

APPENDIX A



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

COUNCIL DECISION

NOTICE OF CENSURE AND SPECIFIC REMEDIAL ACTION

Valparaiso University School of Law

October 2016

Background

At its October 20-22, 2016 meeting, the Council conducted a hearing pursuant to Rules of Procedure 2, 15 through 17, and 23 through 25 with respect to the compliance of the Valparaiso University School of Law (the "Law School") with ABA Standards 501(a) and 501(b). This hearing was on the appeal by the Law School from the June 2016 Decision Letter of the Accreditation Committee (the "Committee"), which concluded that the Law School i) had not demonstrated compliance with these Standards; and, consequently, ii) must take specific remedial actions.

Following the hearing, consideration of the appeal, and based on the record, the Council affirmed the Committee's conclusions that the Law School is not in compliance with Standards 501(a) and 501(b). The Council further imposed the sanction of a public censure, and has directed the Law School to take the following specific remedial actions, including, but not limited to, this notice.

Censure of Valparaiso University School of Law
and
Remedial Actions Required

Pursuant to Rules 2(f), 16, and 25(b), the Council imposes a public censure on the Valparaiso University School of Law, and directs the Law School to take the following specific remedial actions:

- (1) The Law School shall 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 December 15, 2016.

- (2) The Law School shall, by December 15, 2016, supply to the Committee its admissions data and admissions methodology, which includes the Law School's admissions practices and policies, for the fall 2017 entering class. Where factors other than grade point average and LSAT are used to support an admissions decision, the Law School shall report those factors, explain how they are determined and applied in the review of applicant files, and report on any analyses that have been done or are contemplated to review the outcomes of admissions decisions based on these factors.
- (3) The Law School shall, within five business days of the date of the Decision Letter reporting the Council's October 2016 decision to the Law School, provide to all admitted students and publish prominently on its website in a place acceptable to the Managing Director a statement advising of the censure and of the specific remedial actions the Law School is required to take.
- (4) Until the Law School is determined by the Accreditation Committee or the Council to be operating in compliance with Standard 501, each semester, within 30 days of the completion of the assignment and distribution of semester grades for the Law School's students, the Law School shall advise each Law School student, in writing, of the following, in the same communication: (a) the Indiana first-time bar examination passage rates, by class quartiles, for Law School graduates sitting for the Indiana bar examinations over the six administrations preceding the semester for which results are known; and (b) the class quartile into which the student then falls. 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.

Pursuant to Rule 53(c)(4) and (5), the Managing Director is directed to provide public notification of this Decision of the Council to impose a censure and to impose specific remedial action on the Law School.

Further and pursuant to Rule 9 and Rule 12, a fact finder shall be appointed to visit the Law School and submit a report regarding the above matters to the Managing Director. The report will be delivered to the Law School, which shall have 30 days to submit a response. The Committee will 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) or 501(b), the Committee and Council may take any appropriate action pursuant to Rules 12(b) and 16-18.