

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM NUMBER: August 2016 – O-400

DATE: August 15, 2016

TO: Subcommittee on Educational Standards

FROM: George Leal, Director, Educational Standards

SUBJECT: Trinity Law School – Withdrawal of Request for Waiver

BACKGROUND

At its meeting in June, the Committee considered a petition submitted by Trinity Law School (TLS) for a waiver of a curriculum restriction found in Guideline 7.11 (Distance-Education Credit) of the *Guidelines for Accredited Law School Rules* (Guidelines). Guideline 7.1(A) limits the number of curriculum units a California-accredited law school may offer through distance-learning technology: “A law school may grant up to twelve distance-education semester credit units or the equivalent in quarter units towards its J.D. degree. . . .” TLS sought the Committee’s authority to offer its entire first-year curriculum (totaling 24 units) using 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.

When the petition came up for discussion during the June meeting, several issues and questions were raised by the Committee relating to how TLS intended to implement the proposal if a waiver was granted. Among the most important was the issue of how the law school intended to measure the relative success of its first-year students enrolled in the distance learning curriculum compared to those who completed their first-year classes attending classes on the TLS campus.

After discussing the matter, the Committee decided to defer a decision on whether to grant the waiver. The Committee further determined that the law school be asked to submit a narrative discussion to explain how students enrolled in the experimental, online program would be judged on their substantive learning and what metrics might be developed and used to judge whether their educational experience was equivalent to, better than or less effective than for those who studied in a physical classroom.

DISCUSSION

Attachment A is an email submitted by Associate Dean Dana Clark, dated July 27th, to inform the Committee that TLS has decided to withdraw its waiver petition. No reason or explanation is offered in support of the request.

RECOMMENDATION:

It is recommended that the request to withdraw the Petition for a Waiver submitted by TLS, seeking a waiver of the current curriculum limitation found in Guideline 7.11, be granted.

PROPOSED MOTION:

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

Move that the request to withdraw the request submitted by Trinity Law School, in which it sought a waiver of the unit limitation found in Guideline 7.11 of the Guidelines for Accredited Law School Rules that would have permitted it to provide its entire first-year of law study online, be granted.