

# SOUTHWESTERN

## LAW SCHOOL Los Angeles, CA

### **Distance Education Policy for Programs Other Than the Online J.D. Program**

Faculty policy approved October 20, 2023. Effective immediately.

**Revision history:** Formerly a part of the Grading Policies, Honors, and Specialized Courses policy; established as a standalone policy and substantively revised due to a change in ABA Standards in October 2023.

**Related policies:** Determination of Credit Hours for Coursework; Online Student Identity Verification Policy; Policy Statement on Student Academic Work-Product Originality; Student Honor Code

**Scheduled Review Date:** August 2024 (Vice Dean's Office)

#### **A. Purpose**

Southwestern Law School is committed to developing and delivering innovative, high-quality curricular offerings. To that end, and in accordance with Definition 7 of the ABA Standards and ABA Standards 306 and 511, this policy offers students the flexibility to receive academic instruction leading to the J.D. degree with the use of distance education.

This policy does not apply to Southwestern's ABA-approved Online J.D. Program, which will start in Fall 2024 and which students may complete substantially online.

#### **B. Definitions**

##### **1. Distance education course**

Consistent with Definition 7 of the ABA Standards, a "Distance Education Course" means one in which students are separated from all faculty members for more than one-third of the instruction and the instruction involves the use of technology to support regular and substantive interaction between the students and all faculty members, either synchronously or asynchronously.

## **2. Asynchronous format**

"Asynchronous format" refers to a mode of instruction in which students engage with course materials, lectures, and assignments at their own pace and on their own schedules, without the requirement for real-time, simultaneous participation with the faculty member or other students. This format allows students to access and complete coursework at times that are convenient for them while meeting defined course pacing deadlines.

## **3. Synchronous format**

"Synchronous format" refers to a mode of instruction in which students participate in real-time, interactive learning experiences. In this format, students and faculty engage in activities such as live video lectures, discussions, or collaborative activities, all of which require simultaneous participation and interaction at specified times.

## **4. Blended courses not covered by this policy**

Courses where students and faculty are separated from each other for one-third or less of the instruction are not covered by this policy and are not included in the maximum number of distance education units students may take.

## **C. Accessibility**

Courses and programs offered under this policy will be accessible to persons with disabilities in compliance with federal and state laws. We are dedicated to providing reasonable accommodations and support to ensure that all students, regardless of their abilities, can engage in and benefit from our educational offerings.

## **D. Course Requirements**

All Distance Education Courses must satisfy the following requirements:

- 1.** Provide regular interaction between a student and a faculty member that includes:
  - a.** the opportunity for substantive interactions with the student on a predictable and scheduled basis commensurate with the length of time and the amount of content in the course as defined in ABA Standard 310(b) and set forth in [Determination of Credit Hours for Coursework](#);
  - b.** monitoring the student's academic engagement and success; and
  - c.** ensuring that the faculty member is responsible for promptly and proactively engaging in substantive interaction with the student when needed on the basis of such monitoring or upon request by the student.
- 2.** Provide substantive interaction in each Distance Education Course that engages students in teaching, learning, and assessment, consistent with the content under discussion, and includes at least two of the following:

- a. providing direct instruction;
  - b. assessing or providing feedback on a student's coursework;
  - c. providing information or responding to questions about the content of a course; or
  - d. facilitating a group discussion regarding the content of a course.
3. Use appropriate and readily accessible technology that effectively supports the learning outcomes of the course.
  4. Ensure that students, faculty, and others involved in the course receive appropriate training and support for the technology used.

**E. Course Approval**

Courses that have been approved by the faculty through the regular course approval process may be delivered as Distance Education Courses with the approval of the Vice Dean(s). The Vice Dean(s) will ensure that each Distance Education Course satisfies the requirements in Section D of this policy. Faculty may use distance education tools without the Vice Dean's approval if they do not exceed the limit that would categorize a course as a Distance Education Course. **See Section B(4).**

This section does not impact the regular process for faculty to approve new courses, regardless of the delivery method, except for Distance Education Courses, which must also satisfy Section D above.

**F. Credit Approval**

In accordance with ABA Standard 306, a student may take a maximum of 50 percent of the credit hours required for the J.D. degree in Distance Education Courses; stated differently, a student may take up to 43 credit hours of Distance Education Courses toward the 87 units required to graduate.

Students may enroll in non-required, non-California-Bar-Exam-subject Distance Education Courses offered at other ABA-approved law schools only with prior written permission of the Associate Dean of Student Services, and only if any such course is offered on a basis consistent with this policy.

**G. Bar Eligibility**

Students should be aware that taking Distance Education Courses may impact their eligibility to sit for state bar examinations. Students should contact the appropriate bar admission agency in the jurisdiction where they plan to sit for the bar examination or intend to work to seek the most up-to-date information about state licensure and certification requirements. The National Conference of Bar Examiners, in collaboration with the American Bar Association's Section of Legal Education and Admissions to the Bar, annually publishes a [Comprehensive Guide to Bar Admission Requirements](#) that provides information, including a directory of state bar admissions agencies. In addition, we encourage students to review Southwestern's [Professional Licensure by Program](#).

## **H. Technology**

Students enrolled in a Distance Education Course hosted or approved by Southwestern bear responsibility to anticipate and address actual or potential technology issues by taking reasonable actions or precautions, including but not limited to:

1. Securing access to a back-up electronic device and or software in case of primary device or software failure;
2. Performing assignments expeditiously and not delaying until a deadline;
3. Submitting work in a format or through a mechanism (e.g., Canvas) specified by or acceptable to the professor; and
4. Upon discovering a technology issue, taking reasonable measures to immediately notify the professor and Southwestern's Associate Dean of Student Services of the problem or, if immediate action is not feasible, to provide notice as soon as reasonably possible thereafter.

## **I. Verification of Student Identity**

Students registered in any Distance Education Course will be subject to Southwestern's [Online Student Identity Verification Policy](#).

## **J. Policy Revisions**

Southwestern expressly reserves the right to change or modify any aspect of this policy at any time, with or without prior notice.