

(1) In accordance with Standards 101, 102, and 103 and the Interpretations adopted thereunder, the Committee concludes that Western State University College of Law has failed to establish that it is in full compliance with the Standards in the following respects:

- (a) Standards 301(a) and 303(c) and Interpretations 301-1 and 303-1, regarding the School's high rate of attrition and low bar passage rate. [See Findings of Fact (33), (35), (36), and (37).]
- (b) Standard 501 and Interpretations 501-1 and 501-2, regarding the admission of students who do not appear capable of satisfactorily completing its educational program and being admitted to the bar. [See Findings of Fact (29), (30), (31), (32), (33), (35), (36), and (37).]
- (c) Standard 401(a), regarding the faculty's lack of scholarly productivity. [See Finding of Fact (26).]
- (d) Standards 601(b) and 604 and Interpretation 604-1, regarding the lack of sufficient resources in the Library to support the Law School program and the lack of sufficient numbers of staff to provide appropriate library and informational resource services. [See Findings of Fact (42) through (52).]

(2) The Accreditation Committee recommends that the Council of the Section of Legal Education and Admissions to the Bar not grant full ABA approval to Western State University College of Law.

In considering the report and recommendation of the Accreditation Committee, the Council had before it all materials considered by the Committee at its April 2003 meeting, including the report of the site evaluation conducted of the School on October 27-30, 2002, by a team comprised of Dean Kent Syverud, Chair, Professor David Chavkin, Professor Emily Greenberg, Professor Malcolm Morris, Camille deJoma, Esq., and Thomas Edmonds, Esq. The Council also had before it a letter from Dean James F. Hogg, dated September 25, 2002, responding to the Committee's June 2002 Action Letter, a letter from Dean Hogg, dated April 14, 2003, submitted in response to the site evaluation report, the materials submitted by the School in connection with its application for full approval, and a further letter from Dean Hogg, dated May 30, 2003, responding to the action taken by the Committee at its April 2003 meeting. In addition, the Council had the benefit of personal appearances at its meeting on June 6, 2003, by the following representatives of the School: John R. McKernan, President and Vice Chair of the Board of Education Management Corporation ("EDMC"); Frederick Steinberg, General Counsel, EDMC; Dr. Scott Tjaden, new Chair of the