Standard 311(a) and Interpretation 311-1

Subsequent to the comprehensive revision of the Standards and Rules, the Council requested the Standards Review Committee reexamine Standard 311 – Academic Program and Academic Calendar to see if the requirements regarding the academic calendar could be streamlined.

Standard 311 contains four specific requirements that impact the nature and length of the academic program: a) 140 days of regular instruction including examinations; b) 83 credits of minimum instruction to earn the JD; c) the limitation that a degree may not be earned earlier than 24 months or later than 84 months; d) limitation of 20% of total credit hours per term on coursework.

After careful discussion of these four sections, the Standards Review Committee determined that it was important to maintain certain requirements to ensure that the program of study provides a rigorous program of legal education under Standard 301. Further, that it was important to provide students with the opportunity for adequate time for study and reflection. Consequently, the Standards Review Committee recommended maintaining b) the 83 unit minimum, c) the 24 month limitation on accelerated programs; and d) the 20% limitation on coursework earned.

However, the Standards Review Committee also concluded that there was no need to prescribe a minimum of 140 days of instruction, given that the other three requirements offer sufficient protection to ensure an academic calendar that is of sufficient length and breadth, and given the newly stated requirements found in Standard 310 regarding credit hours. Therefore, the Standards Review Committee recommended the elimination of Standard 311(a) and Interpretation 311-1 and the re-lettering of the remaining sections to address the elimination.

Standard 311. ACADEMIC PROGRAM AND ACADEMIC CALENDAR

(a) A law school shall have an academic year of not fewer than 140 days on which classes and examinations are regularly scheduled in the law school, extending into not fewer than eight calendar months. The law school shall provide adequate time for reading periods and breaks, but such time does not count toward the 140-day academic year requirement.

(b)-(a) A law school shall require, as a condition for graduation, successful completion of a course of study of not fewer than 83 credit hours. At least 64 of these credit hours shall be in courses that require attendance in regularly scheduled classroom sessions or direct faculty instruction.

(e)-(b) A law school shall require that the course of study for the J.D. degree be completed no earlier than 24 months and, except in extraordinary circumstances, no later than 84 months after a student has commenced law study at the law school or a law school from which the school has accepted transfer credit.

(d)-(c) A law school shall not permit a student to be enrolled at any time in coursework that exceeds 20 percent of the total credit hours required by that school for graduation.
(e)(d) Credit for a J.D. degree shall only be given for course work taken after the student has matriculated in a law school. A law school may not grant credit toward the J.D. degree for work taken in a pre-admission program.

(f) A law school shall adopt, publish, and adhere to a written policy requiring regular class attendance. [MOVED TO STANDARD 308(a)]

Interpretation 311-1
A law school may not count more than five class days each week toward the 140-day requirement.

Interpretation 311-2-1
(a) In calculating the 64 credit hours of regularly scheduled classroom sessions or direct faculty instruction for the purpose of Standard 311(b)(a), the credit hours may include:
   (1) Credit hours earned by attendance in regularly scheduled classroom sessions or direct faculty instruction;
   (2) Credit hours earned by participation in a simulation course or law clinic in compliance with Standard 304;
   (3) Credit hours earned through distance education in compliance with Standard 306; and
   (4) Credit hours earned by participation in law-related studies or activities in a country outside the United States in compliance with Standard 307.

(b) In calculating the 64 credit hours of regularly scheduled classroom sessions or direct faculty instruction for the purpose of Standard 311(b)(a), the credit hours shall not include any other coursework, including, but not limited to:
   (1) Credit hours earned through field placements and other study outside of the classroom in compliance with Standard 305;
   (2) Credit hours earned in another department, school, or college of the university with which the law school is affiliated, or at another institution of higher learning;
   (3) Credit hours earned for participation in co-curricular activities such as law review, moot court, and trial competition; and
   (4) Credit hours earned by participation in studies or activities in a country outside the United States in compliance with Standard 307 for studies or activities that are not law-related.

Interpretation 311-3-2
Whenever a student is permitted on the basis of extraordinary circumstances to exceed the 84-month program limitation in Standard 311(b)(b), the law school shall place in the student’s file a statement signed by an appropriate law school official explaining the extraordinary circumstances leading the law school to permit an exception to this limitation. Such extraordinary circumstances, for example, might include an interruption of a student’s legal education because of an illness, family exigency, or military service.

Interpretation 311-4-3
For purposes of Standard 311(b)(b), the time for determining the commencement of law study is ordinarily the time when a student commences law study at any institution. For example, if a law
school accepts transfer credit from another institution, the time begins when the student commenced study at the law school from which the transfer credit is accepted. If a law school accepts a student who has completed law studies at a law school outside the United States as permitted under Standard 505, only the time commensurate with the amount of credit given counts toward the length of study requirements of Standard 311(e). (b).