

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM NUMBER: June 2016 – O-402

DATE: June 10, 2016

TO: Subcommittee on Educational Standards

FROM: George Leal, Director, Educational Standards

SUBJECT: **Trinity Law School – Request for Waiver of Guideline 7.11 Restricting the Number of Units Allowed to be Taught Through Distance Learning Technology**

BACKGROUND

Attachment A is a petition submitted by the Trinity Law School (TLS) requesting a temporary waiver of the key curriculum restriction found in Guideline 7.11 (Distance-Education Credit) of the *Guidelines for Accredited Law School Rules* (Guidelines). As now provided by Guideline 7.1(A): “A law school may grant up to twelve distance-education semester credit units or the equivalent in quarter units towards its J.D. degree. . . .” As described in the correspondence signed by TLS Dean Myron Steeves, the law school wishes to offer its entire first-year curriculum (totaling 24 units) through the use of distance-learning technology.

TLS is a California-accredited law school (CALs) located in Santa Ana. It is one of four schools that comprise Trinity International University (TIU), a faith-based institution that maintains its main campus in Deerfield, Illinois. TLS was last inspected in January 2015 and found to be operating compliantly. Its next periodic inspection will be in 2020.

A number of accredited law schools (both California accredited and ABA-approved) now offer a portion of their J.D. curriculum through the use of online, distance-learning technology. Using both synchronous and asynchronous course content, fixed-facility law schools seek to expand the scope of courses they are able to offer and as a means to provide greater flexibility to their students and as a means to reduce their overhead.

In support of these goals, the Committee of Bar Examiners (Committee) last year amended Guideline 7.11 to allow a CALs to offer first-year classes using distance-learning technology. Prior to the amendment adopted in August 2015, only classes offered after the first-year of study could be offered online. At the same time, however, the Committee decided not to remove the Guideline’s 12-unit limitation on distance-education classes. In doing so, the Committee confirmed that any CALs that wished to expand its online curriculum could do so by seeking a specific waiver of the 12-unit

limitation. It was agreed that proceeding in this manner would allow the Committee to better control how the CALS increased their use of distance learning technology.

DISCUSSION

As described in the TLS proposal, the law school seeks to offer its entire first-year curriculum, 12 units per semester for a total of 24 course units, using distance-learning technology. If approved, the online curriculum would initially be offered during the 2017 spring semester and the summer 2017 semester. As Dean Steeves notes, the content and academic standards applied to all online courses would be identical to those offered on campus, with students having access to online library materials while all would be required to participate in the academic support program offered to all TLS students. After completion of the first-year curriculum, starting in the fall of 2017, all such students will then attend classes at the TLS campus to complete the J.D. degree program.

The proposal is based upon a plan that would allow students to enroll at TLS who might not otherwise come to TLS if they were required to commute to attend classes on campus, at least initially. TLS expects to enroll a relatively modest number of students (approximately 15) but hopes that being allowed to offer a hybrid J.D. program will eventually expand its enrollment as it develops and refines its online curriculum. The law school has some experience in offering such content since it prepared and offered a six-unit Property Class during the 2015-2016 academic year which, Dean Steeves notes, was well received by all of the students enrolled. Finally, it appears that TLS has access to sound and capable distance-learning technology since it is able to use the online teaching platform used by its parent, TIU, to offer its own online curriculum.

RECOMMENDATION:

This is the first petition for an expansion of the 12-unit limitation since the *Guidelines for Accredited Law School Rules* were amended to permit online courses in the first year; and the first to seek an entire year of study at a CALS, which are all fixed-facility, online. Since this request is unique and is seeking an allowance significantly beyond what is specified in the current rules and guidelines, the Subcommittee's discussion of the various issues involved would be appropriate before a specific recommendation is made.

PROPOSED MOTION:

Pending