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**AMERICAN BAR ASSOCIATION**

**Section of Legal Education  
 and Admissions to the Bar**

October 6, 2009

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Dear President Wildes and Dean Bromberger:

Attached please find the decision of the Accreditation Committee at its meeting on September 24-26, 2009, with respect to Loyola University, New Orleans College of Law.

The Committee's Findings and Conclusions do not reflect a comprehensive checklist evaluation of each Standard and each facet of the institution. Indeed, this letter focuses, by the very nature of the process, essentially on concerns or possible aspects of non-compliance identified in the site evaluation report of the School or arising out of submissions or questionnaire answers by the School. Because the general impressions of different site teams are inherently noncomparable, the Accreditation Committee does not attempt to summarize all the information that could be gleaned from a site evaluation report, and recipients of this letter are encouraged, therefore, to consult the full site evaluation report for collegial advice and general impressions of the team. The site evaluation team does not make the official findings or conclusions for the Section of Legal Education and Admissions to the Bar of the American Bar Association. These are made by the Accreditation Committee and the Council of the Section.

A law school that is approved by the American Bar Association continues in that status pending final action by the Accreditation Committee and Council of the Section of Legal Education and Admissions to the Bar and pending review by the House of Delegates of the American Bar Association.

ACTLET:45484.1

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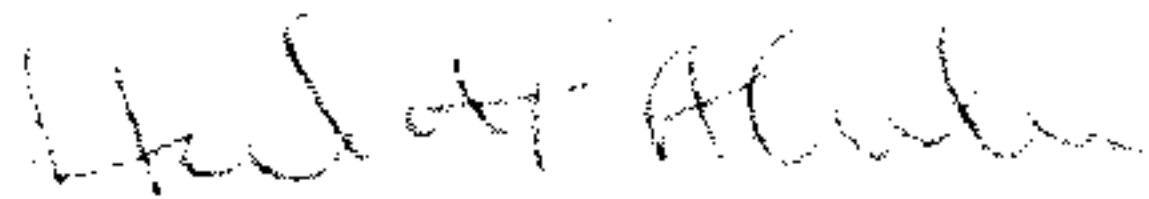
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President Wildes and Dean Bromberger  
October 6, 2009

Please feel free to call me, Deputy Consultant Dan J. Freehling, or  
Executive Assistant Cathy A. Schrage if you have any questions.

Sincerely yours,



Hulett H. Askew  
Consultant on Legal Education  
to the American Bar Association

HHA/cs  
Attachment

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## DECISION OF THE ACCREDITATION COMMITTEE

September 2009

The Accreditation Committee (the "Committee"), at its September 24-25, 2009 meeting, considered the status of the Loyola University, New Orleans College of Law (the "Law School"). The Committee had before it the decision of the Committee made at its October 2008 meeting and the letter dated February 4, 2009, from Dean Brian Bromberger and Reverend Kevin William Wildes, President, responding to the Committee's decision letter. The history of decisions made with respect to the Law School since its last regular site evaluation is attached to this document as an appendix.

### FINDINGS OF FACT:

(1) At its October 2008 meeting, the Committee concluded, in accordance with Rule 13(a), that it had reason to believe that the Law School had not demonstrated compliance with Standard 509 and Interpretation 509-7, regarding accuracy of basic consumer information, because numerous classes listed in the Law School's publications had not been offered in the past three years.

(2) The Committee also concluded that it had insufficient information available to make a determination as to the Law School's compliance with the Standards in the following respects.

- (a) Standard 301(b) and Interpretations 301-4 and 301-5, and Standard 403(a) and Interpretation 403-1, regarding the requirement that the full-time faculty teaches the major portion of the curriculum for the part-time, evening division.
- (b) Standard 405(c) and Interpretation 405-6, regarding the requirement that the Law School afford full-time clinical faculty members a form of security of position reasonably similar to tenure or other arrangements sufficient to ensure academic freedom, because clinical faculty members do not have presumptively-renewable five-year contracts.
- (c) Standard 405(c) and Interpretation 405-8, regarding the requirement that the Law School afford full-time clinical faculty participation in faculty meetings and other aspects of law school governance in a manner reasonably similar to those provided other full-time faculty members, because clinical faculty members have no voting rights in faculty meetings.

Issue Regarding Compliance with Standard 509 and Interpretation 509-7

(3) Hurricane Katrina has impacted the Law School's ability to offer its entire range of elective courses because of the large number of legal practitioners who have left the area.

(4) Six courses remain that have not been taught in the previous two years or the upcoming academic year. Four of these courses overlap in coverage with courses that have been taught during this time period, an adjunct for one course is being actively sought, and the final course has not been offered since 2002. The online course catalog indicates that all of these courses will only be offered if faculty are available and student interest is sufficient.

Request for Information to Determine Compliance with Standard 301(b) and Interpretations 301-4 and 301-5, and Standard 403(a) and Interpretation 403-1

(5) All students must take 90 credit hours in order to graduate. In order to graduate in four years, part-time students take 78 credits during regular semesters during the evening and take 12 credits by attending two summer sessions.

(6) All required courses for part-time students in the first, second, third, and fourth years are taught by full-time faculty members during the evening, as are all strongly recommended bar courses. Additionally, most courses taught in the summer sessions are also taught by full-time faculty. In total, over most academic years, about 75 of the 90 hours of classes that part-time students take are taught by full-time faculty. This represents 83% of their course hours.

Request for Information to Determine Compliance with Standard 405(c) and Interpretations 405-6 and 405-8

(7) In 2005, the clinical faculty voted not to request either tenured or tenure-track positions. All clinical professors initially receive two one-year probationary contracts. At the completion of the second year, application is made to the Clinical Rank and Tenure Committee; successful candidates then receive presumptively-renewable five year contracts. All current Clinical Professors have received more than one five-year contract.

(8) Renewal does not require either formal application or independent assessment. The contract is issued as a result of a recommendation from the Clinical Director following the recommendation of the Clinical Rank and Tenure Committee.

(9) All clinical faculty serve on faculty committees and have full voting rights on those committees. They also attend faculty meetings, but the Law School by-laws provide that voting rights at regular faculty meetings are restricted to tenured or tenure-track professors.

**CONCLUSIONS:**

(1) Based on the information provided by the Law School, the Committee concludes that Loyola University, New Orleans College of Law has demonstrated that it is in compliance with Standard 509 and Interpretation 509-7, with regard to basic consumer information. Accordingly, the Rule 13(a) proceeding with regard to Standard 509 is terminated. [See Findings of Fact (3) and (4).]

(2) Based on the information provided by the Law School, the Committee concludes that the Law School is in compliance with Standard 301(b) and Interpretations 301-4 and 301-5, and Standard 403(a) and Interpretation 403-1, regarding the requirement that the full-time faculty teach the major portion of the curriculum for the part-time, evening division. [See Findings of Fact (5)-(6).]

(3) Based on the information provided by the Law School, the Committee concludes that the Law School is in compliance with Standard 405(c) and Interpretations 405-6 and 405-8 with regard to security of position and participation in law school governance in a manner reasonably similar to other faculty members. [See Findings of Fact (7)-(9).]

(4) Loyola University, New Orleans College of Law remains on the list of approved law schools approved by the American Bar Association.