

# AGENDA ITEM

## ITEM III. I.

**DATE:** June 25, 2015

**TO:** Members, Planning and Budget Committee  
Members, Board of Trustees

**FROM:** Gayle Murphy, Senior Director, Admissions

**SUBJECT:** PROPOSED AMENDMENTS TO ACCREDITED LAW SCHOOL RULES RE  
ADDITIONAL CAMPUSES AND LAW SCHOOL FEES – REQUEST FOR  
PUBLIC COMMENT

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### EXECUTIVE SUMMARY

In March 2015, the State Bar of California Board of Trustees approved the adoption of proposed amendments to Rule 4.160(H) and 4.165(B) of the *Accredited Law School Rules* (Rules) that clarify the requirements for branch and satellite campuses of California-accredited law schools (CALS), which were proposed by the Committee of Bar Examiners (Committee).

Currently there is no annual fee charged for CALS branch or satellite campuses, although time is spent reviewing information about those campuses in a law school's annual compliance report. The Committee adopted amendments to the Rules and new language to be inserted into the Rules of the State Bar of California Appendix A: Schedule of Charges and Deadlines Title 4, Division 2 Accredited Law School Fees, which would require fees to be paid and establish those fees that must be paid by schools with branch campuses, subject to authorization by the Planning and Budget Committee of a 45-day public comment period, review of any comments received and final consideration by the Committee and approval by the Board of Trustees.

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### BACKGROUND

In March 2015, the State Bar of California Board of Trustees approved the adoption of proposed amendments to Rule 4.160(H) and 4.165(B) of the *Accredited Law School Rules* (Rules) that clarify the requirements for branch and satellite campuses of California-accredited law schools (CALS), which were proposed by the Committee.

Amendments to the *Guidelines for Accredited Law School Rules* (Guidelines) were also approved by the Committee to further define that a branch campus in any new location where a CALS offers students more than fifty percent of its J.D. curriculum, or the curriculum of any other law degree it is authorized to award. A branch campus must have its own qualified administrator, although the same Dean may be the same, and must operate as an independently-accredited campus.

Under the amended Rules and Guidelines, a satellite campus is defined as any new location where a CALS intends to offer no more than 50% of its J.D. curriculum or the curriculum of any other law degree it is authorized to offer.

Currently there is no additional annual fee charged to CALS that have branch or satellite campuses, although time is spent reviewing information about those campuses in a law school's annual compliance report.

## **DISCUSSION**

Following the adoption of Rules and Guidelines that clarify the requirements for branch and satellite campuses, the matter of the lack of an annual compliance fee for those schools with branch (and satellite) campuses has surfaced. Under the new rules, CALS with branch campuses will be treated as one institution and be required to pay the same fees as any other CALS without branch campuses.

Averaging the amount of time spent reading the associated materials by the educational standards department and using the fixed fee amount, the following proposed amendments to Rule 4.161 of the Rules and the insertion of new language into the State Bar of California Appendix A: Schedule of Charges and Deadlines Title 4, Division 2 Accredited Law School Fees were adopted in principle by the Committee, subject to the approval of the Board of Trustees:

### **Rule 4.161 of the Rules**

(A) A law school subject to these rules must submit an Annual Compliance Report using the form prescribed by the Committee. 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.

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### **Schedule of Charges and Deadlines**

<b>Rule</b>	<b>Description</b>	<b>Amount</b>	<b>Deadline</b>
4.161	Annual Compliance Report	\$1,650	November 15
<u>4.161(A)</u>	<u>Annual Branch Campus Fee</u>	<u>\$1,000</u>	<u>November 15</u>
	<u>Annual Satellite Campus Fee</u>	<u>\$ 800</u>	<u>November 15</u>

## **FISCAL/PERSONNEL IMPACT**

Currently, there are five CALS with branch campuses and one school with a satellite campus, which would result in \$5,800 in annual revenue if the amendments and fees are ultimately adopted. Two of the schools, however, had been paying the \$1,650 fee for each campus for a total of \$3,300 and now will be paying less (\$2,650). The net anticipated additional income is \$4,500 annually when the differences are factored in.

## **RULE AMENDMENTS**

Rule 4.161 of the Rules and the Rules of the State Bar of California Appendix A: Schedule of Charges and Deadlines Title 4, Division 2 Accredited Law School Fees will be affected if the proposed amendments and fees are adopted following public comment.

## **BOARD BOOK IMPACT**

None.

## **BOARD COMMITTEE RECOMMENDATION**

It is recommended that the Planning and Budget Committee Committee authorize the release of the proposed amendments for a 45-day public comment period. If the Board Committee agrees, it is recommended that the Planning and Budget Committee approve the following resolution:

**RESOLVED**, that the Planning and Budget Committee authorizes staff to release proposed amendments to the Rule 4.161 of the *Accredited Law School Rules* and new language in the Rules of the State Bar of California Appendix A: Schedule of Charges and Deadlines Title 4, Division 2 Accredited Law School Fees, which establishes fees for branch and satellite law school campuses accredited by the Committee of Bar Examiners, for a 45-day public comment period; and it is

**FURTHER RESOLVED**, that this authorization for release for public comment is not, and shall not be construed as, a statement or recommendation of approval of the proposed item.