

CHAPTER 1

GENERAL PURPOSES AND PRACTICES; DEFINITIONS

Standard 101. *BASIC REQUIREMENTS FOR APPROVAL*

A law school approved by the Association or seeking approval by the Association shall demonstrate that its program is consistent with sound legal education principles. It does so by establishing that it is being operated in compliance with the Standards.

Interpretation 101-1:

To enable the Accreditation Committee and Council to determine whether a law school has demonstrated that its program of legal education is consistent with sound legal education principles and is being operated in compliance with the Standards, a law school shall furnish an annual questionnaire, self-study, site evaluation questionnaire, and such other information as the Accreditation Committee and Council may require. These documents must be complete and accurate and submitted timely in the form specified.

The information provided by these means not only informs the Council about the status of each law school but also enables the Council, in meeting its obligations with respect to legal education as a whole, to ascertain national norms of legal education, areas in which improvements are being made, and those where further attention is needed.

Interpretation 101-2:

Accreditation or approval of a law school by the American Bar Association is not transferable. A transfer of all, or substantially all, of the academic programs or assets of (1) a law school or (2) a university or college of which the law school is a part does not include the transfer of the law school's accreditation status.

Standard 102. *PROVISIONAL APPROVAL*

(a) A law school shall be granted provisional approval only if it establishes that it is in substantial compliance with each of the Standards and presents a reliable plan for bringing the law school into full compliance with the Standards within three years after receiving provisional approval.

(b) A law school that is provisionally approved may have its approval withdrawn if it is determined that the law school is not in substantial compliance with the Standards or that the law school is not making adequate progress toward coming into full compliance with the Standards. If five years have elapsed since the law school was provisionally approved and it has not qualified for full approval, provisional approval shall lapse and the law school shall automatically be removed from the list of approved law schools unless, prior to the end of the five year period, in an extraordinary case and for good cause shown, the Council extends the time within which the law school must obtain full approval.

(c) A law school shall confer the J.D. degree contemporaneously with the time academic requirements for the degree are completed.

Interpretation 102-1:

Substantial compliance must be achieved as to each of the Standards. Substantial compliance with each Standard is measured at the time a law school seeks provisional approval. Plans for construction, financing, library improvement, and recruitment of faculty which are presented by a law school seeking provisional approval do not, in themselves, constitute evidence of substantial compliance.

Interpretation 102-2:

In order to establish that it has a reliable plan to come into full compliance with the Standards within three years after receiving provisional approval, a law school must clearly state the specific steps that it plans to take to bring itself into full compliance and must show that there is a reasonable probability that such steps will be successful.

Interpretation 102-3:

A law school seeking provisional approval may not offer a post-J.D. degree program. The primary focus of a school seeking provisional approval should be to do everything necessary to comply with the Standards for the J.D. degree program.

Interpretation 102-4:

A student at a provisionally approved law school and an individual who graduates while the school is provisionally approved are entitled to the same recognition given to students and graduates of fully approved law schools.

Interpretation 102-5:

An approved law school may not retroactively grant a J.D. degree to a graduate of its predecessor unapproved institution.

Interpretation 102-6:

A provisionally approved law school shall state in all of its printed and electronic materials generally describing the law school and its program and in any printed and electronic materials specifically targeted at prospective students that it is a provisionally approved law school. Similarly, when it refers to its approval status in publicity releases and communications with all students, applicants or other interested parties, it shall state that it is a provisionally approved law school.

Interpretation 102-7:

An unapproved law school seeking provisional approval must include the following language in all of its printed and electronic materials generally describing the law school and its program and in any printed and electronic materials specifically targeted at prospective students:

The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. The Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.

Interpretation 102-8:

In most jurisdictions an individual cannot sit for the bar examination unless he or she has graduated from a law school fully or provisionally approved by the American Bar Association. However, the determination of qualifications and fitness to sit for the bar examination is made by the jurisdiction's bar admission authorities.

Interpretation 102-9:

A law school seeking provisional approval shall not delay conferring a J.D. degree upon a student in anticipation of obtaining American Bar Association approval.

Interpretation 102-10:

An individual who matriculates at a law school that is provisionally approved or who is a student enrolled in a law school at the time it receives provisional approval and who completes the course of study and graduates from that school within a typical and reasonable period of time is deemed by the Council to be a graduate of an approved law school, even though the school loses its provisional approval status while the individual is enrolled in the school.

Standard 103. FULL APPROVAL

(a) A law school is granted full approval if it establishes that it is in full compliance with the Standards and it has been provisionally approved for not fewer than two years.

(b) Sanctions, including probation and removal from the list of law schools approved by the Association, may be imposed upon a law school as provided in Rules 16 and 17 of the Rules.

Interpretation 103-1:

An individual who matriculates at a law school that is then approved and who completes the course of study and graduates in the normal period of time required therefor is deemed a graduate of an approved school, even though the school's approval was withdrawn while the individual was enrolled therein.

Interpretation 103-2:

In the case of an approval required as the consequence of a major change in organizational structure, the minimum time period of two years stated in this Standard may be modified and/or conditioned pursuant to Rule 20 of the Rules of Procedure for Approval of Law Schools.

Standard 104. SEEK TO EXCEED REQUIREMENTS

An approved law school should seek to exceed the minimum requirements of the Standards.

Interpretation 104-1:

As stated in the Preamble, the Standards “are minimum requirements designed, developed, and implemented for the purpose of advancing the basic goal of providing a sound program of legal education.” Consistent with the aspirations, mission and resources of a law school, it should continuously seek to exceed these minimum requirements in order to improve the quality of legal education and to promote high standards of professional competence, responsibility and conduct.

Standard 105. MAJOR CHANGE IN PROGRAM OR STRUCTURE

Before a law school makes a major change in its program of legal education or organizational structure it shall obtain the acquiescence of the Council for the change. Subject to the additional requirements of subsections (1) and (2), acquiescence shall be granted only if the law school establishes that the change will not detract from the law school’s ability to meet the requirements of the Standards.

(1) If the proposed major change is the establishment of a degree program other than the J.D. degree, the law school must also establish that it meets the requirements of Standard 308.

(2) If the proposed major change involves instituting a new full-time or part-time division, merging or affiliating with one or more approved or unapproved law schools, acquiring another law school or educational institution, or opening a Branch or Satellite campus, the law school must also establish that the law school is in compliance with the Standards or that the proposed major change will substantially enhance the law school’s ability to comply with the Standards.

Interpretation 105-1:

Major changes in the program of legal education or the organizational structure of a law school include:

- (1) Instituting a new full-time or part-time division;*
- (2) Changing from a full-time to a part-time program or from a part-time to a full-time program;*
- (3) Establishing a two-year undergraduate/four year law school or similar program;*
- (4) Establishing a new or different program leading to a degree other than the J.D. degree;*
- (5) A change in program length measurement from clock hours to credit hours;*
- (6) A substantial increase in the number of clock or credit hours that are required for graduation;*
- (7) Merging or affiliating with one or more approved or unapproved law schools;*

- (8) *Merging or affiliating with one or more universities;*
- (9) *Materially modifying the law school's legal status or institutional relationship with a parent institution;*
- (10) *Acquiring another law school or educational institution;*
- (11) *Acquiring or merging with another university by the parent university where it appears that there may be substantial impact on the operation of the law school;*
- (12) *Transferring all, or substantially all, of the academic program or assets of the approved law school to another law school or university;*
- (13) *Opening of a Branch campus or Satellite campus.*
- (14) *A change in control of the school resulting from a change in ownership of the school or a contractual arrangement; and*
- (15) *A change in the location of the school that could result in substantial changes in the faculty, administration, student body or management of the school.*

Interpretation 105-2:

The establishment of a Branch campus of an approved law school constitutes the creation of a different law school. Consequently, a Branch campus must have a permanent full-time faculty, an adequate working library, adequate support and administrative staff, and an adequate physical facilities and technological capacities. A Branch campus shall apply for provisional approval under the provisions of Standard 102 and Rule 4.

Interpretation 105-3:

The establishment of a Satellite campus at which a law school offers no more than the first-year of its full-time program, or the first three semesters (or equivalent) of its part-time program, requires at least:

- (1) *Full-time faculty of the law school who teach substantially all of the curriculum offered at the Satellite campus and who are reasonably available at the Satellite campus for consultation with students;*
- (2) *Library resources and staff at the Satellite campus that are adequate to support the curriculum offered at the Satellite campus and that are reasonably accessible to students at the Satellite campus;*
- (3) *Academic advising, career services and other student support services that are adequate to support the program offered at the Satellite campus, that are reasonably equivalent to such services offered to similarly situated students at the law school's main campus and that are offered in person at the Satellite campus or otherwise are reasonably accessible to students at the Satellite campus;*

(4) That students attending the Satellite campus have access to the school's co-curricular activities and other educational benefits on a roughly proportional basis; and

(5) Physical facilities and technological capacities at the Satellite campus that are adequate to support the curriculum offered at and the students attending the Satellite campus.

Interpretation 105-4:

A law school that seeks to establish a Satellite campus at which it will offer courses beyond its first-year program must show that it can adequately support its program at the Satellite campus. It must establish at least:

(1) That students attending the Satellite campus have reasonable access to full-time faculty, library resources and staff, and academic advising, career services and other support services that are adequate to support the program that the law school offers at the Satellite campus and that are reasonably equivalent to the resources and services offered to similarly situated students at the law school's main campus;

(2) That students attending the Satellite campus have access to the school's co-curricular activities and other educational benefits on a roughly proportional basis; and

(3) That the physical facilities and technological capacities at the Satellite campus are adequate to support the curriculum offered at and the students attending the Satellite campus.

Interpretation 105-5:

If a student would be able to take at a Satellite campus the equivalent of two-thirds or more of the credit hours that a law school requires for the award of the J.D. degree, all of the requirements set forth in Interpretation 105-2 apply to the establishment of such a Satellite campus except the requirement concerning provisional approval.

Interpretation 105-6:

The Council has delegated to the Accreditation Committee the authority to grant acquiescence in the types of major changes listed in Interpretations 105-1 (4), (5) and (6).

Standard 106. DEFINITIONS

As used in the Standards and Interpretations:

(1) "Accreditation Committee" means the Accreditation Committee of the Section.

(2) "Approved law school" means a law school that appears on the list of law schools approved by the American Bar Association.

(3) "Association" means the American Bar Association.

- (4) “Branch campus” means a separate location at which the law school offers sufficient courses that a student could earn at the separate location all of the credit hours that the law school requires for the J.D. degree.
- (5) “Consultant” means the Consultant on Legal Education to the American Bar Association.
- (6) “Council” means the Council of the Section.
- (7) “Dean” includes an acting or interim dean.
- (8) “Governing board” means a board of trustees, board of regents, or comparable body that has ultimate policy making authority for a law school or the university of which the law school is a part.
- (9) “House” means the House of Delegates of the American Bar Association.
- (10) “Interpretations” mean the Interpretations of the Standards for Approval of Law Schools.
- (11) “J.D. degree” means the first professional degree in law granted by a law school.
- (12) “President” includes the chief executive officer of a university or, if the university has more than one administratively independent unit, of the unit of which a law school is a part.
- (13) “Probation” is a public status indicating that the law school is in substantial non-compliance with the Standards and is at risk of being removed from the list of approved law schools.
- (14) “Rules” mean the Rules of Procedure for the Approval of Law Schools by the American Bar Association.
- (15) “Satellite campus” means a separate location (other than one approved under the Criteria for Approval of Semester Abroad Programs) which is not within reasonable proximity to the main law school campus and at which a student could take the equivalent of 16 or more semester credit hours toward the law school’s J.D. degree but which does not constitute a Branch campus.
- (16) “Section” means the Section of Legal Education and Admissions to the Bar of the American Bar Association.
- (17) “Standards” mean the Standards for the Approval of Law Schools.
- (18) “University” means a post secondary educational institution that confers a baccalaureate degree and may grant other degrees, whether it is called university, college, or other name.