



Transition to and Implementation of the New Standards and Rules of Procedure for Approval of Law Schools August 13, 2014

The Standards Review process was a major project, and now the Council, Accreditation Committee, staff, and law schools have another major undertaking in implementing what the Council has adopted. Faculties and staff will have to consider the ways in which the new Standards require action and changes to their program of legal education. For the Section, implementing and transitioning to the new Standards and Rules involves questions of timing; substantial work that will need to be done to the Site Evaluation Questionnaire (SEQ), Annual Questionnaire (AQ), and related documents; and education and training for schools, the Council and Accreditation Committee, and site evaluators.

The revised [Standards](#) (referred to here as the “new Standards”) and [Rules](#) became legally effective at the end of the ABA Annual Meeting on August 12, 2014. Those Standards and Rules are available on the Section’s website.

While the new Standards and Rules are effective now, some of the new Standards will require changes that it will take schools time to make. It will also take time to integrate all of the changes into our systems and processes. In the past when a Standards change required a phase-in period or a delayed effective date, that has been done, and we will do that on this occasion as well.

With that background, the transition and implementation plan is:

1. Conduct site visits in 2014-2015 substantially relying on the current Standards (subsequently referred to as the 2013 Standards) and using the SEQ that the Council has approved for this academic year. This will give schools time to become familiar with the new Standards and will give the Managing Director’s Office time to prepare revisions to the Site Evaluation Questionnaire, the Annual Questionnaire, and documents that are useful in the process (e.g., the Format Memo). In anticipation of the House of Delegates concurrence, some parts of the AQ and the SEQ that the Council approved have incorporated some of the changes in the new Standards; in that sense we will be in a transition phase this academic year. This year’s visits and reports will reflect a blend of the new and the 2013 Standards showing that schools are operating a sound program of legal education and migrating to the new regulatory environment.
2. Allow schools to implement and operate in compliance with new Standards that are helpful to them and their students. For example, Standard 304(f) of the 2013 Standards required schools to have a rule barring students from working more than 20 hours per week if they were enrolled in more than 12 credits. That requirement has been eliminated in the new Standards, and there is no reason for such a change to not become immediately effective. Schools may, of course, adopt local rules limiting

employment, but the Standards will no longer require it. Similarly, the credits that can be earned through distance education courses have been expanded from 12 to 15 and the prohibition on allowing a student to enroll in no more than four credits of distance learning coursework in a term has been eliminated. Those changes are also effective now, allowing schools to change their own academic rules and practices on distance learning, as they wish.

3. Apply the new Standards to site visits beginning in the 2015-2016 cycle, except those listed in #4 below.
4. Apply the following new Standards beginning in 2016-2017; apply them, as appropriate, to students who become 1L students that year:
 - Standard 301(b) and Standard 302. Learning Outcomes
 - Standard 303. Curriculum
 - Standard 304. Experiential learning requirement (so that requirement applies beginning with Fall 2016 1L students who will graduate in Spring 2019)
 - Standard 314. Assessment of student learning
 - Standard 315. Evaluation of program of legal education, learning outcomes, and assessment methods
5. In the initial phases of implementation of the outcome measures Standards set forth in Standards 301(b), 302, 303, and 314, which will begin in the 2016-2017 academic year, compliance will be assessed based upon evaluating the seriousness of the school's efforts to establish and assess student learning outcomes, not upon attainment of a particular level of achievement for each learning outcome. Among factors to consider in assessing compliance with these Standards are whether a school has demonstrated faculty engagement in the identification of the student learning outcomes it seeks for its graduates; whether the school is working effectively to identify how the school's curriculum encompasses the identified outcomes, and to integrate teaching and assessment of those outcomes into its curriculum; and whether the school has identified when and how students receive feedback on their development of the identified outcomes.

In the initial phases of implementation of the institutional effectiveness standard set forth in Standard 315, compliance will be assessed based on the seriousness of the law school's efforts to engage in an ongoing process of gathering information about its students' progress toward achieving identified outcomes and whether it is using the information gathered to regularly review, assess and adapt its academic program.

6. The revised Rules will be effective immediately with no delay for implementation needed.
7. This transition plan will apply to schools seeking provisional approval and provisional schools seeking full approval in the same way that it will apply to schools that are fully-approved.
8. An open issue is how schools will be asked to show compliance with the new Standards, particularly those listed in #4 above, outside the sabbatical site review process. It is likely that schools will be asked to file a report of some sort at the time those Standards become operative. We will continue to discuss this matter and keep you informed about it.

9. As we seek advice on these issues from the U.S. Department of Education, some of this plan may have to be modified so that the ABA law school accreditation process stays in compliance with the Department's recognition criteria.
10. We understand our obligation to provide guidance, training, workshops, and the like to assist schools in understanding the fundamental changes in the new Standards.

If you have questions or comments, please contact Barry Currier (barry.currier@americanbar.org; 312.988.6744) or Bill Adams (william.adams@americanbar.org; 312.988.5103).

Visit the Section's [Standards Review Committee](#) page for more information on the new Standards and Rules.