



The State Bar of California

OPEN SESSION AGENDA ITEM 701 NOVEMBER 2020

DATE: November 19, 2020

TO: Members, Board of Trustees

FROM: Audrey Ching, Assistant Director I, Office of Admissions
Natalie Leonard, Principal Program Analyst, Office of Admissions

SUBJECT: Proposed Rules for Law School Accreditation: Request to Circulate for Public Comment

EXECUTIVE SUMMARY

The Committee of Bar Examiners (CBE) requests that the attached proposal to replace the Rules for Accredited Law Schools (accredited rules proposal) be circulated for public comment for a period of 60 days and returned to Board of Trustees for consideration and approval (Attachment A).

At its January 2019 meeting, the Board requested a proposal to revise the Rules for Accredited Law Schools to incorporate best practices and to determine the additional requirements that a law school should meet in order to operate in California if that law school was also accredited by a regional or national institutional accreditor ([Board of Trustees Meeting, 1/25/19, Item 700, p.3](#)).

BACKGROUND

As the Board reviews the accredited rules proposal, it may be helpful to summarize the steps undertaken to create the proposal.

In January 2019, the Board ordered the formation of the Committee of State Bar Accredited and Registered Schools (CSBARS) and, as part of its charge, included providing feedback to CBE and State Bar on matters relating to the promulgation of new or amended Rules for Accredited Law Schools.

At that same meeting, the Board directed that the Rules for Accredited Law Schools be reviewed and modified as needed to comport with best practices in accreditation where appropriate. The Board also directed the State Bar to recognize regional and national institutional accreditation from entities authorized to accredit the first degree in law, and to identify additional State Bar requirements that must be satisfied in order for regionally and nationally accredited law schools to operate in California.

In April 2019, CSBARS met for the first time. CSBARS has seven members, including a representative from the Committee, an expert in accreditation who has participated on teams involved in admissions and law school regulation at both the State Bar of California and the American Bar Association, and deans from both accredited and unaccredited law schools.

CSBARS met 11 times at publicly noticed meetings to discuss and create the work that forms the basis of this updated rules proposal. They interviewed leadership at the Western Association of Schools and Colleges, reviewed the principles and practices of a wide range of institutional and programmatic accreditors, received feedback from current law school leadership, gathered suggestions made during the last three years of CBE meetings, and engaged in a structured drafting process.

After reviewing the principles and practices of seven institutional and seven programmatic accreditors, CSBARS determined, and CBE agreed, that the accredited rules proposal should be built around four key purposes for accreditation: consumer protection and transparency; student success; diversity, equity, and inclusion; and preparation for licensure and professionalism (proposed rules 4.160 (A-D)).

Throughout winter and spring 2020, CSBARS translated these purposes into action statements that formed the basis of its original rules proposal (Attachment B), which formed the basis of the accredited rules proposal. The accredited rules proposal streamlines the rules while maintaining quality, due to its focus on the four key purposes for law school regulation. Requirements that did not serve one of the purposes for accreditation were eliminated. For example, current rules and guidelines include detailed requirements prescribing how law schools must construct a board of visitors, prohibiting the sharing of classrooms with other departments at the school, and noting which staff must have offices (Guidelines 3.3, 9.1, and 9.2). Eliminating requirements that do not support the purposes for accreditation focuses the efforts of both law schools and the State Bar on what matters most.

Each rule in the accredited rules proposal describes a specific, measurable action designed to carry out one or more of the purposes for accreditation. To develop the novel Diversity, Equity, and Inclusion section of the rules, CSBARS partnered with members from the State Bar's Committee on Access and fairness to ensure that this section also incorporated focused, measurable best practices.

In response to the Board's direct request, the accredited rules proposal also includes a jointly accredited status for law schools that have earned an institutional accreditation, most likely through the [Western Association of Schools and Colleges Senior College and University](#)

[Commission](#), as the major accreditor of most west coast universities, or the [Distance Education Accrediting Commission](#), a key institutional accreditor for programs that are offered 51 percent or more through distance education, or one of [six other regional accreditors](#). Law schools that complete the rigorous process required to earn this type of institutional accreditation are proposed to be recognized by the State Bar, as long as those schools also demonstrate compliance with the subset of core rules identified in Rule 4.147(C), including maintaining a minimum, cumulative bar exam passage rate, ensuring that students meet prelegal and legal education requirements for taking the California bar exam, and complying with the new rules for diversity, equity, and inclusion (proposed rule 4.147).

Structurally, the updated rules proposal consolidates requirements into a single document that can be easily located, and to be accompanied by guidelines where necessary. This will enhance public protection by making it easier for schools to understand their obligations as accredited law schools, and making it easier for the public and prospective students to understand the rules that regulate these law schools.

During the drafting process, CSBARS worked together with staff. Points of agreement, disagreement, and further research were noted on a multicolumn drafting spreadsheet.

CSBARS finalized its proposal in June for presentation to CBE in August (Attachment B). Staff also presented an alternative proposal, using the CSBARS proposal as a base, and noting alternative positions in the instances where staff believed it was helpful for the CBE to see an alternative choice or additional detail, as had been discussed at prior CSBARS meetings.

At its August meeting, CBE reviewed both the CSBARS proposal and the staff alternative proposal. To ensure consideration of both options, CBE assigned a team of two CBE members to review the proposals closely. That CBE team met on four occasions, inviting two key drafters from CSBARS to a question and answer session at one of the meetings. Those CSBARS drafters actively participated but noted that they were not specifically representing the full CSBARS when making their comments. The two CBE members also reviewed the recording of the August CSBARS meeting at which CSBARS discussed the staff proposal, and attended the September CSBARS meeting, at which the two proposals were discussed further. Ultimately, the two CBE members finalized a single proposal, the accredited rules proposal, which included elements from the CSBARS proposal, some of the staff alternatives, and several additional amendments.

At its October meeting, the CBE moved to recommend the accredited rules proposal to the Board for circulation for public comment for a period of 60-days prior to final Board consideration.

DISCUSSION

The updated rules proposal responds to the Board's requests and represents the combined best efforts of the CBE, CSBARS, and staff, informed by public comments received at CSBARS meetings and CBE meetings, and accepted between meetings as well. The process also

benefited from the knowledge gained from the schools' unexpected quick transition to fully online learning this year, which is likely to shape the future of legal education.

It is hoped that this concise, clear proposal focusing schools on the four key purposes for accreditation will best ensure positive student outcomes.

To provide full context, the CSBARS proposal as presented in June is attached (Attachment B). The differences between the CSBARS proposal and the accredited rules proposal recommended by the CBE are summarized below and further detailed in the attached chart (Attachment C).

The accredited rules proposal, as recommended to the Board by CBE, adopts much of the CSBARS proposal, but amends the CSBARS proposal in several ways.

One key amendment involves the role of guidelines that the CBE may adopt to interpret these rules. The CSBARS proposal suggests that interpretive guidelines offer one option for complying with a rule, but that schools may establish compliance by choosing an alternate method that meets the core objective the rule. The accredited rules proposal recommends that the CBE retains its authority to specify when its interpretation must be followed specifically, versus when a school will have the flexibility to pursue a range of options to establish compliance with a rule (proposed rule 4.103).

Under the accredited rules proposal, when the CBE suspects that a school is out of compliance with a rule, a law school is to proffer all evidence of compliance or plans to return to compliance up front in order to allow the CBE to make a fully informed decision and take corrective action as quickly as reasonable; in contrast, the CSBARS proposal would divide the process into additional steps, allowing the schools to provide evidence and request an inspection at each step. If a school's accreditation is ultimately terminated, while the CSBARS proposal would allow schools to teach out their current students in accredited status, the accredited rules proposal would allow a law school to apply for registered, unaccredited status to allow the students to continue to study at that law school if they so choose. Recent examples have shown that some students continue to study at the same school, while others have successfully transferred relatively quickly.

Regarding ongoing operations, the accredited rules proposal mandates far fewer requirements than the current Rules for Accredited Law Schools, but specifically enumerates certain key requirements that were not listed in the CSBARS proposal, including additional detail related to student disclosures, prelegal requirements and admissions and transfer requirements necessary to ensure eligibility for the bar exam, and a minimum framework for staffing, clinical education and externships, library resources, and recordkeeping. It also omits the CSBARS' proposal to allow specified scores on competency exams to replace certain classes, though this could be a subject for future focused study.

Regarding the proposal for jointly accredited law schools, the accredited rules proposal adopted CSBARS' subset of core rules and, but also added the basic framework described in the prior paragraph in order to ensure clear disclosures, proper prelegal education and transfer

procedures to maintain bar exam eligibility, and compliance with the requirement to create a plan to foster diversity, equity, and inclusion (proposed rule 4.147).

The CBE recommends that, if adopted after a period of public comment, these rules take effect on July 1, 2021, with currently accredited and provisionally accredited schools having up to two years to achieve full compliance, during which time compliance with the current rules would serve as a safe harbor. Law schools would be asked to report their progress toward compliance in their annual reports to ensure steady progress toward compliance.

FISCAL/PERSONNEL IMPACT

None

AMENDMENTS TO RULES OF THE STATE BAR

Title 4, Division 2, Chapter 1

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & OBJECTIVES

Goal: None – core business operations

RECOMMENDATIONS

Should the Board of Trustees concur in the proposed action, passage of the following resolution is recommended:

RESOLVED, that the Board of Trustees moves to circulate the Committee of Bar Examiners' proposal to replace the Rules for Accredited Law Schools for a public comment period of 60 days.

ATTACHMENT(S) LIST

- A.** The Committee of Bar Examiners Proposed Rules for Accredited Law Schools
- B.** CSBARS Proposed Rules for Accredited Law Schools
- C.** Comparison Between CSBARS Proposal and Committee of Bar Examiners Proposal for Accredited Law School Rules

COMMITTEE OF BAR EXAMINERS PROPOSED RULES FOR ACCREDITED LAW SCHOOLS

TITLE 4. ADMISSIONS AND EDUCATIONAL STANDARDS

DIVISION 2. ACCREDITED LAW SCHOOL RULES

Chapter 1. General Provisions

Rule 4.100 Authority and Citation

The Committee of Bar Examiners of the State Bar of California 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, which may be cited as the Accredited Law School Rules.

Rule 4.100 adopted effective January 1, 2009.

Rule 4.101 Scope

- A. The Accredited Law School Rules apply to law schools seeking provisional or full 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 provisionally or fully approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association.
- B. 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. Full accreditation by the Committee is granted when a school demonstrates compliance with these rules.
- C. These rules do not apply to unaccredited law schools registered with 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 unaccredited, accredited, or approved law school or an institution of which it is a part.

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

4.103 Interpreting and applying the rules

The Guidelines for Accredited Law School Rules, as approved by the Committee of Bar Examiners to be effective on or after the date these rules go into effect, 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.

Rule 4.103 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.
- B. A "Law School provisionally or fully approved by the Council" is a law school provisionally or fully approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association.
- 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 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 "Jointly accredited Law School" is a law school fully accredited by the Committee that has also been recognized as jointly accredited within the meaning of Rule 4.147(B).
- 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 California Business and Professions Code Section 6060(h) and by Admissions Rule 4.31.
- I. The "Guidelines" are the Guidelines for Accredited Law School Rules adopted by the Committee of Bar Examiners.
- J. "Inspection" means an on-site or virtual visit to a law school by an individual or a team appointed by the Committee 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 Bachelor of Laws (LLB), Executive JD Non-Bar-Qualifying degree (EJD), Juris Doctor (JD), Masters of Law (LLM), Master of Legal Studies (MLS), or other post-graduate degree authorized by the Committee.
The JD 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 with the Committee as a correspondence, distance, or fixed facility law school, but is not accredited by the Committee.
 - 1. An "Unaccredited Correspondence Law School" is an unaccredited law school that conducts instruction principally by correspondence. An Unaccredited Correspondence Law School must require at least 864 hours of preparation and study per year for four years.

2. An “Unaccredited Distance Law School” is an unaccredited law school that conducts instruction and provides interactive classes principally by technological means. An Unaccredited Distance 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. An Unaccredited Fixed Facility Law school must require classroom attendance of its students for a minimum of 270 hours per year for four years.
- N. “State Bar staff” means assigned staff of the State Bar of California.
- O. Substantial Compliance
1. “Substantial compliance” for an institution exists where it (a) is in full compliance with the core requirements listed in Rule 4.147(C)(1); (b) meets the reasonable objectives of all other rules; and (c) has not engaged in, and is not likely to imminently engage in, serious misconduct that could harm the education, safety, health, or financial condition of students or prospective students.
 2. “Substantial compliance” for an individual rule exists where the institution meets the reasonable objectives of that rule. This definition applies to all rules except the core requirements of Rule 4.147(C)(1), for which a law school must show full and actual compliance.
 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 exercised, and may be informed by the judgment of experts, peers, and members of the public as applicable, as to the level of compliance with each rule.

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

Rule 4.106 Lists of law schools

The Committee maintains lists of law schools operating in California: those provisionally and fully accredited by the Committee, those registered as unaccredited with the Committee, those jointly accredited by these rules, and those approved by the Council.

Rule 4.106 adopted effective January 1, 2009; amended effective May 17, 2019.

Rule 4.107 Student complaints

The State Bar does not intervene in disputes between a law school and a student or others, and will not respond directly to the complaining party, but may consider this information when assessing the law school’s compliance with these rules.

Rule 4.107 adopted effective January 1, 2009.

Rule 4.108 Public information

Release of information contained in the files of applicants for provisional or full 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.

Rule 4.109 Waiver of requirements

- A. A law school may request that the Committee temporarily waive any rule.
- B. The Committee shall consider the request at a scheduled Committee meeting as soon as reasonably practicable.
- C. 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 Periodic Compliance Report or as specified by the Committee.
- D. The Committee is authorized to adopt emergency policies and procedures in response to extraordinary circumstances in which compliance with the rules would create or constitute extreme hardship for multiple law schools. These policies and procedures will be effective upon adoption by the Committee for a term certain and limited to the duration of the extraordinary circumstance.

Rule 4.109 adopted effective January 1, 2009.

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.
- B. Fees for the services of State Bar staff or their designees are listed in the Schedule of Charges and Deadlines. The State Bar shall have final discretion as to the hours required to complete regulatory actions. Law schools seeking provisional or full accreditation agree to timely pay all fees incurred under the Schedule of Charges and Deadlines. Failure to do so will be a basis for a finding of noncompliance.
- C. Travel expenses are reimbursed at actual cost, in accordance with State Bar travel reimbursement policies.

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

Rule 4.120 Application for Provisional Accreditation

A Law School provisionally or fully approved by the Council, or such a school which had approved status within the prior twelve months, or 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. A 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.

Rule 4.121 Application procedure

A Law School provisionally or fully approved by the Council, or such a school which had approved status within the prior twelve months, or a registered, unaccredited law school may apply for provisional accreditation by

- A. completing and submitting the Application for Provisional 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 timely pay all fees incurred whether or not the law school receives provisional accreditation.

Rule 4.121 adopted effective January 1, 2009; amended effective May 17, 2019.

Rule 4.122 Status Report on Application for Provisional Accreditation

Within 60 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.

Rule 4.123 Committee Action on Application for Provisional Accreditation

- A. After considering an Application for Provisional Accreditation, the Committee may
 1. make a finding that the law school does not appear to have demonstrated at least substantial compliance with these rules, and deny the application;

2. make a finding that the law school appears to be in at least substantial compliance with these rules, and schedule an inspection within 90 days to verify the law school's level of compliance; or
 3. request further information, allowing a reasonable time for review.
- B. The Committee shall notify the law school within 30 days of making its determination regarding the application.

Rule 4.123 adopted effective January 1, 2009.

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 verify 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 State Bar staff or designees and may include members of the Committee, law school representatives, or other members selected by the Committee.
- C. 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, other than employment by a competing institution, documented with evidence and submitted in writing, and request an alternative appointment. The State Bar will consider the challenge and may appoint an alternative team member for good cause within 30 days of receipt of the challenge. Alternates shall be subject to challenge as described above.

Rule 4.124 adopted effective January 1, 2009.

Rule 4.125 Inspection report for provisional accreditation

Within 90 days after the conclusion of the inspection, or as soon thereafter as practicable, the law school will receive a copy of the inspection report for its review. If the law school takes exception to any of the findings in the inspection report, it must notify the Committee in writing within 30 days of the date the inspection report was mailed, and may take up to 60 days from the date the inspection report was mailed to submit evidence in support of the exceptions. The Committee will consider the inspection report at a regularly scheduled Committee meeting after the time for submitting exceptions has passed; or, if exceptions have been submitted, at a regularly scheduled Committee meeting after the time for submitting evidence in support of the exceptions has passed.

Rule 4.125 adopted effective January 1, 2009.

Rule 4.126 Committee action on provisional accreditation inspection report

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

Rule 4.126 adopted effective January 1, 2009.

Chapter 3. Application for Accreditation

Rule 4.140 Application for accreditation

A Law School provisionally or fully approved by the Council, or such a school which had approved status within the prior twelve months, a provisionally accredited law school, or a registered, unaccredited law school may apply for accreditation. No later than 180 days before the expiration of provisional accreditation, a provisionally accredited law school must apply for accreditation. A provisionally accredited law school that does not apply for accreditation by this time will cease to be provisionally accredited and may apply to become registered with the Committee as an unaccredited law school.

Rule 4.140 adopted effective January 1, 2009.

Rule 4.141 Application procedure

A Law School provisionally or fully approved by the Council, or such a school which had approved status within the prior 12 months, a provisionally accredited law school, or a registered, unaccredited 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 60 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 Accreditations

- A. After considering an Application for Accreditation, the Committee may:
 - 1. find that the law school does not appear to be in compliance with these rules, and deny the application; or
 - 2. schedule an inspection within 90 days upon determining that the law school appears to be in compliance with these rules; or
 - 3. request further information, allowing a reasonable time for review.
- B. The Committee will notify the law school within 30 days of making its determination regarding the application.

Rule 4.143 adopted effective January 1, 2009.

Rule 4.144 Inspection for accreditation

- A. Inspection 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.
- B. The Committee will notify the law school of the dates of the inspection. The inspection will be conducted by State Bar staff or designees and may include members of the Committee, law school representatives, or other members selected by the Committee.
- C. 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, other than employment by a competing institution, documented with evidence and submitted in writing, and request an alternative appointment. The State Bar will consider the challenge and appoint an alternative team member for good cause within 30 days of receipt of the challenge. Alternates shall be subject to challenge as described above.

Rule 4.144 adopted effective January 1, 2009.

Rule 4.145 Accreditation inspection report

Within 90 days after the conclusion of the inspection, or as soon thereafter as practicable, the law school will receive a copy of the inspection report for its review. If the law school takes exception to any of the findings in the inspection report, it must notify the Committee in writing within 30 days of the date the inspection report was mailed, and may take up to 60 days from the date the inspection report was mailed to submit evidence in support of the exceptions. The Committee will consider the inspection report at a regularly scheduled Committee meeting after the time for submitting exceptions has passed; or, if exceptions have been submitted, at a regularly scheduled Committee meeting after the time for submission of evidence in support of the exceptions has passed.

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.

Chapter 4 Law Schools Approved by Additional Accreditors

Rule 4.147 Law schools approved by other accreditors

- A. Law School provisionally or fully approved by the Council is deemed accredited by the Committee and exempt from these rules. If the Council withdraws its approval, or the law school voluntarily relinquishes its approval, the law school may apply for provisional accreditation or accreditation as described in 4.121 and 4.141 above.
- B. A law school that has been fully accredited by the Committee and is also fully approved by any accreditor recognized and authorized to accredit schools offering the first professional degree in law by the United States Department of Education may apply to be, and upon approval shall be, jointly accredited by the Committee so long as the law school and the institution of which it is a part remain accredited in good standing with that accreditor, and the school complies with the requirements in section 4.147(C), below. A jointly accredited law school shall provide the State Bar with timely copies of its correspondence with any other accreditor relating to the law school.
- C. Core Accreditation Requirements; Jointly accredited Requirements
 - 1. A law school that is jointly accredited under Rule 4.147(B), and within the meaning of Rule 4.105(F), must comply with the following:
 - a. the fees required by Rule 4.110;
 - b. location and compliance with applicable law required by Rule 4.160(A)(1) and Rule 4.160(A)(2) and communication disclosures required by Rules 4.160(A)(3), (4), and (6);
 - c. student success standards required by Rule 4.160(B);
 - d. diversity, equity and inclusion policies and practices required by Rule 4.160(C)
 - e. practice-based skills and competencies curriculum required by Rule 4.160(D)(2);
 - f. financial responsibility required by Rule 4.160(D)(3);
 - g. curriculum required by Rule 4.160(D)(4);
 - h. Minimum Cumulative Pass Rate (MPR) required by Rule 4.160(D)(6);
 - i. periodic reporting required by Rule 4.161; and
 - j. the orders, directions, and notices required by the State Bar pursuant to these rules.

2. The accreditation standards listed in Rule 4.147(C)(1) are the “core” requirements of accreditation as that term is used elsewhere in these rules.

Rule 4.148 Application for Jointly accredited Status

- A. An accredited law school may apply for “jointly accredited” status by
 1. completing and submitting the application for jointly accredited status with the fee set forth in the Schedule of Charges and Deadlines; and
 2. demonstrating that the law school meets the definition of jointly accredited status as defined in Rule 4.147(B) and agreeing to fulfill all obligations required of a jointly accredited law school.
- B. Within 90 days of submitting a complete application for Jointly accredited Status, or as soon as practicable thereafter, a law school will be notified whether it meets the definition of jointly accredited as defined in Rule 4.147(B).

Chapter 5. Responsibilities of Provisionally Accredited and Accredited Law Schools

Rule 4.160 Programmatic Responsibilities of Provisionally Accredited and Accredited Law Schools

The purposes for accreditation are fourfold: Consumer Protection and Transparency; Student Success; Diversity, Equity, and Inclusion in legal education; and Preparation for Licensure. A law school shall maintain sufficient records between periodic inspections to demonstrate continuing compliance to the Committee.

- A. Consumer Protection and Transparency: A law school shall ensure that prospective and current students are timely informed of the rights, responsibilities, and limitations of attending the law school, the resources and requirements needed to earn a JD degree, and the law school’s student outcomes with respect to retention, licensure, and career outcomes.
 1. Location: A law school must maintain its primary administrative office and all law school campus locations in California and operate in compliance with all applicable federal, state, and local laws and regulations.
 2. Compliance with laws: While the State Bar will not warrant a law school’s compliance with laws, evidence of violation of laws or regulations may result in a determination of noncompliance with these rules.
 3. Disclosure: A law school shall publish, on its Consumer Information (Accreditation) webpage, a disclosure statement, revised annually and submitted with the Periodic Compliance Report, that complies with California Business and Professions Code section 6061.7(a) in a format prescribed by the State Bar. The Committee may also require disclosure of additional information, including statistics on retention and diversity, when to do so is not in conflict with 4.160(A)(6).

4. Statement of Limitation on Bar Examination Eligibility: A law school shall publish, on its home page, the following Statement of Consumer Information, as well as on the Consumer Information Page, Application and Enrollment Agreement:

Study at, or graduation from, this law school may not qualify a student to take the bar examination or be licensed to practice law in jurisdictions other than California. A student who intends to seek licensure to practice law outside of California at any time during their career should contact the admitting authority for information regarding its education and licensure requirements prior to enrolling at this law school.

5. 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 45 days after a student withdraws from a class or a program, or within 45 days of the law school's discontinuing a course or educational program in which a student is enrolled.
6. Public Communications: All information that a law school reports, publicizes or distributes shall be accurate and not misleading to a reasonable law school student, applicant or member of the public. A law school shall use due diligence in obtaining and verifying such information.
 - a. A law school must not mislead prospective students as to their reasonable prospects of admission, obtaining a 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 a degree, or the financial support available through loans or scholarships for their course of study.
 - b. Whenever the words "Accredited" or "Provisionally Accredited" appear in law school communications in relation to qualification to take the California Bar Examination or admission to the practice of law in California, they must be accompanied by words clearly indicating that such accreditation is by the Committee of Bar Examiners of the State Bar of California.
7. Student Privacy: A law school must protect student privacy and the confidentiality of student communications and records in accordance with the law. 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:
 - a. required by law, including administrative subpoena or court order;
 - b. requested by the State Bar;
 - c. designated "directory information" and students are advised of its designation as such;
 - d. requested by another accrediting agency; or

- e. required in case of emergency.
- 8. Academic Standards: A law school must adopt and timely publish written academic standards, including:
 - a. standards for examinations and grading;
 - b. the courses, units, grades, and grade point average required for good standing, retention, advancement, and graduation;
 - c. the terms of the student probation policy, including requiring students advanced on probation to be academically disqualified if they do not meet the law school's requirements for advancement in good standing and retention after no more than one year on probation;
 - d. the circumstances under which a student is subject to disqualification for academic deficiency;
 - e. policy on course repetition which includes a prohibition on earning credit more than once for substantially similar coursework;
 - f. prompt return of grades;
 - g. policy on review and appeal of grades; and
 - h. policy for authenticating student work.
- 9. Student Discipline: A law school must have a written policy for the 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 a student's score on an examination or assignment, denial of course credit, suspension, and dismissal.
 - b. The law school's policy must include reasonable notice to the student of the discipline or action to be taken and provide an opportunity for the student to be heard, at the student's election, either 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 law school's discretion.
 - 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.
- 10. Compensation Based on Number of Applicants, Enrollment and Students Prohibited: 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.
- 11. Maintaining Accurate and Complete Records: A law school must maintain complete and accurate records of its programs and operations pursuant to a written plan readily accessible to its administration, to students as appropriate, and to the Committee, in a manner properly secured and backed up to prevent or recover from loss. The school must also maintain sufficient records to demonstrate its compliance from its last two periodic inspections to the present

and maintain student grade records and Committee correspondence permanently.

12. Written Notice of Changes to Policies: A school shall timely provide applicants, students and faculty with written notice of changes to policies that may affect them.

B. Student Success: Consistent with its mission and these rules, a law school must provide JD curriculum and teaching designed to promote student success, measured by the learning outcomes designated by the law school for its courses and programs. The law school must not award a JD unless the student has completed all student requirements set forth in these rules, all requirements set forth by the law school for graduation, and all legal education requirements to take the California bar exam.

1. Organization: A law school must be governed, organized, and administered so as to maintain a sound program of legal education that prepares students for the legal profession and provides a reasonable opportunity to pass the California bar exam.
2. Administration: A law school must have a dean responsible for the operation of the law school, an administrator with experience in educational administration, and at least one administrator per campus who has graduated from a law school approved by the Council or accredited by the Committee, or is admitted to practice law in any United States jurisdiction. These individuals may be the same person. Administrators may not be suspended disbarred or have resigned from any bar with charges pending. The law school must also have a registrar to address recordkeeping requirements. All must devote adequate time to their duties and must have current written job descriptions.
3. Statement of Program Learning Outcomes: A law school must state the knowledge, skills, and values that each program of the law school seeks to provide to, or develop, in graduates of that program.
4. Course Learning Outcomes: A law school should state the knowledge, skills, 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.
5. Outcomes Assessment: A law school must engage in ongoing and systematic program outcomes assessment and should engage in ongoing and systematic course outcomes assessment. A law school may use any assessment method consistent with law and these rules to achieve and evaluate its mission-appropriate program outcomes.
6. Admissions:
 - a. A law school must maintain a sound admissions policy in compliance with Business and Professions Code section 6060, The State Bar's Admissions Rules, these rules and any applicable guidelines, and State Bar policies. A sound policy is one which ensures that the law school does not admit students who are obviously unqualified, do not meet pre-legal education requirements, or who do not appear to have a

reasonable prospect of completing the degree program or meeting the program objectives, based on the information reasonably available to the law school at the time of admission.

- b. Within 45 days after the start of the term, schools must receive either: (1) official transcripts from the school or Law School Data Assembly Service that demonstrate compliance with Business and Professions Code section 6060(c)(1), Admissions Rule 4.25, State Bar policies, and the law school's admissions policies, or (2) an official certification that the person has passed the equivalency examination required by section 6060(c)(2) of the California Business and Professions Code and Admissions Rule 4.25(B), State Bar policies, and the law school's admissions policies. If the required documentation is not obtained within 45 days after the start of the term, the law school may extend attendance for no more than an additional 45 days under exceptional circumstances. Such exceptional circumstances must be documented in the student file.
 - c. Law schools must inquire about prior law school attendance prior to offering admission, including performance, standing, and reason for departure. If a law school admits a student who was previously disqualified from the same or another law school for academic reasons, the law school must document the reasons for admitting or readmitting the student, as applicable.
 - d. If the law school admits a special student as defined under California Business and Professions Code 6060(C)(2) and admissions rule 4.25(B), that student must take and pass the First-Year Law Students' Examination within three administrations of first becoming eligible to take it, or the student must be dismissed. The student must pass the examination before any credit can be awarded.
7. A law school may accept transfer credits for study at other law schools, but is not required to do so. Credit may only be transferred for whole courses, in an amount not to exceed the credit granted by the awarding law school and shall only be awarded for classes for which the student earned a grade in good standing at that awarding law school, except that for a student who has passed the First-Year Law Students' Examination, the law school may acknowledge the credit previously granted for Torts, Criminal Law, and Contracts, even if the grade was less than would be required for good standing.
8. No credit may be granted for work completed at a registered, unaccredited law school unless that student has passed the First-Year Law Students' Examination, and no credit shall be awarded beyond the first year of study for that student and prior to passing the examination unless they passed the exam within three administrations of becoming eligible to take it. A law school shall not accept transfer credits earned more than 36 months prior to

enrollment without documenting good cause in the student's file and confirming disclosure to the student that they will have a responsibility to keep their knowledge current to pursue licensure.

9. Retention and Disqualification: A law school must, as soon as possible, identify and disqualify those students who lack the capability to satisfactorily complete the law school's JD degree program. Each student must be evaluated for advancement annually.
10. Assessment of Student Learning: A law school must determine a method to evaluate student learning based on evidence. A law school must establish that the method evaluates the student's skills and knowledge of fundamental principles encompassed within the subject matter of the course.
11. Grading: Grading standards should 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. The standards shall include a policy on pass-fail grading and exclude pass-fail grading for bar-tested subjects.
12. Quantitative Academic Requirements:
 - a. A JD program must include the completion of a minimum of 80 semester units or their equivalent. A JD degree should be completed in no less than 24 or no more than 84 months, except that the law school may allow a student to complete the JD program in more than 84 months under extraordinary circumstances at the law school's discretion, if the law school places a letter in the student's file documenting good cause and gives notice to the student that they have a responsibility to keep their knowledge current to pursue licensure, and provides adequate support to the student to do so.
 - b. The 80 semester units or their equivalent may be satisfied through a combination of any of the following means: (i) student attendance in a classroom-based program; (ii) student participation in a synchronous or asynchronous curriculum offered through distance-learning technology; and (iii) student participation in an experiential or clinical program for up to 12.5 percent of the total time required to earn a JD degree.
 - c. A "semester unit" includes at least 15 hours of verifiable academic engagement and a total of 45 hours of engagement.
 - d. Students may earn credit for verifiable academic engagement via:
 1. physical classroom time;
 2. using distance learning technology in any manner, including, but not limited to, any of the following: (a) participating in a synchronous class session; (b) viewing and listening to recorded classes or lectures; (c) participating in a live or recorded webinar offered by the law school; (d) participating in any synchronous

- or asynchronous academic assignment in any class monitored by a faculty member; (e) taking an examination, quiz or timed writing assignment; (f) completing an interactive tutorial or computer-assisted instruction; (g) conducting legal research assigned as part of the curriculum in any class; and (h) participating in any portion of an approved clinical or experiential class or activity offered through distance learning technology totaling no more than 12.5 percent of the hours required for graduation; and/or
- 3. student participation in an experiential or clinical program where the student's participation is pre-approved, a faculty member reviews the student participation to ensure educational objectives are achieved, the amount of credit is commensurate with the time spent, and the total credit does not exceed 12.5 percent of the total hours required for graduation.
- e. A law school must have a written policy that requires each student to complete least 1200 hours of verifiable academic engagement in order to complete the JD program. It is presumptively sufficient to have a policy requiring completion of not less than 80 percent of the academic engagement required by each course in which the student is enrolled.
- 13. Faculty: A law school and each campus it operates must have sufficient faculty to maintain a sound program of legal education, and ensure timely response to, and evaluation of, each student and the prompt evaluation of assignments. At least 80 percent of the faculty must be licensed to practice law in a United States jurisdiction, be a judge of a United States Court or court of record in any jurisdiction of the United States, or be a graduate of a law school approved by the Council or accredited by the Committee. Students may not be the sole instructors of any activity for academic credit.
- 14. 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.
- 15. Evaluation of Faculty: A law school must adopt a written process for the evaluation of instructor competence including regular assessment, annual evaluation by the institution, and written record of performance.
- 16. Academic Freedom: A law school must adopt an academic freedom policy under which the faculty member can articulate an academically related position or concept that may be controversial without fear of reprisal.

17. Academic Support: 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.
 18. Library Resources: A law school must own or license a reasonable hard copy and/or electronic library that includes sufficient materials for students to complete their coursework and learn to conduct legal research. The library should include, at a minimum, California and federal case law and statutes and copies of course materials. The law school shall not rely upon a public library to fulfill this purpose.
 19. Statement of Student Services: A law school must publicly state what services, experiences, and activities are available to students at each of its campuses 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, although a law school may impose reasonable qualifications (such as minimum grade average or year in law school) for participation in services, experiences, and activities other than academic counseling.
- C. Diversity, Equity and Inclusion: A law school must have mission-appropriate diversity, equity and inclusion policies, in accordance with California and federal law, to support student success; create an inclusive environment for, and encourage the participation of historically underrepresented communities within the student body; and promote cultural competency and respectful discourse across a wide range of issues. To ensure an environment of continuous evaluation and improvement, law schools must track the implementation of their policies and change them as appropriate when suggested by their results.
1. Antidiscrimination Policy: Consistent with California and federal law, a law school shall have and publish anti-discrimination policies for faculty, staff, and students, including policies regarding sexual harassment and sexual assault.
 2. Creating an Inclusive and Diverse Law School Environment and Experience: 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.
 3. Access/Diversity Programs and Partnerships: A law school must put in place effective policies and practices, and engage in ongoing, systematic, and focused recruitment and retention activities, in an effort to achieve mission-appropriate access, diversity, equity, inclusion, and cultural competency outcomes for its students, faculty, senior administrative staff, and 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 and adjust programs and policies as appropriate to improve diversity and inclusion outcomes.

- D. Preparation for Licensure and Professionalism: A law school shall prepare JD students to become licensed attorneys and to practice law in an ethical and professional manner. The JD degree must be granted only upon completion of a law program that satisfies the educational requirements for a student to take the California Bar Examination.
1. Access to Faculty: 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.
 2. Practice-Based Skills and Competencies
 - a. The law school must require that each student enrolled in its JD Degree program satisfactorily completes a 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.
 - b. A law school must provide the opportunity for students in the JD degree program to complete a minimum of 15 semester units (or their equivalent) 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.
 - c. A law school must provide the opportunity for LLM students who are enrolled in the law school to qualify to take the California Bar Examination to complete a minimum of five semester units (or their equivalent) of practice-based skills and competency training.
 3. Expenditure of Assets and Funds to Provide a Sound Program of Education: 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 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. The Committee reserves the right to require a law school to submit an audited financial statement prepared by an independent certified public accountant
 4. Curriculum: There is no prescribed program of legal education. An effective program of legal education for the JD 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 satisfy the legal education requirements to take the California Bar Exam;
 - 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;

- c. knowledge of process and skills for legal research and writing, which shall include access to legal research resources adequate to accomplish this requirement; and
 - d. the subjects tested by the California Bar Examination, including a course in Professional Responsibility that all students must complete and pass.
- 5. Academic Program Plan: A law school must adopt and maintain a written plan for its academic program.
- 6. Minimum Cumulative Pass Rate: The law school must maintain a minimum, cumulative bar examination pass rate (MPR) of 40 percent in each reporting period.
 - a. The “reporting period” covers the five most-recent 12-month periods (August 1 through July 31) prior to the calendar year in which the MPR is reported to the Committee.
 - b. A law school’s MPR is to be calculated as a fraction that is the sum of all applicants who took the bar examination during the reporting period and who passed any administration of the California Bar Exam 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 takers for the reporting period who, whether they passed or failed, took any administration of the California Bar Exam 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.
- 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.
- 8. Acquiescence Required to Award Professional Law Degrees in Addition to the JD Degree: In order to award any professional law degree in addition to the JD degree, a law school must apply to and obtain the advance acquiescence of the Committee, and must agree to use the disclosures prescribed by the State Bar in its communications and enrollment agreements. As provided in rule 4.105(L) of these rules, a “professional law degree” is the Bachelor of Laws (LLB), Executive JD Non-Bar-Qualifying degree (EJD), Juris Doctor (JD), Masters of Law (LLM), Master of Legal Studies (MLS), or other post-graduate degree, and must agree to use the form and disclosures prescribed by the State Bar.

Rule 4.161 Periodic Compliance Report

- A. A law school subject to these rules must submit a Periodic Compliance Report as required, 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 a 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.

Rule 4.162 Periodic Inspection

- A. An accredited law school, including each approved branch or satellite campus, is subject to inspection every five to seven years following the grant of accreditation, at the discretion of the Committee, or more frequently if the Committee finds this is reasonably necessary to ensure continued compliance. The inspection will be conducted by State Bar staff or designees and may include members of the Committee, law school representatives, and other members.
- B. 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, documented with evidence and submitted in writing, other than employment by a competing institution, and request an alternative appointment. The Committee will consider the challenge and may appoint an alternative team member for good cause within 30 days of receipt of the challenge. Alternates shall be subject to challenge as described above.
- C. Within 90 days after the conclusion of the inspection, or as soon thereafter as practicable, the law school will receive a copy of the inspection report for its review. If the law school takes exception to any of the findings in the inspection report, it must notify the Committee in writing within 30 days of the date the report was mailed, and may take up to 60 days from the date the report was mailed to submit evidence in support of the exceptions. The Committee will consider the inspection report at a regularly scheduled Committee meeting after the time for submitting exceptions has passed; or, if exceptions have been submitted, at a regularly scheduled Committee meeting after the time for submission of evidence in support of the exceptions has passed.
- D. After considering the inspection report, any exceptions filed by the law school, and any additional information it has requested, the Committee may continue accreditation and/or address noncompliance.
- E. A law school "jointly accredited" status is not subject to periodic inspection unless a complaint has been filed against it that reasonably implicates the law school's compliance; it has lost its accreditation with the other agency; or the Committee has a reasonable belief that the law school may be out of compliance and the Committee requires additional information from the law school to assess its compliance.

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 for the law school to assess and demonstrate whether it 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 4.165 Prior approval required for Major Changes

- A. A provisionally accredited law school or accredited law school contemplating a major change requiring advance approval must notify the Committee and obtain that approval at least 180 days before making the change. The notice must explain in detail any effect the change might have on the law school's compliance with these rules and be submitted with the fee specified in the Schedule of Charges and Deadlines. The Committee may require submission of additional information or an inspection as part of its consideration. The following major changes require advance approval from the Committee:
1. changing the location of the law school, or the location of a branch campus or satellite campus, to a different location more than five (5) miles from the existing location;
 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, full or part time;
 4. offering any professional law degree program in addition to the JD degree;
 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;
 8. change in ownership or control of the law school, including affiliation, merger or severance with another law school, college, university, or organization;
 9. any major change to the JD curriculum, including change in the number of credits, overall requirements, or teaching modality change that affects more than one-third of the program; or
 10. opening a new branch or satellite campus.
- B. An accredited law school that makes a change as to any one of the following must notify the Committee within 30 days of making the change:

1. Official physical or mailing address, phone number, or email for the law school;
2. Contact Information for the Dean, Administrator, or Registrar;
3. The law school's website domain(s) or home page address (URL); or
4. The name of the law school.

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

Chapter 6. Termination of Provisional Accreditation or Accreditation

Rule 4.170 Proceeding to Determine Compliance

- A. If the Committee makes a finding that a provisionally accredited law school, or any branch or satellite campus thereof, is not in substantial compliance with any of these rules, or that a jointly accredited law school, or any branch or satellite campus thereof, is not in compliance with any core requirement in Rule 4.147(C), or that an accredited law school, or any branch or satellite campus thereof, is not in compliance with any of these rules, the Committee shall provide the law school with a written Notice of Noncompliance that states the reasons and factual basis therefor.
- 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; or, if the law school is not in compliance, detailing a plan that reasonably demonstrates the law school's best intent, capacity, method, and timing to return to substantial compliance, or compliance, as applicable, and the law school may also request a hearing pursuant to rule 4.175. If the law school does not provide a response or does not request a hearing, the Committee will proceed with the information that is before it.
 1. If the Committee determines that the law school is in compliance or substantial compliance, as applicable, the Committee will make this finding in the public record.
 2. If the Committee is unable to determine whether the law school has demonstrated compliance or substantial compliance, as applicable, the Committee may request additional information, including an inspection. If the law school refuses or is reasonably unavailable to participate in any request, the Committee will proceed with the information that is before it.
 3. If the Committee determines that the law school is not in compliance or substantial compliance, as applicable, the Committee must provide the law school with a written Notice of Sanctions that states the sanction(s), a summary of the reason(s) and factual basis for the sanction(s), and the effective date.

Rule 4.172 Probation

- A. If the Committee finds that a provisionally accredited law school, or any branch or satellite campus thereof, has not complied with any core requirement in Rule 4.147(C), or has not substantially complied with any other rule, but has demonstrated the intent and capacity to comply with the rule, the Committee may place the law school on probation for a specified time not to exceed two years.
- B. If the Committee finds that a jointly accredited law school, or any branch or satellite campus thereof, has not complied with any core requirements of Rule 4.147(C), the Committee may revoke the law school's jointly accredited status and place the law school on probation for a specified time not to exceed two years.
- C. If the Committee finds that an accredited law school, or any branch or satellite campus thereof, has not complied with these rules, the Committee may place the law school on probation for a specified time not to exceed two years.
- D. A provisionally accredited or accredited law school placed on probation is subject to
- E. any probation conditions imposed by the Committee, including interim inspections, public notice, and progress reports. The law school continues to have degree-granting authority and its students are deemed enrolled at a provisionally accredited or accredited law school, as applicable.
- F. No sooner than the last six months prior to the conclusion of the probationary period, the Committee may extend the probationary period if the Committee makes specific findings that extraordinary circumstances justify the extension. In reviewing an extension request, the Committee shall consider the progress made toward bringing the law school into substantial compliance or compliance and any other relevant information.
- G. At least 30 days before probation expires, the Committee will set a date, and notify the law school of such date, and on or after such date, the Committee will determine whether it will:
 - 1. end the provisionally accredited law school's probation or will proceed to terminate the law school's provisional accreditation; or
 - 2. end the accredited law school's probation or will proceed to terminate the law school's accreditation.
- H. The Committee may remove a law school from probation prior to the conclusion of the probationary period if the law school demonstrates substantial compliance or compliance, as applicable. Probation is not available to a provisionally accredited law school during the last 180 days of its provisional accreditation.
- I. Probation is not required in circumstances described in Rule 4.173, subsections (A)(2) and (A)(3), where termination without intervening probation is necessary for public protection.

Rule 4.173 Termination of accreditation or provisional accreditation

- A. The Committee may terminate provisional accreditation or accreditation if it finds one or more of the following:
 - 1. the law school has failed, during a period of probation, to demonstrate substantial compliance or compliance, as applicable, for provisionally accredited or accredited

- law schools, respectively, with one or more of the rules or to meet the terms of its probation;
 - 2. the law school is out of compliance a core requirement of Rule 4.147(C), and the Committee finds that a period of probation would not be appropriate;
 - 3. the law school has engaged in, or may imminently engage in, serious misconduct that could harm the safety, health, education or financial condition of students or prospective students; or
 - 4. the law school is provisionally accredited, and a probationary period would serve no purpose given the nature of the noncompliance or the proximity to the termination of the provisional accreditation period.
- B. The Committee shall terminate accreditation or provisional accreditation on a specific date, at which time the law school's degree-granting authority shall also terminate. This date should generally coincide with the end of the current semester, though the Committee may terminate accreditation immediately in its discretion, or at a later time if appropriate. If the law school's accreditation is terminated, it may apply for registration with the Committee as an unaccredited law school. Any application for registered unaccredited status filed concurrently with proceedings related to a Notice of Noncompliance shall not be interpreted as an admission of noncompliance or prevent the Committee from making a finding of compliance with these rules.

Rule 4.174 Request for Hearing

Within 15 days after the Committee issues a Notice of Noncompliance or gives Notice of a Date of a Committee Consideration pursuant to Rule 4.172(F), a law school may request a hearing pursuant to Rule 4.175.

Rule 4.175 Hearing procedures

- A. Within 30 days of the Committee receiving a timely request for hearing, a hearing will be scheduled and before panel of three members 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 shown, grant the request and appoint an alternative member. Alternates shall be subject to challenge as described above.
- B. The State Bar will record the hearing. A transcript or copy of the recording of the hearing will be made available at the law school's request and expense.
- C. One of the three members of the panel will be selected to preside over the hearing. 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.
- D. All parties may be represented by counsel at their own expense.

- E. 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.
- F. At the conclusion of the hearing, the panel will deliberate and prepare proposed findings to be presented to the Committee.

Rule 4.176 Committee Action Following Hearing

Following a hearing, the Committee will consider the hearing record, hearing panel's proposed findings, any additional panel recommendations and any other information presented to the Committee. The Committee may approve, modify or reject the proposed findings or substitute its own findings. 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.

Rule 4.177 Notification of Committee Decision

The Committee, in its discretion, may do any or all of the following with respect to its decisions:

- A. publish it via the State Bar website, periodicals of general circulation, or otherwise;
- B. require that the law school include a notice regarding the Committee's decision on the law school's website, consumer disclosures or other communications;
- C. notify the students enrolled in the law school;
- D. notify the Supreme Court of California;
- E. notify the California Attorney General; or
- F. notify any other entity that accredits or regulates the law school.

Rule 4.178 Review by Supreme Court

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

CSBARS Proposed Rules for Accredited Law Schools

TITLE 4. ADMISSIONS AND EDUCATIONAL STANDARDS

DIVISION 2. ACCREDITED LAW SCHOOL RULES

Chapter 1. General Provisions

Rule 4.100 Authority

The Committee of Bar Examiners of the State Bar of California is authorized by law to accredit law schools in California 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.

Rule 4.101 What these rules are

- A. The Accredited Law School 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 Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association.
- B. 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.
- 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. 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.

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

Rule 4.102 Law schools approved by other accreditors

- A. A law school provisionally or fully approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association is deemed accredited by the Committee and exempt from these rules, unless the Council withdraws its approval.
- B. A law school that has been accredited by the Committee and is also 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, and upon approval shall be, 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 4.102(C) of these rules.
- C. Core Accreditation Requirements; Deemed Accredited Requirements
 - 1. A law school that is deemed accredited under Rule 4.102(B), and within the meaning of Rule 4.105(F), must comply with the following:
 - a. the fees required by Rule 4.110;
 - b. compliance with applicable law required by Rule 4.160(A)(1);
 - c. disclosures required by Rule 4.160(A)(2) and Rule 4.160(A)(3);
 - d. admissions standards required by Rule 4.160(B)(5);
 - e. practice-based skills and competencies curriculum required by Rule 4.160(D)(2);
 - f. financial responsibility required by Rule 4.160(D)(3);
 - g. curriculum required by Rule 4.160(D)(4);
 - h. Minimum Cumulative Pass Rate (MPR) required by Rule 4.160(D)(6);
 - i. periodic reporting required by Rule 4.161; and
 - j. the orders, directions, and notices required by the State Bar pursuant to these rules.
 - 2. The accreditation standards listed in Rule 4.102(C)(1) are the “core” requirements of accreditation as that term is used elsewhere in these rules.

Rule 4.102 adopted effective January 1, 2009.

4.103 Interpreting and applying the rules; transition from pre-existing rules

- A. The Interpretive Guidelines for Accredited Law School Rules, as adopted by the Committee of Bar Examiners to be effective on or after the date these rules go into effect, provide interpretations of these rules.
 - 1. A law school that satisfies the Interpretive Guidelines interpreting a Rule will be presumed to be in compliance with the Rule. A law school that does not satisfy

the Interpretive Guidelines interpreting a Rule is presumed not to be in compliance with the Rule and bears the burden of demonstrating compliance with it.

2. The Committee has the authority to amend the Interpretive 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.
- B. These rules shall go into effect on January 1 of the year following their adoption. The Accredited Law School Rules and the Guidelines for Accredited Law School Rules already in effect prior to the date these rules go into effect (respectively, “Pre-existing Rules” and “Pre-existing Guidelines”) shall sunset as of the date these rules go into effect. However, the Pre-existing Guidelines shall be effective as a “safe harbor” by which any school that has already submitted its application for provisional accreditation, or is provisionally accredited or accredited by the Committee, as of the date of adoption of these rules may demonstrate substantial or full compliance with these rules through December 31, 2025.
1. A law school relying on the Pre-existing Guidelines as a “safe harbor” to demonstrate substantial or full compliance with these rules must substantially or fully comply, as applicable, with the Pre-existing Guidelines to invoke the “safe harbor” provision.
 2. A law school in compliance with these rules is not also required to comply with the Pre-existing Rules or Pre-existing Guidelines.

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.

- B. A “Law School approved by the Council” is a law school fully or provisionally approved by the Council of the Section of Legal Education and Admissions to the Bar of 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 also been recognized as “deemed accredited” within the meaning of Rule 4.102(B).
- 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 the Admissions 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 Committee 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 Bachelor of Laws (LLB), Executive JD Non-Bar-Qualifying degree (EJD), Juris Doctor (JD), Masters of Law (LLM), Master of Legal Studies (MLS), or other post-graduate degree authorized by the Committee. The JD 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.
- N. “State Bar staff” means assigned staff of the State Bar of California.
- 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. An Unaccredited Correspondence Law School must require at least 864 hours of preparation and study per year for four years.
 - 2. An “Unaccredited Distance Law School” is an unaccredited law school that conducts instruction and provides interactive classes principally by technological

means. An Unaccredited 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.

P. Substantial Compliance

1. “Substantial compliance” for an institution exists where it (a) is in full compliance with the core requirements of Rule 4.102(C)(1); (b) meets the reasonable objectives of all other rules; and (c) has not engaged in fraudulent or other serious misconduct harming the education, safety, health, or financial condition of students or prospective students.
2. “Substantial compliance” for an individual rule exists where the institution meets the reasonable objectives of that rule. This definition applies to all rules except the core requirements of Rule 4.102(C)(1), for which the law school must show full and actual compliance.
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 exercised, but should be informed by the judgment of experts, peers, and members of the public, as applicable, as to the level of compliance with each rule.

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

Rule 4.106 Lists of law schools

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 Council.

Rule 4.106 adopted effective January 1, 2009; amended effective May 17, 2019.

Rule 4.107 Student complaints

The State Bar does not intervene in disputes between a school and a student or others, and will not respond directly to the complaining party, but will consider this information when assessing the law school’s compliance with these rules.

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.

Rule 4.109 Waiver of requirements

- A. 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.
- B. The Committee shall consider the request at 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.
- C. 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 Periodic Compliance Report or as specified by the Committee.

Rule 4.109 adopted effective January 1, 2009.

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.
- B. Fees for the services of State Bar staff or their designees are listed in the Schedule of Charges and Deadlines. The State Bar shall have final discretion as to the hours required to complete regulatory actions. Schools seeking provisional or full accreditation agree to timely pay all fees incurred under the Schedule of Charges and Deadlines. Failure to do so will be a basis for a finding of noncompliance.
- C. Travel expenses are reimbursed at actual cost, in accordance with State Bar travel reimbursement policies.

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

Rule 4.120 Application based on substantial compliance

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.

Rule 4.121 Application procedure

A registered, unaccredited law school may apply for provisional accreditation by

- A. completing and submitting the Application for Provisional Accreditation and self-study 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 timely pay all fees incurred whether or not the school receives provisional accreditation.

Rule 4.121 adopted effective January 1, 2009; amended effective May 17, 2019.

Rule 4.122 Status Report on Application for Provisional Accreditation

Within 60 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.

Rule 4.123 Committee Action on Application for Provisional Accreditation

- A. After considering an Application for Provisional Accreditation, the Committee may
 1. make a finding, and notify the law school of that finding within 30 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;

2. make a finding that the school appears to be in at least substantial compliance with these rules and schedule an inspection within 90 days to verify the school's level of compliance;
3. request further information, allowing a reasonable time for review; or
4. deny the application.

Rule 4.123 adopted effective January 1, 2009.

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 State Bar staff or designees and may include members of the Committee, law school representatives, or other members selected by the Committee.
- C. 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, other than employment by a competing institution, documented with evidence and submitted in writing, and request an alternative appointment. The State Bar will consider the challenge and may appoint an alternative team member for good cause within 30 days of receipt of the challenge.

Rule 4.124 adopted effective January 1, 2009.

Rule 4.125 Inspection report for provisional accreditation

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 30 days of the date the report was mailed, and may take up to 60 days from the date the report was 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.

Rule 4.125 adopted effective January 1, 2009.

Rule 4.126 Committee action on provisional accreditation inspection report

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

Rule 4.126 adopted effective January 1, 2009.

Chapter 3. Application for Accreditation or Deemed Accredited Status

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 60 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 30 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 60 days upon determining that the law school appears to be in compliance with these rules; or
- C. request further information, allowing a reasonable time for review; or
- D. deny the application.

Rule 4.143 adopted effective January 1, 2009.

Rule 4.144 Inspection for accreditation

- A. An inspection 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.
- B. The Committee will notify the law school of the dates of the inspection. The inspection will be conducted by State Bar staff or designees and may include members of the Committee, law school representatives, or other members selected by the Committee.
- C. 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, other than employment by a competing institution, documented with evidence and submitted in writing, and request an alternative appointment. The State Bar will consider the challenge and may appoint an alternative team member for good cause within 30 days of receipt of the challenge.

Rule 4.144 adopted effective January 1, 2009.

Rule 4.145 Accreditation inspection report

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 30 days of the date the report was mailed, and may take up to 60 days from the date the report was mailed to submit evidence in support of the exceptions. The Committee will consider the inspection

report at a regularly scheduled Committee meeting after the time for submitting exceptions has passed; or, if exceptions have been submitted, at a regularly scheduled Committee meeting after the time for submission of materials has passed.

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.

Rule 4.147 Multiple Locations

A law school must receive advance approval from the Committee prior to opening a branch or satellite campus. Prior to opening the branch, the school must submit a detailed report to the Committee demonstrating how the branch will open in compliance, whether or how compliance will be affected at any other campus or overall, and whether the school has sufficient resources to execute its plan. Though accreditation is granted to the school as an institution, each individual branch or satellite campus must be operated in compliance with these rules, subject to all site-specific operational requirements and any waivers approved by the Committee. The branch 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.

Rule 4.148 Application for deemed accredited status

- A. 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; and
 - 2. demonstrating that the law school meets the definition of deemed accredited status as defined in Rule 4.102(C), and agreeing to fulfill all obligations required of a Deemed Accredited Law School.
- 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).

Chapter 4. Responsibilities of Provisionally Accredited and Accredited Law Schools

Rule 4.160 Programmatic Responsibilities of Provisionally Accredited and Accredited Law Schools

The purposes for accreditation are fourfold: Consumer Protection and Transparency; Student Success; Diversity, Equity and Inclusion in legal education; and Preparation for Licensure. A law school shall maintain sufficient records between periodic inspections to demonstrate continuing compliance to the Committee.

- A. Consumer Protection and Transparency: 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 JD degree, and the school's student outcomes with respect to retention, licensure, and career outcomes.
 1. Compliance with laws: 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 these rules.
 2. Disclosure: A law school shall publish, on its Consumer Information (Accreditation) webpage, a disclosure statement, revised annually and submitted with the Periodic Report, that complies with Business & Professions Code section 6061.7 in a format prescribed by the State Bar. The Committee may also require disclosure of additional information, including statistics on retention and diversity when to do so is not in conflict with 4.160(A)(6).
 3. Statement of Limitation on Bar Examination Eligibility: A law school shall publish, on its home page, the following Statement of Consumer Information, as well as on the Consumer Information Page, Application and Enrollment Agreement:
 - a. Study at, or graduation from, this law school may not qualify a student to take the bar examination or be licensed to practice law in jurisdictions other than California. A student who intends to seek licensure to practice law outside of California at any time during their career should contact the admitting authority for information regarding its education and licensure requirements prior to enrolling at this law school.
 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 45 days after a student withdraws from a class or a program, or within 45

days of the law school's discontinuing a course or educational program in which a student is enrolled.

5. Public Communications: All information that a law school reports, publicizes or distributes shall be accurate and not misleading to a reasonable law school student or applicant or the public. A law school shall use due diligence in obtaining and verifying such information.
 - a. A law school must not mislead prospective students as to their reasonable prospects of admission, obtaining a 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 a degree, 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 accordance with the law. 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:
 - 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;
 - d. The information is requested by another accrediting agency; or
 - e. In case of emergency.
7. Academic Standards: A law school must adopt and publish written academic standards, including:
 - a. Advance written standards for examinations and grading;
 - b. The courses, units, grades, and grade point average required for good standing, retention, advancement, and graduation;
 - c. The terms of the student probation policy;
 - d. The circumstances under which a student is subject to disqualification for academic deficiency;
 - e. Policy on pass-fail grading;
 - f. Policy on course repetition;
 - g. Prompt return of grades;
 - h. Policy on review and appeal of grades;
 - i. Policy for authenticating student work; and
 - j. Adequate prior written notice of changes to all affected students.

8. Student Discipline: A law school must have a written policy for the 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 a student's score on an examination or assignment, denial of course credit, suspension, and dismissal.
 - b. The law school's policy must include reasonable notice to the student of the discipline or action to be taken and provide an opportunity for the student to be heard, at the student's election, either 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.
 - 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.
9. Compensation Based on Number of Applicants, Enrollment and Students
Prohibited: 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.
- B. Student Success: Consistent with its mission and these rules, a law school must provide JD curriculum and teaching designed to promote student success, measured by the learning outcomes designated by the school for its courses and programs.
 1. Organization: A law school must be governed, organized, and administered so as to maintain a sound program of legal education that prepares students for the legal profession and provides a reasonable opportunity to pass the California bar exam.
 2. Statement of Program Learning Outcomes: A law school must state the knowledge, skills, and values that each program of the law schools seeks to provide to, or develop in, graduates of that program.
 3. Course Learning Outcomes: A law school should state the knowledge, skills, 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: A law school must engage in ongoing and systematic program outcomes assessment and should engage in ongoing and systematic course outcomes assessment. A law school may use any assessment method

consistent with law and these rules to achieve and evaluate its mission-appropriate program outcomes.

5. Admissions:
 - a. A law school must maintain a sound admissions policy in compliance with Business & Professions Code 6060. 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 or meeting the program objectives, based on the information reasonably available to the school at the time of admission.
 - b. Within 45 days after the start of the term, schools must receive either:
 - 1) official transcripts from the school or Law School Data Assembly Service that demonstrate compliance with Business & Professions Code 6060(C)(1), Admissions Rule 4.25, State Bar policies, and the law school's admissions policies, or 2) an official certification that the person has passed the equivalency examination that demonstrates compliance with section 6060(c)(2) of the California and Professions Code and Admissions Rule 4.25 (B), State Bar policies, and the law school's admissions policies. If the required documentation is not obtained within 45 days after the start of the term, the law school may extend attendance for no more than an additional 45 day under exceptional circumstances. Such exceptional circumstances must be documented in the student file.
 - c. Schools must also inquire about prior law school attendance. If a school admits a student who was previously disqualified from the same or another law school for academic reasons, the law schools must document the reasons for admitting or readmitting the student, as applicable.
6. Retention and Disqualification: A law school must, as soon as possible, identify and disqualify those students who lack the capability to satisfactorily complete the law school's JD degree program.
7. Assessment of Student Learning: A law school must determine a method to evaluate student learning based on evidence. A law school must establish that the method evaluates the student's skills and knowledge of fundamental principles encompassed within the subject matter of the course.
8. Grading: Grading standards should 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.
9. Quantitative Academic Requirements:

- a. A JD program must include the completion of a minimum of 80 semester units or their equivalent. A JD degree should be completed in no less than 24 or no more than 84 months. If a student seeks to complete the JD program in less than 24 or more than 84 months, the school must place a letter in the student's file documenting good cause.
- b. The 80 semester units or their equivalent may be satisfied through a combination of any of the following means: (a) student attendance in a physical classroom-based program; (b) student participation in a synchronous or asynchronous curriculum offered through distance-learning technology; (c) student participation in an experiential or clinical program; and/or (d) competency-based examinations or other assessments that demonstrate proficiency in course learning outcomes.
- c. A "semester unit" includes at least 15 hours of verifiable academic engagement, unless otherwise provided in these rules.
- d. Students may earn credit for verifiable academic engagement via:
 - 1. physical classroom time;
 - 2. using distance learning technology in any manner, including but not limited to any of the following: (a) participating in a synchronous class session; (b) viewing and listening to recorded classes or lectures; (c) participating in a live or recorded webinar offered by the law school; (d) participating in any synchronous or asynchronous academic assignment in any class monitored by a faculty member; (e) taking an examination, quiz or timed writing assignment; (f) completing an interactive tutorial or computer-assisted instruction; (g) conducting legal research assigned as part of the curriculum in any class; and (h) participating in any portion of an approved clinical or experiential class or activity offered through distance learning technology;
 - 3. student participation in an experiential or clinical program; and/or
 - 4. satisfaction or substitution of academic engagement hours via successful completion of competency-based examinations or other assessments demonstrating student proficiency in course learning outcomes.
- e. A law school must have a written policy that requires the verifiable academic engagement of each of its students. Law schools may comply with this requirement by either establishing and documenting either:

1. a curriculum that includes the verifiable academic engagement required; or
 2. for a given student, (a) completion of the verifiable academic engagement, (b) completion of its equivalent through a competency-based examination or other assessment demonstrating proficiency in course learning outcomes, or (c) a combination of (a) and (b). It is presumptively sufficient to have a policy requiring successful completion of not less than 80 percent of the academic engagement required by the academic program in which the student is enrolled (not including competency-based examination or assessment).
10. Faculty: A law school and each campus it operates must have sufficient faculty to maintain a sound program of legal education, and ensure timely response to, and evaluation of, each student and the prompt evaluation of assignments.
 11. 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.
 12. Evaluation of Faculty: A law school must adopt a written process for the evaluation of instructor competence including regular assessment, periodic evaluation by the institution, and written record of performance.
 13. Academic Freedom: A law school must adopt an academic freedom policy. Under the policy, a faculty member can articulate an academically related position or concept that may be controversial without fear of reprisal.
 14. Academic Support: 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.
 15. Statement of Student Services: 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, although 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.
- C. Diversity, Equity and Inclusion: A school must have mission-appropriate diversity, equity and inclusion policies, in accordance with California and federal law, to support student success; create an inclusive environment for, and encourage the participation

of, historically underrepresented communities within the student body; and promote cultural competency and respectful discourse across a wide range of issues. To ensure an environment of continuous evaluation and improvement, schools must track the implementation of their policies and change them as appropriate when suggested by their results.

1. Antidiscrimination Policy: Consistent with California and federal law, a law school shall have and publish antidiscrimination policies for faculty, staff, and students, including policies regarding sexual harassment and sexual assault.
 2. Creating an Inclusive and Diverse Law School Environment and Experience: 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.
 3. Access/Diversity Programs and Partnerships: A law school must put in place effective policies and practices, and engage in ongoing, systematic, and focused recruitment and retention activities, in an effort to achieve mission-appropriate access, diversity, equity, inclusion, and cultural competency outcomes for its students, faculty, senior administrative staff, and 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 and adjust programs and policies as appropriate to improve diversity and inclusion outcomes.
- D. Preparation for Licensure and Professionalism: A law school shall prepare Juris Doctor (JD) students to become licensed attorneys and to practice law in an ethical and professional manner. The JD degree must be granted only upon completion of a law program that qualifies a student to take the California Bar Examination.
1. Access to Faculty: 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.
 2. Practice-Based Skills and Competencies
 - a. The law school must require that each student enrolled in its JD Degree program satisfactorily complete a 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.
 - b. A law school must provide the opportunity for students in the JD degree program to complete a minimum of 15 semester units (or their

equivalent) 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.

- c. A law school must provide the opportunity for LLM students who are enrolled in the law school to qualify to sit for the California Bar Examination to complete a minimum of five semester units (or their equivalent) of practice-based skills and competency training.
3. Expenditure of Assets and Funds To Provide Sound Program of Education: 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 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. An effective program of legal education for the JD (JD) 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;
 - 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;
 - c. knowledge of process and skills for legal research and writing, which shall include access to legal research resources adequate to accomplish this requirement; and
 - d. the subjects tested by the California Bar Examination, including a course in Professional Responsibility that all students must complete and pass.
5. Academic Program Plan: A law school must adopt and maintain a written plan for its academic program.
6. Minimum Cumulative Pass Rate: The law school must maintain a minimum, cumulative bar examination pass rate (MPR) of 40 percent in each five-year period.
 - a. The "reporting period" covers the five most-recent 12-month periods (August 1 through July 31) prior to the calendar year in which the MPR is reported to the Committee.

- b. 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 California Bar Exam 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 California Bar Exam 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.
- 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.
- 8. Acquiescence Required to Award Professional Law Degrees in Addition to the JD Degree: A law school must apply to and obtain the acquiescence of the Committee, and must agree to use the disclosures prescribed by the State Bar, to award any professional law degree in addition to the JD degree. As provided in rule 4.105(L) of these rules, a "professional law degree" is the Bachelor of Laws (LLB), Executive JD Non-Bar-Qualifying degree (EJD), Juris Doctor (JD), Masters of Law (LLM), Master of Legal Studies (MLS), or other post-graduate degree.

Rule 4.161 Periodic Compliance Report

- A. A law school subject to these rules must submit a Periodic Compliance Report as required 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 a 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.

Rule 4.162 Periodic Inspection

- A. An accredited law school, including each approved branch or satellite campus, is subject to a concurrent inspection every five to seven years following the grant of accreditation, at the discretion of the Committee, or more frequently if the Committee finds this is reasonably necessary to ensure continued to compliance. The State Bar will appoint an inspection team which include State Bar staff or designees. It should also include a member of the Committee and/or a law school representative if available. 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 30 days of receipt of the challenge.
- B. The inspection team must provide the Committee with a report on the visit containing recommendations and commendations within ninety days of the last day of the inspection. The Committee, through staff, must provide the law school with a copy of the report within 30 days of receiving it. If the law school takes exception to the report, it must notify the Committee in writing within 30 days of receipt of the report. The Committee must allow the law school 60 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 Intent to Make Finding of Noncompliance or Notice of Intent to Impose Sanctions, pursuant to Rule 4.170.
- D. 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 a reasonable belief that the school may be out of compliance with these rules.

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 180 days before making the change. The notice must explain in detail any effect the change might have on the law school's compliance with these 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 30 days of making the change.

Rule 4.164 adopted effective January 1, 2009.

Rule 4.165 Major changes

- A. The following are major changes requiring advance approval from the Committee:
1. changing the location of the school, or the location of a branch campus or satellite campus, to a different location more than five miles of the existing location;
 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, full or part time;
 4. offering a new non-JD program in law study, whether a degree program, non-professional degree program, or nondegree 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;
 8. change in ownership or control of the school, including affiliation, merger or severance with another law school, college, university, or organization;

9. any major change to the JD curriculum, including change in the number of credits, overall requirements, or teaching modality change that affects more than one-third of the program; or
 10. opening a new branch campus or satellite campus.
- B. The following are major changes requiring notice to the Committee
1. Official Contact Information for the School
 2. Contact Information of the Dean and Registrar
 3. Changing the name of the school

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

Rule 4.170 Notice of Intent to Make Finding of Noncompliance; Notice of Intent to Impose Sanctions

- A. If it appears to the Committee that a provisionally accredited law school, or any branch or satellite campus thereof, is not in substantial compliance with these rules, or that an accredited law school, or any branch or satellite campus thereof, is not in compliance with these rules, the Committee shall provide the school with a written Notice of Intent to Make Finding of Noncompliance that states the reasons and factual basis therefor. This rule does not apply to a provisionally accredited law school during the last 180 days of its provisional accreditation.
- B. Within fifteen days of receiving a Notice of Intent to Make Finding 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. With its response, the law school may request an inspection to verify its compliance or substantial compliance, as applicable.
 1. If the Committee determines, based on the law school's response, that the law school is in compliance or substantial compliance, as applicable, the Committee will, within the later of 30 days of receiving a response from the law school or 45 days of providing the Notice of Intent to Make Finding of Noncompliance, notify the law school of its consideration of the matter and, at the next regular or special meeting of the Committee, make a finding regarding the law school's compliance or substantial compliance, as applicable, in the public record.
 2. If the Committee is unable to determine, based on the law school's response, that the law school is in compliance or substantial compliance, as applicable, the Committee must determine whether the action, if any, of inspection, interim

monitoring, probation, or termination of accreditation or provisional accreditation is appropriate. The Committee may request additional information or research, including an inspection. If the law school refuses to participate in any request, the Committee will proceed with the information that is before it.

- C. If the Committee determines, based on substantial evidence, following the Notice of Intent to Make Finding of Noncompliance process required by Rule 4.170 (A) and (B), to impose probation or termination of accreditation or termination of provisional accreditation upon a law school, the Committee must provide the school with a written Notice of Intent to Impose Sanctions that states the intended sanction(s), the reason(s) and factual basis for imposing it, and the intended effective date. If the Committee finds, based on substantial evidence, that a school has engaged in fraud or other serious misconduct that has harmed the safety, health, or financial condition of students or prospective students, or if serious and substantial harm of another type has occurred as a result of recurring noncompliance, the Committee may issue a Notice of Intent to Make Finding of Noncompliance and Notice of Intent to Issue Sanctions concurrently.
- D. Within fifteen days of receiving a Notice of Intent to Impose Sanctions, and regardless whether the Committee requests or has requested additional information or research, including an inspection, pursuant to a Notice of Intent to Make Finding of Noncompliance or otherwise, a law school must respond to the Notice of Intent to Impose Sanctions. With its response, the law school may request an inspection, and/or hearing pursuant to Rule 4.173, on the Notice of Intent to Impose Sanctions. If the law school does not timely request a hearing pursuant to Rule 4.173, the school waives the right to request a hearing in connection with the Notice of Intent to Impose Sanctions. If the law school does not provide a response and does not request a hearing, the Committee will proceed with the information that is before it.

Rule 4.171 Interim Monitoring

- A. As detailed further in section (C) below, where reasonable cause exists, a law school may be placed on interim monitoring for a specified period not to exceed one year. During interim monitoring, the school may be required to provide periodic reports or submit to inspections.
- B. Interim monitoring is not a sanction requiring Committee action and is not required to be imposed for every issue of minor, technical, or brief noncompliance. Neither a written Notice of Intent to Make Finding of Noncompliance nor a Notice of Intent to Impose Sanctions need be issued before a law school is placed on interim monitoring, and a law school need not be placed on interim monitoring before probation or

termination of accreditation is imposed. A law school is not required to disclose its participation in interim monitoring.

C. Interim monitoring should occur where:

1. an accredited law school, or any branch or satellite campus thereof, appears to be at risk of falling out of compliance with these rules;
2. a provisionally accredited law school, or any branch or satellite campus thereof, appears to be at risk of falling out of full compliance with the core requirements of Rule 4.102(C), or out of substantial compliance with any other rule;
3. an accredited law school, or any branch or satellite campus thereof, which is in compliance with the core requirements of Rule 4.102(C), is found to be in substantial but not full compliance with one or more other of these rules, and the school has the demonstrated capacity and intent to achieve compliance within a timeframe specified by the Committee not to exceed one year;
4. a provisionally accredited law school, or any branch or satellite campus thereof, which is in compliance with the core requirements of Rule 4.102(C), is found to be out of substantial compliance with one or more other of these rules, and the school has the demonstrated capacity and intent to achieve substantial compliance within a timeframe specified by the Committee not to exceed one year; or
5. the circumstances are such that it appears to the Committee that an accredited or provisionally accredited law school is out of full or substantial compliance, as applicable, with any rule, but probation or termination of accreditation or provisional accreditation would not be appropriate.

Rule 4.172 Probation

- A. If the Committee finds, based on substantial evidence, that a provisionally accredited law school, or any branch or satellite campus thereof, has not complied with the core requirements of Rule 4.102(C), or has not substantially complied with any other Rule, and either (1) interim monitoring would not be appropriate under the circumstances, or (2) the law school has failed to come into substantial compliance with any rule during a period of interim monitoring, then the Committee may place the law school on probation for a specified time not exceeding two years.
- B. If the Committee finds, based on substantial evidence that an accredited law school, or any branch or satellite campus thereof, has not complied with these rules, and either (1) interim monitoring would not be appropriate or (2) the law school has failed to come into compliance during a period of interim monitoring, the Committee may place the law school on probation for a specified time not to exceed two years.

- C. If the Committee finds, based on substantial evidence, that a deemed accredited law school, or any branch or satellite campus thereof, has not complied with the requirements of Rule 4.102(C), the Committee may place the law school on probation for a specified time not to exceed two years.
- D. If the Committee finds, based on substantial evidence, that a provisionally accredited, accredited, or deemed accredited law school, or any branch or satellite campus thereof, has engaged in fraudulent or other serious misconduct harming the safety, health, or financial condition of students or prospective students, but that termination of accreditation or provisional accredited is not warranted because the law school has made material progress toward remedying the misconduct and has demonstrated the capacity and intent to prevent such misconduct from continuing or recurring in the future, the Committee may place the law school on probation for a specified time not to exceed two years.
- 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, as applicable.
- F. At least 30 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.
- G. The Committee may remove a law school from probation prior to the conclusion of the probationary period if it appears that the law school has already come into substantial compliance or compliance, as applicable. If it appears the law school will need additional time to address noncompliance issues, and with the consent of the law school, the Committee may extend the period of probation, not to exceed an additional two years beyond the initial probationary period, if the law school has made progress or taken appropriate steps during the original probationary period toward substantial compliance or compliance, as applicable.
- H. Probation is not available to a provisionally accredited law school during the last 180 days of its provisional accreditation.

Rule 4.173 Request for Hearing

To request a hearing before the Committee, a law school must submit a request within fifteen days of receiving a notice that the Committee is considering probation, termination of provisional accreditation or accreditation, or any other sanction.

Rule 4.174 Hearing procedures

- A. Within 30 days of the Committee 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 shown, grant the request and appoint an alternative member. A law school may waive the requirement that the hearing be held within 30 days of the State Bar's receipt of a request for hearing.
- B. The State Bar will make a copy of the transcript or recording of the hearing available at the law school's expense. In addition to or in lieu of the above, the law school may record or transcribe the hearing at its own expense.
- C. One of the three members of the panel will be selected to preside over the hearing. The hearing need not be conducted according to common law or statutory rules of evidence, except that the rules of privilege in the California Evidence Code or required by the United States or California Constitutions will be followed. Any relevant evidence is admissible. In the event of a dispute as to admissibility, evidence will not be excluded, but will be heard subject to an instruction to the panel to disregard the evidence in making the decision. 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.
- D. All parties may be represented by counsel at their own expense.
- E. The law school will be notified in writing within 30 days after the hearing of the recommendation of the panel, which will be forwarded to the Committee for decision.

Rule 4.175 Committee Action Following Hearing

- A. Following a hearing, the Committee will determine whether the law school is in compliance or substantial compliance, as applicable, with these rules. Its decision will be based on the entire record, including materials presented at the hearing and the recommendation of the panel before which the hearing was conducted. If a law school did not timely request a hearing upon receiving a Notice to Impose Sanctions, the Committee will make a decision based on the information before it.

- 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. All decisions of the Committee are matters of public record. In addition, the Committee, in its discretion, may do any or all of the following with respect to its decision:
 - 1. publish it via the State Bar website, periodicals of general circulation, or otherwise;
 - 2. require that the law school post a notice regarding the Committee's decision on the law school's home page, consumer disclosures page and/or admissions page of its website;
 - 3. notify the students enrolled in the school;
 - 4. notify the Supreme Court of California;
 - 5. notify the California Attorney General; or
 - 6. notify any other entity that accredits or regulates the law school.

Rule 4.176 Termination of accreditation or provisional accreditation

- A. The Committee may terminate provisional accreditation or accreditation if it finds, based on substantial evidence, one or more of the following:
 - 1. the law school has failed, during a period of probation, to attain substantial compliance or compliance, as applicable for provisionally accredited or accredited law schools, respectively, with these rules and has demonstrated little or no intent or capacity to do so;
 - 2. the law school is out of compliance with the core requirements of Rule 4.102(C), and has demonstrated little or no intent or capacity to come into compliance with the requirements of that Rule;
 - 3. the school has engaged in fraudulent or other serious misconduct that has harmed the safety, health, or financial condition of students or prospective students; or
 - 4. the law school is provisionally accredited, and a probationary period would serve no purpose given the nature of the non-compliance or the proximity to the termination of the provisional accreditation period.
- B. The Committee terminates accreditation or provisional accreditation on a specific date, at which time it also terminates a law school's degree-granting authority. Ordinarily, 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, the school continues to have degree-granting authority and its students are deemed enrolled at a provisionally accredited or accredited law school, as applicable.

- C. Within 60 days after receiving 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 seek to convert to unaccredited registered status. The Committee will provide its approval or requested adjustments to either plan within 60 days after receipt, and if no changes are requested in that time frame, the plan is deemed accepted.
- D. Notwithstanding the timing provisions of Rule 4.176(B) and (C), if the Committee finds, based on substantial evidence, that the law school has engaged in fraudulent or other serious misconduct harming the safety, health, or financial condition of students or prospective students, or that other exigent circumstances warrant immediate sanction, the Committee may select a date to terminate accreditation or provisional accreditation that is less than 180 days after the Committee published notice of its intent to terminate accreditation under Rule 4.175, and may also instruct the law school not to submit a teach-out or transition plan.

Rule 4.177 Review by Supreme Court

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

Comparison Between CSBARS Proposal and Committee of Bar Examiners Proposal for Accredited Law School Rules

Rule Number	CSBARS Proposal	CSBARS Reasoning	Accredited Rules Proposal	Accredited Rules Proposal Reasoning
4.101 Citation to Rules		CSBARS seeks an option to condense the required citation language to cite the law school’s accreditor properly when using social media and the full language can be linked, but not directly included.	Adds information about how to cite to the rules, consolidated from previous locations.	While the full text for citation is included in the rule, the Committee should explore guidance or policy for use in social media in a guideline due to accommodate technological change.
4.147 Core Rules (Renumbered from 4.102)	Jointly accredited status rule		Renumbered to 4.147. See below.	
4.103 Role of Guidelines	<p>Guidelines offer a way to comply with the rule, but schools can propose other ways to meet the reasonable objectives of the rule.</p> <p>CSBARS would propose a process for seeking approval to implement a proposal that it believes complies with a rule when it does not comply with the Committee’s guideline interpreting the rule.</p>	CSBARS seeks flexibility to comply with rules in a manner other than what is posed by the guidelines to allow room for innovation. The Committee proposal lacks a process to seek approval for methods of compliance that comply with the rule, but are not described within the interpretive guideline.	Committee retains the option to determine whether to require a specific interpretation or a rebuttable presumption on a case by case basis.	<p>State Bar policy authorizes subentities to create enforceable guidelines, after receiving and considering comment from CSBARS and the public.</p> <p>The Committee will determine when a guideline is intentionally prescriptive, versus when it may set performance standards for which alternative methods of compliance may be shown, and methods by which that compliance may be demonstrated.</p> <p>The proposal maintains a waiver provision for a temporary variance from a rule.</p>

Rule Number	CSBARS Proposal	CSBARS Reasoning	Accredited Rules Proposal	Accredited Rules Proposal Reasoning
4.103(B) Safe Harbor and Implementation Timeline	Would allow a school who has filed an application under the old rules the day before the new rules go into effect to become accredited under the old rules.	Would allow any school with an application filed prior to the effective date of the new rules to accredit under the prior rules, and would provide up to a five-year phase to demonstrate compliance, allowing all schools to go through one transitional inspection cycle.	Two-year phase-in period for the new rules for schools that are currently provisionally or fully accredited.	<p>Though this was removed from the rule set, a two-year phase-in period is recommended in the agenda item rather than the rules, consistent with State Bar practice. Two years is favored over five years to prioritize transition to the new rule set.</p> <p>Since schools have been aware that this rule change has been under discussion since 2019, schools that are not accredited as of the adoption of the new rules should attain substantial or full compliance with the new rules to gain provisional or full accreditation.</p>
4.105(M) Combines Definition of Unaccredited Schools and Types of Unaccredited Schools			4.105(M) combined with subsequent definitions of the types of registered, unaccredited schools.	Combine the definition of registered, unaccredited schools and the definitions of the types of registered, unaccredited schools in 4.105(M).
4.105(O)3 Substantial Compliance Definition		The Committee's judgment as to a school's compliance should be informed by the judgment of experts, peers, and members of the public.	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 exercised, and may be	<p>Changes the word "should" to "may" to allow Committee discretion as to whom to consult when determining compliance.</p> <p>The State Bar retains the ultimate responsibility to regulate schools in accordance with the State</p>

Rule Number	CSBARS Proposal	CSBARS Reasoning	Accredited Rules Proposal	Accredited Rules Proposal Reasoning
			informed by the judgment of experts, peers, and members of the public as applicable, as to the level of compliance with each rule.	Bar's mission.
4.105(O)(1) Standard for immediate issue of notice of noncompliance	"...fraudulent or other serious misconduct harming the education, safety, health, or financial condition of students or prospective students."	CSBARS original language at left.	"...has not engaged in, and is not likely to imminently engage in, serious misconduct that could harm the education, safety, health, or financial condition of students or prospective students."	Removes fraud as a standard; adds imminent risk of engaging in misconduct to prevent imminent harm.
4.109(D) General Waiver in Cases of Emergency			The Committee is authorized to adopt emergency policies and procedures in response to extraordinary circumstances in which compliance with the rules would create or constitute extreme hardship for multiple law schools. These policies and procedures will be effective upon adoption by the Committee for a term certain and limited to the duration of the extraordinary circumstance.	New provision allows the Committee to issue general waivers during emergencies. Previously, schools could request waivers, but authority was vague as to the Committee's authority to issue general waivers on its own.
4.121, 4.141 Council Transition			A school leaving Council-approved status may apply for accreditation.	This makes the Committee's current informal practice explicit.

Rule Number	CSBARS Proposal	CSBARS Reasoning	Accredited Rules Proposal	Accredited Rules Proposal Reasoning
4.143 Scheduling of Inspection for School Seeking Accreditation	Requires inspection within 60 days after an application for accreditation is filed.		Schedules an inspection within 60 days.	Notes that an inspection should be scheduled within 60 days, but cannot always be conducted within that time period, most likely due to school breaks. This edit provides flexibility, but also gives a law school some certainty as to timing.
4.144 Composition of Inspection Team		Would specifically note that all inspection teams should contain a peer administrator because peer review is an important part of the inspection process.	“The inspection will be conducted by State Bar staff or designees and may include members of the Committee, law school representatives, or other members selected by the Committee.”	Historically, the State Bar has had the authority to appoint teams at its discretion and it is recommended to retain this discretion, as supported by the CSBARS’ accreditation expert.
4.147 Jointly Accredited status and Core Rules	CSBARS definition of core rules would not include the diversity, equity, and inclusion section, and would exclude certain provisions of 4.160(B) Academic Success related to staffing levels, faculty evaluations, and transfer credits, as well	4.147(C)(1) on the core standards that apply to jointly accredited schools is now so inclusive as to potentially have little value. There are now only seven substantive standards of 4.160 that do NOT apply to jointly accredited schools (and arguably, some of these are more important to have strict compliance than some of the provisions that are currently on the list): --4.160(A)(5, (7-10) --4.160(D)(1), (5)	CBE adds core rules of 4.160(A) disclosure requirement and location in California, 4.160(B) (student success), and 4.160(C) (diversity, equity, and inclusion policy) and clarifies that jointly accredited law schools must copy the State Bar on correspondence with other accreditors.	There are fewer prescriptive requirements in general, so it is not unexpected that a majority of this shorter list might be included as core requirements. Location in California, consistent disclosures, and qualification to take the bar exam are core requirements that are worthy of inclusion, and the diversity, equity, and inclusion provision is core to the State Bar’s mission. Jointly accredited status remains helpful to the State Bar and to law schools, as the additional

Rule Number	CSBARS Proposal	CSBARS Reasoning	Accredited Rules Proposal	Accredited Rules Proposal Reasoning
	as the disclosure requirements of 4.160(A).	This would seem to provide little benefit to the State Bar in terms of reducing oversight, and little benefit to the schools in terms of streamlined compliance.		oversight from the accreditors allows monitoring through a periodic report by the State Bar, rather than full inspection. If a specific law school does not agree that jointly accredited status is helpful, the law school is not required to seek jointly accredited status.
4.160(A)(1) Office and Campuses in California			Requires all administrative offices and campuses to be in California, though students can be located out of state.	This allows for proper service of process if needed and manageable oversight for the State Bar. Some back-office services may be staffed from an out-of-state location, but must be capable of delivery from a physical location in California in case State Bar oversight is needed.
4.160(A)(8)(c) Terms of Academic Probation			Requires schools to dismiss a student who does not advance from probationary status to good standing <i>after one year</i> .	Limits probation to one year, to promptly dismiss students who do not demonstrate capability to advance and become licensed after a reasonable opportunity to improve.
4.160(A)(8)(e) Course Repetition			A policy on course repetition must not award credit for the same course twice.	Avoids duplicate credit to ensure that students continue to progress in their studies.
4.160(A)(11) Recordkeeping			"A law school must maintain complete and accurate records of its programs and operations that are readily accessible to its	Staff provided a location to address the issue of secure and complete recordkeeping. Staff proposes that a guideline provides detail on key documents such as transcripts and eligibility

Rule Number	CSBARS Proposal	CSBARS Reasoning	Accredited Rules Proposal	Accredited Rules Proposal Reasoning
			administration and the Committee in a manner properly secured and backed up to prevent loss."	documents.
4.160(B) General Student Success Requirement			Adds a clause affirmatively stating that the school must ensure that the student completes all program requirements and legal education requirements to take the California bar exam before awarding a JD.	A law school has an affirmative duty to keep current on all requirements for bar exam eligibility and licensure, and to follow them.
4.160(B)(2) Minimum Staffing			Dean, administrator, and registrar are not suspended, disbarred, or resigned with charges pending.	Retains a version of this current minimum requirement.
4.160(B)(6)(a) Admissions Minimum Threshold	School should not regularly admit students who are obviously unqualified		"School should not admit students who are obviously unqualified or who do not meet prelegal education requirements."	It is an element of consumer protection element to avoid admitting students who do not appear to have the qualifications or current time to devote to a legal education.
4.160(B)(6)(c) Inquiry into Prior Law Study			When evaluating transfer applications, law schools should require transcripts for all prior law study and determine the student's standing at the prior law school.	These requirements promote public protection by allowing for a reasonable assessment as to the student's intent and capacity to pursue a JD at the time of application. This requirement is significantly more flexible than current rule in place when evaluating transfer applications for students who were previously academically

Rule Number	CSBARS Proposal	CSBARS Reasoning	Accredited Rules Proposal	Accredited Rules Proposal Reasoning
				disqualified, which enforce a two-year waiting period under most circumstances and require the student to take the LSAT.
4.160(B)(6)(d) Special Student Obligations			Addresses requirement for special students, as defined by the Admissions Rules to take the First-Year Law Students' Exam.	This is required by statute and admissions rule, and would therefore be required whether or not stated in the accreditation rules, but including the requirement increases clarity.
4.160(B)(7) Transfers			Adds back transfer requirements needed to protect bar exam eligibility.	Gives a school significant flexibility when evaluating transfer applications, but reinforces a school's obligation under Business and Professions Code 6060 and State Bar Admissions rules.
4.160(B)(11) Pass-Fail Grading			Disallows pass-fail grading in bar tested subjects.	As a matter of public protection, students need specific feedback on their progress toward licensure.
4.160(B)(12)(a) Length of JD Program	Would set a target length for JD study of 24 to 84 months, but would allow a school to shorten or extend that time based upon its own discretion.	A shorter time contemplated when replacing courses with achievement on competency exams, which is not recommended by the CBE. A longer time may be needed for any number of reasons.	Removes the option to complete the JD program in less than 24 months.	This proposed rule offers schools more flexibility, reducing the minimum time from 32 months to 24 months, contemplating continuous study without breaks. Earning 80 credits in fewer than 24 months would not provide sufficient time to allow for study and reflection, and competency courses in place of study is not recommended at this time.

Rule Number	CSBARS Proposal	CSBARS Reasoning	Accredited Rules Proposal	Accredited Rules Proposal Reasoning
4.160(B)(12)(b) Competency Examinations in Place of Classes Not Added as an Option	Contemplates a new type of study for law schools: 4.160(B)12(b)(3) student participation in an experiential or clinical program and (4) “satisfaction or substitution of academic engagement hours via successful completion of competency based examinations or other assessment demonstrating proficiency in course learning outcomes.”	CSBARS sees competency-based education in use at the undergraduate level and would like to introduce it to JD programs. At a minimum, CSBARS would seek to allow competency-based learning with prior approval, possibly with a cap on the total number of units earned through competency-based education.	Omits the proposed addition of competency exams as an option for replacing class time with credit for placement.	The adoption of competency based education is not recommended because: competency examinations have not been used at the law school level; there are no objective standards to evaluate this tool for law school programs; and current students appear to need the current support they are receiving to become licensed.
4.160(B)(12)(c) Declining Option of Competency Examinations in Place of Courses			Omits a proposal that would allow a semester credit to be defined as something other than 45 hours of study and preparation, such as a minimum score on competency exam or credit for life learning.	See above.

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4.160(B)(12)(d) Internship, Externship, Clinics	CSBARS would not place a cap on the number of clinical or externship hours a student could take as part of the JD program.		Proposal limits the time in externship or clinical experience to 12.5 percent of total credits.	Distinguishes the JD program from the law office study method, but increases the limit on internship courses by 25 percent over the current limit, and deletes the annual cap, offering law schools the option to expand clinical education.
4.160(B)(17) Library			Maintains the basic library requirement for all schools.	Allows schools to choose the materials they need to provide adequate instruction and resources to students, and allows professors to curate their own material rather than use standard text books, but clarifies the standard that the school must meet, and prevents a school from relying solely on a library that it does not own, control or license.
4.160(D)(3) Financial Status Review		CSBARS raises a concern that some schools may not have the resources to pay for an audit.	Proposal adds additional language to preserve an option to order an audit in the case of concern of possible irregularity.	The Committee needs the option to prevent issues related to refunds or other financial issues that may occur, and to ensure that a school has allocated enough resources to deliver the services promised to prospective and current students.
4.162(A) Composition of	CSBARS proposes that all inspection teams should include a		Proposal changes should to may.	State Bar retains the current flexibility to set appropriate teams, as endorsed by CSBARS'

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Inspection Team	member of the Committee and a law school representative such as a dean.			accreditation expert.
4.162(B) Terms of Conflict of Interest			Proposal removes option for the school to challenge a dean's inclusion on an inspection team for being employed by a competing school.	Removes this option, as all deans are engaged in the practice of educating students, and the transition to online education renders all schools in competition.
4.165 Notice for Major Change			CBE	Proposal extends timeline to give notification from five days in current rule to 30 days for convenience for contact information changes.
4.170 Noncompliance Process	CSBARS would add an interim monitoring option prior to the imposition of probation, and to split the process over a number of Committee meetings, allowing schools to respond and have an inspection and/or hearing after		CBE proposal requires that after a notice of noncompliance is issued, a law school must provide all information about its compliance or plan to return to compliance and it may seek a hearing.	Reduces duplication of effort and streamlines process, while giving schools a full opportunity to be heard live or in writing. The Committee can request a further inspection if needed, but most often, findings of noncompliance arise from an inspection recently conducted or other current reporting.

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	each step.			
4.170 Evidence Standard	Suggests that the standard to determine noncompliance should be substantial evidence.		The Committee proposal relies upon a finding based upon the Committee’s discretion. It also adopts the evidentiary procedures for hearings common in administrative agencies in California and clarifies that a hearing panel may deliberate in private to make a recommendation to the Committee.	The Committee adjustments are based upon the Committee’s recent experience and requests in this area, focused on providing law schools with an opportunity to be heard, and providing the Committee the opportunity to make a decision based upon the full record before it.
4.172(A) Length of Probation		CSBARS suggests allowing the Committee to reserve discretion to extend probation beyond two years if warranted by circumstance and the law school consents.	The Committee will generally limit probation to two years, but may extend it beyond that time, in its discretion, in extraordinary circumstances.	Extensions beyond two years may be granted under extraordinary circumstances.
4.173(B) Timing of Termination of Accreditation and Transition Process	CSBARS suggests termination should imposed after 180-day notice and teach out option, or longer if necessary.	Termination should be preceded by notice, and the date set at a reasonable point in the future if warranted. For example, if the Committee makes a finding that termination is warranted shortly before the end of a given semester, termination at the end of the following semester may be more appropriate to provide notice and	“The Committee shall terminate accreditation or provisional accreditation on a specific date, at which time the law school’s degree-granting authority shall also terminate. This date should generally coincide with the end of the current semester, though the Committee may terminate	Here, the probationary process serves as notice to students and the school, and status should be communicated to the public. If a school is not meeting the requirements for accredited law schools, it may apply for unaccredited status if that is more reflective of its compliance status. Teach out is not needed because another status is available. Schools can and

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		transition options to students.	accreditation immediately in its discretion. If the law school’s accreditation is terminated, it may apply for registration with the Committee as an unaccredited law school. Any application for registered unaccredited status filed concurrently with proceedings related to a Notice of Noncompliance shall not be interpreted as an admission of noncompliance or prevent the Committee from making a finding of compliance with these rules.”	should plan for—and facilitate the transfer of—their students to other schools.