

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM: August 2015 - O-402

DATE: August 24, 2015

TO: Subcommittee on Educational Standards

FROM: George Leal, Director, Educational Standards

SUBJECT: **Amendments to Guideline 7.11 (Distance-Education Credit) of the *Guidelines for Accredited Law School Rules* – Return from Public Comment**

BACKGROUND

Guideline 7.11 of the *Guidelines for Accredited Law School Rules* restricts California-accredited law schools (CALs) as to the total amount of credit they may offer students for classes taught outside of a traditional classroom. Currently, CALs are limited to a maximum of twelve semester units (or their quarter equivalent) of credit for classes offered in a J.D. degree program taught remotely using “distance learning” technology. Today, such technology relies almost exclusively upon the Internet to offer either a synchronous (“real time”) or asynchronous (taped video or audio lectures or written correspondence) virtual classroom. Guideline 7.11 also restricts the number of units to four that students may be taught using distance learning technology in a given semester and it bars the use of such technology in any class offered in the first year of law study.

Since Guideline 7.11 went into effect in 2009, the Internet-based technology used in all forms of distance-learning education has improved significantly and it is now common in a variety of fixed-facility law schools, including those approved by the American Bar Association. As to the CALs, with the recent opening of new branch campuses, along with those already operating, an increase is expected in the number of classes offered in the J.D. curriculum using distance-learning education as a cost-effective way to teach the same cohort of students studying at different campuses. For the CALs that already offer such classes, students reportedly appreciate the opportunity to reduce the number of days or evenings they must commute to attend classes in person.

A proposed amendment to Guideline 7.11, which would eliminate both the current restriction that no more than four units of credit may be earned by a CALs student in any one semester and the current prohibition of using distance-learning technology to teach first-year of classes, was considered by the Committee’s Advisory Committee on California Accredited Law School Rules (RAC) during its meeting in June and it recommended that the Committee approve the proposed amendment.

During its June 2015 meeting, the Committee approved, in principle, the recommended amendment to Guideline 7.11, subject to a 45-day public comment period. Attachment A is the red-lined version of Guideline 7.11 with the proposed amendment.

DISCUSSION

To date, no public comments relating to the proposed amendment to Guideline 7.11 have been received. Should any comments be received by the close of the public comment period, they will be reported to both the RAC and to the Committee at their respective upcoming meetings.

RECOMMENDATION

It is recommended that after a 45-day public comment period, during which no comments were received, the proposed amendment to Guideline 7.11 (Distance-Education Credit) of the *Guidelines for Accredited Law School Rules*, be adopted, effective the date of the Committee's action.

PROPOSED MOTION

Should the Subcommittee agree with the above recommendation, the following motion is suggested:

Move that, following a 45-day public comment period during which no comments were received, the proposed amendment to Guideline 7.11 (Distance-Education Credit) of the *Guidelines for Accredited Law School Rules* in the form attached hereto be adopted, effective as of the date of this action.