Rule 4.160(N)</i>		
7. Academic Credit for Bar Examination Review			
A law school may offer and grant academic credit for a bar examination review or preparation course. A law school may also require successful completion of a bar examination review or preparation course as a condition of graduation.	<i>Guideline 1.8</i>	A law school may offer and grant academic credit for a bar examination review or preparation course. A law school may also require successful completion of a bar examination review or preparation course as a condition of graduation. The school will not provide credit for an outsourced bar review program, but may make one available to students.	<i>Right now the guidelines do not allow credit for a bar review in unaccredited schools and say it must be kept to a minimum in accredited schools. Discussion of the best course of action? Suggestion at left to allow coursework, but not credit for a commercial prep program.</i>
8. Acquiescence Required to Award Professional Law Degrees In Addition To The Juris Doctor Degree	<i>Substantially reflects present Guideline 13.2.</i>		
A law school must apply to and obtain the acquiescence of the Committee to award any professional law degree in addition to the Juris Doctor (J.D.) degree. As provided in rule 4.105(K) of the <i>Rules</i> , a “professional law degree” is the Bachelor of Laws (LL.B.), Master of Legal Studies (M.L.S.), Juris Doctor (J.D.), Masters of Law (LL.M.) or other post-graduate degree authorized by the Committee.		A law school must apply to and obtain the acquiescence of the Committee to award any professional law degree in addition to the Juris Doctor (J.D.) degree. As provided in rule 4.105(K) of the <i>Rules</i> , a “professional law degree” is the Bachelor of Laws (LL.B.),	<i>The Committee does not authorize the degree, but must acquiesce to the degree.</i>  <i>Placeholder. The reference to 4.105(K) here may change to (L).</i>

		Master of Legal Studies (M.L.S.), Juris Doctor (J.D.) Executive Juris Doctor Non-Bar-Qualifying degree (E.J.D.), Masters of Law (LL.M.) or other post-graduate degree, and must agree to use the form and disclosures prescribed by the State Bar.	
9. Application for Provisional or Full Approval of a Branch or Satellite Campus	<i>Substantially reflects present Guideline 15.2.</i>		
As a major change pursuant to Rule 4.165(B), a law school must obtain the prior approval of the Committee to open a branch or satellite campus.			

Rule 4.161 Annual Compliance Report

- (A) A law school subject to these rules must submit an Annual Compliance Report using the form prescribed by the State Bar. The deadline and fee for submission of the report are set forth in the Schedule of Charges and Deadlines.
- (B) A law school with an approved branch or satellite campus must submit an annual fee for each additional campus as set forth in the Schedule of Charges and Deadlines.

*Rule 4.161 adopted effective January 1, 2009; amended effective March 11, 2016.*

Edited Rule	Comments	Staff Edit	Staff Comment
Rule 4.162 Periodic inspection			
(A) An accredited law school, and each approved branch or satellite campus, is subject to a concurrent inspection, at the school's expense, not less than five nor more than 10 years following the grant of accreditation, or more frequently if the Committee finds, after notice and hearing, that inspection	<i>This revision is related to simplification of the accrediting process by allowing a longer period of accreditation, set by the Committee, in appropriate cases. This 5 to 10 year period is the standard among regional and national accreditors, and is</i>	An accredited law school, and each approved branch or satellite campus, is subject to a concurrent inspection every five years following the grant of accreditation, at the discretion of the Committee, or more frequently if the Committee finds	This can be conformed to match the wording for inspections in general and matched across the provisional, accredited and periodic areas.  Other institutional accreditors may include a longer timeframe, but they are accrediting for a larger systemic outcome that is less likely to be needed for affirmation.

<p>more frequently is necessary. The inspection must be conducted by a team composed of the Committee staff or consultant, at least one member of the Committee who has not previously visited the law school, a law school representative selected by the Committee, and any other person selected by the Committee. A law school that believes a team member is biased or has a financial interest in or is employed by a competing institution may challenge the appointment of the team member and request an alternative appointment. An allegation of bias must be documented by written evidence. The challenge must be filed within ten days of the Committee's notice to the law school of the composition of the inspection team. The Committee will consider the challenge and may appoint an alternative team member for good cause within thirty days of receipt of the challenge.</p>	<p><i>determined on a case-by-case basis after each inspection.</i></p> <p><i>Discretion to set a shorter period of accreditation should be subject to a notice and hearing for good cause requirement, since inspections are quite expensive and there is the potential for bias or prejudice in such a decision.</i></p> <p><i>Other changes are similar to those in other parts of the document related to the elimination of the Senior Executive title by the State Bar.</i></p>	<p>this is reasonably necessary to ensure continued to compliance. The inspection will be conducted by a team selected by the State Bar to include State Bar staff or designee. It may also include a member of the Committee, a law school representative or other individuals who can assist in assessing the school's compliance. A law school that believes a team member is biased may challenge the appointment of the team member and request an alternative appointment. An allegation of bias must be documented by written evidence. The challenge must be filed within ten days of the Committee's notice to the law school of the composition of the inspection team. The Committee will consider the challenge and may appoint an alternative team member for good cause within thirty days of receipt of the challenge.</p>	<p>Evidence here shows that most schools have significant changes to make after inspections in the five-year range, such that an extension is not warranted.</p> <p>Schools that have the additional oversight of institutional accreditation may be candidates for a longer period of time and the school can choose to pursue that option.</p> <p>For Discussion: Discuss reasoning for concurrent wording?</p>
<p>(B) The inspection team must provide the Committee with a report on the visit within ninety days of the last day of the inspection. The Committee, through its staff, must provide the law school with a copy of the report within thirty days of receiving it. If the law school takes exception to the report, it must notify the Committee in writing within thirty</p>			<p><i>This section can also be adjusted to conform to what is described above. Staff proposal is above.</i></p>

<p>days of receipt of the report. The Committee must allow the law school sixty days from the date of receipt to submit material in support of its exceptions.</p>			
<p>(C) After considering the inspection report, any exceptions filed by the law school, and any additional information it has requested, the Committee may continue accreditation or issue a Notice of Noncompliance.</p>			
<p>(D) A law school in the “deemed accredited” status is not subject to periodic inspection unless a student complaint has been filed against it; it has lost its accreditation with the other agency; or it is found to be out of compliance with applicable Rules.</p>	<p><i>This reflects one of the main purposes of the deemed accredited rule: to simplify the process of accreditation for schools already accredited by another competent and recognized accreditor.</i></p>	<p>A law school in the “deemed accredited” status is not subject to periodic inspection unless a student complaint has been filed against it that reasonably implicates the school’s compliance; it has lost its accreditation with the other agency; or the Committee has an reasonable belief that the school may be out of compliance with these Rules.</p>	

Rule 4.162 adopted effective January 1, 2009; amended effective November 18, 2016.

#### Rule 4.163 Self-study

Prior to a periodic inspection, or more frequently if the Committee requests it, an accredited law school must reevaluate its educational program and submit a written self-study to the Committee. The purpose of the self-study is to determine whether the law school has complied with these rules and has achieved its mission and objectives. The law school must use the format prescribed by the Committee and submit the self-study and fee in compliance with the Schedule of Charges and Deadlines.

Rule 4.163 adopted effective January 1, 2009.

#### Rule 4.164 Prior approval of major changes

An accredited law school contemplating a major change that requires approval must notify the Committee and obtain its approval at least one hundred eighty days before making the change. The notice must explain in detail any effect the change might have on the law school's compliance with the rules and be submitted with the fees specified in the Schedule of Charges and Deadlines. The Committee may then require submission of additional information or an inspection. An accredited school contemplating a major change that requires notice must notify the Committee within thirty days of making the change. Placeholder; (this is inconsistent with the below, which provides that only some changes require "approval" and others just notification

Rule 4.164 adopted effective January 1, 2009.

Edited Rule	Comments	Staff Edit	Staff Comment
Rule 4.165 Major changes			
(A) The following are major changes requiring pre-approval from:	<i>These changes are meant to reflect Committee desire to address only truly major changes in the pre-approval process, not matter on which the Committee rarely, if ever, has an adverse opinion.</i>	The following are major changes requiring pre-approval of the Committee:	
1) changing the location of the school, or the location of a branch campus or satellite campus, to a different location within five (5) miles of the existing location; or		\	
2) instituting any joint degree program, whether within the college or university affiliated with the law school or with another institution;			
3) instituting a new division;	<i>This change is meant to reflect the desire to simplify regulations. The new Rule in 4.160 eliminates distinctions between full and part time students, and divisions designated as such. Starting a new division would still be a change, but shifting around the delivery of an existing program,</i>	<i>Instituting a new division, full or part time or materially changed JD program</i>	Consider alternative word to division for clarity, especially if the distinction between full- and part- time is removed. State Bar is checking with eligibility to confirm whether there are any issues with that proposal.

	<i>time-wise, would not.</i>		
4) offering any new program in law study, whether a degree program, non-professional degree program, or non-degree program;		offering anew non-J.D. program in law study, whether a degree program, non-professional degree program, or non-degree program, all of which require acquiescence from the Committee;	
5) sponsoring or offering for law study credit any individual seminar or class, other than from a branch campus, that will meet more than fifty-five miles from the law school's principal facility or outside of California;			
6) affiliating with another law school, college, or university, or modifying the law school's relationship with an affiliated college or university;			
7) changing from a nonprofit to a profit-making institution or vice versa; and			
8) changing the ownership of the school.		9) Change in ownership <b>or control</b> of the school	
(B) The following are major changes requiring pre-approval by the Committee:			<i>NEW: Stay with pre-approval status, with clear process for approval and later adjust numbering.</i>
1)		Major change to the J.D. curriculum, including change in number of credits, overall requirements or teaching modality.	
2) seeking Committee approval to open a new branch campus or satellite campus;			
3)		Addition of a new teaching modality not previously offered by the school.	<i>Adding fixed facility, online or correspondence with the school did not use that option before.</i>
4) merging with another law school,			

college, or university, or severance from a law school, college or university;			
5) changing the name of the school;			
		The following are major changes requiring Notice to the Committee	
		1) Official Contact Information for the School	
		Contact Information of Dean and Registrar	

*Rule 4.165 adopted effective January 1, 2009; amended effective March 13, 2015; amended effective November 18, 2016.*

**Chapter 5. Termination of Provisional Accreditation or Accreditation**

<b>Edited Rule</b>	<b>Comments</b>	<b>Staff Edit</b>	<b>Staff Comment</b>
Rule 4.170 Notice of Noncompliance			
(A) If it appears to the Committee that a provisionally accredited law school is not in substantial compliance with these rules or that an accredited law school, or any approved branch or satellite campus is not in compliance with these rules, the Committee must provide the school with a written Notice of Noncompliance that states the reasons. This rule does not apply to a law school applying for provisional accreditation or to a provisionally accredited law school during the last 180 days of its provisional accreditation.		If it appears to the Committee that a provisionally accredited law school is not in substantial compliance with these rules or that an accredited law school, or any approved branch or satellite campus is not in compliance with these rules, the Committee must provide the school with a written Notice of Noncompliance that states the reasons. This rule does not apply to a law school applying for provisional	

		accreditation or to a provisionally accredited law school during the last 180 days of its provisional accreditation.	
(B) Within fifteen days of receiving a Notice of Noncompliance, a law school must file a response demonstrating that it is in substantial compliance with these rules, if a provisionally accredited law school, or in compliance with these rules, if an accredited law school. The response must be submitted with the fee set forth in the Schedule of Charges and Deadlines.	NEW: CSBARS suggests alternate fee structure, such as overall fee adjustment, rather than fee in noncompliance situation. Could be studies for alteration of fees.	Within fifteen days of receiving a Notice of Noncompliance, a law school must file a response demonstrating that it is in substantial compliance with these rules, if a provisionally accredited law school, or in compliance with these rules, if an accredited law school. The response must be submitted with the fee set forth in the Schedule of Charges and Deadlines.	
(1) If the Committee deems the response satisfactory, it will notify the law school within thirty days of its consideration of the matter and reverse the finding in the public record.	<i>NEW: CSBARS edit.</i>	If the Committee deems the response satisfactory, it will notify the law school within thirty days of its consideration of the matter and make a finding in the public record.	New responsive Staff comment: If the committee is in error, it can reverse a finding on the record. Another comment scenario is that noncompliance is found at an inspection and cured prior to the written response to the notice. This would not be a reversal, but the cure could be noted.
(2) If the Committee deems the response unsatisfactory, it must schedule an inspection by the Committee staff or consultant within	<i>The first change is related to the elimination of the title of Senior Executive, and to reflect current practice. Inspections are conducted by Committee staff, other</i>	If the Committee deems the response unsatisfactory, it must	<i>New Staff Response: Deletion suggested because the finding already comes after an</i>

<p>sixty days of its consideration of the matter, unless this requirement is waived by the school.</p>	<p><i>Bar staff, and consultants, and are forwarded to the schools by the Committee staff.</i></p> <p><i>The second change addresses the situation where the school cannot be inspected because it has been closed, refuses inspection, or cannot afford inspection. Those are, effectively, waivers of the right to an inspection provided here, and the Committee should be able to skip an inspection in those situations.</i></p> <p><i>New: The staff edit of this section removes the obligation to inspect before taking adverse action on accreditation, and grants far greater discretion than that presently permitted. It may be appropriate to address actions available to the Committee in lieu of conducting an inspection in certain situations. But, inspection before termination has been, in the rules, a basic element of due process for decades. It can certainly be reasonable to provide for situations where a school cannot be inspected, or waives inspection, but it seems inappropriate to grant the licensing agency discretion, as this staff language does, not to permit a school wishing to be inspected to have that right. Edits to the staff version have been made to address this.</i></p> <p><i>If emergency situations are of concern, those ought to be addressed in a section with appropriate definitions of emergency and urgency situations (such as closure of a school with no notice or access to records) and procedures to follow in those situations. Otherwise, there seems to be no accreditation situation where emergency or urgency requires dilution of due process in the withdrawal of accreditation. Perhaps staff can suggest some?</i></p> <p><i>As to the remainder of the language added to this</i></p>	<p>determine whether interim monitoring, probation or termination of accreditation is appropriate. The Committee is not required to place a school on interim monitoring or probation and may proceed directly to termination of accreditation. The Committee may request additional information or research, including an inspection, if necessary. If the school refuses to participate in any request, the Committee will proceed with the information that is before it. An inspection conducted under these circumstances may be subject to expedited timelines enumerated by the Committee.</p>	<p><i>inspection. Therefore an additional inspection is duplicative and simply raises cost for the school. Further, in some cases it wastes time that could be spent curing any noncompliance, as in when a numeric threshold is not met.</i></p>
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	<i>section, this is procedural matter related to interim monitoring, probation, and termination of accreditation that should be located in those sections. Edits to the staff version have been made to address this.</i>		
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Rule 4.170 adopted effective January 1, 2009; amended effective November 18, 2016.

<b>Edited Rule</b>	<b>Comments</b>	<b>Staff Edit (DELETE 4.171)</b>	<b>Staff Comment</b>
Rule 4.171 Inspection pursuant to Notice of Noncompliance		Delete.	Suggest deletion of this requirement of an inspection. Suggest further deletion of the nature of an inspection as having to be in person if one is requested.
The Committee staff or consultant must submit to the Committee and the affected school a report and recommendation on an inspection made pursuant to a Notice of Noncompliance within sixty days of the last day of the inspection. After considering the report, the Committee will provide the provisionally accredited law school or accredited law school with a written notice that:	<i>This change is related to the elimination of the title of Senior Executive, and to reflect current practice. Inspections are conducted by Committee staff, other Bar staff, and consultants, and are forwarded to the schools by the Committee staff.</i>	<i>Delete based on comment above</i>	

(A) the provisionally accredited law school is in substantial compliance with the rules; or			
(B) the accredited law school is in substantial compliance with the rules; or			
(C) the provisionally accredited law school is not in substantial compliance with the rules for specific reasons that warrant probation or termination of provisional accreditation; or			
(D) the accredited law school, or any approved branch or satellite campus is not in substantial compliance with the rules for specific reasons that warrant probation or termination of provisional			

accreditation.

Rule 4.171 adopted effective January 1, 2009; amended effective November 18, 2016.

Edited Rule	Comments		
<p>Rule 4.172 Interim Monitoring and Probation</p> <p>(A) If an accredited law school or a deemed accredited law school is not in compliance with these Rules, or if a provisionally accredited law school is not in substantial compliance with these Rules, the Committee may place the law school on interim monitoring for a specified time. In interim monitoring, the school may be required to provide periodic reports on areas of potential non-compliance designated by the Committee for interim monitoring. The period of interim monitoring shall be chosen by the Committee, but shall not be less than two (2) years. The law school is not required to disclose its participation in interim monitoring.</p> <p>NEW CSBARS suggestion: If, upon review of the results of an inspection ordered following a notice of noncompliance, an accredited law school or a deemed accredited law school is not in compliance with these Rules, the Committee will make a finding, after notice and an opportunity for a hearing, whether to proceed with interim monitoring, probation or termination of accreditation. The Committee may request additional information from the school, and will request its participation in the hearing. If the school refuses to provide the requested information, or does not participate</p>	<p><i>This change provides the Committee a step before probation and termination options are employed.</i></p> <p><i>NEW CSBARS Comment: Schools want the ability to admit those that they find are unqualified but who, after reasonable disclosures, wish to make an attempt.</i></p> <p><i>Schools also comment that students benefit from earning a J.D. even if they are not able to pass the bar examination.</i></p> <p><i>New Addl CSBARS Comment: Edits to this section set up appropriate due process procedures at this stage of the process. Note that the Committee has, to this point in the process, made a finding that the schools is not in compliance. It has made this finding, and proceeded further against the school – requiring significant costs to the school in the absence of any hearing sufficient to satisfy due</i></p>	<p>If an accredited law school or a deemed accredited law school is not in compliance with these Rules and the noncompliance is minimal, the Committee may place the law school on interim monitoring for a specified time. Interim monitoring is appropriate for situations of substantial compliance where the school has the demonstrated capacity and intent to achieve compliance within a timeframe specified by the Committee not to exceed one year. During interim monitoring, the school may be required to provide periodic reports or submit to inspections as designated by the Committee for interim monitoring. The Committee is not required to impose Interim Monitoring before imposing other remedies.</p>	<p><i>This would be intended to be more of a monitoring situation or for short term fix. Compare WASC progress reporting. NEW: But it may not provide advantages over the current situation in a public environment and may increase confusion as a status over current.</i></p> <p><i>Could keep this wording or delete as not applicable to provisionally accredited schools that remain in that status for two years or less. Since the provisional period is short, an intermediate remedy would not be applied. The school should establish substantial compliance and move forward.</i></p> <p><i>Staff supports this comment, but placing it under probation or using it for the mandatory and suggested recommendations in inspections.</i></p>

<p>in the hearing, the Committee will proceed with the information that is before it. the</p>	<p><i>process. Before deciding the remedy of the next stage, the Committee should conduct a hearing, at which the school is present and may be represented by counsel, unless waived. (Note that the staff proposal for student discipline procedures is to impose a hearing obligation on schools before deciding any student discipline – should such a requirement not be imposed on the State Bar itself before the Bar makes a decision to essentially close an entire school?)</i></p> <p><i>The remainder of the staff edits to this section concern the nature of interim monitoring, not the decision whether to impose it. They have been moved into a new section (B) on that subject for clarity.</i></p>		
<p>(B) New CSBARS Add: The Committee may place the law school on interim monitoring for a specified time. Interim monitoring is appropriate for situations of substantial compliance where the school has the demonstrated capacity and intent to achieve compliance within a timeframe appropriate to the nature of the non-compliance found. During interim monitoring, the school may be</p>	<p><i>NEW: The use of interim monitoring is to provide the school the opportunity to coming into compliance. In many areas (e.g. policy changes) this can be done quickly, but in other areas it cannot. It is suggested that the timeframe is that required by the nature of the non-</i></p>		<p><i>New Staff Response: It depends on how the interim monitoring is considered. Staff intended to create a way to respond to minimal but material non-compliance that could be cured quickly before moving to probation, but if the full mechanism of probation is required, the purpose for this potential section could be mooted.</i></p>

<p>required to provide periodic reports or submit to inspections as designated by the Committee for interim monitoring. The Committee is not required to impose Interim Monitoring before proceeding with probation.</p>	<p><i>compliance that is found after the hearing. Essentially, the period of monitoring would be an issue for presentation, discussion, and decision at the hearing. New section to address it, made from relocated staff version materials.</i></p>		
<p>(C) If the Committee decides that a provisionally accredited law school has not substantially complied with these rules, but has made progress or taken appropriate steps during the period of interim monitoring toward full or substantial compliance, the Committee may place the law school on probation for a specified time.</p>	<p><i>This change is requested to permit Committee discretion in situations where a school that is non-compliant in some way has taken appropriate steps to address the non-compliance, even though those actions have yet to bear fruit. As presently written, Committee discretion in those situations is limited.</i></p> <p><i>CSBARS response: Responding to staff comment directly above: For discussion: Is it appropriate for a provisionally accredited school that is found to be non-compliant, even on a fixable matter, to experience immediate withdrawal of provisional status? That seems to be the outcome predicted by the above comment, but it would wreak havoc at the school because its students would then likely not comply with unaccredited registered</i></p>		<p><i>Probation may not appropriate for a provisionally accredited school if there is a two-year time limit for remaining in provisional status. If the school cannot achieve compliance within the two year period, the school can seek accreditation at a more appropriate time in the future.</i></p> <p><i>New Staff Response: Upon grant of provisional status, the school should be aware of its gaps toward compliance as clearly communicated to them. They will have a two year period to address with progress points, so there will be significant notice to the public. Schools should keep schedules consistent with the continuous study rule during their provisional status in order to protect their students.</i></p>

	<i>continuous study and other standards. An orderly transition, via probation of interim monitoring, would be much better public protection.</i>		
(D) If the Committee decides that an accredited law school or any approved branch or satellite campus has not complied with these rules, but has made progress or taken appropriate steps during the period of interim monitoring toward compliance, the Committee may place the law school on probation for a specified time.	<i>This change is requested to permit Committee discretion in situations where a school that is non-compliant in some way has taken appropriate steps to address the non-compliance, even though those actions have yet to bear fruit. As presently written, Committee discretion in those situations is limited.</i>		
(E) A provisionally accredited or accredited law school placed on probation			
(1) is subject to any probation conditions imposed by the Committee, including interim inspections and progress reports; and			
(2) continues to have degree-granting authority and its students are deemed enrolled at a provisionally accredited or accredited law school.			

(F)	At least thirty days before probation expires, the Committee will notify the law school of its determination that			
(1)	it will end the provisionally accredited law school's probation or will proceed to terminate the law school's provisional accreditation; or			
(2)	it will end the accredited law school's probation or will proceed to terminate the law school's accreditation.			

Rule 4.172 adopted effective January 1, 2009; amended effective November 18, 2016.

#### Rule 4.173 Request for hearing

To request a hearing before the Committee, a law school must submit a request within fifteen days of being sent a notice that the Committee is considering termination of provisional accreditation or accreditation.

Rule 4.173 adopted effective January 1, 2009.

Edited Rule	Comments		
Rule 4.174 Hearing procedures			
(A) Within sixty days of receiving a timely request for hearing, the Committee will schedule a hearing. The hearing will be held before a panel of three Committee members selected by the Committee. The law school has the right to challenge the appointment of any member of the hearing panel by filing a written request for an alternative appointment within ten days following receipt of the notice of the composition of the panel. The Committee chair must consider the request and, if good cause	<p><i>The first change is related to the elimination of the title of Senior Executive.</i></p> <p><i>The second change is related to a text move; this text was relocated to a separate section since it appears to be the decision on the hearing itself, not the decision on membership of the hearing committee. If that is what is intended here, then this text</i></p>	Within thirty days of receiving a timely request for hearing, a hearing will be scheduled and a panel of three Committee members will be selected by the State Bar. Within ten days after the State Bar identifies the panel, the law school may file a written challenge to the appointment of any member for bias or actual conflict. The State Bar must consider the request and, if good cause is	<p><i>Clarifying timeframes and options when the school is unavailable in a reasonable time.</i></p> <p><i>New: As for timeframe, The State Bar is open to a specific time, but more often, a school would request additional time and the timeframe was removed as a courtesy, though the State Bar would intend to proceed quickly.</i></p>

<p>is shown, grant the request and appoint an alternative member.</p>	<p><i>should change to read: "The law school will be notified within 30 days of the decision on panel composition."</i></p> <p><i>New: CSBARS would like a timeframe in which to hold the hearing and suggests 60 days.</i></p>	<p>shown, grant the request and appoint an alternative member.</p>	
<p>(B) The hearing will be reported and an original of the transcript will be prepared at the Committee's expense. A copy of the transcript will be made available to the law school at its expense.</p>	<p><i>New: CSBARS requests videotape to be created and provided at State Bar expense.</i></p>		<p><i>Delete. Conform to practices for other state bar hearings. New: Copies would be available to the school at their own expense or they could arrange for their own taping or reporting. Consistent with other State Bar hearings.</i></p>
<p>(C) The hearing need not be conducted according to common law or statutory rules of evidence. Any relevant evidence is admissible if it is the kind of evidence on which responsible persons rely in the conduct of serious affairs. The rules of privilege in the California Evidence Code or required by the United States or California Constitutions will be followed. The law school has the burden of establishing its compliance, if an accredited law school, and substantial compliance if a provisionally accredited law school, with these rules.</p>		<p>The hearing need not be conducted according to common law or statutory rules of evidence. Any relevant evidence is admissible The law school has the burden of establishing its compliance, if an accredited law school, and substantial compliance if a provisionally accredited law school, with these rules.</p>	
<p>(D) All parties may be represented by counsel.</p>			
<p>(E) The law school will be notified within thirty days after the hearing of the</p>	<p><i>This is not new text. It was previously located in section</i></p>	<p>The law school will be notified in writing within thirty days after</p>	<p><i>The panel, rather than the full Committee, would make the decision, and bring its recommendation to the Committee.</i></p>

decision of the Committee.	<i>(A) above in this section. It just makes more sense following the decision-making process sections.</i>	the hearing of the decision of the panel.	<i>Decisions of the Committee are automatically made public.</i>
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*Rule 4.174 adopted effective January 1, 2009.*

Rule 4.175 Committee action following hearing

- (A) Following a hearing, the Committee will determine whether the accredited law school is in compliance or the provisionally accredited law school is in substantial compliance with these rules. Its decision will be based on the entire record, including materials presented at the hearing. Question – should it be clear that the panel will present its findings to the Committee – that the Committee’s determination includes consideration of the recommendation / findings of the panel.
- (B) The Committee may take any action affecting the law school’s provisional accreditation or accreditation that it considers appropriate, including termination of provisional accreditation or accreditation.
- (C) The Committee, in its discretion, may do any or all of the following with respect to its decision:
  - (1) publish it; (should we clarify what it would mean to “publish it” and CSBARS suggests newspaper, Committee record and website. What is school’s requirement to notice students?)
  - (2) notify the students enrolled in the law school;
  - (3) notify the California Supreme Court;
  - (4) notify the California Attorney General.

Rule 4.175 adopted effective January 1, 2009.

Edited Rule	Comments		
Rule 4.176 Termination of accreditation or provisional accreditation			
The Committee will terminate accreditation or provisional accreditation on a specific date, at which time it will also terminate a law school’s degree-granting authority. This date shall not be sooner than 180 days after the Committee published notice of its intent to terminate accreditation under Rule 4.175. Until that date, students attending the law school are deemed enrolled at an accredited or provisionally accredited law school.	<i>This change is requested to allow schools time to transition students to other schools in the event of loss of accreditation. Recent experience has established that this cannot be done immediately in many cases, and termination of accreditation precipitously works a harm to the public, not protection. The school can be prevented from enrolling new students in the period, of course.</i>	The Committee will terminate accreditation or provisional accreditation on a specific date, at which time it will also terminate a law school’s degree-granting authority. Until that date, students attending the law school are deemed enrolled at an accredited or provisionally accredited law school. Within thirty days after the State Bar forwards the notice of termination, the law school may submit a teach out plan for its	There might be times when the school cannot be allowed to continue to operate and the Committee requires that discretion.

		currently approved students for Committee approval.	
<p>NEW: Within 60 days after the State Bar forwards the notice of termination, the law school must submit either a teach out plan if it intends to close, or a transition plan if it intends to convert to unaccredited registered status. The Committee will provide its approval or requested adjustments to either plan within 60 days thereafter.</p>	<p><i>NEW: Teach out plans take time to put together, so the deadline was moved out a little in the suggested edit.</i></p> <p><i>Presumably, most schools losing accreditation will seek to convert to unaccredited registered status in one of the established categories, so edits to the staff version provide the alternative of either a teach out plan or a plan for conversion to operation as an unaccredited registered school.</i></p> <p><i>It needs to be clear what happens if the Committee does not approve the teach out or transition plan, so edits to the staff version were made to address that.</i></p>		

Rule 4.176 adopted effective January 1, 2009.

#### Rule 4.177 Review by Supreme Court

A law school may seek review of termination of its accreditation before the California Supreme Court pursuant to its rules.

Rule 4.177 adopted effective January 1, 2009.