Guidelines for Unaccredited Law School Rules

Adopted by the Committee of Bar Examiners
Effective January 1, 2008;
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Guidelines for Unaccredited Law School Rules

Preamble

These guidelines govern the interpretation and application of the *Unaccredited Law School Rules* pursuant to the provisions of rule 4.202 of the *Unaccredited Law School Rules*. The Committee of Bar Examiners (Committee) has the authority to amend these guidelines, subject to a reasonable public comment period and after consideration of any comments received.

Division 1. General Provisions

1.1 Obtaining Registration and Degree-Granting Authority.
To become registered and receive degree-granting authority from the Committee of Bar Examiners (Committee), a law school must establish its compliance with the *Unaccredited Law School Rules*. The *Unaccredited Law School Rules* do not apply to undergraduate legal degree or paralegal programs.

1.2 Maintaining Registration and Degree-Granting Authority.
A registered unaccredited law school must demonstrate its on-going compliance with the *Unaccredited Law School Rules* by submitting required reports and otherwise complying with the *Unaccredited Law School Rules* and the general rules, policies and procedures established by the Committee.

1.3 First Year Law Students' Examination.
The First-Year Law Students' Examination, as referred to in the *Unaccredited Law School Rules*, is the examination specified in California Business and Professions Code § 6060(h) and Rule VIII of the *Rules Regulating Admission to Practice Law in California*. Students attending unaccredited law schools intending to qualify to take the California Bar Examination must take the examination upon successful completion of their first year of law study. Students who pass the examination within the first three administrations of the examination after first becoming eligible to take it will receive law study credit up to the time of passage of the examination. Students who pass the examination on an attempt following the third administration of the examination after their first becoming eligible to take it will only receive credit for one year of law study toward qualifying to take the California Bar Examination.

1.4 Restrictions on Issuance of Juris Doctor (J.D.) Degree.
The Juris Doctor (J.D.) degree must only be granted upon completion of a law program that qualifies a student to take the California Bar Examination.

1.5 Categories of Unaccredited Law Schools.
Unaccredited law schools are fixed-facility, correspondence or distance-learning law schools. Law schools in each category may provide educational programming in either or both of the other two categories so long as the principal method of instruction remains the category in which the law school is registered. A law school may only

change its category on application to and approval by the Committee pursuant to Unaccredited Law School Rule 4.245.

1.6 Student Complaints.

Neither the Committee nor any office of the State Bar of California will intervene in disputes between students and their law schools. Student complaints are reviewed to determine if they raise compliance issues under the *Unaccredited Law School Rules* and, with the permission of the student, may be forwarded to the law school.

1.7 Schedule of Charges and Deadlines.

The *Schedule of Charges and Deadlines* applicable to the *Unaccredited Law School Rules* is adopted by the Committee and approved by the Board of Governors. Annual Compliance Report and inspection fees will be charged in accordance with a law school's enrollment. Category A law schools are those with enrollments of zero to 19 law study students at the time the fees are paid, Category B law schools are those with enrollments of 20 to 199 law study students at the time fees are paid, and Category C law schools are those with enrollments of 200 or more students at the time the fees are paid. Other fees will be charged at the rates specified in the *Schedule of Charges and Deadlines.*

1.8 Separate Locations.

If a fixed-facility law school offers instruction in law at more than one location and those locations are more than ten miles apart by the most direct vehicular route, each location is considered a separate fixed-facility law school subject to separate registration and compliance with the *Unaccredited Law School Rules*.

1.9 Compliance with Other Laws.

Law schools must operate in compliance with all applicable federal, state, and local laws and regulations. While the Committee will not monitor or enforce the regulations of other agencies, noncompliance with applicable government laws and regulations may result in noncompliance with the *Unaccredited Law School Rules.*

1.10 Primary Administrative Office Location and Hours; Availability of Records.

A law school must have its primary administrative office in California. A law school must have and maintain access to all required records in its primary administrative office. A law school must be able to produce copies of all such records at its primary administrative office, either by printing, on demand, copies of electronic records or producing, on demand, photocopies of paper records. The law school must maintain reasonable office hours at its primary administrative office so that administrative staff is available to students and the Committee.

1.11 First-Year Law Students' Examination and Bar Examination Review Courses Permitted; Limitations.

A law school may offer and charge for a First-Year Law Students' Examination and bar examination review course. Any such review course must not be part of the credit requirements to obtain a J.D. degree. The law school may not condition any student's continued enrollment or graduation on the student taking a review course offered by the

law school or otherwise. The law school may also permit commercial First-Year Law Students' Examination and bar examination review courses to post advertisements and promote their courses to law students. Law school administrators, instructors and staff must not compel or solicit students to attend any particular review course.

Division 2. Honesty and Integrity

2.1 Honesty and Integrity.
A law school must be honest and forthright in all of its activities. A law school must establish and maintain procedures and practices that demonstrate an on-going commitment to ensuring that every law school activity is conducted honestly and in a forthright manner.

2.2 Honesty Regarding Finances.

(A) Honesty in Financial Affairs Generally.
A law school must conduct its financial affairs honestly and in a forthright manner. Financial considerations must not adversely affect a law school's educational program, admission and academic decisions, or academic standards.

(B) Honesty In Financial Dealings With Prospective Students, Applicants, and Students.
A law school must deal with prospective students, applicants, and students in an honest and forthright manner in all financial dealings. A law school must adopt a written refund policy that is fair and reasonable. A law school must provide refunds in accordance with its written refund policy, accompanied by a clear explanation of the method of calculation, within thirty (30) days after a student withdraws from a class or a program, or within thirty (30) days of the law school's discontinuing a course or educational program in which a student is enrolled.

(C) Financial Safeguards.
A law school must establish reasonable safeguards against financial fraud and other financial improprieties.

2.3 Honesty in Communications.

(A) Honesty in Communications Generally.
A law school must be honest and forthright in all communications, including communications with the Committee, the legal profession, the public, prospective students, applicants, and students.

(B) Honesty in Communications with Students.
A law school must be honest and forthright in all communications with students. It must not mislead students as to their reasonable prospects of obtaining the degree in the program in which they are enrolled, their ability to qualify for or be

admitted to the bar in any jurisdiction, the cost of the requirements for obtaining the degree in the program in which they are enrolled, or the financial support available through loans or scholarships for their course of study.

(C) Honesty in Communications with Prospective Students and Applicants.
A law school must be honest and forthright in all communications with prospective students and applicants. It must not mislead them as to their reasonable prospects of admission, obtaining the degree in the program in which they seek to enroll, their ability to qualify for or be admitted to the bar in any jurisdiction, the cost of the requirements for obtaining the degree in the program in which they are interested in enrolling or seek to be enrolled, or the financial support available through loans or scholarships for their course of study.

(D) Required Disclosures.

(1) To ensure that prospective students of, applicants to, and students of a law school's J.D. degree program are fully informed about the requirements and possible limitations associated with attending and graduating from an unaccredited law school, a law school must include the following statements, without alteration, in its bulletin, catalog, website, application for admission, and enrollment agreement for its J.D. degree program:

> "The method of instruction at this law school for the Juris Doctor (J.D.) degree program is [principally in physical classroom facilities]/[principally by correspondence]/[principally by technological means including interactive classes]."
>
> "Students enrolled in the J.D. degree program at this law school who successfully complete the first year of law study must pass the First-Year Law Students' Examination required by Business and Professions Code § 6060(h) and Title 4, Division 1, Chapter 1 Rule 4.3(I) of the of the Rules of the State Bar of California as part of the requirements to qualify to take the California Bar Examination. A student who passes the First-Year Law Students' Examination within three (3) administrations of the examination after first becoming eligible to take it will receive credit for all legal studies completed to the time the examination is passed. A student who does not pass the examination within three (3) administrations of the examination after first becoming eligible to take it must be promptly disqualified from the law school's J.D. degree program. If the dismissed student subsequently passes the examination, the student is eligible for re-enrollment in this law school's J.D. degree program, but will receive credit for only one year of legal study."
>
> "Study at, or graduation from, this law school may not qualify a student to take the bar examination or to satisfy the requirements for admission to practice in jurisdictions other than California. A student intending to seek

admission to practice law in a jurisdiction other than California should contact the admitting authority in that jurisdiction for information regarding the legal education requirements in that jurisdiction for admission to the practice of law."

The type size of the foregoing disclosures must be at least as large as the type size used in the main text of the material in which it is included.

(2) A law school must publish on its webpage, with an active link located on its home page under the "Admissions" tab or heading, a standardized report, in a format determined by the Committee, all of the disclosure information required by Business and Professions Code § 6061.7. All information in the standardized report must be complete, accurate and not misleading. A law school must submit its standardized report with its Annual Compliance Report required by Rule 4.242. A law school must distribute the standardized report to all applicants being offered conditional scholarships at the time the scholarship offer is made.

(3) Reference to Required Disclosures.
To ensure that prospective students of, applicants to, and students of a law school's J.D. degree program are fully informed about the requirements and possible limitations associated with attending and graduating from an unaccredited law school, a law school must refer students to the statements required in subsection (D) in the disclosure statement required by rule 4.241 of the *Unaccredited Law School Rules* and provide the standardized report required by Business and Professions Code § 6061.7. A law school must also refer prospective students and applicants to the disclosure statements required in subsection (D) and Business and Professions Code § 6061.7 in written correspondence or electronic communications sent by the law school in response to inquiries about admission to the J.D. degree program at the law school and continuing enrollment in that program at the law school.

(4) Reference to Registration with the Committee; Reference to Other Accreditations, Approvals and Memberships.
A law school may say it is registered with the Committee in any communication, but must indicate that its registration is as an unaccredited law school in the category in which it is registered. A law school that is accredited or approved by another agency or is a member of an association may state that fact in any communication, but must indicate in connection with any such statement that its degree-granting authority in connection with its students qualifying to take the California Bar Examination and obtain admission to the practice of law in California is based on its registration as an unaccredited law school with the Committee of Bar Examiners.

Amended, effective January 1, 2017.

2.4 Forms of Ownership.

A law school may be organized as a corporation, partnership, or sole proprietorship and may be for-profit or not-for-profit. If it is organized in non-profit form:

(A) It and any institution of which it is part must be organized as a non-profit educational institution under the laws of the State of California or, if its principal place of doing business is located outside California, under the laws of a state having substantially similar provisions;

(B) It and any institution of which it is part must have tax-exempt status under the United States Internal Revenue Code and the laws of the state in which it is located; and

(C) The total compensation, including fringe benefits and perquisites, paid to any person must not be more than a reasonable amount.

2.5 Commissions Prohibited.

A law school must not employ any person or organization on a commission or similar basis to solicit or procure applicants or students for the law school.

2.6 Compensation Based on Number of Applicants and Enrollment Prohibited.

A law school must not compensate any person or organization to solicit or procure applicants or students for the law school based on the number of students they cause to apply to or enroll in the law school or any class.

2.7 Duty to Update Information Provided to the Committee.

If after filing any document with or providing any information to the Committee there is any change in information or circumstance that may affect the law school's compliance with California Business and Professions Code § 6060, rule 9.30 of the Rules of the California Supreme Court, or the *Unaccredited Law School Rules*, the law school must report the change in writing to the Committee within ten (10) days after the change occurs.

2.8 Fairness in Student Discipline.

A law school must have a written policy for the imposition of student discipline and that policy must be fair.

(A) The law school's policy must include, but is not limited to, cancellation of an examination, denial of course credit, suspension, and dismissal.

(B) The law school's policy must provide for:

(1) Written notice of the specific charge(s);

(2) An opportunity for a hearing before a panel of disinterested members of the faculty, administration, and students, as the law school chooses; and

(3) A written final determination, which includes a statement of the facts, conclusions, and sanctions, if any.

(C) The law school's policy may reasonably limit, but not exclude, the assistance of counsel and the opportunity to call witnesses.

(D) The law school's imposition of student discipline policy does not apply to academic probation or disqualification; other failures to meet academic standards; or to failure to pay tuition, fees, or charges billed to the student.

2.9 Fairness in Academic Standards and Student Assessment.

(A) Academic Standards Policy.
A law school must adopt written academic standards that are fair. Changes in adopted academic standards may not be made without adequate prior notice to all affected students.

(B) Examinations and Grading Policy.
A law school must adopt written policies on examinations and grading that are fair and must provide each student with a written statement of the grading system, including:

(1) The grading system used. A law school may use a numerical, alphabetical, or other grading system. Grades should indicate whether the student's level of achievement is excellent, good, adequate, fair, inadequate but passing, or failing;

(2) Whether or under what circumstances courses may be graded "Pass/Fail" or "Credit/No Credit." Pass/Fail or Credit/No Credit grades must not be used in more than one-third of the courses in the first two-thirds of the curriculum;

(3) The rules and procedures associated with course repetition;

(4) The courses, units, grades, and grade point average required for good standing, advancement, and graduation;

(5) Whether anonymous grading is used to protect against favoritism or bias in grading, and, if so, the procedures used to maintain the anonymity of examinees;

(6) The circumstances under which a student is subject to disqualification for academic deficiency;

(7) The circumstances, if any, when a student with an academic deficiency may be allowed to continue on probation and the conditions of probation; and

(8) The process to request a review of a grade.

(C) Written Statement on Basis for Final Grade.
A law school must provide each student with a written statement explaining the extent to which each of the following will be used in determining a final grade:

(1) The final examination;

(2) Intermediate, mid-year, or other examinations;

(3) Class performance, including preparation and participation, whether in a classroom, through correspondence, or online;

(4) Evaluation of examinations or other performance by other than the course instructor; and

(5) Any other consideration that might affect the grade in any course.

(D) Authenticity of Student Work.
A law school must have a written policy setting forth the procedures used to authenticate the identity of the student submitting work and participating in educational and other law school activities and to ensure that work submitted is the student's own.

(E) Examination and Final Grades.
A law school must advise each student of the grade received on each examination within a reasonable time after the examination and of the final grade within a reasonable time after the student completes the course.

(F) Right to Inspect and Copy Examination Questions and Answers.
A law school must allow students to inspect and copy examination questions and their answers to those questions (other than for multiple-choice, true-false, and similar tests) for a reasonable period after grades are recorded. A law school must allow students to compare their answer sheets to the answer key for multiple-choice, true-false, and similar tests for a reasonable period of time after grades are recorded. A law school may release multiple-choice, true-false, and similar questions and answers to students at its discretion.

(G) Grade Review Committee.
A law school must establish a committee consisting of faculty, and, if the law school chooses, one or more members of the administrative staff and one or more students, to handle student requests for grade reviews.

(H) Grade Review Procedures.
A student who claims that an examination or course grade resulted from unfairness, a departure from established grading policy, or a clearly shown mistake, and presents credible evidence in support of such claim, may have the claim considered by the Grade Review Committee. A law school must establish written procedures for processing requests for the review of grades by the Grade Review Committee. Grade review procedures need not require a hearing.

2.10 Protection of Student Privacy and Confidentiality of Student Communications and Records.
A law school must protect student privacy and the confidentiality of student communications and records. A law school must not disclose, without a student's consent, information about the student, including grades, grade average, class schedule, address or telephone number, or other private information, unless:

(A) Required by law, including administrative subpoena or court order;

(B) The information is requested by the Committee;

(C) The information is requested by an accrediting agency; or

(D) In case of emergency.

A law school may adopt a policy that allows directory information to be released without student consent. The policy must give students the right to request that their directory information remain confidential.

2.11 Security and Backup Systems.
A law school must establish and maintain adequate security and backup procedures to protect its computer systems, communication systems, and written and electronic records from malicious, negligent, or inadvertent interruption, corruption, loss or destruction.

2.12 Statement of Provided Student Services and Activities; Adequate Support and Resources for Stated Services and Activities.
A law school must inform prospective students, applicants, and students, in writing, what student services and activities are available to students, and must provide adequate support and resources for these services and activities. A law school, through its faculty or otherwise, must provide academic counseling to students.

Division 3. Governance

3.1 Governance Requirement.
A law school must be governed, organized, and administered so as to maintain a sound program of legal education.

3.2 Duties of Governing Board.

If the law school, or the institution of which it is a part, has a governing board, that board is expected to make major non-academic policy decisions and assume responsibility for the law school's compliance with the *Unaccredited Law School Rules*. The board should delegate management of the law school to the dean or other principal administrator, and to the faculty to the extent consistent with the *Unaccredited Law School Rules*.

3.3 Optional Board of Visitors.

A law school may, but is not required to, have a board of visitors to assist in program and curriculum development, planning, or other matters. A law school must give meaningful regard to the board's advice. The board may include members of the local bar and judiciary, administrators and faculty of other law schools, students, graduates of the law school, or others.

Division 4. Administrator, Dean, and Faculty

4.1 Law School Administrator; Duties.

A law school with less than one hundred (100) enrolled students must have at least one part-time administrator who is a graduate of an American Bar Association approved law school or a law school accredited or registered by the Committee. A law school with one hundred (100) or more enrolled students must have at least one full-time administrator who is a graduate of an American Bar Association approved law school or a law school accredited or registered by the Committee. Law school administrators must devote adequate time to the administration of law school affairs and limit their outside professional activities so they do not interfere with the performance of regular duties, including counseling and interchange with students, faculty members, and colleagues. A lawyer under suspension from the practice of law, disbarred, or who resigned with charges pending in any jurisdiction may not serve as an administrator of a law school.

4.2 Law School Dean and Faculty; Duties.

A law school must have a competent dean and a competent faculty devoting adequate time to administration, instruction, and student academic counseling. The dean may also be the part-time or full-time administrator. A lawyer under suspension from the practice of law, disbarred, or who resigned with charges pending in any jurisdiction may not serve as a dean of a law school.

4.3 Faculty Participation in Formulation, Implementation, and Administration of Academic Policies and Programs.

Faculty members should participate in formulating, implementing, and administering the academic policies and programs of the law school. Each law school may determine the degree of faculty participation in academic policy-making and administration and the extent to which such participation extends to non-academic governance and decision-making.

4.4 Faculty and Student-Faculty Ratio.

There is no required number of faculty or student/faculty ratio. A law school must employ sufficient faculty to maintain a sound program of legal education, ensure timely response to and evaluation of each student, and the prompt return of assignments. For the purpose of computing the ratio of faculty to students for inclusion in the disclosure statement required by rule 4.241 of the *Unaccredited Law School Rules*, each full-time faculty member must be counted as one, each part-time faculty member must be counted as a fraction of one in accordance with a comparison of each part-time faculty member's instructional work load to that required of a full-time faculty member, and each adjunct faculty member must be counted as a fraction of one in accordance with a comparison of each adjunct faculty member's instructional work load to that required of a full-time faculty member. A full-time faculty member who is teaching an additional full-time load of courses at another law school must not be considered a full-time faculty member at either law school. Administrators and the dean may be counted as one or as a fraction of one in accordance with a comparison of their instructional workloads to that required of a full-time faculty member.

4.5 Course Loads of Instructors; Availability of Instructors for Student Counseling.

An instructor must not have teaching responsibilities, with respect to the number of students, courses, or scheduled participation hours per week, that impair the instructor's ability to adequately prepare and effectively teach. Each instructor has a responsibility to counsel students, and should be available at times and through means that are reasonably accessible and convenient to the students. An instructor should teach no more than three (3) courses per academic period, counting sections of the same course as one-half.

4.6 Faculty Credentials.

At least eighty (80) percent of the faculty teaching in any academic period must be either admitted to the practice of law in any jurisdiction in the United States, a judge of a United States court or a court of record in any jurisdiction of the United States, or a graduate of a law school approved by the American Bar Association or accredited or registered by the Committee. The faculty as a whole should possess a diverse educational background demonstrated in part by degrees earned from a variety of colleges and universities.

4.7 Duty of Instructors to Continuously Improve Teaching Skills and Substantive Expertise.

Instructors must continually strive to improve their teaching skills and expertise in the subject(s) they teach. Instructors are expected to keep informed of changes in the law and include in their course(s) a discussion of recent significant statutory changes and case law developments.

4.8 Evaluation of Instructors.

A law school must adopt written procedures for the regular evaluation of instructor competence. In evaluating the competency of an instructor, the factors to be considered are:

(A) The instructor's education, knowledge, and experience in the subject matter;

(B) The instructor's competence in the classroom or in other instructional activities;

(C) The instructor's teaching skills given the technology and methodology used in instruction, and the quality of participatory experiences employed;

(D) The instructor's organization of the course as demonstrated by outlines or syllabi;

(E) The quality, nature, and type of examinations, and other assignments and the quality of grading;

(F) The relation between the field of instruction and the area of specialization, if any, of the instructor in private practice; and

(G) The years of experience, both in teaching and in practice.

A law school may utilize its dean(s) or other academic administrators, its faculty, the faculty of other law schools, alumni of the law school, and members of the judiciary and legal profession as evaluators and may also provide for student participation. A law school must not rely solely on the Committee or other accrediting agency for the evaluation of faculty competence.

4.9 Basis of Instructor Evaluations.

The evaluation of instructor competence is generally determined by observation in the classroom or other instructional activities, which may include, for distance-learning law schools, monitoring both synchronous and asynchronous activities. Evaluation also includes review of the materials used in the course, examinations given, and the extent to which examinations and grading standards provide a reasonably accurate appraisal of each student's ability. A comparison of course grades with examination scores in like subjects and the relation between the two are regarded as some indication of the quality of instruction, examinations, and grading standards.

4.10 Academic Freedom Policy.

A law school should adopt an academic freedom policy for faculty. Under the policy, a faculty member can articulate a position or concept that may be controversial without fear of reprisal. Since the degree of academic freedom permitted will frequently depend on the nature of the institution, it is important for each law school to articulate its own policy.

4.11 Notice of Changes.

(A) A law school must notify the Committee in writing of any change in head administrator, dean or registrar. The written notice, explaining the nature and effective date of the change, must be sent no later than twenty (20) days before the specified effective date. A “change” includes, but is not limited to, resignation, termination, retirement, sabbatical or any other leave or absence, excluding vacations of thirty consecutive days or less.

(B) A law school must notify the Committee in writing of any change of mailing address, e-mail address, phone number, or fax number for the law school’s primary administrative office, head administrator, dean and registrar. The written notice, explaining the changes and their effective dates, must be sent no later than five (5) days before the specified effective dates.

(C) A law school must notify the Committee in writing of any change in the Internet address of the home page of its website. The written notice, explaining the change and its effective date, must be sent no later than five (5) days before the specified effective date.

Division 5. Academic Program and Scholastic Standards

5.1 Academic Program.
A law school must maintain a qualitatively and quantitatively sound program of legal education.

5.2 Criteria for Determining Compliance with Guideline 5.1.
In evaluating the qualitative and quantitative soundness of a law school’s program of legal education, the Committee will consider:

(A) The content and scope of the curriculum;

(B) The competence of the instructors with respect to their knowledge of the subject matter and their ability as teachers;

(C) The materials used in each course, including required and recommended texts, course outlines, and syllabi;

(D) The effectiveness of the methods of instruction used;

(E) Admission requirements, including minimum levels of prior education, preparation, or training;

(F) The number of students in classes or instructional units;

(G) The quality of examinations, assignments, and other student work as an indication of course coverage and as a measure of student knowledge and analytical ability;

(H) The soundness of the grading system;

(I) The availability of adequate legal research resources;

(J) The adequacy of the law school's finances; and

(K) The cumulative success of the law school's graduates on the California Bar Examination over such period of time as the Committee determines is appropriate.

5.3 Minimum Requirements for Award of Juris Doctor (J.D.) Degree.

A law school may issue a J.D. degree to a student who has met the following requirements:

(A) For fixed-facility law schools:

(1) Satisfactory completion of a course of classroom study requiring a minimum of 270 hours of classroom attendance a year for four (4) years. A year is defined as any consecutive twelve (12) month period. Final examination time must not be counted as classroom study. The law school must have a written attendance policy requiring regular and punctual attendance of not less than eighty (80) percent of the regularly scheduled class hours in each course. The policy may also include requirements about the quality and degree of preparation and participation. The law school must keep accurate attendance records;

(2) Obtaining a cumulative grade point average set by the law school that provides the student a reasonable basis upon which to pass the California Bar Examination; and

(3) Satisfaction of the legal education requirements to take the California Bar Examination, including passage of the First-Year Law Students' Examination unless exempt from that examination, although the law school is not a guarantor of the student's eligibility to take the California Bar Examination.

(B) For correspondence law schools:

(1) Satisfactory completion of a course of study requiring a minimum of 864 hours of preparation and study a year for four (4) years. The year of preparation and study must occur in not less than forty-eight (48) or more than fifty-two (52) consecutive weeks. To receive credit for one-half year,

a student must have 432 hours of preparation and study in not less than twenty-four (24) or more than twenty-six (26) consecutive weeks. Reasonable final examination time may be included in the hourly requirement (having the number of hours for the examination equal to the number of credits assigned to the course is prima facie reasonable). Regular and punctual participation in assigned activities, including timely submission of all assignments, is required. The law school must have a written policy establishing procedures for verifying the number of hours spent in study and preparation. The policy may also include requirements regarding the quality and degree of preparation. The law school must keep accurate records of students' time spent in study and preparation;

(2) Obtaining a cumulative grade point average set by the law school that provides the student a reasonable basis upon which to pass the California Bar Examination; and

(3) Satisfaction of the legal education requirements to take the California Bar Examination, including passage of the First-Year Law Students' Examination unless exempt from that examination, although the law school is not a guarantor of the student's eligibility to take the California Bar Examination.

(C) For distance-learning law schools:

(1) Satisfactory completion of a course of study requiring a minimum of 864 hours of preparation and study a year for four (4) years. The year of preparation and study must occur in not less than forty-eight (48) or more than fifty-two (52) consecutive weeks. To receive credit for one-half year, a student must have 432 hours of preparation and study in not less than twenty-four (24) or more than twenty-six (26) consecutive weeks. Reasonable final examination time may be included in the hourly requirement (having the number of hours for the examination equal to the number of credits assigned to the course is prima facie reasonable). Students must participate in eighty (80) percent of the regularly scheduled interactive classes in each course. Regular and punctual participation in interactive classes is required. The law school must have a written policy that establishes procedures for verifying student participation and study. The policy may also include requirements regarding the degree and quality of preparation and study. The law school must keep accurate records of students' time spent in study and preparation;

(2) Obtaining a cumulative grade point average set by the law school that provides the student a reasonable basis upon which to pass the California Bar Examination; and

(3) Satisfaction of the legal education requirements to take the California Bar Examination, including passage of the First-Year Law Students' Examination unless exempt from that examination, although the law school is not a guarantor of the student's eligibility to take the California Bar Examination.

5.4 Students Receiving a Portion of Law School Education at an Accredited Law School.

Students who receive a portion of their legal education at an accredited law school before attending an unaccredited law school present a special situation. As provided in § 6060(e)(2)(E) of the California Business and Professions Code, students must demonstrate they have obtained the legal education required by § 6060(e)(2)(A)-(D) or by any combination thereof.

5.5 Students Who Seek To Combine Law School Study with Other Qualifying Study to Satisfy the Educational Requirements for Admission to Practice Law in California.

Students who seek to combine law office and/or judicial chamber study in compliance with § 6060(e)(2)(B) and/or (C) with law school study to satisfy the educational requirements for admission to practice law in California present a special situation. As provided in § 6060(e)(2)(E) of the California Business and Professions Code, students must demonstrate they have obtained the legal education required by § 6060(e)(2)(A)-(D) or by any combination thereof. Students seeking to combine law office and/or judicial study with law school study are encouraged to utilize the procedure set forth in Guideline 5.7 to ensure that their program of study will satisfy the requirements of § 6060(e).

5.6 Special Circumstance Exemptions.

A law school may exempt a student from the unit or hourly requirement if a student demonstrates that illness, disability, or other unusual circumstance warrants such special consideration. A law school must limit both the number of first year students and the number of advanced students so exempted to ten percent of each such classification of students enrolled. A law school must, prior to granting any such exemption, obtain the approval of the Educational Standards Department of the Office of Admissions of the State Bar of California. The law school must maintain accurate records of all exemption requests, including the reasons for the exemption, its approval or disapproval by the Educational Standards Department, and any evidence submitted by the student or obtained by the law school in connection therewith. A copy of the record must be included with any certificate submitted to the Committee in proof of the student's law study.

5.7 Evaluation of Student Credentials to Determine Eligibility to take the California Bar Examination.

A student or law school may submit a request to the Committee for an evaluation of law school study completed or contemplated, to determine whether the student's program will satisfy the requirements to take the California Bar Examination. The student and law school must use the Committee's form and pay the required fee.

5.8 Externship, Clinical, Law Review and Similar Programs.

If a law school has a program that permits student participation in studies or activities that are not taught by a faculty member (such as externships or clinical programs) or in a format that does not involve participation in regularly scheduled courses (such as law review), the time spent in such studies or activities may be included as satisfying the hours requirements of Guideline 5.3, if the following conditions are met.

(A) The credit allowed must be commensurate with the time and effort expended by, and the educational benefits to, the participating student;

(B) The studies or activities must be approved in advance;

(C) A member of the faculty must supervise and periodically review each student's participation, to ensure that the educational objectives are achieved; and

(D) The amount of credit may not exceed forty (40) percent of the hourly requirement for any year or more than ten (10) percent of the total hours required for graduation.

The law school must maintain a record for each student, including at least the educational objectives, the number of hours spent by the student participating in the activity, the amount of academic credit authorized, the name of the faculty member who conducted or reviewed the activity, the name, address, telephone number, and qualifications of each person not on the faculty who directly supervised the student participating in the activity, the methods used to evaluate student performance, and all other records required under these guidelines.

5.9 Quantitative Academic Requirements.

(A) Fixed-Facility Law Schools.

A fixed-facility law school's curriculum must be offered in semester units or quarter units.

(1) One semester unit is defined as fifteen (15) hours of classroom instruction. Generally, one hour of instruction per week for fifteen (15) weeks equals one semester unit of credit.

(2) One quarter unit is defined as ten (10) hours of classroom instruction. Generally, one hour of instruction per week for ten (10) weeks equals one quarter unit of credit.

(3) One classroom or contact hour of instruction is defined as fifty (50) minutes of instruction.

(4) Whether in semester or quarter units, the law school must provide a minimum of 270 hours of classroom attendance a year for four years. A year is defined as any consecutive twelve (12) month period.

(B) Correspondence Law Schools.
A correspondence law school must provide a program of instruction in which each student engages in a minimum of 864 hours of preparation and study a year for four years. A year of preparation and study must occur in not less than forty-eight (48) or more than fifty-two (52) consecutive weeks.

(C) Distance-learning Law Schools.
A distance-learning law school must provide a program of instruction in which each student engages in a minimum of 864 hours of preparation and study each year for four (4) years. A year of preparation and study must occur in not less than forty-eight (48) or more than fifty-two (52) consecutive weeks. Not less than 135 hours of the 864 hours each year must be interactive classes.

5.10 Content of Curriculum.
A law school is not required to follow a specific curriculum and is free to set the number of units of study allocated to individual courses. A law school must design its curriculum offerings, units per class or course, and requirements for graduation in a manner consistent with Unaccredited Law School Rule 4.240(E) and its own goals. The curriculum must include the subjects tested in the California Bar Examination, but the only subject students are required by the Committee to take a course in is Professional Responsibility.

5.11 Balanced and Comprehensive Course of Study.
A law school must offer a balanced and comprehensive course of study with materials presented in an organized and logical manner and sequence. The curriculum should also offer students the opportunity to take elective courses in a variety of legal topics.

5.12 Practical Skills.
Instruction should be available in the practical skills of legal research, drafting legal documents, trial and appellate advocacy, and in professional skills such as law office management, counseling, and negotiation.

5.13 Student Interaction with Faculty.
Student interaction with faculty members and with one another is an essential component of a legal education and is critical to the development of the lawyering skills of analysis and communication. A law school must provide means for such interaction and for access to the faculty, whether through scheduled office hours, regular or electronic mail, chat rooms, or telephone contact.

5.14 Required Examinations; Exceptions.
There must be a written examination in each course except those requiring substantial oral or written work. An examination should be a test of student knowledge and eligibility

for advancement and it should also be an educational tool, enabling students to acquire further perspective through the process of analysis and exposition.

5.15 Restrictions on Use of Past Examinations.
The Committee's past California Bar Examination and past First-Year Law Students' Examination questions must not be used for any purpose that affects a student's grade. Subject to compliance with the other guidelines on grading, a law school may reuse its prior examinations.

5.16 Examination Formats; Evaluation of Examination Effectiveness.
A law school may determine the format of examinations, e.g., long or short essay questions, short form answers, or objective testing. A law school must evaluate course examinations to determine the extent to which they test student ability and knowledge of fundamental principles and encompass the subject matter of the course.

5.17 Grading Standards.
A law school must adopt written grading standards that ensure accuracy, validity, reliability, and consistency in the evaluation of student performance. Each student must be graded honestly and realistically. Qualified and competent individuals, whether they are course instructors, other members of the faculty, or carefully selected and supervised graders, must evaluate student performance. There should be a reasonable correlation among the grades of all instructors teaching the same group of students. A wide disparity in the grades among several instructors teaching the same group of students is prima facie evidence of inadequate grading standards. Reasonableness in correlation may include due regard for variation in subject matter difficulty.

5.18 Scholastic Standards.
A law school must adopt sound written scholastic standards and must as soon as possible identify and disqualify those students who have demonstrated they are not qualified to continue under these standards.

5.19 Academic Standing, Disqualification, Advancement, and Graduation Policy.
A law school must have a written policy clearly defining academic standing, academic disqualification, advancement in good standing, and the requirements for graduation. The policy may also provide for advancement on probation. Once adopted, the policy must be followed, with exceptions being rare and then only on a clear showing of special circumstance and good cause. The power to grant exceptions should be vested in a faculty committee and not left to the discretion of one individual. All actions and the reason(s) for each decision must be recorded in the permanent minutes of the faculty or faculty committee meetings. When an exception is granted, the law school must place in the student's file a memorandum of the reasons for the decision.

5.20 Evaluation of Students for Advancement and Retention.
A law school must evaluate students for advancement and retention at least as often as the end of each academic year. Students who have not maintained the grade average required for advancement or graduation or who have failed to pass the First-Year Law

Students' Examination within the required time frame must be promptly disqualified from the law school's J.D. degree program.

5.21 First-Year Law Students' Examination.

An applicant who is required to take the First-Year Law Students' Examination will not receive credit from the Committee for any law study until he or she has passed the examination. Students successfully completing their first year of law study at an unaccredited law school must take and pass the First-Year Law Students' Examination within three (3) administrations after first becoming eligible to take it. Only one year of law study will be granted if the examination is passed on an attempt later than within three (3) administrations of the examination after the student becomes eligible to take it.

5.22 Disqualification of Students for Failure to Pass the First-Year Law Students' Examination.

A student who does not pass the First-Year Law Students' Examination within three (3) administrations after first becoming eligible to take the examination must be promptly disqualified from a law school's J.D. program. A student who passes the First-Year Law Students' Examination within three (3) administrations after first becoming eligible to take it will receive credit for all legal studies completed to the time the examination is passed. A student who does not pass within the three (3) administrations after first becoming eligible to take it, but who subsequently passes, is eligible for re-enrollment in the law school's J.D. program, but will receive credit for only one year of legal study.

5.23 No Duplicate Credit for Course Repetition.

A law school must not grant duplicate credit for repetition of the same or substantially the same course, whether in the same law school or different law schools.

5.24 Written Policy on Course Repetition.

A law school must adopt a written policy on course repetition. The policy must identify when a course must be repeated. The policy must state the effect of the repetition on a student's grade point average, the amount of credit earned, and the course grade, and the effect on disqualification, probation, advancement, and graduation. The policy must identify when a course may be repeated. The policy must state the effect the repetition will have on the student's grade point average, the amount of credit earned, and the course grade.

5.25 Criteria for Evaluating Quality of Examinations and Accuracy and Reliability of Grading.

A critical factor in evaluating a law school's performance is the quality of its examinations and the reliability of the grades given. In determining the quality and reliability of grading, the Committee will consider:

> (A) The degree of correlation between the grades received by students in the first-year courses of Torts, Contracts, and Criminal Law and their passage or failure of the First-Year Law Students' Examination;

(B) The inspector or inspection team's independent judgment on the quality of the examinations and the accuracy of grading; and

(C) Consistency in the application of the grading standards among members of the faculty.

5.26 Admissions Policy.

A law school must adopt and maintain a sound written admissions policy. A law school must not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the degree program.

5.27 Standards for Admission and Continuation of Students.

A law school must admit and continue only those applicants who reasonably appear to be qualified to study law and reasonably appear to be likely to succeed in that study. A law school must adopt adequate and appropriate screening procedures to ensure that persons who clearly lack the ability or the educational background to study law are not admitted or allowed to continue as students.

5.28 Review of Pre-Legal Study.

Law schools must evaluate the pre-legal study of applicants to ensure compliance with Rule VII, Section 1 of the *Rules Regulating Admission to Practice Law in California*, or may elect to obtain a Committee evaluation pursuant to the Committee's procedures.

5.29 Law School Admission Test Results.

Applicants to and students of a registered unaccredited law school are not required to take the Law School Admission Test (LSAT), but it may be of value in assessing an applicant's potential for success. It is recommended for all applicants and especially for those who do not have at least two years of college work and students admitted after a prior disqualification.

5.30 Official Transcripts Required within Forty-Five Days of Beginning of Term.

A law school must not permit a person to enroll or attend classes for more than forty-five (45) days after the beginning of the term, unless the law school has official transcripts showing eligibility for admission under § 6060(c)(1) of the California Business and Professions Code and Rule VII, Section 1 of the *Rules Regulating Admission to Practice Law in California* or an official certification that the student had passed the equivalency examination required by § 6060(c)(2) of the California and Professions Code and Rule VII, Section 1 of the *Rules Regulating Admission to Practice Law in California* at the time the student is admitted.

5.31 Applications Must Ask About Prior Law School Attendance.

A law school must, on its application form, ask whether the applicant has ever attended another law school and, if so, whether the applicant was in good standing. A law school should have an official transcript showing the applicant's status at the prior law school before granting admission.

5.32 Admission as a Regular Student.

An applicant who has a bachelor's degree from an institution approved by the Committee is admissible as a Regular Student. An applicant who does not have a bachelor's degree, but who has completed at least one-half of the work required for a bachelor's degree at a college or university approved by the Committee, is admissible as a Regular Student. If the law school does not receive official transcripts establishing Regular Student status within forty-five (45) days after the term begins, the student must be reclassified as a Special Student, if admissible as a Special Student, or the student must be immediately disqualified as a student in the law school's J.D. degree program.

5.33 Admission as a Special Student.

An applicant whose pre-law studies do not satisfy the requirements of Guideline 5.32 must be classified as a Special Student. Admission of Special Students must be limited. An applicant may not be admitted as a Special Student unless he or she has satisfied the examination requirements (currently the College Level Equivalency Program examination) of § 6060(c)(2) of the California Business and Professions Code and Rule VII, Section 1 of the *Rules Regulating Admission to Practice Law in California*.

5.34 Admission of Applicants Previously Disqualified for Academic Reasons.

Applicants previously disqualified for academic reasons may be granted admission when there is an affirmative showing by the applicant that he or she possesses the requisite ability for the study of law. Such a showing may be made:

(A) At any time, if the applicant presents credible evidence that the prior disqualification was not caused by the applicant's lack of capacity for the study of law, but resulted from a traumatic event or serious hardship that prohibited the applicant from performing at her or his normal level; or

(B) After at least two (2) years have elapsed since the disqualification, if the applicant demonstrates that work, study, or other experience during the interim has resulted in a stronger potential for law study than the applicant exhibited at the time he or she was previously disqualified for academic reasons.

In each case, the dean or admissions officer must sign and place in the applicant's file a statement of the reasons for admitting the applicant.

5.35 Awarding of Transfer Credit.

The law school may award transfer credit to an applicant, subject to the following limitations:

(A) No credit may be granted unless the requirements of § 6060(h) of the California Business and Professions Code have been met, that is, unless the applicant has passed the First-Year Law Students' Examination or became exempt while attending an accredited law school. To be exempt from the examination, the student must have successfully completed the first year at the

accredited law school and have been advanced to the second year by the same law school.

(B) Credit should ordinarily be granted for whole courses completed not more than twenty-seven (27) months prior to the date the applicant begins study at the admitting law school. This time limitation does not apply to students who have passed the First-Year Law Students' Examination. In some instances, such as illness, personal tragedy or military service, it may be appropriate to permit credit for studies completed more than twenty-seven (27) months prior to admission. The dean must approve any exception and an explanation must be placed in the student's file.

(C) For students who were disqualified for academic reasons at the prior law school, credit should be granted only for courses in which the applicant received a grade above passing. For students who were in good standing at the prior law school, credit may be granted for all passing grades. For all applicants who have passed the First-Year Law Students' Examination, credit may be allowed in Torts, Contracts, and Criminal Law, even if the grades at the prior law school were not above passing.

(D) The admitting law school may not grant credit for a course completed at the prior law school in excess of the number of units the admitting law school would award for a course with the same number of classroom or participatory hours.

(E) The law school should be satisfied that the subject matter of, and the quality of the applicant's performance in, the courses for which credit is allowed, were substantially the same as that for like courses and grades in the admitting law school.

(F) A law school is not required to grant any credit allowable under Guideline 5.35(B).

5.36 Admission as Visitor, Auditor or Non-J.D. Degree Candidate.

An individual may be permitted to enroll as a visitor, auditor, or non-J.D. degree candidate in a limited number of courses without complying with the law school 's J.D. degree program admissions requirements. The law school must have a written policy to ensure that those admitted have the ability and knowledge to benefit from the course and that they will not interfere with the progress of, or be a detriment to, the regularly enrolled J.D. degree program students. Individuals permitted to enroll in courses under this guideline are not counted as law students, but should be identified as auditors, visitors, or non-J.D. degree candidates on the student certification reports submitted to the Committee.

Division 6. Library Requirements

6.1 Library Resources.

A law school's library resources must serve the teaching, research, and other goals of the law school. A law student cannot successfully complete a law degree program or be prepared for admission to practice law without training in the use of a law library or without reasonable access to adequate legal research resources. The faculty of a law school cannot adequately prepare or teach without access to adequate legal research resources to supplement their preparation and research.

6.2 Library Requirements.

Registered unaccredited law schools must comply with the following library requirements as set forth in California Rule of Court 9.30 and the *Rules Regulating Admission to Practice Law in California* until such time as these requirements are changed.

Fixed-facility law schools:

Requirement	Hard Bound	Electronic
The published reports of the decisions of California Courts, with advance sheets and citator (all of which must be current and complete)	X	Optional
A digest or encyclopedia of California law (all of which must be current and complete)	X	Optional
An annotated set of California codes (all of which must be current and complete)	X	Optional
A current, standard text or treatise for each course or subject in the curriculum of the law school for which such a text or treatise is available.	X	-

Correspondence and distance-learning law schools:

Requirement	Hard Bound	Electronic
The published reports of the decisions of California Courts, with advance sheets and citator (all of which must be current and complete)	Optional	X
A digest or encyclopedia of California law (all of which must be current and complete)	Optional	X
An annotated set of California codes (all of which must be current and complete)	Optional	X
A current, standard text or treatise for each course or subject in the curriculum of the law school for which such a text or treatise is available.	X (must be available at the law school's primary administrative office)	-

6.3 Instruction in Legal Research.
A law school must provide students with instruction in both physical publication and electronic-based legal research.

6.4 Access to Library at a Physical Location.
A fixed-facility law school must ensure that each law student, throughout the student's law study, has access to the library material it is required to maintain at a physical location within a reasonable distance of the law school's classroom facilities. The law school's own library or a county, state, federal, or law firm library may be utilized for this purpose. The library resources must be accessible at times that are convenient for the students.

6.5 Access to Online Library.
A correspondence or distance-learning law school must provide each law student with access to the online library material it is required to maintain throughout the student's law study. Access must be available at times convenient for the students. A law school must provide adequate services and support to students to ensure that their access to the law school's online library is consistently available.

6.6 Library Records.
A law school must create and maintain the following records:

(A) A complete hard copy or electronic list of all expenditures for hard copy and electronic library material and all other electronic legal research resources available to students; and

(B) A complete hard copy or electronic list of all hard copy and electronic library material and all other electronic legal research resources available to students, indicating the means of access and any restrictions and limitations on access.

Division 7. Physical Resources

7.1 Physical and Infrastructure Requirements.
A law school must have physical resources and an infrastructure adequate for its programs and operations. A law school must, at a minimum, maintain its primary administrative office in the State of California. A fixed-facility law school should have the exclusive occupancy of office and library facilities at all times and of classrooms during, and for a reasonable time, before and after class. A fixed-facility law school may share classroom space with another department or institution, if the arrangements do not interfere with the scheduling of classes. All physical facilities of fixed-facility law schools should be in reasonable proximity to each other so that students have the convenient use of classrooms and the law school's library, and ready access to the administrative offices. A fixed-facility law school must have a sufficient number of classrooms to provide for the law school's program. Each classroom must be adequate for its intended use.

7.2 Instructional Equipment; Resources and Procedures to Address Technology-Related Problems.
A law school must have and maintain instructional equipment adequate to support its educational program. A law school must have and allocate adequate resources and create and maintain adequate procedures to promptly and effectively address technology-related problems in the delivery of its educational program.

Division 8. Financial Resources

8.1 Financial Resources.
A law school must have adequate present and anticipated financial resources to support its programs and operations, including:

(A) Providing all educational services the institution represented it would provide;

(B) Ensuring that all students admitted to the educational program have a reasonable opportunity to complete the program and obtain degrees; and

(C) Paying timely refunds to which students are entitled.

8.2 Expenditure of Assets and Funds To Provide Sound Program of Education.
A law school must use its assets and funds, including tuition, fees, and other charges collected from or on behalf of students, to provide a sound program of legal education.

8.3 Financial Reports.
A law school must annually report its financial affairs to the Committee in the format prescribed by the Committee. If a law school submits a financial report to an accrediting agency or a governmental authority, a copy of that report must be forwarded to the Committee. The Committee retains the right to require a law school to submit an audit report prepared by an independent certified public accountant.

Division 9. Records and Reports

9.1 Recordkeeping.
A law school must maintain complete and accurate records of its programs and operations and these records must be readily accessible to the law school's administration and to the Committee. A law school may keep required records in paper or electronic format, as it deems appropriate, but the law school must adopt and follow reasonable and adequate written procedures to enable it to promptly produce paper copies of the records when needed by the administration, faculty, students, and the Committee, and to protect required records from loss, destruction or corruption. Such written procedures must include how and when written and duplicate records are created, maintained, stored, and retrieved in case the original or primary records are lost, destroyed or corrupted. Required records include:

(A) Applications.
Records must be maintained for all applicants for each academic period, which include:

(1) Name of the applicant;

(2) Date application was received;

(3) Classification of applicant as Regular or Special, and as beginning or advanced;

(4) Law School Admission Test scores, if any, and dates taken;

(5) Number of undergraduate units completed or degree received, and law school or law schools attended;

(6) Undergraduate grade point average;

(7) Action on the application;

(8) And, if admitted, whether the applicant registered or attended.

A law school must keep applications for at least one year from the beginning of the academic period for which the person applied.

(B) Record of Admissions.
For each person admitted, but who did not register or attend, a law school must maintain a file containing:

(1) The application;

(2) Official transcripts of all prelaw studies or showing a bachelor's degree from a qualified institution, and transcripts of any graduate studies;

(3) Official transcripts of any law study at another law school;

(4) Certification of passing an equivalency examination, when required;

(5) Law School Admission Test Score scores, if any, and dates taken;

(6) Letters of recommendation, if any; and

(7) Action taken on the application.

A law school must keep the files for at least one year from the beginning of the academic period for which the individual applied.

(C) Student Files.

For each person admitted who did register or attend, a law school must maintain a permanent file containing:

(1) All matters required under guideline 9.1(B);

(2) Signed disclosure statements;

(3) Memoranda of the determinations and all supporting documentation for any accommodations accorded students with disabilities;

(4) A record of any faculty or administrative action regarding the student's academic performance, any disciplinary action, any leave of absence or other interruption of studies, any disqualification prior to graduation, and any other matter relating to a variance between the student's course of study and the rules of the law school; and

(5) Any other matters required by the rules and guidelines.

(D) Transcripts.

A law school must keep a permanent transcript for each student who was or is enrolled in any course in the law school, which must contain:

(1) Information sufficient to clearly identify the student;

(2) Information sufficient to establish admission status as a Regular or Special Student;

(3) Date of admission;

(4) Whether the student is or is not a J.D. degree candidate;

(5) Any credit allowed for law study at another institution, either at the time of admission or thereafter, listing law school, course or courses taken, when taken, unit credit allowed, and grades received;

(6) All academic credit granted for courses taken at the law school and all courses in which the student registered, clearly indicating, by beginning and ending dates the semester, quarter, or other applicable academic period and year, the courses and their unit value, credit granted and grade(s) received, and if there is a change or correction on the face of the transcript, a notation of the reason(s) for the change;

(7) The date or dates on which the student took the First-Year Law Students' Examination and whether the student passed or failed each examination;

(8) A notation of any academic, administrative, or disciplinary action taken, indicating the nature and date thereof;

(9) A notation of any leaves of absence granted or other interruptions in study, whether authorized or not; and

(10) Final termination of studies, date and nature thereof as withdrawal, disqualification, transfer, graduation, or otherwise, and if graduated, the degree conferred.

A law school must adopt a written policy that provides that transcript entries may be changed only upon a showing of good cause. The policy must set forth the procedure to be followed to apply for and approve a transcript change under that standard.

(E) Class Records.

An official class record must be permanently maintained for each course, or section of a course, for each semester, quarter, or other applicable academic period which shows:

(1) Name of course, designation of section, instructor, term, and year taught;

(2) Regularly scheduled meeting times or participatory activities;

(3) Attendance record for each student, as applicable;

(4) Names of all students enrolled at the commencement of the semester, term or other applicable academic period;

(5) Date of withdrawal of each student who did not complete the course, and

(6) Final grades received by each student.

(F) Examinations and Grade Tabulations.

A law school must maintain for inspection by the Committee:

(1) A file of all examinations given in the last five (5) years;

(2) For one (1) year, students' final examination papers (including briefs, memoranda, research papers, and videotapes of oral presentations). If

mid-term examinations are used in calculating a student's grade, those examination papers should also be maintained for one (1) year. The examination paper retention requirements set forth in this subsection do not apply if the law school promptly returns original examination papers to all students after grading in particular courses and does not retain a copy for its records;

(3) A permanent record of grades on all examinations, by course;

(4) A permanent record of course grades in all courses; and

(5) An annual grade distribution chart, by course and instructor, for all courses.

(G) Administrative Personnel.

A permanent file must be maintained for each person who is or has been an administrator of the law school, including but not limited to, presidents, chief executive officers, chief financial officers, deans, associate or assistant deans, or registrars. The file must contain a personal history giving undergraduate education, graduate education, and law school education, if any, with years attended and degrees conferred, a summary of his or her professional career, and any other information relating to his or her qualifications as an administrator.

(H) Faculty Personnel.

A file must be maintained for each instructor or person who has served on the instructional staff, including teaching assistants, graders, and tutors, during the last five (5) years. The file must contain:

(1) A personal history giving undergraduate education, graduate education, if any, and law school education, with years attended, and degrees conferred; state bar or other admissions to practice law, including dates and changes in status, if any;

(2) A list of any published writings;

(3) A description of any prior teaching experience;

(4) A record of all courses, by academic periods, taught at the law school;

(5) Evaluations made by the dean, faculty committee, students, or others; and

(6) Transcripts of legal education.

(I) Faculty Minutes.
A law school must maintain a file of the minutes of all faculty and faculty committee meetings for the last five (5) years.

(J) Board Minutes.
A permanent file must be maintained of the minutes of all meetings of the governing board and its committees.

(K) Operating Records.
A law school must maintain records sufficient to prepare its Annual Compliance Report and any other report required under the rules.

(L) Catalogs, Bulletins, and Brochures.
A law school must maintain a permanent file of all catalogs, bulletins, and brochures sent to prospective students or that contain the law school's administrative and academic policies.

(M) Committee Correspondence.
A law school must maintain a permanent file of all correspondence to and from the Committee, including Annual Compliance Reports and other reports, all certifications, and all petitions and requests for waivers, together with any supporting materials and the action taken by the Committee.

(N) Inspections by Agencies other than the Committee.
For accrediting or licensing agency inspection reports and self-studies, annual questionnaires, Annual Compliance Reports, and similar documents relating to evaluations of the law school, a law school must forward to the Committee copies of any self-study or inspection report within thirty (30) days of the issuance of such documents, and the law school must maintain a permanent file of all such documents.

(O) Reports to be regularly made.
The reports listed below must be regularly made at the time, and in the manner, specified by the Committee. Other reports may be required when the Committee deems them necessary to determine compliance with the *Unaccredited Law School Rules* and these guidelines or to obtain information that may be helpful to the Committee in connection with the performance of its regulatory responsibilities. The Committee may extend the time for submitting any report or certification for good cause shown.

> (1) Annual Compliance Report. A law school must file its Annual Compliance Report in accordance with Unaccredited Law School Rule 4.242. A law school must submit with its Annual Compliance Report copies of its current catalog, website, brochures, advertisements, application forms, and other informational materials for the prior year, and any other materials requested by the Committee.

(2) Admission Certification.

(A) Within sixty (60) days after the beginning of any academic period when new students have been admitted to the law school, a law school must file with the Committee a certification of all students who have been admitted and have actually registered for or attended any class, as provided in this subsection. Admittees must be listed separately by the following categories:

(1) Regular Students with a Bachelor's Degree;
(2) Regular Students without a Bachelor's Degree;
(3) Special Students;
(4) Students Previously Disqualified for Academic Reasons;
(5) Students with Prior Law Study without Prior Disqualification;
(6) Auditors, non-J.D. degree candidates, and visiting students should also be identified on the certification, but they are not counted as admitted students.

(B) The certifications must contain the following information:

(1) Beginning Regular Students: The names, pre-legal education based on official transcripts, the school or schools attended, and the Law School Admission Test score(s), if any, and date(s) taken.

(2) Beginning Special Students: The names of all who do not qualify as Regular Students, any pre-legal education based on official transcripts, the school or schools attended, the Law School Admission Test score(s), if any, and date(s) taken, and an official certification showing the required scores on the equivalency examination, and date(s) taken.

(3) Students with Prior Law School Attendance: For prior law students, whether or not admitted with advanced standing, all matters required under subparagraphs (1) or (2) above must be included. In addition, the law schools previously attended, dates of attendance, whether eligible to continue at a prior law school, and if so, whether in good standing or on probation, and the amount of transfer credit, if any, allowed.

(P) Annual Financial Report.
Within thirty (30) days after completion of a law school's annual financial report, the law school must forward a copy of the report to the Committee.

(Q) Disclosure Statement.
A law school must submit an annual Disclosure Statement and Disclosure Statement Certification to the Committee as required by rule 4.241(D).

(R) Exemptions under Guideline 5.6.
A record of all exemptions granted under guideline 5.6, the reasons for the exemptions, and evidence supporting the exemption(s) must be provided to the Committee with any certificate submitted as proof of the student's law study.

Division 10. Equal Opportunity and Non-Discrimination

10.1 Equal Opportunity and Non-Discrimination.
Consistent with sound educational policy, and the *Unaccredited Law School Rules*, a law school should demonstrate a commitment to providing equal opportunity to study law and in the hiring, retention and promotion of faculty without regard to sex, race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, political affiliation, sexual orientation, or veteran status. A law school should maintain, by concrete action, a commitment to provide full opportunities for the study of law and/or entry into the profession of law by qualified members of groups (notably racial and ethnic minorities that have been victims of discrimination in the past). A law school should be committed to equality of opportunity in the admission and retention of students and in hiring, retention and promotion of faculty without discrimination or segregation, except insofar as such action is protected by the Constitutions of the United States or the State of California. Nothing in this guideline is intended to prohibit such admission, retention, hiring and promotion policies maintained for the purpose of remedying present effects of past discrimination.

Division 11. Issuance of Professional Law Degrees In Addition to the Juris Doctor Degree

11.1 Committee of Bar Examiners Acquiescence Required to Award Professional Law Degrees In Addition To The Juris Doctor Degree.
A law school must apply to and obtain the acquiescence of the Committee to award any professional law degree in addition to the Juris Doctor (J.D.) degree. As defined in rule 4.204(H) of the *Unaccredited Law School Rules*, a “professional law degree” is the Bachelor of Laws (LL.B), Master of Legal Studies (M.L.S.), Juris Doctor (J.D.), Master of Law (LL.M.) or other post-graduate degree authorized by the Committee. As provided in rule 4.201(C), the *Unaccredited Law School Rules* do not apply to paralegal programs, undergraduate degree programs or other legal studies programs that do not lead to a professional degree in law. Degrees such as “Executive Juris Doctor”, “Life-time Learning Juris Doctor” or similar degrees using Juris Doctor or J.D. as part of their names are a subset of the Juris Doctor degree that do not qualify the recipients to take the California Bar Examination or qualify for admission to practice law in the State of California. Such degrees are considered professional law degrees in addition to the Juris Doctor degree for purposes of these guidelines.

11.2 Application; Requirements; Restrictions; Termination of Authority to Issue Professional Law Degrees.

(A) A law school must apply for Committee acquiescence of a professional law degree program on a form approved by the Committee and provide the Committee such other information as may be requested by the Committee to assist it in evaluating the law school's professional law degree program proposal. The application must be submitted with the fee set forth in the *Schedule of Charges and Deadlines*.

(B) A law school must demonstrate to the satisfaction of the Committee that granting it authority to issue one or more professional law degrees in addition to the Juris Doctor degree will not detract from the law school's ability to maintain its Juris Doctor degree program in compliance with the *Unaccredited Law School Rules* and the *Guidelines for Unaccredited Law School Rules*.

(C) The Committee will not consider an application for such acquiescence from a law school with a pending notice of noncompliance or a law school on probation under the *Unaccredited Law School Rules*.

(D) A law school must agree to maintain any authorized professional law degree program in compliance with any terms, conditions, and restrictions set by the Committee. A law school must agree that the Committee may terminate its authority to issue a professional law degree program previously authorized pursuant to this Guideline following a notice of noncompliance process substantially similar to the notice of noncompliance procedure set forth in Chapter 4 of the *Unaccredited Law School Rules*, except that the decision of the Committee is final and Unaccredited Law School Rule 4.269 does not apply.

11.3 Required Disclosures for Professional Law Degree Programs.

To ensure that prospective students of, applicants to, and students of a law school's professional law degree programs other than for the J.D. degree are fully informed about the limitations associated with obtaining such degrees, a law school must include the following statements, without alteration, in its bulletin, catalog, website, application for admission, and enrollment agreement for such programs:

"The method of instruction at this law school for professional law degree programs other than for the Juris Doctor degree is [principally in physical classroom facilities]/[principally by correspondence]/[principally by technological means including interactive classes]."

"Completion of a professional law degree program at this law school other than for the Juris Doctor degree does not qualify a student to take the California Bar Examination or to satisfy the requirements for admission to practice law in California. It may not qualify a student to take the bar examination or to satisfy the requirements for admission to the practice of law in any other jurisdiction. A

student intending to seek admission to practice law should contact the admitting authority in the jurisdictions where the student intends to seek to qualify to sit for the bar examination or for admission to practice for information regarding the legal education requirements in that jurisdiction for admission to the practice of law."

The type size of the foregoing disclosures must be at least as large as the type size used in the main text of the material in which it is included.

11.4 Reference to Required Disclosures.

To ensure that prospective students of, applicants to, and students of a law school's professional law degree programs other than for the J.D. degree are fully informed about the limitations associated with obtaining such degrees, the law school must also refer prospective students, applicants, and students to the disclosure statement required in guideline 11.3 in written correspondence or electronic communications sent by the law school in response to inquiries about admission to its professional law degree programs other than for the Juris Doctor degree or continued enrollment in those programs.

11.5 Acquiescence Does Not Constitute Content Or Quality Approval.

Committee acquiescence in a law school's professional law degree programs other than for the Juris Doctor degree is not, and law schools must not represent it to be, approval of the content or quality of any such program.