



The State Bar *of California*

A Review of Accreditation – 2019 Rules Initiatives

June 20, 2019 in Los Angeles



Agenda

- Why does the State Bar register and accredit law schools?
- Key Accreditation Rules/Guidelines Projects for 2019
- Role of Regional/National Accreditors in State Bar's program
- The Path to Deemed Accredited Status and Best Practices



Agenda

- **Why does the State Bar register and accredit law schools?**



Agenda

- California Business & Professions Code 6060.7

(b) On and after January 1, 2008, law schools and law study degree programs shall be subject to the following:

(1) The examining committee shall be responsible for the approval, regulation, and oversight of degree-granting law schools that (A) exclusively offer bachelor's, master's, or doctorate degrees in law, such as juris doctor, and (B) do not meet the criteria set forth in [Section 94750 of the Education Code](#) .



Agenda

- California Business & Professions Code 6046.7
- *(a)(1) Notwithstanding any other provision of law, the Committee of Bar Examiners shall adopt rules that shall be effective on and after January 1, 2008, for the regulation and oversight of unaccredited law schools that are required to be authorized to operate as a business in California and to have an administrative office in California, including correspondence schools, that are not accredited by the American Bar Association or the Committee of Bar Examiners, with the goal of ensuring consumer protection and a legal education at an affordable cost.*



Pathways to Licensure in California

- ABA approved law schools
- State Bar Accredited Law Schools
- State Bar registered Law Schools
- Law Office Study Program managed through administrative channels at the State Bar



Law School Registration & Accreditation Aligns with State Bar's Mission

- Public Protection
- Access to Justice
- Inclusion in the legal profession



Broader Mission of Accreditation Aligns with State Bar Mission

- **Public Protection**
 - Consumers
 - Students
- **Access to Justice**
 - Promote pathways for attorneys to practice throughout the state
 - Promote pathways for attorneys from diverse backgrounds
 - Promote affordable avenues to licensure to encourage pro bono, public interest, and accessible legal services
- **Inclusion in the legal profession**
 - Create pathways for candidates from all backgrounds, geographies and life stages to become attorneys



Agenda

- **Key Accreditation Rules/Guidelines Projects for 2019**



Board of Trustees Initiatives Related to Accreditation in 2019

CONTINUING

- ABA approved schools are deemed accredited in California
- California Accredited Status continues
- Registered schools are encouraged to seek a path toward accreditation or deemed accredited status

NEWLY ADOPTED

- Deemed Accredited status for schools approved by a regional or national accreditor



Agenda

Role of Regional/National Institutional Accreditors in California



What are regional/national institutional accreditors?

- These accreditors accredit the school as an institution, regardless of the specific degree programs offered
- They focus on the school's mission, goals, outcomes, and continuous improvement as a whole
- These accreditors are approved by the Department of Education
- They have the authority under Title IV to take part in federal financial aid programs



What is a regional institutional accreditor?

- These accreditors are loosely defined by geography
- They work with a wide range of post-secondary institutions
- They use similar frameworks throughout the country

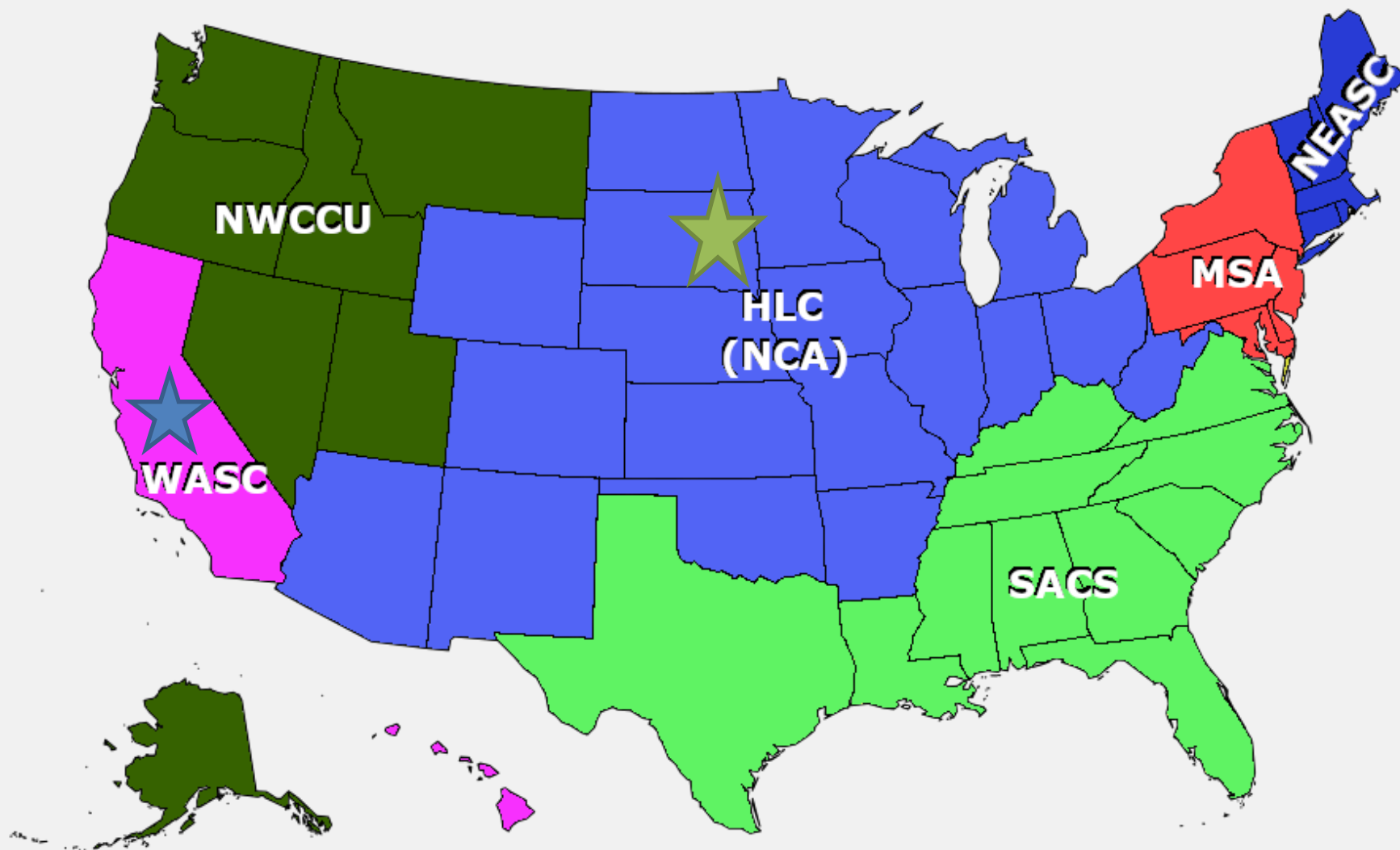


Regional Institutional Accreditors by Geography

- [Western Association of Schools and Colleges](#)
- [Higher Learning Commission](#)
- [Middle States Commission on Higher Education](#)
- [New England Association of Schools and Colleges](#) -
- [Northwest Commission on Colleges and Universities](#) [Southern Association of Colleges and Schools](#)
- [Southern Association of Colleges and Schools](#)



Regional Institutional Accreditors





What is the focus of a national institutional accreditor?

- These national accreditors accredit the school as an institution, regardless of the specific degree programs offered
- They focus on the school's mission, goals, outcomes, and continuous improvement as a whole
- These accreditors are approved by the Department of Education
- They have the authority under Title IV to take part in federal financial aid programs



Example: Standards One to Four Evaluated by Western Association of Schools and Colleges

- **Defining Institutional Purposes and Ensuring Educational Objectives**
- **Achieving Educational Objectives through Core Functions**
- **Developing and Applying Resources and Organizational Structures to Ensure Quality and Sustainability**
- **Creating an Organization Committed to Quality Assurance, Institutional Learning, and Improvement**



What is the focus of a National Accreditor?

- There are various types of national accreditors
- For the purposes of this exercise, the relevant national accreditors are also institutional accreditors, rather than programmatic accreditors
- The focus will be on the Distance Education Accrediting Commission



Distance Education Accrediting Commission (DEAC)

- Started accrediting correspondence programs
- Also accredits programs offered at least 51% online
- Evaluates Ten Categories of Institutional Effectiveness
- *Scope: The accreditation of postsecondary institutions in the United States that offer degree and/or non-degree programs primarily by the distance or correspondence education method up to and including the professional doctoral degree, including those institutions that are specifically certified by the agency as accredited for Title IV purposes.*



Comparison of Institutional versus Programmatic Accreditors

Regional/National Institutional

- Accredits institution as a whole
- Uses holistic analysis of a school's educational infrastructure, practices, outcomes and commitment to continuous improvement
- Grants access to federal financial aid programs under Title IV

Programmatic (State Bar)

- Accredits a specific degree program (J.D.)
- Evaluates the content and outcome of a specific program, including testing metrics if appropriate and curriculum content
- Does not grant access for federal financial aid programs under Title IV



There are areas of similarity between the types of accreditors as well

- Certain standards
- Processing of certain major change requests



Examples: Institutional Accreditors in action — WASC requires initial accreditation and advance approval for subsequent changes much like The State Bar of California

- School prepares via a self-study, possible candidacy, and full accreditation
- Requires schools to seek advance permission for changes and reaccredit periodically:
 - Schools also seek advance permission for major/substantive changes such as adding degree programs, changing locations, selling the school or changing curriculum
 - Schools must reaccredit (every 5 years for State Bar and every 6-10 years for WASC)



Agenda

The Path to Deemed Accredited Status and Best Practices



What are the guiding principles in creating a deemed accredited status?

- Leverage the strengths of national/regional accreditation
- Avoid duplication for schools that have dual accreditation
- Ensure and monitor the specific programmatic requirements needed to
 - Protect the public
 - Increase Access
 - Increase Inclusion



Examining overlap in the processes and reducing duplication of effort

- Institutional Infrastructure and Capacity
- Accreditation Process
- Periodic Inspections
- Major Change Process
- Other areas?



Examining how other states handle non-ABA Accreditation

- Connecticut and Massachusetts allow schools accredited by a regional accreditation provider (New England Association of Schools and Colleges)
- Tennessee uses the state's Board of Bar Examiners
- Alabama does not require law school accreditation by the ABA in order for graduates with a J.D. to sit for the bar examination in most circumstances
- Virginia, Vermont and Washington allow Law Office Study



Learning from Other Accreditors

- Medical
- Dental
- Veterinary
- Accountancy
- Other



Example for M.D. Program Accreditation: Liaison Committee on Medical Education

- Standard 1: Mission, Planning, Organization, & Integrity

- Standard 2: Leadership and Administration

- Standard 3: Academic & Learning Environments

- Standard 4: Faculty Preparation, Productivity, Participation, & Policies

- Standard 5: Educational Resources & Infrastructure

- Standard 6: Competencies, Curricular Objectives, & Curricular Design

- Standard 7: Curricular Content

- Standard 8: Curricular Management, Evaluation, & Enhancement

- Standard 9: Teaching, Supervision, Assessment, & Student and Patient Safety

- Standard 10: Medical Student Selection, Assignment, & Progress

- Standard 11: Medical Student Academic Support, Career Advising, & Educational Records

- Standard 12: Medical Student Health Services, Personal Counseling, & Financial Aid Services



Establishing Clear Rights and Responsibilities

- Elements of the Status
- Accountability
- Measurement
- Remedy
- Enforcement



Establishing a Path to the Status

- How can a school become eligible?
- How will the school apply?



Incorporating Best Practices

- This process may uncover potential clarifications or enhancements to the registered or accredited rules that should be discussed, and the Board of Trustees has asked the State Bar to capture such learning
- The Committee has asked the staff to review the rules and guidelines related to major changes
- Any proposal that may come from this process will proceed through the standard notice and discussion process



Getting Started

- The State Bar will provide resource materials for CSBARS members to become familiar with institutional accreditors
- Focus by current school type
- Focus by accreditor



Thank you for participating!