U.S. Department of Education Staff Report to the Senior Department Official on Recognition Compliance Issues

Meeting Date: 09/23/2026

Recommendation Page

1. **Agency:** American Bar Association, Council of the Section of Legal Education and Admissions to the Bar

   (1952 / 2021)

   (The dates provided are the date of initial listing as a recognized agency and the date of the agency's last grant of recognition.)

2. **Action Item:** Petition for Continued Recognition
3. **Current Scope of Recognition:**

   The accreditation of programs in legal education that lead to the first professional degree in law, including those offered via distance education, as well as freestanding law schools offering such programs.

   Geographic Area of Accrediting Activities: Throughout the United States.

4. **Requested Scope of Recognition:**

   Same as above.

5. **Date of Advisory Committee Meeting:** 09/23/2026
6. **Staff Recommendation:**

   Deny recognition.

7. **Issues or Problems:**

   Remaining issues, if any, are summarized below and discussed in detail under the Staff Analysis section.

   [602.14(b)] -- DNM --

   The agency did not provide the approved revisions identifying the "separate Bylaws for the Accreditation Council and for the Section and authorize the Accreditation Council to approve its own Bylaws without further approvals needed from the General ABA or the Section" to demonstrate the Criterion requirements for 'separate and independent' cited in the narrative. In addition, the agency did not provide the approved changes to the House of Delegates (HOD) concurrence process and explain the impacts, if any, of HOD referral statements on Council decisions. Lastly, the agency did not provide the Law School Invoice cited in the narrative to demonstrate the invoicing preparation requirements by the Accreditation Project staff for law school enrollment reporting of each law school, separate from the General ABAs invoices and payments.

   [602.16(a)(1)(i)] -- DNM --

   The agency did not provide the final version of the approved Bylaws, demonstrating the revised classification and current practices of the Interim Monitoring Committee, codified within the amended document. The agency also did not provide any documentation of the studies and reports relied upon to support the benchmark chosen for the bar passage rate.

   [602.16(d)] -- DNM --

   The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the removal of direct assessment programs and correspondence courses references, cited in the Definitions, Standards, and Rules announcement, for analysis.

[602.17(g)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), including the Standard 511 revision reference in the narrative.

[602.17(h)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), including the Standard 511 revision reference in the narrative.

[602.18(b)(2)] -- DNM --

The agency does not meet the requirements of this Criterion. The agency did not provide the final version of the approved Bylaws, demonstrating the revised name, classification and current practices of the Consistency and Guidance Memos Committee, codified within the amended document.

[602.19(d)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the significant growth definition cited in the Definitions, Standards, and Rules announcement, for analysis.

[602.20(a)] -- DNM --

The agency does not meet the requirements of this Criterion. The agency did not demonstrate the use of the Department 34 CFR § 602.3(b) definition of an adverse accrediting action or adverse action and must amend agency standards, policies and procedures to align with the Department definition.

[602.20(b-d)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the Remedial Action definition cited in the narrative and the Definitions, Standards, and Rules revisions announcement, for analysis.

[602.21(c-d)] -- DNM --

The agency is not in compliance with the requirements of this section. The agency did not demonstrate that if it determines, at any point during its systematic program of review, that it needs to make changes to its standards, the agency initiate actions within 12 months to make the changes and completes that action within a reasonable period of time.

[602.22(a)(1)(ii)(A-F)] -- DNM --

The agency must clarify the discrepancy between the Standard 105(a)(12) allowance for an "Application for Enrolling 50% or More of its Students in at least one Distance Education Course or Offering 50% or More of its Courses as Distance Education Courses" and the May 2023 Dear Colleague Letter (DCL) requirements; and/or amend agency standards, policies and procedures to align with the Department's DCL requirements for analysis of this Criterion. Also, the agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period, since the agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), including the Standard 511 revision reference in the narrative.

[602.22(a)(1)(ii)(I)] -- S/C --

The agency has been found substantially compliant with this Criterion. The agency needs to demonstrate with documentation the additional review of the reclassification of the branch campus substantive change to an additional location referenced in the narrative, in accordance with § 600.2 "Additional location" definition, as well as adherence to this Criterion and agency requirements.

[602.22(a)(1)(ii)(J-K)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the removal of direct assessment program references, cited in the Definitions, Standards, and Rules announcement, for analysis.

[602.22(a)(2)(i-ii)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the removal of the 180-day timeline provision of this Criterion, cited in the Definitions, Standards, and Rules announcement, for analysis.

[602.22(b)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency must provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), with the inclusion of the amended Standard 105(c) language of this Criterion, cited in the Definitions, Standards, and Rules announcement, for analysis.

[602.22(f)(2)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the Rule (4) revision, cited in the Definitions, Standards, and Rules announcement, for analysis.

[602.22(f)(3)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the addition to Rule (24), cited in the Definitions, Standards, and Rules announcement, for analysis.

[602.23(c)] -- S/C --

The agency is in substantial compliance with this section of the criteria. The agency did not demonstrate with documentation that the revised Complaints Regarding Noncompliance with Standards procedures incorporate accessibility standards for individuals with disabilities (for example, following Version 2.1 of the Web Content Accessibility Guidelines (WCAG) for any web-based complaint system) in accordance with the August 7, 2023, Guidance for Ensuring Complaint Procedures for Accrediting Agencies are Timely, Fair, and Equitable.

[602.23(d)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the Standard 509 and Rule 50 revisions, cited in the Definitions, Standards, and Rules announcement, for analysis.

[602.23(e)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the Standard 509 and Rule 50 revisions, cited in the Definitions, Standards, and Rules announcement, for analysis.

[602.24(b)] -- S/C --

The agency has been found substantially compliant with the Criteria. The agency must provide the unredacted date of the Council for the Section of Legal Education, and Admissions to the Bar decision letter for the branch campus example provided as evidence for analysis of the timeline cited within the Criterion, for analysis.

[602.24(d)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency must provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the revision to Rule 29(o), cited within the Definitions, Standards, and Rules announcement revisions.

[602.26(b)] -- DNM --

The agency does not meet the requirements of this Criterion. The agency did not provide evidence of the same time notification of an initiated adverse action to the Secretary, the appropriate entities in the Criterion and the law school. Additionally, the agency did not provide evidence of the dated public notice posted on the law school’s website as required within the Council for the Section of Legal Education and Admissions to the Bar (Council) decision letter requirements, pursuant to Rule 50 and this criterion, for analysis.

[602.26(c)] -- DNM --

The agency does not meet the requirements of this Criterion. The Internal Operating Procedures (IOP) 5 does not demonstrate that the agency provides written notice of “an initiated adverse action to the Secretary” and the appropriate entities cited in this Criterion; nor amended agency policies and procedures to include this regulatory requirement. Also, the agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period, since the agency did not demonstrate an updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the updated language of Internal Operating Practices 5 within the SRP, cited in the Revisions to Definitions, Standards, and Rules announcement, as well as execution of the IOP 5 changes to reflect this Criterion.

[602.26(e)] -- DNM --

The agency does not meet the requirements of this Criterion. The agency did not provide evidence of the attachment cited in the narrative of the Notice to the Public to demonstrate the law school's decline to comment; nor has the agency demonstrated the request for comment from the law school. The agency also did not provide evidence of the Criteria requirements for a law school meeting the § 602.26(c)(1) and (2), to demonstrate the Brief Summary Within 60 Days required for this Criterion, if any.

[602.26(f)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the updated language of Internal Operating Practices 5, cited in the Revisions to Definitions, Standards, and Rules announcement, for analysis.

[602.28 (c)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the updated language of Rule 9(c) cited in the Revisions to Definitions, Standards, and Rules announcement, as well as execution of the changed Rule, if available, for analysis.

[602.28 (d)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the updated language of Rule 9(d) cited in the Revisions to Definitions, Standards, and Rules announcement, as well as execution of the changed Rule, if available, for analysis.

[602.28 (e)] -- DNM --

The agency did not demonstrate that it meets the requirements of this section due to policy noncompliance during the current recognition period. The agency did not provide the updated Standards and Rules of Procedure for Approval of Law Schools (SRP), demonstrating the updated language of Rule 9(e) cited in the Revisions to Definitions, Standards, and Rules announcement, as well as execution of the changed Rule, if available, for analysis.

Executive Summary

PART I: GENERAL INFORMATION ABOUT THE AGENCY

The American Bar Association established the Section of Legal Education and Admissions to the Bar (Council) in 1893, and the Council began to conduct accrediting activities in 1923. The Council is both an institutional and a programmatic accrediting agency. The Council currently fully or provisionally accredits 197 law schools approved to award the J.D. degree. Of the legal education programs accredited/approved by the agency, 13 are freestanding law schools and maintain independent status as institutions of higher education with no affiliation with a college or university. These law schools may use the agency’s accreditation to establish eligibility to participate in HEA programs. Since the agency is a Title IV gatekeeper, it must meet the Department’s separate and independent criteria or seek a waiver of those requirements.

Department Staff conducted multiple observations of accreditation activities of the agency during the renewal petition review. In particular, the agency observations included Evaluation Visits of a provisionally approved law school in October 2024 and a fully approved law school in November 2025; as well as the Council and New Member Trainings in August 2025. Additionally, a file review was conducted of agency accreditation documentation January – March 2026 during the review period.

Recognition History

The Commissioner of Education initially recognized the Council in 1952, and the agency has been recognized since that time.

The agency's last petition review for renewed recognition was conducted at the summer 2021 NACIQI meeting, which resulted in the senior Department official approving ABA’s application for continued recognition as an accrediting agency of programs in legal education for a period of five years and the requested scope of recognition removal of the Accreditation Committee of the Section of Legal Education. The agency's petition for renewal of recognition is the subject of this analysis.

The Department received two complaints regarding the ABA during the recognition period, which are addressed within § § 602.16(a)(1)(i); 602.18(b)(2); and 602.21(d)(3) of the agency’s renewal petition. The Department also received two third party comments, found within the third-party comment section of the petition and includes the Department as well as the agency’s responses.

PART II: SUMMARY OF FINDINGS

602.14 Basic Eligibility, Organizational and Administrative Requirements

Description of 602.14(b)

(b) For purposes of this section, “separate and independent” means that—

(1) The members of the agency's decision-making body, who decide the accreditation or preaccreditation status of institutions or programs, establish the agency's accreditation policies, or both, are not elected or selected by the board or chief executive officer of any related, associated, or affiliated trade association, professional organization, or membership organization and are not staff of the related, associated, or affiliated trade association, professional organization, or membership organization;

(2) At least one member of the agency's decision-making body is a representative of the public, and at least one-seventh of the body consists of representatives of the public;

(3) The agency has established and implemented guidelines for each member of the decision-making body including guidelines on avoiding conflicts of interest in making decisions;

(4) The agency's dues are paid separately from any dues paid to any related, associated, or affiliated trade association or membership organization; and

(5) The agency develops and determines its own budget, with no review by or consultation with any other entity or organization.

Analyst Remarks to Narrative:

The agency Bylaws within the revised Standards and Rules of Procedure for Approval of Law Schools (SRP), as well as the Separate and Independent memo, outlines the responsibilities and configuration requirements of the Council for the Section of Legal Education and Admissions to the Bar (Council), also referred as the Accreditation Project, which is the decision-making body of the agency that includes persons with interest in legal education and bar admissions (exhibits 36 and 47 referenced as exhibits 1 and 9 in the narrative). Specifically, the agency attests that the Council configuration consists of educators, practitioners, public representatives, judiciary members, and a law student, totaling 21 voting members with designated roles for officers, members-at-large, and a student representative (exhibits 36, and 41-42, referenced as exhibits 1, and 3-4 in the narrative). Additionally, the Council contains General American Bar Association (ABA) non-voting representatives of the ABA House of Delegates, who provide amendments and revisions to the SRP; and liaisons from the ABA Board of Governors and the Division of Young Lawyers, who are appointed by the General ABA to attend Council meetings; yet, do not participate in accreditation matters (exhibit 36, referenced as exhibit 1 in the narrative).

Correspondingly, the agency narrative summarizes the nominating process, timelines, review and election of the decision-making body members. In particular, the agency attests that the nominating committee appointed by the Council Chair is comprised of eight members, including the Past Council Chair, legal educators, practitioners and judiciary members from the Section of Legal Education and Admissions to the Bar (Section), appointed for one-to-two-year terms. However, the agency narrative states that “the Nominating Committee is an eight (8) member committee, with six (6) members appointed by the Chair of the Section (Council Chair)” and the Past Section Chair; yet the appointment of the last committee member has not been explained in the narrative. The agency then describes the process nominating and electing the Council, which includes the solicitation of nominees for vacant Council seats by the Managing Director of the Section; preparation of nominee qualifications for the designated Council seat replacements by the Nominating Committee for the Section; evaluation of candidates by the Section sixty days prior to the election; and the selection of the Council member via elections of majority vote held at the General ABA Annual Meeting, pursuant to the SRP (exhibit 36, referenced as exhibit 1 in the narrative). However, the agency has not explained the role of the General ABA in the election of Council members, if any, since the elections for the Council “are held at the General ABA Annual Meeting.” The agency also attests that the Council consists of at least three representatives of the public in accordance with (b)(2) of the criteria and provided the Council roster reflecting four public members within the twenty-five voting and non-voting members of the Council (exhibits 36, and 41-42, referenced as exhibits 1, and 3-4 in the narrative).

Supplementarily, the agency attests that the General ABA, House of Delegates (HOD) are presented Council decisions for standards, policies, and procedure revisions for HOD concurrence or additional considerations, which are referred back to the Council for a final decision (exhibit 45, referenced as exhibit 7 in the narrative). However, the agency has not clarified nor distinguished the separate and independent status of the abovementioned decision-making, since the General ABA ‘considerations’ are included within the Council's final decisions. The agency also indicates that the HOD are informed of the Council's decisions for granting, withdrawing, or denying a law school's provisional or full accreditation with no solicited feedback from the HOD (exhibit 45).

Similarly, the agency narrative describes the composition, appointment, term and requirements of the Appeals Panel, that serves as a decision-making body for the agency as well. Specifically, the agency attests that the Chair of the Council is responsible for the appoint of five Panelists comprised of former site evaluation team and Council members consisting of an academic, administrator, legal educator, practitioner or judiciary, along with a representative of the public for a minimum of a one year term, meeting the agency conflict of interest requirements and attests to familiarizing themselves with the training handbook for Appeal Panelists (exhibits 36, and 43-44, referenced as exhibit 1, and 5-6 in the narrative). Likewise, the agency identifies the procedures for filing an appeal; the appointment of a Proceeding Panel from the Appeal Panel roster by the Managing Director of the Section; and additional training requirements for all Panelists (exhibit 36, referenced as exhibit 1 in the narrative). Although not cited within the narrative, the agency revised SRP, Internal Operating Practices (IOP), requires written certification from Council members and Appeals Panelists attesting to avoid and recuse themselves of any conflict of interest or perceived conflict of interest conditions, detailed within the IOP, for law schools involved in the agency's accreditation process (exhibit 36).

As referenced within the agency's Separate and Independent Memo (Memo), designating the Council as the decision-making body of the Accreditation Project for the agency, the Council is responsible for determining the fee schedule for accreditation, determined by the Managing Director's Office enrollment data annually, which are separate from the General ABA dues required by all members and not used for the Accreditation Project (exhibit 47, referenced as exhibit 9 in the narrative). In regard to the Accreditation Project budget, the agency provides the 1999 ABA Board of Governors Resolution, which states "the Council's budget is not subject to review by or in consultation with the General ABA Board of Governors or any other entity outside the Section" (exhibit 46 referenced as exhibit 8 in the narrative). Additionally, the agency attests that the primary source of funding for the Council's budget includes the aforementioned annual accreditation fees and other investment costs paid by fully and provisionally approved law schools. Specifically, the agency attests the fees and costs established by the Council appointed Finance Committee recommendations are voted upon by the Council for an approval decision and collected by the Managing Director's Operations Manager of the Section and processed through the General ABA's Department of Financial Services, who are responsible for billing the law schools and crediting payments to the Accreditation Project. However, the agency SRP nor the memo reflects this billing and crediting process. Lastly, the agency reiterates that Council approval of one programmatic and nine independent law schools allows their students to participate in Title IV student financial assistance programs.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional explanation and documentation, including pending revisions to agency Bylaws, to clarify their 'separate and independent' status. In particular, the agency reiterates the configuration of the American Bar Association (ABA), denoting the responsibility of the Council for the Section of Legal Education and Admissions to the Bar (Council), supported by the Managing Director of Accreditation and Legal Education, for the independent oversight of the Accreditation Project of the agency. The agency also restates the Standards and Rules of Procedure for Approval of Law Schools (SRP) appointment process, term lengths, and member composition requirements of the 8-member Nominating Committee, reaffirming the Council Chair's duties of selecting its members (exhibit 201, referenced as exhibit A in the narrative). Further, the agency narrative lists the name and role of the current members of the Nominating Committee appointed by the Council Chair; and corresponding resumes and committee meeting minutes as evidence (exhibits 205-206, referenced as exhibits E-F in the narrative). To add clarity, the agency affirms that the election of Council members is conducted separately from the Annual ABA meeting activities and restricted to the members for the Section of Legal Education and Admissions to the Bar, as demonstrated within the meeting minutes and list of attendees provided as evidence (exhibit 207, referenced as exhibit G in the narrative).

Correspondingly, the agency attests that a special meeting of the Council held in January 2026 proposed separating the Bylaws for the Section of Legal Education and Admissions to the Bar from the Accreditation Project (Accreditation Council), eliminating approvals from the General ABA and the Section of Legal Education and Admissions to the Bar for Bylaws revisions. Additionally, the proposed changes include updating current practice of committees, adding a treasurer position; and "delineating that House of Delegates representatives may not attend any discussions related to school accreditation matters" (exhibit 204, referenced as exhibit D in the narrative). At the time of the petition submission in February 2026, the agency attests that the cited revisions were approved by the "General ABA Board of Governors" and are awaiting approval by the Section of Legal Education and Admissions to the Bar, in August 2026. Therefore, the agency was not able to provide the final version of the approved Bylaws, eliminating the abovementioned approvals and subsequent revisions, to demonstrate the Criterion requirements for 'separate and independent.'

Supplementarily, the agency recapitulates the House of Delegates (HOD) concurrence process within Rule 55 of the agency's SRP, which denotes HOD concurrence applies to proposed amendments to the Definitions, Standards, Interpretations, and Rules, and not decisions pertaining to the accreditation of law schools (exhibit 201). The agency again states the HOD is only permitted two referrals back to the Council with a rationale for the referral, after which the Council "retains authority" over proposed changes to make a determination (exhibit 201). The agency also provided the Consent Decree approving the HOD's authority between the Department of Justice and the agency (exhibit 209, referenced as exhibit I in the narrative). Conversely the agency narrative cites plans to amend Rule 55 to "reduce the number of times the Council must bring Definitions, Standards, Interpretations, or Rules to the ABA House of Delegates for concurrence and to clarify that the purpose is consultation to provide feedback to the Council before the Council makes its independent determination." The agency response also includes the January 2026 Notice and Comment announcing the aforementioned revisions (exhibit 210). However, the status of the proposed changes was not provided, and the agency did not explain if or how the HOD's referral statements "back to the Council for further consideration" have impacted final "Definitions, Standards, Interpretations, and Rules" imposed on accredited law schools to ensure adherence to this Criterion.

It should be noted that the agency narrative states the Council requirements are "largely unchanged since 1999 and has been accepted as compliant in multiple re-recognition reviews by the Department since that date" and the "House of Delegates concurrence process is a long-standing practice that has been previously accepted by the Department as meeting the 'Separate and Independent' requirements" for this Criterion. The agency also provided 1999 and 2000 recognition petition decisions declaring "The Department has not objected to this practice or the limited role of the House of Delegates in the intervening 25-year period" (exhibit 208, referenced as exhibit H in the narrative). However, the agency is reminded that its last two cycles of petitions for renewal of recognition were conducted under a focused review and that historical approval does not demonstrate current compliance. In December 2023, the agency was notified of this petition submission and reminded of the regulatory requirements effective July 1, 2020. Yet, the agency states the revised Bylaws will receive "approval at the Section of Legal Education and Admissions to the Bar's business meeting in August 2026," to evidence codified 'separate and independent requirements, as opposed to "current practice." Similarly, the revisions to the HOD were sent out for Notice and Comment in January 2026, to decrease the time to complete Council revisions. Thus, 2026 proposed revisions to agency Bylaws and Rules for alignment with the regulatory requirements for this Criterion, effective July 1, 2020, poses a concern for Department staff.

Lastly, the agency attests the Council's Accreditation Project funds are from dues and fees from accreditation activities and no ABA funds; billed and collected separately from the ABA; and managed by the Council independent of the budget of non-accreditation work of the Council. Specifically, the "Accreditation Policies and Procedures Memo between the Council and the ABA"; SRP Rules (2), Council Responsibility and Authority, and (28), Application for Variance; and Annual Questionnaire reporting numbers provide the authority, requirements and projections for the Council and its Finance Committee yearly fee schedules for law schools (exhibits 201 and 211). The agency also attests that the ABA accounts receivable department manages funds for the General ABA account, including data entry for billing, invoices and fees of the Council's Accreditation Project, separate from ABA dues through monthly reconciliation of funds; and accreditation payment tracking by the Managing Director's staff. To evidence the narrative attestations, the agency provided screenshots of the fee schedule website; the Notification Memo to law schools of fee schedules; Enrollment and Annual Fee worksheets; Billing Form template; and a sample ABA ledger of transfers to the Accreditation Project (exhibits

212-217). However, the Law School Fee Invoice cited as exhibit N was not included as evidence as it was a duplication of the Law School Fee Schedule screenshot.

602.16 Required Standards & Their Application

Description of 602.16(a)(1)(i)

(a) The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are sufficiently rigorous to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if the following conditions are met:

(1) The agency's accreditation standards must set forth clear expectations for the institutions or programs it accredits in the following areas:

(i) Success with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of State licensing examinations, course completion, and job placement rates.

Analyst Remarks to Narrative:

The agency attests that the Standards for the Approval of Law Schools (Standards), contained within the Standards and Rules of Procedure for Approval of Law Schools (SRP), provides agency Rules of Procedure (Rule), Internal Operating Practices (IOPs), and definitions utilized to assess the rigor of Council approved programs and free-standing institutions of legal education, including distance education, for the preparation of students for admission to the bar and participation in the legal profession, upon graduation (exhibit 36, referenced as exhibit 1 in the narrative). In particular, the agency narrative explains the policy and Rule on annual interim monitoring of a law school's compliance with Standards, administered through separate Annual; Bar Passage; and Employment questionaries, containing performance data indicators (PDIs). The PDIs are assessed by the Interim Monitoring Committee, to determine the educational quality of the program, and flag issues with Standards for additional reporting and review by the full Council. The agency narrative also details the site evaluation process and reporting by the law school, agency staff, and site evaluation visit teams. Specifically, the agency attests that law school evaluations include the submission of a self-study by the law school, that assesses the mission, objectives, strengths, weaknesses, and improvement efforts relating to the educational quality of the program; along with the completion of the Site Evaluation Questionnaire

– Site Report Template (SEQ – SRT), which captures the responses and attachments from the law school, comments of agency staff, and site evaluation team findings and responses, for Council decision.

The agency has provided evidence of Rule 5, Interim Monitoring of Accreditation Status; the Interim Monitoring Policy, including the responsibilities of the Interim Monitoring Committee, which is a subcommittee of the Council; as well as the Annual, Bar Passage, and Employment questionaries and instructions; PDI flag chart; an annual report decision letter; and the site evaluation procedures, SEQ – SRT template, and supplementary documentation instructions to demonstrate the narrative attestations (exhibits 80-88, referenced as exhibits 37-45 in the narrative). However, the Interim Monitoring Committee is not included within the agency's SRP reflecting the roles and responsibilities cited in the narrative nor does the narrative distinguish the category this Committee is classified within Article X, Committees, of the SRP, which identifies Standing, Regular and Special Committees, for analysis.

Correspondingly, the agency narrative identifies the student achievement accreditation Standards, and guidance memos on Learning Outcomes and Bar Passage, utilized for the monitoring and evaluating of the rigor of a law school's program for legal education by the aforementioned processes. Specifically, agency Standards 301, Objectives of Program of Legal Education; 302, Learning Outcomes; 314, Assessment of Student Learning; 315, Evaluation of Program of Legal Education, Learning Outcomes, and Assessment Methods; and 316 Bar Passage comprise the student achievement specific Standards of the agency. In particular, the outlined Standards require law schools to have established and published objectives and learning outcomes; legal competencies; formative and summative assessments of student learning; ongoing evaluation methods of legal education; and assessment methods for the learning outcomes, to measure the success of student achievement (exhibit 36, referenced as exhibit 1 in the narrative). In addition, the agency narrative provides the requirements and background of the current version of Standard 316, Bar Passage, that was considered by the General American Bar Association (ABA) twice and became effective May 2019. Specifically, the Standard mandates "at least 75 percent of a law school's graduates in a calendar year who sat for a bar examination to have passed a bar examination administered within two years of their date of graduation" and annual reporting of this data to demonstrate compliance with this standard (exhibit 36, referenced as exhibit 1 in the narrative).

However, the agency has not provided any information on revisions to the standard or the rationale for only referring to standard 316 as "current', since the 75 percent benchmark for bar passage is unchanged from the agency's previous recognition decision, October 27, 2021. The agency also requires law school's failing to meet the abovementioned threshold to provide an explanation for the noncompliance; and plans to address the issue to ensure the return to compliance within two years, unless granted a good cause extension for exceptional circumstances by the Council, pursuant to Rule 13 (exhibit 36, referenced as exhibit 1 in the narrative). The agency further attests that the Council's collected data on various populations and states during the examination of pass rate data, and the impact of the 75 percent benchmark, confirmed a small percentage of graduates did not take a bar examination within two years of graduating; which is supported by the March 2024 report of 2021 graduate pass rate data, which yielded an aggregate bar pass rate of 94 percent for all 2021 graduates that sat for a bar exam within the two-year period. However, the agency must demonstrate with additional documentation how the Council arrived at the 75 percent benchmark from the above referenced examinations, for analysis.

Lastly, the agency narrative outlines the site evaluation visit process for the evaluation of student achievement standards, detailing the requirement of the law school's completion of the SEQ – SRT student achievement questions with narrative responses, as well as the submission of reports and attachments; review of the law school responses and documentation by the site evaluation team within the SEQ – SRT, in accordance with the designated student achievement standards requirements; and distributed back to the agency as the site evaluation report for additional review and subsequent Council decision. The agency provided the site visit documentation for the Department Selected Institution to demonstrate the full cycle of review, including the self-study, site visit report and law school response, Council decision letter, and agency accreditation review correspondence (exhibits 90-102, referenced as exhibits 46-54 and 147-151 in the narrative).

However, it should be noted that portions of exhibit 92 and 102, referenced as exhibit 49 and 151 in the narrative, are not translated in English. Also, exhibit 99, referenced as exhibit 51 in the narrative, has over half of the document redacted, which will be reviewed unredacted during the file review. Department staff will review additional documentation related to the criteria, including heavily redacted evidence cited in the narrative, during a file review scheduled for the Fall of 2025.

It should be noted that a complaint on behalf of the Inter American University of Puerto Rico School of Law (Law School), regarding the agency's compliance with § 602.16(a)(1)(i); § 602.18(b)(2); and § 602.21(d)(3) of the Secretary's Criteria for Recognition (Criteria) was sent to the Department, in April and June of 2021, at the end of the previous recognition cycle review. The Accreditation Group (AG) began an investigation outside of the petition and included a request for additional information from the agency in June 2021. The agency informed the Department that the Law School had been granted until May 2022 to come into compliance with agency Standard 316, Bar Passage, with the option of being granted a good cause extension of up to three years by the Council. Follow-up by the Department with the agency confirmed the Law School was granted a good cause extension until May of 2025. Thus, Department correspondence sent to the agency in April 2024 required the agency to address the complaint within the July 2024 submission of the renewal of recognition petition for analysis with the aforementioned criteria, since no final decision had been made by the agency on the Law School's compliance with agency standards.

Specific to § 602.16(a)(1)(i), the agency was requested to respond to the Law School's claims that the agency has not maintained compliance with having a comprehensive and systematic program of review of student achievement Standard 316 when evaluating the quality of the education provided by the Law School and the educational needs of its students; the inability to ensure consistent application and enforcement of standards across the institutions it accredits due to inconsistent bar passage criteria across all States and territories; and the disproportionately adverse effect of enforcing Standard 316 on equal access to legal education in Puerto Rico.

In response to the complaint, the agency attests that standard 316, Bar Passage, is monitored in accordance with Rule 5, Interim Monitoring of Accreditation Status, within the SRP, which outlines the agency's monitoring process for the annual collection of multiple classifications of bar examination passage rate data for assessment of the law school's continued compliance with the 75 percent pass rate threshold of the Standard. In addition, the agency attests monitoring results demonstrating pass rates in jeopardy of noncompliance are required to submit additional documentation for monitoring; and those below the threshold are required to come into compliance within two years, with the possibility of a good cause extension of three years, to demonstrate compliance, pursuant to Rule 13, Actions on Determinations of Noncompliance with a Standard, in the SRP. The agency further attests that Standard 316 assists in the evaluation of program needs and the quality of education, while holding the law school accountable for graduates unable to meet the bar pass examination requirements to become an attorney in Puerto Rico (exhibits 36 and 104, referenced as exhibit 1 and 56 in the narrative).

Correspondingly, the agency reiterated the Standard 316, Bar Passage, rate of 75 percent or higher as a compliance requirement for Council approved law schools; and provides the option for a noncompliant law school to come into compliance by demonstrating a subsequent graduating class meets the Standard. In particular, the agency indicates four schools have been found non-compliant since the enforcement of the 75 percent bar passage rate; and pursuant to agency Rule 13, the law schools were provided two years to come into compliance, as well as a good cause extension for three years, at the conclusion of the two years. Additionally, the agency attests that the two non-compliant Puerto Rico Law school's, including the complainant, have demonstrated increases in the two year pass rates and first-time bar passage rates during this time; and the Puerto Rico Supreme Court's lowered the passing score for the Puerto Rican Bar exam, prior to the end of the three year good cause extension. Also, the agency attests, that the University of Puerto Rico School of Law has demonstrated compliance with Standard 316 within the two-year time limit provided to the school to come into compliance, in accordance with Rule 13 of the SRP. Hence, refuting the Law School's claim that "The ABA further fails to account for the actual effect of Standard 316 on the Puerto Rican legal market, thereby enforcing a standard that has a disproportionately adverse effect on equal access to legal education in Puerto Rico" (exhibits 36, and 103-106, referenced as exhibit 1, and 55-58 in the narrative). Point of reference, the additional narrative regarding the agency complaint received during the recognition period is addressed in exhibit 196 not146 as referenced in the agency narrative.

Subsequently, the Department was sent a second complaint in March 2025 on behalf of the Inter American University of Puerto Rico School of Law, with the inclusion of Pontifical Catholic University of Puerto Rico School of Law (Law Schools), reiterating concerns with agency standard 316, Bar Passage. On April 8, 2025, the Department requested the agency to provide an additional response to the concerns within the second complaint of both Law School's, which was received May 8, 2025 (exhibit 197, Analyst Upload-1). However, the three years granted to the Law Schools for a good cause extension has not concluded for either Law School. Therefore, the agency must provide any action taken and the accreditation status of the Law Schools within the response to the Draft Staff Analysis, including any additional accreditation documentation, decision letters, as well as changes to Standard 316, if any, for further review.

Staff Determination:

The agency must explain the omission of the Interim Monitoring Committee from the agency's Standards and Rules of Procedure for Approval of Law Schools, along with the roles and responsibilities of the Committee cited in the narrative. The agency also needs to distinguish which category the Interim Monitoring Committee is classified based upon Article X Committees within the SRP, which outlines and describes Standing, Regular, and Special Committees of the Council, due to the reoccurring nature of the Committee. In addition, the agency needs to demonstrate with documentation and clarify the narrative reference to standard 316 as "current' since the 75 percent benchmark for bar passage is unchanged from the agency's previous recognition decision, October 27, 2021, as well as provide any information on revisions to the standard. Similarly, the agency must demonstrate with additional documentation and explanation how the Council arrived at the 75 percent benchmark for law schools, for analysis. Further, the agency must provide the translated versions of exhibit 92 and 102, referenced as exhibits 49 and 151 in the narrative; and submit the unredacted version of exhibit 99, referenced as exhibit 51 in the narrative, during the file review, for analysis and final staff recommendation for this criterion. Lastly, the agency must provide the any action taken and the accreditation status of the Inter American University of Puerto Rico School of Law, and the Pontifical Catholic

University of Puerto Rico School of Law, cited within the complaints discussed in the Analyst response, including any additional accreditation documentation, and decision letters, as well as changes to Standard 316, if any, for further review.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional clarification, documentation, and status determinations requested regarding student achievement requirements. In particular, the agency clarified Standard 316, Bar Passage, which identifies the required 75% bar passage rate for graduates and reiterated the annual ultimate bar passage rate reporting mandates for law schools within the Bar Admission Questionnaire. The agency also confirms that Standard 316 has not been changed or revised during the current or previous recognition periods, as cited within the 2019-2020 and current versions of the Standards and Rules of Procedure for the Approval of Law Schools (SRP) (exhibits 201 and 238, referenced as exhibits A and LL in the narrative).

Similarly, the agency narrative details the process of review and Council for the Section of Legal Education and Admissions to the Bar (Council) decision for approving the 75% benchmark for Standard 316, effective May 2019 and first reviewed by the Council in May 2020, for all accredited law schools. Specifically, the narrative attests that the Council consulted the Law School Admission Council's National Longitudinal Bar Passage Study; New York Advisory Committee on the Uniform Bar Examination report; and the National Conference of Bar Examiners bar pass data by state, findings prior to the Notice and Comment issuance. The agency narrative also explains the challenges of the previous bar pass rate requirements, such as a five-year compliance reporting time for 70% of the law school's graduates, and the allowance of a first-time pass rate to be within "15 percentage points of the pass rate in the jurisdiction where its graduates took the bar exam." The agency narrative further attests that the current ultimate pass rate benchmark collects data on all graduates within a shortened timeframe for a compliance determination than the previous benchmark requirements. Notably, the agency provided the current SRP and the 2018-2019, as evidence of the previous Standard 316 requirements; however, no documentation, such as the cited research studies or reports, was provided for review of the narrative attestations either in the original petition submission or the response to the draft staff analysis.

In addition, the agency restates the role and appointment authority of the Council to create Regular Committees, in accordance with the Bylaws within the SRP (exhibit 201, referenced as exhibit A in the narrative). The agency further explains the classification of the Interim Monitoring Committee (IMC) as a Regular Committee, appointed by the Council, tasked with monitoring law school's accreditation status with agency requirements between site visits (exhibit 235, referenced as exhibit II in the narrative). Definitively, the Interim Monitoring Process Document defines the Council authority, responsibilities, procedures, and areas of monitoring of the IMC, such as availability of resources; graduate bar pass rates; and admissions data collected from annual reporting submitted by the law school (exhibit 235, referenced as exhibit II in the narrative). Furthermore, the agency provided evidence of IMC tracking of data collected from annual reporting from the law schools; and correspondence from the Accreditation Counsel to the IMC demonstrating an interim monitoring report of flagged compliance concerns (exhibits 234; 236; and 237, referenced as exhibits HH; JJ; and KK).

Since its establishment as a Regular Committee “more than a decade ago” by the Council, the agency attests that the Council approved revision to the agency Bylaws in January 2026 to include the classification of the Interim Monitoring Committee as a Standing Committee of the agency to “reflect current practice” (exhibit 204, referenced as exhibit D in the narrative). However, the agency did not provide the final version of the approved Bylaws, demonstrating the aforementioned revision for review.

Supplementarily, the agency provided the translated versions of exhibits 92 and 102, as well as a reduced version of redactions for exhibit 99 to demonstrate the full cycle of review of the Department Selected Institution. Additional documentation, including the unredacted version of the petition documents relating to the institution, were reviewed during the file review conducted between January – March 2026.

Response to complaint and Site Visit Observation

It should be noted that Department staff requested an agency response to the Inter American University of Puerto Rico School of Law (Inter American) and Pontifical Catholic University of Puerto Rico School of Law (Pontifical) complaints discussed in the draft staff analysis citing § 602.16(a)(1)(i) of the Criteria. In particular, the agency was requested to provide any action taken and the accreditation status of Inter American and Pontifical, including any additional accreditation documentation, and decision letters, as well as changes to Standard 316, if any, for further review. To adhere to the Department’s request, the agency provided additional narrative and documentation regarding the status of each cited law school, as of the February 2026 submission of the draft staff analysis response.

The narrative reiterates the timeline of Council actions the agency provided to the Department within the Complaint inquiry responses regarding notifications to both law schools of noncompliance with Standard 316 in May 2020 until January 2026 (exhibit 240, referenced as exhibit MM in the narrative). Specifically, the agency provided evidence of Council decision letters distributed to the law schools in May 2020 affording the law schools until May 2022 to come into compliance with a progress report due in February 2021 on the status of compliance with Standard 316, in accordance with SRP Rules (5) and (11). Upon receipt of the report, the agency notified the law schools of continued noncompliance and requested the law schools appear before the Council for subsequent hearings, Inter American in May and Pontifical in June 2021, pursuant to SRP Rules (13) (exhibit 262, referenced as exhibit III in the narrative). In February 2022 and considering COVID, Puerto Rico Supreme Court requirements, and natural disasters, the agency informed the institutions of Rule 13 for good cause extensions due to continued non-compliance evidenced in monitoring by the agency. Thus, both law schools submitted good cause extension requests granted in September 2022 by the agency until May 2025 with required annual reports (exhibit 263, referenced as exhibit JJJ in the narrative). At the conclusion of the extension, the agency added the law schools to the August 2025 Council Meeting for hearings to review Standard 316, which Department staff attended to observe the discussion.

Correspondingly, the agency acknowledges that both law schools are currently "Council-approved" and have achieved compliance with Standard 316 as of January 2026. Pontifical was deemed compliant at the August 2025 Council Meeting after the conclusion of the good cause extension (exhibit 264, referenced as exhibit KKK in the narrative). In August 2025, the Council placed Inter American on probation; yet the law school demonstrated compliance with Standard 316 within the December 2025 and January 2026 reports, resulting in the Council decision to remove probation from the law school's status at the January 2026 Council Meeting (exhibit 244, referenced as exhibit QQ in the narrative).

Further, the agency attests that no changes have been made to Standard 316 during the current recognition period; and includes the September 2019 notification to the public of the May 2019 Standard 316, Bar passage change. Within the September 2019 notification, the agency notes "The HOD did not concur in the changes and referred the matter back to the Council for a final time," which resulted in Council approval of the update to the Standard after not receiving concurrence from the House of Delegates (exhibit 299, referenced as exhibit LLL in the narrative). It should be noted that the September 2019 notification to the public included the nonconcurrence of the second HOD referral after considering the first referral in 2017.

As previously stated, Department staff observed the in-person August 2025 Council Meeting of the agency. At this Meeting both Pontifical and the Inter American were listed on the agenda to appear for a hearing in accordance with Rule 13, Actions on Determinations of Noncompliance, at the conclusion of the good cause extension granted in the September 2022 decision letter (exhibit 263, referenced as exhibit JJJ in the narrative). However, Pontifical was removed from the hearing schedule due to demonstrating compliance with Standard 316 prior to the scheduled hearing date. With respect to Inter American, the September 2025 decision letter noted that "The Council concludes, in accordance with Rule 15(b)(3), that the noncompliance with Standard 316 is sufficiently serious that it raises concerns about the quality of the student learning experience provided by the Law School, given that the Law School has been out of compliance with Standard 316 since 2020 and has already had five years within which to come into compliance." The decision further states the "Council takes adverse action against Inter American University of Puerto Rico School of Law by placing it on probation, effective September 17, 2025," until November 11, 2028, with required monitoring, pursuant to SRP Rules (2); (15); and (20) (exhibit 244, referenced as QQ in the narrative). The Council Meeting review demonstrated agency compliance with the SRP requirements.

Congruently, the agency submitted Pontifical's full cycle of review, including their self-study, site evaluation report, program response, and Council decision. Further, correspondence provided to both Pontifical and Inter American Universities, as well as required reports and additional documentation since the petition submission in July 2024, were provided as evidence (exhibits 234-261; referenced as exhibits MM-HHH in the narrative) The agency also provided duplicative submissions of Inter American documentation analyzed within the draft staff analysis, which are not cited again.

Although the agency demonstrates compliance with its requirements, Department staff notes concern surrounding Standard 316, the cited noncompliance of this law school for beyond six years, including the allowance of an additional two-year probation period, and student achievement remaining unmet for the cited length of time afforded by agency SRP. The prolonged period of noncompliance speaks to the Complainants concerns raised regarding the application of Standard 316 to some states and U.S. territories, due to the continued lack of progress in meeting the student achievement benchmark and may indicate systemic issues that require further evaluation and consideration by the Council.

Description of 602.16(d)

(d)

(1) If the agency has or seeks to include within its scope of recognition the evaluation of the quality of institutions or programs offering distance education, correspondence courses, or direct assessment education, the agency's standards must effectively address the quality of an institution's distance education, correspondence courses, or direct assessment education in the areas identified in paragraph (a)(1) of this section.

(2) The agency is not required to have separate standards, procedures, or policies for the evaluation of distance education or correspondence courses.

Analyst Remarks to Narrative:

The agency attests that the Standards and Rules of Procedure for Approval of Law Schools (SRP) contain the agency Standards that effectively address the quality of an institution's distance education as defined by the Department, and do not offer separate standards or policies for the evaluation of distance education (exhibit 36, referenced as exhibit 1 in the narrative). Rather, the agency acknowledges Standards and Rule requirements for distance education courses and their limitations. In particular, the SRP defines a distance education course as one in which students are separated from all faculty members for more than one-third of the instruction and the instruction involves the use of technology to support regular and substantive interaction between the students and all faculty members, either synchronously or asynchronously. In addition, the agency attests standards 306, Distance Education; 511, Verification of Student Identity; 105, Acquiescence for Substantive Change in Program or Structure; and Rule 24, Application for Acquiescence in Substantive Change, directly cite distance education requirements (exhibit 36, referenced as exhibit 1 in the narrative).

Specifically, standard 306 requires distance education courses to provide regular interaction between students and faculty; consistent learning and assessment through technology that supports learning outcomes; and training for students, faculty and course participants. Correspondingly, standard 511 necessitates a law school to verify registered students are the same student academically engaged; protect student privacy; and notify students of additional charges upon registration and enrollment in distance courses (exhibit 36, referenced as exhibit 1 in the narrative). Further, standard 105 and Rule 24 describe the substantive change application and approval procedures for course offerings that exceed the 50 percent distance education threshold of the agency when changing academic policies and credit hour allocations for distance education students or courses, as well as the program’s creation of a hybrid or distance education division of students. The agency attests that the aforementioned changes also require annual reporting and review of various program areas, such as student academic progress, attrition, and evaluations, along with compatibility of library services, curriculum and academic support, to the Council (exhibit 36, referenced as exhibit 1 in the narrative).

Supplementarily, the agency summarizes the process for the required site evaluation visits for law schools with distance education capabilities, which mirrors non-distance education visits with the exception of the law school’s completion of the Site Evaluation Questionnaire – Site Report Template (SEQ – SRT) distance education specific questions for site evaluators review within the SEQ – SRT. Specifically, the site evaluation team assesses the law schools distance education policies; student verification processes; technology; training resources; in addition to observing classes and conducting interviews with administrators and faculty participants in distance education courses, to document findings (exhibit 36, referenced as exhibit 1 in the narrative). Lastly, the agency has provided a list of the 19 law schools currently approved for hybrid or distance education, which includes two schools approved to exceed the agency threshold, and the full cycle of review for an approved law school offering distance education (exhibits 133-141, referenced as exhibits 83-86 and 88-91; and please be advised page 138 for exhibit 89 referenced as TBD was omitted from the narrative).

It should be noted that the agency SRP Standard 105, Acquiescence for Substantive Change in Program or Structure, (a)(18); and Rule 24, Application for Acquiescence in Substantive Change of the Rules of Procedure, (a)(18) also requires an application and approval for "the addition of each direct assessment program.” However, direct assessment is not included within the agency’s current scope of recognition. Therefore, it is unclear to Department staff to what extent the agency has been approving direct assessment programs or if its use of the term “Direct Assessment” is related to the Department’s definition, and requirements for direct assessment programs. Nonetheless, pursuant to the regulations that became effective on July 1, 2020, accrediting agencies that have not previously approved direct assessment programs that wish to have direct assessment included in their scope of recognition would have to notify the Department of the agency’s request to add direct assessment to its scope of recognition within its petition. The agency must also provide a review of a direct assessment program during the recognition period and its standard and policies for the review and approval of direct assessment programs for Department staff review.

The agency has also not stated if it would like to include correspondence courses within its scope of recognition or not. If so, the agency must provide documentation of a review of a law school offering correspondence courses, as well as the related policies and procedures for the review.

Department staff will review additional documentation related to the criteria, including heavily redacted evidence cited in the narrative, during a file review scheduled for the Fall of 2025.

<u>Analyst Remarks to Response:</u>

In response to the draft staff analysis, the agency provided additional clarification and documentation. Specifically, the agency confirmed that direct assessment and correspondence courses are not accredited by the agency, nor does the agency wish to accredit programs offered by such methods of delivery. The agency further attests that references to direct assessment programs and correspondence courses, as of February 2026, have been removed from the revised 2025-2026 Standards and Rules of Procedure for Approval of Law Schools (SRP). However, the removal of the aforementioned references, was conducted after the codifying and printing of the revised SRP for distribution. Thus, the agency provided the list of “Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026 Standards and Rules of Procedure for Approval of Law Schools” (Revisions) (SRP) (exhibit 267, referenced as exhibit NNN in the narrative), but not an updated version of the SRP publication, including the cited revisions.

It should be noted that Department staff are extremely concerned that the agency did not provide, nor make, the aforementioned corrections to remove direct assessment and correspondence courses from the final approved version of its SRP to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency’s performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency’s standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

602.17 Required Standards & Their Application

Description of 602.17(g)

> (g) Requires institutions to have processes in place through which the institution establishes that a student who registers in any course offered via distance education or correspondence is the same student who academically engages in the course or program; and

Analyst Remarks to Narrative:

The agency Standard 511, Verification of Student Identity, within the Standards and Rules of Procedure for Approval of Law Schools (SRP) defines the requirements law schools must implement to ensure student verification for distance education courses (exhibit 36, referenced as exhibit 1 in the narrative). Specifically, the agency standard mandates verification, protection, and notification by the law school that the student registered is the same student academically participating in the course; student privacy is secure; and during registration and/or enrollment, students are informed of additional charges required for distance education course’s identity verifications (exhibit 36, referenced as exhibit 1 in the narrative). The agency further attests that the site evaluation team is required to confirm the verification, protection, and notification requirements of distance education registered students during the site evaluation, and record findings within the Site Evaluation Questionnaire – Site Report Template (SEQ – SRT) distance education specific questions for Council review and decision.

Lastly, the agency provided the site evaluation report for the Department Selected Institution to demonstrate the referenced standard review by the team (exhibit 98, referenced as exhibit 52 in the narrative); however, the XX page number listed in the narrative does not exist in the document, nor does Question 35 of the SEQ – SRT reflect a part (h) and (i), thus the evaluation process of the site team for standard 511 is not clear.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

<u>Analyst Remarks to Response:</u>

In response to the draft staff analysis, the agency provided additional documentation to demonstrate the review of student verification requirements. In particular, the agency provided the Site Evaluation Questionnaire-Site Report Template (SEQ-SRT) sections of the Department Selected Institution’s (DSI) distance education responses, demonstrating the omitted and miss labeled portions of the initial petition response to this Criterion (exhibit 273, referenced as exhibit TTT in the narrative). In addition, the agency reiterates the requirements for law schools to respond to the SEQ-SRT with evidence of verification processes, including charges assumed by the students, if any, for the student identity verification methods. Further the agency restates the site evaluator’s role of reviewing student records; interviewing and verifying same student engagement in distance courses with administrators; and the completion of the Site Evaluation Report of the SEQ-SRT assessment.

Correspondingly, the agency narrative cites the revised Standard 511, which now mandates student verification and privacy requirements that align with this Criterion. Specifically, the agency revision states “A law school must verify that a student who registers for any course, including Distance Education Courses, is the same student that academically engages in the course. The verification of student identity must protect student privacy. If any additional student charges are associated with verification of student identity, students must be notified at the time of registration or enrollment.”

However, the standard revision was conducted after the codifying and printing of the revised SRP for distribution. Thus, the agency provided the list of “Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026 Standards and Rules of Procedure for Approval of Law Schools” (SRP) (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency did not provide an updated version of the SRP publication, including the cited revision. Lastly, the agency confirmed that the Council for the Section of Legal Education and Admissions to the Bar (Council), approved revisions to the SEQ-SRT to coincide with the Standard 511 revision in November 2025, which has been provided as evidence to demonstrate the update (exhibit 274, referenced as exhibit UUU in the narrative.

It should be noted that Department staff are extremely concerned that the agency did not provide, nor make, the aforementioned corrections to the student verification requirements within the final approved version of its SRP prior to February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency’s performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency’s standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

Description of 602.17(h)

> (h) Makes clear in writing that institutions must use processes that protect student privacy and notify students of any projected additional student charges associated with the verification of student identity at the time of registration or enrollment.

Analyst Remarks to Narrative:

The agency Standard 511, Verification of Student Identity, within the Standards and Rules of Procedure for Approval of Law Schools (SRP) defines the requirements law schools must implement to ensure protection of student privacy and verification of student identity for distance education courses (exhibit 36, referenced as exhibit 1 in the narrative). Specifically, the agency standard mandates verification, protection, and notification by the law school that the student registered is the same student academically participating in the course; student privacy is secure; and during registration and/or enrollment, students are informed of additional charges required for distance education course's identity verifications (exhibit 36, referenced as exhibit 1 in the narrative). The agency further attests that the site evaluation team are required to confirm the identity verification charges and notification requirements for distance education registered students during the site evaluation, and record findings within the Site Evaluation Questionnaire – Site Report Template (SEQ – SRT) distance education specific questions for Council review and decision.

Lastly, the agency provided the site evaluation report for the Department Selected Institution to demonstrate the referenced standard review by the team (exhibit 98, referenced as exhibit 52 in the narrative); however, the Question 35 of the SEQ – SRT does not reflect parts (h) and (i), thus the evaluation process of the site team for standard 511 is not clear.

As this section is not limited to distance education, the agency must provide information and documentation that it makes clear in writing that institutions must use processes that protect student privacy and notify students of any projected additional student charges associated with the verification of student identity at the time of registration or enrollment.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional clarification and documentation demonstrating the inclusion of (h) and (i) of this Criterion during the review of the Site Evaluation Questionnaire – Site Report Template (SEQ – SRT) evaluation process. In particular, the agency narrative cites the revised Standard 511, which now mandates student verification and privacy requirements that align with this Criterion. Specifically, the agency revision states "A law school must verify that a student who registers for any course, including Distance Education Courses, is the same student that academically engages in the course. The verification of student identity must protect student privacy. If any additional student charges are associated with verification of student identity, students must be notified at the time of registration or enrollment."

However, the standard revision was conducted after the codifying and printing of the revised SRP for distribution. Thus, the agency provided the list of "Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026 Standards and Rules of Procedure for Approval of Law Schools" (SRP) (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency did not provide an updated version of the SRP publication, including the cited revision.

As noted within § 602.17(g), it's extremely concerning that the agency did make the aforementioned corrections to the student verification requirements within the final approved version of its Standards and Rules of Procedure for Approval of Law Schools (SRP) prior to February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019 as well as provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. The agency is again reminded that Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

Additionally, the agency confirmed that the Council for the Section of Legal Education and Admissions to the Bar (Council), approved revisions to the SEQ-SRT to coincide with the Standard 511 revision in November 2025, which has been provided as evidence to demonstrate the update (exhibit 274, referenced as exhibit UUU in the narrative). Similarly, the agency narrative outlines the 2026-2027 site evaluation visits review requirements with the inclusion of the updated SEQ-SRT for the law school and the site evaluators. The agency further denotes that law schools must respond and evidence the requirements of the updated SEQ-SRT with verification processes, including charges assumed by the students, if any, for the student identity verification methods. Further the agency restates the site evaluator's role of reviewing student records; interviewing and verifying same student engagement in distance courses with administrators; and the completion of the Site Evaluation Report of the SEQ-SRT assessment.

602.18 Required Standards & Their Application

Description of 602.18(b)(2)

> (2) Has effective controls against the inconsistent application of the agency's standards;

Analyst Remarks to Narrative:

The agency attests that the consistent application of agency standards is ensured through an eight-step consistency process, including agency staff and Council collaboration, review of Council decisions by the Council's Consistency Committee, and annual training of the Council. In particular, the narrative outlines the steps the agency takes to confirm the site evaluation materials are consistent, which includes the extraction of standards issues cited within the site evaluation report and law school response to a spreadsheet for additional agency staff review for consistency; agency staff and assigned Council member assess standards issues and develop the draft decision letter utilizing the agency spreadsheet of issues cited for the school; the creation of a spreadsheet by agency staff combining all standards citations for the law schools under review at a Council meeting to ensure consistency in responding to overlapping standards concerns; and a final review for inconsistencies by the Council member experts assigned the standards cited within the final decisions prior to an approval vote.

Additionally, the agency summarizes the process for distributing the Council decision to the law school after the conclusion of the meeting, which consist of a the final review of the approved letter by agency staff and a select group of Council members to verify edits to Council decisions during deliberations did not cause inconsistences; and the creation of a chart depicting the law schools reviewed and the standards cited at the Council meeting serving as a summary, reference, and comparison guide for future meeting discussions. Correspondingly, the final step of the agency Standards consistency process introduces the Council's Consistency Committee, which is comprised of five Council members, including one non-voting member, to review the Council 's decision letters (exhibit 145, referenced as exhibit 96 in the narrative).

Specifically, the agency attests that the Consistency Committee conducts a regular review of Council decisions, which involves the evaluation of Standards citations within the Council decisions at the conclusion of the meeting with law schools cited with the same citations in previous decisions, and an examination of the site evaluation reports and attachments related to the cited Standard for the current and previous Council meeting decisions. Similarly, the Consistency Committee conducts a close-the-loop review of Council decisions on an ad hoc basis for ensuring consistency in the requests for information to determine standards compliance for law schools reviewed for continued accreditation. At the conclusion of the abovementioned types of reviews, the Consistency Committee presents a report to the Council of findings, recommendations, and next steps for ensuring consistency (exhibit 146, referenced as 97 in the narrative). The agency provided the Standards and Rules of Procedure for Approval of Law Schools (SRP); yet did not identify or define the roles and responsibilities of the Consistency Committee referenced in the narrative within the SRP. The agency also does not distinguish which category the Consistency Committee is classified based upon Article X Committees within the SRP, such as a Standing, Regular or Special Committee; nor has the SRP included the Consistency Committee's purpose and appointment, due to the reoccurring nature of the Committee, consistent with the agency narrative summary of the frequency of the Committee's analysis of Standards citations.

Further, the agency attests that Council members participate in an annual training, which includes a review of agency Standards (exhibit 66, referenced as exhibit 19 in the narrative). Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

It should be noted that a complaint on behalf of the Inter American University of Puerto Rico School of Law (Law School), regarding the agency's compliance with § § 602.16(a)(1)(i); 602.18(b)(2); and 602.21(d)(3) of the Secretary's Criteria for Recognition (Criteria) was sent to the Department, in April and June of 2021, at the end of the previous recognition cycle review. The Accreditation Group (AG) began an investigation outside of the petition and included a request for additional information from the agency in June 2021. The agency informed the Department that the Law School had been granted until May 2022 to come into compliance with agency Standard 316, Bar Passage, with the option of being granted a good cause extension of up to three years by the Council. Follow-up by the Department with the agency confirmed the Law School was granted a good cause extension until May of 2025. Thus, Department correspondence sent to the agency in April 2024 required the agency to address the complaint within the July 2024 submission of the renewal of recognition petition for analysis with the aforementioned criteria, since no final decision had been made by the agency on the Law School's compliance with agency standards.

Specific to § 602.18(b)(2), the agency was requested to respond to the Law School's claim, that indicates the agency has no effective controls against the inconsistent application of Standard 316 in place. In addition to the narrative for this criterion, and the June 2021 response to this claim, which provided combined comments of the standards revisions that included the ABA House of Delegates (HOD) concerns from data collected based on the HOD considerations during the previous recognition period, the agency reiterated the Standard 316, Bar Passage, rate of 75 percent or higher as a compliance requirement for Council-approved law schools; and provides the option for a noncompliant law school to come into compliance by demonstrating a subsequent graduating class meets the Standard. In particular, the agency indicates four schools have been found non-compliant since the enforcement of the 75 percent bar passage rate; and pursuant to agency Rule 13, the law schools were provided two years to come into compliance, as well as a good cause extension for three years, at the conclusion of the two years. Additionally, the agency attests that the two non-compliant Puerto Rico law school's, including the complainant, have demonstrated increases in the two-year pass rates and first-time bar passage rates during this time; and the Puerto Rico Supreme Court's lowered the passing score for the Puerto Rican

Bar exam, prior to the end of the three-year good cause extension (exhibits 36, and 103-105, referenced as exhibit 1, and 55-57 in the narrative).

Subsequently, the Department was sent a second complaint in March 2025 on behalf of the Inter American University of Puerto Rico School of Law, with the inclusion of Pontifical Catholic University of Puerto Rico School of Law (Law Schools), reiterating concerns regarding the agency's compliance with (b)(2) of this criterion. On April 8, 2025, Department staff requested the agency to provide an additional response to the concerns within the second complaint of both Law School's, which was received May 8, 2025 (exhibit 198, Analyst Upload-1). However, the three years granted to the Law Schools for a good cause extension has not concluded for either Law School. Therefore, the agency must provide the accreditation status of the Law Schools within the response to the Draft Staff Analysis, including any additional accreditation documentation, decision letters, as well as any Standards revisions and reviews, if any, for further analysis.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional clarification and documentation regarding the newly titled Consistency and Guidance Memos Committee (CGMC), formerly the Consistency Committee, and agency revisions. In particular, the agency reiterates the appointment authority of the Council for the Section of Legal Education and Admissions to the Bar (Council), to create Regular Committees, in accordance with the Bylaws within the SRP (exhibit 201, referenced as exhibit A in the narrative). The agency further explains the classification of the CGMC, as a Regular Committee, appointed by the Council, and comprised of voting and non-voting Council members (exhibit 41, referenced as exhibit WWW, in the narrative).

Additionally, the agency defines the tasks of the CGMC, which include the review of standards referenced within Council letters and memos drafted for the Council in response to various site reports, to ensure consistent and accurate citations of agency standards, prior to Council Meetings (exhibit 275, referenced as exhibit VVV in the narrative). Since its establishment as a Regular Committee "over a decade ago" by the Council, the agency attests that the Council-approved revision to the agency Bylaws in January 2026 to include the classification of the CGMC as a Standing Committee of the agency "which reflects current practice" (exhibit 204, referenced as exhibit D in the narrative). However, the agency did not provide the final version of the approved Bylaws, demonstrating the aforementioned revision for review.

Supplementarily, the agency provided a list of definitions, standards, interpretations and rules, along with Internal Operating Practices revised during the current recognition period, citing the dates of the revision, and the redline version of the listed revisions (exhibits 281-281, referenced as exhibits XXX, YYY, and ZZZ in the narrative). The agency also confirmed the inclusion of the Standards and Rules of Procedure for Approval of Law Schools (SRP) within the original petition submission for this Criterion was done in error.

Response to complaint and Site Visit Observation

It should also be noted that Department staff requested an agency response to the Inter American University of Puerto Rico School of Law (Inter American) and Pontifical Catholic University of Puerto Rico School of Law (Pontifical) complaints discussed in the draft staff analysis citing § 602.18(b)(2) of the Criteria. In particular, the agency was requested to provide any action taken and the accreditation status of Inter American and Pontifical, including any additional accreditation documentation, and decision letters, as well as changes to Standard 316, if any, for further review of their Consistent Application of Standards. To adhere to the Department's request, the agency provided additional narrative and documentation regarding the status of each cited law school's compliance with agency standards, as of the February 2026 submission of the draft staff analysis response.

In response, the narrative reiterates the timeline of Council actions the agency provided to the Department within the Complaint inquiry responses regarding notifications to both law schools of noncompliance with Standard 316 in May 2020 until January 2026 (exhibit 240, referenced as exhibit MM in the narrative). Specifically, the agency provided evidence of Council decision letters distributed to the law schools in May 2020 affording the law schools until May 2022 to come into compliance with a progress report due in February 2021 on the status of compliance with Standard 316, in accordance with SRP Rules (5) and (11). Upon receipt of the report, the agency notified the law schools of continued noncompliance and requested the law schools appear before the Council for subsequent hearings, Inter American in May and Pontifical in June 2021, pursuant to SRP Rules (13) (exhibit 262, referenced as exhibit III in the narrative). In February 2022 and considering COVID, Puerto Rico Supreme Court requirements, and natural disasters, the agency informed the institutions of Rule 13 for good cause extensions due to continued non-compliance evidenced in monitoring by the agency. Thus, both law schools submitted good cause extension requests granted in September 2022 by the agency until May 2025 with required annual reports, including the review of standard 316 (exhibit 263, referenced as exhibit JJJ in the narrative). At the conclusion of the extension, the agency added the law schools to the August 2025 Council Meeting for hearings to review Standard 316, which Department staff attended to observe the discussion.

Correspondingly, the agency acknowledges that both law schools are currently "Council-approved" and have achieved compliance with Standard 316 as of January

2026. Pontifical was deemed compliant at the August 2025 Council Meeting after the conclusion of the good cause extension (exhibit 264, referenced as exhibit KKK in the narrative). In August 2025, the Council placed Inter American on probation; yet the law school demonstrated compliance with Standard 316 within the December 2025 and January 2026 reports, resulting in the Council decision to remove probation from the law school's status at the January 2026 Council Meeting (exhibit 244, referenced as exhibit QQ in the narrative). Further, the agency attests that no changes have been made to Standard 316 during the current recognition period since the 2019 Standard 316, Bar passage, change.

As previously stated, Department staff observed the in-person August 2025 Council Meeting of the agency. At this Meeting both Pontifical and the Inter American were listed on the agenda to appear for a hearing in accordance with Rule 13, Actions on Determinations of Noncompliance, at the conclusion of the good cause extension granted in the September 2022 decision letter regarding Standard 316 (exhibit 263, referenced as exhibit JJJ in the narrative). However, Pontifical was removed from the hearing schedule due to demonstrating compliance with Standard 316 prior to the scheduled hearing date in accordance with agency requirements. With respect to Inter American, the September 2025 decision letter noted that "The Council concludes, in accordance with Rule 15(b)(3), that the noncompliance with Standard 316 is sufficiently serious that it raises concerns about the quality of the student learning experience provided by the Law School, given that the Law School has been out of compliance with Standard 316 since 2020 and has already had five years within which to come into compliance." The decision further states the "Council takes adverse action against Inter American University of Puerto Rico School of Law by placing it on probation, effective September 17, 2025," until November 11, 2028, with required monitoring, pursuant to SRP Rules (2); (15); and (20) (exhibit 244, referenced as QQ in the narrative). The Council Meeting review demonstrated agency compliance with the SRP requirements.

The agency also submitted Pontifical's full cycle of review, including their self-study, site evaluation report, program response, and Council decision. Further, correspondence provided to both Pontifical and Inter American Universities, as well as required reports and additional documentation since the petition submission in July 2024, were provided as evidence (exhibits 240-254 and 256-265; referenced as exhibits MM-AAA and CCC-LLL in the narrative) The agency also provided duplicative submissions of Inter American documentation analyzed within the draft staff analysis, which are not cited again.

Although the agency demonstrates compliance with its requirements, Department staff notes concern surrounding Standard 316, the cited noncompliance of this law school for beyond six years, including the allowance of an additional two-year probation period, and student achievement remaining unmet for the cited length of time afforded by agency SRP. The prolonged period of noncompliance speaks to the Complainants concerns raised regarding the application of Standard 316 to some states and U.S. territories, due to the continued lack of progress in meeting the student achievement benchmark and may indicate systemic issues that require further evaluation and consideration by the Council.

602.19 Required Standards & Their Application

Description of 602.19(d)

> (d) Institutional accrediting agencies must monitor the growth of programs at institutions experiencing significant enrollment growth, as reasonably defined by the agency.

Analyst Remarks to Narrative:

The agency Internal Operating Practices, 6, Submission of Information to Secretary of Education, within the Standards and Rules of Procedure for Approval of Law Schools (SRP) requires the Council to notify the Department “when a law school for which the Council serves as an institutional accreditor offers Distance Education Courses and has an increase in total headcount of 50 percent or more within one fiscal year” (exhibit 36, referenced as exhibit 1 in the narrative). In particular, the agency utilizes the Annual Questionnaire responses to the performance data indicators (PDIs) for enrollment to monitor free-standing law school’s growth. Specifically, increases in law school enrollment of 50 percent or more are flagged for additional monitoring of distance education offerings; as well as increases or decreases of 30 percent in first year enrollment, which is all an interim monitoring policy trigger for additional reporting by the law school.

In addition, the agency has provided the Interim Monitoring Policy denoting the enrollment PDIs and the 2023 chart of all PDIs flagged for law schools, which the agency attests no headcount percentage of 50 percent or more occurred during the current recognition period requiring Department notification (exhibits 80 and 84 referenced as exhibits 37 and 41 in the narrative). However, the agency has not provided the policy or definition of significant growth in accordance with this criterion; instead, the agency has provided the IOP, 6, requirements for § 602.19(e) Distance /Correspondence Increase.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional clarification and documentation pertaining to the agency definition and data collection of significant growth. In particular, the agency reiterated the Interim Monitoring Process for collecting and comparing Annual Questionnaire data on enrollment and monitoring trends of law school growth over time. Additionally, the narrative details the four Interim Monitoring thresholds utilized by the agency for law school growth, which consists of percentage triggers of increased total enrollment between 10%, 25%, and 50% within one and two years. Specifically, the agency defines significant growth as total enrollment “greater than or equal to 50%” in one year. Such growth triggers distribution of a letter from the Council for the Section of Legal Education and Admissions to the Bar (Council) to the law school for an explanation; and notification to the Department within thirty days for free-standing law school’s the agency serves as Title IV gatekeeper, experiencing significant growth. Supplementary, distance education offerings, teaching resources, and admission policies and practices are closely evaluated by site visit teams for inclusion in the Site Evaluation Reports of the law schools for response and Council review. Further, the agency provided the Interim Monitoring Process Document, Tracking Spreadsheet and Reports, demonstrating the role, data collection, and reporting by the Interim Monitoring Process in accordance with this Criterion (exhibits 235-237, referenced as HH; II; and JJ in the narrative).

Corresponding, the agency attests that the significant growth definition for law school enrollment, effective August 2025, is located in the Internal Operating Practice section of the Standards and Rules of Procedure for Approval of Law Schools (SRP) revisions, which were conducted after the codifying and printing of the revised SRP for distribution. Thus, the agency provided the list of “Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026 Standards and Rules of Procedure for Approval of Law Schools” (SRP) (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency did not provide an updated version of the SRP publication, including the cited revision.

It should be noted that Department staff are extremely concerned that the agency did not provide the aforementioned corrections to the Internal Operating Practice (IOP), regarding Council notification pertaining to significant growth triggers, within the final approved version of its SRP, since the revisions were made in August 2025 and effective November 2025, to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency’s performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

602.20 Required Standards & Their Application

Description of 602.20(a)

(a) If the agency's review of an institution or program under any standard indicates that the institution or program is not in compliance with that standard, the agency must—

(1) Follow its written policy for notifying the institution or program of the finding of noncompliance;

(2) Provide the institution or program with a written timeline for coming into compliance that is reasonable, as determined by the agency's decision-making body, based on the nature of the finding, the stated mission, and educational objectives of the institution or program. The timeline may include intermediate checkpoints on the way to full compliance and must not exceed the lesser of four years or 150 percent of the—

(i) Length of the program in the case of a programmatic accrediting agency; or

(ii) Length of the longest program at the institution in the case of an institutional accrediting agency;

(3) Follow its written policies and procedures for granting a good cause extension that may exceed the standard timeframe described in paragraph (a)(2) of this section when such an extension is determined by the agency to be warranted; and

(4) Have a written policy to evaluate and approve or disapprove monitoring or compliance reports it requires, provide ongoing monitoring, if warranted, and evaluate an institution's or program's progress in resolving the finding of noncompliance.

Analyst Remarks to Narrative:

The agency Standards and Rules of Procedure for Approval of Law Schools (SRP) Rule, 11, Proceedings to Determine Compliance with Standards in General; and Rule 13, Actions on Determinations of Noncompliance with a Standard outline the process, timelines, and actions taken for a believed and/or confirmed determination of an approved law school's non-compliance with an agency standard (exhibit 36, referenced as exhibit 1 in the narrative). Specifically, the agency attests that the Council may request information from a law school based upon a reason to believe noncompliance with a standard, which includes a request for information from the school by a defined date; the review of the information at a quarterly Council meeting; and a determination of compliance or noncompliance by the Council, with the later requiring addition reporting from the law school, pursuant to SRP Rule 11.

Alternatively, a Council determination of noncompliance with a standard insists that the agency require a report from the law school demonstrating it has brought itself into compliance with the standard by a specified date, not to exceed two years from the date of the noncompliance determination. The agency also necessitates law school representatives appear at a hearing for determining the cancelation of further action, due to provided evidence of compliance; or the imposition of sanctions due to continued noncompliance with the standard, except for instances of a good cause extension and extraordinary circumstances, which allows up to three additional years for the law school to come into compliance, pursuant to Rule 13 within the SRP (exhibit 36, referenced as exhibit 1 in the narrative). Additionally, the agency denotes the granting of a good cause extension, and time for extraordinary circumstances. These extensions require the law school to demonstrate significant progress towards compliance; submission of a detailed plan for achieving compliance during the extended time; the consideration of additional Council concerns; and the agreeance to provide periodic reporting to the Council of actions taken, outcomes, and date for achieving compliance with the standard (exhibit 36, referenced as exhibit 1 in the narrative).

Lastly, the agency summarized and listed the law schools that received good cause extensions during the recognition period, including the Department Selected Institution. However, the agency has not provided evidence of the review of these schools; nor provided a list and subsequent reviews of those law schools that returned to compliance within the initial two-year time period, for analysis.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional documentation and explanation regarding the enforcement of standards in accordance with the Criterion. In particular, the agency provided the requested list of noncompliant law schools, and coinciding decision letters, that demonstrated compliance within the agency allotted two-year timeframe to come into compliance, prior to additional action from the Council for the Section of Legal Education and Admissions to the Bar (Council) (exhibits 290 and 367, referenced as BBBB and CCCC in the narrative).

In addition, the agency summarized and resubmitted documentation for the two law school complaints, including the Department Selected Institution (DSI), cited in § § § 602.16(a)(1)(i), 602.18(b)(2), and 602.21(d), receiving good cause extensions during the current recognition period, in accordance with the Standards and Rules of Procedure for Approval of Law Schools (SRP). Specifically, the narrative recapitulates the timeline of each law school's initial noncompliance in 2020; two years to come into compliance in 2022, which the law schools remained noncompliant; granting of a three year good cause extension; and subsequent compliance by the law schools in August 2025, and January 2026 after the DSI was placed on probation in August 2025, pursuant to the SRP (exhibits 201; 263-265; and referenced as A; JJJ-LLL; and EEEE-IIII in the narrative.

With respect to Inter American or DSI, the September 2025 decision letter noted that "The Council concludes, in accordance with Rule 15(b)(3), that the noncompliance with Standard 316 is sufficiently serious that it raises concerns about the quality of the student learning experience provided by the Law School, given that the Law School has been out of compliance with Standard 316 since 2020 and has already had five years within which to come into compliance." The, the decision further states the "Council takes adverse action against Inter American University of Puerto Rico School of Law by placing it on probation, effective September 17, 2025," until November 11, 2028, with required monitoring, pursuant to SRP Rules (2); (15); and (20) (exhibit 244, referenced as QQ in the narrative).

However, probation is not considered an adverse action by Department definition within 34 CFR § 602.3(b) "Adverse accrediting action or adverse action" which means the denial, withdrawal, suspension, revocation, or termination of accreditation or preaccreditation, or any comparable accrediting action an agency may take against an institution or program. Thus, the agency must amend agency standards, policies and procedures to align with the Department definition.

Description of 602.20(b-d)

> (b) Notwithstanding paragraph (a) of this section, the agency must have a policy for taking an immediate adverse action, and take such action, when the agency has determined that such action is warranted.
>
> (c) If the institution or program does not bring itself into compliance within the period specified in paragraph (a) of this section, the agency must take adverse action against the institution or program, but may maintain the institution's or program's accreditation or preaccreditation until the institution or program has had reasonable time to complete the activities in its teach-out plan or to fulfill the obligations of any teach-out agreement to assist

students in transferring or completing their programs.

(d) An agency that accredits institutions may limit the adverse or other action to particular programs that are offered by the institution or to particular additional locations of an institution, without necessarily taking action against the entire institution and all of its programs, provided the noncompliance was limited to that particular program or location.

Analyst Remarks to Narrative:

The agency Standards and Rules of Procedure for Approval of Law Schools (SRP) Rule, 13, Actions on Determinations of Noncompliance with a Standard; Rule 16, Sanctions for Failure to Cure Noncompliance with a Standard; and Rule 19, Attendance at Council Meetings and Hearings, outlines the process for taking action for determinations by the Council that an approved law school is non-compliant with an agency standard (exhibit 36, referenced as exhibit 1 in the narrative). Specifically, the agency attests that the Council determination of noncompliance with a standard insists that the agency require a report from the law school demonstrating it has brought itself into compliance with the standard by a specified date, not to exceed two years from the date of the noncompliance determination. The agency also necessitates law school representatives are to appear at a hearing for determining the cancelation of further action, due to evidence ascertained demonstrating compliance; or the imposition of sanctions due to continued noncompliance with the standard, except for instances of a good cause extension and extraordinary circumstances, which allows up to three additional years for the law school to come into compliance, pursuant to Rule 13 within the SRP.

Additionally, Rule 16 acknowledges that a law school remaining out of compliance with a standard at the conclusion of the Council specified date, requires “imposed further remedial action or sanctions” by the Council, which the agency defines this sanction as withdrawal of accreditation approval of the law school, also referred to as an adverse action by the agency (exhibit 36, referenced as exhibit 1 in the narrative). However, the agency has not defined the remedial action the Council may impose on a law school that has remained out of compliance with a standard or standards for up to five years, which includes the up to two years provided in Rule 13(b) for the law school to come into compliance. Further, if the Council specified date to come into compliance included a good cause extension and extraordinary circumstances time, another three years are provided for the law school to attain compliance, pursuant to Rule 13(c)(exhibit 36, referenced as exhibit 1 in the narrative). The agency narrative also cites the customary Council decision letter language with references to the Department criteria and the subsequent SRP rule requirements for such action.

The agency also denotes that Council withdrawn law schools have the right to a hearing prior to withdrawal, pursuant to Rule 19; as well as an Appeal, pursuant to Rules 3, and 30 within the SRP (exhibit 36, referenced as exhibit 1 in the narrative). Correspondingly, the agency attests that the Council may maintain the approval status of a withdrawn law school, to ensure reasonable time for completion of a tech-out plan or agreement is provided for the students (exhibit 36, referenced as exhibit 1 in the narrative). In regard to (d) of this section of the criteria, the agency affirms that the Council does not limit adverse or equivalent action of the law school's campuses and has not experienced such action during the recognition period.

Lastly, the agency provided the number of law schools found non-compliant with Rule 11, referenced in § 602. 20(a), as 28 schools. The agency also demonstrated the review of a non-compliant law school with the inclusion of a list of Council decisions of adverse, probation, show cause, or equivalent actions, during the recognition period; as well as reiterated the recognized scope of recognition of the Council for only accrediting Juris Doctorate (J.D.) programs, and defined the program length of the J.D. program as three years (exhibits 153-154, referenced as exhibits 102-103; and exhibits 155-156, referenced as exhibits 153-154 in the narrative).

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional explanation and documentation regarding action taken by the Council for the Section of Legal Education and Admissions to the Bar (Council) in accordance with the Rules within the Standards and Rules of Procedure for Approval of Law Schools (SRP) of the agency (exhibit 201, referenced as exhibit A in the narrative). Specifically, the agency defined Remedial Action, as "a corrective action that the Council requires a law school to take to bring itself back into compliance with the Standards" found within the SRP revisions conducted after the codifying and printing of the revised SRP for distribution. Thus, the agency provided the list of "Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026 Standards and Rules of Procedure for Approval of Law Schools" and a screenshot of the list (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency did not provide an updated version of the SRP publication, including the cited revision.

It should be noted that Department staff are extremely concerned that the agency did not provide the aforementioned corrections to the SRP regarding the revised Remedial Action definition conducted in February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

Further, the agency reiterates the process of the Council upon determination of a law school's noncompliance of an agency standard or standards in accordance with Rules 11; 13; 15; 16; and 20 of the SRP (exhibit 201). In particular, the agency attests that Remedial Action is taken once non-compliance is determined under Rule 11, and a hearing is commenced with the law school pursuant to Rule 13. In addition, Rule 13 outlines the time period for the law school to come into compliance, which is up to two years, as well as the parameters for a three-year extension for good cause, approved by Council (exhibit 201). The agency also attests that law schools remaining non-compliant after the end of the good cause extension, results in the Council beginning withdrawal proceedings of the law school's approval in accordance with Rules 15 and 16 of the SRP (exhibit 201).

602.21 Required Standards & Their Application

Description of 602.21(c-d)

> (c) If the agency determines, at any point during its systematic program of review, that it needs to make changes to its standards, the agency must initiate action within 12 months to make the changes and must complete that action within a reasonable period of time.
>
> (d) Before finalizing any changes to its standards, the agency must--
>
> > (1) Provide notice to all of the agency's relevant constituencies, and other parties who have made their interest known to the agency, of the changes the agency proposes to make;
> >
> > (2) Give the constituencies and other interested parties adequate opportunity to comment on the proposed changes; and
> >
> > (3) Take into account and be responsive to any comments on the proposed changes submitted timely by the relevant constituencies and other interested parties.

Analyst Remarks to Narrative:

The agency Internal Operating Practices (IOP), 9, Review of Standards, Interpretations, and Rules within the Standards and Rules of Procedure for Approval of Law Schools (SRP) mirror's part (c) of the criteria requirements. Specifically, the, IOP 9 mandates changes to SIRs, deemed necessary by the Council for the legal education program, be initiated within twelve months; completed within a reasonable timeframe; and prior to adoption, seek public comments in writing, and through a public hearing from interested parties, which includes publishing a report regarding the final revisions for the public (exhibit 36, referenced as exhibit 1 in the narrative).

Additionally, the agency attests Notices for Comment, including explanation for the revision, are provided to constituencies and the public electronically for a 30–90-day period, depending on the complexity of changes; and reviewed by the Standards Committee for the creation of recommendations for Council vote. Upon attaining final approval, the Council presents the revisions to the General American Bar Association, House of Delegates (HOD) for consideration, in accordance with the SRP requirements for concurrence or additional consideration. If the Council is requested to consider the HOD's considerations, after two considerations from the HOD, the Council finalizes the revisions for implementation (exhibit 36, referenced as exhibit 1 in the narrative). Correspondingly, the agency provided a draft Notice of Comment; comment example; Standards Committee recommendation, including National Bar Passage Rate data; and the redlines document of codified revisions and considerations to the SRP to evidence the aforementioned process (exhibits 160-164, referenced as exhibits 108-111 in the narrative). Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

However, It should be noted that a complaint on behalf of the Inter American University of Puerto Rico School of Law (Law School), regarding the agency's compliance with § § 602.16(a)(1)(i); 602.18(b)(2); and 602.21(d)(3) of the Secretary's Criteria for Recognition (Criteria) was sent to the Department, in April and June of 2021, at the end of the previous recognition cycle review. The Accreditation Group (AG) began an investigation outside of the petition and included a request for additional information from the agency in June 2021. The agency informed the Department that the Law School had been granted until May 2022 to come into compliance with agency Standard 316, Bar Passage, with the option of being granted a good cause extension of up to three years by the Council. Follow-up by the Department with the agency confirmed the Law School was granted a good cause extension until May of 2025. Thus, Department correspondence sent to the agency in April 2024 required the agency to address the complaint within the July 2024 submission of the renewal of recognition petition for analysis with the aforementioned criteria, since no final decision had been made by the agency on the Law School's compliance with agency standards.

Specific to § 602.21(d)(3), the agency was requested to respond to the Law School's claim that the agency failed to consider, and be responsive to, comments on the discriminatory effects of Standard 316 raised by relevant constituents, including the ABA House of Delegates (HOD) rejection of revised Standard 316. In addition to the narrative for this criterion and the June 2021 response to this claim, which provided combined comments of the standards revisions that included the HOD concerns from data collected based on the HOD considerations during the previous recognition period, the agency reiterated their continuous efforts to monitor the impact of agency standards for all law school graduates. The agency also provided the National Bar Examination Passage Rate Statistics of the aforementioned monitoring efforts as evidence (exhibits 103-104, referenced as exhibit 55-56 in the narrative).

The agency further attests that four schools have been found non-compliant with Standard 316, Bar Passage, since the enforcement of the 75% s passage rate requirement. Pursuant to agency Rule 13, the law schools were provided two years to come into compliance, as well as a good cause extension for three years at the conclusion of the two years, which has not concluded for the Law School referenced in the complaint cited within this section of the criteria (exhibits 36 and 164, referenced as exhibit 1, and 112 in the narrative). Therefore, the agency must provide the accreditation status of the Law School within the response to the Draft Staff Analysis.

Subsequently, the Department was sent a second complaint in March 2025 on behalf of the Inter American University of Puerto Rico School of Law, with the inclusion of Pontifical Catholic University of Puerto Rico School of Law (Law Schools), reiterating concerns regarding the agency's compliance with (d) of this criterion. On April 8, 2025, the Department requested the agency to provide an additional response to the concerns within the second complaint of both Law School's, which was received May 8, 2025 (exhibit 199, Analyst Upload-1). Hence, the agency must provide Standards revisions and reviews, if any, that would impact the accreditation status of the Law Schools within the response to the Draft Staff Analysis, including any additional accreditation documentation, decision letters, and/or guidance, for further analysis.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional documentation and explanation. Specifically, the agency reaffirmed that no changes to Standard 316 occurred during the previous and current recognition periods in response to the requested updates related to the complaint cited in the draft staff analysis against the agency. In addition, the agency cites its June 2021 Department response to this complaint including Appendix B, which detailed the review process and timelines for comment of Standard 316, effective May 2019 and updated September 2019, also reiterated within the May 2025 agency response to the Department (exhibits 240 and 299 referenced as exhibits MM and LLL in the narrative). Further, the agency provided a list of definitions, standards, interpretations and rules, along with Internal Operating Practices revised during the recognition period, citing the dates of the revision, and the redline version of the listed revisions (exhibits 281-281, referenced as exhibits XXX, YYY, and ZZZ in the narrative).

However, Department staff inquired further about the timeliness of standards changes and note the ABA revised Standard 206 related to diversity and inclusion in 2022 (Exhibit 2309 - ED request letters combined, Exhibit 2310 - 5.21.2026 Council response to 4.21.2026 ROI_redacted, Exhibit 2311 - 7.23.2026 Council response to 6.18.2026 ROI, & Exhibit 2312 - 8.14.2026 Council response to 7.27.2026 ROI). At that time, the Standards Committee stated that the revisions were intended to achieve the "effective educational use of diversity," which it identified as the compelling state interest recognized in Grutter v. Bollinger and Fisher v. University of Texas. The Standards Committee also considered comments raising concerns that the Standard could result in racial balancing or other practices inconsistent with the Equal Protection Clause. In response, the Committee noted that the Supreme Court intended to consider cases concerning affirmative action and stated that, "should the legal standards on affirmative action change, Standard 206 will be revised at that time as needed," (Exhibit 2312 - 8.14.2026 Council response to 7.27.2026 ROI, 22-feb-council-final-recs-with-exhibit.pdf listed as an attachment).

Following the Supreme Court's June 2023 decision in Students for Fair Admissions, Inc. v. President and Fellows of Harvard College (SFFA), the Council acknowledged that Standard 206 required revision. The Council's 2023–2024 training materials continued to instruct reviewers that law schools should provide information concerning "concrete efforts" demonstrating a commitment to a diverse faculty, staff, and student body, and stated that merely providing demographic numbers was insufficient. The same training materials stated, however, that "[t]he Council will need to change the language of Standard 206 and the information it requests from law schools during Site Visits regarding Standard 206 based on the US Supreme Court's recent decision regarding affirmative action," (Exhibit 2312 - 8.14.2026 Council response to 7.27.2026 ROI, Council Training Materials 2020-2025.pdf listed as an attachment). The Council's 2024–2025 training materials continued to describe Standard 206 in substantially the same manner. The materials again acknowledged that the Council would need to consider revisions to Standard 206 and to the information requested from schools during site visits in light of the Supreme Court's decision," (Exhibit 2312 - 8.14.2026 Council response to 7.27.2026 ROI, Council Training Materials 2020-2025.pdf listed as an attachment).

Separately, the Council placed review of Standard 206 on the Standards Committee's 2023–2024 agenda, directing it to "examine the language of the Standard and its Interpretations in light of the June 2023 U.S. Supreme Court decision on affirmative action in higher education admissions," (Exhibit 2312 - 8.14.2026 Council response to 7.27.2026 ROI – 23-aug-sc-memo-proposed-2023-2024-standards-committee-agenda.pdf listed as an attachment). Yet, the Council did not suspend Standard 206 until February 2025. At that time, the Council stated that it was reviewing and amending the Standard "to ensure that it complies with federal law." It suspended the existing Standard and directed that Questions 15–18 concerning Standard 206 be redacted from the 2024–2025 Site Evaluation Questionnaire and site reports (Exhibit 2312 - 8.14.2026 Council response to 7.27.2026 ROI, Memo - Spring 2025 Site Visits on 205 and 206 2.28.25.pdf listed as an attachment). Internal instructions issued on February 26, 2025, directed agency staff to redact the entire question and response for four law schools that had already undergone fall site visits. Agency staff were instructed to complete the redactions before the law schools proceeded further in the review process (Exhibit 2312 - 8.14.2026 Council response to 7.27.2026 ROI, 206 Redaction in Site Reports – Instructions for Staff.pdf listed as an attachment). The subsequent guidance also provided that complaints relating to Standard 206 should not be provided to or reviewed by site teams while the Standard was suspended.

Therefore, Department staff note that the Council expressly anticipated in 2022 that a change in Supreme Court affirmative-action law could require revision of Standard 206, acknowledged both that Standard 206 required revision and that the information requested from law schools during site visits would need to change after SFFA in 2023, but continued into the 2024–2025 review cycle to provide training and evaluate law schools based on Standard 206 until it suspended the Standard in February 2025. Therefore, the ABA has not demonstrated that if it determines, at any point during its systematic program of review, that it needs to make changes to its standards, the agency must initiate action within 12 months to make the changes and must complete that action within a reasonable period of time.

Response to complaint and Site Visit Observation

It should be noted that Department staff requested an agency response to the Inter American University of Puerto Rico School of Law (Inter American) and Pontifical Catholic University of Puerto Rico School of Law (Pontifical) complaints discussed in the draft staff analysis citing § 602.21(d) of the Criteria. In particular, the agency was requested to provide any action taken and the accreditation status of Inter American and Pontifical, including any additional accreditation documentation, and decision letters, as well as changes to Standard 316, if any, for further review. To adhere to the Department's request, the agency provided additional narrative and documentation regarding the status of each cited law school, as of the February 2026 submission of the draft staff analysis response.

Particularly, the narrative reiterates the timeline of Council actions the agency provided to the Department within the Complaint inquiry responses regarding notifications to both law schools of noncompliance with Standard 316 in May 2020 until January 2026 and the previous revisions process for the establishment of Standard 316 (exhibit 240, referenced as exhibit MM in the narrative). Correspondingly, the agency acknowledges that both law schools are currently "Council-approved" and have achieved compliance with Standard 316 as of January 2026. Pontifical was deemed compliant at the August 2025 Council Meeting after the conclusion of the good cause extension (exhibit 264, referenced as exhibit KKK in the narrative). In August 2025, the Council placed Inter American on probation; yet the law school demonstrated compliance with Standard 316 within the December 2025 and January 2026 reports, resulting in the Council decision to remove probation from the law school's status at the January 2026 Council Meeting (exhibit 244, referenced as exhibit QQ in 602.18(b)(2)).

Further, the agency attests that no changes have been made to Standard 316 during the current recognition period; and includes the September 2019 notification to the public of the May 2019 Standard 316, Bar passage change. Within the September 2019 notification, the agency notes "The HOD did not concur in the changes and referred the matter back to the Council for a final time," which resulted in Council approval of the update to the Standard after not receiving concurrence from the House of Delegates (exhibit 299, referenced as exhibit LLL in the narrative). It should be noted that the September 2019 notification to the public included the nonconcurrence of the second HOD referral after considering the first referral in 2017.

As previously stated, Department staff observed the in-person August 2025 Council Meeting of the agency. At this Meeting both Pontifical and the Inter American were listed on the agenda to appear for a hearing in accordance with Rule 13, Actions on Determinations of Noncompliance, at the conclusion of the good cause extension granted in the September 2022 decision letter (exhibit 263, referenced as exhibit JJJ in the narrative). However, Pontifical was removed from the hearing schedule due to demonstrating compliance with Standard 316 prior to the scheduled hearing date. With respect to Inter American, the September 2025 decision letter noted that "The Council concludes, in accordance with Rule 15(b)(3), that the noncompliance with Standard 316 is sufficiently serious that it raises concerns about the quality of the student learning experience provided by the Law School, given that the Law School has been out of compliance with Standard 316 since 2020 and has already had five years within which to come into compliance." The, the decision further states the "Council takes adverse action against Inter American University of Puerto Rico School of Law by placing it on probation, effective September 17, 2025," until November 11, 2028, with required monitoring, pursuant to SRP Rules (2); (15); and (20) (exhibit 244, referenced as QQ in the narrative). The Council Meeting review demonstrated agency compliance with the SRP requirements.

Lastly, the agency submitted Pontifical's Council and Inter American Universities Council decision letters and references documentation submitted since the July 2024 petition submission (exhibits 262-265; referenced as exhibits III-LLL in the narrative). The process of review of the agency standards reviewed for the above referenced complaint and 316 standards review demonstrates the agency's compliance with its requirements with the revisions to standards rules and procedures of the agency.

602.22 Required Operating Policies & Procedures

Description of 602.22(a)(1)(ii)(A-F)

> (ii) The agency's definition of substantive change covers high-impact, high-risk changes, including at least the following:
>
> > (A) Any substantial change in the established mission or objectives of the institution or its programs.
> >
> > (B) Any change in the legal status, form of control, or ownership of the institution.
> >
> > (C) The addition of programs that represent a significant departure from the existing offerings or educational programs, or method of delivery, from those that were offered or used when the agency last evaluated the institution.
> >
> > (D) The addition of graduate programs by an institution that previously offered only undergraduate programs or certificates.
> >
> > (E) A change in the way an institution measures student progress, including whether the institution measures progress in clock hours or credit-hours, semesters, trimesters, or quarters, or uses time-based or non-time-based methods.
> >
> > (F) A substantial increase in the number of clock hours or credit hours awarded, or an increase in the level of credential awarded, for successful completion of one or more programs.

Analyst Remarks to Narrative:

The agency attests that Standard 105, Acquiescence for Substantive Change in Program or Structure, as well as Rule 24, Application for Acquiescence in Substantive Change, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) define the eighteen substantive change types, which include those identified within (A)-(F) of the criteria, that requires Council approval prior to the law school constituting the action (exhibit 36, referenced as exhibit 1 in the narrative). However, the agency has provided a weblink to demonstrate each substantive change form by category, which is not permissible or readable in the petition, and must be resubmitted; as well as any approved revisions to the substantive change requirements in Standards 105(a)(16-17) and Rules 24(a)(16-17), for analysis.

In addition, the agency narrative identifies the types of substantive changes listed for letters (A-F) within the criteria and the coinciding number designations for agency Standard 105(a) and Rule 24(a) within the SRP for comparison, along with the list of substantive changes, including additional locations, statuses until the petition submission of July 2024, for the recognition period (exhibit 165, referenced as exhibit 113 in the narrative). The agency narrative also contains the number of applications received for each substantive change classification, if any; a summary of the Council's review requirements for the substantive change category; and evidence demonstrating the application and decisions of the specified types of substantive changes, including the fact finding reports and required visits, cited in the narrative in accordance with the agency SRP and the criteria (exhibits 166-173, referenced as exhibits 114-121 in the narrative).

Explicitly, the agency narrative details receipt of the majority of applications for 602.22(a)(1)(ii)(C) relating to distance education and hybrid offerings, which totaled 17; one change in legal status and change in ownership for 602.22(a)(1)(ii)(B); and no applications for (A), (D), (E), and (F) of the criteria. Further, the agency attests that (E) and (F) of the criteria, comparable to Standards 105(a)(16-17) and Rules 24(a)(16-17) have been revised during the recognition period and had not received Council approval at the time of the petition submission. Specifically, the agency attests SRP Standard 105(a)(16) and Rule 24(a)(16) revisions are to align the substantive change requirements with part (e) of the criteria. Similarly, the SRP revisions to Standard 105(a)(17) and Rule 24(a)(17) removes the "or an increase in the level of credential awarded" language from this substantive change reference, since no additional credential level is recognized by the agency except the Juris Doctorate (J.D.), pursuant to the agency's scope of recognition; and replaces "substantial" with the defined "25 percent or greater" agency requirement. However, the agency must provide the Council approved Substantive Change Policy revisions, as well as evidence of their application, within the response to the Draft Staff Analysis, for review.

Correspondingly, the agency narrative denotes the number of substantive changes reviewed that are not required by the criteria, yet, mandatory for approval by the Council before the law school may make the change, and those approvals outside of the scope of recognition of the agency. Specifically, the agency acknowledges the approval of agency required substantive changes for the relocation of faculty, which was conducted to review and determine the impacts of the substantive change on the administration and student body of the law school (exhibits 174-175, referenced as exhibits 122-123 in the narrative). Likewise, the agency narrative describes the process of review and stipulations for approval of non-Juris Doctorate programs, which are evaluated in accordance with the substantive change requirements of 602.22(a)(1)(ii)(C) of the criteria. The agency summarizes the approval of substantive changes, such as the bachelor's and master's degree in legal studies, that are outside of the agency's scope of recognition, which the Department recognizes the agency's scope as the accreditation of the first professional degree in law, the Juris Doctorate (J.D.), thus the narrative states " Council approval of non-J.D. programs cannot be used to access Title IV student financial assistance programs for non-J.D. programs." However, this stipulation is not provided in the agency substantive change Standard 105(a)(12)(iv), equivalent to 602.22(a)(1)(ii)(C) of the criteria, nor is this language referred to within the Interpretations of the Standard, that the agency provides as additional guidance concerning the implementation of a particular Standard in the Council's role as an accreditor or approver of the law school.

Department staff will review additional documentation, including the heavily redacted petition evidence, related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional documentation and explanation. In particular, the agency provided the substantive change forms for Standard 105, Acquiescence for Substantive Change in Program or Structure, as well as Rule 24, Application for Acquiescence in Substantive Change, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP), replacing the weblinks included in the initial petition response (exhibit 201, referenced as exhibit A in the narrative). Specifically, the multiple forms approved by the Council for the Section of Legal Education and Admissions to the Bar (Council), including revised forms since the initial petition submission, for substantive change requirements for Standards 105(a)(11, 6, 12, 15, 16, and 17), equivalent to substantive change types (A)-(F) of this Criterion, are provided separately to demonstrate the acquiescence application process (exhibits 300-304 and 307, referenced as exhibits MMMM-QQQQ and TTTT in the narrative). The agency has also provided evidence of the availability of the aforementioned forms on the agency webpage, along with substantive change applications and outcomes (exhibits 305-306, referenced as RRRR and SSSS in the narrative).

Notably, substantive change Standard 105(a)(12) includes the "Application for Enrolling 50% or More of its Students in at least one Distance Education Course or Offering 50% or More of its Courses as Distance Education Courses" form (exhibit 304, referenced as QQQQ in the narrative). However, the aforementioned substantive change allowance for distance education courses does not align with the Department's May 2023 Dear Colleague Letter GEN-23-09 Accreditation and Eligibility

Requirements for Distance Education, which states “before an institution offers *any* distance education programs that can be eligible for Title IV, the institution must be evaluated and accredited for its effective delivery of distance education programs by a recognized institutional accrediting agency that has distance education within its scope of recognition. After an institution has been approved to offer distance education by its accrediting agency, an institution may offer distance education programs without further accreditor approval” (Analyst Upload 2305). Thus, the agency has not clarified this discrepancy and must amend agency standards, policies and procedures to align with Department requirements.

Correspondingly, the agency provided the substantiative change review of Standard 105(a)(12) for the establishment of a new or different program leading to a degree other than the J.D. Degree to demonstrate Council approval stipulations for non-J.D. programs, particularly their inability to access Title IV student financial assistance with the Council’s approval. The agency evidence includes the application of a law school applying for the addition of a non-J.D. degree program and corresponding decision letter which states a “law school or the university with which it is affiliated must have regional or national accreditation to access Title IV student loans for non-J.D. degree programs. Council acquiescence in a non-J.D. program does not provide access to Title IV student loans. [Standard 313 and Interpretation 313-1” (exhibit 307, referenced as exhibit TTTT in the narrative). Similarly, the agency has provided a spreadsheet and webpage screenshot, listing current non-JD programs approved by the agency, and duplicate decision letter within the acquiescence review in exhibit 307, to evidence Council approved non-J.D. programs and their Title IV stipulations (exhibits 308-311, referenced as exhibits UUU-XXXX, in the narrative).

Additionally, the agency revised Interpretation 313-1, applicable to substantive change Standard 105(a)(12), which now states, “Acquiescence in a degree program other than the J.D. degree is not Council approval of the program itself and, therefore, a school may not announce that the program is approved by the Council. A law school or the university with which it is affiliated must have regional or national accreditation to access Title IV student loans for degree programs other than the J.D. degree. Council acquiescence in degree programs other than the J.D. degree does not provide access to Title IV student loans. This acquiescence solely denotes the Council’s assent to the addition of one or more degree programs other than the J.D. degree meeting the requirements of Standard 313(d).” The agency attests that this revised language will be utilized for non-J.D. program correspondence, the revision to this interpretation was conducted after the codifying and printing of the revised SRP for distribution. Thus, the agency provided the list of “Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026 Standards and Rules of Procedure for Approval of Law Schools” (SRP) (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency did not provide an updated version of the SRP publication, including the cited revision (exhibit 201, referenced as exhibit A in the narrative).

It should be noted that Department staff are extremely concerned that the agency did not provide, nor make, the aforementioned February 2026 corrections regarding the acquiescence in a degree program other than the J.D. degree, which is not Council approved, within the final version of its SRP to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

Description of 602.22(a)(1)(ii)(I)

(I) The addition of a new location or branch campus, except as provided in paragraph (c) of this section. The agency's review must include assessment of the institution's fiscal and administrative capability to operate the location or branch campus, the regular evaluation of locations, and verification of the following:

(1) Academic control is clearly identified by the institution.

(2) The institution has adequate faculty, facilities, resources, and academic and student support systems in place.

(3) The institution is financially stable.

(4) The institution had engaged in long-range planning for expansion.

Analyst Remarks to Narrative:

The agency attests that Standard 105, Acquiescence for Substantive Change in Program or Structure, as well as Rule 24, Application for Acquiescence in Substantive Change, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) define the eighteen substantive change types, which include those identified within (I) of the criteria, that requires Council approval prior to the law school constituting the action (exhibit 36, referenced as exhibit 1 in the narrative).

Specifically, agency Standards 105(a)(9-10) and Rules 24(a)(9-10) mandates a law school obtain prior approval before the establishment of a branch campus, and an additional location other than a branch campus, which coincides with 602.22(a)(1)(ii)(I) of the criteria. Additionally, the agency necessitates that law schools seeking the establishment of these types of changes must complete an application, which identifies the requirements within (I)(1-4) of the criteria, for verification and evaluation of the administrative and fiscal operating capabilities of the locations by the Council for approval (exhibit 176, identified as exhibit 124 in the narrative). Further the agency denotes that applications for two branch campuses and one additional location were submitted for Council approval during the recognition period and provided evidence of those reviews, including fact finding reports; as well as the list of all substantive changes conducted as of the petition submission in July 2024. Likewise, the agency attests that notification of the applications and approval of the law schools are posted on the agency's website (exhibits 165, and 177-180, referenced as exhibits 113, and 125-128 in the narrative). However, the agency has provided a weblink to demonstrate the above referenced public notifications of substantive changes, which is not permissible or readable in the petition, and must be resubmitted for analysis.

Correspondingly, the agency narrative identifies the additional location definition requirements within the § 600.2, Definitions, section of the regulations, which requires a geographically separate location from the main campus of the institution and within the same ownership structure of the institution, at which the institution offers at least 50 percent of an educational program; and the agency proposed memo of revisions to the educational program language for law schools (exhibit 192, referenced as exhibit 139 in the narrative). In particular, the agency attests that policy revisions during the recognition period, which were not approved prior to the July 2024 petition submission for the agency, define additional locations as those offering a student 50 percent of the credits needed for the J.D. degree in lieu of the previous educational program reference. However, the agency must provide the Council approved Substantive Change Policy revisions, as well as evidence of the application, reflecting this update within the response to the Draft Staff Analysis, for analysis.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional documentation and clarification. In particular, the agency provided evidence of the previously included weblink to demonstrate the list of applications and Council for the Section of Legal Education, and Admissions to the Bar (Council) decisions on substantive change applications publicly available (exhibit 306, referenced as exhibit SSSS in the narrative).

In addition, the agency provided the February 2025 revised Council approved Standards and Rules of Procedure for the Approval of Law Schools (SRP) containing the updated branch campus and additional location definitions, mirroring the Department approved definition, to evidence the original narrative attestations (exhibit 201, referenced as exhibit A in the narrative). Likewise, the agency provided the revised substantive change form for law schools to further demonstrate the abovementioned revisions of the SRP requirements (exhibit 300, referenced as exhibit MMMM in the narrative).

It should be noted that in § 602.24(a) the agency acknowledges a Council approved 2023 law school branch campus substantive change, which the Council changed to an additional location, pursuant to the July 2023 amended Department definition of a “Branch Campus.” Within § 602.24(a) the agency provided evidence of the January 2025 decision letter of the fact-finding visit, which included notification to the law school of the Department definition change of a branch campus and the reclassification of the law school’s substantive change request for branch campus to an additional location (exhibit 322 found in § 602.24(a)). However, the agency has not provided any additional review of the reclassification of the aforementioned branch campus conversion to an additional location in accordance with the § 600.2 “Additional location” definition; this Criterion; and the agency SRP requirements.

Description of 602.22(a)(1)(ii)(J-K)

> (J) Entering into a written arrangement under 34 CFR 668.5 under which an institution or organization not certified to participate in the title IV, HEA programs offers more than 25 and up to 50 percent of one or more of the accredited institution's educational programs.
>
> (K) Addition of each direct assessment program.

Analyst Remarks to Narrative:

The agency attests that Standard 105, Acquiescence for Substantive Change in Program or Structure, as well as Rule 24, Application for Acquiescence in Substantive Change, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) define the eighteen substantive change types, which include those identified within (J-K) of the criteria, that requires Council approval prior to the law school constituting the action (exhibit 36, referenced as exhibit 1 in the narrative). Specifically, agency Standard 105(a)(14) mandates a law school offering more than 25 percent but less than 50 percent of the J.D. program at an institution or organization not certified to participate in Title IV, HEA programs, must obtain prior approval before entering into a written arrangement with the entity, which coincides with 602.22(a)(1)(ii)(J) of the criteria. Similar to the additional location definition in 602.22(a)(1)(ii)(I), the agency attests that revisions have been submitted, yet not approved, for the replacement of the reference to the J.D. program within Standard 105(a)(14) to reflect 'credits needed for the J.D. degree' for consistency. However, the corresponding Rule 24(a)(14) for Standard 105(a)(14) permits a student to earn 25 percent or more of the course credits required for graduation from an approved law school not certified to participate in Title IV, HEA programs, which contradicts the agency Standard and does not reflect the criteria requirements effective July 1, 2020 (exhibit 36, referenced as exhibit 1 in the narrative). The agency narrative further attests that revisions to this Rule were not completed prior to the submission of the petition; thus, the approved revisions to this Rule, as well as evidence of the application of such change, must be provided within the response to the Draft Staff Analysis, for review.

In addition, the agency attests that the requirements for 602.22(a)(1)(ii)(K), Addition of direct assessment programs, is equivalent to Standard 105(a)(18) and Rule 24(a)(18), which requires an application from the law school and prior approval of the Council for the addition of each direct assessment program before a law school conducts such programs. However, direct assessment is not included within the agency's current scope of recognition. Therefore, it is unclear to Department staff to what extent the agency has been approving direct assessment programs or if its use of the term "Direct Assessment' is related to the Department's definition, and requirements for direct assessment programs. Nonetheless, pursuant to the regulations that became effective on July 1, 2020, accrediting agencies that have not previously approved direct assessment programs that wish to have direct assessment included in their scope of recognition would have to notify the Department of the agency's request to add direct assessment to its scope of recognition within its petition; or apply for an expansion of scope in accordance with 34 CFR 602.32; however, the agency must also provide a review of a direct assessment program during the recognition period and its standard and policies for the review and approval of direct assessment programs for Department staff review.

Lastly, the agency attests that no substantive change requests for 602.22(a)(1)(ii)(J-K), agency SRP Standards 105(a)(14) and (18), as well as Rule 24(a)(18), were received until the petition submission July in 2024 of the recognition period; and provided the list of substantive changes received also prior to the petition submission (exhibit 165, referenced as exhibit 113 in the narrative). Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional documentation and explanation. In particular, the agency provided the Council for the Section of Legal Education, and Admissions to the Bar (Council) approved February 2025 revised Standards and Rules of Procedure for the Approval of Law Schools (SRP) depicting the alignment of substantive change requirements with Department regulations, effective July 1, 2020. Specifically, Standard 105(a)(14) and Rule 24(a)(14), now depict Department requirements for offering percentages for law school written agreements with institutions and organizations not certified to participate in title IV, HEA programs cited in (J) of this Criterion (exhibit 201, referenced as exhibit A in the narrative).

Correspondingly, the agency confirmed that direct assessment programs are not accredited by the agency, nor does the agency wish to accredit such programs. The agency further attests that references to direct assessment programs, as of February 2026, have been removed from the revised 2025-2026 SRP. However, the removal of the aforementioned program references, was conducted after the codifying and printing of the revised SRP for distribution. Thus, the agency provided the list of "Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026" to the SRP (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency did not provide an updated version of the SRP publication, including the cited revisions.

It should be noted that Department staff are extremely concerned that the agency did not provide, nor make, the aforementioned corrections to remove direct assessment from the final approved version of its SRP, since the agency attests "Council has never approved a direct assessment program." to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

Description of 602.22(a)(2)(i-ii)

(2)

(i) For substantive changes under only paragraph (a)(1)(ii)(C), (E), (F), (H), or (J) of this section, the agency's decision-making body may designate agency senior staff to approve or disapprove the request in a timely, fair, and equitable manner; and

(ii) In the case of a request under paragraph (a)(1)(ii)(J) of this section, the agency must make a final decision within 90 days of receipt of a materially complete request, unless the agency or its staff determine significant circumstances related to the substantive change require a review by the agency's decision-making body to occur within 180 days.

Analyst Remarks to Narrative:

The agency attests that all decisions pertaining to Standard 105, Acquiescence for Substantive Change in Program or Structure, as well as Rule 24, Application for Acquiescence in Substantive Change, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) requires approval by the Council with no designations provided to agency staff for 602.22(a)(2)(i) of the criteria (exhibit 36, referenced as exhibit 1 in the narrative). Additionally, the agency attests that currently no Rule is established for the approval timelines and circumstances of the criteria effective July 1, 2020, requiring 90 to 180 days for law schools, entering into agreements corresponding to 602.22(a)(1)(ii)(J) of the criteria, to receive a final decision from the Council. Thus, the agency must provide the Council approved Rule, as well as evidence of its application, within the response to the Draft Staff Analysis, for review.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional documentation and explanation. In particular, the agency provided the Council for the Section of Legal Education, and Admissions to the Bar (Council) approved February 2025 revised Standards and Rules of Procedure for the Approval of Law Schools (SRP) reflecting the allotted timeline of this Criterion (exhibit 201, referenced as exhibit A in the narrative). Specifically, SRP Rule 24(j) now depicts the 90 and 180-day review timelines for (a)(2)(ii) of this Criterion, required for designated senior staff and the decision-making body regarding written agreements within § 602.22(a)(1)(ii)(J) of the Criteria, which have not occurred during the current recognition period (exhibit 201).

However, the original agency narrative within the initial petition response affirms that “All substantive change decisions are made by the Council.” Thus, the 180-day requirement of (a)(2)(ii), which states “unless the agency or its staff determine significant circumstances related to the substantive change require a review by the agency's decision-making body to occur within 180 days” does not apply to the agency since the agency's decision-making body, the Council, approves all substantive changes.

Correspondingly, the agency attests that revisions to the SRP for removal of the 180-day requirement of this Criterion for § 602.22(a)(1)(ii)(J) substantive change types will be made by the Council in 90 days. The agency further attests that the aforementioned timeline removal was conducted after the codifying and printing of the revised SRP for distribution. Therefore, the agency provided the list of “Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026” to the SRP citing the update (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency did not provide an updated version of the SRP publication revisions.

It should be noted that Department staff are extremely concerned that the agency did not make, the aforementioned corrections to remove the 180-day timeline requirement from the final approved version of its Standards and Rules of Procedure for Approval of Law Schools (SRP) to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency’s performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency’s standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

Description of 602.22(b)

> (b) Institutions that have been placed on probation or equivalent status, have been subject to negative action by the agency over the prior three academic years, or are under a provisional certification, as provided in 34 CFR 668.13, must receive prior approval for the following additional changes (all other institutions must report these changes within 30 days to their accrediting agency):
>
> > (1) A change in an existing program's method of delivery.

(2) An aggregate change of 25 percent or more of the clock hours, credit hours, or content of a program since the agency's most recent accreditation review.

(3) The development of customized pathways or abbreviated or modified courses or programs to—

(i) Accommodate and recognize a student's existing knowledge, such as knowledge attained through employment or military service; and

(ii) Close competency gaps between demonstrated prior knowledge or competency and the full requirements of a particular course or program.

(4) Entering into a written arrangement under 34 CFR 668.5 under which an institution or organization not certified to participate in the title IV, HEA programs offers up to 25 percent of one or more of the accredited institution's educational programs.

Analyst Remarks to Narrative:

The agency attests that Standard 105, Acquiescence for Substantive Change in Program or Structure, as well as Rule 24, Application for Acquiescence in Substantive Change, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) define the eighteen substantive change types, that requires Council approval prior to the law school constituting the action, which includes law schools with accreditation statuses identified in 602.22(b) of the criteria (exhibit 36, referenced as exhibit 1 in the narrative). In particular, the narrative provides the agency Standard and Rule equivalent within the SRP to the substantive change requirements cited in (b)(1-4) of the criteria, which all require Council approval, except 602.22(b)(3), which the agency does not permit, recognize or authorize for a law school.

Additionally, the agency attests that SRP Standard 105(a)(17) and Rule 24(a)(17) as well as Standard 105(a)(14) and Rule 24(a)(14), which coincide with 602.22(b)(2) and 602.22(b)(4) of the criteria requirements, have been revised, yet not approved by the Council at the time of the renewal petition submission in July 2024, to algin with the criteria. Specifically, the agency revisions to Standard 105(a)(17) and Rule 24(a)(17) replaces “aggregate” with the defined “25 percent or greater” agency requirement; and similarly, 105(a)(14) and Rule 24(a)(14) language updates are to demonstrate the precise criteria requirements for law schools entering into agreements with other entities. However, the agency must provide the Council approved revisions to the 602.22(b)(2) and 602.22(b)(4) equivalent substantive change requirements, as well as evidence of their application, within the response to the Draft Staff Analysis, for review.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional explanation and documentation on the Council for the Section of Legal Education, and Admissions to the Bar (Council) prior approval requirements for institutions on probation, or equivalent status, substantive change types listed within this Criterion. In particular, the agency provided the Council approved February 2025 revised Standards and Rules of Procedure for the Approval of Law Schools (SRP), depicting the revisions to Standards 105(a)(14) and (17), as well as Rules 24(a)(14) and (17), in alignment with the Department regulations, effective July 1, 2020. The agency further attests that "a law school is prohibited from applying for a substantive change of any kind (including under Standards 105(a)(14) and 105(a)17) unless the law school can show the substantive change will assist the law school in making progress toward achieving full compliance" (exhibit 201).

In addition, the agency provided the Council-approved February 2026 amended language for Standard 105, Acquiescence for Substantive Change in Program or Structure, (c) within the SRP, which cites substantive change restrictions for law schools with the classifications cited in this Criterion. Specifically, the amended Standard 105 (c) restricts law schools on probation or other Rule 15: Sanctions and Penalties for Noncompliance with a Standard; on Title IV provisional certification; or those schools attesting the substantive change will afford full compliance with the agency, from applying or receiving substantive change approval (exhibit 201). However, the aforementioned amended language to Standard 105(c) restating this Criterion was conducted after the codifying and printing of the revised SRP for distribution. Thus, the agency provided the list of "Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026" SRP (exhibit 267, referenced as exhibit NNN in the narrative). The agency did not provide an updated version of the SRP publication, including the amendment.

It should be noted that Department staff are extremely concerned that the agency did not make the aforementioned corrections to Standard 105(c) until February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period.

Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

Lastly, the agency provided evidence of a Council denied substantive change request pursuant to the February 2025, SRP, which the agency attests still applies with the amended language of the February 2026 version of the SRP of the agency (exhibit 306, referenced as YYYY in the narrative).

Description of 602.22(f)(2)

> (2) A mechanism for conducting, at reasonable intervals, visits to a representative sample of additional locations of institutions that operate more than three additional locations; and

Analyst Remarks to Narrative:

The agency attests that Rule 4, Site Evaluations, and Rule 24, Application for Acquiescence in Substantive Change, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) outline the visits for additional location substantive changes for a fully approved law school. Specifically, SRP Rule 24(d) mandates a fact finder appointment by the agency to visit the additional location within six months or in the first academic term subsequent to Council approval in which students are enrolled at the additional location (exhibit 36, referenced as exhibit 1 in the narrative).

Additionally, SRP Rule 4 requires all additional locations and branch campuses to be included within the ten year site evaluation visit of the law school for Council decision (exhibit 36, referenced as exhibit 1 in the narrative). The agency further attests that no law school have been approved by the Council for more than one additional location at the time of the petition submission in July 2024. However, the agency has also disclosed that no policies or procedures are in place to conduct, at reasonable intervals, visits to a representative sample of additional locations of institutions that operate more than three additional locations, as required by the criteria.

Lastly, the agency attests that the one additional location has been approved by the Council during the recognition period, which had not been scheduled for a visit prior to the petition submission in July 2024; thus, the agency must provide evidence of the additional location visit within the response to the Draft Staff Analysis, for review. Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

<u>Analyst Remarks to Response:</u>

In response to the draft staff analysis, the agency provided additional documentation and explanation regarding site visit requirements for additional locations for this Criterion. In particular, the agency reiterated the Standards and Rules of Procedure for Approval of Law Schools (SRP) Rule (4), Site Evaluation, requirements, which necessitates site visits for provisionally and fully approved law schools during the "third year following the granting of full approval and every tenth year thereafter" (exhibit 201, referenced as exhibit A in the narrative). Additionally, the agency cites the fact-finding visit requirements for substantive changes, which are conducted upon Council for the Section of Legal Education and Admissions to the Bar (Council) approval; and as agency practice, during Rule (4) referenced site evaluations to the law school, in conjunction with the comprehensive review of the law school, thereafter (exhibit 201).

Specific to this Criterion, the agency attests that Rule (4) has been updated to include the requirement of visiting all law school locations as part of the law school's site evaluation visit, to capture current agency practice within the requirements of (b)(1) of Rule (4) (exhibit 201). The agency further attests that the revision to Rule (4) was conducted after the codifying and printing of the revised SRP for distribution; and is listed within the "Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026" SRP (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency did not provide an updated version of the SRP publication, including the cited revision.

It should be noted that Department staff are extremely concerned that the agency did not make the aforementioned corrections to Rule 4 until February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

Lastly, the agency provided a substantive change review, including the application, fact-finding visit review, law school response to the visit, and Council decision letter, to demonstrate a substantive change initial visit, since no agency approved law schools contain more than 2 additional locations (exhibit 313, referenced as ZZZZ in the narrative).

Description of 602.22(f)(3)

> (3) A mechanism, which may, at the agency's discretion, include visits to additional locations, for ensuring that accredited and preaccredited institutions that experience rapid growth in the number of additional locations maintain education quality.

Analyst Remarks to Narrative:

The agency attests that Rule 8, Appointment of a Fact Finder, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) outlines the requirements for fact finding visits at a law school. Specifically, SRP Rule 8 affords the Council or agency staff the ability to appoint one or more qualified persons as fact finders for the specific purpose of gathering information to enable the Council to determine a law school's compliance with a standard, which the agency attests may be utilized for gathering information on rapid growth of a law school (exhibit 36, referenced as exhibit 1 in the narrative). However, the agency has not identified or cited an agency Standard or Rule that explicitly identifies or defines rapid growth for a fact finder to utilize as a guide for gathering information at an additional location of a law school.

In addition, the agency attests that no law schools have more than one additional location as of the July 2024 submission date of the renewal petition, and reiterates the requirements of Standard 105(a)(10), which mandates all additional location substantive change requests of a law school be approved by the Council prior to constituting the action (exhibit 36, referenced as exhibit 1 in the narrative). Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional clarification and documentation for this Criterion. Specifically, the agency clarified that fact-finding visits are conducted any time a law school opens a location "not just when a law school is experiencing 'rapid growth' in the number of additional locations." In addition, the agency attests that Rule 24, Application for Acquiescence in Substantive Change, was revised to include that a fact-finding visit for new additional locations must “verify whether the additional location satisfies the requisites of Standard 106,” which cites the additional location and branch campus requisites. The agency further attests that the revision to Rule (24) was conducted after the codifying and printing of the revised SRP for distribution; and is listed within the “Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026” SRP (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency did not provide an updated version of the SRP publication, including the cited revision.

It should be noted that Department staff are extremely concerned that the agency did not make the aforementioned corrections to Standard 106 until February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency’s performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency’s standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

602.23 Required Operating Policies & Procedures

Description of 602.23(c)

(c) The accrediting agency must--

(1) Review in a timely, fair, and equitable manner any complaint it receives against an accredited institution or program that is related to the agency's standards or procedures. The agency may not complete its review and make a decision regarding a complaint unless, in accordance with published procedures, it ensures that the institution or program has sufficient opportunity to provide a response to the complaint;

(2) Take follow-up action, as necessary, including enforcement action, if necessary, based on the results of its review; and

(3) Review in a timely, fair, and equitable manner, and apply unbiased judgment to, any complaints against itself and take follow-up action, as appropriate, based on the results of its review.

Analyst Remarks to Narrative:

The agency attests that the Rules of Procedure (Rules), Section VIII, Complaints Regarding Noncompliance with Standards, and the Internal Operating Practices (IOP) 15, Procedures for Processing Grievances Filed Against Council Members, Appeals Panel Members, Managing Director's Office Staff, Site Team Evaluators, or Entities of the Section, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) outline the complaint process of the agency. In particular, the agency attests that SRP Rules 40-46 contains the current submission procedures, timelines, disposition, appeal, review process, and records procedures for handling complaints against an agency approved law school, including the roles and responsibilities of the Council and the agency staff within the Managing Director's Office (exhibit 36, referenced as exhibit 1 in the narrative). Specifically, SRP Rule 40, Complaints in General, provides an overview of the purpose and parameters of the agency's complaint process; and Rule 41, Submission of Complaints, details the submission procedures for complaints, which excludes receipt of anonymous complaints by agency staff for consideration.

Additionally, Rule 42, Disposition of Complaints, provides the timelines of agency staff to process complaints not dismissed, due to submission requirements, and requires the complainant to be notified within fourteen days of receipt of the complaint by the agency, and notification for a response from the law school within thirty days, if issues of noncompliance with Standards are evident, and a subsequent decision provided to the complainant after fact finding review by the agency staff, pursuant to Rule 43, Notice of Disposition of Complaint. Further, Rule 44, Appeal of Managing Director's Disposition of Complaint; Rule 45, Review of Complaint Process, and Rule 46, Record of Complaints, inform complainants that complaints are not subject to appeal; agency staff are responsible for keeping a record of the complaint for ten years; and the Council will conduct periodic reviews of complaint decisions (exhibit 36, referenced as exhibit 1 in the narrative). The agency has provided evidence of a compliant to demonstrate the current complaint process (exhibit 183, referenced as exhibit 131 in the narrative).

The agency also attests that updates and revisions to the complaint processes and procedures for Rules 40-46 began in May 2024 to align the agency complaint procedures with the Department's August 7, 2023 Guidance for Ensuring Complaint Procedures for Accrediting Agencies are Timely, Fair, and Equitable, and provided a memo of revisions as evidence of the pending changes (exhibit 183, referenced as exhibit 131 in the narrative). However, the agency must provide the Council approved changes and revisions of the SRP Rules regarding complaints within the agency response to the Draft Staff Analysis, including the application of the Rules, for analysis.

Correspondingly, SRP IOP 15 outlines the procedures for complaints against the decision-making bodies, the Council and the Appeals Panel, agency staff, and evaluators, and the role of the Grievance Committee, which is a standing committee, consisting of the Chair-elect and Vice Chair of the Council (exhibit 36, referenced as exhibit 1 in the narrative). Similar to complaints against a law school, IOP 15 provides the timelines and procedures for the review and decisions of decision-makers, evaluators, and agency staff complaints regarding violations of SRP Rules and misconduct, which includes distribution of the complaint by agency staff to the Grievance Committee within thirty days of receipt of the complaint; as well as thirty days is afforded to the respondent for additional information; and upon receipt and review by the Grievance Committee, a decision is rendered to all parties within forty-five days of the Grievance Committee's review (exhibit 36, referenced as exhibit 1 in the narrative). Lastly, evidence of a complaint against the agency has been provided to demonstrate the abovementioned process (exhibit 184, referenced as exhibit 132 in the narrative).

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional documentation and explanation regarding the agency complaint policy in accordance with this Criterion and Department guidance. Specifically, the agency provided the August 2024 revised Complaints Regarding Noncompliance with Standards (Complaint Policy) sections 40-46 of the Standards and Rules of Procedure for the Approval of Law Schools (SRP) (exhibit 201, referenced as exhibit A in the narrative).

Notably, the revised Complaint Policy demonstrates the inclusion of most of the Department's August 7, 2023, Guidance for Ensuring Complaint Procedures for Accrediting Agencies are Timely, Fair, and Equitable (Guidance), within the revised agency requirements. However, the agency Compliant Policy does not demonstrate that "The procedures incorporate accessibility standards for individuals with disabilities (for example, following Version 2.1 of the Web Content Accessibility Guidelines (WCAG) for any web-based complaint system)" (Analyst Upload 2308). Additionally, the agency provided the review of a complaint utilizing the revised Complaint Policy to demonstrate the application of the Complaint Policy revisions (exhibit 317, referenced as exhibit JJJJ in the narrative).

Description of 602.23(d)

(d) If an institution or program elects to make a public disclosure of its accreditation or preaccreditation status, the agency must ensure that the institution or program discloses that status accurately, including the specific academic or instructional programs covered by that status and the name and contact information for the agency.

Analyst Remarks to Narrative:

The agency attests that Standard 509, Required Disclosures, Standard 102, Provisional Approval, and Rule 50, Law School Disclosure Obligations within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) and the Guidance Memo provides the law school requirements for public disclosures of accreditation statuses and violations of the requirements. In particular, SRP Standard 509(a) requires all approved law schools to publicize and distribute complete, accurate, and clear information to students, or face violations or sanctions imposed by the agency, which is reiterated within the Guidance Memo for Standard 509 (exhibits 36 and 185 referenced as exhibit 1 and 133 in the narrative). Similarly, SRP Standard 509(b)(9) mandates law school websites to publicly disclose their current accreditation status designated by the Council. However, the agency narrative notes that revisions to Standard 509 commenced during the recognition period and the approval of the changes had not occurred at the time of the petition submission in July 2024; thus, the Council approved revisions to Standard 509 and any updates to the Guidance Memo must be provide within the agency response to the Draft Staff Analysis, for review.

Correspondingly, SRP Rule 50(a) recent revisions necessitate law schools to publicly disclose a comprehensive statement of their Council approved accreditation status; however, evidence of this revision has not been provided for analysis. The agency further cites Rule 50(b), which provides the disclosure statement language for law schools deemed noncompliant with core Standards listed in Rule 15(f), which includes Standard 509; and requires law schools to publicly disclose the Council determination of the sanction within seven days of notification (exhibit 36, referenced as exhibit 1 in the narrative). Lastly, the agency attests that staff monitor and investigate reports of incorrect information on law school websites; and require reporting and review of written and electronic materials by the law school and the site evaluation team within the Site Evaluation Questionnaire-Site Report Template during site visits.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional clarification and revised documentation regarding public disclosure requirements in accordance with this Criterion. In particular, the agency narrative provides the Council for the Section of Legal Education and Admissions to the Bar (Council) approved revisions made to Standard 509, Required Disclosures, the Guidance Memo, and Rule 50, that were under review at the time of the initial petition submission. Specifically, the Council designated statement requiring fully approved law schools to publicly disclose their status within Standard 509 and the Guidance Memo now states “[Name of law school] is approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association, 321 North Clark Street, Chicago, IL 60654, 312-988 6738” (exhibits 267 and 318, referenced as exhibits NNN and KKKKK).

Similarly, Rule 50, Law School Disclosure Obligations, now require law schools that choose to publicly disclose Council decisions must provide the entire decision and notify the agency of the public disclosure for review of misleading or inaccurate information (exhibit 267, referenced as exhibit NNN in the narrative). Likewise, Standard 509 and Rule 50 are verified by site evaluators through responses to the Site Evaluation Questionnaire-Site Report Template (SEQ-SRT) during the site visit and provided to the Council within the Site Evaluator Report for review (exhibits UUU; LLLLL; LLLLL.1; and MMMMM in the narrative).

It should be noted that the agency narrative states, “The approved revisions to Standard 509 are attached as **Exhibit A**, 2025-2026 ABA Standards and Rules of Procedure for Approval of Law Schools (Standard 509, page 60-61 of the PDF)” and “The approved revisions to Rule 50 are attached as **Exhibit A**, 2025-2026 ABA Standards and Rules of Procedure for Approval of Law Schools (SRP) (Rule 50, pages 109-110 of the PDF).” However, none of the revisions cited in the narrative are included within exhibit 201 or A, as cited in the narrative. Further, the agency attests that “**Exhibit NNN** shows these revisions, which were codified after the 2025-2026 Standards and Rules of Procedure for Approval of Law Schools book was printed.” Thus, the agency must provide an updated version of the SRP publication, including all of the Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026 SRP for review.

It should be noted that Department staff are extremely concerned that the agency did not make the aforementioned corrections to Standard 509 and Rule 50 until February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency’s performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

Description of 602.23(e)

> (e) The accrediting agency must provide for the public correction of incorrect or misleading information an accredited or preaccredited institution or program releases about--
>
> > (1) The accreditation or preaccreditation status of the institution or program;
> >
> > (2) The contents of reports of on-site reviews; and
> >
> > (3) The agency's accrediting or preaccrediting actions with respect to the institution or program.

Analyst Remarks to Narrative:

The agency attests that Standard 509, Required Disclosures; Standard 102, Provisional Approval; Rule 49, Communication and Distribution of Site Evaluation Reports; Rule 50, Law School Disclosure Obligations; and Rule 51, Applications, Plans, Decisions and Recommendations Made Public within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) and the Guidance Memo provides requirements for correcting inaccurate or misleading public disclosures of law schools by the agency. In particular, SRP Standard 509(a) requires all approved law schools to publicize and distribute complete, accurate, and clear information to students, or face violations or sanctions imposed by the agency, which is reiterated within the Guidance Memo for Standard 509 (exhibits 36 and 185 referenced as exhibit 1 and 133 in the narrative). Similarly, SRP Standard 509(b)(9) mandates law school websites to publicly disclose their current accreditation status designated by the Council. However, the agency narrative notes that revisions to Standard 509 commenced during the recognition period and the approval of the changes had not occurred at the time of the petition submission in July 2024; thus, the Council approved revisions to Standard 509 and any updates to the Guidance Memo must be provide within the agency response to the Draft Staff Analysis, for review.

Correspondingly, SRP Rule 50(a) recent revisions necessitate law schools to publicly disclose a comprehensive statement of their Council approved accreditation status; however, evidence of this revision has not been provided for analysis. The agency further cites Rule 50(b), which provides the disclosure statement language for law schools deemed noncompliant with core Standards listed in Rule 15(f), which includes Standard 509; and requires law schools to publicly disclose the Council determination of the sanction within seven days of notification (exhibit 36, referenced as exhibit 1 in the narrative). The agency also attests that staff monitor and investigate reports of incorrect information on law school websites; and require reporting and review of written and electronic materials by the law school and the site evaluation team within the Site Evaluation Questionnaire-Site Report Template during site visits.

Supplementarily, Rule 49(b) and 50(a) requires a law school to contact the agency, prior to publicly disclosing all or portions of the confidential site evaluation or fact-finding reports conducted at the school, for Council determination to also disclose the information on the agency website, which applies to Council decisions as well. Likewise, Rule 51(d) permits the Council to issue public statements on the agency's website to address accreditation concerns of a law school, such as refuting media reports, after the law school has been notified of the Council's decision (exhibit 36, referenced as exhibit 1 in the narrative).

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional clarification and revised documentation regarding public disclosure requirements in accordance with this Criterion. In particular, the agency narrative provides the Council for the Section of Legal Education and Admissions to the Bar (Council) approved revisions made to Standard 509, Required Disclosures, the Guidance Memo, and Rule 50, that were under review at the time of the initial petition submission. Specifically, the Council designated statement requiring fully approved law schools to publicly disclose their status within Standard 509 and the Guidance Memo now states "[Name of law school] is approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association, 321 North Clark Street, Chicago, IL 60654, 312-988 6738" (exhibits 267 and 318, referenced as exhibits NNN and KKKKK).

Correspondingly, Rule 50, Law School Disclosure Obligations, revised requirements now identify (a)-(d), which detail the nature and accessibility of public disclosure statements for law schools, as well as the agency's ability to clarify information disclosed by the law school. Specifically, the law school disclosures should remain updated; ensure information is accurate, not misleading and disclosed in its entity, such as decision letters and reports; provide notification to the agency of the disclosure; and permits agency corrections and release of documents if the law school data is incorrect (exhibit 267, referenced as exhibit NNN in the narrative). Likewise, Standard 509 and Rule 50 are verified by site evaluators through responses to the Site Evaluation Questionnaire-Site Report Template (SEQ-SRT) during the site visit and provided to the Council within the Site Evaluator Report for review (exhibits UUU; LLLLL; LLLLL.1; and MMMMM in the narrative).

It should be noted that the agency narrative states, “The approved revisions to Standard 509 are attached as **Exhibit A**, 2025-2026 ABA Standards and Rules of Procedure for Approval of Law Schools (Standard 509, page 60-61 of the PDF)” and “The approved revisions to Rule 50 are attached as **Exhibit A**, 2025-2026 ABA Standards and Rules of Procedure for Approval of Law Schools (SRP) (Rule 50, pages 109-110 of the PDF).” However, none of the revisions cited in the narrative are included within exhibit 201 or A, as cited in the narrative. Further, the agency attests that “**Exhibit NNN** shows these revisions, which were codified after the 2025-2026 Standards and Rules of Procedure for Approval of Law Schools book was printed.” Thus, the agency must provide an updated version of the SRP publication, including all of the Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026 SRP for review.

As noted within § 602.23(d), it’s extremely concerning that the agency did make the aforementioned corrections to Standard 509 and Rule 50 within the final approved version of its Standards and Rules of Procedure for Approval of Law Schools (SRP) prior to February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019 as well as provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. The agency is again reminded that Department staff evaluate an agency’s performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency’s standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

602.24 Required Operating Policies & Procedures

Description of 602.24(b)

(b) *Site visits*.

The agency must undertake a site visit to a new branch campus or following a change of ownership or control as soon as practicable, but no later than six months, after the establishment of that campus or the change of ownership or control.

Analyst Remarks to Narrative:

The agency attests that Rule 25, Substantive Changes Requiring a Reliable Plan, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) provides the requirements for visits to branch campuses, as well as changes in ownership and control, substantive changes of the law schools. Specifically, SRP Rule 25(f) and (g) requires the agency to appoint a fact finder, subsequent to the Council's approval, to visit the location within six months of the effective date of the Council's decision (exhibit 36, referenced as 1 in the narrative).

Additionally, the agency has acknowledged and provided two applications for Standard 105(a)(9) and Rule 24(a)(9), branch campuses; and one application for Standard 105(a)(6) and (7), to modify the law school's legal status or institutional relationship with a parent institution and change in control of the school resulting from a change in ownership of the school or a contractual arrangement, approved by the Council during the recognition period, until the petition submission in July 2024 (exhibits 166-167 and 179-180, identified as exhibits 114-115 and 127-128 in the narrative). The agency also attests that the site evaluation visits had not been completed by the petition submission for the aforementioned locations; thus, the agency must provide the completed site evaluation visit reports and decisions for the three substantive changes within the Draft Staff Analysis response, for review.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional documentation and explanation regarding site visits to a new branch campus or following a change of ownership within the timeframe cited in this Criterion. In particular, the agency provided the omitted Council for the Section of Legal Education, and Admissions to the Bar (Council) decision letters for the branch campus and change in ownership substantive changes reviewed during the current recognition period, including the associated applications and fact-finding reviews (exhibits 322-324, referenced as exhibits NNNNN, OOOOO and OOOOO.1 in the narrative). The agency further notes that the branch campus review was conducted prior to the Department's definition change of a branch campus; resulting in the reclassification of the branch campus to an additional location within the January 2025 Council decision letter, following the October 2024 fact-finding visit, pursuant to the regulatory changes (exhibit 322).

However, the issue date of the decision letter for the branch campus approval from the May 2023 Council meeting has been redacted from the evidence. The decision letter also states, “Council directs the Managing Director to appoint a fact finder who will make a fact-finding visit within six months of the effective date of acquiescence or in the first academic term subsequent to acquiescence in which students are enrolled at the branch campus” The agency narrative also attests that the above required fact-finding visit demonstrates an October 2024 completion date of that visit (exhibit 322). Thus, verification of the “no later than six months,” of this Criterion requirement is unclear to Department staff in the absence of dated documentation.

<u>**Description of 602.24(d)**</u>

> *(d) Closed institution*. If an institution the agency accredits or preaccredits closes without a teach-out plan or agreement, the agency must work with the Department and the appropriate State agency, to the extent feasible, to assist students in finding reasonable opportunities to complete their education without additional charges.

<u>Analyst Remarks to Narrative:</u>

The agency attests that Rule 29, Teach-Out Plan, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) provides the closed law school requirements for the agency (exhibit 36, referenced as 1 in the narrative). Specifically, SRP 29(o) requires the agency to work feasibly with the Department and appropriate state agency, ensuring students find reasonable opportunities to complete their education without additional charges, in the event of a law school closure without a Teach-Out plan or agreement (exhibit 36, referenced as 1 in the narrative). However, the agency has not provided evidence of such an occurrence; nor, provided the processes and procedures for how to the agency will assist students in accordance with the criteria, or indicate the agency hasn’t had an opportunity to implement this policy during the current recognition period.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

<u>Analyst Remarks to Response:</u>

In response to the draft staff analysis, the agency provided additional clarification and documentation pertaining to law school closures in accordance with this Criterion. In particular, the agency reiterates the Standards and Rules of Procedure for the Approval of Law Schools (SRP), Rule 29(o), requirements to work with the Department if a school closes without a Teach-Out Plan or Agreement and cites the February 2026 revisions to this Rule (exhibit 201, referenced as exhibit A in the narrative). Specifically, revisions to Rule 29 describe how the agency will work with the

Department to ensure students are afforded reasonable opportunities to complete their education without additional charges for law schools with no Teach-Out arrangements (exhibit 201). The agency outlined efforts with the Department and assistance for students consists of providing links to transfer and transition options; distribution of Department guidelines on closures and loan discharge; identifying law schools with alternative academic options for students; and working to obtain transcripts from the closing law school.

The agency also attests that aforementioned revisions were conducted after the codifying and printing of the revised SRP for distribution. Thus, the agency provided the list of "Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026" SRP (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency did not provide an updated version of the SRP publication, including the cited revisions. Lastly, the agency attests no law schools have closed without an approved Teach-Out Pal or Agreement during the current recognition period.

It should be noted that Department staff are extremely concerned that the agency did not make the aforementioned corrections to Rule 29(o) until February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

602.26 Required Operating Policies & Procedures

Description of 602.26(b)

(b) Provides written notice of a final decision of a probation or equivalent status or an initiated adverse action to the Secretary, the appropriate State licensing or authorizing agency, and the appropriate accrediting agencies at the same time it notifies the institution or program of the decision and requires the institution or program to disclose such an action within seven business days of receipt to all current and prospective students;

Analyst Remarks to Narrative:

The agency attests that the Standards and Rules of Procedure for the Approval of Law Schools (SRP), Internal Operating Procedures (IOP) 5, Notification of Council Decisions, identifies the requirements for this criterion regarding notifications of probation or equivalent status, or initiated adverse action (exhibit 36, referenced as 1 in the narrative). Specifically, the SRP IOP 5(a) requires the agency to provide written notification to the Secretary of the Department of Education, appropriate state licensing agency, and other appropriate accrediting agencies, at the same time the law school is notified in writing of any decision to deny, withdraw, suspend, or remove the approval of the law school or to place a law school on probation, to direct specific remedial action, or to find significant non-compliance with one or more Standards of the agency. Similarly, the agency requires a law school to provide written notification to current and prospective students of the previously mentioned decisions within seven business days of receipt of the decision, pursuant to SRP IOP 5(f) (exhibit 36, referenced as 1 in the narrative).

The agency further attests that written public notice of the Council actions relating to SRP IOP 5(a) are made available on the agency website for the public. However, the agency has provided a weblink, which is not permissible or readable in the petition, to demonstrate the public notice of SRP IOP 5(a) referenced actions and must be resubmitted, for analysis. Additionally, the agency included a list of probation, show cause or equivalent, and adverse actions of the Council, including warnings, monitoring requirements, or other actions, against approved law schools during the recognition period; thus, the documentation indicates such actions until the petition submission in July 2024 (exhibit 153, referenced as exhibit 102 in the narrative).

Lastly, the agency has submitted screenshots of accreditation decision statuses entered in the Database of Accredited Postsecondary Institutions and Programs (DAPIP) system, along with the coinciding Council decision notices demonstrating notifications distributed to the Department, institutional accrediting agency, and state agency affiliates of the probation or equivalent status, or initiated adverse action, screenshots (exhibit 194, referenced as exhibit 141 in the narrative). However, the agency has not included all of the dated Council decision letters for the law schools within the DAPIP screenshot entries provided for analysis. The agency has also not provided dated evidence of the requirement for law schools to provide written notification to current and prospective students of the criteria cited decisions within seven business days of receipt of the decision for the DAPIP entries, pursuant to the SRP IOP (5)(f) requirements and this criterion.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional documentation and clarification in response to the notification requirements within the Standards and Rules of Procedure for the Approval of Law Schools (SRP) for this Criterion. In particular, the agency provided documentation replacing the weblink submitted within the original narrative response to demonstrate application of Notices to the Public. Specifically, a screenshot of the Council for the Section of Legal Education and Admissions to the Bar (Council) “sanctions, specific remedial action, probation, withdrawal of approval, and significant noncompliance with one or more Standards,” for Rule 11(a)(4), was provided to evidence public notices of the agency (exhibit 338 referenced as exhibit CCCCCC in the narrative). However, the agency did not demonstrate evidence of the Criteria requirements of providing written notification of an initiated adverse action to the Secretary, and the entities cited in this Criterion at the same time as the law school.

Correspondingly, the agency submitted dated Council decision letters and Notice of Probation and Specific Remedial Action (Notice) provided to the public for the law school cited within the initial petition evidence of a 2017 probation, ending in withdrawal of the law school in 2023. Particularly, the Notice cites requirements for the law school to notify all current students within 5 business days of their probation status through a statement outlining the actions required to come into compliance with specific Standards. In addition, the law school is required to “post this statement or a link to the statement on the Law School’s website in a form and place acceptable to the Managing Director’s Office” of the agency (exhibits 339-340, referenced as DDDDDD and EEEEEE in the narrative). However, the evidence does not demonstrate the required “statement” or evidence of the website posting of the institution; and the information provided within the abovementioned evidence predates the regulatory requirements effective July 1, 2020.

Further, the agency provided evidence of a September 2025 Council decision letter of a law school placed on probation, in accordance with Rule 50 in the SRP, mandating distribution of “written notice of the Council’s decision to place the Law School on probation to all current and prospective law students, and to post a public statement on the Law School’s website within seven business days of the time the Managing Director notifies the Law School of the Council’s decision.” The Council decision letter also cites the prepared “public statement” the law school must utilize (exhibit 378, referenced as exhibit LLLLLLL in the narrative).

Lastly, the agency provided the “Notice to the Public” posted on the agency’s website and the screenshot of the probation status entry of the law school within the Database of Accredited Postsecondary Institutions and Programs (DAPIP); along with emails sent to students by the law school citing the Council prepared probation status statement (exhibit 379, referenced as exhibit MMMMMMM. in the narrative). However, dated evidence of the aforementioned statement reflected on the law school's website for public notification, as directed by the Council decision letter, has not been demonstrated for review of the requirements for this Criterion.

Description of 602.26(c)

> (c) Provides written notice of the following types of decisions to the Secretary, the appropriate State licensing or authorizing agency, and the appropriate accrediting agencies at the same time it notifies the institution or program of the decision, but no later than 30 days after it reaches the decision:
>
> > (1) A final decision to deny, withdraw, suspend, revoke, or terminate the accreditation or preaccreditation of an institution or program.
> >
> > (2) A final decision to take any other adverse action, as defined by the agency, not listed in paragraph (c)(1) of this section;

Analyst Remarks to Narrative:

The agency attests that the Standards and Rules of Procedure for the Approval of Law Schools (SRP), Internal Operating Procedures (IOP) 5, Notification of Council Decisions, identifies the requirements for this criterion pertaining to notifications of negative decisions (exhibit 36, referenced as 1 in the narrative). Specifically, the SRP IOP 5(a) requires the agency to provide written notification to the Secretary of the Department of Education, the appropriate state licensing agency, and other appropriate accrediting agencies, at the same time the law school is notified in writing of any decision to deny, withdraw, suspend, or remove the approval of the law school or to place a law school on probation, to direct specific remedial action, or to find significant non-compliance with one or more Standards of the agency standards (exhibit 36, referenced as 1 in the narrative). However, the agency SRP IOP 5(a) requirements do not specify the same time notification, nor the response time limitation of up to 30 days, for the law school and the entities cited in the criteria to be notified of these negative decisions.

Additionally, the agency has submitted screenshots of accreditation decision statuses entered in the Database of Accredited Postsecondary Institutions and Programs (DAPIP) system, along with the coinciding Council decision notices demonstrating notifications distributed to the Department, institutional accrediting agency, and state agency affiliates for negative action screenshots only (exhibit 194, referenced as exhibit 141 in the narrative). However, the agency has not included all of the dated

Council decision letters for the law schools within the DAPIP screenshots for analysis of the notification time restraints specified in the criteria. Lastly, the agency attests that written public notice of the Council actions relating to SRP IOP 5(a) are made available on the agency website. However, the agency has provided a weblink, which is not permissible or readable within the petition, to demonstrate the written public notice of SRP IOP 5(a) referenced actions and must be resubmitted, for analysis.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional clarification and documentation regarding updates to the Standards and Rules of Procedure for Approval of Law Schools (SRP), Internal Operating Practice (IOP) 5, approved by the Council for the Section of Legal Education and Admissions to the Bar (Council), pursuant to this Criterion. In particular, the agency affirms that the February 2026 codification of the IOP 5 within the SRP, now reflects the regulatory requirements, effective July 1, 2020, to “mirror Department’s wording” for Council timelines and notifications of negative decisions. Within the “Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026” (Revisions) of the SRP for IOP 5, updates to (c)(1) and (2) of this Criterion are listed and were conducted after the printing of the revised SRP for distribution (exhibit 267, referenced as exhibit NNN in the narrative).

Specifically, the Revisions require notification to the Department, the public and appropriate state, authorizing, and accrediting agencies of the written notice provided to a law school for a negative Council decision at the same time, yet no later than 30 days, of the “final adverse decision to deny, withdraw, suspend, revoke or terminate provisional or full approval of a law school” (exhibit 267, referenced as exhibit NNN in the narrative). However, this Criterion requires the agency to provide “written notice of an initiated adverse action;” not final adverse action. In addition, the narrative cites all revisions to SRP, IOP 5, unrelated to (c)(1) and (2) of this Criterion as well. However, the agency must provide an updated version of the SRP publication, including the cited revisions to IOP 5, in a Monitoring Report to the Department, since the evidence within the petition demonstrates the unchanged version of the SRP for the record, as well as execution of the IOP 5 changes, if available.

It should be noted that Department staff are extremely concerned that the agency did not make the aforementioned corrections to IOP 5 until February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019.

The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

Correspondingly, a screenshot of the agency website demonstrating Council "Sanctions, Remedial Action, Withdrawal of Approval, and Significant Noncompliance under Rule 11(a)(4)" has been provided to evidence public notices of the agency (exhibit 338 referenced as exhibit CCCCCC in the narrative). Further, the agency evidence includes dated negative Council decision letters of law schools receiving negative actions in 2017 and March 2020, outside of the recognition period beginning October 2021, and prior to the regulatory requirements effective July 1, 2020; yet the Notices to the Public demonstrate August 2023 dates (exhibits 339-342, referenced as exhibits DDDDDD-GGGGGG in the narrative). Lastly, the agency provided the dated Council decision letters and Notices to the public for the Database of Accredited Postsecondary Institutions and Programs (DAPIP) entries requested for the initial petition evidence within exhibit 194 for negative Council decisions (exhibits 343-352, referenced as exhibits HHHHHH-QQQQQQ in the narrative).

Description of 602.26(e)

> (e) For any decision listed in paragraph (c) of this section, requires the institution or program to disclose the decision to current and prospective students within seven business days of receipt and makes available to the Secretary, the appropriate State licensing or authorizing agency, and the public, no later than 60 days after the decision, a brief statement summarizing the reasons for the agency's decision and the official comments that the affected institution or program may wish to make with regard to that decision, or evidence that the affected institution has been offered the opportunity to provide official comment;

Analyst Remarks to Narrative:

The agency attests that the Standards and Rules of Procedure for the Approval of Law Schools (SRP), Internal Operating Procedures (IOP) 5, Notification of Council Decisions, identifies the requirements for this criterion pertaining to the sixty days provided for the agency and the law school to summarize and comment on negative decisions (exhibit 36, referenced as 1 in the narrative). Specifically, the SRP IOP 5(e) requires the agency to make available to the Department, the appropriate state licensing agency, the appropriate accrediting agency, and the public within 60 days after a final decision, a brief statement summarizing the reasons for the decision to deny, withdraw, suspend, or remove the approval of a law school, and the comments, if any, which the affected law school may wish to make with regard to that decision or evidence that the law school was offered the opportunity to provide comments but declined to provide any (exhibit 36, referenced as 1 in the narrative).

However, the agency has not demonstrated a summary of a negative decision, and evidence of a law school's comments and/or invitation declining to comment on such decisions, within the timeframe of sixty days as stated within part 5(e) of the IOP and the criteria; nor evidenced the availability of this information to the Secretary, the appropriate State licensing or authorizing agency, and the public. Similarly, the agency requires a law school to provide written notification to current and prospective students of negative decisions within seven business days of the la school's receipt of the decision, pursuant to SRP IOP 5(f). However, agency has not demonstrated the written disclosures distributed by the law school to current and prospective students within seven business days of the school's receipt of negative decisions, in accordance with IOP (5)(f) and the criteria, for analysis.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional documentation to evidence the Standards and Rules of Procedure for the Approval of Law Schools (SRP, Internal Operating Procedures (IOP) 5 requirements of the Council for the Section of Legal Education and Admissions to the Bar (Council) for this Criterion. In particular, a screenshot demonstrating Council "Sanctions, Remedial Action, Withdrawal of Approval, and Significant Noncompliance under Rule 11(a)(4)" has been provided to evidence the abovementioned public notices on the agency website (exhibit 338 referenced as exhibit CCCCCC in the narrative). Additionally, the September 2023 Notice to the Public (Notice) acknowledging "the Law School was invited, at the time of transmittal of the Council's September 2023 decision, to submit written comments in response to the decision. No comments have been received. Evidence, as required by Internal Operating Practice 5(e), that the Law School was offered but declined to provide written comments is attached" (exhibits 355-356 TTTTTT-UUUUUU). However, the agency has not provided the attachment cited in the Notice to demonstrate the law school declined to comment; nor evidenced the agency's request for comment from the law school.

Correspondingly, the agency provided the email Notices provided to appropriate state and accrediting agencies, along with the Database of Accredited Postsecondary Institutions and Programs (DAPIP) entry screenshots of the law school decisions and statuses (exhibits 357-360, referenced in the narrative as VVVVVV-YYYYYY). It should be noted that exhibit 357 is not a Notice to accrediting and state agencies; rather it's a duplicate DAPIP screenshot of exhibit 359).

Lastly, the agency provided Council decision letters placing two law schools on probation, including written disclosures sent by each law school to its students within seven business days of the school's receipt of its Council Decision letter. Further, the agency submitted a screenshot of one law school's webpage listing the agency's probation status; and an email of embedded weblinks of the second law school's webpage and probation disclosure to demonstrate notification to prospective students and the public according to Rule 50 (exhibits 361-362, referenced as exhibits ZZZZZZ and AAAAAAA in the narrative). Also, the agency is again reminded that weblinks are not accessible within the e-recognition system and may not be used as an official record to evidence the disclosure made available to perspective students and the public.

However, the agency SRP denotes probation as "a public status indicating that a law school is in jeopardy of having its accreditation withdrawn for noncompliance with one or more of the Standards;" not an action classified as an adverse action cited within § 602.26(c)(1) and (2), as required by this Criterion (exhibit 201 found in 602.16(e-g)). Therefore, the agency still needs to provide evidence of the execution of this Criterion for a law school citing a final adverse action for review of the agency Rule 50 and IOP 5 requirements. It should also be noted that the relevance of the site visit information within exhibits 363-364, referenced as BBBBBBB and BBBBBBB.1, has not been acknowledge by the agency in relation to this Criterion; thus, was not analyzed by Department staff.

Description of 602.26(f)

(f) Notifies the Secretary, the appropriate State licensing or authorizing agency, the appropriate accrediting agencies, and, upon request, the public if an accredited or preaccredited institution or program—

(1) Decides to withdraw voluntarily from accreditation or preaccreditation, within 10 business days of receiving notification from the institution or program that it is withdrawing voluntarily from accreditation or preaccreditation; or

(2) Lets its accreditation or preaccreditation lapse, within 10 business days of the date on which accreditation or preaccreditation lapses.

Analyst Remarks to Narrative:

The agency attests that the Standards and Rules of Procedure for the Approval of Law Schools (SRP), Internal Operating Procedures (IOP) 5, Notification of Council Decisions, identifies the requirements for this criterion regarding voluntary withdrawal and lapse in an accreditation status of the law school (exhibit 36, referenced as 1 in the narrative). Specifically, the SRP IOP 5(c)(1) and (2) cites the 602.26(f) criteria requirements of the distribution of written notification to the Secretary of the Department of Education, appropriate state licensing agency, other appropriate accrediting agencies, and the public, within ten business days of an approved law school's decision to withdraw from approved status; as well as notification from an approved law school of its decision to allow its approval to lapse (exhibit 36, referenced as 1 in the narrative). However, the agency definition does not include the distinction of "voluntary withdrawal" within the decision requirements of a law school for 5(c)(1) of the IOP within the SRP, as specified within the criteria.

Additionally, the agency has submitted screenshots of accreditation decision statuses entered in the Department's Database of Accredited Postsecondary Institutions and Programs (DAPIP) system, along with the coinciding Council decision letters and notices demonstrating notifications distributed to the Department, institutional accrediting agencies, state agency affiliates, and the public of two actions for the withdrawal of approval (exhibit 194, referenced as exhibit 141 in the narrative). However, the agency has not acknowledged, nor provided evidence of law schools decision to voluntarily withdraw or allow a lapse of approval of the school to demonstrate SRP IOP 5(c)(1) and (2) and the criteria, for analysis.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided additional clarification and documentation regarding updates to the Standards and Rules of Procedure for the Approval of Law Schools (SRP), Internal Operating Procedures (IOP) 5 approved by the Council for the Section of Legal Education and Admissions to the Bar (Council) for this Criterion. Specifically, the agency confirmed that "voluntarily withdraw" was added to IOP 5 of the SRP at the August 2025 Council meeting to align with this Criterion. However, this change was conducted after the codifying and printing of the revised SRP for distribution. Thus, the agency provided the list of "Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026" SRP to evidence this change (exhibit 267, referenced as exhibit NNN in the narrative).

However, the agency must provide an updated version of the SRP publication, including the cited revisions, in a Monitoring Report to the Department, since the evidence within the petition demonstrates the unchanged version for the SRP for the record (exhibit 201 found in 602.16(e-g)). Lastly, the agency attests that no instances of § 602.26(f)(1) and (2) occurred during the current recognition period.

It should be noted that Department staff are extremely concerned that the agency did not make the aforementioned corrections to IOP 5 until August 2025 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

602.28 Required Operating Policies & Procedures

Description of 602.28 (c)

> (c) The agency may grant accreditation or preaccreditation to an institution or program described in paragraph (b) of this section only if it provides to the Secretary, within 30 days of its action, a thorough and reasonable explanation, consistent with its standards, why the action of the other body does not preclude the agency's grant of accreditation or preaccreditation.

Analyst Remarks to Narrative:

The agency attests that Rule 9, Notice of Decisions, Findings, or Actions, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP), identifies the requirements for overriding a decision within § 602.28(b) of the criteria (exhibit 36, referenced as 1 in the narrative). Specifically, Rule 9(c) insists that the Council will not grant approval to a law school if the Council knows, or has reasonable cause to know, that the law school is subject to negative actions cited within § 602.28 (b) of the criteria, which is equivalent to (a) of the agency's Rule 9, unless the Council can provide a thorough and reasonable explanation, consistent with the Standards, why the action of the other body does not preclude the Council's grant of approval. Such explanation will be provided to the Secretary of the Department of Education. (exhibit 36, referenced as 1 in the narrative). However, this agency Rule does not distinguish the definitive timeframe required by the criteria for such explanation be provided to the Secretary.

Correspondingly, the agency attests that no instances for an explanation to over-ride actions requiring notification to the Secretary occurred during the recognition period. Department staff will review additional documentation related to the criteria that occurred after the July 2024 petition submission, during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided clarification regarding updates to the Standards and Rules of Procedure for Approval of Law Schools (SRP), approved by the Council for the Section of Legal Education and Admissions to the Bar (Council) for this Criterion. In particular, the agency attests that SRP Rule 9(c) was revised in February 2026, after the codifying and printing of the revised SRP for distribution, to reflect all requirements of this Criterion. Specifically, the "Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026" of the SRP for Rule 9(c) incorporates the provision of "providing a reasonable and thorough explanation to the Secretary in 30 days for decisions listed in § 602.28(b) of the Criteria (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency must provide an updated version of the SRP publication, including the cited revisions to Rule 9(c), as well as execution of the changed Rule, if available.

It should be noted that Department staff are extremely concerned that the agency did not make the aforementioned corrections to Rule 9(c) until February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019. The regulations were also provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

Description of 602.28 (d)

(d) If the agency learns that an institution it accredits or preaccredits, or an institution that offers a program it accredits or preaccredits, is the subject of an adverse action by another recognized accrediting agency or has been placed on probation or an equivalent status by another recognized agency, the agency must promptly review its accreditation or preaccreditation of the institution or program to determine if it should also take adverse action or place the institution or program on probation or show cause.

Analyst Remarks to Narrative:

The agency cites Rule 9, Notice of Decisions, Findings, or Actions, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP), to identify the requirements for initiating a review of an approved law school (exhibit 36, referenced as 1 in the narrative). In particular, the agency has included the SRP Rule 9 (d) verbatim in response to the criteria. Specifically, the Rule reiterates the criteria which explains an approved law school subject to an adverse action by another recognized accrediting agency or placed on probation or an equivalent status by another recognized agency, is required to experience a prompt review by the Council of its approval to determine if it should also take adverse action or place the law school on probation upon learning of such action (exhibit 36, referenced as 1 in the narrative).

However, the agency has not provided any additional explanation or timelines defining the prompt review process of such action. The agency has also not provided evidence demonstrating the approved law schools subject to a prompt review as cited in Rule 9, during the recognition period, for analysis; or indicated that it has not had the opportunity to implement this policy during the current recognition period

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

Analyst Remarks to Response:

In response to the draft staff analysis, the agency provided clarification regarding updates to the Standards and Rules of Procedure for Approval of Law Schools (SRP), approved by the Council for the Section of Legal Education and Admissions to the Bar (Council) for this Criterion. In particular, the agency attests that SRP Rule 9(d) was revised in February 2026, after the codifying and printing of the revised SRP for distribution, to reflect all requirements of this Criterion. Specifically, the “Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026” of the SRP for

Rule 9(d) now cites response timelines for the agency, which is seven days to contact the law school, who has 14 days to respond, after the agency learns of an adverse action from another recognized accrediting agency was taken to review the law school. The Council or its Executive Committee is then tasked to review the law school at the next Council meeting within 45 days or call a special meeting of the Council within 45 days of receipt for review and decision regarding the law schools' status with the agency (exhibit 267, referenced as exhibit NNN in the narrative). However, the agency did not provide an updated version of the SRP publication, including the cited revisions to Rule 9(d), as well as execution of the changed Rule, if available. Lastly, the agency attests no such occurrences occurred during the recognition period.

As noted within § 602.28(c), it's extremely concerning that the agency did make the aforementioned corrections to Rule9(c) within the final approved version of its Standards and Rules of Procedure for Approval of Law Schools (SRP) prior to February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019 as well as provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. The agency is again reminded that Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

<u>Description of 602.28 (e)</u>

> (e) The agency must, upon request, share with other appropriate recognized accrediting agencies and recognized State approval agencies information about the accreditation or preaccreditation status of an institution or program and any adverse actions it has taken against an accredited or preaccredited institution or program.

<u>Analyst Remarks to Narrative:</u>

The agency cites Rule 9, Notice of Decisions, Findings, or Actions, within the Standards and Rules of Procedure for the Approval of Law Schools (SRP), to identify the information shared to other accrediting or approval bodies (exhibit 36, referenced as 1 in the narrative). In particular, the agency has included SRP Rule 9 (e) verbatim as the narrative to the criteria. Specifically, the Rule reiterates the criteria which authorizes the sharing of information about the accreditation status of a law school and any adverse actions it has taken against a law school with other appropriate recognized accrediting agencies and recognized State approval agencies, upon request to the Council (exhibit 36, referenced as 1 in the narrative).

However, the agency has not provided any additional explanation or timelines defining the information exchange between the accrediting and State approval agencies regarding such status requests of an approved law school. Similarly, the agency has also not provided evidence demonstrating such requests, including the nature, purpose, or use of information pertaining to the request, when sharing with the inquiring accrediting or State agency, in accordance with Rule 9 (e), during the recognition period, for analysis.

Department staff will review additional documentation related to the criteria during a file review scheduled for the Fall of 2025.

<u>Analyst Remarks to Response:</u>

In response to the draft staff analysis, the agency provided clarification regarding updates to the Standards and Rules of Procedure for Approval of Law Schools (SRP), approved by the Council for the Section of Legal Education and Admissions to the Bar (Council) for this Criterion. In particular, the agency attests that SRP Rule 9(e) was revised in February 2026, after the codifying and printing of the revised SRP for distribution, to reflect all requirements of this Criterion. Specifically, the "Revisions to Definitions, Standards, and Rules since Publication of the 2025-2026" of the SRP for Rule 9(e) now requires the agency to acknowledge information sharing requests from other accrediting or State agencies within seven days and provide the requested information to the entity within 30 days (exhibit 267, referenced as exhibit NNN in the narrative). The agency notes that there were no such requests during the current recognition period. However, the agency did not provide an updated version of the SRP publication, including the cited revisions to Rule 9(e), as well as execution of the changed Rule, if available.

As noted within § 602.28(c) and (d), it's extremely concerning that the agency did make the aforementioned corrections to Rule 9(c) within the final approved version of its Standards and Rules of Procedure for Approval of Law Schools (SRP) prior to February 2026 to demonstrate compliance in this section with the changes in regulations that have been in effect since July 1, 2020, and available to the public on our website as of November 1, 2019 as well as provided to the agency within the December 14, 2023, notification letter from the Director of the Accreditation Group, containing the instructions and dates for the submission of the petition for renewal of recognition. The agency is again reminded that Department staff evaluate an agency's performance for the entire period of recognition. Corrective action taken by an agency during the current recognition period is relevant but does not erase noncompliance that occurred earlier in the period. Department staff consider the nature and duration of noncompliance, the timing and circumstances of corrective action, and whether the corrective action has been fully implemented. A compliance determination is not limited to a snapshot of the agency's standards, policies, procedures, and/or practices as they exist at the conclusion of a recognition review.

PART III: THIRD PARTY COMMENTS

Staff Analysis of 3rd Party Written Comments

The Department received one third party comment recommending the continued recognition of the agency. The commenter was an external constituent of the agency and supports the agency's widely accepted Standards. The comment further commends the agency's tailored guidance; specific requirements for legal education programs; and assurance that graduates hired in law firms from the agency's accredited law schools are confident and well prepared for the legal profession. Additionally, the comment acknowledges the agency's professional expertise of staff and experienced representatives necessary to develop accreditation criteria for the preparation of students for law practice. The comments align with the following criteria for renewed recognition: all Standards of § 602.16; Staffing/Financial Resources of § 602.15(a)(1); Competency of Representatives within 602.15(a)(2); Academic/Administrative Representatives in § 602.15(a)(3); and Educator/Practitioner Representatives of § 602.15(a)(4). The Department also received one third party comment on behalf of an agency-accredited law school identifying concerns for the agency's compliance with § 602.16(a)(1)(i) Student Achievement; § 602.18(b)(2) Consistent Application of Standards; and § 602.21(d) Revision of Standards for the Secretary's criteria for recognition. The commenter has provided the same concerns, cited within the third-party comment, in separate correspondence to the Department in June 2021, which the agency was requested to provide additional information regarding the complaint within the renewal petition submission sections of the previously referenced criteria. In March 2025, Department staff received an additional complaint inquiry from the third-party commenter pertaining to the same issues mentioned in the previously referenced correspondence for § § 602.16(a)(1)(i); 602.18(b)(2); and 602.21(d) on behalf of the law school referenced within the original complaint and an additional law school. Department staff requested the agency provide updated responses to the commenters concerns, which are included as an Analyst Upload within § § 602.16(a)(1)(i); 602.18(b)(2); and 602.21(d) of the criteria. This comment is further discussed in those sections.

Agency Response to 3rd Party Written Comments

Please see uploaded document.

Report Dates

1. **Narrative Submission:** 07/15/2024
2. **Draft Clearance:** 08/18/2025
3. **Final Clearance:** 08/21/2026
4. **Response Submission:** 07/30/2026