

# COMMITTEE OF BAR EXAMINERS

## OPEN SESSION AGENDA ITEM

AGENDA ITEM NUMBER: August 2016 – O-407

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### 2015-2016 Goals and Accomplishments Educational Standards Subcommittee *Updated 08/2016*

1. Consider proposed amendments to Guidelines 15.1–15.4 (Opening and Operating a Branch or Satellite Campus) of the *Guidelines for Accredited Law School Rules* to clarify the minimum administrative and operational requirements and policies need by a California-accredited Law School to receive Committee approval to operate a provisionally-approved branch campus and whether schools consisting of a primary law school with many branch campuses are an appropriate model for California-accredited law schools.

*In April, the Committee adopted, in principle, proposed amendments to the Accredited Law School Rules and to Guidelines 15.1–15.4 (Opening and Operating a Branch or Satellite Campus) of the Guidelines for Accredited Law School Rules. The proposed amendments were submitted to the Board Committee on Admissions and Education with a request that they be circulated for a 45-day public comment period, which it approved. The proposed Rule amendments and proposed Guideline amendments are currently circulating for public comment. The final version will be considered by the Committee during its October 2016 meeting.*

2. Consider proposed amendments to *Accredited Law School Rules* re Fee for Branch Campuses after circulated for public comment.

*In December, following a period of public comment, the Committee adopted a new annual fee of \$1,000 for each branch campus, and a fee of \$800 for each satellite campus, opened and operated by each California-accredited law school, which fees were subsequently approved by the Board of Trustees. The new fees became effective on March 11, 2016.*

3. Consider proposed amendments to the *Unaccredited Law School Rules* re additional disclosures required of registered law schools to report their enrollment attrition.

*In March, following a period of public comment, the Committee adopted a proposed amendment to Rule 4.241 that requires registered law schools to modify their student Disclosure Statement to include the attrition rates at which students enrolled in the law school do not matriculate into subsequent years of law study at the same school. The proposed amendment was approved by the Board of Trustees. Subsequently, the Committee approved a form to be used by the registered law schools so that they may comply with this new requirement by September 2016.*

4. Consider proposed amendments to *Accredited Law School Rules* re additional disclosures required for registered law schools.

*In March, the Committee referred the issue of requiring additional disclosures by California-accredited law schools to the Committee's Advisory Committee on California Accredited Law School Rules (RAC) for discussion and its recommendation. The RAC will consider a proposed set of additional disclosure requirements, including student attrition and those now required by Business and Professions Code sec. 6061.7, at its meeting on August 25<sup>th</sup>.*

5. Consider additional amendments to the *Accredited Law School Rules* and *Guidelines for Accredited Law School Rules* that relate to implementation of the proposed amendments to the Rules, Statutes, and Guidelines to require the accreditation of unaccredited law schools and permit the accreditation of online law schools and better define elements necessary to move unaccredited law schools into accreditation.

*In January, the Committee determined that a public forum should be held to discuss proposed amendments to the rules and guidelines that regulate California-accredited and registered law schools to require the accreditation of unaccredited law schools, permit the accreditation of online law schools, better define elements necessary to permit registered law schools to seek accreditation and consider changing the statutory requirements related to the First-Year Law Students' Examination. The public forum took place on April 29, 2016. A Working Group II, comprised of Committee members and selected law schools deans, was formed and its first meeting was held on June 23<sup>rd</sup> with a second meeting to discuss proposed rule and guideline amendments set for August 25<sup>th</sup>.*

6. Consider whether the statute should be amended to return to the First-Year Law Students' Examination requirement that it be passed after the first year of law study and that students not be allowed three administrations of the examination to pass and receive law study credit up to the point of passage.

*See response to no. 5, above.*

7. Consider proposed technical amendments to update and revise the *Unaccredited Law School Rules* and *Guidelines for Unaccredited Law Rules* to clarify and amend various administrative and operational policies and procedures required of all California-registered law schools to remain compliant with all registration standards set forth in the *Unaccredited Law School Rules*.

*Pending outcome of no. 5 above*

8. Consider the Committee's continuing role, pursuant to Guideline 13.1 of the *Guidelines for Accredited Law School Rules* and Guideline 1.2 or the *Guidelines for Implementation of Chapter 2, Rule 4.30 of the Admission Rules*, of continuing to grant either its "acquiescence" to the issuance of a LL.M. degrees offered by ABA-approved and California Accredited Law Schools to Foreign Educated Applicants or its permission for such Applicants to complete twenty (20) semester or equivalent units in specified legal education at an ABA-approved or California-accredited law school, to be qualified to take the California Bar Examination.

*Deferred.*

9. Consider petitions and requests for prior approval received from both accredited and registered, unaccredited law schools seeking major changes and individual waivers of the Committee's policies, procedures, Rules and Guidelines.

*Ongoing*

10. Consider and take action regarding applications for provisional accreditation for existing registered law schools, applications for the registration of new law schools, the provisional approval of branch campuses and new law degree programs and submitted requests for prior approval of major changes.

*Ongoing*

11. Participate in law school visitations as scheduled and needed. Consider reports of periodic inspections of accredited and registered unaccredited law schools and inspections performed in response to the issuance of Notices of Noncompliance; generally monitor the compliant operation of both California-accredited and registered law schools and the overall educational requirements for applicants seeking to qualify to take and pass the California Bar Examination.

*Ongoing*