

LICENSING TEAM EVALUATION REPORT
Charleston School of Law
Site Visit and Review conducted May 2004
Review for licensure to begin classes in fall semester 2004

Introduction

The examining team convened in Charleston for a review of updated materials supplied by the officials of the school and for a site visit. The examining team was charged with the responsibility of reviewing updated information for the Charleston School of Law to offer a program leading to a Juris Doctor degree. This follow-up review was for compliance with the licensing requirements and for the team to make a recommendation to the Commission as to whether the Commission should allow the institution to begin classes in the fall semester 2004.

The examining team members for the review and site visit were:

Joseph D. Harbaugh, Dean
Shepard Broad Law Center, Nova Southeastern University; Fort Lauderdale, FL

Sally Wise, Director and Professor of Law
University of Miami School of Law Library; Coral Gables, FL

David Shipley, Professor
University of Georgia School of Law; Athens, GA

Renea Eshleman served as staff liaison for the Commission on Higher Education; CHE Deputy Director and Director of the Division of Academic Affairs and Licensing Gail Morrison also participated in the review and site visit. Robert S. Carr served as institution liaison for the Charleston School of Law. The team greatly appreciates the care taken by representatives from the Charleston School of Law in providing supporting documentation and in hosting the team in Charleston.

The reviewers evaluated the progress of the school based on reports and updated materials provided before and during the visit and on information gained during meetings and interviews with the founders, faculty, and staff of the school.

This report addresses each recommendation from the review conducted last summer for “conceptual” compliance with the licensing requirements and presents additional observations of the team.

Educational Program

1.

2003 Recommendation. The team recommends that officials of CSOL develop course syllabi for the courses to be offered in the first year and submit the syllabi to the Commission before the next phase of review in the spring of 2004.

2004 Review. As they are hired and assigned classes, the faculty members of CSOL develop course syllabi. The syllabi will be accessible to students through the web site of the school.

Additional observations. The members of the team encourage the officials of the CSOL to provide ample opportunities for the students to develop professional and lawyering skills in upper-level classes and through in clinical experiences. A law school education must include simulation-based classes and clinical opportunities. Dean Gershon assured the team that the curriculum includes such courses as well as a traditional two-credit hour professional responsibility course. The administration of the school should advise students to take the professional responsibility course in the second year so the students will qualify for third-year externships and student practice opportunities under the South Carolina Supreme Court's third-year practice rule.

Finance and Facilities

2.

2003 Recommendation. It is recommended that officials of CSOL develop a more detailed five-year budget. Included in the budget should be separate line items for: equipment, utility costs, advertising, marketing and promotion, travel, insurance, fringe benefits, maintenance contracts, printing, etc.

2004 Review. CSOL officials provided to the team updated budgets; they will continue to develop and detail those as needed.

Additional observations: CSOL officials should break down the budget further so that, in addition to the aggregated numbers, the reviewers know the origins of the totals, how they relate to enrollments, and how they convert to the revenue figures. Officials should "tease out" and refine the enrollment projections to show the number of students who will enroll in each class in each year and factor in attrition and space issues in day and night classes. The result should reflect exactly how many students they expect to have in each class in the day division and the evening division. In addition, the officials of the school should reconcile fees with total enrollments. Income from fees will depend on enrollment.

3.

2003 Recommendation: A copy of the final building plan and space requirements should be provided once a site is selected. The budget should be revised to include the appropriate building, renovation, and lease costs, if any.

2004 Review: The law school officials provided a copy of the final building plan and space requirements. The facilities under development at 81 Mary Street (previously occupied by the Chamber of Commerce) along with lecture facilities at the adjacent American Cinema will provide adequate facilities and space for the school's first year of operation.

Additional observations. The team advises that before the American Bar Association (ABA) accreditation team visits the school in fall 2005, the officials at CSOL have a noise study conducted in the facility when students are present. If the noise level rises to an unacceptable level, engineering alternatives should be implemented to deaden the sound.

The team does not believe the present facilities including the theatre will be sufficient for the second year of operation. Additional faculty, staff, students, and the scheduling of a very heavy two-year required upper-level curriculum will necessitate expanding the physical plant before classes begin in fall 2005. CSOL officials indicated that they are considering several options including access to professional space in an adjacent building. Also an investor had in hand a contract proposal to purchase additional close by facilities.

4.

2003 Recommendation. The budget should more clearly detail the line item for instructional equipment.

2004 Review. CSOL has provided updated budgets. However, because renovations were ongoing at the time of the visit of the team, the project is still evolving. In fact, school officials met while the team conducted its visit with a vendor for furniture.

Library and Student Services

5.

2003 Recommendation. The team recommends that the officials of the CSOL submit a summary of the library collection implementation plan before the next phase of review in the spring of 2004.

2004 Review. The plan as fleshed-out by the library staff reflects that the school will have in place adequate library resources for the fall 2004 class. The plan relies heavily on electronic resources.

Additional observations. The team advises that the officials of CSOL continue evaluating and updating learning resources, making sure all the needs of faculty, students, and community are met. As planned there will be a higher percentage of materials in electronic format than in most law school libraries. CSOL administration and faculty must be aware of the need to convince the ABA Accreditation Committee that the resources are adequate to meet the research, teaching, and service needs of the students and faculty. The librarian wants the resources to be cutting edge and is knowledgeable about the issues. The collection development plan needs to be written to justify and convince a possibly skeptical ABA inspection team and the Accreditation Committee that a library so heavily dependent on electronic resources will meet the research needs of the students and adequately train them to practice law in real-world situations with perhaps limited access to state-of-the art electronic resources. The plan must also show that the resources will support the teaching, research, and service interests of the faculty and will serve the legal community as well. The presentation of this type of library must be communicated to the ABA clearly and persuasively and must include discussion of what will be in traditional hard-copy format. The team believes the administrators at CSOL have the vision and the skill to implement the plan. The team suggests that CSOL officials insure that all faculty members are totally committed to the extensive use of electronic resources and that the law librarian has enough time to write a persuasive collection development plan and self-study and that these documents be reviewed by librarians from other ABA-accredited institutions to insure that all possible issues are effectively covered. The collection development plan and self-study should be seen as advocacy documents and should include among other items: (1) footnote references to articles about moving to electronic resources, (2) a description of internal and external support; (3) reference collection development by volumes, and (4) attention to space for collection growth. The administration and faculty need to consider that some graduates will be practicing in some locations that do not have electronic access, so graduates must also be proficient in the use of paper resources.

6.

2003 Recommendation. The team recommends that the officials of the CSOL determine how many librarian and staff members are expected to be dedicated to the library over the next few years and to submit this information to the Commission before the next phase of review in the spring of 2004.

2004 Review. The officials of the school provided an updated library staff plan projected through 2007-08. CSOL has hired competent, experienced staff for the library. The team advises the officials of the school to be mindful and deliberate in hiring adequate numbers to meet the intentions of the school to serve its students, the faculty, the bar, and the public. Since CSOL has both day and evening divisions, the library must be staffed to provide services to both day and evening students.

7.

2003 Recommendation. The team recommends that the officials of the CSOL submit an updated document on library and technology budgetary matters before the review in spring of 2004.

2004 Review. The officials of the school provided an updated library and technology budget plan projected through 2008-09.

Organization, Administration, and Faculty

8.

2003 Recommendations

Continue to review and increase faculty salary budgets to assure recruitment of qualified and experienced teachers.

Budget for faculty development such as research, support, and travel to conferences.

Develop a summer budget.

2004 Review. The officials of the school provided an updated budget projected through 2007-08.

Additional observations. The officials of the CSOL plan to offer career services and a pro bono program. The team advises the school to move forward as soon as possible as well as continue with plans to add additional career services and student services staff in the second year. The founders have employed highly credible, experienced, and knowledgeable personnel upon whom they should rely. Care must be taken to aggressively move forward to fill other positions such as the associate dean for academic affairs and an associate dean of student affairs. The founders have made a great start in assembling an exceptional core faculty and administration.

9.

2003 Recommendation. Hire a comptroller or dean of students who understands law school debt issues and knows how to administer financial aid, in particular education loans. Staff should be in place who will fully disclose the financial challenges to applicants and enrolled students and provide students with sound advice and counseling about managing their education debts.

2004 Review. CSOL founders have employed an outstanding experienced and qualified dean for admissions. At the time of the visit, CSOL had made 302 offers of acceptance to the full-time program. Of those accepted, 145 had paid the required \$300 seat confirmation fee. The profile of the 145 accepted applicants who paid the seat deposits is as follows:

	LSAT	GPA
75th percentile	154	3.46
25th percentile	150	2.84
Median	152	3.15
Mean	153	3.10

The school is providing full disclosure to prospective students of the financial obligations. However, the team continues to have reservations about the ability of graduates to service a debt of what could be \$1,270 per month, especially for public-service-oriented lawyers the institution intends to cultivate and graduate.

Merit based scholarship awards have been made and continue to be made as funds are available. A total of \$450,000 has been designated for scholarship awards.

Additional observations. Given at this stage the absence of available of federal Title IV financial aid, the team commends the officials of CSOL for negotiating an arrangement with a major financial institution to offer a customized loan program for students. The team encourages the officials of CSOL to pursue loan consolidation opportunities for students with debt from undergraduate study.

Conclusion and Recommendation

In the opinion of the reviewers, the founders of the Charleston School of Law have (or will have by the beginning of the fall semester) implemented their plan to meet the licensing requirements and to adequately support the purposes and objectives of the curriculum and the needs of the students, faculty, and staff of the institution. Therefore, the team recommends the Commission license the Charleston School of Law to begin classes in fall semester 2004 conditioned upon the staff reviewing progress and visiting in August 2004 to confirm completion of the implementation plan and issuing of the license for classes to begin in fall semester 2004.

The officials of the CSOL voluntarily invited the team to make a follow-up visit to the school next spring and advise the school founders and staff as they progress toward ABA accreditation. The founders of the school and the members of the review team have agreed that the project is of sufficient importance and the process of sufficient value to incorporate into the licensing process a follow-up review in spring 2005. The team members indicated willingness to participate next spring before the end of the semester in order to see the school in operation, to meet students, and to review and advise the school concerning its progress and meeting the requirements for ABA accreditation.