
From: McConnaughay, Philip
Sent: Tuesday, November 20, 2012 8:47 AM
To: All Students
Subject: 1L Consolidation Proposal

Dear Students,

Following is a message I sent last Saturday informing the faculty of a resolution of the question of whether or not we will be consolidating our 1L program in University Park. We will not, for reasons I explain in my message to the faculty. Instead, we will be discontinuing, over the course of the next few years, the law school's unified operation in favor of separately accredited campuses, similar to Rutgers-Camden and Rutgers-Newark or Indiana University-Bloomington and Indiana University-Indianapolis. All current students, including all current 1Ls, will continue under our unified operation through graduation and graduate from our unified law school. Assuming ABA approval of our separate accreditation plan, students will begin to receive separate degrees from either Penn State Dickinson in Carlisle or Penn State Dickinson in University Park only after 2015.

The law school's entire faculty and administration remain dedicated to providing you with the superior education you expect and deserve. The transition to the separate operation of our campuses will be gradual, occurring over three years, and likely will not affect in any appreciable way your experience or expectations while attending law school.

I will schedule student forums after the New Year to update you on developments and to explain the process of separate accreditation further. In the meantime, please feel free to email or stop by my office if you have any questions.

Wishing you an enjoyable Thanksgiving and successful final exams,

Dean McConnaughay

From: McConnaughay, Philip
Sent: Saturday, November 17, 2012 3:31 PM
To: All Faculty
Cc: Management Team
Subject: 1L Consolidation Proposal and Separate Campus Accreditation

Colleagues,

The faculty voted overwhelmingly at our October 8 meeting to pursue separate accreditation of our campuses in the event the DLA or Redevelopment Authority or Governor were to reject our proposal to consolidate our 1L class in University Park while simultaneously expanding various upper-level J.D. and international programs in Carlisle. You asked that I make one last effort to secure passage of our 1L consolidation proposal before advising the University, the DLA and the Board of Counselors of our desire to proceed with separate accreditation.

I informed the DLA and the Board of Counselors of our October 8 vote in an October 9 email and in a meeting on October 13. Senior University leaders and I also met with the DLA on October 17. On October 22, I sent the DLA and Board of Counselors a follow-up memo (copy attached) responding to their questions, reaffirming our preference for our 1L consolidation proposal and reiterating our desire for separate accreditation if we are not allowed to manage the law school's educational program on a unified basis.

As I mentioned during our faculty meeting this past Tuesday (Nov. 13), the law school is in the process of negotiating agreements with top Chinese law schools for five-year English-language LL.B programs that would include two years for qualified students to gain advanced standing in our law school's J.D. program, for dual LL.B/J.D. degrees. We have similar negotiations under way with leading law schools in Brazil and in the Middle East. I suspect that it would not be long under our consolidation proposal before the total number of upper-level law students in Carlisle would exceed by a fair margin the total number of J.D. students there today (170 and likely to decline further), albeit with a different composition than traditionally. The increased contribution to the local economy likely would be appreciable.

Since we publicly disclosed our 1L consolidation proposal last July, the law school has hosted open forums to discuss the proposal with law school alumni in Pittsburgh, Philadelphia, Wilmington, Baltimore, and New York. In August and again in September, we emailed copies and explanations of the proposal to all law school alumni, and since have discussed the proposal in individual meetings with scores of alumni. We also discussed the proposal openly with law school alumni during Alumni Weekend in Carlisle.

Invariably, law school alumni from outside the Carlisle-Harrisburg area, and many from within the area, including on the Board of Counselors, understand the market forces the law school confronts and unreservedly support our efforts to overcome these challenges by consolidating our 1L program in order to save expenses while expanding our upper-level programs in order to produce new revenue. They appreciate that interest in J.D. legal education among American students continues to decline dramatically, thus sustaining the trend of the last two years and making a response all the more urgent: just this week, for example, the LSAC announced that first-time LSAT takers for the October LSAT declined by another 18 percent over last year; applications to sit for the December LSAT reflect a comparable decline.

Last week, nonetheless, the Cumberland County Commissioners sent letters to me, the DLA and the Redevelopment Authority opposing our 1L consolidation proposal. Governor Corbett then declared his administration's opposition to our proposal. On Sunday, the Harrisburg Patriot News published an editorial opposing our proposal. Previously, several state representatives announced their opposition to our proposal. I have attached a PDF that compiles these various efforts. All of the opposition seems predicated on the mistaken assumption that the consolidation of the law school's 1L program in University Park means fewer students in Carlisle, not more.

In light of this political opposition, we have decided to discontinue efforts to secure approval of our 1L consolidation proposal and proceed instead with our alternative plan of separately

accredited campuses of the Dickinson School of Law. The Dickinson School of Law will remain a single academic unit of Penn State, but each of our campuses will develop and implement separate identities, separate admissions policies, and separate educational programs, similar to Rutgers Law-Newark and Rutgers Law-Camden, or Arkansas Law-Fayetteville and Arkansas Law-Little Rock. Of course, even though separately accredited, our two campuses will continue to collaborate in various ways consistent with accreditation requirements and the independent educational program of each, including via our reciprocally-equipped AV classrooms.

I will schedule a faculty meeting for shortly following Thanksgiving break so that we might discuss implementation details for separate accreditation, including instituting separate strategic planning and other campus-specific faculty committees, and transitioning to separate administrations.

I will be scheduling meetings with our staff soon to explain the process.

Phil

Philip J. McConnaughay
Dean and Donald J. Farage Professor of Law
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The Dickinson School of Law