



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

In the Matter of

**COUNCIL OF THE SECTION OF
LEGAL EDUCATION AND
ADMISSIONS OF THE
AMERICAN BAR ASSOCIATION**

DOCKET NO. 98-98-0
**Accrediting Agency Recognition
Proceeding**

Appellant.

ORDER

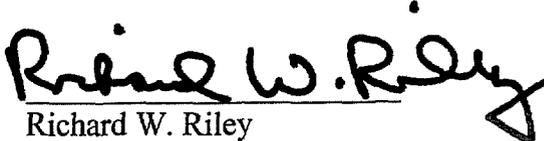
On July 10, 1998, Council of the Section of Legal Education and Admissions of the American Bar Association (Council), objected to a portion of the recommendations issued by the National Advisory Committee for Institutional Quality and Integrity (Committee), issued on June 8, 1998. The challenged portion of the Committee's recommendations states:

Because of the extended period in which the ABA's policies on accreditation have been out of compliance with the HEA and the Department regulations, the Committee recommends to the Secretary that the ABA be required, on each occasion when it cites its recognition by the Secretary in any judicial or licensing agency proceeding, to report also that the Secretary has found that the ABA's accreditation policies are in substantive noncompliance with the HEA and Department regulations and that the recognition of the Council as an accrediting body has been extended only upon the condition that ABA promptly bring its accreditation policies into compliance with law and regulations.

Council's appeal contends that this portion of the Committee's recommendation would unfairly punish the agency for accurate statements made by the agency and treat the agency more harshly than other agencies similarly situated. The Office of Postsecondary Education, U.S. Department of Education, also agrees that this portion of the Committee's recommendations should be rejected. In its brief, the Office of Postsecondary Education stated that: "The Council is recognized at present, and absent suspension, termination or limitation, there is no basis for attempting to prevent it from representing itself as such." Office of Postsecondary Education's Brief at 4.

In light of the parties' agreement, the challenged portion of the Committee's recommendations is hereby rejected, while the remaining recommendations are adopted. Accordingly, the appeal is dismissed as moot.

Washington, DC
August 28, 1998


Richard W. Riley

SERVICE

Darryl L. DePriest
General Counsel
American Bar Association
541 North Fairbanks Court
Chicago, Illinois 60611-3314

Sarah Wanner
Counsel for Office of Postsecondary Education
Office of the General Counsel
U.S. Department of Education
600 Independence Avenue, SW
Washington, DC 20202-2110