

APPENDIX A



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

ACCREDITATION COMMITTEE DECISION

PUBLIC NOTICE OF SPECIFIC REMEDIAL ACTION

Appalachian School of Law

December 2017

BACKGROUND

At its December 7-8, 2017 meeting, the Accreditation Committee of the Council of the Section of Legal Education and Admissions to the Bar (the "Committee") conducted a hearing pursuant to Rules of Procedure 2, 3, 14, 16-18, 20, and 21 with respect to the compliance of Appalachian School of Law (the "Law School") with ABA Standards 301(a), 501(a) and 501(b).

Following the hearing and based on the record, the Committee concluded that the Law School is in compliance with Standard 301(a). The Committee further concluded that the Law School remains in non-compliance with Standards 501(a) and 501(b) and has directed the Law School to take the following specific remedial actions, including, but not limited to, this public notice.

Remedial Actions Required

Pursuant to its authority under Rules 3(c) and 21(c), the Committee has directed that Appalachian School of Law take the following specific remedial actions:

- (a) Develop a written reliable plan for bringing the Law School into compliance with Standards 501(a) and 501(b), and submit that plan to the Managing Director by January 19, 2018.
- (b) Supply to the Committee by January 19, 2018, its admissions data and admissions methodology, which includes the Law School's admissions practices and policies, for the fall 2018 entering class. Where factors other than grade point average and LSAT are used to support an admissions decision, report those factors and state why they were sufficient to overcome concerns inherent in the applicant's academic qualifications and LSAT score.

- (c) Within five business days of the date of the Decision Letter reporting the Committee's decision, provide to all admitted students and publish on its website along with other ABA disclosures a statement of the specific remedial action the Law School is required to take. This statement, or a link to the statement on the Law School's website, shall also be published on the website of the Section of Legal Education and Admissions to the Bar.
- (d) Advise each Law School student, in writing within 30 days of the completion of the assignment and distribution of semester grades for the Law School's students, of the following, in the same communication: (a) the Virginia, Kentucky, and Tennessee first-time bar examination passage rates, by class quartiles, for Law School graduates sitting for the Virginia, Kentucky, and Tennessee bar examinations over the six administrations preceding the semester, and (b) the class quartile in which the student then falls. This remedial action shall continue so long as the Law School is required to provide reports to the ABA pursuant to the Decision Letter it received. The Law School shall provide evidence to the Managing Director's office, within five days of its distribution to students, that the required information has been appropriately and timely communicated.

Further and pursuant to Rules 3(c) and 21(c), the Managing Director shall appoint a fact finder to visit the Law School to review the admissions policies and practices implemented by the Law School along with other data related and relevant to these policies and practices as well as to relevant graduate outcomes. The Committee will conduct a hearing pursuant to Rule 18 at its June 2018 meeting in order to monitor the Law School's compliance with the requirements for remedial action and to evaluate the Law School's compliance with Standards 501(a) and 501(b) and Interpretations 501-1 and 501-2 based on the record, the fact finder's report, and the Law School's response. If, after considering the fact finder's report and the Law School's response, the Committee concludes that the Law School is not in compliance with Standards 501(a) and 501(b) and Interpretations 501-1 and 501-2, and/or is non-compliant with the requirements for remedial action, the Committee and the Council may take any appropriate action pursuant to Rules of Procedure 12(b) and 16-18.

Further and pursuant to Rule 53(b)(4), the Managing Director is directed to provide public notification of this Decision of the Committee to impose specific remedial action on the Law School.

This decision is subject to appeal under Rules 15(b), 23, and 24 of the Rules of Procedure.