

# Accredited Law School Rules

**February 24, 2016 Draft**

## 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) An “American Bar Association Approved Law School” 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 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 fixed-facility 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) “The Committee” is the Committee of Bar Examiners of the State Bar of California.
- (G) 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.
- (H) The “guidelines” are the Guidelines for Accredited Law School Rules adopted by the Committee of Bar Examiners.
- (I) “Inspection” means an on-site visit to a law school by an individual or a team appointed by the Committee in accordance with these rules.
- (J) A “major change” is one of the changes specified in rule 4.165, Major changes.
- (K) A “professional law degree” is the LL.B. (Bachelor of Laws), M.L.S. (Master of Legal Studies), J.D. (Juris Doctor), 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.
- (L) A “California registered unaccredited law school” is an unaccredited law school that has been registered by the Committee.
- (M) “Senior Executive” means “Senior Executive, Admissions” or that person’s designee.

- (N) An “unaccredited law school” is a correspondence, distance-learning, or fixed-facility law school operating in California that the Committee registers but does not accredit.
- (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 physical classroom facilities. An unaccredited fixed-facility law school must require classroom attendance of its students for a minimum of 270 hours a year for four years.

*Rule 4.105 adopted effective January 1, 2009.*

#### Rule 4.160 Standards

A provisionally accredited law school must substantially comply with these standards. An accredited law school must comply with them.

(A) Lawful Operation. The law school must operate in compliance with all applicable federal, state, and local laws and regulations.

(B) Integrity. The law school must demonstrate integrity in all of its programs, operations, and other affairs.

(C) Governance. The law school must be governed, organized, and administered so as to provide a sound educational program.

(D) Dean and Faculty. The law school must have at each campus, including any approved branch campus, a competent dean, a qualified, full-time administrator, an adequate administrative staff and a competent faculty that devotes adequate time to administration, instruction, and student counseling.

(E) Educational Program. The law school must maintain a sound program of legal education.

(F) Scholastic Standards. The law school must maintain sound scholastic standards and 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.

(G) Admissions. The law school must maintain a sound admissions policy. The law school must not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the degree program.

(H) Multiple locations. 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 the Standards and Guidelines, subject to all site

~~specific operational requirements and any waivers approved by the Committee., except that the Committee may determine whether, and to what extent, the Library Standard shall apply.~~ The new campus must be in substantial compliance with the Standards and all operational requirements no less than one month prior to the start of classes, and ~~must be~~ 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 the Standards, except the Library Standard.

(I) Library. The law school must maintain a library consistent with the minimum requirements set by the Committee.

(J) Physical Resources. The law school must have physical resources and an infrastructure adequate for its programs and operations offered at each campus.

(K) Financial Resources. The law school must have adequate present and anticipated financial resources to support its programs and operations.

(L) Records. The law school must maintain adequate records of its programs and operations.

(M) Minimum, Cumulative Bar Pass Rate. The law school must maintain a minimum, cumulative bar examination pass rate as determined and used by the Committee in the evaluation of the qualitative soundness of a law school's program of legal education. The minimum, cumulative bar examination pass rate for a law school with one or more branch campus is to be calculated and reported as the combined rate of all such campuses.

(N) Consistent with sound educational policy and these rules, a law school must operate in accordance with policies and procedures that comply with the Constitutions and all applicable laws of both the United States and the State of California so as to provide both equality of opportunity and to prohibit unlawful discrimination.

(O) Compliance with Committee requirements. The law school must demonstrate its compliance with these rules by submitting required reports and otherwise complying with the rules.

*Rule 4.160 adopted effective January 1, 2009; amended effective January 1, 2013; amended effective May 10, 2013; amended effective March 13, 2015.*

#### Rule 4.162 Periodic inspection

(A) An accredited law school, and each of its approved branch or satellite campus, is subject to a concurrent inspection, at the school's expense, every fifth year following the grant of accreditation or more frequently if the Committee believes inspection is necessary. The inspection must be conducted by a team composed of the Senior Executive, at least one member of the Committee who has not previously visited the law school, a law school representative selected by the Senior Executive, and any other person selected by the Senior Executive. 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 Senior Executive's notice to the law school of the composition of the inspection team. The Senior Executive will consider the

challenge and may appoint an alternative team member for good cause within thirty days of receipt of the challenge.

(B) The inspection team must provide the Senior Executive with a report on the visit within ~~ninety~~ ~~sixty~~ days of the last day of the inspection. The Senior Executive 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.

(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.

*Rule 4.162 adopted effective January 1, 2009.*

#### Rule 4.165 Major changes

The following are major changes:

(A) instituting a new division either part-time or full-time, or changing from a part-time to a full-time program, or from a full-time to a part-time program;

(B) changing the location of the school, or the location of a branch campus or satellite campus or seeking Committee approval to opening a new branch campus or satellite campus;

(C) instituting any joint degree program, whether within the college or university affiliated with the law school or another institution;

(D) merging or affiliating with another law school, college, or university, or severance from a law school, college or university, or modifying the law school's relationship with an affiliated college or university;

(E) offering any new program in law study, whether a degree program, non-professional degree program, or non-degree program;

(F) 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;

(G) changing the name of the school;

(H) changing from a nonprofit to a profit-making institution or vice versa; and

(I) changing the ownership of the school.

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

#### 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.

(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.

(1) If the Committee deems the response satisfactory, it will notify the law school within thirty days of its consideration of the matter.

(2) If the Committee deems the response unsatisfactory, it must schedule an inspection by the Senior Executive within ~~sixty~~ thirty days of its consideration of the matter.

*Rule 4.170 adopted effective January 1, 2009.*

#### Rule 4.171 Inspection pursuant to Notice of Noncompliance

The Senior Executive must submit to the Committee a report on an inspection made pursuant to a Notice of Noncompliance within ~~sixty~~ thirty 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:

(A) the provisionally accredited law school is in substantial compliance with these rules; or

(B) the accredited law school is in compliance with these rules; or

(C) the provisionally accredited law school is not in substantial compliance with these 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 compliance with the rules for specific reasons that warrant probation or termination of accreditation.

*Rule 4.171 adopted effective January 1, 2009.*

#### Rule 4.172 Probation

(A) If the Committee decides that a provisionally accredited law school has not substantially complied with these rules, but has made progress toward substantial compliance, the Committee may place the law school on probation for a specified time.

(B) 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 toward compliance, the Committee may place the law school on probation for a specified time.

(C) 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.

(D) 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.*