



**Commission on Colleges
Southern Association of Colleges and Schools**

DOCUMENTATION FOR THE SUBSTANTIVE CHANGE COMMITTEE

For use with the following types of changes:

- *Initiating programs at a more advanced degree level*
- *Expanding programs at current degree levels (when the new program is a departure from current programs)*
- *Initiating programs at a lower degree level*
- *Expanding electronic delivery to include currently offered degrees*

Name of the Institution: Lincoln Memorial University

Nature of the Substantive Change: Expanding programs at the current level (when a new degree program is a departure from current programs). To offer the Doctor of Jurisprudence (J.D.) degree program at the Former City Hall Building, Knoxville, Tennessee, 601 West Summit Hill Drive.

Date: January 22, 2010

By signing below, we attest to the following:

1. That Lincoln Memorial University has attached a complete and accurate overview of the proposed Substantive Change.
2. That Lincoln Memorial University provided complete and accurate disclosure of timely information regarding compliance with the selected sections of the *Principles of Accreditation* affected by this Substantive Change.

Name and signature of the President:

Dr. C. Warren Neel, President (Int.)

Name and signature of the Accreditation Liaison:

Dr. Clayton Hess

COC Staff Member assigned to the Institution:

Dr. Cheryl Cardell

Part I. Overview

- A. *Describe the proposed change. Include the location, initial date of implementation, projected number of students, primary target audience, projected life of the program (single cohort or ongoing), and instructional delivery methods. Provide specific outcomes and learning objectives for each new program, a schedule of proposed course offerings for the first year, and copies of syllabi for new courses.*

Narrative Response:

Lincoln Memorial University-Duncan School of Law (DSOL) is located at 601 West Summit Hill Drive, Knoxville, Tennessee 37902, and offers a Doctor of Jurisprudence (J.D.) degree. Classes began in the fall of 2009 (August 17, 2009). The J.D. Program is composed of eighty-eight semester credit hours of coursework.¹ The initial class is composed solely of part-time students. In the fall of 2010, both a full-time and part-time class will begin their studies. For every projected year thereafter, on an on-going basis, DSOL will have both a full-time and part-time class. Part-time students are projected to complete their program of studies in four years. Full-time students are projected to complete their program of studies in three years. Both of those time periods are consistent with standards promulgated by the American Bar Association (the ABA)² and are consistent with practices followed by ABA-accredited law schools.

The current class is composed of seventy-five, part-time students. In year two of DSOL's operation, enrollment is projected at: seventy returning part-time students, one hundred and ten entering full-time students, and sixty entering part-time students. Thus, the total current projected enrollment for year two is approximately 240 students. Ultimately, at full enrollment, DSOL projects an estimated enrollment of 550-600 students.

¹ This complies with American Bar Association Standards and Rules of Procedure for Approval of Law Schools, Rule 304(b), which provides: "A law school shall require, as a condition of graduation, successful completion of a course of study in residence of not fewer than 58,000 minutes of instruction time . . ." See **Exhibit 25**.

² See Standards and Rules of Procedure for Approval of Law Schools, Rule 304(c) ("A law school shall require that the course of study for the J.D. degree be completed no earlier than 24 months and no later than 84 months after a student has commenced law study at the law school or a law school from which the school has accepted transfer credit.").

Classroom instruction is consistent with traditional instruction in a law school environment. Students receive instruction using one or more of the following methods: lecture supplemented with visual aids including but not limited to Powerpoint; casebook method; statutory instruction; and the Socratic method. In addition, DSOL uses advanced technology as a means to enhance its instruction, including but not limited to Mediasite³ and TurningPoint.⁴ DSOL's specific outcomes and objectives include the following:

1. Knowledge of Major Content Areas of Substantive Law

Graduates will understand the fundamental principles of Civil Procedure, Contracts, Property, Torts, Criminal Law, Evidence, Criminal Procedure, Wills, Trusts and Estates, Constitutional Law, Business Organizations, Commercial Transactions, Conflicts of Law, Domestic Relations, Remedies, Secured Transactions, and Professional Responsibility.

2. Critical Thinking Skills

Graduates will demonstrate the ability to use critical thinking in analyzing, synthesizing, and evaluating various types of issues related to law and general problem solving.

3. Legal Research Skills

Graduates will demonstrate the ability to conduct legal research.

4. Communication Skills

Graduates will demonstrate proficiency in oral and written communication about issues in the field of law, including advocacy and dispute resolution.

5. Professional Responsibility/Ethics

Graduates will demonstrate values, attitudes, and behaviors congruent with the code of ethics established by the profession as provided in American Bar Association and state bar association rules.

6. Continued Learning

Graduates will demonstrate the ability to engage in continued learning and/or service in a legal context.

More specific information regarding learning outcomes and assessments of student learning are fully discussed in section 3.3.1.1, beginning on page 111.

³ Media Site is a technology package permitting DSOL to capture the students' classes and permit remote viewing. Currently, students at DSOL can watch or review any class delivered at the DSOL either on campus or from any location where they have internet access. For a full description, see **Exhibit 1**.

⁴ TurningPoint permits real-time feedback on questions asked during class. Currently, DSOL is using this technology as a means to facilitate learning by requiring each professor to ask multiple-choice questions during class. The results of the students' responses are then immediately available both individually and in the aggregate, providing the professor immediate feedback. For a full description, see **Exhibit 2**.

Currently, there are only four law schools serving the state of Tennessee, not including the DSOL.⁵ In keeping with Lincoln Memorial University's (LMU) mission, the primary targeted demographic of DSOL is students who have earned baccalaureate degrees and who are from those counties in Tennessee and surrounding states designated by the Appalachian Regional Commission as being part of Appalachia.

In February of 2009, DSOL received approval by the Tennessee Board of Law Examiners (TBLE).⁶ DSOL will formally notify the ABA of its intent to seek accreditation for the J.D. Program in August of 2010.

⁵ Those law schools are: Vanderbilt University Law School, University of Memphis Cecil C. Humphreys School of Law, Nashville School of Law, and the University of Tennessee College of Law.

⁶ See Rules of the Supreme Court of the State of Tennessee, Rule 7, Article 2, Section 2.03 ("The Board may approve any law school in Tennessee not accredited by the American Bar Association for the purpose of allowing its graduates to be eligible to take the Tennessee bar examination when the standards in this section are met and the Board finds the school is effectively achieving its mission and objectives."). For additional information, see **Exhibit 3**.

- B. *Discuss the rationale for the change, including assessment of need. List currently offered certificate and/or degree programs that are related to the proposed expansion. Provide evidence of the legal authority for the change. List institutional strengths that facilitate implementing the proposed change.*

Narrative Response:

Rationale for the Change Including an Assessment of Need

Lincoln Memorial University (LMU) is committed to fulfilling its Mission and considers the initiation of the Duncan School of Law (DSOL) Program to be an important initiative toward meeting the educational needs of the service area. LMU conducted a *Feasibility Study*⁷ to assess the need for a new law school in east Tennessee, and the results indicate the need is significant. It seems appropriate that LMU—an institution founded to help serve underserved populations—should take action. There is an obvious, unmet need in LMU’s targeted demographic area for quality legal services and well-qualified attorneys to provide these services. DSOL is aimed at meeting the growing unmet demand for legal education in the State of Tennessee and particularly east Tennessee.

A few examples of findings from the Feasibility Study are presented below to demonstrate the need for a new law school:

- According to Legal Aid of East Tennessee’s 2007 Annual Report, more than 300,000 persons in the east Tennessee service area are eligible for legal aid services, but due to limited resources, less than 5% of this population receives service.
- Between 2005 and 2007, the states of Georgia, North Carolina, South Carolina, Virginia, and Tennessee had an aggregate total of 33,652 LSAT takers. Of that number, 5,269 were from Tennessee colleges. These numbers indicate a demand for additional legal education in Tennessee.
- There are a number of factors that create an increased need for lawyers, including: population growth; urbanization; technological advances that accelerate the growth and accessibility of information and facilitate globalization; greater regulation; increased complexity of government, economy, and lifestyle; and retirement of lawyers. All of these factors currently exist in LMU’s service region.
- Tennessee is 38th out of 50 states and the District of Columbia in terms of lawyer to population ratio, and Tennessee’s ratio of 425 persons per attorney is well below the national ratio. Tennessee’s ratio has consistently trailed that of the other states.
- While the number of seats at ABA approved law schools has remained relatively constant since 1980, the demand and competition for these slots have increased dramatically.

⁷ See Exhibit 4.

- An increasing state GDP and an assumption that from 2008 to 2020 the number of lawyers leaving the profession or limiting their practice will equal the number of new graduates 38 years earlier, points to a shortage of lawyers in the near future.
- In June 2008, a total of 738 students sat for the Tennessee bar. Of that total, 394 or just over 53% of all takers went to law schools in Tennessee. Nearly half of the students who sat for the Tennessee Bar in 2008 did not attend law school in the state of Tennessee. Based on the number of LSAT takers from Tennessee, it is apparent that a number of the out-of-state bar takers were Tennessee residents who left the state to attend law school.
- A total of 5,269 applicants from Tennessee universities took the LSAT in the last 3 years. This equates to an average of 1,756 unique applicants per year, many more than can currently be accommodated by the current law schools in Tennessee.
- There is no part-time evening program of legal education available in the Knoxville area.

LMU carefully studied the need for a law school in the Knoxville area and concluded that a demand exists, and it could address the need.

Evidence of Legal Authority for the Substantive Change

LMU has legal authority to establish a school of law. LMU is located in the State of Tennessee. As an accredited, not-for-profit institution complying with the financial standards of the Southern Association of Colleges and Schools (SACS)-Commission on Colleges (COC). LMU is exempt from oversight by the Division of Postsecondary School Authorization of the Tennessee Higher Education Commission (THEC) under Tennessee Law. *See* TENN. CODE ANN. § 49-7-2004(6) (1998). A letter of documentation from THEC is attached as **Exhibit 5**. A copy of LMU's charter (originally written in 1897) is attached as **Exhibit 6**.

Since 1936, LMU has been accredited by the SACS-COC. LMU notified the COC that it was studying the feasibility of offering a Doctor of Jurisprudence (J.D.) degree program in a letter dated April 2, 2008. Dr. Belle Wheelan, COC President, acknowledged LMU's intent to establish a law school and initiate a J.D. degree program in Knoxville, Tennessee, and advised LMU on procedures to follow in a letter dated May 21, 2008. LMU officials have been in regular contact with COC staff to ensure that all necessary procedures are followed and accreditation requirements are satisfied. Copies of LMU's letters to the COC and COC response letters are attached hereto as **Exhibit 7**.

LMU's degree-granting authority is derived from its charter and vests the power to start new degree programs with the Board of Trustees.⁸ The LMU Board of Trustees approved initiation of the DSOL at their May 2008 meeting.⁹

Rule 7 of the Rules of the Tennessee Supreme Court¹⁰ places authority with the Tennessee Board of Law Examiners (TBLE) for approval of law schools in the state that are not accredited by the American Bar Association (ABA).¹¹ Furthermore, TBLE has authority to permit graduates from approved law schools to take the Tennessee Bar Examination.¹² LMU has gained approval from the TBLE for DSOL, as demonstrated in its letter of approval dated February 24, 2009.¹³ DSOL has taken informal preliminary steps toward seeking accreditation by the ABA. LMU plans to pursue ABA accreditation in accordance with the appropriate timelines, standards, and rules of the ABA.

Institutional Strengths

The institutional strengths that facilitate implementing the proposed change include:

- The congruency between the missions of LMU and DSOL;
- Strong support from the entire LMU community, including the Board of Trustees, the Administration, and the faculty;
- Strong existing administrative, educational, and student-support programs and services;
- LMU's support of and respect for programmatic and institutional accreditation processes;
- A strong commitment to continuous assessment and improvement processes;
- An active and enduring strategic planning process which incorporates representation from all LMU constituents;
- A clearly defined and well-established process for systematic program development and assessment;

⁸ See **Exhibit 8** for evidence of discussion among the board members.

⁹ See **Exhibit 9**.

¹⁰ See Rules of the Supreme Court of the State of Tennessee, Rule 7, Article 2, Section 2.03 ("The Board may approve any law school in Tennessee not accredited by the American Bar Association for the purpose of allowing its graduates to be eligible to take the Tennessee bar examination when the standards in this section are met and the Board finds the school is effectively achieving its mission and objectives."). See **Exhibit 3**.

¹¹ *Id.*

¹² *Id.*

¹³ See **Exhibit 10**.

- A strong financial position, along with well-developed strategic budgeting and financial forecasting processes that ensure adequate financing for implementing DSOL while maintaining the quality of existing programs;
- Selection of a Dean who is a seasoned practitioner;
- Access to consultants who have led other schools through the accreditation process; and
- Professional development of the faculty and staff and encouragement to participate in professional conferences and program/institutional accreditation workshops/activities through which its personnel have gained knowledge of current higher education and discipline trends and standards.

LMU complied with its procedures for creation of a law program. Furthermore, LMU's institutional strengths are uniquely suited to commence a law program.

Part II. Impact of the expansion on selected requirements in the <i>Principles of Accreditation</i>

A. Section 1: The Principle of Integrity

- 1.1 The institution operates with integrity in all matters. (Integrity)**
Describe the impact of the proposed expansion on institutional integrity.

Narrative Response

Lincoln Memorial University (LMU) complies with Core Requirement 1.1. LMU has initiated the Doctor of Jurisprudence (J.D.) degree program in accordance with the procedures outlined in the *Substantive Change Policy for Institutions Accredited by the Commission on Colleges*. LMU recognizes that integrity is essential for its relationship with the Commission on Colleges (COC) and fully intends to conduct all interactions with the COC (and other institutions, agencies, or constituents) with honesty and openness. LMU certifies the process of institutional self assessment undertaken for this substantive change has been comprehensive and conducted in an ethical and principled manner. Furthermore, LMU certifies that all information contained in this Document is truthful, candid, accurate, and complete to the best of its knowledge. During the development of the original *Feasibility Study*¹⁴ for the J.D. program, special attention was given to the potential impact of the new program on existing LMU programs and LMU’s ability to maintain the quality of all its educational and support programs while continuing to comply with all accreditation requirements. LMU operates responsibly within the academic, business, and legal communities, and initiation of the Duncan School of Law (DSOL) represents a mission-driven effort to improve the quality of its educational program and the quality of life in its service area.

¹⁴ See **Exhibit 4**.

LMU recognizes its obligation to document compliance with the *Principles of Accreditation*; to comply with all COC requests, directives, decisions, and policies; and to continue to completely, accurately, and honestly disclose its operations to the COC, as expressed in the COC's Policy: *Integrity and Accuracy in Institutional Representation*. Further, LMU commits to fulfilling the following COC expectations (expressed in the previously cited COC Policy) and any other expectations communicated by the COC or its representatives:

1. LMU will continue to ensure that all documents submitted to the COC are candid and provide pertinent and requested information, whether complimentary or otherwise. With due regard for the rights of individual privacy, LMU will provide the COC with access to all parts of its operations and complete and accurate information about LMU's affairs, including the reports of other accrediting, licensing, and auditing agencies. LMU intends to transmit all material related to its J.D. Program accreditation process with the American Bar Association and the Tennessee Board of Law Examiners to the COC.
2. LMU will continue to respond in a timely manner to requests by the COC for submission of any dues, fees, reports, or other information.
3. LMU will continue to ensure that information submitted to the COC (including annual institutional profiles, institutional responses to visiting committee reports, and monitoring reports) is complete, accurate, and current. Copies of annual institutional profiles since the last reaffirmation of accreditation will be available for review by the Substantive Change Committee.
4. LMU will continue to cooperate with the COC in preparation for on-site visits, receive visiting committees in a spirit of collegiality, and comply with the COC's requests for reports and self-analyses. LMU is committed to the peer-evaluation process.
5. LMU will continue to report all substantive changes in accordance with the *Substantive Change for Accredited Institutions of the COC Policy*. During the development of the J.D. program, LMU kept the COC fully informed of its progress and diligently followed all directives and processes prescribed by the COC and its representatives. LMU has reported all substantive changes occurring since its last reaffirmation of accreditation with the COC and received approval prior to initiating any substantive changes. Documentation of COC approval for substantive changes since the last reaffirmation of accreditation will be available for review by the on-site visiting team.
6. LMU will continue to report accurately to the public its status and relationship with the COC. Following the December 2006 COC action approving LMU as a Level V degree granting institution, LMU worked with COC staff to revise its accreditation statement and has since incorporated that statement in all its publications and on its webpage. LMU is careful to accurately present/publish its accreditation status with all applicable program accreditation associations/commissions/councils to the public in an effort to fully disclose the

standing of its programs with these agencies, in addition to its accreditation status with the COC.

7. LMU will continue to provide counsel and advice to the COC and agrees to have its faculty and administrators serve, within reason, on visiting teams and on COC committees.
8. LMU will continue to provide the COC or its representatives with any information requested and maintain an open and cooperative attitude during evaluations, enabling evaluators to perform their duties with maximum efficiency and effectiveness.

LMU has kept the COC fully informed of all its activities related to accreditation matters, including initiation of the DSOL and other substantive changes, and fully intends to continue complying with all COC requirements, standards, policies, and procedures. While LMU recognizes that not all situations requiring integrity and ethical conduct can be anticipated, it pledges to conduct itself in an honorable and ethical manner in all its dealings with COC and to respect the authority of COC in accreditation matters. LMU's commitment to institutional integrity has been maintained and strengthened through the expansion of its educational program to include the J.D. degree program.

B. Section 2: Core Requirements

For each of the Core Requirements listed below, describe the impact of the program expansion on that aspect of the institution.

- 2.4 The institution has a clearly defined, comprehensive, and published mission statement that is specific to the institution and appropriate for higher education. The mission addresses teaching and learning and, where applicable, research and public service. **(Institutional Mission)**

Narrative Response:

Lincoln Memorial University's (LMU) Mission Statement complies with Core Requirement 2.4. Furthermore, the Duncan School of Law's (DSOL) Mission Statement complies with Core Requirement 2.4. The LMU Mission Statement is published on its website,¹⁵ and in every student catalog published for each department at LMU, and provides:

Lincoln Memorial University is a values-based learning community dedicated to providing educational experiences in the liberal arts and professional studies. The University strives to give students a foundation for a more productive life by upholding the principles of Abraham Lincoln's life: a dedication to individual liberty, responsibility, and improvement; a respect for citizenship; recognition of the intrinsic value of high moral and ethical standards; and a belief in a personal God.

The University is committed to teaching, research, and service. The University's curriculum and commitment to quality instruction at every level are based on the beliefs that graduates must be able to communicate clearly and effectively in an era of rapidly and continuously expanding communication technology, must have an appreciable depth of learning in a field of knowledge, must appreciate and understand the various ways by which we come to know ourselves and the world around us, and must be able to exercise informed judgments.

The University believes that one of the major cornerstones of meaningful existence is service to humanity. By making educational and research opportunities available to students where they live and through various recreational and cultural events open to the community, Lincoln Memorial University seeks to advance life in the Cumberland Gap area and throughout the region through its teaching, research, and service mission.

The DSOL Mission Statement is published on the DSOL website,¹⁶ and in its Student Handbook and Catalog,¹⁷ and provides:

The Lincoln Memorial University Duncan School of Law builds upon a foundation that upholds the principles of Abraham Lincoln's life: a dedication to individual liberty, responsibility, and improvement; a respect for citizenship; recognition of the intrinsic value of high moral and ethical

¹⁵ Lincoln Memorial University Mission and Purpose, at <http://www.lmunet.edu/about/mission.shtml> (last visited January 17, 2010).

¹⁶ Duncan School of Law Mission Statement, at <http://www.lmunet.edu/law/mission.shtml> (last visited January 17, 2010).

¹⁷ A copy of the Student Catalog is attached hereto as **Exhibit 11**.

standards; and a belief in a personal God. Through teaching, research and service, the LMU School of Law will prepare graduates:

- who are committed to the premise that the cornerstone of meaningful existence is service to humanity;
- who understand their professional responsibilities as representatives of clients, officers of the courts, and public citizens responsible for the quality and availability of justice under the law; and
- who have an understanding of the fundamental principles of public and private law, an understanding of the nature, basis and role of the law and its institutions, and the skills of legal analysis and writing, issue recognition, reasoning, problem solving, organization, and oral and written communication necessary to participate effectively in the legal profession.

The Lincoln Memorial University Duncan School of Law will:

- graduate Doctors of Jurisprudence;
- provide a values-based learning community as the context for teaching, research, and service, that supports student achievement;
- provide an educational program that prepares graduates for admission to the bar, and for effective and responsible participation in the legal profession; and
- enhance access to quality legal counsel for the underserved rural communities of Appalachia.

In addition to the above, LMU has a series of Institutional Goals¹⁸ which reflect the long-term priorities of LMU. Two of the Institutional Goals specifically address the establishment of educational programs, including professional-degree programs such as law, both on the main campus and at extended teaching sites. The following Institutional Goals specifically reference the development of new academic programs:

LMU Institutional Goal 10: Develop and implement academic programs in response to anticipated or demonstrated educational need, and to continuously evaluate and improve the effectiveness of current programs.

LMU Institutional Goal 12: Provide high quality educational opportunities through selected undergraduate and graduate degree programs for students who live or work a significant distance from the Lincoln Memorial University main campus, and for whom other options are not as accessible or satisfactory.

DSOL's Mission Statement is clearly consistent with LMU's Mission and goals. The initiation and operation of a high-quality law school will advance the Mission of LMU and is congruent with the long-term institutional goals identified as important to the fulfillment of that Mission.

¹⁸ See **Exhibit 12**.

- 2.5** The institution engages in ongoing, integrated, and institution-wide research-based planning and evaluation processes that (1) incorporate a systematic review of institutional mission, goals, and outcomes; (2) result in continuing improvement in institutional quality; and (3) demonstrate the institution is effectively accomplishing its mission. **(Institutional Effectiveness)**

Include a description of how the institution incorporates the new programs into the overall institutional effectiveness program.

Narrative Response:

Lincoln Memorial University (LMU) complies with Core Requirement 2.5. LMU engages in ongoing, integrated, and institution-wide, research-based planning and evaluation processes. LMU's planning, assessment, budgeting, and improvement activities support its Mission which incorporates teaching and learning, research, and service. Planning, assessment, and the use of results for improvement at all levels of LMU are demonstrated annually through institutional strategic goal progress reports and the systematic outcomes assessments of programs/departments. The institution-wide strategic planning process establishes/reaffirms the broad institutional strategic goals derived from the Mission and focuses LMU on strategic initiatives and activities in support of the Mission. The Duncan School of Law (DSOL) is a strategic initiative included in institutional planning.

LMU's strategic goals combine with long-standing institutional goals to inform and guide LMU's budgeting process and improvement activities. The strategic goals and objectives are clearly linked to performance indicators and/or expected outcome measures for LMU. The Mission is reviewed annually as a part of the strategic planning process. Additionally, each program reviews its mission on an annual basis to ensure support of the LMU Mission. Initiation of new academic programs in response to the educational needs of the service area are addressed through LMU's Mission, institutional goals, and strategic goals.

Each July, representatives from the trustees, administration, faculty, staff, and student body participate in a strategic planning retreat to review progress, confirm plans for the coming

year, and extend the strategic plan to encompass anticipated activities/projections for the next five years. During the annual Strategic Planning Retreat, institutional representatives revise plans for the next year in light of the progress expected during that year and extend LMU's Strategic Plan to encompass the next five years. Extensive evidence that LMU's institution-wide research-based planning and evaluation processes are ongoing and effective in producing improvement across all sectors of LMU can be found by examining the last ten institutional strategic plans which chronicle LMU's progress in achieving its Mission.¹⁹ Initiating DSOL was discussed at the 2007 Strategic Planning Retreat, and progress on that initiative was reviewed at the 2008 and 2009 Strategic Planning Retreats.

As indicated in institutional strategic planning documents and progress reports, major improvement initiatives, including the initiation of several new academic programs and teaching sites, have been a central focus during recent years. LMU's latest published strategic plan clearly emphasizes the initiation and operation of new academic programs, teaching sites, and facilities improvements supported by all divisions of LMU. This coordinated planning approach is necessary to position LMU to successfully implement and support new initiatives aimed at achieving its Mission. Each of the seven strategic goals in LMU's most recent strategic plan includes activities specifically designed to support the attainment of the respective goal.²⁰

While planning, assessment, and improvement occur on a continuous basis, annual outcomes must be reported each May for academic programs and each June for administrative departments. All new programs and services at LMU follow the Planning, Budgeting, and Assessment Schedule²¹ for planning, assessment, and documentation for improvement. Some programs update their outcomes assessment reports early in the fall semester to include

¹⁹ Lincoln Memorial University, at <http://www.lmunet.edu> (click on Academics; click on Institutional Research; click on Documents) (last visited January 21, 2010).

²⁰ See **Exhibit 13**.

²¹ See **Exhibit 14**.

standardized test results that are not available in May. DSOL is integrated into this process, and its academic programs and administrative programs will report pursuant to this process each May and June, respectively.

Each year, programs report their use of the previous year's assessment results in improvement efforts and the effectiveness of those efforts using a Use of Prior Year Assessments Results for Improvement Form,²² along with their current assessment results and plans for continued improvement using an Outcomes Assessment Summary Report Form.²³ Assessment results are used in building program budget proposals concurrent with reviewing/revising program plans—specifically, goals and objectives. Program assessment results are discussed in faculty/staff meetings and by the Institutional Effectiveness Committee. Suggestions for program improvements are generated from this review and dialogue, focusing on student learning and program effectiveness. The President's Cabinet serves as the Budget Committee and aligns all department and division budget projections with institutional priorities reflected in the strategic plan, giving consideration to budget justifications that reference program goals and outcomes assessments. DSOL has representation on important LMU committees involved in institutional planning, including the Academic Council and the Institutional Effectiveness Committee. The Dean works closely with LMU's Office of Institutional Research and Accreditation to ensure the assessment and planning efforts of DSOL are fully integrated into the ongoing planning and assessment processes of LMU. Additionally, Jonathan A. Marcantel,²⁴ the Assistant Dean for Assessment,²⁵ is responsible for the documentation, review, and revision of planning and assessment activities for DSOL.

²² See **Exhibit 15**.

²³ See **Exhibit 16**.

²⁴ For a CV, see **Exhibit 17**.

²⁵ For a complete position profile, see **Exhibit 18**.

LMU has comprehensive planning and assessment processes that are effective in improving the operation and outcomes of its educational and administrative programs, as demonstrated by comments provided by three recent Southern Association of Colleges and Schools-Commission on Colleges (SACS-COC) review committees. Initially, during the most recent visit from the SACS-COC Reaffirmation Committee from February 17-19, 2009, the review committee report stated,

Each year LMU conducts an evaluation of its strategic plan and revises the plan to address emerging challenges. Representatives from across the University's academic and administrative areas are directly involved in the process. LMU has a series of institutional goals which reflect the long term priorities of the institution and strategic goals which encompass more immediate challenges. The use of planning and evaluation to shape improvements is documented through the annual status report on the strategic plan, which has been compiled for at least the last five years. Specific improvements are also documented through the Use of Prior Year Assessment Results for Improvement Form submitted by programs and departments as part of their annual assessment report.²⁶

The Substantive Change Committee that visited LMU on March 17-19, 2008, as part of LMU's move to Level V degree granting recognition with the COC, wrote:

The institutional documents describe a comprehensive assessment program designed to align program goals with the institution's mission. There is a very strong emphasis on, and expectation for, effective strategic planning across the University. Multi-year strategic plans have been developed and are reviewed and updated each year at an annual strategic planning retreat.²⁷

Furthermore, the Substantive Change Committee noted, "There is a pattern of ongoing and extensive assessment of other programs at LMU."²⁸ The preliminary findings of the Off-Site SACS-COC Review Committee that examined LMU's Compliance Certification for reaffirmation of accreditation with the COC on November 3-6, 2008, stated, "The Off-Site Committee found that the planning assessment process is excellent and is used throughout the institution. The process drives decision making. The Compliance Certification Report was exemplary."²⁹

²⁶ See Exhibit 19.

²⁷ See Exhibit 20.

²⁸ See Exhibit 21.

²⁹ See Exhibit 22.

LMU has integrated the planning and assessment practices of DSOL into LMU's ongoing systematic institutional planning and assessment processes. DSOL conducts its Program's annual strategic planning meeting in the first week of February every year. This academic year's meeting is scheduled for February 6, 2010. Specific information regarding DSOL's systematic planning and assessment processes can be found in Comprehensive Standard Sections 3.3.1 and its subsections.

- 2.7.1** The institution offers one or more degree programs based on at least 60 semester credit hours or the equivalent at the associate level; at least 120 semester credit hours or the equivalent at the baccalaureate level; or at least 30 semester credit hours or the equivalent at the post-baccalaureate, graduate, or professional level. If an institution uses a unit other than semester credit hours, it provides an explanation for the equivalency. The institution also provides a justification for all degrees that include fewer than the required number of semester credit hours or its equivalent unit. **(Program Length)**

Narrative Response:

Lincoln Memorial University (LMU) complies with Core Requirement 2.7.1. LMU operates on a standard semester system, and academic credit is awarded using the standard credit hour system. LMU currently offers degree programs based on at least: sixty-seven semester credit hours at the associate level; 128 semester credit hours at the baccalaureate level; thirty-three graduate semester credit hours at the masters level; thirty graduate semester credit hours at the specialist level; seventy-two semester credit hours for its Ed.D Program, which includes an embedded Ed.S; 247.00 semester credit hours for the D.O. Program; and eighty-eight semester credit hours for the Doctor of Jurisprudence (J.D.) program. As of January 4, 2010, LMU offers a total of forty-six degree programs: three associate, twenty-eight baccalaureate (major and/or concentrations), nine masters programs, three educational specialist programs, and three doctoral/professional degree-level programs. LMU also offers a collection of courses leading to initial teacher certification for graduates of baccalaureate degree programs within its M.Ed. program in Curriculum and Instruction. The total number of semester hours required to earn a particular undergraduate degree is specified in the LMU Undergraduate Catalog (some programs exceed the 128 minimum).³⁰ The total number of semester hours required in each graduate/professional degree is specified in the appropriate graduate/professional program catalog.

³⁰ See Exhibit 23.

The following is a listing of undergraduate degree programs currently offered by LMU and the minimum number of semester hours each program requires for degree completion:

Associate Degrees

Associate of Applied Science (A.A.S.) - Veterinary Technology	75 hrs. min.
Associate of Science in Veterinary Animal Science (A.S.)	68 hrs. min.
Associate of Science in Nursing (A.S.N.)	67 hrs. min.

Baccalaureate Degrees

Bachelor of Arts (B.A.)/Bachelor of Science (B.S.)

Majors:

Art (B.A.)	128 hrs. min.
Athletic Training (B.S.)	128 hrs. min.
Biology (B.S.)	128 hrs. min.
Broadcast Communications (B.A.)	128 hrs. min.
Business (B.A.)	128 hrs. min.
Chemistry (B.S.)	132 hrs. min.
Criminal Justice (B.A.)	128 hrs. min.
English (B.A.)	128 hrs. min.
Environmental Science (B.S.)	133 hrs. min.
History (B.A.)	130 hrs. min.
Humanities (B.A.)	128 hrs. min.
Interdisciplinary Studies in Human Learning & Development (B.S.)	128 hrs. min.
Kinesiology (B.S.)	128 hrs. min.
Management and Leadership Studies (B.S.)	128 hrs. min.
Mathematics (B.S.)	128 hrs. min.
Medical Technology (B.S.)	129 hrs. min.
Music (B.A.)	128 hrs. min.
Philosophy and Religion (B.A.)	128 hrs. min.
Psychology (B.S.)	128 hrs. min.
Social Work (B.S.)	128 hrs. min.
Veterinary Technology (B.S.)	138 hrs. min.
Wildlife and Fisheries Management (B.S.)	128 hrs. min.

Bachelor of Business Administration (B.B.A.)

Major in Business Administration, with the following concentration areas available:

Accounting	128 hrs. min.
Finance	128 hrs. min.
General Business	128 hrs. min.
Management	128 hrs. min.
Marketing	128 hrs. min.

Bachelor of Science in Nursing (B.S.N.)	128 hrs. min.
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All candidates for associate and baccalaureate degrees must fulfill a collection of specific requirements as indicated throughout the LMU Undergraduate Catalog.³¹ The LMU Undergraduate Catalog demonstrates that each program embodies a coherent course of study compatible with LMU’s Mission. Program content is based on best practices in higher education, and where appropriate, reflects standards endorsed by professional disciplinary associations and organizations.

The following is a listing of graduate degree programs currently offered by LMU and the minimum number of semester hours each graduate program requires for degree completion:

Master’s Degrees

Counseling and Guidance- School Counseling (M.Ed.)	33 hrs. Non-Licensure 57 hrs. Licensure
Counseling and Guidance- Community Agency Counseling (M.Ed.)	33 hrs.
Curriculum and Instruction (M.Ed.)	33 hrs.
Curriculum and Instruction- English Concentration (M.Ed.)	33 hrs.
Educational Administration and Supervision (M.Ed.)	33 hrs.
Master of Business Administration (M.B.A.)	36 hrs.
Master of Medical Science in Physician Assistance Studies (M.M.S.)	115 hrs.
Master of Science in Nursing- Family Nurse Practitioner (M.S.N.)	43 hrs.
Master of Science in Nursing- Nurse Anesthetist (M.S.N.)	88 hrs.

Educational Specialist Degrees

Counseling and Guidance (Ed.S.)	30 hrs.
Curriculum and Instruction (Ed.S.)	30 hrs.
Educational Administration and Supervision (Ed.S.)	30 hrs.

Doctoral/Professional Degrees

Doctor of Osteopathic Medicine (D.O.)	247 hrs.
Doctor of Jurisprudence (J.D.)	88 hrs.
Doctor in Executive Leadership (Ed.D.)	72 hrs.

The program descriptions in the appropriate graduate/professional catalogs³² demonstrate each graduate/professional program embodies a coherent course of study compatible with

³¹ See **Exhibit 23.**

³² See **Exhibit 24.**

LMU’s Mission. All masters, specialist, and doctoral level programs are designed around best practices/standards in their respective disciplines and/or program accreditation/approval standards/requirements.

The Duncan School of Law (DSOL) complies with the requirements of Core Requirement 2.7.1. DSOL operates on a standard semester system and requires successful completion of eighty-eight semester hours for conferment of the J.D. degree.³³ Each semester credit hour includes at least 700 instructional minutes—the amount recommended by American Bar Association (ABA) Standards.³⁴ The program will include skills requirements and writing requirements. Students enrolled in the full-time J.D. program will typically graduate in three years; students enrolled in the part-time J.D. program will typically graduate in four years. Regardless of the program in which a student is enrolled, all requirements must be completed within eighty-four months of the beginning of a student’s initial enrollment in DSOL and may not be completed earlier than twenty-four months after a student’s initial enrollment. This timetable is consistent with the ABA Standards and Rules of Procedure for Approval of Law Schools, Rule 304(c).³⁵

³³ This complies with ABA Standards and Rules of Procedure for Approval of Law Schools, Rule 304(b), which provides: “A law school shall require, as a condition of graduation, successful completion of a course of study in residence of not fewer than 58,000 minutes of instruction time . . .” See **Exhibit 25**.

³⁴ ABA Standards and Rules of Procedure for Approval of Law Schools, Interpretation 304-4 (“Law schools on a conventional semester system typically require 700 minutes of instruction per ‘credit,’ exclusive of time for an examination.”). See **Exhibit 25**.

³⁵ Rule 304(c) provides, “A law school shall require that the course of study for the J.D. degree be completed no earlier than 24 months and no later than 84 months after a student has commenced law study at the law school or a law school from which the school has accepted transfer credit.” See **Exhibit 25**.

2.7.2 The institution offers degree programs that embody a coherent course of study that is compatible with its stated mission and is based upon fields of study appropriate to higher education. **(Program Content)**

Lincoln Memorial University (LMU) complies with Core Requirement 2.7.2. All programs of study are compatible with the Mission of LMU. The degree programs offered at LMU are comparable to similar degree programs offered at peer institutions and many other institutions of higher education in the United States. Each academic program has a program mission aligned with LMU's Mission, and each program has goals that are aligned with LMU's strategic goals and long-standing Institutional Goals.

All undergraduate degree programs at LMU have a foundation in liberal arts and discipline-specific curricula that embody a coherent course of study compatible with LMU's Mission. Curricular requirements for all undergraduate degree programs—which clearly demonstrate that each degree program embodies a coherent course of study—are described in the LMU Undergraduate Catalog 2009-2010.³⁶ Graduate degree programs are designed around best practices, discipline specific accreditation, and/or approval requirements. The curricular requirements for all graduate degree programs clearly demonstrate that each embodies a coherent course of study.³⁷

The curriculum approval process for new degree programs requires that proposed programs demonstrate to the satisfaction of departmental and school/college faculty that the curriculum is compatible with LMU's Mission and is appropriate to higher education. The Academic Council reviews and endorses new program proposals and presents its recommendations to the full LMU Faculty. LMU's academic programs embody curricula that are designed to satisfy State, national, and/or professional approval/accreditation standards in

³⁶ See Exhibit 23.

³⁷ See Exhibit 24.

their respective disciplines. All academic programs are approved by the LMU Board of Trustees.

The Duncan School of Law (DSOL) Curriculum Committee (the Committee) is responsible for creating the conceptual framework, reviewing the progress, and evaluating program curricula for the Doctor of Jurisprudence (J.D.) Program. The members of the Committee are appropriately credentialed and have relevant professional experiences to make decisions concerning the Program curriculum.³⁸ DSOL is committed to its Mission of preparing outstanding lawyers committed to service and excellence.

DSOL will ensure that each student receives substantial instruction in those areas of law generally regarded as necessary for effective and responsible participation in the legal profession. Assessment of student learning in these areas is designed to measure the extent to which students have achieved the specific outcomes and student learning objectives of the Program's curriculum. The core curriculum was designed to reflect foundational substantive courses incorporating the legal knowledge that each student needs and upon which he or she can build relevant skill sets after graduation. Additionally, the curriculum takes into account those areas of the law which are assessed on the Multistate Bar Examination and the substantive portion of the Tennessee Bar Examination, as it is anticipated the majority of graduates will practice law in the State of Tennessee.

DSOL will ensure that each student receives substantial instruction in legal analysis and reasoning, legal research, problem solving, and oral communication. To complete the requirements for the J.D. degree at DSOL, each student must successfully complete Lawyering Skills I, II, III & IV. These four classes include detailed instruction in legal analysis and reasoning, legal research, problem solving, writing, and oral communication.

³⁸ Members of the DSOL Curriculum Committee include: Dean Sydney A. Beckman (Chair), Dean Gordon Russell, and Professor Bruce Beverly.

The Tennessee Board of Law Examiners has approved DSOL, signifying the curriculum is appropriate and meets state standards for a law school. Additionally, the DSOL curriculum is consistent with the curriculums of law schools accredited by the American Bar Association, embodies a coherent course of study that is compatible with the DSOL Mission, and is based upon standard practices for legal education.

2.7.3 In each undergraduate degree program, the institution requires the successful completion of a general education component at the collegiate level that (1) is a substantial component of each undergraduate degree, (2) ensures breadth of knowledge, and (3) is based on a coherent rationale. For degree completion in associate programs, the component constitutes a minimum of 15 semester hours or the equivalent; for baccalaureate programs, a minimum of 30 semester hours or the equivalent. These credit hours are to be drawn from and include at least one course from each of the following areas: humanities/fine arts, social/behavioral sciences, and natural science/mathematics. The courses do not narrowly focus on those skills, techniques, and procedures specific to a particular occupation or profession. If an institution uses a unit other than semester credit hours, it provides an explanation for the equivalency. The institution also provides a justification if it allows for fewer than the required number of semester credit hours or its equivalent unit of general education courses. **(General Education)**

Address 2.7.3 ONLY for a change of degree from Level I to Level II.

Narrative Response:

Lincoln Memorial University (LMU) is not moving from a Level I to a Level II. Accordingly, this section is inapplicable.

- 2.8** The number of full-time faculty members is adequate to support the mission of the institution and to ensure the quality and integrity of its academic programs.
(Faculty)

Include a discussion of the impact of the new initiative on faculty workload. Identify new faculty hired to support this initiative. For expansion of electronic delivery, include a description of processes in place to ensure that students have structured access to faculty. For graduate programs, include documentation of the scholarship and research capability of faculty. For doctoral programs, include documentation of faculty experience in directing dissertation research.

Narrative Response:

Lincoln Memorial University (LMU) complies with Core Requirement 2.8. LMU has an adequate faculty at all levels (undergraduate, graduate, doctoral, and professional) to support its mission of instruction and ensure the quality and integrity of its academic programs. LMU currently has 184 full-time faculty members and 74 adjunct faculty members who teach in LMU's degree programs. At this time, Duncan School of Law (DSOL) faculty members do not teach in other programs at LMU and other program faculty does not teach at DSOL. Thus, there is no impact on the workload of faculty in other programs. The chart attached hereto as **Exhibit 26** gives a brief overview of the number of faculty in each school/college of LMU and the number of students enrolled in the programs offered by the respective schools/college for fall 2009.³⁹

LMU carefully monitors the assignment of faculty and faculty workloads to promote effective teaching and student success. Faculty workload for teaching undergraduate courses is approximately twelve credit hours.

³⁹ See **Exhibit 26**. The attached chart reflects full-time and adjunct professors employed at the beginning of the fall 2009 semester. The chart does not include individuals hired during the fall 2009 semester. Furthermore, the chart does not account for the reduced teaching load of School/College Deans, Department Heads, Program Directors, and faculty with increased research or program administration responsibilities. However, the chart does clearly demonstrate that LMU has an adequate number of faculty members. Finally, the ratio for program faculty who teach majors in the Arts and Sciences does not take into account these faculty members' service in teaching many of the general education courses included in the Lincoln Liberal Arts Core.

The following peer institution data for 2008-2009 is evidence of comparable faculty/student ratios with respect to peer institutions. LMU is consistent with the identified institutions:

Peer Institution Enrollment and Student/Teacher Ratio
(2008-09 Data from US Department of Education NCES/IES College Navigator)

Institution	Total Enroll.	(Undergraduate)	Student/Teacher Ratio
Bellarmino University	3,040	(2,344 undergraduate)	12 to 1
Belmont University	4,991	(4,174 undergraduate)	12 to 1
Pikeville College	1,077	(771 undergraduate)	12 to 1
Union University	3,655	(2,574 undergraduate)	12 to 1
Lincoln Memorial Univ.	3,365	(1429 undergraduate)	13 to 1
Spalding University	1,712	(1,063 undergraduate)	14 to 1
Wingate University	2,128	(1,445 undergraduate)	14 to 1
Gardner-Webb University	4,070	(2,704 undergraduate)	15 to 1
University of Charleston	1,435	(1,122 undergraduate)	15 to 1
Lee University	4,147	(3847 undergraduate)	16 to 1
Trevecca Nazarene Univ.	2,366	(1,271 undergraduate)	18 to 1
Tusculum College	2,241	(2,070 undergraduate)	19 to 1
Campbell University	6,075	(4,338 undergraduate)	22 to 1

Where discipline accreditation standards for faculty/student ratios exist for academic programs offered by LMU, LMU has clearly demonstrated that it complies with those standards. Most LMU students are enrolled in academic programs with discipline-specific accreditation and/or approval associations/agencies that evaluate faculty adequacy based on discipline standards.

LMU's efforts to maintain adequate faculty/student ratios are in keeping with LMU's Mission to support "a values-based learning community dedicated to providing educational experiences in the liberal arts and professional studies."⁴⁰ In addition, efforts to maintain optimal class sizes and faculty workloads align with LMU's goals to "stabilize undergraduate enrollment by strengthening recruitment efforts and increasing student retention through the creation of an

⁴⁰ See Exhibit 27.

academic and social environment that facilitates success and rewards achievement”⁴¹ and to “[e]nsure the adequacy and efficient use of physical and human resources on campus and at extended sites.”⁴²

Faculty workload and staffing adequacy are examined each semester and are a point of focus during the budget planning, preparation, and approval process. This is done at the department, school, and academic divisional levels through the review and approval of faculty workloads for each semester. In addition, the academic deans, department chairs, and Vice-President of Academic Affairs and Provost review the semester student enrollment by program and department prior to beginning the new personnel request process for the upcoming year’s budget and the Five-Year Budget Pro Forma. This process includes alignment with LMU’s Mission and strategic goals.

THE DUNCAN SCHOOL OF LAW PROGRAM

The Duncan School of Law (DSOL) currently has six full-time faculty members—which includes a Dean, two Associate Deans, and an Assistant Dean—and a total of seventy-five part-time students. Furthermore, DSOL employs two law librarians who have teaching duties. Additionally, DSOL employed two adjuncts for the fall 2009 semester. DSOL has hired four more adjuncts for the spring 2010 semester.⁴³ Finally, DSOL is currently recruiting five full-time faculty members to begin before the fall 2010 term, five full-time faculty members to begin before the fall 2011 term, and five full-time faculty members to begin before the fall 2012 term. These numbers comply with American Bar Association (ABA) requirements⁴⁴ and are consistent

⁴¹ See Exhibit 12.

⁴² See Exhibit 13.

⁴³ Copies of their CVs are attached hereto as **Exhibit 28**.

⁴⁴ See American Bar Association Standards and Rules of Procedure for Approval of Law Schools, Interpretation 402-2 (“Student/faculty ratios are considered in determining a law school’s compliance with the Standards. (1) A ratio of 20:1 or less presumptively indicates that a law school complies with the Standards. However, the educational effects shall be examined to determine whether the size and duties of the full-time faculty meet the Standards.”). See **Exhibit 30**.

with other law schools of similar size. DSOL intends to maintain a student/faculty ratio below 20:1 in the projected future.

Full-time faculty members are required to possess a Doctor of Jurisprudence (J.D.) from an institution accredited by the ABA. Each faculty member possesses a high degree of competence and demonstrated scholarship and research capability, as demonstrated by his or her education, experience in teaching or practice, teaching effectiveness, and scholarly research and writing. Efforts have been made to ensure the faculty has a good balance of academic and practical experience. *See Exhibit 29* for curriculum vitae of all DSOL full-time faculty members.

Students have access to faculty members in a variety of ways. First, each full-time faculty member has a dedicated office on DSOL's campus and dedicated office hours per week. Additionally, faculty members are available by appointment. Second, each faculty member provides the faculty member's email and office phone number in the faculty member's syllabus.⁴⁵ Third, DSOL has integrated its student study spaces with its faculty suites such that student study spaces are conveniently located near the faculty offices.⁴⁶ Fourth, each student is assigned a faculty member as an advisor. The advisor system is more fully described in Comprehensive Standards 2.10 and 3.4.9. Fifth, students have access to faculty members using Windows Live Messenger.

⁴⁵ *See Exhibit 31.*

⁴⁶ *See Exhibit 32.*

- 2.9** The institution, through ownership or formal arrangements or agreements, provides and supports student and faculty access and user privileges to adequate library collections and services and to other learning/information resources consistent with the degrees offered. Collections, resources, and services are sufficient to support all its educational, research, and public service programs. **(Learning Resources and Services)**

Describe library and information resources – general as well as specific to the program – and staffing and services that are in place to support the new initiative. If reliant upon other libraries, describe those collections and their relevance to the proposed program(s) and include a copy of formal agreements in the appendix. Relative to electronic resources, describe how students and faculty will access information, how training for faculty and students in the use of online resources will be provided, and what staffing and services will be available to students and faculty.

Institutional responses to Comprehensive Standard 2.9 can be found between pages 31 and 40, inclusive. DSOL responses to Comprehensive Standard 2.9 can be found between pages 40 and 53, inclusive.

The Carnegie-Vincent Library (CVL) resources were reviewed in February 2009 during LMU's Reaffirmation Process, and the Committee found:

Via the LMU webpage (<http://library.lmunet.edu/>), the Off-Site Committee reviewed the institution's library's large aggregation of holdings (i.e., 180,000+ monographs, 105,000+ non-monographic items, 58,000+ e-books, etc.) and found that these collections, as well as its 100-plus databases - and their corresponding formal subscription-based full-text e-journal and paper-formatted journal collections in conjunction with many partnerships/consortial relationships (viz., Appalachian College Association, TENN-SHARE, Knoxville Area Health Science Library Consortium, Association of Colleges of Osteopathic Medicine, et al.), provide sufficient access to and support pedagogies associated with the degrees programs which the institution offers. Student and faculty access and collections are also assessed using LibQual+™, a national library survey instrument which provides comparative/research-based analyses.

Report of the Reaffirmation Committee, page 8.⁴⁷

General library collections and services are offered through the CVL located on the main campus of Lincoln Memorial University (LMU). The first floor of the CVL contains: two areas of computers, the reference and periodicals area, the circulation area, a music library, and staff offices. The second floor contains the main collection stacks, University Archives, Special Collections, study areas, and the Lon and Elizabeth Parr Reed Medical and Allied Health Library.

⁴⁷ See **Exhibit 33**.

General Library Staffing Overview

The CVL employs a Library Director, Reference and Instruction Librarian, Technical Services Librarian, Information Literacy Librarian, Medical Librarian, Allied Health Librarian, Extended Sites Librarian, a University Archivist, and an Electronic Resources Librarian. These professional staff members all hold master’s degrees in library and/or information science from American Library Association (ALA) accredited schools and have current job descriptions that outline their responsibilities. The CVL also employs four full-time, paraprofessional-library staff, two part-time librarians, and an adjunct instructor to help deliver library services. The following tables summarize the credentials of CVL personnel. The tables do not include the Duncan School of Law (DSOL) Library Staff.

2009-10 Carnegie-Vincent Library Professional Staff

Name	Most Advanced Degree and Discipline	Other Degrees	Other Qualifications or Experience
Morley, Gabriel (Library Director)	Master of Library Science (2004), University Southern Mississippi (Hattiesburg)	Bachelor of Arts (English) (2002), University Southern Mississippi	Five years in library and information science in public libraries; ten years of experience as a newspaper reporter and editor.
Conner, Tiffani (Extended Sites Librarian)	Master of Science in Information Sciences (2004), University of Tennessee-Knoxville; Master of Science in Educational Psychology—Adult Education (2001), University of Tennessee-Knoxville	Bachelor of Arts (Sociology) (1994), University of Tennessee-Knoxville	Two years as project manager of a \$1.8M federal grant-funded digitization project; two years university library experience; four years library assistant experience; two years high school teaching experience; twenty-four hours completed of a doctoral program, Educational Psychology (2007-2008), University of Tennessee-Knoxville
Ganz, Michele (University Archivist) Note: Divides time between CVL (40%) and Abraham Lincoln Library and Museum (60%)	Masters in Library and Information Studies (2006), University of Arizona	Bachelor of Arts (English) (2003), Ohio State University	Two years in current position; six months experience as Special Collections Intern in the University of Arizona Library Special Collections; one year of experience as student assistant in University Archives at Ohio State University.

Name	Most Advanced Degree and Discipline	Other Degrees	Other Qualifications or Experience
Hounshell, Judith (Part-time Librarian)	Master of Arts (Early Childhood and Elementary Education) (1973), Union College	Bachelor of Science (Elementary Education) (1969), Lincoln Memorial University Endorsement in Library K-12 (University of Virginia at Wise)	Thirty-six years as classroom teacher (K-5) and library media specialist (K-7, 9-12).
Kidder, James (Adjunct Instructor)	Doctor of Philosophy (Anthropology) (1996), University of Tennessee-Knoxville	Master of Science (Information Sciences) (2002), University of Tennessee-Knoxville; Master of Arts (Anthropology) (1988), University of Tennessee-Knoxville; Bachelor of Arts (1984), Maryville College	Currently, Science Reference Librarian, Oak Ridge National Laboratory; previous experience as Communication and Media Specialist and Anthropology instructor.
McDonnell, Janice (Reference and Instruction Librarian)	Master of Science in Library Science (1978), University of Tennessee-Knoxville	B.A. (English) (1973), University of Connecticut	Thirty-two years in library and information science in public, academic, and special libraries; nine years in current position; additional graduate coursework and professional development.
Newcome, Jennifer (Electronic Resources Librarian)	Master of Science in Information Sciences, University of Tennessee-Knoxville.	B.A. Writing/Communication from Maryville College.	Eight months in current position.
Parman, Pam (Part-time Librarian)	M.S. In Library Science (1970), Case Western Reserve University	B.A., B.Sc. (1968), Ohio State University	Adjunct Faculty/Librarian, library media specialist and technology coordinator .
Slavin, Laura (Technical Services Librarian)	Master of Arts (Library & Information Science) (1998), University of South Florida	Bachelor of Arts (English) (1994), Millsaps College	Three years in current position; four years as cataloging librarian at Troy University; additional graduate assistantships and coursework; four years of supervisory experience at Bookworld in Franklin, TN.
Smith, Philip (Information Literacy Librarian)	Master of Library and Information Science (2005), Wayne State University	Bachelor of Arts (English) (1997), Michigan State University	Three years at Carnegie-Vincent Library; eight years as library assistant at Michigan State University.

Name	Most Advanced Degree and Discipline	Other Degrees	Other Qualifications or Experience
Stevens, Bill (Medical and Allied Health Librarian)	Master of Science (Information Sciences), University of Tennessee-Knoxville	B.S. (Psychology) University of Tennessee-Knoxville	Three years experience at the Knoxville Public Library.
Travis, Lisa (Medical Librarian)	Master of Science (Information Sciences) (2000), University of Tennessee-Knoxville	Bachelor of Science in Criminal Justice (1994), Texas Christian University	Two and a half years in current position; five years of experience working with nursing and allied health students; two years of experience as a library specialist; three semesters of experience as a library aide; three years of experience as a bookseller.

Carnegie-Vincent Library Paraprofessional Staff

Brunsmma, Kathy (Technical Services Supervisor)			Twenty-six years experience, Carnegie-Vincent Library; one year prior library experience in public library; coursework, 1991-1996, Lincoln Memorial University.
Davis, Kay (Serials & Audio-Visual Supervisor)			Twenty-four years experience, Carnegie-Vincent Library; secretarial coursework (1964-65), Midway Junior College.
Dodson, Joshua (Technical Services Technician)			Two years in current position; experience with library systems and supervision of library aides; working toward B.A in English, 2006-present, Lincoln Memorial University
Loving, Karen (Circulation Supervisor)	Bachelor of Science (Social Science) (1967), Towson State University		Twenty-six years experience, Carnegie-Vincent Library; 12 years public and private school teaching experience; 4 years part-time teaching concurrent at Lincoln Memorial University; Graduate coursework, Loyola College, Union College, and Lincoln Memorial University

Support is provided to CVL librarians and staff to encourage professional development. During the 2007 and 2008 years, library faculty attended the national conference of the ALA and conferences and/or workshops by the Appalachian College Association, TENN-SHARE, and the

Knoxville Area Health Sciences Library Consortium (KAHSLC). The Medical and Allied Health Librarian attended the Medical Library Association conference in May 2007, May 2008, and May 2009. The Medical and Allied Health Librarian attended the American Association of Colleges of Osteopathic Medicine (AACOM) Annual Meeting in June 2007 and October 2009. Paraprofessional staff and/or library faculty have attended workshops offered by the Tennessee Library Association on software such as Microsoft applications and Blackboard and online training offered by the Association of College and Research Libraries.⁴⁸

General Library Services for Students and Faculty

CVL personnel maintain the library web site,⁴⁹ catalog books and other library resources, offer bibliographic instruction, provide reference assistance to students, provide research assistance to faculty, teach Information Literacy courses, create user guides and reference tools, create online tutorials, and deliver books and other resources in a variety of ways. In addition, librarians serve on and, in some cases chair, LMU committees.

As to student training, librarians taught fifty-eight Bibliographic Instruction (BI) sessions in 2005-06, a 10% increase from 2004-05. This number of sessions remained constant for the 2006-07 year. During the 2007-08 academic year, library personnel taught sixty-one sections. In 2008-09 librarians taught fifty-eight BI sessions.

Additionally, after a pilot class in Information Literacy during spring 2006, CVL staff received administrative and faculty approval for an LMU core curriculum change requiring all incoming freshmen to complete a one-credit-hour course in Information Literacy, beginning fall 2006. During the 2006-2007 academic year, eleven sections of Information Literacy—INFL 100 (including EDUC 210/INFL 100)—were taught each semester (fall and spring). During the fall semester of 2007, the number increased to fifteen sections. Fourteen sections were taught in

⁴⁸ A chart documenting the professional development activities of librarians and staff is included in **Exhibit 34**.

⁴⁹ Carnegie-Vincent Library, at <http://www.library.lmunet.edu> (last visited January 17, 2010).

spring 2008. Four of the twenty-nine sections of INFL 100 were integrated into EDUC 210, and two sections were integrated into MLS 200. In the fall semester of 2008, librarians taught sixteen sections of INFL 100. In spring 2009, librarians taught twelve sections of INFL. The success of the INFL course led to the selection of information literacy as the Quality Enhancement Plan (QEP) topic for LMU. Information literacy instruction is currently being integrated into the English courses for general education at the freshman, sophomore, and junior level and is being integrated into selected courses for each major at the undergraduate level. Furthermore, Information Literacy is scheduled for integration into graduate programs in the subsequent years.

As to faculty training, CVL provides a number of online tutorials.⁵⁰ In addition, the librarians work closely on a one-on-one basis with faculty members to assist in their research needs. Finally, LMU has developed a Summer Institute for Information Literacy which teaches faculty members fundamental concepts of information literacy, provides faculty with instruction on best practices in current informational technology, and works with faculty one-on-one to integrate informational literacy into their courses.

Web Site, Electronic, and Print Resources

CVL provides: students and faculty with access to 104 databases⁵¹ both on-campus and off-campus; tutorials on library resources and search processes; contact information for the library and librarians; access to the Piper Online Catalog; information regarding the delivery of books/journals; and web-based forms to submit requests for resources to be added to the CVL collection or to be borrowed through interlibrary loan.

As of September 2008, the CVL holds 195,963 items, which is an increase from 162,116 in 2006. The Archives and Special Collections area of the library contains an additional 5,273 books, which is an increase, due to the new University Archivist identifying and cataloging

⁵⁰ Carnegie-Vincent Library Tutorials, at <http://library.lmunet.edu/tutorials> (last visited January 17, 2010).

⁵¹ Carnegie-Vincent Library Databases, at <http://www.library.lmunet.edu/databases> (last visited January 17, 2010).

previously un-cataloged books in the collection. The space devoted to University Archives was recently expanded to accommodate the growing collection and provide additional research space. Additionally, there are more than 105,800 non-monograph items which support LMU Programs, including videos, DVDs, audio cassettes, software, microfilm and microfiche, cassettes, filmstrips, and slides.

The CVL Piper online catalog provides access to 99,616 electronic resource records, including 58,413 e-books in NetLibrary and 35,114 records of Evans Early American Imprints. CVL receives approximately \$94,893 worth of electronic resources via the Tennessee Electronic Library, a state and federally funded set of databases. CVL continues to receive access to a Universal Collection of databases through the Appalachian College Association (ACA) valued at \$826,000, which consists of electronic journals and a core collection of electronic monographs. Additionally, CVL receives approximately \$12,500 in Universal benefits from ACA such as Interlibrary Loan (ILL), reference assistance, and professional development and saves additional funds through ACA consortium buying offers on databases. Electronic databases have been replaced, updated, or added in the last two years in the following LMU disciplines: Business, Education, Nursing, Social Work, Osteopathic Medicine, Allied Health, Music, and Psychology. Furthermore, CVL has specifically updated and/or added the following:

- Business Source Elite was updated to Business Source Premier;
- STAT!Ref Medical, UpToDate, Thieme Electronic Book Library, ProQuest Health and Medical Complete, OstMed, and Lexi-Comp ONLINE databases were added along with a subscription to Doody's Core Titles;
- Gale's Science Database is now available through the Tennessee Electronic Library;
- STAT!Ref Nursing was added as was an update of Nursing and Allied Health database CINAHL to Full Text with added journal access;
- Naxos Database and RILM Abstracts of Music Literature were added in support of the Music Program;
- Cabell's Directory of Peer Reviewed Journals for publication for Faculty/Staff/Graduate Student use and JSTOR Business I & II were added;
- Dissertation Abstracts for Faculty/Staff/Graduate student use in research and publication were added;

- SocINDEX with Full-text was added;
- The ScienceDirect Health & Life Sciences College Edition database was added;
- 391 books to NetLibrary were added due to obtaining NetLibrary VII; and
- Several new online encyclopedias in the Gale Virtual Reference Library were added due to the Tennessee Electronic Library and the ACA, and more are approved for purchase by CVL.

CVL Reference, Periodicals, Circulation, Interlibrary Loan

The CVL staff continues to monitor reference and computer statistics. Reference questions at the Reference Desk for 2005-2006 increased by 23%, and computer questions decreased by over 34%. During the 2006-2007 year, reference questions decreased by approximately 6%, and computer questions increased by 51%, possibly due to the large increase (43%) in laptop usage by students as noted below. During the 2007-2008 year, reference staff answered 2,150 questions. In the 2008-09 year, staff answered 1,110 questions.

CVL's 2006-2007 circulation count for books, DVDs, and miscellaneous items was close to the previous year. For 2007-2008, circulation was up 13% over the previous year. Laptop usage increased from 8,817 checkouts in 2005-2006 to 12,619 in 2006-2007, a 43% increase in activity; laptops continue to be heavily utilized. In 2007-2008, laptop usage was 9,689. In 2008-2009, laptop usage was 9,305. Interlibrary Loan borrowing remained at a similar level during each of the 2005-2006 and 2006-2007 years but increased by 39% for July 2007-April 2008.

CVL Computers and Study Areas

A wireless system was installed in the CVL in July 2005. In addition, CVL added twenty new laptops and ten new desktop computers. The number of laptops has now increased to thirty-five, and the number of desktop computers has increased to sixteen. Laptops are used by students on both upper and lower levels of the CVL, allowing more flexibility in study environments for students. During the recent CVL renovations, the layout of the furniture and

equipment in the CVL was changed to allow for more individualized student and small group study spaces (including five study spaces in the Medical and Allied Health Library). During the 2007-2008 year, new furniture was purchased to create group study spaces and a casual seating area on the second floor.

Extended Campus Services

The Library Director conducted an assessment in the spring of 2006 of all extended campus sites' library and learning resources, including bibliographic instruction, print resources, electronic access to databases, and on-site and off-site reference support for research. Assessment results led to the purchase of 175 print resources for extended campus nursing sites and the Cumberland campus for Education/Business students, relocation of print resources for more convenient access by students, the addition of access to the Dissertation Abstracts database for faculty/graduate student research, and improved librarian support to extended campus sites.

The Library Director, the Assistant Vice-President for Academic Affairs, the Chief Information Officer, and others make annual site visits to each of the extended campus locations to meet with the site coordinator, faculty, and/or librarian. Librarians travel to extended campus locations to teach information literacy skills. They also travel to provide individual bibliographic instruction sessions.

Library Memberships

CVL is a member of the following library consortia: TENN-SHARE, Knoxville Area Health Science Library Consortium (KAHSLC), and the ACA. The ACA has affiliations with six research universities in the region (the University of Kentucky, the University of North Carolina, the University of Tennessee, West Virginia University, the University of Virginia, and Virginia Polytechnic Institute and State University). These institutions assist the ACA in reviewing grant and fellowship applications, conducting workshops, and providing technical assistance.

Additionally, CVL is a member of the ALA, the Association of College and Research Libraries (ACRL), the Medical Library Association (MLA), the Southern Chapter of the Medical Library Association (SC/MLA), the Tennessee Health Science Library Association (TheSLA), and the Council of Osteopathic Librarians (COOL) within the American Association of Colleges of Osteopathic Medicine (AACOM). The Medical Librarian has been in contact with members of Librarians in Medical Education (LiME), but official membership may not be granted until the osteopathic medicine school receives full accreditation.

THE DUNCAN SCHOOL OF LAW PROGRAM

While the main LMU Library (CVL) has extensive library resources and staffing that support the Duncan School of Law (DSOL), the DSOL Library was developed to specifically address the learning needs of DSOL faculty and students. All DSOL faculty, staff, and students have access to the resources of the CVL, and if needed, may seek assistance from CVL staff librarians.

The DSOL Library provides appropriate services and resources to support the teaching, scholarship, research, and service programs of the DSOL and the staff involved in the Doctor of Jurisprudence (J.D.) program. These resources and services include: reference and instructional services and bibliographic services.

(a) reference and instructional services (e.g., formal teaching, informal teaching and training).

The DSOL Library's reference and instructional services include two main parts: formal teaching and informal teaching. As to formal teaching for faculty, the DSOL Library offers training on the use of electronic resources and has designed a series of Faculty Colloquia to teach the faculty how to use the digital collections. The faculty will also be encouraged to participate in webinars and training offered to law students. A schedule of training sessions is attached hereto as **Exhibit 42**.

In terms of students, each student at DSOL is required to take Lawyering Skills I,⁵² a research class intended to familiarize students with the DSOL Library Collection, among other things. Each of those classes is captured using Mediasite,⁵³ and the DSOL Library intends to use these lectures to build tutorials.

As to informal teaching, the DSOL Library provides a number of non-traditional instructional mechanisms for faculty. For instance, DSOL provides access to tutorials produced by the Center for Computer-Assisted Legal Instruction (CALI).⁵⁴ The CALI lessons and vendor-produced tutorials and webinars are available to introduce faculty and students to the DSOL Library and its resources.⁵⁵

Additionally, the DSOL Library has developed a library liaison program, through which the Associate Dean and Director of the Law Library assigns a reference librarian to each DSOL faculty member to assist with current and anticipated research needs. The liaison performs a variety of functions, including: conducting research; designing clipping searches to keep faculty members abreast of developments in their area; arranging for delivery of books, articles, and other materials; training and supervising student research assistants; notifying faculty of new resources relevant to their research needs; and providing training on new research technologies. The liaisons meet with faculty members regularly to assess individual needs and research preferences.⁵⁶ In addition, the DSOL Information Assets Policy permits liaisons to recommend

⁵² In October, DSOL purchased Springshare's Libguides Web 2.0 for Library 2.0 product, had a custom domain⁵² created, and is building virtual guides to support the Lawyering Skills program. The librarians will provide links to the libguides in the West Education Network (TWEN)—the courseware program that DSOL is using.

⁵³ Sonic Foundry, at <http://www.sonicfoundry.com/mediasite> (last visited January 17, 2010).

⁵⁴ www.cali.org

⁵⁵ See **Exhibit 36**.

⁵⁶ In addition to the liaison program, the DSOL Library also plans to build a pool of research assistants who will work in the DSOL Library and be available to faculty for short research projects under the supervision of the faculty services librarian. The library will begin this in the spring of 2010 by hiring first-year students to work with librarians in providing support and also working with the librarians on guides to subject-specific legal research.

acquisition of all materials necessary to support faculty research. A copy of the DSOL Information Assets Policy is attached hereto as **Exhibit 35**.

Furthermore, the DSOL Library uses Windows Live Messenger to provide one-on-one virtual reference. Librarians are required to login into Microsoft Live Messenger while they are at work and are available to students and faculty via IM video calls, telephone, and email.⁵⁷ If they are not on-line, faculty and staff can still leave a message using Microsoft Live Messenger.

As to the students, each student has one-on-one access to virtual librarians using Windows Live Messenger, as discussed above. Additionally, each student has access to CALI, as discussed above. Furthermore, all students have physical access to librarians. The DSOL has integrated its library staff throughout the Building for easy access to faculty and students. For instance, David Walker, the Information Services Librarian,⁵⁸ has his office integrated with the faculty and adjacent to a reading area for the students. The DSOL Library Director's office is on the third floor close to the central reading area. The Technical Services and Circulation Services Librarian, Ann Walsh Long's office,⁵⁹ is located on the first floor near the print collection. Additionally, as discussed above, all librarians use Windows Live Messenger as another means of commitment.

(b) bibliographic services

The DSOL's Library's bibliographic services have two main component parts: Acquisitions and Cataloging.

Acquisitions

The DSOL Library is fortunate to have built a collection at a point where the critical mass of digital legal information has reached a tipping point in favor of digital materials.

⁵⁷ See **Exhibit 130** for the DSOL Online Reference Desk Schedule.

⁵⁸ For a copy of David Walker's CV, see **Exhibit 37**.

⁵⁹ For a copy of Ann Walsh Long's CV, see **Exhibit 38**.

Students and faculty are more comfortable than ever before in using digital sources, and the DSOL is committed to providing its students and faculty with access to information from their laptops.

The DSOL Library catalogs print materials and has developed a user interface using Aquabrowser to search both the LMU Online Public Access Catalog (OPAC) and a database of MARC records.⁶⁰ SerialsSolutions is being used to manage books, journals, and serials in the databases the library subscribes to or owns. These include titles in third-party vendor monograph collections (Ebrary, EBL, and NetLibrary) and book publisher collections (Springer and Greenwood) which are linked using Aquabrowser and SerialsSolutions.

The DSOL Library purchases print materials through Baker & Taylor YBP Library Services (YBP) pursuant to an on-going arrangement with YBP to acquire hornbooks, *Nutshells*, *Examples and Explanations*, and other supplemental material as they become available. The DSOL Library is using YBP and Promptcat to provide these books in shelf-ready condition. The DSOL Library uses GOBI to order print books that are not on standing order and Cassidy Cataloging to provide book-ready service for standing orders from West and Lexis that cannot be obtained on standing order from YBP. The DSOL Library is working with Cassidy to provide the back-office processing for materials in its Tennessee law collection. The DSOL Library is having the materials drop-shipped to Cassidy, and then they are sending the finished materials to DSOL. This allows LMU to have a much smaller Technical Services Department than might otherwise be necessary.

⁶⁰ In building the collection, the DSOL Library is adding significant collections of MARC records, with 856 field links to the full text, to a database hosted by a third-party that can be searched using Aquabrowser. Contracts and license agreements with a number of vendors include the delivery of bibliographic MARC records for each title. See **Exhibit 39**. The DSOL Library provides access to the full text of more than 939,000 items and will continue to provide access to additional collections to expand the collection.

The DSOL Library is also using Cassidy to provide access to over 3,000 free legal websites that include the primary sources for all fifty states. Cassidy provides the MARC records for these sites, updates links, and locates replacement websites. Rather than trying to maintain links to these sources, the DSOL Library has integrated the access to current relevant legal links through a third party.

To the extent faculty or staff require resources not within the existing DSOL collection, the DSOL provides a number of mechanisms to acquire those resources. For instance, the DSOL Library provides Interlibrary Loan services, currently offers mediated ILL services, and plans to offer unmediated FirstSearch from OCLC for students and faculty. Furthermore, the DSOL Library asks that faculty members complete a form, identifying the courses they are currently teaching, the primary and secondary resources they need to support the courses being taught, and whether the resources need to be in a particular format (i.e. digital, audio, print, etc.). The form asks faculty to identify courses they will be teaching in the future and what they might need from the DSOL Library to support those courses. The form also asks the faculty to identify current and future research and scholarly projects and the support needed from the DSOL Library to be successful in those endeavors. A copy of the form is attached hereto as **Exhibit 40**. Samples of completed forms are attached hereto as **Exhibit 41**. Finally, The DSOL Library provides opportunities for the DSOL faculty to participate in collection development by setting up Hein e-greenslip notifications profiled to the faculty member's interests. The DSOL faculty is able to review new publications in their subject areas and identify materials that the DSOL Library should add.

While DSOL encourages faculty and staff to view resource material digitally, the DSOL Library understands that some resources need to be printed for their efficient use. Accordingly, the DSOL Library has worked with Westlaw and Lexis to have them supply printers for the

students to print from Westlaw and Lexis at no charge. In addition to those network printers, the students have access to networked printing in the building. Students are allocated 500 pages of free printing per semester,⁶¹ and DSOL is planning to provide the students with access to scan to email without charge. Finally, the DSOL uses a self-checkout unit from Integrated Technology Group (ITG) and a DiscExpress II unit to securely deliver DVDs and CDs utilizing Radio Frequency Identification (“RFID”) tagging. These are flexible paper-thin smart labels that are applied directly to library resources. Each RFID tag contains a tiny chip, which is both readable and writable and can store information to identify items in the library collection. The self-checkout unit reads the RFID tags which are permanently attached to each book in the collection. Use of this RFID technology allows the DSOL Library to scan the collection on the shelves to ensure that material is correctly shelved and to quickly inventory the collection. The regular inventorying and replacement of missing materials is more cost efficient than a book security system that must cover all possible egress and entry points to the DSOL Building.

Cataloging

The DSOL Library, as previously discussed, is providing access to the digital holdings that the DSOL Library owns or licenses without adding the MARC records to the LMU Integrate Library System (ILS). Aquabrowser is being used to provide access to the digital collection while integrating SerialsSolutions’ 360Federated searching to more effectively use both indexing and full-text searching of the digital materials of the DSOL Library.

The DSOL Library is working with SerialsSolutions to manage its e-serials collection. The DSOL Library has created a profile of online databases to which it subscribes and which includes Lexis, ProQuest, JStor, and HeinOnline. SerialsSolutions is providing the MARC records for the individual full-text serials. Each has a link to a web-based site that identifies

⁶¹ When students have exhausted the 500 pages, they can purchase additional copies.

databases with the full text of the journal, the journal holdings, and a live link to the journal in those databases. SerialsSolutions updates the holdings information and is providing updated MARC records to Aquabrowser when alterations to the collection occur. SerialsSolutions also provides deep linking for the Lexis serials that it manages.

For acquisition of additional databases, the DSOL Library is using SerialsSolutions Client center to provide overlap surveys to determine how many titles in the service under consideration are unique titles that the DSOL Library does not have access to and how many titles are already available in the databases to which the DSOL Library has access. Serials Solutions also provides some usage statistics and an E Journal Portal that provides an A-Z title list, titles searching, and subject browsing functionalities that can be integrated into Aquabrowser rather than adding the MARC records to DSOL's ILS system.

Core Collection

The DSOL Library provides a core collection of essential materials accessible to faculty and students, including the resources listed in the Tables that follow:

CORE	LMU
1. All reported federal court decisions and reported decisions of the highest appellate court of each state	
United States Reports	Available on LLMC & HeinOnline
United States Reports, Advance Sheets	Available on HeinOnline
United States Reports, Lawyer's Edition	Available on LexisNexis
Lawyer's Edition Advance Sheets	Available on LexisNexis
West's Supreme Court Reporter	Westlaw
Supreme Court Advance Sheets	Westlaw
U.S. Law Week	BNA Core Collection
Federal Reporter	Westlaw, LexisNexis
Federal Reporter Advance Sheets	Westlaw, LexisNexis
Federal Supplement	Westlaw, LexisNexis
Federal Supplement Advance Sheets	Westlaw, LexisNexis
Federal Appendix (unreported)	Available on Westlaw**
Atlantic Reporter	Westlaw, LexisNexis
Atlantic Reporter Advance Sheets	Westlaw, LexisNexis
Pacific Reporter 3d	Westlaw, LexisNexis
Pacific Reporter Advance Sheets	Westlaw, LexisNexis
Northeastern Reporter	Westlaw, LexisNexis
Northeastern Reporter Advance Sheets	Westlaw, LexisNexis
Northwestern Reporter	Westlaw, LexisNexis
Northwestern Reporter Advance Sheets	Westlaw, LexisNexis
Southeastern Reporter	Westlaw, LexisNexis
Southeastern Reporter Advance Sheets	Westlaw, LexisNexis
Southwestern Reporter	Print, Westlaw, LexisNexis
Southwestern Reporter Advance Sheets	Print, Westlaw, LexisNexis
Southern Reporter	Westlaw, LexisNexis
Southern Reporter Advance Sheets	Westlaw, LexisNexis
Tennessee Reporter	Print, Westlaw, LexisNexis
Federal Rules Decisions w/ Advance Sheets	Westlaw, LexisNexis
Federal Claims Reporter w/ Advance Sheets	Available on Westlaw and online at http://www.uscfc.uscourts.gov from 1997-present

***The Federal Appendix publishes unreported Federal Cases that are available on Westlaw.*

2. All Federal codes and session laws and one annotated code for each state	LMU
United States Code	Current Available online at GPO historical are available as part of the LLMC digital project
United States Code Annotated, and updates	Print, Westlaw
United States Code Service, and updates	LexisNexis
United States Statutes at Large	Westlaw, LexisNexis, HeinOnline
United States Congressional and Administrative News	Westlaw
Alabama	Westlaw, LexisNexis, Cassidy Legal Cassidy Digital Library
Alaska	Available online Westlaw, LexisNexis, Cassidy Digital Library
Arizona	Available online Westlaw, Lexis & Cassidy Digital Library
Arkansas	Available online Westlaw, LexisNexis, Cassidy Digital Library
California	Available online Westlaw, LexisNexis, Cassidy Digital Library
Colorado	Westlaw, LexisNexis, Cassidy Digital Library
Connecticut	Westlaw, LexisNexis, Cassidy Digital Library
Delaware	Westlaw, LexisNexis, Cassidy Digital Library
District of Columbia	Westlaw, LexisNexis, Cassidy Digital Library
Florida	Westlaw, LexisNexis, Cassidy Digital Library
Georgia	Westlaw, LexisNexis, Cassidy Digital Library
Hawaii	Westlaw, LexisNexis, Cassidy Digital Library
Idaho	Westlaw, LexisNexis, Cassidy Digital Library
Illinois	Westlaw, LexisNexis, Cassidy Digital Library
Indiana	Westlaw, LexisNexis, Cassidy Digital Library
Iowa	Westlaw, LexisNexis, Cassidy Digital Library
Kansas	Westlaw, LexisNexis, Cassidy Digital Library
Kentucky	Westlaw, LexisNexis, Cassidy Digital Library
Louisiana	Westlaw, LexisNexis, Cassidy Digital Library
Maine	Westlaw, LexisNexis, Cassidy Digital Library
Maryland	Westlaw, LexisNexis, Cassidy Digital Library
Massachusetts	Westlaw, LexisNexis, Cassidy Digital Library
Michigan	Westlaw, LexisNexis, Cassidy Digital Library
Minnesota	Westlaw, LexisNexis, Cassidy Digital Library
Mississippi	Westlaw, LexisNexis, Cassidy Digital Library
Missouri	Westlaw, LexisNexis, Cassidy Digital Library
Montana	Westlaw, LexisNexis, Cassidy Digital Library

Nebraska	Westlaw, LexisNexis, Cassidy Digital Library
Nevada	Westlaw, LexisNexis, Cassidy Digital Library
New Hampshire	Westlaw, LexisNexis, Cassidy Digital Library
New Jersey	Westlaw, LexisNexis, Cassidy Digital Library
New Mexico	Westlaw, LexisNexis, Cassidy Digital Library
New York	Westlaw, LexisNexis, Cassidy Digital Library
North Carolina	Westlaw, LexisNexis, Cassidy Digital Library
North Dakota	Westlaw, LexisNexis, Cassidy Digital Library
Ohio	Westlaw, LexisNexis, Cassidy Digital Library
Oklahoma	Westlaw, LexisNexis, Cassidy Digital Library
Oregon	Westlaw, LexisNexis, Cassidy Digital Library
Pennsylvania	Westlaw, LexisNexis, Cassidy Digital Library
Rhode Island	Westlaw, LexisNexis, Cassidy Digital Library
South Carolina	Westlaw, LexisNexis, Cassidy Digital Library
South Dakota	Westlaw, LexisNexis, Cassidy Digital Library
Tennessee	Print, Westlaw, LexisNexis, Cassidy Digital Library
Texas	Westlaw, LexisNexis, Cassidy Digital Library
Utah	Westlaw, LexisNexis, Cassidy Digital Library
Vermont	Westlaw, LexisNexis, Cassidy Digital Library
Virginia	Westlaw, LexisNexis, Cassidy Digital Library
Washington	Westlaw, LexisNexis, Cassidy Digital Library
West Virginia	Westlaw, LexisNexis, Cassidy Digital Library
Wisconsin	Westlaw, LexisNexis, Cassidy Digital Library
Wyoming	Westlaw, LexisNexis, Cassidy Digital Library

There is a growing body of state and federal materials available for free on the Internet. To provide access to this information, the DSOL Library purchased CassidyCat's Digital Law Library collection. This is a collection of over 3,000 MARC records for free legal research websites. This includes primary sources for all fifty states and federal agencies.⁶² Furthermore, most state bars provide access to free legal research, and the services include access to electronic versions of the state codes. The State of Tennessee provides bar members access to Fastcase.⁶³ The service is available to all DSOL students.

⁶² CassidyCat's Digital Law Library, at <http://www.cassidycataloguing.com/products/lawlibrary.php> (last visited January 17, 2010).

⁶³ Fastcase is an alternative to Westlaw and LexisNexis. Fastcase provides unlimited access to a comprehensive fifty-state and federal case law database, federal and state statutes, regulations, constitutions, and court rules.

3. All current published treaties and international agreements of the U.S.	LMU
Current Treaty Index	HeinOnline
United Nations Treaty Series	HeinOnline
United States Treaties in Force	Westlaw (2005 ed.), LexisNexis (current)

The complete collection of United States Treaties and Other International Agreements (UST), the Treaties and International Act Series (TIAS), the KAV agreements, and the historical collections of United States treaties that predate UST—Malloy and Miller—are all on HeinOnline. Additionally, the annual Treaties in Force from 1955–2009 are also online on the Department of State’s Website.

4. All current published regulations (codified or uncodified) of the federal government and the codified regulations of the state in which the School of Law is located.	LMU
Code of Federal Regulations (CFR)	Print (current), Westlaw, LexisNexis, HeinOnline
Tennessee Code of Regulations	Print, CassidyCat’s Digital Library

The complete collection is available on HeinOnline.

Fastcase also displays data in a new way, including a four-dimensional chart that sorts cases by relevance and time. Fastcase sells bulk memberships to state bar associations. The Tennessee Bar Association provides Fastcase to all Tennessee bar members at no charge. DSOL has purchased a subscription to Fastcase and is available through the law library’s proxy server. Students and faculty have unlimited access to Fastcase.

5. Those federal and state administrative decisions appropriate to the programs of the School of Law	LMU
Federal Agency Decisions	Westlaw, LexisNexis, HeinOnline
Tennessee Agency Reports Decisions	LexisNexis (TN Attorney General Opinions 1977- present, TN Securities cases 1998- present, TN Secretary of State Corporation and Limited Partnership 1995- present, TN – Regulatory Utility Commission Decisions 2001- present, TN State Tax Reporter 1997) CassidyCat’s Digital Library

The Law Library Microform Consortium (LLMC) Digital collection MARC records are available to provide title, author, and subject searching.

6. U.S. Congressional materials appropriate to the programs of the School of Law	LMU
CIS Congressional Universe CIS Congressional Hearings Digital Collection Retrospective A CIS Congressional Hearings Digital Collection Retrospective B CIS CRS U.S. Serial Set Digital	

Though the DSOL Library is not a government depository, the DSOL Library purchases the LexisNexis CI Congressional Hearings, House and Senate Documents, House and Senate Reports, Legislative History, Serial Set, and the CRS Reports. The DSOL Library has added the MARC records for this material in Aquabrowser.

7. Significant secondary works necessary to support the programs of the School of Law.	LMU
Hornbooks Nutshells etc.	Print standing orders with YBP
Making of the Modern Law	Digital Collection
Making of Modern Trials	Digital Collection
ECCO	Digital Collection
West's Rise of American Law	Digital Collection
Matthew Bender	LexisNexis
Online full text databases managed by Serials Solutions	ProQuest, HeinOnline LexisNexis Westlaw etc.
Westlaw and LexisNexis Treatises	Westlaw, LexisNexis
Ebrary, Netlibrary, MyILibrary, EBL, Greenwood Press, Springer etc.	Full text digital books available to patrons Aquabrowser

The DSOL Library has built a critical mass of digital full-text materials that is searchable through Aquabrowser.

8. Those tools such as citators and periodical indexes, necessary to identify primary and secondary legal information and update primary legal information	LMU
TN, South Western Digest	Print and Westlaw
ALRs	Print and Westlaw
Am Jur & Corpus Juris	Westlaw
Restatements	Select print and Westlaw
Uniform Laws Annotated	LexisNexis
Wilson ILP Full text and Retrospective	SerialSolutions
Current Index to Legal Periodicals	CILP
Serials Solutions E -Journal Portal	SerialSolutions
Southwestern Digest	Electronic

By building an adequate collection of print materials, providing access to an extensive collection of electronic resources, and adding other resources as needed, the DSOL Library is directly supporting the curricular needs of its students and faculty.

DSOL Library Faculty & Staff

The DSOL Library Director is an active and responsive force in the educational life of DSOL. The DSOL Library budget for the next fiscal year includes the hiring of two additional dual-degree librarians.⁶⁴ The process of advertising and conducting searches will begin in spring 2010. Copies of those position descriptions are attached hereto as **Exhibit 43**.

Current DSOL Library Employees are listed in the chart below:

Name	Advanced Relevant Degrees	Other Degrees	Other Qualifications or Experience
Russell, Gordon (Law Library Director)	J. D. New Mexico Science (1994); MLS Brigham Young University (1982).	LL.B. University of Western Ontario (1987); B.A. (Major History & Pol.Sci.), Brigham Young University (1978).	Consultant with LMU from August 2008 – February 2009. Started full time March 1, 2009. Twenty years in academic law librarianship at public and private institutions
David Walker Information Services Librarian (J.D. MLS)	J.D. Rutgers-Camden (2004); MLIS Rutgers University (2007).	B.A. Hofstra University (Humanities).	Two years as a reference librarian at the Charleston School of Law.
Ann Walsh Long Technical Services/Circulation Services Librarian (MLS)	M.S.L.S. The Catholic University of America (1993).	B.A.(Major Poli. Sci.) (1989).	Nearly twenty years of experience in law libraries—law firms, a law school, and a federal government agency.

⁶⁴ “Dual-degree” refers to individuals who possess both J.D. and a M.L.S. degrees.

- 2.10** The institution provides student support programs, services, and activities consistent with its mission that promote student learning and enhance the development of its students. **(Student Support Services)**

Narrative Response:

Lincoln Memorial University (LMU) complies with Core Requirement 2.10. A full description of student support services available to LMU students—including Duncan School of Law (DSOL) students—can be found in the LMU Student Handbook.⁶⁵ Student support programs, services, and activities consistent with the mission statements of LMU and the DSOL can be found in the DSOL Student Handbook and Catalog.⁶⁶

Support services at DSOL include services provided by LMU to all students and services provided by LMU specifically to DSOL. As to the first, LMU provides traditional support services to all of its students—including DSOL students. Linkages between student services applicable to students enrolled in other programs and DSOL students include:

⁶⁵ See **Exhibit 44.**

⁶⁶ See **Exhibit 11.**

**Chart 2.10-1: Student Services Linkage Chart
LMU and DSOL**

American's with Disabilities Act	<ol style="list-style-type: none"> 1. Student files will be kept in separate offices (Counseling and ADA Compliance Officer and the DSOL Director of Admission, respectively). 2. Both programs use the same Student Disabilities Form to be completed and shared with identified faculty.
Career Planning	<ol style="list-style-type: none"> 1. The Office of Career Planning provides assistance to undergraduate students with: administering surveys for major/career selection and assistance with resumes, cover letters, and interviewing skills. 2. The Office of Career Planning, upon request, will assist DSOL students with writing resumes, writing cover letters, and interviewing skills.
Dean of Students	<ol style="list-style-type: none"> 1. The Dean of Students will conduct disciplinary hearings for all non-DSOL students. 2. The Committee on Academic Integrity will conduct all disciplinary hearings for DSOL students. 3. Documentation of all hearings will be maintained in the respective offices.
Financial Aid	The Financial Aid Coordinator at DSOL works closely with the LMU Executive Director of Financial Aid to provide financial aid services to all DSOL students.
Registrar	<ol style="list-style-type: none"> 1. The DSOL Associate Dean for Academic's Office will work closely with LMU Registrar's Office to input student class/schedule information into the WebAdvisor system for DSOL students. 2. The LMU Registrar will provide transcript information as requested by DSOL students.
Safety and Security	<ol style="list-style-type: none"> 1. The LMU Safety and Health Committee is composed of representatives from all university areas. 2. The LMU Crisis Team is composed of all vice-presidents and other personnel. 3. LMU Security is responsible for the Harrogate campus and reports to the Dean of Students. 4. DSOL has private security guards on duty every evening when classes are in session.
Student Activities	<ol style="list-style-type: none"> 1. The LMU Calendar is maintained by the Director of Student Activities. 2. Cultural events and activities are advertised on the calendar, flyers, emails, and at the university message center. 3. Available programs to be shared by all students include, but are not limited to: pool programs, disk-golf intramurals, hiking, weight-room, and Wellness Challenge
Academic Tutoring	<ol style="list-style-type: none"> 1. The tutoring programs at the undergraduate level are supported by LMU and Student Support Services (a government-funded program for "at risk" students). 2. The DSOL will support its own advising program through its Faculty and its Director of Lawyering Skills.

In addition, all DSOL students have access to LMU-sponsored activities and programs by using their DSOL Student IDs. Those activities and programs include but are not limited to:

Reed Medical Library and CVL libraries
The Mary E. Mars Gymnasium and pool
Athletic events
Cultural events
Participation in intramural sports
The Lincoln Library and Museum
Counseling services
Weight room
Computer facilities
LMU-DCOM Outpatient Services

STUDENT SERVICES SPECIFIC TO THE DUNCAN SCHOOL OF LAW

DSOL provides a number of services specific to DSOL students. As with LMU, DSOL provides student assistance from the beginning of the application process and will continue those services through the career placement process. In terms of admissions, DSOL employs two full-time admissions personnel⁶⁷ to assist students through the application and orientation processes. Among their other duties, the admissions staff: attends recruitment conferences to attract students to DSOL, assists students in completing their applications, carefully studies their admissions' files to determine admission qualifications, interviews candidates for admission, advocates on behalf of qualified candidates before the DSOL Admissions Committee, and organizes presentations during Orientation to assist students in acclimating to the DSOL environment.

In addition to the admissions staff, other LMU personnel play a role in the Orientation process. For example, the DSOL faculty and financial aid counselors give presentations and counseling during Orientation. Furthermore, the students receive substantial technological training during Orientation. For more details regarding the DSOL Orientation and its programs, see **Exhibit 47**.

⁶⁷ Specifically, DSOL employs Paul Carney and Trish Carroll. See **Exhibit 46** for CVs.

To meet the needs of its students, DSOL provides a number of appropriate student services. First, DSOL employs a full-time Financial Aid Coordinator, Michelle Baird,⁶⁸ whose job duties include providing: financial aid planning and assistance, debt planning assistance, assistance with withdrawal processes, assistance with correcting billing errors, assistance with processing student refunds, assistance with identifying and applying for scholarship programs and fellowships, and assistance in maintaining DSOL's compliance with Federal and State financial aid regulations. Second, DSOL employs a full-time Information Services (IS) person, John Tyler Jennings,⁶⁹ who assists students and faculty with technological accommodations, technology training, and troubleshooting. Third, and in the same vein of technology, DSOL provides laptops to each student at DSOL⁷⁰ and provides a number of training sessions throughout each academic year to assist students in using those technological services.⁷¹ Furthermore, DSOL provides students access to MediaSite,⁷² permitting students to watch and/or review every class lecture either on site or remotely.⁷³ Fourth, DSOL has an advisor program wherein each student at DSOL is assigned a member of the Faculty as an advisor, and advisors are encouraged to contact their advisees at least once a semester to offer support. Of course, advisors are required to be available to their advisees, by appointment, at any time during any academic semester. Support services under this Program include career counseling and academic counseling. A copy of the DSOL Academic Advising Handbook is attached hereto as **Exhibit 51**. Fifth, DSOL provides free parking for its students in a parking lot immediately

⁶⁸ See **Exhibit 48** for Michelle Baird's resume.

⁶⁹ See **Exhibit 49** for John Tyler Jennings resume.

⁷⁰ Each laptop has an Intel Core 2 Duo T9400 processor and three gigabytes of memory. Each laptop is wireless enabled and is loaded with Windows XP, Microsoft Office Suite, Microsoft Anti-Virus, and Lenovo Think Vantage OEM applications.

⁷¹ For a full list of technological training presentations provided since the inception of the Program, see **Exhibit 50**.

⁷² Media Site is a technology package permitting DSOL to capture the students' classes and permit remote viewing. Currently, students at DSOL can watch or review any class delivered at the DSOL either on campus or from any location where they have internet access.

adjacent to the DSOL Building. Additional parking is available in a variety of parking lots within several blocks of the DSOL Building.⁷⁴ Sixth, DSOL provides students a complete student lounge area that contains: a refrigerator, a coffeemaker, a dishwasher, vending machines, sofas, tables, a flat-screen television, and a Nintendo Wii. Seventh, all DSOL students have access to WebAdvisor, a web-based information management tool that allows students to access their student information via the Internet. Information available through WebAdvisor includes: search functionality for classes, student profile, class schedule, grades, and student account and financial aid. Students can also view and print unofficial transcripts using WebAdvisor. Eighth, DSOL has exceeded federal requirements pursuant to the Americans with Disabilities Act for its students requiring accommodations. Ninth, DSOL students have access to psychological and substance abuse counseling through the Tennessee Lawyers' Assistance Program (TLAP).⁷⁵ Tenth, DSOL offers a number of professional development seminars for students. For instance, DSOL has scheduled two lectures by esteemed members of the Tennessee Bar for the spring term.⁷⁶

In addition to DSOL's mechanisms of assistance, DSOL provides students a number of extra-curricular opportunities to enhance students' educational experience. First, DSOL's Administration has created the Student Bar Association (SBA). The SBA is an extra-curricular body composed of every DSOL student. The traditional role of the SBA is to provide leadership for the student body, provide a mechanism for self-governance of clubs and organizations that serve the student body, and provide a liaison between the student body and the faculty and

⁷⁴ For a chart indicating all parking lots around the DSOL Building, see **Exhibit 52**.

⁷⁵ TLAP confidentially counsels law students, lawyers, and judges troubled by substance abuse, psychological disorders, and similar impairments. A copy of the information brochure promulgated to DSOL students is attached hereto as **Exhibit 45**. TLAP visited the DSOL on January 13, 2010, to explain the services TLAP provides and formally invite DSOL students to avail themselves of them.

⁷⁶ Judge Jerry Scott is scheduled to speak to the students on February 15, 2010, and February 16, 2010, regarding Legal Ethics and Professionalism. Dr. Gerald Osborn is scheduled to speak to the students in February regarding stress management and anxiety reduction in test taking.

administration. The DSOL students have elected a president, vice-president, secretary, treasurer, eight senators, and three judicial members to represent them. Additionally, the students have completed their first service project—a food drive for the Harvest Hope Foodbank—and have scheduled their first social event—a chili cookoff. The SBA operates under its own budget that has a line item in the DSOL budget. Second, the DSOL Administration has created a mechanism for other student clubs and organizations—DSOL has a structure in place for creating additional clubs and organizations, subject to students’ interest.⁷⁷ Third, DSOL’s Faculty has created the Committee on Academic Integrity (CAI). The CAI is the body empowered to adjudicate alleged disciplinary violations at DSOL. The CAI is composed of seven members—three faculty members, three student members, and the Associate Dean for Academics. The student body recently elected three students to serve on the CAI. For more information on the CAI and the students’ role in the Committee, see **Exhibit 11**. Finally, DSOL provides a number of networking events to introduce its students to the Tennessee legal community.⁷⁸

Strategic Initiatives—Programs at the Duncan School of Law that are scheduled for Implementation

Because DSOL is still growing, DSOL envisions a number of programs that, while DSOL has dedicated budgetary resources for them, have not been implemented. First, and most importantly, DSOL is actively recruiting for the position of Assistant Dean of Student Affairs.⁷⁹ The Assistant Dean of Student Affairs will be responsible for managing student extracurricular activities and all other activities that enhance student learning outside the classroom. DSOL also envisions hiring an Director of Student Affairs who will begin in the fall of 2010. Budget lines

⁷⁷ The existence of student clubs and organizations is driven by desire of the students. Currently, no such clubs or organizations exist, as no student has yet sought to create a club or organization. Nevertheless, DSOL has created a mechanism for the creation of clubs and organizations. For more information, see **Exhibit 54: The New Clubs and Organizations Registration Packet**.

⁷⁸ DSOL students, by invitation of the Tennessee Bar Association, have already attended two networking events with the Young Lawyers Division of the Tennessee Bar Association. A copy of the announcement for both events is attached hereto as **Exhibit 55**.

⁷⁹ For a position description for the Assistant Dean of Student Affairs, see **Exhibit 56**.

already exist for both positions. Second, as to extracurricular and curricular programs, DSOL anticipates the following:

1. Law Review⁸⁰
2. Moot Court Board⁸¹
3. Mock Trial⁸²
4. Externship Program⁸³

DSOL has created physical space for these programs⁸⁴ and will furnish those spaces pursuant to its schedule of implementation. Additionally, DSOL has allocated budget line items for their creation and operation. Third, DSOL envisions hiring a Director of Career Services and Assistant Director of Career Services in the fall of 2010. Separate budget lines exist for each of these positions, and DSOL has already dedicated spaces within the DSOL Building for their offices. Among other things, the Office of Career Services will: hold seminars on job placement, drafting resumes, cover letters, etc; organize on-campus interviews; generate recruitment

⁸⁰ Law reviews publish scholarly articles by academics and practitioners and disseminate those articles nationally. Students on law reviews govern the selection and editing of articles, along with administering the business aspects of producing a publication for national dissemination. For the first year of operation, members of the DSOL Law Review will be chosen by the Faculty Advisor based on students' performance in a writing competition. In the years that follow, the DSOL Law Review shall be self-governing and choose its own members based on applicants' performance in a writing competition. DSOL anticipates the Law Review to be launched in the spring of 2011. As stated earlier, the Law Review possesses a budgetary line item in the DSOL budget.

⁸¹ The Moot Court Board is a student-run organization that provides students opportunities to compete in mock appellate arguments both internally and externally. Internally, the students will compete to acquire a position in the organization. Once a member of the Board, interested members will have opportunities to compete in mock appellate arguments at external competitions held by other institutions. For the first year of operation, members of the DSOL Moot Court Board will be chosen by the Faculty Advisor based on students' performance in an internal moot court competition. In the years that follow, the DSOL Moot Court shall be self-governing and choose its own members based on applicants' performance in an internal moot court competition. DSOL expects that the Moot Court Board will be launched in the spring of 2011. As stated earlier, the Moot Court Board possesses a budgetary line item in the DSOL budget.

⁸² The Mock Trial Team is a student-run organization that provides students opportunities to compete in mock civil and criminal trials both internally and externally. Internally, the students will compete to acquire a position in the organization. Once a member of the Team, interested members will have opportunities to compete in mock civil and criminal trials at external competitions held by other institutions. For the first year of operation, members of the DSOL Mock Trial Team will be chosen by the Faculty Advisor based on students' performance in an internal mock trial competition. In the years that follow, the DSOL Mock Trial Team shall be self-governing and choose its own members based on applicants' performance in an internal mock trial competition. DSOL expects that the Mock Trial Team will be launched in the spring of 2012. As stated earlier, the Mock Trial Team possesses a budgetary line item in the DSOL budget.

⁸³ DSOL envisions a robust externship program that will provide upper-class students with the opportunity to assist in handling real legal problems for real clients, under the direct supervision of selected judges or licensed, practicing attorneys at educational, governmental, or non-profit sites. For more information regarding the Externship Program at DSOL, see **Exhibit 11**, pages 36-37.

⁸⁴ For specific information regarding the physical space dedicated for these programs, see **Exhibit 57**.

newsletters, alerting the students to job openings and developments in the legal community; and provide alumni counseling and services.

2.11.1 The institution has a sound financial base and demonstrated financial stability to support the mission of the institution and the scope of its programs and services.

The member institution provides the following financial statements: (1) an institutional audit (or *Standard Review Report* issued in accordance with *Statements on Standards for Accounting and Review Services* issued by the AICPA for those institutions audited as part of a systemwide or statewide audit) and written institutional management letter for the most recent fiscal year prepared by an independent certified public accountant and/or an appropriate governmental auditing agency employing the appropriate audit (or *Standard Review Report*) guide; (2) a statement of financial position of unrestricted net assets, exclusive of plant assets and plant-related debt, which represents the change in unrestricted net assets attributable to operations for the most recent year; and (3) an annual budget that is preceded by sound planning, is subject to sound fiscal procedures, and is approved by the governing board.

(Financial Resources)

Include a business plan that includes the following:

- a. *a description of financial resources to support the change, including a budget for the first year*
- b. *projected revenues and expenditures and cash flow*
- c. *the amount of resources going to institutions or organizations for contractual or support services*
- d. *the operational, management, and physical resources available for the change.*

Include contingency plans if required resources do not materialize.

Assess the impact that the proposed expansion will have on the funding available for existing programs and services.

Lincoln Memorial University (“LMU”) complies with Core Requirement 2.11.1. LMU has a sound financial base with the fiscal stability to support its Mission, programs, and services, as evinced by the annual audited financial statements⁸⁵ and the most recent management letter.⁸⁶ Since 2004, the annual statements demonstrate that net assets have grown by \$11.6 million, with \$6.5 million being in unrestricted funds. LMU operating expenses have grown nearly 91% over the same period, and the number of faculty and staff for current programs has increased significantly during the same time period. This growth is a direct result of continuing to plan and execute an array of course and program offerings attractive to our incoming students and clearly

⁸⁵ See Exhibit 58.

⁸⁶ See Exhibit 59.

demonstrating the prudent management of all resources entrusted to and employed by LMU in its operations.

Notable in the Restatement of Net Assets Without Plant and Plant-Related Debt,⁸⁷ is the growth of Unrestricted Net Assets through 2005, followed by a three-year decline. This decline resulted from the use of unrestricted funds to finance many facility expansions and improvements. This allows LMU to avoid a debt burden beyond its projected revenue/expenditure model. This decision followed a lengthy process of planning for additional facilities and facility improvements. The decline in 2008, as you can see from the statements, is related to the \$3.5 million dollars in unrealized investment losses. The review included a financial analysis of revenue enhancements from the new or improved facilities in relation to any increases in expenditures resulting from the operations of those facilities.

During the same period, LMU has continued to steadily increase its endowment, creating a sound base for future operations and a solid support for scholarship activities for future students.

LMU has refinanced most of its short-term debt obligations with a 2009 series thirty-year bond offering to insure that LMU can continue to support its legacy programs, provide adequate funding for new programs, and responsibly grow. With the completion of this \$29.4 million 2009 series bond offering, 90% of LMU's current debt obligation is in two long-term bonds. LMU's remaining debt consists of capital leases for instructional equipment and transportation needs. Also, there are plans to open an operating line of credit during 2010.

LMU maintains a debt service reserve fund of \$2.1 million dollars which represents half of LMU's annual service. Additionally, LMU has ten million dollars of unrestricted endowment funds that provide a contingency source of funds for LMU. LMU has no plans to use these funds

⁸⁷ See Exhibit 60.

in its operating capital structure. This money would be available to offset any unanticipated expenses or drop in enrollment incurred by the DSOL. In addition, LMU continues to receive external funds toward the successful launch of the DSOL. In the fall of 2009, LMU, through the Division of Advancement, raised approximately \$134,000.00 in additional funds.

LMU has adequate fiscal resources to support its Mission and all of its programs and services. LMU exercises appropriate financial control, and as indicated in LMU's Planning, Budgeting, and Assessment Schedule, the budgeting process is informed by ongoing planning. LMU's annual budget, and any new program budgets, are preceded by sound educational and financial planning, subject to sound fiscal procedures, and approved by LMU's Board of Trustees.⁸⁸ LMU carefully and consistently monitors developments and trends in its service area, as well as reviewing national data, to more fully understand the budgetary ramifications of its strategic plans for both LMU as a whole and its individual departments and programs. The annual budgets for 2007-2008⁸⁹, 2008-2009,⁹⁰ and 2009-2010⁹¹ evince compliance in providing appropriate support for LMU operations.

LMU has carefully considered the budgetary impact of the DSOL on LMU as a whole and also on its individual programs. DSOL was integrated into LMU's most recently reviewed five-year Pro Forma, which is attached hereto as **Exhibit 65**. The Board of Trustees considered this Pro Forma in full and adopted it as the basis for setting an operating budget for the ensuing 2009-2010 fiscal year.

The five-year budget pro forma/financial business plan for DSOL,⁹² which follows, includes specific information addressing:

⁸⁸ For more information regarding the Board's approval of the Budget, see **Exhibit 61**.

⁸⁹ See **Exhibit 62**.

⁹⁰ See **Exhibit 63**.

⁹¹ See **Exhibit 64**.

⁹² See **Exhibit 66**.

- a. **The first-year budget** (including the planning year);
- b. **Projected revenue, expenditures, and cash flow;**
- c. **Amount of resources going into institutions or organizations for contractual or support services; and**
- d. **The operational, management, and physical resources for the change** (physical resources are more completely addressed in Section 7).

**LINCOLN MEMORIAL UNIVERSITY
DUNCAN SCHOOL OF LAW
BUDGET PRO FORMA**

REVENUES	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
Tuition	0	1,215,000	5,247,480	9,079,260	12,091,996	12,098,460
Technology Fees	0	37,500	113,000	179,000	218,500	203,000
Application Fees	0	15,000	20,000	25,000	25,000	25,000
TOTAL REVENUES	0	1,267,500	5,380,480	9,283,260	12,335,496	12,326,460
EXPENSES						
Personnel	588,938	2,195,930	3,424,294	4,444,588	5,400,942	6,273,692
Postage	500	2,700	6,860	9,053	9,116	9,683
Telephone	500	2,000	2,000	2,000	2,000	2,000
Memberships	0	1,000	2,050	2,153	2,282	2,419
Advertising	25,000	25,000	20,000	20,000	20,000	20,000
Books	0	0	500	525	557	590
Library Resources	500,000	500,000	750,000	800,000	1,000,000	1,000,000
Printing	2,000	21,000	54,400	103,830	109,900	116,214
Travel	15,000	24,500	31,475	86,299	90,577	95,111
Recruiting	105,000	92,500	96,200	100,048	104,050	108,212
Faculty Searches	24,850	25,814	26,817	27,109	28,194	29,321
Faculty Relocation	32,000	32,000	48,000	40,000	40,000	40,000
Entertainment	0	15,000	30,350	41,668	44,168	53,818
Faculty Development	7,500	7,800	8,190	8,600	9,115	9,662
Computer Software	0	0	10,000	10,500	11,130	11,798
Accreditation	5,000	5,000	35,000	35,000	25,000	25,000
Contract Services	96,000	98,880	101,846	104,902	108,049	111,290
Facility Insurance	10,000	10,300	10,609	10,927	11,255	11,593
Electricity	60,000	61,800	63,654	65,564	67,531	69,556
Water	36,000	37,080	38,192	39,338	40,518	41,734
Service Costs	15,000	15,450	15,914	16,391	16,883	17,389

Property Taxes	5,000	5,150	5,305	5,464	5,628	5,796
Supplies	4,000	12,500	22,825	37,066	49,850	62,681
HVAC Maint/Repair	10,000	10,300	10,609	10,927	11,255	11,593
Elevator Svc/Inspection	10,000	10,300	10,609	10,927	11,255	11,593
Honors & Awards	0	0	200	410	435	961
Student Activities	0	7,250	7,613	7,993	8,473	8,981
Dean's Service Fund	15,000	15,000	15,000	15,000	15,000	15,000
Other	15,000	15,500	15,675	17,359	17,500	18,150
Debt Service	259,096	621,830	621,830	621,830	621,830	621,830
TOTAL EXPENSES	1,841,383	3,871,584	5,486,016	6,695,470	7,882,491	8,805,667
NET REVENUE/ (EXPENSE)	(1,841,383)	(2,604,084)	(105,536)	2,587,790	4,453,005	3,520,793
CUMULATIVE REV/(EXP)	(1,841,383)	(4,445,468)	(4,551,004)	(1,963,213)	2,489,792	6,010,585

2.11.2 The institution has adequate physical resources to support the mission of the institution and the scope of its programs and services. **(Physical Resources)**

Narrative Response:

The section discussing Lincoln Memorial University's (LMU) compliance with Core Requirement 2.11.2 is attached hereto as **Exhibit 67**. The following section describes the facilities peculiar to the Duncan School of Law (DSOL).

The DSOL has physical facilities with technological capacities adequate for the fulfillment of the Mission and objectives of the DSOL.⁹³ LMU has entered into a long-term lease arrangement for the former City Hall Building in Knoxville, Tennessee. This facility encompasses approximately 65,000 square feet of space, including offices and spaces adequate for instruction, library facilities, study rooms, student services, and other multiple-use spaces. Under its previous lessee, this historic facility was completely retrofitted with updated HVAC, utility services, lighting, and technology resources. LMU has renovated the facilities to accommodate the DSOL Program.

The size of the facility can adequately accommodate the projected size of the graduate and professional programs that will be housed in this space. Additionally, in approximately two years, LMU has an option to occupy another building that is located on the same property as the current structure.

There is an entrance designated as handicap accessible to the facility, along with special reserved parking spaces. All rooms in the building except one are accessible to persons with disabilities. The only room that is not fully accessible is the room which has been designated as Room 130. As currently configured, Room 130 is a small group room which will accommodate approximately twenty-four students.

⁹³ A copy of the Lease is attached hereto as **Exhibit 68**.

The following chart outlines the scope of instructional spaces:

Classroom #	Number of Seats	Description
101	78	Large Classroom
110	10	Small Group Room
111	10	Small Group Room
112	10	Small Group Room
130	24	Group Room
201	90	Large Classroom
212	9	Small Group Exercise Room
213	7	Small Group Exercise Room
214	7	Small Group Exercise Room
215	9	Small Group Exercise Room
227	12	Small Classroom/Seminar Room
229	12	Conference room / Small seminar room
246	24	Study Space (Can double as seminar room)
305	12	Small Seminar Room
308	30	Medium Size Classroom
310	30	Medium Size Classroom
322	14	Small Seminar Room
324	10	Small Seminar Room
325	38	Medium Size Classroom
326	16	Small Seminar Room
338	12	Small Seminar Room (Jury Room)
340	152	Large Lecture Hall (Courtroom)
409	9	Small Group Exercise Room
410	7	Small Group Exercise Room
411	7	Small Group Exercise Room
412	9	Small Group Exercise Room
414	30	Medium Size Classroom (<i>Tentative</i>)

Fourteen rooms are configured to work well as individual and group study rooms. Room 130 is also configured for group work and can be used by students when presentations are not scheduled in that room. The group rooms with networked video cameras may be used for simulation exercises.

As described above, there are two large classrooms—Room 101 and Room 201. As to Room 101, it accommodates seventy-eight students and has the following technological infrastructure: multimedia connectivity supporting audio, video, networking, and controls on the podium; network cabling to podium; power to tables to support student laptop charging; wireless access for students, faculty, and staff; and capability to capture class lectures for streaming via MediaSite. The classroom is equipped with the following equipment: two 60” LCDs and two 42”

LCDs for student viewing; 32” LCD for instructor viewing; a smart podium with PC, document camera, Sympodium, DVD/VCR, microphone (wired and wireless), and touch-screen control panel; Sympodium interactive pen display with SMART Notebook software; primary Crestron touch panel control system for multimedia presentations; digital archiving, retrieval and storage system of all audiovisual content; and a wired voice reinforcement system for the presenter. The room also includes ceiling microphones and ceiling speakers for sound presentation and augmentation.

As to Room 201, the room accommodates ninety students and includes the following: multimedia connectivity supporting audio, video, networking, and controls on the podium; network cabling to podium; capability to capture class lectures for streaming via MediaSite; power to tables to support student laptop charging; and wireless access for students, faculty, and staff. The technology deployed in Room 201 includes: multiple cameras with camera controller; two 60” LCD screens; a smart podium with PC, document camera, Sympodium, DVD/VCR, microphone, and touch screen control panel; Sympodium interactive pen display with SMART Notebook software; primary Crestron touch panel control system for multimedia presentations; digital archiving, retrieval and storage system of all audiovisual content; video teleconference, with presenter and audience tracking capability; and wired voice reinforcement system for the presenter and audience. The room also includes ceiling speakers for sound presentation and augmentation.

Exhibit 69 includes diagrams of each floor and each classroom including projected technology to facilitate instruction. Each member of the DSOL administration and each faculty member has a dedicated office. The Dean of DSOL has a designated office suite and an executive assistant. The Dean’s offices are equipped with a desk, credenza, hutch, office chair, client chairs, filing cabinet, and bookcases. The executive assistant has a desk, credenza (or L-

shaped attachment), office chair, client chairs, filing cabinet, and bookcases. Furthermore, each full-time faculty member is provided an office for his or her exclusive use. Each office is technology-equipped. These offices are centrally located to common study areas. Study space for students is located throughout the building as well as primary study spaces on the third floor and on the first floor. Additionally, part-time and adjunct faculty have a dedicated, technology-equipped office. Students have several small study rooms, as well as private space for individual study time or small focus groups.

In addition to the above, a courtroom (the Courtroom), still under construction, will provide a venue for trial and appellate court training opportunities. It is anticipated that the Courtroom will be completed during the 2010-2011 academic year. The Courtroom will be technologically advanced with a design engineered to affect the best possible teaching environment. The infrastructure will include the following: multimedia connectivity supporting audio, video, networking, and controls on the podium; network cabling; capability to capture class lectures for streaming via MediaSite; power to tables to support student laptop charging; wireless-n access for students, faculty, and staff; white noise masking technology for the jury box; and black-out shades for windows. The technology deployed in the Courtroom will include: multiple cameras with camera controller; two large screens and projectors; a smart podium with PC, document camera, Sympodium, DVD/VCR, microphone, and primary control; Sympodium interactive pen display with SMART Notebook software; primary Crestron touch panel control system for multimedia presentations; dimmable chandeliers; digital archiving, retrieval, and storage system of all audiovisual content; video teleconference, with presenter and audience tracking capability; and wired voice reinforcement system for the presenter and audience. The considerations in programming the Courtroom are as follows:

- 152 seats in a classroom environment;
- Serves as a courtroom for both mock trials and appellate arguments as well as real trials and appellate arguments;
- Podium will face the rear of the room for classroom instruction and will rotate 180 degrees for a courtroom environment;
- All aspects of presentation may be controlled from one area with minimal support, thereby enabling faculty to be self-sufficient; deliver lectures using multimedia presentation techniques to enrich the learning environment; receive lectures and video teleconferences from distant locations; record lectures; and court interactions for later review;
- The room will use push-to-talk microphones for: students/participants, judges, and jurors and podium and witness microphones;
- Wired internet access is available to download content and access resources from the podium;
- Students will access the internet via wireless-n at their seats;
- Students will participate in the interactive feedback system;
- There will be projector viewing for: judges, lawyers and participants, witnesses, jurors, and the court reporter; and
- In courtroom setting, the ability to record the voices of: judges; lawyers; witnesses; jurors, and the court reporter; capability to capture lawyer and witness at the same time. Judge(s) will use push-to-talk microphone(s).

LMU has employed mechanical engineers and HVAC specialists to repair and replace, as necessary, the climate control systems throughout the building to accommodate the required seating capacities and projected uses of the various rooms. For example, in the large lecture rooms, the HVAC systems are outfitted with new energy efficient systems capable of handling the projected maximum seating capacity.

The acoustics are a strong consideration and sound engineers were employed when assessing technology needs to ensure all of the audio needs were fully met. For example, speakers are strategically placed throughout the ceiling to spread audio evenly throughout. Student microphones are placed in the ceiling in Room 101 to ensure students can hear each other, and all audio is appropriately recorded through the class capture system. Room 201 has push-to-talk microphones for students' use.

Many rooms have new light fixtures installed. These fixtures use energy efficient fluorescent lights in an offset reflective fixture to make the light spread evenly while avoiding

the harsh presentation of direct lighting. These light fixtures are used throughout the classrooms in the building. Softer incandescent light will be deployed in certain study spaces.

LMU's technology infrastructure is adequate to handle the technology needs of faculty, staff, and administration. LMU will provide technology support for teaching, scholarship, research, service, and administrative needs. The facility has a wireless-n network throughout which allows students to easily access the various online resources offered by the Doctor of Jurisprudence (J.D.) program, the DSOL library, and the Carnegie-Vincent Library. LMU also supports a fully-staffed information services division to assist faculty in the integration of technology and web-enhanced instruction into the learning environment. An Information Services (IS) technician is available to assist faculty members in the development and delivery of recorded lectures, provide technology support, and facilitate live interactive videoconferencing. LMU's IS department has expanded to include staff specifically dedicated to supporting DSOL. The IS technician works full-time at DSOL, supported by other IS staff located on the main campus. IS also provides user support for faculty, staff, and students through a link on the LMU web site.

In addition to the above, LMU has contracted with Interactive Solutions to troubleshoot technology and network issues⁹⁴ and provide an on-site technician to address new technology issues. LMU also occasionally contracts with Computer Information Systems (CIS) on a case-by-case basis. For instance, CIS installed and services portions of DSOL's technological infrastructure such as the wireless networking.

Technology appropriations are included in LMU's operation budget for all learning sites and instructional classrooms. LMU's operational expenses for technology include administrative and staff salaries, student aid and work-study salaries, and significant technological expenses

⁹⁴ A copy of the contracts is attached hereto as **Exhibit 70**.

arising from the purchase, maintenance, and operation of the hardware and software used by the program. Additional ordinary course technology expenses include hardware upgrades and replacements.

DSOL uses Byrge Security Services for the facility. Security officers are unarmed and possess no arrest authorization. However, they have a working relationship with local authorities, including telephone contact in the event of an emergency. A copy of the contract for security services is attached hereto as **Exhibit 71**. DSOL also employs electronic key-card access for all entry points of the Building twenty-four hours a day to ensure student safety. Only faculty, students, contract services, and staff possess key-cards for entry into the Building.

C. Section 3: Comprehensive Standards

For each of the Comprehensive Standards listed below, describe the impact of the proposed program expansion on that aspect of the institution.

- 3.2.8** The institution has qualified administrative and academic officers with the experience, competence, and capacity to lead the institution. **(Qualified administrative/academic officers)**

Narrative Response:

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.2.8. A list of LMU's officers and their respective job qualifications and responsibilities follows.

Interim President, **Dr. C. Warren Neel**,⁹⁵ most recently served the University of Tennessee as executive director of the Corporate Governance Center. Until February 2003, he was Commissioner of the Tennessee Department of Finance and Administration. In this role, he was the Governor's chief financial officer for Tennessee state government and managed a budget exceeding \$20,000,000,000.00. His office provided executive direction to the department and coordinated divisional activities as they related to other agencies. The department acted as the chief corporate office of state government, and its purview extended throughout the State.

Prior to joining the State Cabinet, President Neel served as Dean of the College of Business Administration at the University of Tennessee in Knoxville. During his tenure, he also served in the Cabinet of Governor Lamar Alexander and was a member of the transition team for Secretary of Education Alexander, where his focus was on post-secondary education in the United States. Additionally, President Neel has served on nine corporate boards in his career and currently is a board member of a NYSE and NASDAQ-listed company. His board experience has included chair roles on a variety of committees, including audit, compensation, nominating, and governance, in addition to having chaired special committees conducting fraud audits, acquisitions, and mergers.

⁹⁵ A copy of Dr. Neel's CV is attached hereto as **Exhibit 72**.

In addition to the above, LMU has a Chancellor and five Vice-Presidents who serve as Officers for LMU and are members of the President's Cabinet. Dr. Sherilyn Emberton is the Vice-President for Academic Affairs and Provost. Dr. Ray Stowers is the Vice-President and Dean of the DeBusk College of Osteopathic Medicine. Dr. Cindy Skaruppa is the Vice-President for Enrollment Management and Student Services. Mrs. Cynthia Whitt is the Vice-President for University Advancement. The vitae for members of the President's Cabinet clearly demonstrate that each has the credentials, experience, competence, and capacity to provide leadership to his/her assigned division.

Dr. James Dawson⁹⁶ serves as Chancellor/Chief Operating Officer (COO) and is responsible for planning, budgeting, coordinating, supervising, and evaluating personnel and programs for all non-academic areas within LMU. The Chancellor/COO is responsible for the efficient, equitable, and effective management of all administrative divisions including Human Resources, Athletics, University Advancement, Operations, Finance, and the DeBusk College of Osteopathic Medicine. Additionally, Dr. Dawson is responsible for providing management and oversight of construction activities on campus.

Dr. Dawson previously served as President of Coker College in Hartsville, South Carolina. Prior to assuming the presidency of Coker College, Dr. Dawson served as President of Tennessee Wesleyan College in Athens, Tennessee. In addition to his extensive administrative experience in private higher education, Dr. Dawson has served as Vice-President for Student and Institutional Development at Fort Hays State University in Hays, Kansas, and as Vice-President for Student Development at the University of Evansville in Evansville, Indiana.

⁹⁶ A copy of Dr. Dawson's CV is attached hereto as **Exhibit 73**.

Dr. Dawson holds a Doctor of Education (Ed.D.) degree in Higher Education Administration from Indiana University, a Master of Arts (M.A.) degree in Guidance and Counseling, and a Bachelor of Arts (B.A.) degree in Sociology from the University of Evansville.

Dr. Sherilyn Emberton⁹⁷ serves as Vice-President for Academic Affairs and Provost for LMU. Prior to coming to LMU, Dr. Emberton served as a faculty member, department chair, dean, and an associate academic vice-president in private higher education, as well as a director of Applied Learning at a two-year community and technical college. She has served on various accreditation review panels and participated in numerous academic reviews, including serving as a member of the University's SACS leadership teams at LeTourneau University and Lincoln Memorial University, State Board for Educator Certification (SBEC), and International Colleges of Christian Teacher Education (ICCTE). In various academic assignments, Dr. Emberton has facilitated the development and implementation of online graduate programs in education and business, as well as numerous undergraduate and graduate academic opportunities for the adult student. Dr. Emberton has served as the President of the Education Deans for Independent Colleges and Universities of Texas (EDICUT), as an executive committee member of the Consortium for State Organizations of Teacher Education (CSOTTE), and in 2007 was elected as President of the Texas Teacher Educators. Dr. Emberton is a member of the Association of Chief Academic Officers of the Southern States (ACAOSS) and the chief academic officer for the Council of Independent Colleges (CIC), the Tennessee Independent Colleges and Universities (TICUA), and the Appalachian College Association (ACA). She holds the Doctor of Education degree in Curriculum and Supervision of Higher Education from Texas A & M University-Commerce.

⁹⁷ A copy of Dr. Emberton's CV is attached hereto as **Exhibit 74**.

Dr. Ray Stowers⁹⁸ is the Vice-President and Dean of the DeBusk College of Osteopathic Medicine (DCOM). He holds a Doctor of Osteopathic Medicine degree from Kansas City University of Medicine and Biosciences College of Osteopathic Medicine and American Osteopathic Association (AOA) Board certification. Dr. Stowers practiced as a family physician for rural, medically under-served areas for twenty-five years and served as Associate Dean for Rural Health at the Oklahoma State University Center for Health Sciences-College of Osteopathic Medicine before coming to LMU. He was also Director of the Oklahoma Rural Health Policy and Research Center. On July 21, 2005, the LMU Board of Trustees Executive Committee approved the appointment of Dr. Stowers as Vice President and Dean of DCOM. The Vice-President and Dean of DCOM has responsibility for its annual budget, recruiting and recommending personnel to the President for employment, and serves as chair of DCOM's Dean's Council.

Dr. Stowers currently serves on the American Osteopathic Association's Board of Trustees and Council on Federal Health Programs and previously served as a Commissioner of the Medicare Payment Advisory Commission (MedPAC), advising Congress on Medicare issues. Dr. Stowers' continuing interests are innovations in medical education, rural healthcare delivery policy, and national physician manpower and training issues.

Dr. Cindy L. Skaruppa,⁹⁹ the Vice-President for Enrollment Management and Student Services, holds a Doctor of Education from the University of Miami and an Master of Arts in Educational Administration from Ohio State University. Prior to joining LMU, Dr. Skaruppa served as Vice-President and Chief Operations Officer for Enrollment Services, Advancement, IT, and Athletics at Brewton-Parker College, and Vice-President of Enrollment, Management, and Student Life at Our Lady of the Lake University. Dr. Skaruppa has additionally served as

⁹⁸ A copy of Dr. Stowers' CV is attached hereto as **Exhibit 75**.

⁹⁹ A copy of Dr. Skaruppa's CV is attached hereto as **Exhibit 128**.

Dean of the College of Professional, Adult, and Continuing Education at Lynn University and as Dean of Academic Support Services at Lynn University. Dr. Skaruppa is responsible for admissions, financial aid, career services, residential life, and student services.

Ms. Kimberlee Bontrager¹⁰⁰ will begin her service as Vice-President for Finance and chief financial officer of LMU effective March 1, 2010. As the Vice-President for Finance, Ms. Bontrager will be responsible for planning, budgeting, coordinating, supervising, and evaluating personnel and programs within the Division of Finance. She will be responsible for the efficient, equitable, and effective management of all financial aspects of LMU, which includes all finance, contracts and grants, risk management, contract services, and related insurance.

Ms. Bontrager has served as Vice-President and Controller for SunGard Higher Education Managed Services in Orlando, Florida. Ms. Bontrager has also served as Senior Financial Analyst for EDS/Newtrend and Senior Accountant for General Electric/Genesis Relocation Division. Ms. Bontrager is a certified public accountant.

Ms. Bontrager holds a Master of Business Administration (M.B.A.) degree from the University of Central Florida, a Bachelor of Science in Business Administration (B.S.) degree with a major in Accounting from the University of Central Florida, and a Bachelor of Science (B.S.) degree in Communications from Central Michigan University.

Ms. Cynthia Whitt,¹⁰¹ Vice-President for University Advancement, is the veteran member of the President's Cabinet, having served in her current role since 1991. Ms. Whitt's tenure at LMU began in 1987 when she became Director of Public Relations. In 1989, she was promoted to Director of Alumni Affairs. She is a graduate of LMU, earning her Bachelor of Arts in psychology in 1977 and her Master of Education in educational administration and supervision in 1993. Before joining LMU, Ms. Whitt held marketing and public relations

¹⁰⁰ A copy of Ms. Bontrager's CV is attached hereto as **Exhibit 76**.

¹⁰¹ A copy of Ms. Whitt's CV is attached hereto as **Exhibit 77**.

positions with another private institution, as well as serving in the arenas of health insurance and profit sharing for the Belk Corporation.

As Vice-President for University Advancement, Ms. Whitt oversees the fund and friend raising responsibilities of LMU. She develops and implements programs directed at individuals and corporations who have a high potential for LMU support and is responsible for meeting the annual fund requirements, as well as planning and initiating capital campaigns and planned giving. Ms. Whitt also supervises the alumni services, foundation research, marketing and public relations, gift processing, web and publications, and prospect research efforts of LMU.

LMU's organizational chart illustrates the areas of responsibility for each of LMU's administrative and academic officers.¹⁰²

THE DUNCAN SCHOOL OF LAW PROGRAM

Dean Sydney Beckman¹⁰³ is the chief academic and administrative officer for the Duncan School of Law (DSOL). Dean Beckman received his Doctor of Jurisprudence (J.D.) degree from Baylor University School of Law and comes to LMU with proven experience at the Charleston School of Law, a startup law school which opened its doors in 2004. As a member of the faculty at CSOL, Dean Beckman taught Evidence, Domestic Relations, and Technology and the Law. He also served on the Dean's Advisory Council and on a number of committees, including faculty recruitment, technology, admissions, and student affairs. Prior to joining academia, Dean Beckman practiced law for approximately fifteen years, was an adjunct professor at Texas Wesleyan University School of Law in Fort Worth, Texas, and served for three years as a municipal judge pro tem. Dean Beckman has also served as a visiting family law magistrate.

Dean Beckman has authored *O'Connor's Family Code Plus* in 2001 and co-authored its

¹⁰² See **Exhibit 78**.

¹⁰³ A copy of Dean Beckman's CV is attached hereto as **Exhibit 79**.

updates through 2007. He has contributed to numerous books, trial aids, and law publications. Most recently, Beckman coauthored *Evidence—A Contemporary Approach* with Professors Susan Crump and Fred Galves. The textbook from Thomson-West Publishers was released in the summer of 2009. Beckman is also a regular speaker and author in both legal academia and the legal profession.

Dean Gordon Russell¹⁰⁴ is an Associate Dean, Professor of Law, and Director of the Law Library. Prior to joining LMU, Dean Russell served as Associate Dean, Professor of Law, and Library Director for the Charleston School of Law from 2004-2008. He also formerly held the position of Law Library Director at St. Thomas University's law library, where he was also an associate professor of law. Dean Russell has experience as a teacher of first-year legal research and writing, advanced electronic research for upper-level classes, and computer-assisted legal research. Dean Russell is an online instructor for the International Off-Shore Tax LL.M. program and is a member of the American Association of Law Libraries, the American Association of Law Schools, and the Canadian Association of Law Libraries.

Dean Russell received his B.A. degree from Brigham Young University, M.L.S. from Brigham Young University, LL.B. from University of Western Ontario, and J.D. degree from the University of New Mexico.

Dean April Meldrum¹⁰⁵ is the Associate Dean for Academics,¹⁰⁶ Assistant Professor of Law, and Director of the Lawyering Skills Program. Prior to joining LMU, Dean Meldrum practiced as a trial attorney for ten years until she was elected as the Anderson County Juvenile Court Judge in 2006. Dean Meldrum has a B.A. in English and an Associate's degree in

¹⁰⁴ A copy of Dean Russell's CV is attached hereto as **Exhibit 129**.

¹⁰⁵ A copy of Dean Meldrum's CV is attached hereto as **Exhibit 118**.

¹⁰⁶ A position description for the Associate Dean for Academics is attached hereto as **Exhibit 131**.

Business Administration from Lincoln Memorial University. Dean Meldrum earned her J.D. from Samford University Cumberland School of Law.

Dean Jonathan A. Marcantel¹⁰⁷ is the Assistant Dean for Assessment and Assistant Professor of Law. Prior to joining LMU, Dean Marcantel was a law clerk to the Honorable William L. Howard, Sr., South Carolina Court of Appeals Judge; an associate attorney at Finkel & Altman, L.L.C., where he was statewide local counsel for both a major financial institution and an international software company; and most recently, a Legal Writing Professor at the Charleston School of Law. Dean Marcantel has also taught as an Adjunct Professor of Political Science at the College of Charleston. Dean Marcantel graduated cum laude from the College of Charleston with BAs in Political Science and History; Dean Marcantel graduated cum laude from the University of South Carolina School of Law. Dean Marcantel has published *The Crumbled Difference Between Legal and Illegal Arbitration Awards: Hall Street Associates and the Waning Public Policy Exception*, 14 *FORDHAM J. CORP. & FIN. L.* 597 (2009). Dean Marcantel will be submitting an article entitled *Piercing the Corporate Veil: A Uniform Approach* in the February 2010 submission cycle.

¹⁰⁷ A copy of Dean Marcantel's CV is attached hereto as **Exhibit 17**.

3.3.1 The institution identifies expected outcomes, assesses the extent to which it achieves these outcomes, and provides evidence of improvement based on analysis of the results in each of the following areas (**Institutional Effectiveness**):

- 3.3.1.1 educational programs, to include student learning outcomes
- 3.3.1.2 administrative support services
- 3.3.1.3 educational support services
- 3.3.1.4 research within its educational mission, if appropriate
- 3.3.1.5 community/public service within its educational mission, if appropriate

Include a description of how the institution will monitor the quality of the proposed program(s). Summarize procedures for the systematic evaluation of instructional results and the use of those results to improve the newly expanded programs.

For electronic instruction or compressed time frames, include a description of the methodology for determining that levels of knowledge and competencies are comparable to those required in traditional formats have been achieved.

Narrative Response:

This section has two parts. The parts specific to Lincoln Memorial University (LMU) are contained on pages 82–106. The parts specific to the Duncan School of Law (DSOL) are contained on pages 106–118.

LMU complies with Comprehensive Standard 3.3.1. LMU identifies expected outcomes for its educational programs, administrative and education support services, and research and community services. Furthermore, LMU assesses the extent to which it achieves the expected outcomes and uses the results of assessment for improvement of its programs and services. Strategic Planning at the institutional level (discussed in Core Requirement 2.5) is supported at the program, service, and unit levels to constitute a comprehensive planning, assessment, and improvement process at LMU. Strong evidence that LMU fulfills its Mission of improving life in the tri-state region can be found in the 2008 economic impact study¹⁰⁸ which clearly shows that LMU is assessing its overall success in fulfilling its Mission and its impact on the region it serves. Each sub-section is addressed individually in the following sections.

¹⁰⁸ See Exhibit 80.

3.3.1.1

The educational programs at LMU comply with Comprehensive Standard 3.3.1.1. Educational programs at LMU clearly identify expected student learning outcomes, assess the extent to which the expected outcomes are achieved, and demonstrate that assessment results are used for improvement. Collectively, through two major assessment processes, data is gathered concerning the operation of educational programs from a variety of sources using a broad range of assessment measures at the program level:

1. Annual Academic Program Outcomes Assessments: Each academic program produces an Assessment Plan/Outcomes Report for the academic year that includes program goals and objectives and intended outcomes (including student learning goals) for the program, how these outcomes are measured, and how the outcomes are related to both institutional and strategic goals, where applicable. After the academic year has concluded, each academic program submits a report which details the results of assessment/evaluation activities conducted by the program during the year. Academic programs interpret assessment results for the current academic year and explain how they have used their assessment results from the previous year for improvement during the current year. There are three Outcomes Assessment Report Forms produced by each educational program each academic year:
 - a. Program Assessment Information Form¹⁰⁹—which identifies the program’s mission, describes how the program mission is aligned with/related to LMU’s Mission, identifies the program’s goals and objectives (emphasizing student learning goals), identifies related institutional and strategic goals (where appropriate), and identifies key assessment instruments/measures (both direct and indirect) used to assess the attainment of program goals/objectives for the year.
 - b. Program Outcomes Assessment Summary Form¹¹⁰—which identifies program goals/objectives and related institutional and strategic goals; assesses results/outcomes of evaluation and measurements, methods, and/or comparisons to benchmarks for the current year; and recommends improvements and/or continued assessment for the next academic year.
 - c. Use of Prior Year Assessment Results for Improvement Form¹¹¹—which identifies areas determined to need improvement based on assessment/evaluation conducted during the previous academic

¹⁰⁹ See Exhibit 81.

¹¹⁰ See Exhibit 82.

¹¹¹ See Exhibit 83.

year, specific steps/initiatives/actions taken to bring about the desired improvements, and the results of assessment during the current year to determine if the intended improvements were actually achieved. The form also includes any recommendations for further improvements or continued assessment during the next year.

2. Periodic Academic Program Reviews: Academic programs participate in a comprehensive academic program review/self-study process every three to five years. Academic programs use the LMU Guidelines and Schedule for Program Review¹¹² which requires assessment and reporting on numerous program elements related to program effectiveness, including relevance to the LMU's Mission, learning outcomes, teaching, scholarship, service, organization, curricula, size, and resources. The majority of students enrolled in declared degree programs at LMU are in programs that are required to meet the specific accreditation/approval standards of external accreditation/state approval agencies. Self-studies produced for program accreditation/approval purposes are accepted in replacement of academic program reviews, provided they are developed during the year a program review is scheduled or the year immediately preceding the scheduled review. Programs with programmatic accreditation must submit program reviews between accreditation/ reaffirmation of accreditation reviews.

LMU places primary responsibility for academic program content, quality, review, and educational effectiveness with appropriately credentialed program faculty, as indicated in the response to Comprehensive Standard 3.4.10.

The assessment methods and instruments/practices used by individual academic programs vary considerably among programs and are selected by program faculty on the basis of their relevance to the discipline and their measurement properties/capabilities in relation to the intended student learning outcomes. Copies of the Assessment Instruments Chart for the Doctor of Osteopathic Medicine Program¹¹³ and the Assessment Instruments Chart for the A.S.N. Program¹¹⁴ demonstrate comprehensive summaries of program assessment instruments specific to the discipline incorporating both direct and indirect measures of student learning.

¹¹² See Exhibit 84.

¹¹³ See Exhibit 85.

¹¹⁴ See Exhibit 86.

All academic departments and programs at LMU use direct measures of student learning such as licensure/certification exams; nationally standardized assessment instruments/tests; locally developed tests/instruments; course-embedded assessments; and performance assessments, such as internship/clinical on-site evaluations, writing samples, oral presentations, and portfolios. Indirect measures such as surveys, interviews, and focus groups are also used to compliment direct measures of assessment or to assess constructs that are difficult to assess through other methods. Through yearly assessment reports and the program review process, data is collected from current students, alumni, employers, field/clinical supervisors, extracurricular program-related activities, and faculty.

Three academic schools other than the Doctor of Jurisprudence (J.D.) program offer degree programs at extended teaching sites—education, nursing, and business. Programs in education use multiple measures of assessment, including the LiveText electronic assessment program, the standardized Praxis tests from the Educational Testing Service, and other discipline-specific assessment methods and processes that ensure the comparability of degree programs at each teaching site where education degree programs are offered.

Nursing programs use multiple methods of assessment such as Educational Resources, Inc. (ERI), Educational Benchmarking Inc. (EBI), the National Council Licensure Examination-Registered Nurse (NCLEX-RN) tests results, and other discipline-specific assessment methods and processes to ensure the comparability of degree programs at each teaching site where nursing programs are offered.

The School of Business uses the Major Field Test in Business and the Major Field Test for M.B.A. Programs (ETS) along with other assessment processes to ensure that its degree programs at all teaching sites are comparable.

In addition to the assessment data collected by individual academic programs at LMU, the Office of Institutional Research and Accreditation conducts regular assessments of current students, graduating students, and alumni concerning their perceptions of the academic programs, educational support services, and educational/academic resources. Results of these assessments are disaggregated by academic program/department/extended learning site and disseminated to academic administrators, program directors, deans, and faculty for use in academic program assessment, planning, and budgeting. LMU uses the commercial survey program, Zoomerang, for many of its institution-wide, as well as program specific surveys. Zoomerang is also used to collect data concerning faculty opinions of facilities, educational resources, and other areas impacting academic programs. Comparisons of students' academic performance and students' perceptions of their learning and educational experiences at all extended teaching sites are conducted regularly and results distributed to appropriate academic leadership through the Institutional Effectiveness Committee (IE). The documentation that accompanies this response includes minutes of the I.E. for 2007-2008¹¹⁵ and 2008-2009.¹¹⁶ Examples of recent assessments conducted, analyzed, and used in planning and assessment processes at the institutional level include:

1. Cooperative Institutional Research Program (CIRP) Freshman Survey (from the Higher Education Research Institute);
2. ACT Evaluation Survey Services–Student Opinion Survey (ACT-SOS) (from American College Testing);
3. LMU Graduate Student Opinion Survey;
4. LMU Graduating Student Survey (Undergraduate);
5. LMU Graduating Student Survey (Graduate);
6. ACT Evaluation Survey Services–Alumni Outcomes Survey (Form Results Additional Questions) (ACT-AOS) (from American College Testing);
7. Academic Advisor Survey; and
8. National Survey of Student Engagement (Benchmark Reports 2004, 2006, 2007, and 2008).

¹¹⁵ See Exhibit 87.

¹¹⁶ See Exhibit 88.

Annual academic program Outcomes Assessment Reports clearly demonstrate that each academic program at LMU identifies appropriate expected outcomes (including student-learning outcomes), assesses the extent to which it achieves the expected outcomes (using multiple methods of assessment), and uses the results of assessment for program improvement. Recent Outcomes Assessment Reports for each current academic program listed below are available on site as evidence of program assessment and use of evaluation results for improvement. Earlier reports dating back to the last SACS reaffirmation of accreditation are maintained in the Office of Institutional Research and Accreditation.

Several of LMU's academic programs are accredited/approved by external accreditation/authorization agencies/organizations. As noted in the Report of On-Site SACS Substantive Change Committee, which visited LMU March 17-19, 2008, "A number of academic programs have recently undergone successful accreditation review by subject specific review boards and agencies, some with commendations for excellence, which indicate academic excellence and effectiveness."¹¹⁷ The following list of externally accredited programs includes the date of last reaffirmation (for initial accreditation) as noted:

- The A.S. in Nursing Program (LMU's largest undergraduate program) received reaffirmation of program accreditation by the National League for Nursing–Accrediting Commission (NLNAC) in 2003, with favorable comments concerning its educational effectiveness and program evaluation processes.
- The R.N.-B.S.N. Program received reaffirmation of program accreditation by the NLNAC in 2003.
- The M.S.N. Program received initial accreditation from the NLNAC in February 2008 for the Family Nurse Practitioner Concentration.
- The Nurse Anesthetist Concentration in the M.S.N. program received initial accreditation from the American Association of Nurse Anesthetists–Council on Accreditation (AANA–COA) in May 2008.
- The A.S.N. and B.S.N. Programs located in Tennessee were reviewed and received continuing Tennessee State Board of Nursing approval in 2007.
- The A.S.N. Program located in Kentucky received continuing approval from the Kentucky State Board of Nursing in 2007.
- The A.A.S. in Veterinary Technology Program received reaffirmation of program accreditation by the American Veterinary Medical Association (AVMA) in November 2004.

¹¹⁷ See **Exhibit 89**, pg. 4.

- The B.S. in Veterinary Technology Program received its initial accreditation from the AVMA in November 2005.
- The B.S. in Athletic Training Program received reaffirmation of program accreditation from the Commission on Accreditation of Athletic Training Education (CAATE) in July 2006.
- The B.S. in Medical Technology Program received reaffirmation of program accreditation from the National Accrediting Agency for Clinical Laboratory Sciences (NAACLS) in April 2005.
- The B.S. in Social Work Program received reaffirmation of program accreditation from the Council on Social Work Education (CSWE) in February 2006.
- LMU's undergraduate and graduate education programs received continuing approval from the Tennessee Department of Education in 2007.
- The DeBusk College of Osteopathic Medicine achieved continuing provisional accreditation with the American Osteopathic Association–Commission on Osteopathic College Accreditation (AOA–COCA) following an on-campus review in February 2008. This process is repeated each year prior to the graduation of the initial class of osteopathic medical students.
- The M.M.S. Program in Physician Assistant Studies received provisional accreditation from the Accreditation Review Commission on Education for the Physician Assistant in March 2009.

Improvements for each academic program are clearly demonstrated through the information presented in the Use of Prior Year Assessment Results for Improvement Forms,¹¹⁸ submitted as part of the systematic Outcomes Assessment process and program reviews. While all academic programs have demonstrated that they identify expected outcomes, assess the extent to which they achieve those outcomes, and provide evidence of improvement through their outcomes assessment and program review processes, some major recent improvements/accomplishments in LMU's academic programs and assessment processes are listed below:

- Moving to Level V degree granting approval with the Southern Association of Colleges and Schools-Commission on Colleges (SACS-COC), with no recommendations.
- Addition of a Doctor of Osteopathic Medicine Degree (DCOM) accredited by the American Osteopathic Association Commission on Osteopathic College Accreditation (COCA). The Visiting COCA Accreditation Team wrote seven commendations concerning DCOM's compliance with program accreditation standards.
- Addition of a Doctor of Executive Leadership program (Ed.D.) with approval from the SACS-COC.
- Addition of a Master of Science in Nursing Degree with a Family Nurse Practitioner concentration accredited by the National League for Nursing Accrediting Commission (NLNAC). One hundred percent of the students who graduated in the initial class passed their standardized certification exams.
- Addition of a Nurse Anesthetists concentration within the M.S.N. program accredited by the American Association of Nurse Anesthetists (AANA), Council on Accreditation (COA), and the National League for Nursing Accrediting Commission (NLNAC).
- Addition of a new Master of Medical Science degree in Physician Assistant Studies (PA). The Program is accredited by the Accreditation Review Commission on Education for the Physician Assistant (ACRPA).

¹¹⁸ See Exhibit 83.

- Improvement in NCLEX licensure scores for graduates of the A.S.N. program following appointment of a task force to study potential ways of improving NCLEX results.
- Pass rates on PRAXIS licensure tests for both graduate and undergraduate education programs that continue to exceed state and national averages.
- A 100% pass rate on the ASCP Board of Registry Exam for Medical Technology program graduates in 2008 and 2009.
- Program review that led to discontinuing academic programs that no longer met LMU expectations because of low/no enrollment: American Studies, Appalachian Development Studies, Humanities, Social Science, and the Associate of Business Administration.
- Establishment of new extended learning sites in Morristown, TN; Kingsport, TN; Sevierville, TN; and Middlesboro, KY.
- Restructuring of School of Business programs based on outcomes assessments and program reviews.
- Revision of the general education curriculum based on assessment, including Collegiate Assessment of Academic Proficiency test results.
- Significant increase in the number of undergraduate students engaged in research sponsored/supervised by LMU faculty.
- Significant improvement in the use of LiveText in the assessment process of the Carter and Moyers School of Education to compare results of program-level student learning assessment for students enrolled at each instructional site.
- Caylor School of Nursing adopted and used Educational Resources, Inc. (ERI) to improve its assessment of student learning.
- Revitalization of the Sequenced Enhancement of Writing Series (SEWS) process developed to ensure that LMU graduates have the writing skills necessary for success after college.
- Initiation of an institution-wide information literacy course (INFL 100) to ensure that LMU students can identify and use appropriate information sources. Based on the success of this initiative, the course content has now been integrated into general education courses and into each major as a part of LMU's Quality Enhancement Plan (QEP).
- Academic programs developed capstone courses that help students integrate program learning outcomes and provide improved opportunities to assess attainment of expected student learning goals.

3.3.1.2

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.3.1.2. LMU identifies expected outcomes for its administrative and student support services, assesses the extent to which the expected outcomes are achieved, and uses the results of assessments for improvement of those support services. Administrative support service programs at LMU complete annual outcomes assessment reports, similar to those completed by academic programs (see Comprehensive Standard 3.3.1.1). The outcomes assessment process at LMU for administrative support services includes the annual submission of three forms (similar to those used for academic programs):

- a. Program Assessment Information Form¹¹⁹—which identifies the administrative/support service’s mission, describes how the administrative/support service’s mission is aligned with/related to LMU’s Mission, identifies the goals and objectives of the unit, identifies related institutional and strategic goals, and identifies key assessment instruments/measures used to assess the attainment of goals/objectives.
- b. Program Outcomes Assessment Summary Form¹²⁰—which identifies goals/objectives and related institutional and strategic goals, assesses results/outcomes of evaluation and measurement methods/benchmarks for the current year, and states recommendations for improvements and/or continued assessment for the next academic year.
- c. Use of Prior Year Assessment Results for Improvement Form¹²¹— which identifies areas determined to need improvement based on assessment/evaluation conducted during the previous academic year, identifies specific steps/initiatives taken to execute the desired improvement, and provides the results of assessment during the current year. The Form also provides recommendations for further improvement/continued assessment.

Documentation that administrative support services at LMU identify expected outcomes, assess the extent to which expected outcomes are achieved, and provide evidence of improvement exists in the form of completed outcomes assessment reports for each unit/service. Each administrative unit/service Outcomes Assessment Report includes evidence of the use of assessment results for the improvement by the unit.

In addition to the assessment efforts of each individual administrative support service, LMU’s Office of Institutional Research and Accreditation conducts institution-wide assessment and distributes the results to administrators and divisions heads for use in planning for improvement in administrative support services. Examples of institution-wide assessments provided to administrative support service units for use in assessment and planning include:

- Graduating Student Surveys (Undergraduate and Graduate);
- Student Opinion Surveys (Undergraduate and Graduate);
- IPEDS Data Feedback Reports; and
- CIRP Institutional and Trend Reports.

¹¹⁹ See Exhibit 81.

¹²⁰ See Exhibit 82.

¹²¹ See Exhibit 83.

Collectively, the evidence demonstrates that LMU identifies expected outcomes for its administrative and student support programs, assesses the extent to which it achieves those outcomes, and provides evidence of improvement based upon analysis of the results. Some recent, significant improvements and accomplishments in LMU's administrative programs that deserve special mention are listed below:

- Increased enrollment on the main campus and at extended teaching sites.
- Revised admissions policies based on student retention and success statistics.
- Constructed new residence halls and remodeling of older residential facilities.
- Established LMU apartments near campus.
- New scholarship/institutional grant policies/programs designed to attract and reward academically talented and underrepresented student populations.
- Constructed new buildings housing faculty/staff offices (in addition to classrooms) that are designed to support quality administrative/student support/and academic programs.
- Improvements to recreational/instructional facilities (natatorium, gymnasium, weight rooms, practice fields, etc.).
- Initiated construction of new athletic facilities, including a new soccer field and tennis courts.
- Instituted a new student insurance program for all undergraduate students.
- Expanded campus security staff and improved monitoring of facilities.
- Provided clinic offering medical services for students, faculty, and staff.
- Improved budgeting process and availability of budget information for all unit heads (administrative and academic through DataTel system).
- Changed management of bookstore to better serve student needs and introduced system for books delivered or shipped directly to students enrolled at extended teaching sites.
- Improved retention of academically challenged students through Early Warning System.
- Relocated Student Support Program to University Student Center.
- Added new employee benefits (additional insurance options).
- Established and sustained Student Technical Assistance program.
- New Information Services (IS) Help Desk and technical assistance.
- Completed assessment surveys and focus groups concerning campus food services and made improvements based on results.
- Increased Endowment.
- Increased funding for scholarships.
- Moved from Gulf South Conference to South Atlantic Conference, reducing student athlete travel time and increasing support of athletic programs.

3.3.1.3

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.3.1.3. LMU identifies expected outcomes for its educational support services, assesses the extent to which the expected outcomes of educational support services are achieved, and uses the results of its assessments for the improvement of educational support services with the same process used for administrative and student support services. Educational support services at LMU complete annual outcomes assessment reports. The outcomes assessment process at LMU for educational support services includes the annual submission of three forms, similar to those used for administrative services:

- a. Program Assessment Information Form¹²²—which identifies the unit mission, describes how the educational support service unit mission is aligned with/related to the LMU’s Mission, identifies goals and objectives, identifies related institutional and strategic goals, and identifies key assessment instruments/measures used to assess the attainment of goals/objectives.
- b. Program Outcomes Assessment Summary Form¹²³—which identifies the educational support program/unit goals/objectives and related institutional and strategic goals, assesses results/outcomes of evaluation and measurement methods/benchmarks for the current year, and recommends improvements and/or continued assessment for the next academic year.
- c. Use of Prior Year Assessment Results for Improvement Form¹²⁴—which identifies areas determined to need improvement based upon assessment/evaluation conducted during the previous academic year, identifies specific steps/initiatives taken to execute the desired improvement, identifies the results of assessment during the current year, and recommend further improvement/continued assessment.

Educational support services take many forms and are assessed using both institutional-level assessment methods and program-level assessment methods. Some educational support services use special standardized assessments. For example, the Carnegie-Vincent Library uses LibQual to measure the quality of library services based on the perceptions of students, faculty,

¹²² See Exhibit 81.

¹²³ See Exhibit 82.

¹²⁴ See Exhibit 83.

and staff. All educational support services are assessed through institution-wide standardized and institutionally developed assessment instruments administered through the Office of Institutional Research and Accreditation. Some of the standardized instruments employed include: the ACT Evaluation Survey Services (ESS) series, the National Survey of Student Engagement (NSSE), and other standardized commercial evaluation instruments. While evidence that administrative support services at LMU identify expected outcomes, assess the extent to which those outcomes are attained, and use the results for improvement exists in individual program/service outcomes assessment reports, a few examples of recent improvements in educational services as a result of the use of assessment are listed below:

1. When an Academic Advising Survey administered to undergraduate students in Spring 2007 indicated students in some areas were not satisfied with academic advising, LMU researched ways of resolving the problems. LMU selected and purchased the Academic Advising for Student Success and Retention Program from Noel-Levitz and conducted a series of advising workshops for all faculty members. A special presentation about the program was made at the Fall 2007 Faculty/Staff Conference for new faculty, and new faculty later participated in advising workshops. Subsequent Graduating Student Opinion Surveys (Undergraduate) indicate undergraduate students' perceptions of academic advising services have improved.
2. LMU participated in the LibQual Survey in 2006 and 2008 to assess its library services, and as indicated in the Carnegie-Vincent Library Outcomes Assessment Reports (2008-2009, 2007-2008, 2006-2007, and 2005-2006), changes were made based on the results.
3. Based on computer use in the library's computer lab, LMU purchased laptop computers and created a wireless environment in the library. Due to student demand, the number of laptops was increased, and library assessment results indicate students are pleased with the changes.
4. Established Reid Medical Library to support the Doctor of Osteopathic Medicine and Allied Health Programs.
5. LMU has strengthened its English Language Institute (see Kanto/ International Studies Outcomes Assessment Report (2008-2009, 2007-2008, 2006-2007, and 2005-2006) as a result of assessment. The curriculum was revised and enhanced, new admissions policies were adopted, and the staff was expanded to better serve international students.
6. A mini-grants program was initiated to encourage faculty research. Faculty members have applied for and received mini-grants.
7. There has been an increase in grants received by LMU, and the Office of Research, Grants, and Sponsored Programs has been strengthened through the addition of a post-award position and relocation to the Division of Academic Affairs.
8. Establishment and appointment of the Dean of Research and STEM Initiatives.
9. Based on need as indicated in Institutional Research Office outcomes assessment reports 2005-2006, LMU has more than doubled the number of CAAP exam tests administered annually.
10. Converted the institutionally developed general education assessment exam to an on-line format for improved analysis and reporting purposes.
11. The Institutional Research Office began using the Zoomerang on-line survey system to improve the efficiency and effectiveness of its assessment surveys. Participation rates have increased for annual surveys since the change, and survey results can now be

- disaggregated and used for assessment purposes by academic programs and instructional sites.
12. The Registrar's Office has added a full-time person to assist transfer students.
 13. WebAdvisor was introduced to allow students and faculty access to academic and other records and course schedules. Students and faculty can now access academic information from any internet-capable computer.
 14. Services to extended sites have been improved as indicated in Extended Site Assessment Reports.
 15. Additional professionally trained librarians have been employed to better serve the learning resource needs of students and faculty.
 16. Faculty development/training workshops were conducted on topics selected based as a survey of faculty needs.

Documentation that educational support services at LMU identify expected outcomes, assess the extent to which expected outcomes are achieved, and provide evidence of improvement exists in the form of completed outcomes assessment reports for the units providing education support. Collectively, the evidence provided in the outcomes assessment reports for educational support services and institutional research data support the conclusion that educational support services at LMU identify expected outcomes, assess the extent to which it achieves these outcomes, and uses the result for improvement.

3.3.1.4

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.3.1.4. LMU is primarily a teaching institution; however, LMU has recently made a commitment to encourage and support research. LMU identifies expected outcomes for its research activities, assesses the extent to which it achieves these outcomes, and provides evidence of improvement based on analysis of the results. While LMU has encouraged research throughout its history, there has been an increase in the expectation for faculty research and scholarly activity in recent years. In 2006, LMU's Mission and Institutional Goals were revised to reflect an institutional commitment to support and sustain faculty research consistent with the move to Level V degree granting approval with Southern Association of Colleges and Schools-Commission on Colleges (SACS-COC). The following institutional goals reflect LMU's expectation for faculty research:

1. Institutional Goal 6: Attract and retain a highly qualified faculty and staff, committed to teaching, research, and service, by providing the best compensation program possible.
2. Institutional Goal 7: Commit resources to support the teaching, research, and service role of the institution and the faculty.¹²⁵

During the 2006-2007 academic year, it was determined that a new strategic goal with a set of expected outcomes (expressed in objectives, strategies, and actions plans) would provide the necessary structure and framework to promote and sustain an increasing emphasis on research for the next five years. In the months leading up to the July 2007 Strategic Planning Retreat, several members of the LMU community worked toward drafting a new strategic goal regarding research. At the 2007 Strategic Planning Retreat, a new strategic goal addressing research was presented, discussed, refined, and approved for inclusion in LMU's Strategic Plan. The new strategic goal, as it appeared in the 2008-2013 LMU Strategic Plan, is attached hereto as **Exhibit 90**. During the 2009 Strategic Planning Retreat, progress on the new strategic goal was reviewed, and the goal was modified and included the 2009-2014 LMU Strategic Plan. A copy of Strategic Goal 7, as it appears in the 2009-2014 Strategic Plan, is attached as **Exhibit 91**.

Significant changes have resulted from the increased emphasis on research. After an initial assessment of LMU research activities in 2006, a new research fund was established to encourage faculty research and grant writing. Faculty position profiles and evaluation and promotion criteria were revised to emphasize and promote faculty research. Recent faculty searches have given priority to candidates with a solid research record. The Faculty/Staff Policy Manual was revised and now includes a section concerning the expectation for faculty scholarship: "As a Level V institution, LMU's faculty duties, responsibilities and reward systems support the scholarship trilogy of teaching, research/creative achievement and service. Consequently, the University will consider faculty development, workload allocation, merit pay

¹²⁵ See **Exhibit 12**.

and promotion processes, which offer incentives for scholarly activities and achievements and promote faculty research productivity. Based on discipline, academic expertise, and institutional mission, elements of the evidentiary scholarly outcomes list (Faculty/Staff Policy Manual, Appendix F: Scholarly Outcomes List) should comprise the faculty member's professional portfolio."¹²⁶

The Faculty/Staff Policy Manual was also revised to include a definition of scholarship:

At Lincoln Memorial University scholarly activity is valued, both in itself and as it promotes student learning. Scholarship may embrace any or all of Dr. Ernest Boyer's taxonomy of scholarship emphases: the scholarship of discovery, of integration, of application, and of teaching (Scholarship Reconsidered, 1990). Also, as indicated by the findings of the Carnegie Academy for the Scholarship of Teaching and Learning (Hutchings, Babb & Bjork, 2002), LMU believes that the scholarship of teaching and learning should be various, reflecting the wide variety of forms and methods and genres that emerge. Whatever the emphasis, scholarship produces a record and a body of work marked by a rigor and responsiveness which seeks to understand and improve learning; it is marked also by a willingness to question and experiment. Such scholarship involves individual and collaborative inquiry and creativity as well as the exchange of ideas, research, and findings from within and beyond the University community.¹²⁷

The LMU Promotions, Multi-Year Appointments, and Appeals Committee, which considers applications for promotions in faculty rank and multi-year appointments, revised its criteria for promotion to emphasize consideration of research in the evaluation process.

In 2005, LMU initiated a Writer-in-Residence program. The first writer-in-residence is Silas House, a leading Appalachian author. The Mountain Heritage Literary Festival was established in 2006 to pay tribute to the rich literary heritage of the region and of LMU, which is the *alma mater* of such writers as James Still, Jesse Stuart, and Don West.

LMU's Commitment to supporting research is clearly demonstrated by LMU's operation of research facilities and support structures. The Cumberland Mountain Research Center (CMRC) is located on LMU's main campus and provides research opportunities for both faculty and students. The CMRC offers a fully functioning laboratory setting to support Biological and Environmental research conducted in the field. The laboratory is a member of the CESU

¹²⁶ See **Exhibit 92**, section 2, page 1.

¹²⁷ *Id.*

Southern Appalachian Mountains Division and a partner in the National Biological Information Infrastructure project. CMRC faculty and students have participated in research efforts and grant-funded projects with numerous state and federal agencies. The facility provides an excellent setting for faculty to involve undergraduate students in grant-funded research projects.

After several years in development, LMU formally opened the Powell River Aquatic Research Station (PRARS) on April 16, 2008. PRARS is a 576-square foot field station located in Tazewell, Tennessee, in southern Claiborne County. It was developed through a partnership with the Tennessee Valley Authority (TVA), local officials, and LMU to create additional infrastructure capable of supporting increased study of the Powell River. The station represents important research opportunities for the critical habitat that exists in the Powell River. PRARS has internet connectivity and excellent technology resources, a small conference facility, and modest accommodations for visiting researchers and students. Recent renovations and improvements were funded by a grant from the National Science Foundation Field Stations and Marine Laboratories program.

LMU's Office of Research, Grants and Sponsored Programs (ORGSP) was moved from the Division of University Advancement to the Division of Academic Affairs (2007) to better facilitate and support faculty research efforts. The Post-Award Grants Manager position was expanded and moved from Business to the ORGSP (2008) to assist faculty in grant management. The Director of Research, Grants, and Sponsored Programs and the Post-Awards Grant Manager have participated in professional development activities in preparation for increased grant activity. ORGSP personnel, with assistance from the Institutional Review Board, the newly established University Research Committee (URC), and LMU's Administration, have worked to develop policies that encourage research and grant writing across LMU. LMU has experienced an increase in research and grant funding, as reflected in ORGSP outcomes assessment, which

provides evidence that the changes have achieved their goals. In 2009, a new position, Dean of Research and STEM Initiatives, was established to better coordinate LMU's research efforts. Dr. Alan Biel¹²⁸ currently fills the position.

The LMU Mini-Grants Program was initiated in the 2006-2007 academic year and is intended to provide financial assistance to promising researchers in a variety of scholarly projects while enhancing the overall research environment of LMU. These grants are provided by LMU to encourage faculty research. A list of recipients of the FY 2008-2009 LMU Mini-Grant Awards and the titles of their research projects are included as **Exhibit 94**. A list of the recipients of the FY 2009-2010 LMU Mini-Grant Awards and the titles of their research projects are included as **Exhibit 95**. Efforts by LMU faculty to guide students' research/scholarly activity have resulted in an increase in the number of students presenting their research at regional/national conferences as documented by the 2007-2008 and 2008-2009 Funded Student Research Projects, attached hereto as **Exhibits 96 and 97** respectively.

In an effort to improve the process for assessing faculty research/scholarship, a new system was developed and implemented in 2008 that requires all faculty members to complete and submit a Faculty Information Form¹²⁹ each spring semester. The new form provides LMU with comprehensive information concerning faculty research/scholarship. Sample Faculty Information Forms for spring 2008 are presented in **Exhibit 99**. The new Dean of Research and STEM Initiatives is currently revising the process for assessing faculty research/scholarship and expects to implement revisions to the process during the spring 2010 semester.

LMU continues to plan potential new ways of expanding research, including possible international research opportunities for its faculty and students through a newly developed relationship with the Belize Foundation for Research and Environmental Education (BFREE).

¹²⁸ A CV is attached hereto as **Exhibit 93**.

¹²⁹ See **Exhibit 98**.

LMU is working with the Appalachian College Association (ACA) to investigate research and educational opportunities for faculty and students from LMU and other ACA-member institutions. LMU is also assessing the feasibility of medical student rotations to assist with the health care needs of Toledo District, especially the indigenous Maya.

As demonstrated in this review of recent progress, LMU has presented evidence that it identifies expected outcomes for research within its educational mission, assesses the extent to which it achieves the outcomes, and provides evidence of improvement based on analysis of the results. While LMU remains primarily a teaching institution, a renewed and significantly expanded emphasis on research, consistent with its Mission and LMU's recent elevation to Level V degree granting status with the SACS-COC, is clearly present.

3.3.1.5

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.3.1.5. The LMU Mission Statement was reviewed and Institutional Goals were modified in 2006 to strengthen the service mission of LMU. The Mission reflects a commitment to service by declaring that, "The University is committed to teaching, research, and service."¹³⁰ The Mission further states: "Lincoln Memorial University seeks to advance life in the Cumberland Gap area and throughout the region through its teaching, research, and service mission."¹³¹ Three institutional goals derived from the Mission and representing key considerations for institutional and program planning at LMU now reflect an expectation for community service. They are:

1. Institutional Goal 4: Advance the Cumberland Gap and tri-state region through community service programs in continuing education, leadership development, recreation, and the fine and performing arts.
2. Institutional Goal 5: Continue as a critical educational, cultural, and recreational center for the area, and to develop and maintain facilities, which are safe, accessible, and conducive to the development of body, mind, and spirit.

¹³⁰ See Exhibit 27.

¹³¹ See Exhibit 27.

3. Institutional Goal 7: Commit resources to support the teaching, research, and service role of the institution and the faculty.¹³²

Since the revision of the Institutional Mission and Goals, LMU has made tremendous progress in achieving the expected outcomes expressed in the Mission and goals. Within LMU's organizational structure, there are additional programs and two well-established major units that provide extensive service to the Cumberland Gap and tri-state region.

J. Frank White Academy

Founded in 1989, the J. Frank White Academy (JFWA) is a college preparatory school located on the campus of LMU. Accredited by the Southern Association of Colleges and Schools-Council on Accreditation and School Improvement (SACS-CASI), the J. Frank White Academy serves average and above-average ability students in grades five through twelve who desire a college preparatory education. JFWA is the only SACS-CASI accredited school in Claiborne County and serves students from three states (Virginia, Kentucky, and Tennessee). In the fall of 2007, the J. Frank White Academy enrolled seventy-two students. Enrollment for fall 2008 rose to eighty-two. In fall 2009, enrollment was ninety-six. The JFWA school profile provides information on the academic character of the academy, which currently maintains a 100% college placement rate and standardized test scores (ACT) that exceed both the state and national averages. JFWA was awarded continuing accreditation by SACS-CASI (under Advanced ED standards) on December 8, 2007. The success of the JFWA in providing high quality pre-college educational programs (as demonstrated by the academic and career success of its students and graduates) provides clear evidence that LMU is fulfilling the expected outcomes related to service reflected in its Institutional Goals and Mission. Consistent with LMU's Mission, the JFWA represents a significant commitment of resources to support the service role of LMU and serves as a critical educational center for the LMU service region.

¹³² See Exhibit 12.

Abraham Lincoln Library and Museum

LMU has received and displayed Civil War and Abraham Lincoln memorabilia throughout its entire history. In 1929, a room in Duke Hall of Citizenship was dedicated to house the growing collection. The Lincoln Room served as a showcase for the collection until the early 1970s. In 1973, Colonel Harland Sanders, a trustee of LMU and founder of Kentucky Fried Chicken, provided funds toward construction of a library and museum. The Board of Trustees secured additional funding, and on December 31, 1974, LMU completed the building's fundraising campaign. The Lincoln Room was retired, and a few months later, groundbreaking for the Abraham Lincoln Library and Museum was held. The facility was completed in 1977. The Museum sees an average of 14,000 visitors per year and offers a variety of programs for the general public, school groups, and area teachers.

The Museum's most popular programs are annual events. Many programs commemorate significant events in Lincoln's life. The Civil War years receive their fair share of Museum projects also. Additional information about annual or upcoming public programs and events is accessible through the Abraham Lincoln Library and Museum's Public Programming link.

The research collection of the Abraham Lincoln Library and Museum houses one of the largest collections of Lincolniana in the world. The documentary resources include a wide-range of historiography and iconography pertaining to Abraham Lincoln and the American Civil War era. The 19th century sources include: rare books, pamphlets, Civil War sheet music, military histories and rosters, manuscript collections, photographs, newspapers, broadsides, and commemorative relics which honor the life and legacy of the "Great Emancipator." Additional sources span the 18th century to the modern era. This collection facilitates the work of Lincoln and Civil War researchers as well as academics from many universities around the world.

The Abraham Lincoln Library and Museum submits an annual Outcomes Assessment Report to document its assessment toward meeting service and other expected outcomes. Recent Outcomes Assessment reports for the Abraham Lincoln Library and Museum are available for review. A recent Museum Outreach Report also provides evidence of community service/outreach.

The extensive investment of LMU resources for the public programming of the Abraham Lincoln Library and Museum demonstrate a clear commitment to achieving the expected outcomes represented in LMU's Mission and Institutional Goals. The Abraham Lincoln Library and Museum, as indicated in the Outcomes Assessment reports, has clearly advanced the Cumberland Gap and tri-state region through community service programs, served as a critical cultural center for the region, and advanced the service role of the LMU.

Student Service Initiative

The Student Service Initiative at LMU provides students receiving institutional financial aid opportunities for involvement in service learning projects. Through the program, students have an opportunity to become affiliated with different aspects of college and community life in a flexible environment. All new freshman and transfer students who receive financial aid from LMU's institutional sources are required to take part in the initiative. Students receiving state or federal grants or loans or other aid from non-LMU sources are exempt from the LMU Student Services Initiative. The Student Services Initiative is managed and assessed through the Office of Student Services.

As part of the requirement to receive institutional aid, students are required to participate in a ten-hour service learning component per semester, either in a project directly related to the academic field of study or in a community service area unrelated to the academic discipline. The Student Service Initiative includes only projects and initiatives that are not part of any

internships and payable service. The Student Service Initiative is clearly consistent with LMU's Mission and represents an institutional effort to fulfill the service component of that Mission.

Remote Area Medical Health Corp Expeditions

LMU is uniquely positioned to host Remote Area Medical (RAM) clinics because of its location, the congruence of the service Mission of LMU, the mission of RAM, and LMU's medically related academic programs, including: Osteopathic Medicine, Family Nurse Practitioner, Registered Nursing (ASN and RN-BSN), Medical Technology, Athletic Training, and Veterinary Science. LMU sponsored the first RAM event on its campus in 2006 and has now hosted four RAM clinics. Many LMU faculty, staff, students, alumni, and even trustees volunteer their time, resources, and support to these efforts to fulfill the service component of LMU's Mission. An assessment of the success of RAM events in fulfilling the service mission of LMU is clearly demonstrated in the results of a recent RAM Clinic. During the clinic, 678 men, women, and children received free medical, dental, and optical care. There were 1,060 patient contacts. These 1,060 patient contacts equaled \$268,935.00 in free medical services rendered.

Upward Bound Program

Upward Bound is a federally funded program through the United States Department of Education. It aids qualified high school students in generating the skills and motivation necessary to complete high school and to successfully enroll and succeed in post-secondary education. The program serves high school students with the potential to succeed in a postsecondary educational program from families in which neither parent graduated from a four-year institution or the family is financially eligible under federal guidelines. The LMU Upward Bound program serves the following high schools:

- Campbell County High School (TN);
- Claiborne High School (Claiborne County, TN);
- Cumberland Gap High School (Claiborne County, TN);
- Hancock County High School (TN);

- Jellico High School (Campbell County, TN);
- Middlesboro High School (Bell County, KY);
- Union County High School (TN); and
- Washburn High School (Grainger County, TN).

Upward Bound provides several academic and social services including:

- Monitoring academic progress in high school courses;
- Diagnostic testing to determine students' strengths and weaknesses;
- Social interaction opportunities;
- Financial advising and preparation of financial aid forms;
- Career resources and inventories;
- Academic enrichment courses;
- College search assistance; and
- Review and preparation for the ACT.

The LMU Upward Bound program produces regular performance reports as required by the grant and an annual Upward Bound Outcomes Assessment Report for LMU which monitors progress toward achievement of program goals. One measure of the program's success is that the most recent grant approval was for the maximum period possible.

Other Lincoln Memorial University Service Activities

LMU's Sigmon Communications Center has both an academic and service mission. In addition to its role in the LMU communication major, the Sigmon Communication Center performs significant public service. Public service announcements and programming are central to the operations of the two radio stations (WLMU 91.3 FM and WCXZ 740 AM) and two television stations LMU-TV Channel 4 and W18AN TV. Examples of recent community service activities for Sigmon Communications Center are:

1. Collaborating with the Cumberland Gap Park Service: Television coverage through the use of the Focus Show and still screens to promote local events the park service is hosting for the community (examples: bicycle run competition, Dulcimer Workshops, Black Bear Blast, etc.);
2. Providing television, radio, and still screen announcements for local church gatherings and special events;
3. Promoting the Wilderness Road State Park and Historic Martin's Station with television (Focus Show), radio, and still screen coverage;
4. Providing television, radio, and still screen coverage of RAM;
5. Providing TV coverage of area high school ball games;
6. Providing TV coverage of meetings of the Harrogate Board of Mayor and Aldermen;
7. Producing thirty-minute television programs promoting all state-funded schools in the Claiborne County area;

8. Providing television (Focus Show) coverage of Harrogate's new Volunteer Fire Department facility;
9. Providing public service announcements; and
10. Producing a DVD to promote the United Way.

The Elderhostel Program at LMU began in 1985. This program has recently been expanded to encompass two community-based programs offering non-credit learning opportunities for senior citizens. LMU's Elderhostel Program has consistently received good reviews by program participants.

LMU provides facilities for community events. LMU hosts a series of gospel concerts each year in its Tex Turner Arena that attract large audiences. LMU opens many of its facilities to the community, including the LMU library, indoor swimming pool, and indoor walking facilities. Area high schools use LMU facilities for sports tournaments, graduations, and other events.

Many departments of LMU sponsor programs and services for the public (which are assessed, in most cases, through program outcomes assessments and/or program reviews). The following serve as examples:

1. Coaches in the athletic department host summer camps for area youth interested in improving their skills in baseball, basketball, soccer, and other sports;
2. LMU's English department hosts the Mountain Heritage Literary Festival each summer and a summer writers' workshop;
3. The Art program conducts Art Exhibits;
4. The Fine Arts department supports a Dinner Theatre each semester that involves community residents and makes several public performances;
5. The Business School sponsors a Volunteer Income Tax Assistance (VITA) program each year;
6. The Social Work program sponsors a SHARE club that supports local services; and
7. The Music program works with the Tri-State Community Chorus.

Expected community/public service outcomes, appropriate to the educational mission of LMU, are identified and assessed through both formal and informal evaluation methods at LMU. The evidence demonstrates that LMU identifies outcomes for its service programs, assesses the extent to which it achieves those outcomes, and uses the results for improvement as appropriate within its Mission.

THE DUNCAN SCHOOL OF LAW PROGRAM

The Duncan School of Law (DSOL) program follows the same institutional effectiveness processes adhered to by other academic programs at Lincoln Memorial University (LMU). Assessment mechanisms related to 3.3.1.2–3.3.1.5 are administered by LMU as described above. Furthermore, assessment mechanisms unique to DSOL are discussed below. Specific student learning outcomes in response to 3.3.1.1 begin on page 111.

The DSOL Assistant Dean for Assessment¹³³ is responsible for ensuring the evaluation of student achievement and program effectiveness for DSOL on a regular and systematic basis. The DSOL Dean has appointed the DSOL Assistant Dean for Assessment as a member of LMU's Institutional Effectiveness Committee. The Dean of DSOL is a member of the Dean's Academic Council.

In addition to the above, DSOL has developed a comprehensive initial assessment plan for evaluating student achievement and program effectiveness. The initial assessment plan will be modified, as appropriate, to reflect ongoing developments and changes in best practices in assessment for law schools. Compliance with program and regional accreditation requirements (American Bar Association and Southern Association of Colleges and Schools-Commission on Colleges) will be carefully monitored as a means of maintaining program and institutional quality.

LMU requires that each academic program develop both operational/administrative and curricular expected outcomes to assess the effectiveness of the program and student learning in the program. Formative and summative assessments are planned specifically in the areas of

¹³³ A position description is attached hereto as **Exhibit 18**.

facilities, equipment/technology, resources, faculty, students, student services, research, and student learning outcomes to meet the Mission of DSOL.¹³⁴

Doctor of Jurisprudence (J.D.) Program Operational Goals and Sample Assessment Methods:

Goal #1: Appropriate state-of-the-art facilities, equipment/technology, and learning resources will be available for members of the DSOL faculty, staff, and student body to achieve educational and student learning goals.

- a. **Annual Facilities and Resources Survey:** A survey of DSOL faculty, staff, and students will be conducted to assess the adequacy of facilities, instructional equipment/technology, and resources. This survey will be conducted at the end of the spring 2010 semester.
- b. **Learning Resources Survey:** DSOL students will assess the support, services, and availability of essential technology (that supports instruction and learning) and learning resources to achieve curricular goals. This survey will be conducted at the end of the spring 2010 semester.
- c. **Library:** DSOL students will assess the support, services, and availability of library resources. This survey will be conducted at the end of the spring 2010 semester.

Goal #2: DSOL faculty members will possess the desire, academic preparation and credentials, experience, and knowledge to achieve the Mission of DSOL.

- a. **Review of Faculty Recruitment and Employment Processes:** As an ongoing process, DSOL identifies and employs an appropriate number of academically and experientially qualified faculty in relation to curricular needs. Special attention is devoted to building a diverse faculty. Current DSOL faculty participates fully in the recruitment of new faculty.
- b. **Review of Faculty Roster (by term):** The DSOL Administration reviews faculty teaching assignments for all full-time and part-time faculty each term to ensure the best use of faculty expertise for instruction. The results of this review are used in budgeting and projecting needs for future faculty development.
- c. **Faculty Evaluation Process:** All DSOL faculty are evaluated annually according to performance criteria and published expectations. A copy of the review form is attached hereto as **Exhibit 101**. Furthermore, copies of completed evaluation forms will be available to the site committee.

¹³⁴ See Exhibit 100.

Goal #3: DSOL students will have the necessary resources for successful admissions, enrollment, progression, performance, evaluation, and completion of the program of legal education and placement within the legal profession upon graduation.

Admissions, academic support, and student support will be responsible for the collection of data essential to the recruitment and retention of qualified law students and to ensure a successful progression through the DSOL curricula. The following details the outcome measures which are administered through these offices.

- a. Student Enrollment Report (including demographics):** This report assesses the number of students who are registered for the J.D. program with demographic data concerning gender, age, place of residence, and race/ethnicity. Data collected provides important information in determining diversity within the student body and the recruitment of students from the Appalachian region. The data is reported in the annual IPEDS Surveys administered by NCES as required and is important in determining the types of services necessary to ensure student success and the future direction of recruitment efforts. This data is also reported to appropriate state and professional agencies/associations (i.e. Tennessee Independent Colleges and Universities and the Tennessee Higher Education Commission). For copies of recent demographic data for DSOL, see **Exhibit 102**.
- b. Student Retention (each year):** The number of students successfully progressing to the next academic level will provide valuable information regarding retention of law students in the program of legal education and will be especially useful in determining course/program completion rates. These numbers will provide an indication of a successful admissions process, student support services, and academic progression. Retention results do not yet exist.
- c. Student Activities and Community Services Report:** The report includes information related to student associations, the student bar association, academic organizations, and community service activities. This report assesses the impact of DSOL on its students and the community. This report will be completed at the end of each academic year.
- d. Student Opinion Survey:** An annual survey of students enrolled in the program of legal education at all levels is administered to assess the effectiveness of all student support and student services functions, including, but not limited to admissions, orientation, financial aid, registration, student support, and advising. The results are used by DSOL to improve student support/services and in future budget development. This report will be completed at the end of each academic year.
- e. Financial Aid Report:** This report provides DSOL the data to identify the amount of student aid dispersed to DSOL's students. Sound financial decisions are important for the success of DSOL students. Seminars on

budgeting, financial planning, and management will be planned as the need is indicated by the results of evaluations.

f. Program Graduation Rate Reports:

Annual J.D. Program graduation rates based upon entering cohorts of students will be calculated and evaluated. Graduation statistics will also be reported in TICUA (Tennessee Independent Colleges and Universities), THEC (Tennessee Higher Education Commission), and IPEDS reports/surveys. These reports will provide valuable information for program and service improvement.

g. Student Placement Reports:

A Student Placement Report will document the success of DSOL in placing graduates in positions within the legal profession. These reports will be used in assessing the overall effectiveness of the program of legal education. This report will also compare DSOL placement rates with national placement rates as reported by the National Association for Law Placement.¹³⁵

h. Alumni Surveys: DSOL graduates will be tracked over time through their professional practice. Items of measure will include: licensure; geographic area of practice (rural vs. metropolitan); retention of students locating in underserved areas of the Appalachian region; and other categories deemed appropriate to the fulfillment of the mission of the J.D. program and LMU.

i. Course Evaluation by DSOL Students: Every course is evaluated by the DSOL students to discern the students' satisfaction with the delivery of educational content, resources available for the course, and availability of faculty. A copy of the student evaluation form is attached hereto as **Exhibit 103**. Copies of completed student evaluation forms are attached hereto as **Exhibit 104**.

j. DSOL Graduating Student Survey: Each year, starting with the first graduating class, DSOL will administer a Graduating Student Survey designed to collect information about student experiences and their perceptions of the DSOL. The survey will be used to assess the effectiveness of the J.D. program and will also serve as an indirect assessment of student learning and its services.

Goal #4: J.D. program faculty, staff, and students will participate in research and/or scholarly activities contributing to the advancement of knowledge in law.

a. Research/Scholarly Activity (Faculty, Staff, and Students): The number of faculty, staff, and students that participate in research seminars, studies, and publications will be reported for each academic year. Faculty members will report their research activity to the Dean of DSOL and the Division of Academic Affairs through the use of LMU's Faculty Information Form. Staff members will report any research/scholarly activities through the annual staff evaluation process. Research and scholarly activities will be promoted by the

¹³⁵ National Association for Law Placement, at <http://www.nalp.org> (last visited January 20, 2010). DSOL will not be eligible to join the National Association for Law Placement until the DSOL achieves accreditation by the American Bar Association.

DSOL and considered in determining future assignments and advancement. A Copy of LMU's Faculty Information Form is attached hereto as **Exhibit 98**. A copy of DSOL's Faculty Development Form is attached hereto as **Exhibit 105**.

- b. Faculty Self-Evaluation and Annual Report:** In the annual evaluation process, all DSOL faculty and staff will be asked to report their professional development activities. This information will be compiled into a report for use in future planning and budgeting efforts and in determining the professional growth of faculty and staff. A copy of the Faculty Self-Evaluation and Annual Report Form is attached hereto as **Exhibit 106**.

Use of the Law School Survey of Student Engagement (LSSSE):

DSOL plans to participate in the Law School Survey of Student Engagement (LSSSE).

As noted on the LSSSE website:

The survey asks students about their law school experience—how they spend their time, what they feel they've gained from their classes, their assessment of the quality of the interactions with faculty and friends, and about important activities. Extensive research indicates that good educational practices in the classroom and interactions with others, such as faculty and peers, are directly related to high-quality student outcomes. The LSSSE focuses on these practices by assessing student engagement in key areas.¹³⁶

The LSSSE will serve as an additional means of obtaining data for decision-making and will provide:

- An alternative view of DSOL quality that focuses on learning;
- Information for institutional improvement that is both versatile and research-based; and
- An assessment of how the DSOL is performing on teaching and learning activities important to the fulfillment of its Mission.

While some of the previously mentioned assessments may serve as indirect assessments of student learning, specific assessment methods have been identified to evaluate DSOL's educational effectiveness, as described below.

¹³⁶ Law School Survey of Student Engagement, at <http://lssse.iub.edu/about.cfm> (last visited January 17, 2010).

Expected Student Learning Outcomes:

1. Knowledge of Major Content Areas of Substantive Law

Graduates will understand the fundamental principles of Civil Procedure, Contracts, Property, Torts, Criminal Law, Evidence, Criminal Procedure, Wills, Trusts and Estates, Constitutional Law, Business Organizations, Commercial Transactions, Conflicts of Law, Domestic Relations, Remedies, Secured Transactions, and Professional Responsibility.

2. Critical Thinking Skills

Graduates will demonstrate the ability to use critical thinking in analyzing, synthesizing, and evaluating various types of issues related to law and in general problem solving.

3. Legal Research Skills

Graduates will demonstrate the ability to conduct legal research.

4. Communication Skills

Graduates will demonstrate proficiency in oral and written communication about issues in the field of law, including advocacy and dispute resolution.

5. Professional Responsibility/Ethics

Graduates will demonstrate values, attitudes, and behaviors congruent with the code of ethics established by the profession as provided in American Bar Association and state bar association rules.

6. Continued Learning

Graduates will demonstrate the ability to engage in continued learning and/or service in a legal context.

Assessment of Student Learning Outcomes:

The following methods/instruments will be used for assessment of student learning outcomes for the J.D. Program:

Learning Outcome 1. Graduates will understand the fundamental principles of Civil Procedure, Contracts, Property, Torts, Criminal Law, Evidence, Criminal Procedure, Wills, Trusts and Estates, Constitutional Law, Business Organizations, Commercial Transactions, Conflicts of Law, Domestic Relations, Remedies, Secured Transactions, and Professional Responsibility.

Direct measures:

- a. Bar examination pass rates. Performance on the Tennessee Bar Examination will be evaluated, and the results will be used to inform curriculum evaluation and revision. The initial benchmark for each tested area will be consistent with Interpretation 301-6 of the American Bar Association Standards and Rules of Procedure for Approval of Law Schools;¹³⁷
- b. Examinations, papers, and evaluations of demonstrated knowledge in specific content areas of the curriculum. Course embedded assessments (specific embedded items or course assignments related to learning objectives in each content area) are used to evaluate student learning. All courses incorporate embedded exam items administered using interactive technology which permit faculty and students to receive immediate feedback concerning student performance. Embedded assessments represent components of graded examinations and/or other, required

¹³⁷ Interpretation 301-6 provides:

A. A law school's bar passage rate shall be sufficient, for purposes of Standard 301(a), if the school demonstrates that it meets any one of the following tests:

1. That for students who graduated from the law school within the five most recently completed calendar years:
 - a. 75 percent or more of these graduates who sat for the bar passed a bar examination, or
 - b. in at least three of these calendar years, 75 percent of the students graduating in those years and sitting for the bar have passed a bar examination.

In demonstrating compliance under sections (1)(a) and (b), the school must report bar passage results from as many jurisdictions as necessary to account for at least 70% of its graduates each year, starting with the jurisdiction in which the highest number of graduates took the bar exam and proceeding in descending order of frequency.

2. That in three or more of the five most recently completed calendar years, the school's annual first-time bar passage rate in the jurisdictions reported by the school is not more than 15 points below the average first-time bar passage rates for graduates of ABA-approved law schools taking the bar examination in these same jurisdictions.

In demonstrating compliance under section (2), the school must report first-time bar passage data from as many jurisdictions as necessary to account for at least 70 percent of its graduates each year, starting with the jurisdiction in which the highest number of graduates took the bar exam and proceeding s in descending order of frequency. When more than one jurisdictions is reported, the weighted average of the results in each of the reported jurisdictions shall be used to determine compliance.

B. A school shall be out of compliance with the bar passage portion of 301(a) if it is unable to demonstrate that it meets the requirements of A(1) or (2).

course products (paper, presentation, etc.) but they do not constitute the total course grade for any course;

- c. Participation in class discussions. Professors continuously assess the quality of class discussions (or student participation is assigned group activities) as a formative measure to evaluate student learning and use the results to intervene when necessary; and
- d. Student performance on substantial papers/course assignments related to specific areas of the curriculum. Faculty use student performance on major examinations, substantial papers/ significant assignments as a means of formative assessment and use student services resources as interventions to supplement and enhance opportunities for student learning when necessary.

Indirect measures:

- a. Alumni Survey (self-report);
- b. Graduating Student Survey (self-report);
- c. Law School Survey of Student Engagement (“LSSSE”);
- d. Students’ evaluations of course and instructor and peer evaluations of teaching;
- e. Annual reports and interviews/evaluation of faculty;
- f. Enrolled student surveys (self-report);
- g. Placement rates of graduates in comparison with national trends provided by the National Association for Law Placement;¹³⁸
- h. Academic attrition, course completion, and graduation rates;
- i. Exit interviews (self-report);
- j. Accreditation reviews by the American Bar Association (when program accreditation is obtained), which includes a review of the curriculum, the quality of instruction, examination scores, and related measures;
- k. Program reviews required by LMU (these program reviews are required periodically of all academic programs); and
- l. Periodic faculty review of syllabi for content coverage.

Learning Outcome 2. Graduates will demonstrate the ability to use critical thinking in analyzing, synthesizing, and evaluating various types of issues related to law and general problem solving.

¹³⁸ The National Association for Law Placement, at <http://www.nalp.org> (last visited January 20, 2010). DSOL will not be eligible to join the National Association for Law Placement until the DSOL achieves accreditation by the American Bar Association.

Direct measures:

- a. Multi-State Bar Examination and Tennessee Bar Examination pass rates. Performance on the Tennessee Bar Examination will be evaluated, and the results will be used to inform curriculum evaluation and revision;
- b. Examinations, papers, and evaluations of demonstrated professional skills. Faculty assessment of examination items/course assignments requiring the ability to apply higher order critical thinking skills. The majority of courses involve essay exams that can be used to test proficiency in this area;
- c. Student performance as rated by faculty on program components/activities in which students are required to exercise their ability to analyze, synthesize, and/or evaluate information/concepts;
- d. Review of substantial written works by students during their enrollment in the program. Substantial course papers produced during enrollment in the program will be assembled in an electronic portfolio and assessed at different levels by program faculty to determine how well students use critical thinking skills in completing assignments; and
- e. All courses incorporate embedded multiple-choice questions that are administered using interactive technology, permitting faculty and students to receive immediate feedback concerning student performance.

Indirect measures:

- a. Alumni Survey (self-report);
- b. Student Surveys (self-report);
- c. Law School Survey of Student Engagement (“LSSSE”);
- d. Professors monitor externship work and pro bono activities;
- e. Feedback from outside attorneys working with students in externships or pro bono activities; and
- f. LMU will develop and administer an electronic survey of employers to determine how well program graduates are performing compared to graduates of other law schools in similar employment situations.

Learning Outcome 3. Graduates will demonstrate the ability to conduct legal research.

Direct measures:

- a. Evaluations of student performances on selected assignments in Lawyering Skills I, II, and III;
- b. Selected papers and course evaluations demonstrating professional research skills;
- c. Substantial papers produced by students involving legal research skills. Review of substantial papers written by students during their enrollment in the program. Substantial course papers produced during enrollment in the program will be assembled in an electronic portfolio and assessed at

- different levels by program faculty to determine how students progress in their legal research skills; and
- d. All courses incorporate embedded multiple-choice questions that will be administered using interactive technology, permitting faculty and students to receive immediate feedback concerning student performance.

Indirect measures:

- a. Alumni Survey (self-report);
- b. Student Surveys (self-report);
- c. Law School Survey of Student Engagement (LSSSE);
- d. LibQual+ Survey regarding the law library; and
- e. Student evaluations of courses involving research skills.

Learning Outcome 4. Graduates will demonstrate proficiency in oral and written communication about issues in the field of law, including advocacy and dispute resolution.

Direct measures:

- a. Evaluations of student performances on selected assignments in the series of Lawyering Skills I, II, III and IV, including:
 - Research and analysis of various assigned topics,
 - Written briefs, memoranda, pleadings and client correspondence, and
 - Oral advocacy exercises;
- b. Examinations, papers, and evaluations of demonstrated professional communication skills;
- c. Participation in class discussions as rated by faculty in select courses;
- d. Review of substantial written work by students during their enrollment in the program (substantial written work produced during enrollment in the program are assembled in an electronic portfolio and assessed at different levels by program faculty to determine how students progress in written communication skills);
- e. Faculty ratings of student oral communication skills in select courses and on selected course assignments;
- f. All students must successfully complete a rigorous upper-level writing requirement in an elective course. Student performance on these course requirements must be determined acceptable by program faculty;
- g. Select students will have the opportunity to participate in DSOL's journal (Law Review). Students must successfully complete assignments and craft a manuscript of publishable quality during their tenure on the Law Review;
- h. Select students will have the opportunity to participate in Moot Court competitions and Mock Trial Teams. Law students participating in these activities will be expected to adequately prepare and argue cases or appeals, as appropriate; and

- i. Student performance in a non-credit-bearing-writing course developed specifically by DSOL to improve students' writing skills.

Indirect measures:

- a. Alumni Survey (self-report);
- b. Law School Survey of Student Engagement (LSSSE);
- c. Student surveys (self-report);
- d. Feedback from outside attorneys working with students in externships or pro bono activities; and
- e. An electronic survey of employers which gauges the performance of DSOL graduates compared to graduates of similar institutions.

Learning Outcome 5. Graduates will demonstrate values, attitudes, and behaviors congruent with the code of ethics established by the profession as stated by the American Bar Association and Tennessee Bar Association rules.

Direct measures:

- a. Evaluation of student performances in the Professional Responsibility course. All graduates must successfully complete the Professional Responsibility course, which includes:
 - Conflicts of interest,
 - Confidentiality,
 - Attorney/client privilege, and
 - Attorney advertising;
- b. Professional Responsibility incorporates the use of embedded multiple-choice questions that will be administered using interactive technology which permits faculty and students to receive immediate feedback on student performance;
- c. Examinations, papers, and evaluations in various courses involving professional responsibility material;
- d. Papers written by students during their course of study (selected papers produced during enrollment in the program may be assembled in an electronic portfolio and assessed at different levels by program faculty to determine how students have progressed in their understanding or professional responsibility/ethics); and
- e. Performance on the Multi-State Professional Responsibility Exam (MPRE).

Indirect measures:

- a. Alumni Survey (self-report);
- b. Law School Survey of Student Engagement (LSSSE);
- c. Graduating Student Survey and exit interviews (self-report);
- d. Feedback from external-site supervisors in externships or pro bono activities;
- e. Feedback from faculty working with students in externships or pro bono activities; and
- f. An electronic survey of employers which gauges the performance of DSOL graduates compared to graduates of similar institutions.

Learning Outcome 6. Graduates will demonstrate the ability to engage in continued learning and/or service in a legal context.

Direct measures:

- a. Bar examination pass rates;
- b. Examinations, papers, and evaluations demonstrating professional knowledge and skills;
- c. Feedback from outside attorneys working with students in externships or pro bono activities;
- d. An electronic survey of employers which gauges the performance of DSOL graduates compared to graduates of similar institutions; and
- e. Placement data for graduates.

Indirect measures:

- a. Alumni Survey (self-report);
- b. Alumni participation rates in DSOL-sponsored activities;
- c. Graduating Student Survey (self-report);
- d. Exit interview (self-report); and
- e. Assessment of information gathered from alumni functions.

DSOL uses multiple methods of assessment, direct and indirect, for both formative and summative assessment of student learning aligned with clearly identified learning objectives. The assessment system is flexible enough to incorporate new evaluation techniques, strategies, and methods that might become available in the future.

Integration of Duncan School of Law Strategic Planning with Institutional Strategic Planning

Both the Dean and the Associate Dean for Academics represent DSOL in institutional strategic planning activities. Prior to the annual institutional strategic planning retreat, DSOL conducts its own school strategic planning retreat during the first week of February. At that retreat, the administration and faculty review institutional and program goals, identify assessment techniques, and review existing assessment results. DSOL's first strategic planning retreat is scheduled for February 6, 2010. Materials aggregated to prepare faculty for the retreat are attached hereto as **Exhibit 107**.

Faculty and Student Services to the Community

Pursuant to LMU and DSOL's mission statements, DSOL requires each student and faculty member to engage in community service. As to students, each student must complete at least thirty community service hours prior to graduation. As to faculty members, each full-time professor at DSOL must complete ten community service hours per academic year. This information is then incorporated into, and assessed by, the Student Activities and Community Services Report discussed above on page 108.

3.4.1 The institution demonstrates that each educational program for which academic credit is awarded is approved by the faculty and the administration. **(Academic program approval)**

Document that faculty and administration were involved in the review and approval of the new program or delivery system.

Narrative Response:

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.4.1. LMU's educational programs have been approved by the faculty, administration, and Board of Trustees. As contained in the LMU Faculty-Staff Policy Manual, LMU maintains program approval and curriculum modification processes and forms that ensure faculty and administrative involvement in the review and approval processes for new academic programs or significant changes to existing academic programs. Representative members of LMU's faculty and administration are involved in LMU's strategic planning processes and serve as members of the Academic Council. Progress reports on new academic programs are presented to the entire LMU community through electronic communication as well as Faculty/Staff Conferences and other faculty and/or staff meetings. New academic programs must also be approved by the Board of Trustees upon recommendation by the President.

LMU's degree-granting authority is derived from its charter. All academic programs at LMU are approved by the Board of Trustees. The LMU Board of Trustees approved initiation of the Duncan School of Law (DSOL) at its May 2008 meeting. **Exhibit 9** contains a copy of the minutes of the LMU Board of Trustees May 2008 meeting which demonstrates that establishment of DSOL was approved by LMU's governing board. Copies of meeting minutes from the Academic Council confirm that DSOL's initial curriculum was reviewed and endorsed by representative members of LMU administration and faculty prior to implementation.¹³⁹

¹³⁹ See **Exhibit 108**.

Brief Chronology of Steps in Development of the Duncan School of Law

- On July 10-11, 2007, as part of an LMU annual strategic planning retreat, faculty, administration, students, and trustees discussed the potential implementation of a new academic program to offer a Doctor of Jurisprudence (J.D.) Degree. The initiative was presented to all retreat participants, which included over fifty faculty and staff members, students, alumni, and trustees.
- In November 2007, LMU formed a preliminary steering committee to formally explore the resources and information needed for conceptual development of a proposed school of law.
- In January 2008, LMU notified the Tennessee Board of Law Examiners (TBLE) of its intent to explore approval of a new school of law to be located in Knoxville, Tennessee.
- In February 2008, the LMU administration met (via a telephone conference) with Ms. Jimmie Miller of the TBLE concerning the initial LMU letter of inquiry to the TBLE.
- On February 28, 2008, LMU signed a long-term lease for a building in Knoxville, Tennessee (known as the Old City Hall) for use as an educational center to potentially house a school of law.¹⁴⁰
- In March 2008, LMU hired Richard Gershon as a consultant on the project. Professor Gershon is the former Dean of the Texas Wesleyan University School of Law and the former and founding Dean of the Charleston School of Law.
- In April 2008, LMU notified the Southern Association of Colleges and Schools–Commission on Colleges (SACS-COC) of its intent to offer a J.D. degree. *See Exhibit 7.*
- On April 18, 2008, LMU administrative officials, steering committee members, and the consultant traveled to Nashville to meet with TBLE board members and discuss a submitted proposal that addresses Section 7 of the Rules of the Tennessee Supreme Court regarding accreditation and approval of law schools.
- On May 2, 2008, the LMU Board of Trustees approved the development and implementation of DSOL. *See Exhibit 9.*
- On May 21, 2008, SACS-COC acknowledged receipt of LMU's notification of its intent to establish a J.D. Program and requested a prospectus prior to implementation. *See Exhibit 7.*
- In June 2008, the LMU administration designed an organizational structure, position profiles, and an initial budget pro forma for the proposed school of law. Subsequently, the TBLE informed LMU of its plans to secure an additional consultant to assist the TBLE members and staff in navigating the school of law approval process.
- On June 24, 2008, members of the LMU administration, the Chairman of the Board of Trustees, and the steering committee members met with the American Bar Association's (ABA) Consultant on Legal Education

¹⁴⁰ *See Exhibit 68.*

(Hulett “Bucky” Askew) and the Deputy Consultant (Dan Freehling) in Chicago, Illinois to discuss the ABA accreditation process and give notice of LMU’s intent to pursue ABA accreditation of the proposed school of law in Knoxville, Tennessee.

- In July 2008, the members of LMU’s administration and Board of Trustees asked local Knoxville attorney Robert Watson to chair an advisory board for the proposed school of law. Mr. Watson recruited a board of advisors consisting of members of the bar from different regions of the State to join the board of advisors. *See Exhibit 109.*
- On July 14-15, 2008, over seventy members of the LMU community, including faculty, staff, students, alumni, and trustees took part in the annual LMU Strategic Planning Retreat where information concerning the proposed school of law was presented, reviewed, and proposed. Progress on the initiative was reviewed for all participants. An Academic Affairs sub-group consisting of school deans, faculty, and academic administrators worked to revise sections of the LMU Strategic Plan (to be completed early in 2009) to emphasize initiation of the proposed school of law.
- In July 2008, LMU named Sydney Beckman as the founding Dean of the DSOL. Shortly thereafter, renovations began in the DSOL building.
- On August 1, 2008, Sydney Beckman officially began his duties as the founding Dean, and Paul Carney was hired as the Director of Admissions.
- On August 4, 2008, Gordon Russell was hired as a consultant and was subsequently hired as Associate Dean, Professor of Law, and Director of the Law Library.
- On August 5, 2008, LMU received the first major gift in support of the development of DSOL.
- On August 7, 2008, members of the LMU administration and Board of Trustees traveled to Chattanooga, Tennessee, with Dean Sydney Beckman to meet with Chief Justice Barker of the Tennessee Supreme Court to discuss DSOL.
- During the third week in August 2008, the renovations for the first suite of offices were completed for the DSOL. An initial meeting of the Board of Advisors was held in the DSOL’s newly renovated suite of offices.
- In September 2008, Dean Beckman traveled to Nashville and met with Adele Anderson, the Executive Director of the TBLE, to discuss the next steps for TBLE approval.
- On September 19, 2008, TBLE was notified by letter of the two consultants (Barry Vickrey and Chris Simoni) who would work with LMU during the TBLE approval process and of the November 21, 2008, deadline for submission of a report for TBLE approval purposes. *See Exhibit 110.*
- On October 29, 2008, Dean Sydney Beckman and Associate Dean and Director of the Law Library Gordon Russell traveled to Chicago, Illinois, to meet with the American Bar Association’s Consultant on Legal Education (Hulett “Bucky” Askew) and the Deputy Consultant (Dan Freehling) to update the ABA on progress toward development of DSOL.

- On November 18, 2008, LMU’s President (Dr. Nancy Moody), Vice-President for Academic Affairs (Dr. Sherilyn Emberton), DSOL Dean (Sydney Beckman), and SACS Accreditation Liaison (Dr. Clayton Hess) met with Dr. Cheryl Cardell, Vice-President of the Commission on Colleges to discuss development of the DSOL and submission of the Substantive Change Prospectus.
- On November 21, 2008, LMU submitted the required TBLE Report in preparation of a December evaluation team visit.
- On December 15-17, 2008, a TBLE evaluation committee conducted an on-site review of DSOL and LMU which resulted in a positive exit conference.
- On January 29, 2009, the TBLE Site Team submitted its report to the TBLE.
- On February 4, 2009, LMU submitted a report to the TBLE responding to the findings of the TBLE on-site review committee to facilitate consideration by the TBLE at its next meeting.
- On February 15, 2009, Dr. Cheryl Cardell, Vice-President of the Commission on Colleges, visited the DSOL to review progress.
- On February 24, 2009, LMU was officially notified that the TBLE had granted approval for graduates at the DSOL to take the Tennessee Bar Exam. *See Exhibit 10.*
- On March 27, 2009, LMU named the law school the John J. Duncan Jr. School of Law.
- On April 7, 2009, Dean Sydney Beckman traveled to Chicago with Dean Gordon Russell and met with Hulett “Bucky” Askew and Dan Freehling to discuss the progress of the Duncan School of Law.
- On August 15, 2009, DSOL conducted Orientation for its inaugural class of law students.
- On August 17, 2009, classes began for the fall 2009 semester.
- On November 6 and 7, 2009, the Administration and Faculty of DSOL participated in the American Association of Law Schools Recruitment Conference in Washington D.C.
- On November 14, 2009, Assistant Vice-President for Academic Affairs, Clayton Hess; Dean Sydney Beckman; Dean Gordon Russell; and Dean Jonathan A. Marcantel traveled to Chicago to attend the ABA Site Evaluation Workshop. *See Exhibit 111.*

3.4.3 The institution publishes admissions policies that are consistent with its mission.
(Admissions policies)

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.4.3. The mission statements of all academic programs are aligned with the LMU Mission Statement, and all program policies support both program and institutional missions. Admission policies for all degree programs are published in applicable LMU academic catalogs and are consistent with programmatic missions and the LMU Mission. Admission standards for programs at LMU other than the Doctor of Jurisprudence (J.D.) are attached hereto as **Exhibit 112**. Information regarding the admissions standards for the J.D. Program follow herein.

Doctor of Jurisprudence (J.D.) Program Admission Requirements

The Duncan School of Law (DSOL) Admissions policies comply with Comprehensive Standard 3.4.3, as its admissions standards are published and consistent with its Mission.

DSOL Admissions policies are published on the DSOL Website¹⁴¹ and in the DSOL Student Handbook and Catalog.¹⁴² All standards for admission support the DSOL Mission Statement, which is closely aligned with LMU's Mission Statement. Candidates for DSOL must have a bachelor's degree and must take the Law School Admissions Test (LSAT), sponsored by the Law School Admissions Council, for the purpose of demonstrating capability of successfully passing the program of legal education. Applicants are required to register with the Law School Data Assembly Service (LSDAS).

Each candidate for admission is required to submit two letters of reference and a current vita or work resume. As a part of the DSOL application forms (part-time and full-time),¹⁴³

¹⁴¹ Duncan School of Law Admissions, at <http://www.lmunet.edu/law/admissions/index.shtml> (last visited January 17, 2010).

¹⁴² See **Exhibit 11**.

¹⁴³ The part-time application form is attached hereto as **Exhibit 113**. The full-time application form is attached hereto as **Exhibit 114**.

applicants must include a statement addressing their future goals with respect to obtaining a legal education and applying that knowledge to their career aspirations.

The Faculty and Administration have vested the DSOL Admissions Committee (the Committee) with exclusive authority to admit, deny, or wait list student applicants to the DSOL. The following is the procedure for administering the admissions process.

The point of entry for all student applications shall be through the Director of Admissions (the Director). When the Director receives a completed student application, the Director shall review the application, check references, when necessary, and make a preliminary assessment of whether the applicant meets the requirements for admission at the DSOL. Once the Director has assessed the applicant and made his/her initial determination, the Director shall forward the student's completed application, along with the Director's recommendation, to the Committee.

The Committee shall be composed of three members of the faculty—the Chair and two associate members. When the Director submits an application to the Committee, the two associate members shall review the application. In the event both associate members reach a consensus on whether to admit, deny, or wait list an applicant, that decision shall be final and unappealable. In the event the two associate members disagree, the Chair shall review the application and break the tie. In such circumstances, the decision of the Chair shall be final and unappealable. Once the Committee has reached a final decision on the disposition of an application, the Chair shall transmit the decision to the Director within a reasonable period of time.

Consistent with its Mission, DSOL focuses recruiting efforts on eastern Tennessee and the surrounding southern Appalachian region.¹⁴⁴ DSOL seeks to recruit applicants who have a desire to serve underserved populations and areas within this region. Applicants who have

¹⁴⁴ For a complete list of targeted demographic areas, see **Exhibit 115**. For a copy of the DSOL Recruiting Strategy, see **Exhibit 116**.

demonstrated—through a rigorous undergraduate program of study, competitive LSAT scores, experience related to the legal profession, community service, high ethical standards, and career aspirations that match the Mission and purpose of the DSOL—that they possess those qualities and characteristics which will enable them to achieve success in law school and the legal profession will be selected for admission. Applicants who do not appear to meet these standards will not be selected for admission. The focus of this decision-making process will be academic strength, evidence of moral character, and potential for future success on the state bar exam. In most circumstances, no one piece of evidence presented by an applicant will, in and of itself, determine whether the student will be extended an offer of admission. The decision to extend an offer of admission will be based on the totality of the application materials presented by the applicant to the Admissions Committee.

- 3.4.4** The institution has a defined and published policy for evaluating, awarding, and accepting credit for transfer, experiential learning, advanced placement, and professional certificates that is consistent with its mission and ensures that course work and learning outcomes are at the collegiate level and comparable to the institution's own degree programs. The institution assumes responsibility for the academic quality of any course work or credit recorded on the institution's transcript. **(Acceptance of academic credit)**

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.4.4. LMU has clearly defined and published policies for evaluating, awarding, and accepting credit for transfer consistent with its Mission and the learning outcomes of its programs (including general education) at each degree level. The LMU Undergraduate Catalog 2009-2010 contains a detailed description of transfer policies related to undergraduate academic programs and the policies for evaluating, awarding, and accepting credit for transfer, experiential learning, advanced placement, and professional certificates consistent with LMU's Mission. LMU transfer policies reflect the Institutional Mission and are reviewed each year when institutional publications are revised to ensure that they continue to be consistent with the Mission. Any revision to admissions policies requires the approval of the LMU Board of Trustees. The general policy for "Transfer of Credits from Other Institutions" as printed in the LMU Undergraduate Catalog 2009-2010 (pp. 24-25) states:

Lincoln Memorial University will evaluate, for potential transfer, credit awarded by other institutions accredited by associations (regional or national) recognized by the Council of Higher Education Accreditation and/or the U.S. Department of Education. Lincoln Memorial University must evaluate all potential transfer credit and determine if such credit is equivalent in terms of academic level, content, quality, comparability of student learning outcomes, and degree program relevance to course work offered through the University's curriculum. Students who wish to use coursework completed outside the United States must submit their transcripts for evaluation to one of the following services:

World Education Services
P. O. Box 745, Old Chelsea Station
New York, NY 10113-0745
212.966.6311
www.wes.org

Josef Silny & Associates
7101 SW 102 Avenue
Miami, FL 33173
305.273.1616
www.jsilny.com

A course-by-course evaluation is required and all coursework must be designated as undergraduate, graduate, or professional. LMU will only honor evaluations from one of the above services. The evaluation must be included with the application packet.

In all cases, student learning outcomes for course credit accepted in transfer for fulfillment of degree requirements (general education or major program) must be determined by evaluation to be equivalent to those of courses offered by LMU. LMU maintains direct transfer and articulation agreements with a number of two-year institutions.

Other policies governing transfer credit include:

1. Developmental or remedial courses are recorded but do not apply to the degree.
2. All courses and grades are recorded and calculated in hours attempted, hours earned and cumulative G.P.A.
3. Transfer students who have earned an Associate of Arts degree or an Associate of Science degree in a university parallel program (typically consisting of 45-55 semester credit hours of general education course work in the liberal arts disciplines) from an accredited institution may be required to complete additional general education course work in order to meet the University's expected learning outcomes, core licensure or certification requirements in professional programs. If the student has the grade of "D" in a course required in the General Education Core or required in the major, the course must be repeated. The transfer grade of "D" will not apply to LMU's General Education Core or major requirements. **All students** are required to complete LNCN 100, Lincoln's Life and Legacy. Students pursuing the baccalaureate degree are **also** required to complete LNCN 300, American Citizenship and Civic Life.
4. Transfer students must meet all degree or program requirements for graduation as outlined in this catalog.
5. Technical or non-university parallel courses are considered for transfer credit on a course by course basis.

LMU is a member of the Council on Higher Education Accreditation (CHEA) and was a charter member institution of the Higher Education Transfer Alliance (HETA). HETA is composed of accredited institutions that are concerned about the importance of student mobility, enhancing success in transfer of credit, and affirming the responsibility and prerogative of individual institutions with respect to transfer of credit. HETA membership includes representation from regional, faith-related, and private career-accredited institutions.

LMU maintains direct transfer and articulation agreements with the following two-year institutions, which are consistent with the transfer policy quoted above:

- Mountain Empire Community College, Big Stone Gap, Virginia;
- Pellissippi State Technical Community College, Knoxville, Tennessee;
- Roane State Community College, Harriman, Tennessee;
- Southeast Kentucky Technical and Community College, Cumberland, Kentucky; and
- Walters State Community College, Morristown, Tennessee.

Currently enrolled LMU students applying to take coursework at another institution must meet the following conditions before LMU will accept transfer credit:

1. Current students must gain prior approval before taking courses at other institutions (form available in the Admissions Office or major department).
2. No approval shall be granted for coursework at another institution if the equivalent course is available in the current semester and no scheduling conflict exists.
3. No approval shall be granted for coursework at another institution if the student does not have an overall "C" average at the University.
4. No approval shall be granted for coursework at another institution if the student is in his/her final 32 hours (baccalaureate) or 16 hours (associate) of LMU credits.

Decisions concerning the transferability of credit earned at other institutions and the applicability of that credit to degree requirements at LMU are made by faculty members and academic administrators (VPAA, School Deans, Academic Department Chairs and Academic Program Directors) holding faculty rank who are appropriately credentialed to make professional judgments concerning course content and learning outcomes. LMU places primary responsibility for curriculum decisions (including transfer of credit decisions) with its faculty, as required by Comprehensive Standard 3.4.10 of the *Principles of Accreditation: Foundations for Quality Enhancement*. In all cases, LMU's transfer policies comply with the Commission on Colleges, "Transfer and Transcribing of Academic Credit Policy Statement" including the amount of allowable transferable credit, as reflected in Comprehensive Standards 3.6.3 and 3.5.2 of the *Principles of Accreditation: Foundations for Quality Enhancement*.

Special Credit and Credit by Examination (Including Experiential Learning, Advanced Placement and Professional Certificates)

In approved cases, LMU may award special credit (SC). Special credit is defined as post-high school, pre-college learning resulting from activities such as past work and/or volunteer experiences, military service, community involvement, professional certifications, training experiences, successful self-education, and avocational pursuits. LMU does not award SC for the experience itself or for the years of experience but rather for the knowledge and skills attained as a result of the experience. Typically it is the older adult student who may qualify for SC.

LMU recognizes the value of college-level prior learning as documented by LMU challenge exams and standardized tests, both of which may result in Credit by Examination (CE). Minimum test scores for challenge exams are established by appropriately credentialed faculty and approved by the respective school dean. If the student scores no more than 10% below the minimum score on a LMU challenge exam, the student may request a consultation with the faculty member. LMU utilizes the minimum test scores recommended by the American Council on Education (ACE) for Dantes Subject Standardized Tests (DSST) and College Level Examination Program (CLEP) exams. Where LMU approved and American Council on Education recognized standardized tests exist (e.g., CLEP, DSST, etc.), LMU will utilize such assessments and recommendations in lieu of challenge exams.

Evidence of documented college-level prior learning may be presented in portfolio format in pursuit of SC. The student seeking SC receives assistance from the office of the dean of the applicable school in the preparation of an application portfolio. The portfolio must include, among other documents, an expanded resume with detailed descriptions of academic goals and verification of learning. The completed portfolio is evaluated for academic merit and credit by a faculty expert or an expert consultant in the field selected by the dean of the applicable school.

The evaluation process measures the experiential learning through any or all of the following approaches: 1) product assessment, 2) oral interview, 3) written examination, and 4) skills assessment.

In approved cases, CE may be awarded for passing, at a predetermined level, an examination from the National League for Nursing (NLN) or similar agencies. Development of a portfolio is not required in the application for CE.

LMU awards SC and/or CE only if such credit contributes to or supports the student's degree program. Subject to appropriate approvals, awarded SC and/or CE may be applied to fulfill a General Education Core Curriculum requirement, a major or minor program requirement, or as an elective. The maximum combined SC and CE that may be applied toward a baccalaureate degree is thirty-two credit hours; the maximum applicable toward an associate degree is sixteen credit hours.¹⁴⁵ The last thirty-two semester credit hours toward a baccalaureate degree or sixteen semester credit hours toward an associate degree must be LMU. Neither SC nor CE is calculated in the student's grade-point average. However, students are advised that if they are considering graduate study elsewhere or undergraduate transfer to another institution, not all colleges and universities honor transcript credit designated SC or CE.

Complete information regarding SC and CE, and related fees, is available in the office of the dean of the applicable school. LMU publishes its undergraduate transfer and policies (including those described above) for evaluating, awarding, and accepting credit for transfer, experiential learning, advanced placement, and professional certificates in the LMU Undergraduate Catalog.¹⁴⁶

¹⁴⁵ Exception: The Diploma Registered Nurse admitted to the Bachelor of Science in Nursing Completion Program may earn and apply combined SC and CE equivalent to the total credit hours required for the LMU Associate of Science in Nursing degree.

¹⁴⁶ See **Exhibit 23**, page 25.

Graduate Transfer Policies

Transfer policies for the Master of Science in Nursing Program are published in the LMU Master of Science in Nursing Catalog.¹⁴⁷ A maximum of six hours may be transferred to the M.S.N. program from accredited institutions offering the graduate degree. Transferred courses must have been taken for graduate credit and must not have been applied towards a previous degree. All transferred course work must carry a grade of “B” or better. No course credit earned more than five years ago can be transferred. All transfer credit into the M.S.N. program must be approved by both the M.S.N. Program Director and the Dean of the Caylor School of Nursing. If the student proposes to replace a required nursing course with transferred credit, the student must submit a course syllabus and provide transcript evidence of having attained a “B” or better in the course. Course equivalency will be evaluated by the faculty currently teaching the LMU version of the course. The designated faculty member will make a recommendation to the Program Director regarding substitution.

Transfer policies for graduate education programs are published in the LMU Graduate Education Catalog.¹⁴⁸ A maximum of nine semester credit hours at the graduate level may be transferred to the master degree programs in education and a maximum of six semester credit hours to the Ed.S. program. No more than six semester credit hours in the emphasis area will be accepted in transfer. These credit hours may not have been applied to a previous degree and must carry a grade of “B-” or better. Credits transferred into any graduate degree program at LMU must be earned after the required entrance degree was posted on the transfer transcript. Course credit earned more than five years previous to the current semester will not be approved for transfer credit. Only approved credit/course work from a degree granting accredited institution, recognized as such by a regional accrediting body, will be accepted for transfer. All transfer

¹⁴⁷ See **Exhibit 24**, page 17.

¹⁴⁸ *Id.* at 17.

credit must be approved by the Dean of the School of Education. Grades and quality points for transfer work will be included in the calculation of the LMU graduate grade point average (GPA).

The Ed.D. program is cohort based, and all coursework beyond the Specialist level must be completed at LMU.

Transfer policies for the Master of Business Administration program are published in the LMU Master of Business Administration Catalog.¹⁴⁹ A maximum of nine (9) semester credit hours at the graduate level may be transferred to the MBA program. These credit hours may not have been applied to a previous degree and must carry a grade of “B-” or better. Credits transferred into any graduate degree program at LMU must be earned after the required entrance degree was posted on the transfer transcript. Course credit earned more than five years previous to the current semester will not be approved for transfer credit. Only credit/course work from an accredited degree-granting accredited institution, recognized as such by a regional accrediting body, will be accepted for transfer. All transfer credit must be approved by the Dean of the School of Business. Grades and quality points for transfer work will be included in the calculation of the LMU graduate GPA.

No graduate credit is accepted by LMU for work done by correspondence or through any program awarding credit for prior non-college sponsored learning.

All LMU transfer policies comply with the requirements for undergraduate programs contained in Comprehensive Standard 3.5.2 and the requirements for graduate programs contained in Comprehensive Standard 3.6.3 of the *Principles of Accreditation: Foundations for Quality Enhancement*. The responses to Comprehensive Standards 3.5.2 and 3.6.3 in this document demonstrate LMU’s compliance with the respective standards.

¹⁴⁹ See Exhibit 24, pg. 15.

Lincoln Memorial University-DeBusk College of Osteopathic Medicine (DCOM) Transfer Policies

Transfer policies for the DCOM reflect best practices in medical education and therefore differ somewhat from those of other degree programs offered by LMU. In all cases, LMU assumes full responsibility for the academic quality of all coursework or academic credit applied to fulfillment of its degree requirements.

LMU-DCOM accepts transfer students. All transfer applications are evaluated by the LMU DCOM Admissions Committee. Transfer credits must meet the following criteria:

1. Transfer credits are only given if the student is eligible for readmission to the previously attended College of Medicine (COM) or other Liaison Committee on Medical Education (LCME) medical school.
2. Credits may be transferred only from medical schools and colleges accredited either by the American Osteopathic Association-Commission on Osteopathic College Accreditation (AOA-COCA) or by the Liaison Committee on Medical Education (LCME).
3. When a student transfers from another COM, the last two years of instruction must be completed within the COM granting the D.O. degree.
4. When students transfer from an LCME accredited medical school or college to a COM, at least two years of instruction must be completed within the COM. In the case of LCME transfers, the COM requirement for osteopathic manipulative medicine must be completed prior to graduation.
5. The curriculum of the school the student is transferring from must be equivalent to the DCOM curriculum. Decisions about curriculum equivalence between institutions will be decided by the DCOM Curriculum Committee, regardless of individual student's qualifications. Because first-year curricula vary from school to school, it is sometimes not feasible to transfer between the first and second years of medical school. Transferring at the start of the third year of medical school is more feasible. Students transferring into the third year must have passed COMLEX Part I.

Members of the DCOM Committee responsible for making decisions concerning transfer of credit into the program are content experts who are qualified through their academic credentials and experience to determine the comparability of course content. These transfer policies are published in the DCOM Student Handbook and Catalog.¹⁵⁰

¹⁵⁰ See Exhibit 24, pg. 59.

The Duncan School of Law Transfer Policies

The Duncan School of Law (DSOL) has defined and published policies for evaluating, awarding, and accepting transfer credit consistent with its Mission and ensures that course work and learning outcomes are congruent with the course work in the Doctor of Jurisprudence (J.D.) degree program. DSOL will not evaluate or accept credit toward meeting J.D. degree requirements any credit earned through experiential learning or professional certificates. DSOL's Transfer Policies are repeated below:

I. Credit earned prior to matriculating at the School of Law:

- A. Applicants who have completed the equivalent of the first year of law school from an ABA accredited law school may apply to transfer to the School of Law. Transfer applicants must submit the following:
 - 1. A complete application for admission;
 - 2. One letter of recommendation from a faculty member at the applicant's existing or previous institution;
 - 3. A statement of good standing from the dean of the applicant's existing or previous institution;
 - 4. An official transcript from the applicant's existing or previous institution;
 - 5. A statement of why a transfer is requested;
 - 6. A specific list of courses for which the student seeks to obtain credit;
 - 7. An official course description for all courses for which the student seeks to obtain credit.

- B. Applications for transfer credit shall be reviewed by:
 - 1. The Director of Admissions. The Director shall determine whether the applicant meets or exceeds admissions requirements.
 - 2. The Academic Standards Committee. The Academic Standards Committee shall, in its sole discretion, determine whether transfer credit is appropriate for each credit sought on an individual basis. In exercising its discretion, the Academic Standards Committee shall review:
 - a. The type of classes taken at the student's existing or previous institution;
 - b. The similarity between the type of classes taken at the student's existing or previous institution with comparable classes at the School of Law;
 - c. Whether the classes taken at the student's existing or previous institution are classes traditionally taken at a law school accredited by the ABA;
 - d. The grades received by the student in the classes taken at the student's existing or previous institution; and
 - e. The student's entire admission file.

- C. Under no circumstances may a student transfer more than 30 credit hours. A student who has transferred from another law school must successfully complete at least 58 credit hours at the School of Law, with a cumulative grade point average of 2.00 or better, and satisfy all other requirements.

- D. Under no circumstances shall the Academic Standards Committee extend credit for any class in which the student earned a grade less than "C."

- II. **Credit earned at a foreign institution while matriculating at the School of Law:** Students seeking to earn credit at a foreign institution while matriculating at the School of Law must comply with all provisions of this rule. For purposes of this rule, “foreign institution” shall include any institution other than the Duncan School of Law.
- A. Students seeking to earn credit at a foreign institution must file a petition with the Academic Standards Committee prior to beginning any course of study at a foreign institution. The petition must include:
1. The name and contact information for the foreign institution;
 2. The proposed course of study at the foreign institution, including the specific classes the student intends to take and the course descriptions for those classes; and
 3. A statement from the foreign institution’s admissions office indicating the student complies with the institution’s admission requirements and has in fact been granted admission.
- B. After receiving a petition pursuant to this subpart, the Academic Standards Committee shall, in its sole discretion, determine whether credit from the target foreign institution could be acceptable. In considering a petition pursuant to this provision, the Academic Standards Committee shall consider:
1. The student’s academic performance at the School of Law;
 2. The student’s disciplinary file, if any;
 3. The type of classes the student seeks to take at the foreign institution;
 4. The similarity between the type of classes the students seeks to take at the foreign institution and comparable classes at the School of Law; and
 5. Whether the classes the student seeks to take at the foreign institution are classes traditionally taken at a law school accredited by the ABA.
- After considering the above factors, the Academic Standards Committee shall either approve the petition or deny the petition. To be valid and serve as the basis for future consideration of credit pursuant to part II.C. and II.D., all approvals must be in writing and signed by the Chair of the Academic Standards Committee. Under no circumstances shall the approval or denial, without more, grant credit.
- C. Once a student completes a course of study at a foreign institution pursuant to this rule, the student shall, if at all, petition the Academic Standards Committee for credit within 6 months of completing the foreign institution’s academic program. The petition must include an official transcript from the foreign institution and a statement from the foreign institution indicating the student is in good standing.
- D. After receiving a complete petition for credit, the Academic Standards Committee shall grant credit for all courses in which the student received a “C” or above.
- E. Notwithstanding any provision contained herein, a student may not transfer more than 30 hours of credit.
- III. **Transferring grades:** Accepted transfer credits shall appear on a student’s transcript as a “P,” indicating the student earned pass/fail credit. Under no circumstances shall transfer credit be considered when determining a student’s GPA, cumulative GPA, or class rank at the School of Law.
- IV. **Distinction from Pass/Fail Credit:** While grades transferred from a foreign institution appear as pass/fail credit on a student’s transcript at the School of Law, credit transferred from a foreign institution shall not be considered when calculating a student’s maximum pass/fail credit pursuant to **GRADING POLICIES** part II.D.

LMU has clearly defined and published policies for evaluating, awarding, and accepting credit for transfer, experiential learning, advanced placement, and professional certificates that

are consistent with its Mission and ensures that course work and learning outcomes are at the collegiate level and comparable to LMU's own degree programs. Transfer policies for specific degree levels take into consideration the Mission of the program and LMU and reflect good practices in higher education. In all cases, LMU assumes full responsibility for the academic quality of any course work or credit accepted and recorded on its student's transcripts.

3.4.9 The institution provides appropriate academic support services. (**Academic support services**)

Narrative Response:

Lincoln Memorial University (“LMU”) provides appropriate academic support services for students enrolled in all its academic programs at all instructional sites and complies with Comprehensive Standard 3.4.9. LMU students have access to programs designed to support their academic endeavors that are appropriate to programs, degrees, and levels of instruction.

Tagge Center for Academic Excellence/Tutoring Services

The Tagge Center for Academic Excellence offers free assistance to all students, including extended-site students, for subjects in selected undergraduate disciplines offered by LMU; both individual and group tutoring sessions can be scheduled. Students may also arrange to use the facilities and resources of the Tagge Center for study group activities. In addition to its tutoring services, the Tagge Center provides a wide variety of programs and services to assist students with their studies.

Student Support Services

Student Support Services is a federally funded program to assist eligible students. The program offers assistance in areas of academic and financial advisement, career planning and personal growth, as well as peer tutoring. Students interested in participating in the program must complete an application and be accepted into the program. Those accepted into the program receive all services free of charge. The program has proven very effective in helping students succeed in their college studies.

UACT 100 Course

LMU offers a course, *UACT 100, Strategies for College Success*, for freshmen. The course explores and integrates topics of time management, learning strategies, self-understanding, and career and life choices. Health issues such as stress, substance use, and

general wellness are examined as they relate to being a successful student at LMU. The course is open to any new undergraduate student, is required for students who are enrolled in the Student Support Services program, and is strongly encouraged for those who enter LMU with weaker academic backgrounds.

Early Warning System

The Division of Enrollment Management and Student Services (EMSS) sponsors an “early warning system” for undergraduate students who are at risk for academic failure or have shown signs of personal or academic problems. Faculty and staff members identify students who are chronically tardy, absent, inattentive, or have performed poorly on an exam and refer them to the EMSS division. Faculty are contacted early each semester and asked to submit the names of any students they feel might benefit from intervention by an academic tutor or counselor. The staff members of the EMSS division work together to intervene on behalf of the student to ensure those students have the support needed to succeed.

Computer/Technology Services

Information Services (IS) provides computer/technology assistance to support all LMU academic programs. All LMU-owned residential facilities have internet access. Open computer labs are available to students in the Carnegie-Vincent Library, the Tagge Center for Academic Excellence located in the Student Center, and the Business/Education Building. Smaller computer labs are located in the Schenck Center for Allied Health Sciences, Farr Hall, and Avery Hall. An adequate number of computers (desktops and/or laptops) are available for student use at all extended teaching sites. Medical and Nursing students also have computer access available to them in the DeBusk College of Osteopathic Medicine (DCOM).

All LMU students have appropriate assistance with the use of technology to support their academic needs. Each residence hall is assigned a Resident Technology Assistant (RTA) who is

trained to assist students with technology problems or questions. LMU operates a help desk through the IS Department for students enrolled at all teaching sites. The help desk is open during normal business hours and operates on limited weekend hours. LMU operates the help desk using IS staff to provide technical and student services support for all students at all sites including the DSOL. This service is especially helpful for students enrolled at extended teaching sites who may need technical support after regular working hours or on weekends.

Library and Learning Resources

The Carnegie-Vincent Library (CVL), the Reed Medical and Allied Health Library, and the DSOL Library provide academic support and research assistance to LMU students. The CVL provides dedicated study rooms for group study. The CVL web page provides access to academic support materials including books, journals, and databases over the internet to meet the needs of LMU students enrolled on the main campus and at all extended teaching sites. Training in the use of the library and learning resources is provided for LMU students through organized presentations as well as on an as-needed individual basis. A full description of library and learning resources can be found in the response to Core Requirement 2.9.

Academic Advising

All LMU students are assigned an academic advisor. The Registrar's Office assigns advisors to undergraduate students, the graduate programs assign advisors to graduate students, the DeBusk College of Medicine (DCOM) Office of Admissions and Student Advancement assigns advisors to medical students, and the DSOL Director of Lawyering Skills assigns advisors to law students. Students on academic probation are carefully monitored by appropriate offices to encourage academic success and removal of the probationary status.

Testing Services

Various personality and interest inventories are available to students through Student Support Services and the Career Services Office. In addition, LMU serves as an official test center for several standardized assessments that support its educational programs, including:

- ACT
- SAT
- PRAXIS
- CAAP

Services for Students with Disabilities

LMU does not discriminate on the basis of disability. Every effort is made to accommodate the needs of the students with disabilities attending LMU. As buildings on the campus are remodeled or with new construction, care is taken to assure that persons with disabilities have sufficient access. LMU also provides reasonable accommodations to students with properly documented disabilities. If a student with a disability has any issue or question about his/her disability, the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation ACT of 1973, the student is encouraged to contact, Donna Treece-Paul, the ADA Coordinator in the Office of Student Services.¹⁵¹ Contact information is listed on each course syllabus. All extended teaching sites are handicapped accessible, and LMU makes ADA services available to all students.

THE DUNCAN SCHOOL OF LAW PROGRAM

In addition to the programs provided by LMU, to which Duncan School of Law (DSOL) students also have access, DSOL students have access to academic services designed specifically for them.

¹⁵¹ A copy of her CV is attached hereto as **Exhibit 53**.

First, DSOL employs a full-time Financial Aid Coordinator, Michelle Baird,¹⁵² whose job duties include providing: financial aid planning and assistance, debt planning assistance, assistance with withdrawal processes, assistance with correcting billing errors, assistance with processing student refunds, assistance with identifying and applying for scholarship programs and fellowships, and assistance in maintaining DSOL's compliance with Federal and State financial aid regulations. Second, DSOL employs a full-time Information Services (IS) person, John Tyler Jennings,¹⁵³ who assists students with technological accommodations, technology training, and troubleshooting. Third, and in the same vein of technology, DSOL provides laptops to each student at DSOL¹⁵⁴ and provides a number of training sessions throughout each academic year to assist students in using those technological services.¹⁵⁵ Furthermore, DSOL provides students access to MediaSite,¹⁵⁶ permitting students to watch and/or review every class lecture either on site or remotely.¹⁵⁷ Fourth, DSOL provides a structured academic advising program. The Academic Advising Program at DSOL is administered by the Director of Lawyering Skills. Each student at DSOL is assigned a member of the Faculty as an advisor, and advisors are encouraged to contact their advisees at least once a semester to offer support. Of course, advisors are required to be available to their advisees, by appointment, at any time during any academic semester. Support services under this Program include career counseling and academic counseling. A copy of the DSOL Academic Advising Handbook is attached hereto as **Exhibit 51**. Fifth, DSOL employs an Academic Support Program that DSOL titles the

¹⁵² See **Exhibit 48** for Michelle Baird's resume.

¹⁵³ See **Exhibit 49** for John Tyler Jennings resume.

¹⁵⁴ Each laptop has an Intel Core 2 Duo T9400 processor and 3 gigabytes of memory. Each laptop is wireless enabled and is loaded with Windows XP, Microsoft Office Suite, Microsoft Anti-Virus, and Lenovo Think Vantage OEM applications.

¹⁵⁵ For a full list of technological training presentations provided since the inception of the Program, see **Exhibit 50**.

¹⁵⁶ Media Site is a technology package permitting DSOL to capture the students' classes and permit remote viewing. Currently, students at DSOL can watch or review any class delivered at the DSOL either on campus or from any location where they have internet access.

Academic Success Program (ASP). The Academic Success Program is administered by the Director of Lawyering Skills. The Director of Lawyering Skills,¹⁵⁸ Dean April Meldrum, is a prior trial court judge who was recruited by DSOL specifically for her litigation and writing experience. *See* Curriculum Vitae attached as **Exhibit 118**. Dean Meldrum is a full-time faculty member and her employment with DSOL underscores the law school's commitment to the active participation of practicing lawyers and judges in legal education.

The ASP Program provides support for those students who, through poor academic performance, have demonstrated a need for tutoring or similar academic assistance. Those students are invited to participate in the ASP by the Director of Lawyering Skills. The Director of Lawyering Skills receives referrals from faculty and will consider requests from students, directly, to participate in the program. In the event that a student's academic performance has resulted in academic probation, participation in the ASP will be mandatory.

Under the supervision of the Director, Anita Bergeson provides individual and group instruction to students two evenings per week. *See* Curriculum Vitae attached as **Exhibit 28**. The ASP curriculum is individualized based upon targeted areas that have been identified by the students or their professors. As a full-time collegiate English instructor, Professor Bergeson is uniquely suited to assist the students in developing skills related to reading, reasoning, comprehension, and writing.¹⁵⁹ With a strong core in each of these disciplines, most law school students can succeed in law school and in their legal careers.

In addition to targeting those students who are academically challenged, the ASP of DSOL will provide components designed to integrate success strategies for law school, bar examinations, hiring and law practice for all students. To that end, DSOL will host workshops

¹⁵⁸ Dean Meldrum is also the Associate Dean for Academics.

¹⁵⁹ *See* **Exhibit 28**.

for students on stress and time management as well as effective study habits to aid in bolstering student coping skills and academic success.

Sixth, DSOL has structured the physical space of the DSOL Building to enhance its academic programs. For instance, DSOL has designated fourteen study rooms and has begun outfitting select study rooms with technology to promote cooperative and peer learning.

Seventh, all DSOL students have access to substantive law and skills tutorials—both online and on disk—through the Center for Computer-Assisted Learning Instruction (CALI).¹⁶⁰ The tutorials provide immediate feedback to the students as they proceed through the tutorial.

Eighth, DSOL employs an early warning system which, through formative assessment, identifies students who are academically challenged so that those students can be provided the opportunity for improvement. DSOL requires its professors to use interactive questions¹⁶¹ in all first-year courses and in a substantial majority of all other courses. Furthermore, DSOL requires its professors to administer mid-term exams to their students. The results of the mid-terms and TurningPoint questions are then compared across class sections to determine individual students who experienced academic difficulties. Each of those students is then personally contacted by a faculty member to discuss the student's academic progress and potential means of improvement. Preliminary interventions include: professors' identification of individual, underlying academic problems and individual instruction to remediate. The Administration intends to continue and improve this system in the future.

¹⁶⁰ A disk containing CALI Tutorials is attached hereto as **Exhibit 36**. A list of substantive law areas covered by the tutorials is attached hereto as **Exhibit 119**.

¹⁶¹ Interactive questions are administered using TurningPoint. TurningPoint is a software program that combines clicker technology with instant feedback results. When used with multiple-choice questions, it permits students instant feedback on their understanding of substantive material.

Tenth, each student has substantial access to faculty members. Each faculty member has at least five standard office hours per week. In addition, each professor includes both his/her office phone number and email address in his/her syllabus.

As detailed above, DSOL provides substantial academic support services for its students that comply with Comprehensive Standard 3.4.9.

3.4.12 The institution's use of technology enhances student learning and is appropriate for meeting the objectives of its programs. Students have access to and training in the use of technology. **(Technology use)**

Narrative Response:

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.4.12. LMU has implemented technologically advanced resources and technology to meet the curricular needs of students and faculty.

LMU has made a significant commitment to improving the instructional technology environment on the Harrogate campus and at its extended teaching sites in recent years. The campus technology investments have provided students and faculty significant improvements in access to technology resources and capabilities. These technologies include new multi-media streaming and video conferencing capabilities, as well as improvements in interactive television and production facilities. These systems enrich the educational experience for all LMU students and provide additional resources for the extended learning community served by LMU.

The multi-media streaming system permits archiving audio, video, and multi-media from lecture halls in the new classrooms or via a mobile system anywhere on the Harrogate campus. Through the use of the system, class lectures, presentations, or demonstrations can be digitally recorded and captured as they occur in the classroom for later review. Visual aids (e.g., PowerPoint) are instantly synchronized with the video recording and cataloged for easy and on-demand retrieval. All recordings are captured and stored immediately on a secure server and made available instantly through the electronic learning portal on the LMU web site. Students and faculty can access these recordings at anytime of the day by connecting to the Internet using a web browser. Minimal support is needed by Information Services (IS) staff, as the system is extremely intuitive and runs on a schedule. This resource has not only enhanced student review and learning, but the entire LMU community has benefited from these improvements.

Enhancements to the production studio facilities further support media archiving, editing, and a fixed environment in which to record content using the technologies deployed in the classrooms on campus. The studio has the ability to originate broadcasts to any location across campus. The system is fully ADA compliant and gives students with special needs the ability to access the same multimedia technologies available to all other students and to be able to present to any classroom at the Harrogate campus or any extended teaching site. The studio provides facilities for professionally recording and editing materials before final delivery.

LMU has provided training sessions for faculty and students in the use of technology. Training for students begins during their orientation, and training and assistance continues throughout their matriculation. Undergraduate students receive training on information literacy skills and Blackboard facilitation during their freshman year. Faculty members participate in training sessions designed specifically for them. Faculty can schedule special training opportunities or learn of technology classes through the LMU online Faculty Development web page.

In the fall of 2007, LMU hired a full-time instructional technologist to assist faculty in the integration of technology into the learning environment.¹⁶² A Director of Medical Information Services and a Media Specialist were also hired to manage technical aspects of the DeBusk College of Osteopathic Medicine (DCOM) and the Business and Education building. The Media Specialist is available to assist faculty members in the development and delivery of recorded lectures, provide technology support, and facilitate live interactive videoconferencing between training sites. An Information Services Coordinator (ISC) is contracted to help troubleshoot the new technology, and Information Services (IS) provides user support for

¹⁶² **Exhibit 120** contains the CV for Dr. Karen Carter, Instructional Technologist.

faculty, staff, and students through a link to the LMU web site. Additional IS personnel have been added in recent years in anticipation of new academic programs.

THE DUNCAN SCHOOL OF LAW PROGRAM

The Duncan School of Law (DSOL) has implemented resources and technology to meet the curricular needs of DSOL faculty and law students. DSOL has provided each student with a laptop to fulfill educational requirements and wireless access to the Internet¹⁶³ and electronic resources.¹⁶⁴

The DSOL Building encompasses approximately 65,000 square feet of space, including offices and spaces adequate for instruction, library facilities, study rooms, student services, and other multiple-use spaces. Specifically, the Building includes four state-of-the-art lecture halls. Room 101 has the following technology infrastructure: multimedia connectivity supporting audio, video, networking, and controls on the podium; network cabling to podium; power to tables to support student laptop charging; wireless access for students, faculty, and staff; and capability to capture class lectures for streaming out via the Internet.¹⁶⁵ Additionally, Room 101 is equipped with the following equipment: two 60” LCDs and two 42” LCDs for student viewing; 32” LCD for instructor viewing; a smart podium with PC, document camera, Symposium, DVD/VCR, microphone (wired and wireless), and touch-screen control panel; Symposium interactive pen display with SMART Notebook software; primary Crestron touch panel control system for multimedia presentations; digital archiving, retrieval and storage system

¹⁶³ DSOL has wireless-n access throughout the building. Thus, electronic databases such as Making of the Modern Law, Eighteenth Century Collection Online (ECCO), Lexis/Nexis CIS, Hein Online, and electronic journals, books, and manuscripts are accessible to all law school students via individual laptops throughout the Building.

¹⁶⁴ Each student has a laptop computer that is capable of using the technology provided DSOL. Each laptop has an Intel Core 2 Due T9400 processor and 3 gigabytes of memory. Each laptop is wireless enabled and is loaded with Windows XP, Microsoft Office Suite, Microsoft Anti-Virus, and Lenovo Think Vantage OEM applications.

¹⁶⁵ The classroom lectures are video recorded, stored, and streamed online for review by students at their convenience. The technology deployed to accomplish this is Mediasite[®] by Sonic Foundry[®].

of all audiovisual content; and a wired voice reinforcement system for the presenter. The room also includes ceiling microphones and ceiling speakers for sound presentation and augmentation.

Room 201's infrastructure includes the following: Multimedia connectivity supporting audio, video, networking, and controls on the podium; network cabling to podium; power to tables to support student laptop charging; wireless access for students, faculty, and staff; and capability to capture class lectures for streaming via the Internet.¹⁶⁶ Additionally, the technology deployed in Room 201 includes: multiple cameras with camera controller; two 60" LCD displays; a 32" LCD for instructor viewing; a smart podium with PC, document camera, Sympodium, DVD/VCR, microphone (wired and wireless), and touch-screen control panel; Sympodium interactive pen display with SMART Notebook software; primary Crestron touch panel control system for multimedia presentations; digital archiving, retrieval and storage system of all audiovisual content; video teleconference, with presenter and audience tracking capability; and wired voice reinforcement system for the presenter and audience.¹⁶⁷

Room 308 has the following technology infrastructure: Multimedia connectivity supporting audio, video, networking, and controls on the podium; network cabling to podium; power to tables to support student laptop charging; wireless access for students, faculty, and staff; and capability to capture class lectures for streaming via the Internet.¹⁶⁸ Additionally, Room 308 is equipped with the following equipment: one 60" LCD for student viewing; a smart podium with PC, document camera, Sympodium, DVD/VCR, microphone (wired and wireless), and touch-screen control panel; Sympodium interactive pen display with SMART Notebook software; primary Crestron touch panel control system for multimedia presentations; digital

¹⁶⁶ The classroom lectures are video recorded, stored, and streamed online for review by students at their convenience. The technology deployed to accomplish this is Mediasite[®] by Sonic Foundry[®].

¹⁶⁷ **Exhibit 69** includes diagrams of each floor and each classroom, including the technology in each to facilitate instruction.

¹⁶⁸ The classroom lectures are video recorded, stored, and streamed online for review by students at their convenience. The technology deployed to accomplish this is Mediasite[®] by Sonic Foundry[®].

archiving, retrieval and storage system of all audiovisual content; and a wired voice reinforcement system for the presenter. The room also includes ceiling microphones and ceiling speakers for sound presentation and augmentation.

Room 325 has the following technology infrastructure: Multimedia connectivity supporting audio, video, networking, and controls on the podium; network cabling to podium; power to tables to support student laptop charging; wireless access for students, faculty, and staff; and capability to capture class lectures for streaming out via the Internet.¹⁶⁹ Additionally, Room 325 is equipped with the following equipment: two 60” LCDs for student viewing; a smart podium with PC, document camera, Sympodium, DVD/VCR, microphone (wired and wireless), and touch-screen control panel; Sympodium interactive pen display with SMART Notebook software; primary Crestron touch panel control system for multimedia presentations; digital archiving, retrieval and storage system of all audiovisual content; and a wired voice reinforcement system for the presenter. The room also includes ceiling microphones and ceiling speakers for sound presentation and augmentation.

In addition to the above, the Courtroom will be technologically advanced with a design engineered to affect the best possible teaching environment. The infrastructure will include the following: Multimedia connectivity supporting audio, video, networking, and controls on the podium; network cabling; capability to capture class lectures for streaming via the Internet; power to tables to support student laptop charging; wireless-n access for students, faculty, and staff; white noise for jury box; and black out shades for windows. The technology deployed in the classroom will include: multiple cameras with camera controller; two 42” LCDs and projectors for instruction, viewing, and conferencing; a smart podium with PC, document camera, Sympodium, DVD/VCR, microphone (wired and wireless), and touch-screen control

¹⁶⁹ The classroom lectures are video recorded, stored, and streamed online for review by students at their convenience. The technology deployed to accomplish this is Mediasite[®] by Sonic Foundry[®].

panel; Sympodium interactive pen display with SMART Notebook software; primary Crestron touch panel control system for multimedia presentations; digital archiving, retrieval and storage system of all audiovisual content; the ability to dim florescent lights and dimmable chandeliers; digital archiving, retrieval and storage system of all audiovisual content; video teleconference, with presenter and audience tracking capability; and wired voice reinforcement system for the presenter and audience.

The technological sophistication of the lecture halls and the Courtroom provides a number of educational benefits to DSOL students. For instance, the MediaSite class-capture software permits students to view or review class lectures at any time either remotely or on-site at DSOL. Furthermore, as described on the Turning Technologies website,¹⁷⁰ DSOL's interactive-response system is an effective tool that facilitates pedagogical best practices and enhances student learning by transforming the classroom into an interactive and engaging learning environment and permitting professors to gauge student understanding instantly with visual charts in real-time. Finally, the use of SMART Notebook Software permits professors to write notes and draw diagrams during their lectures—both on a “white board” and on their Powerpoints—that immediately display on the LCD screens for viewing by the students. This permits professors to create a synergy between their oral and visual teaching techniques to accommodate different types of student learning.

In addition to the above, DSOL also uses non-infrastructure technology to enhance its academic program. For instance, select courses use interactive textbooks which hyperlink cases, statutes, and reference materials. This permits students easy access to both primary and secondary sources that enhance comprehension, analysis, and application. Furthermore, DSOL professors, in addition to more traditional methods of communication, use Windows Live

¹⁷⁰ Turning Technologies, at <http://www.turningtechnologies.com> (last visited January 17, 2010).

Messenger to engage students outside the classroom. Finally, DSOL possesses video-conference capability which will permit remote presentations to the students from any location appropriately equipped.

Due to the sophistication of the infrastructural and non-infrastructural technology, LMU has been especially proactive in providing technology training sessions for DSOL students and faculty. Training for students began during their orientation, continues throughout their studies, and is provided on an individual basis as needed.¹⁷¹ DSOL Faculty members were also trained immediately after their start dates and have additional training sessions throughout each academic semester.¹⁷² Furthermore, DSOL Information Services (IS) staff¹⁷³ and other LMU IS Staff are available to provide on-going assistance and training as needed to both students and faculty.

In terms of on-going assistance, LMU employs one full-time IS employee who is dedicated to the DSOL Program. That employee assists students, faculty, and staff with any specialized technology questions that arise. Furthermore, both students and Faculty have access to the LMU IS Help-Desk.

While DSOL believes it is state-of-the-art currently, DSOL recognizes that technology changes quickly. Thus, to remain current, technology appropriations are included in DSOL and LMU's operation budgets.

¹⁷¹ See **Exhibit 50** for a list of technology training sessions for the students.

¹⁷² See **Exhibit 117** for a list of technology training sessions for the faculty.

¹⁷³ The IS staff member dedicated to DSOL is John Tyler Jennings. A CV for Mr. Jennings is attached hereto as **Exhibit 49**.

3.5.3 The institution defines and publishes requirements for its undergraduate programs, including its general education components. These requirements conform to commonly accepted standards and practices for degree programs.
(Undergraduate program requirements)

Narrative Response:

Lincoln Memorial University defined and published requirements for all its undergraduate programs, including its general education components in the 2009-2010 Undergraduate Catalog. The Duncan School of Law Program is a doctoral-level professional program to which Comprehensive Standard 3.5.3 does not apply.

- 3.6.1** The institution's post-baccalaureate professional degree programs, and its master's and doctoral degree programs, are progressively more advanced in academic content than its undergraduate programs. **(Post-baccalaureate program rigor)**

Narrative Response:

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.6.1. LMU's graduate programs and its professional programs in law and osteopathic medicine are more advanced in terms of academic content than its undergraduate programs. LMU's doctoral program in Executive Leadership is more advanced than its specialist degree programs in terms of academic content. LMU's specialist degree programs are more advanced than its master's degree programs in their respective disciplines in terms of academic content and expected level of independent learning. Graduate programs at the master's degree level build upon the discipline content foundation established through completion of an undergraduate degree. Graduate programs at the specialist degree level build upon the discipline foundation established through completion of a master's degree. The Doctor of Education (Ed.D.) in Executive Leadership requires completion of the Ed.S. (or equivalent academic coursework) and builds upon the discipline foundation established through completion of Ed.S. degree-level curriculum.

LMU's graduate programs have curricula substantially beyond those provided for the undergraduate programs. Each degree program has requirements and regulations unique to the individual program demands. These curricula operate solely for graduate programs and provide depth and breadth of knowledge and skills distinct from undergraduate curricula. Research, scholarly activity, and advanced professional training are components of curricula in graduate programs. These components are supported by appropriate LMU resources. A review of graduate syllabi (for all graduate programs) indicates that students in all master's and specialist's degree programs are provided instruction designed to develop their understanding of the research process and to provide opportunities to conduct research projects appropriate to their program

degree level. Graduate students are required to explore, question, analyze, reconsider, reflect, and synthesize as they encounter literature, theory, and methodology, and they are expected to understand and demonstrate accepted professional practices relevant to their program of study. LMU's graduate programs have competent and productive faculty; faculty vitae indicated accomplishments in academics and experiences in their fields of expertise. Graduate curricula help students conduct research, participate in practicum/clinical experiences, internships, and field experiences; develop and create projects; work collaboratively with peers, faculty, and school, agency, health care, or business personnel; integrate new technologies into teaching/learning/practice; and reflect on experiences and construct new awareness and understanding. Course syllabi, with their indications of course requirements that reflect the above mentioned behaviors and their required and suggested readings that define the extent of student exposure to program discipline knowledge and research, serve as documentation for the substantive difference between undergraduate and graduate instruction.

Syllabi, texts, and student products also offer evidence that students are exposed to a level of complexity and specialization in graduate degree programs that extend their knowledge and intellectual maturity beyond the level of undergraduate curricula. Students are required to write reflections on class sessions, courses, and assignments in many courses. Rubrics used to grade literature research assignments often include "analysis of ideas" as well as "implications/applications" to general practice. Graduating Student Surveys, Student Opinion Surveys, and Graduate Surveys all indicate very high ratings for graduate program content; applicability of knowledge gained in graduate programs to professional practice (education and business and nursing); and student satisfaction with instruction, their level of career preparation, and what they learned in graduate programs. For copies of recent survey results, see **Exhibit 121**.

Program approval processes require Academic School/College faculty proposing a new program to determine the appropriateness of academic content for the degree level at which the program will be offered. Each continuing academic program at LMU (at all degree levels) must conduct periodic program reviews using standard guidelines adopted by LMU's Academic Council (See **Exhibit 84**) which require program faculty to respond to the following items (among others) concerning the program's academic content:

Show how the courses required for each degree under review:

- a. Relates to the school's or college's/department's missions;
- b. Reflects national and local trends of the discipline;
- c. Demonstrates progression and coherence of curriculum;
- d. Are judged to be appropriate for the academic level of the degree program; and
- d. Contributes to the competencies expected in the graduates.

When applicable, graduate programs at LMU utilize comparisons of students performance on nationally standardized licensure/evaluation instruments developed to assess student learning for master's or higher advanced academic degree programs in their respective discipline. The comparability of student learning in LMU's masters and specialist degree programs in education disciplines, with that of similar degree programs at other institutions, is demonstrated by program completers' Praxis Examination scores. LMU Praxis scores for both counseling and educational administration have consistently exceeded the national average and the minimum scores established by the Tennessee Department of Education for teacher/counselor licensure. Samples of recent Praxis results are included in response to Federal Requirement 4.1 in this document. Comparability of student learning in the M.B.A. program with that of similar degree programs at other institutions is documented by student performance on the Major Field Test for M.B.A. Programs. Samples of recent Major Field Tests for M.B.A. Programs scores are attached in **Exhibit 122**. LMU's first class of M.S.N. program students completed their degrees in December 2007. Since then, graduating M.S.N. students have

indicated through instructor developed and standardized practice tests that they have acquired knowledge and skills comparable to those of students in other M.S.N. programs. Completion of the F.N.P. concentration through LMU's M.S.N. program allows students to meet the eligibility requirements for the F.N.P. certification exam offered by the American Nurses Credentialing Center (ANCC) or the American Academy of Nurse Practitioners. The M.S.N. program uses results from the national certification examinations for program assessment as these exam results become available. Completion of the N.A. concentration through LMU's MSN Program allows students to meet licensure requirements to become certified Nurse Anesthetists.

Graduate faculty members in each academic school offering graduate degrees regularly review and assess curriculum to determine that all coursework is at an appropriate academic level and that course content is progressively more advanced than at the preceding level. All graduate faculty members possess the requisite academic credentials and experience to make professional judgments concerning the academic content of courses included in degree requirements for programs at each graduate-degree level. The Academic Council receives recommendations from program faculty concerning the level of course content for proposed programs at each degree level and evaluates those recommendations with reference to common practices for similar degree programs at other institutions, among other considerations.

The distinction between the graduate and undergraduate programs begins with program admissions requirements. Enrollment in master's level graduate programs requires successful completion of a baccalaureate degree with a minimum grade point average. The master's degree programs in education require minimal scores on the Praxis Exam (Principles of Learning and Teaching), Graduate Record Exam (Verbal and Quantitative), or the Miller Analogies Test as described on page 26 of the 2009-2010 Graduate Education Catalog. The Master of Nursing

program requires a competitive GRE score for admission. The law program admission requirements are detailed in the response to Comprehensive Standard 3.4.3.

Graduate programs in education, nursing, and business at LMU have limits on the maximum number of credit hours for which a student can enroll each semester because of rigor of the graduate courses. Graduate course syllabi are reviewed by qualified program faculty and curriculum committees within academic schools at LMU offering graduate degree programs, and the level of academic content is a factor in those review and approval processes. Grade requirements for continued enrollment in graduate courses are higher than those of undergraduate courses.

The graduate programs in Education (master's and specialist), Business, and Nursing all require students to pass comprehensive examinations/final evaluations on which they demonstrate they have acquired content knowledge commensurate with the degree level (master's or specialist). Students have a standard thesis option in the master's level education programs.

All graduate programs in education (master's and specialist), nursing, and business require research methods courses and a substantial research project. The research project is evaluated by program faculty and must be determined acceptable at the level of expectation for each program degree level.

THE DUNCAN SCHOOL OF LAW PROGRAM

To be eligible for admission to the Duncan School of Law (DSOL), applicants must have completed a baccalaureate degree from an institution accredited by an accreditation association recognized by the United States Department of Education and must demonstrate the ability to perform competently at the professional-school level through both LSAT scores and

baccalaureate GPA. These standards for admission are consistent with law schools accredited by both the American Bar Association (ABA) and regional accrediting associations.

The DSOL program is a professional-degree program, and course content for the program is monitored by the DSOL Curriculum Committee. Furthermore, ultimately, DSOL's curriculum is monitored by the Tennessee Board of Law Examiners (TBLE) and the ABA. Course syllabi for the DSOL program's first-year, part-time curriculum are attached in **Exhibit 31** and demonstrate that the courses are at an appropriate level and include appropriate content. Course descriptions for all required DSOL program courses are attached in **Exhibit 123**. The DSOL Course Descriptions demonstrate the courses are at a professional level and include substantive content consistent with ABA-accredited law schools.

- 3.6.2** The institution structures its graduate curricula (1) to include knowledge of the literature of the discipline and (2) to ensure ongoing student engagement in research and/or appropriate professional practice and training experiences.
(Graduate curriculum)

Narrative Response:

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.6.2. A review of course descriptions for each graduate program and the Doctor of Jurisprudence (J.D.) program at LMU reveal that each program systematically incorporates student engagement with the literature of the discipline and ensures ongoing student engagement in research and/or appropriate practice and training experiences.

The master's level programs in education, business, and nursing require research methods coursework that emphasize knowledge of literature in the discipline. Syllabi for selected required courses in each master's-level program document student use of discipline literature for the completion of course assignments, including a significant research project and other assignments using discipline literature to promote critical thinking, analysis, and inquiry throughout the curricula.

The Educational Specialist degree program is designed to extend and expand the student's level of professional competence beyond that attained through the master's-level program, to bring the student up to date on matters relevant to the field of specialization, to enable the student to read and understand research in the field of specialization, to apply relevant research to professional activities, to stimulate the student to assume a leadership role in the specialty, and to prepare the student in that role. The Educational Specialist degree programs require a research project in addition to engagement with an extensive variety of texts and other discipline literature. Students' graduate research projects include well-developed literature reviews. By incorporating requirements for use of discipline literature for successful completion

of course and program assignments, LMU's Educational Specialist degree programs are structured to help students acquire knowledge of discipline literature.

LMU's graduate education programs are designed primarily for working professionals who are actively engaged in professional practice and action research. Graduate education courses are aligned with standards for professional practice in each discipline, and course syllabi identify the professional standards addressed by each course. The programs' curricula meet state licensure requirements for certification as school administrators and counselors.

LMU's Master of Business Administration (M.B.A.) program integrates case studies, research, presentations, and seminars to give students the foundation to apply the principles of accounting, finance, economics, information technology, management, and business ethics within a contemporary work environment. Students apply their learning to the resolution of programs in professional practice. Most M.B.A. students are working professionals with opportunities to apply the knowledge and skills gained from the program to situations they encounter in their work place. The program makes extensive use of case studies and simulations modeling professional practice and emphasizes the importance of applying knowledge and skills developed from coursework.

LMU's Master of Science in Nursing (M.S.N.) program is designed for licensed nurses and incorporates extensive clinical experiences described in the 2009-2010 Master of Science in Nursing Catalog.¹⁷⁴ Faculty members monitor students' clinical experiences through on-going evaluation of clinical performance. Course instructors and preceptors work with students to ensure that appropriate clinical experiences are documented and evaluated throughout the M.S.N. program's curriculum. Appropriate clinical evaluation tools are used by students, faculty members, and preceptors to structure the formal evaluations. Some written assignments in the

¹⁷⁴ See Exhibit 24.

M.S.N. are based on current clinical cases which require development of diagnostic reasoning and clinical management skills.

THE DUNCAN SCHOOL OF LAW PROGRAM

Doctor of Jurisprudence (J.D.) program syllabi¹⁷⁵ and course descriptions¹⁷⁶ document that the Duncan School of Law (DSOL) curriculum is structured to include knowledge of literature, knowledge of professional practice, and training experiences in the discipline.

As to literature, DSOL ensures that each student receives substantial instruction in those areas of law generally regarded as necessary for effective and responsible participation in the legal profession. More specifically, DSOL's required curriculum tracks the subject matters tested on the Multi-State Bar Examination and Tennessee Bar Examination. The DSOL Curriculum Committee, composed of DSOL Faculty, periodically reviews the curriculum to ensure that all required courses and graduation requirements provide substantial instruction in the substantive law. Furthermore, DSOL ensures that each student receives substantial instruction in the history, goals, structure, values, rules, and responsibilities of the legal profession and its members—students are required to take a class on Professional Responsibility; this class is a study of the authority and duties of lawyers in the practice of their profession as advocates, mediators, and counselors, and of their responsibility to the courts, to the bar, and to their clients.

As to professional practices and training experiences in the discipline, DSOL's curriculum is designed to produce lawyers prepared to practice law upon graduation. Specifically, DSOL ensures that each student receives substantial instruction in legal analysis and reasoning, legal research, problem solving, and oral communication. To complete the requirements for the J.D. degree at DSOL, each student must successfully complete Lawyering Skills I, II, III & IV. These four classes include detailed instruction in legal analysis and

¹⁷⁵ See Exhibit 31.

¹⁷⁶ See Exhibit 123.

reasoning, legal research, problem solving, writing, and oral communication. These classes are specifically designed, in part, to fulfill a skills requirement by having students conduct a number of oral arguments, interview witnesses, draft correspondence; draft basic pleadings; draft a memorandum of law; draft requests for the production of documents; draft interrogatories; draft requests for admissions; draft pretrial motions such as motions in limine in a civil trial and motions to dismiss in a criminal trial; conduct witness preparation; and negotiate settlements and agreements. Additionally, a number of students will have the opportunity to participate in Law Review,¹⁷⁷ Moot Court,¹⁷⁸ externships,¹⁷⁹ and Mock Trial.¹⁸⁰

Based on the above, DSOL complies with Comprehensive Standard 3.6.2.

¹⁷⁷ Law reviews publish scholarly articles by academics and practitioners and disseminate those articles nationally. Students on law reviews govern the selection and editing of articles, along with administering the business aspects of producing a publication for national dissemination. For the first year of operation, members of the DSOL Law Review will be chosen by the Faculty Advisor based on students' performance in a writing competition. In the years that follow, the DSOL Law Review shall be self-governing and choose its own members based on applicants' performance in a writing competition. DSOL anticipates the Law Review to be launched in the spring of 2011. As stated earlier, the Law Review possesses a budgetary line item in the DSOL budget.

¹⁷⁸ The Moot Court Board is a student-run organization that provides students opportunities to compete in mock appellate arguments both internally and externally. Internally, the students will compete to acquire a position in the organization. Once a member of the Board, interested members will have opportunities to compete in mock appellate arguments at external competitions held by other institutions. For the first year of operation, members of the DSOL Moot Court Board will be chosen by the Faculty Advisor based on students' performance in an internal moot court competition. In the years that follow, the DSOL Moot Court shall be self-governing and choose its own members based on applicants' performance in an internal moot court competition. DSOL expects that the Moot Court Board will be launched in the spring of 2011. As stated earlier, the Moot Court Board possesses a budgetary line item in the DSOL budget.

¹⁷⁹ See **Exhibit 11**, at pages 36-37.

¹⁸⁰ The Mock Trial Team is a student-run organization that provides students opportunities to compete in mock civil and criminal trials both internally and externally. Internally, the students will compete to acquire a position in the organization. Once a member of the Team, interested members will have opportunities to compete in mock civil and criminal trials at external competitions held by other institutions. For the first year of operation, members of the DSOL Mock Trial Team will be chosen by the Faculty Advisor based on students' performance in an internal mock trial competition. In the years that follow, the DSOL Mock Trial Team shall be self-governing and choose its own members based on applicants' performance in an internal mock trial competition. DSOL expects that the Mock Trial Team will be launched in the spring of 2012. As stated earlier, the Mock Trial Team possesses a budgetary line item in the DSOL budget.

- 3.6.3** The majority of credits toward a graduate or a post-baccalaureate professional degree are earned through instruction offered by the institution awarding the degree. In the case of graduate and post-baccalaureate professional degree programs offered through joint, cooperative, or consortia arrangements, the student earns a majority of credits through instruction offered by the participating institutions. **(Institutional credits for a degree)**

Narrative Response:

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.6.3. The majority of credits applied toward any LMU graduate-degree program (including the Doctor of Jurisprudence) must be earned from LMU. Specific transfer credit limitations for graduate-level degree programs include:

- A maximum of nine semester hour for all masters'-level programs in the School of Education.
- A maximum of six semester hours for the M.S.N. program.
- A maximum of nine semester hours for the M.B.A. program.
- A maximum of six semester hours for all specialist-level programs in the School of Education.
- A maximum of 0 semester hours for the M.M.S. Program.
- A maximum of 0 semester hours for the Ed.D. Program.
- Students may only transfer up to one academic year of credit for the D.O. Program.

The Duncan School of Law (DSOL) allows students to transfer credit into the Doctor of Jurisprudence (J.D.) program up to a maximum of thirty semester credit hours.¹⁸¹ A student who has transferred from another law school must successfully complete at least fifty-eight credit hours at DSOL. Accordingly, DSOL complies with Comprehensive Standard 3.6.3.

¹⁸¹ For a complete statement of the DSOL Transfer Policy, see **Exhibit 11**, page 62-64.

- 3.6.4** The institution defines and publishes requirements for its graduate and post-graduate professional programs. These requirements conform to commonly accepted standards and practices for degree programs. **(Post-baccalaureate program requirements)**

Narrative Response:

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.6.4. LMU has defined and published requirements for its graduate and post-graduate professional programs that conform to the commonly accepted standards and practices for degree programs. The requirements for graduate and post-graduate degrees at LMU are published in the applicable program catalogs¹⁸² and were designed by the curriculum committees of the academic schools that offer the programs to conform to commonly accepted standards and practices. Curriculum committees in each academic school at LMU have responsibility for continually monitoring the requirements of the graduate programs within their respective school to ensure that programs continue to conform to commonly accepted standards and practices.

The Duncan School of Law (DSOL) program was designed to conform to commonly accepted standards and practices among law schools accredited by the American Bar Association and to adhere to the standards required by Tennessee Board of Law Examiners (TBLE). DSOL is approved by the TBLE. DSOL's Program requirements are published in its Student Handbook and Catalog¹⁸³ and on its website.¹⁸⁴

¹⁸² See Exhibit 24.

¹⁸³ See Exhibit 11.

¹⁸⁴ Lincoln Memorial University-Duncan School of Law, at <http://www.lmunet.edu/law> (last visited January 21, 2010).

- 3.7.1** The institution employs competent faculty members qualified to accomplish the mission and goals of the institution. When determining acceptable qualifications of its faculty, an institution gives primary consideration to the highest earned degree in the discipline in accordance with the guidelines listed below. The institution also considers competence, effectiveness, and capacity, including, as appropriate, undergraduate and graduate degrees, related work experiences in the field, professional licensure and certifications, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching and student learning outcomes. For all cases, the institution is responsible for justifying and documenting the qualifications of its faculty.

Display faculty qualifications on the Commission's "Roster of Instructional Staff." Limit entries to those faculty members assigned to the programs at the new level or to the expanded electronic courses. Include vitae of key faculty.

Narrative Response:

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.7.1. The faculty roster lists the professor for each course. To demonstrate the academic qualifications of faculty, a detailed list of the academic qualifications (degrees) of all professors is provided following the roster.

[Roster Begins on Next Page]

Faculty Roster Form

1	2	3	4
Name	Courses Taught	Relevant Academic Degrees and Course Credits Earned	Other Qualifications
Bruce Beverly	<u>Fall 2009</u> LAW 1041 Torts I (3 credit hours) <u>Spring 2010</u> LAW 1042 Torts II (3 credit hours)	B.A. State University of New York at Buffalo J.D. Ohio Northern University (1992).	Fourteen years of litigation experience; certified family law specialist; co-authored three books on direct and cross examination in family court cases.
Ann Walsh Long	<u>Fall 2009</u> LAW 1051 Lawyering Skills I ¹⁸⁵ (3 credit hours)	B.A. (Poli. Sci.) (1989) M.S.L.S. The Catholic University of America	Nearly twenty years of experience in law libraries—law firms, law schools, and an agency of the federal government
Jonathan Marcantel	<u>Fall 2009</u> LAW 1041 Torts I (3 credit hours) <u>Spring 2010</u> LAW 1042 Torts II (3 credit hours)	B.A. (History), College of Charleston B.A. (Political Science), College of Charleston J.D., University of South Carolina School of Law	Former clerk for the South Carolina Court of Appeals; former attorney with experience focusing on commercial litigation; three years of full-time teaching experience at the law school level.
Sandra Ruffin	<u>Fall 2009</u> LAW 1011 Civil Procedures I (3 credit hours) <u>Spring 2010</u> LAW 1012 Civil Procedures II (3 credit hours)	B.A. University of Maryland J.D. Harvard University	17 years teaching experience in legal education; 21 years private and corporate legal practice in the areas of land use, real estate and entertainment law
Gordon Russell	<u>Fall 2009</u> LAW 1051 Lawyering Skills I (3 credit hours)	B.A. Brigham Young University L.L.B. (Bachelor of Laws), University of Western Ontario M.L.S. BYU J.D. University of New Mexico	Law library director and faculty member at two ABA-accredited Schools of Law (St. Thomas School of Law and Charleston School of Law)
David Walker	<u>Fall 2009</u> LAW 1051 Lawyering Skills I (3 credit hours) <u>Spring 2010</u> LAW 1052 Lawyering Skills II (3 credit hours)	MLIS Rutgers University J.D. Rutgers-Camden B.A. Hofstra (Humanities).	Information Services Librarian at DSOL and former Reference Services Librarian at Charleston School of Law.
Sydney Beckman		B.A. Psychology, Stephen F. Austin State University J.D. Baylor University School of Law	Former Associate Dean and Assistant Professor of Law at the Charleston School of Law; over 15 years practice experience; former municipal judge pro tem.

¹⁸⁵ LAW 1051 is a research-based course. Accordingly, professors possessing a Master of Library Science are uniquely suited and qualified to teach the course.

April Meldrum	<u>Spring 2010</u> LAW 1052 Lawyering Skills II (3 credit hours)	B.A. English, Lincoln Memorial University; A.B.A. Business Administration, Lincoln Memorial University J.D.	Former Anderson County Juvenile Court Judge
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Each of the professors teaching doctrinal courses—LAW 1041, 1042, 1011, and 1012 above—possess a Doctor of Jurisprudence (J.D.) and other credentials to competently teach their assigned courses. Each of the professors teaching LAW 1051, a skills-based research course, possess, at a minimum, a Master of Library Science and other credentials to competently teach their assigned course. Finally, each of the adjunct professors teaching LAW 1052 possess a J.D. and other credentials to competently teach their assigned course. The total number of current and projected faculty members is sufficient to support the curricula of DSOL. The workloads for all DSOL faculty and administrators are carefully monitored to ensure conformity to best practices for law schools accredited by the American Bar Association. CVs for current full-time DSOL faculty members are attached hereto in **Exhibit 29**.

3.13.1 The institution complies with the policies of the Commission on Colleges. **(Policy compliance)**

Narrative Response:

Lincoln Memorial University (LMU) complies with the policies of the Commission on Colleges (COC). LMU has assigned responsibility for ongoing review of COC policies to the Office of Institutional Research and Accreditation. The Office of Institutional Research and Accreditation communicates changes in COC policies to LMU personnel with authority for areas of operation or programs impacted by policy changes. LMU's Institutional Effectiveness Committee (I.E. Committee) carefully monitors compliance with the Core Requirements, Comprehensive Standards, and Federal Requirements contained in the *Principles of Accreditation: Foundations for Quality Enhancement* and the COC policies posted on the SACS COC webpage. The I.E. Committee includes two representatives of the Duncan School of Law (DSOL): Dean Sydney A. Beckman and Dean Jonathan A. Marcantel. Minutes of the I.E. Committee's meetings document review and discussion of COC policies. The COC policy directly related to the evaluation of the Substantive Change is the *Substantive Change for Accredited Institutions Policy of the Commission on Colleges*.

3.14.1 A member or candidate institution represents its accredited status accurately and publishes the name, address, and telephone number of the Commission in accordance with Commission requirements and federal policy. **(Publication of accreditation status)**

Narrative Response:

Lincoln Memorial University (LMU) complies with Comprehensive Standard 3.14.1. LMU represents its accredited status accurately and publishes the name, address, and telephone number of the Commission on Colleges (COC) in accordance with COC requirements and federal policy. The location of LMU's statement of accreditation with the COC (consistent with COC recognition as a "Level V" institution offering three or fewer Doctoral Degrees) can be found in each academic catalog on the page indicated below:

- LMU Undergraduate Catalog 2009-2010, p. 1
- Management and Leadership Studies Catalog 2009-2010, p. 2
- Graduate Education Catalog 2009-2010, p. 2
- Master of Business Administration Catalog 2009-2010, p. 2
- Master of Science in Nursing Catalog 2009-2010, p. 1
- LMU DeBusk College of Osteopathic Medicine Student Handbook and Catalog 2009-2010, p. 32
- LMU Duncan School of Law Student Handbook and Catalog 2009-2010, p. 50.

The current statement of COC accreditation status is, "Lincoln Memorial University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to award associate, baccalaureate, masters, specialist, and doctoral degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Lincoln Memorial University."

D. Section 4: Federal Requirements

- 4.1 The institution evaluates success with respect to student achievement including, as appropriate, consideration of course completion, state licensing examinations, and job placement rates. **(Student achievement)**

Narrative Response:

Lincoln Memorial University (LMU) evaluates success with respect to student achievement. Each academic program employs an outcomes assessment process with annual reports focusing on student achievement in relation to identified student learning objectives, and each program conducts a comprehensive program review (which focuses on program effectiveness, student achievement, and factors impacting student achievement) every three to five years. Student learning goals are measured for all academic programs at all academic degree levels. As described in LMU's responses to Core Requirement 2.5 and Comprehensive Standard 3.3.1, LMU has a comprehensive institutional effectiveness process that incorporates all current academic programs and has the capacity to integrate new academic programs as they are developed.

LMU employs a wide variety of assessment methodologies, instruments, and procedures to assess student achievement, including, as appropriate: consideration of course completion, state licensing examinations, and graduate employment for each academic program offered. While each academic program employs multiple methods of assessment, the methodologies most appropriate and effective for individual program vary. Credentialed faculty members in each program/discipline identify, select, employ, and evaluate which student achievement measures are most appropriate for that program/ discipline.

At LMU, student achievement is evaluated (in part for all programs) with respect to:

- Student retention and progression;
- Educational outcomes in courses and curricula;
- Expectations of accreditation/approval agencies (SACS COC, program accreditation associations/councils/commissions); and

- Academic program and institutional review processes and standards.

Course Completion

Semester course grades provide program academic administrators and faculty with information for assessment of the effectiveness of instruction in relation to student learning on an on-going basis. Course evaluations provide student perspectives on individual course and instructor effectiveness. At the program and departmental levels, academic administrators use these methods to determine levels of student academic achievement and course effectiveness and work with faculty to enhance teaching performance and student achievement. Course completion and retention is an important component of LMU's assessment of institutional effectiveness. Student placement in certain courses is determined by review of performance in previous education activities (or courses) and/or student achievement as measured in LMU courses. The Provost and Vice-President for Academic Affairs regularly reviews course grade distributions.

In compliance with Title IV federal program requirements, the LMU Financial Aid Office monitors the academic achievement of students who receive financial aid. Participation in certain state financial aid programs and LMU's institutional scholarship program also requires students to successfully complete courses for which a minimum number of academic credit hours are awarded each academic term and satisfactory progress toward degree completions is achieved. Periodic internal and external reviews demonstrate that LMU is appropriately monitoring satisfactory academic progress and official and unofficial student course withdrawal. The LMU Financial Aid Office tracks student achievement for all financial aid recipients in strict accordance with the standards specified for participation in federal, state, and institutional programs, which require successful completion of a specific number of academic credit hours and/or courses for continued eligibility to receive student aid. Course completion for each student (including student achievement in the form of grade point average) is reported through

the Tennessee Independent Colleges and Universities (TICUA) and the Tennessee Higher Education Commission (THEC), as required for participation in certain state financial aid programs. The Duncan School of Law (DSOL) student enrollment and academic course credit hours completed will be reported to TICUA and THEC. These reports, which identify each student's academic program, are available for use by academic administrators and faculty each semester.

Course curriculum sequencing in all degree programs requires students to follow an established course schedule and clearly defined program completion requirements that build on skills and knowledge at progressively advanced levels of academic difficulty for successful program completion. LMU's administrative computer system (Datatel) includes an on-line program (Web Advisor) which allows each student and faculty advisor to view student progress in course completion as courses are completed. In addition to other measures of student achievement for general education courses (at both associate and baccalaureate degree levels), LMU uses the results of ACT's (American College Testing) Collegiate Assessment of Academic Proficiency (CAAP) to measure student learning in general education courses. Use of a standardized instrument to measure student knowledge upon completion of general education coursework helps ensure the quality of general education curricula.

Faculty advisors monitor student course completion on an individual basis as they work to help students meet program requirements and individual academic and career goals. Copies of the latest Integrated Postsecondary Education Data System (IPEDS) Completions and Graduation Rate Surveys submitted to the National Center for Educational Statistics (NCES) (as required by the U.S. Department of Education for Title IV program participation) to further demonstrate compliance with course and program completion expectations and Federal Requirement 4.1 will be available for review by the committee.

Student Performance on State Licensure Examinations

Many professions require graduates to take and pass licensure/certification examinations to gain entry into the profession. The Duncan School of Law (DSOL) program has not had any graduates at this point, but most graduates will take licensure examinations (bar examinations) upon graduation. Successful student performance on licensure/certification exams is an indicator of successful student learning outcomes. Some programs at LMU that do not lead to licensure/certification use appropriate standardized assessments to evaluate student achievement including the ACT Major Fields Tests and/or other discipline specific standardized instruments.

The academic programs that currently enroll and graduate the largest number of students at LMU are education (undergraduate—initial licensure and graduate—advanced licensure) and nursing. Recent licensure/certification exam results for these programs are discussed below.

LMU offers programs leading to elementary and secondary teacher licensure. These programs require students to pass the PRAXIS Principles of Teaching and Learning Test (PLT) and PRAXIS Specialty Tests in their teaching discipline. The following table provides licensure test results for undergraduate education program completers for the past three years.

PRAXIS Principles of Teaching and Learning Test (PLT)			
Year	Students Attempting	Students Passing	Pass Rate
2004-2005	33	31	94%
2005-2006	38	36	95%
2006-2007	51	50	98%
2007-2008	37	37	100%
2008-2009	40	38	95%
PRAXIS Specialty Tests			
Year	Students Attempting	Students Passing	Pass Rate
2004-2005	33	29	88%
2005-2006	38	36	95%
2006-2007	51	51	100%
2007-2008	37	36	97%
2008-2009	40	36	90%

The following tables (**Tables 4.1-1.4.1-2, and 4.1-3**) provide recent licensure test results for completers of graduate education programs at LMU. The first table contains results of the PRAXIS Educational Leadership Test for both master's degree and specialist-degree students. The second table contains results of the PRAXIS School Leaders Licensure Assessment (SLLA) for both master's degree and specialist-degree students. The third table contains PRAXIS School Counselor Assessment results for master's-degree students.

Table 4.1-1 PRAXIS Educational Leadership Test Results

PRAXIS Educational Leadership Test				
Test Dates	#M.Ed. Students Tested	# / % M.Ed. Students Passing	# Ed.S. Students Tested	# / % Ed.S. Students Passing
08-07-2004	0		17	17/ 100%
09-11-2004	0		13	13/ 100%
11-20-2004	1	1/ 100%	21	21/ 100%
01-08-2005	0		22	22/ 100%
03-15-2005	2	2 / 100%	82	82/ 100%
04-16-2005	2	2/ 100%	52	54/ 100%
06-11-2005	3	3/ 100%	89	88/ 99%
08-17-2005	1	1/ 100%	15	15/ 100%
11-19-2005	0		6	6/ 100%
01-07-2006	0		60	60/ 100%
03-04-2006	3	3/ 100%	114	113/ 99%
04-29-2006	2	2/ 100%	139	138/ 99%
06-10-2006	5	5/ 100%	99	98/ 99%
08-05-2006	0		31	30/ 97%
11-18-2006	1	1/ 100%	38	37/ 97%
01-13-2007	0		29	29/ 100%
03-03-2007	0		144	142/ 99%
04-28-2007	0		96	96/ 100%
06-09-2007	5	5/ 100%	35	35/ 100%
08-04-2007	3	3/ 100%	36	36/ 100%
09-08-2007	0		23	23/ 100%
11-07-2007	1	1/ 100%	144	142/ 99%
01-12-2008	3	3/ 100%	168	167/ 99%
03-15-2008	9	9/ 100%	104	102/ 98%

Table 4.1-2: PRAXIS School Leadership Licensure Assessment Results

PRAXIS School Leadership Licensure Assessment (SLLA)				
Test Date	# M.Ed. Students Tested	# / % M.Ed. Students Passing	# Ed.S. Students Tested	# / % Ed.S. Students Passing
08-07-2004	9	9 / 100%	4	4 / 100%
09-11-2004	5	5 / 100%	8	8 / 100%
01-08-2005	8	8 / 100%	9	9 / 100%
06-11-2005	17	16 / 94%	32	32 / 100%
08-17-2005	8	7 / 88%	13	13 / 100%
01-07-2006	8	8 / 100%	11	11 / 100%
06-10-2006	17	17 / 100%	38	38 / 100%
08-05-2006	8	8 / 100%	14	14 / 100%
09-16-2006	9	9 / 100%	37	36 / 97%
01-13-2007	8	8 / 100%	21	20 / 95%
06-09-2007	15	15 / 100%	31	31 / 100%
09-08-2007	5	5 / 100%	18	18 / 100%
01-12-2008	10	9 / 90%	21	20 / 95%
06-14-2008	19	19 / 100%	65	65 / 100%
09-13-2008	8	8 / 100%	17	17 / 100%
01-10-2009	23	23 / 100%	14	14 / 100%

Table 4.1-3: PRAXIS School Counselor Test Results

Test Date	# M.Ed. Students Tested	# / % M.Ed. Students Passing
11-11-2005	3	3/ 100%
01-07-2006	2	2/ 100%
03-04-2006	2	2/ 100%
04-29-2006	5	5/ 100%
06-10-2006	2	2/ 100%
08-05-2006	4	4/ 100%
09-16-2006	1	1/ 100%
11-18-2006	2	2/ 100%
03-03-2007	2	1/ 50%
04-28-2007	3	2/ 67%
06-09-2007	4	3/ 75%
08-04-2007	4	4/ 100%
09-08-2007	1	1/ 100%
11-17-2007	1	1/ 100%
01-12-2008	2	1/ 50%
03-15-2008	4	3/ 75%
06-14-2008	5	5/ 100%
09-13-2008	1	1/ 100%
01-10-2009	0	

Students completing the Associate of Science in Nursing (ASN) degree program take the National Collegiate Licensure Examination for Registered Nurses (NCLEX-RN) for licensure purposes. LMU's nursing programs have traditionally produced well-qualified nursing graduates who have performed well in their employment settings (as indicated on employer surveys). Please see **Table 4.1-4** below for the NCLEX-RN overall pass rates for the graduates of the ASN program between 2000 and 2009.

Students completing the Associate of Science in Nursing (ASN) degree program take the National Collegiate Licensure Examination for Registered Nurses (NCLEX-RN) for licensure purposes. LMU's nursing programs have traditionally produced well-qualified nursing graduates who have performed well in their employment settings (as indicated on employer surveys).

Please see **Table 4.1-4** below for the NCLEX-RN overall pass rates for the graduates of the ASN program between 2000 and 2009.

**Table 4.1-4: LMU ASN PROGRAM:
NCLEX-RN OVERALL PASS RATES FOR 2000-2009**

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
LMU Nursing Overall Scores	90%	91%	92%	84%	90%	86%	81%	74%	94%	93% (year to date)

Typically, the pass rate for LMU nursing students is slightly higher than the national average. For example, in 2000, the LMU pass rate was 90%, whereas the national average was 84%; in 2002, the LMU pass rate was 92%, and the national average was 90%.

It is important to note that the level of difficulty for the NCLEX-RN was raised twice (in 2004 & 2007) in the last several years. Because of this, the overall pass rate for LMU ASN nursing graduates decreased in 2006 and 2007. This was true for many schools across the United States. To address this change in pass rates outcome, there were many LMU Nursing Faculty meetings convened to review ASN policies, ASN procedures, and ASN curriculum. The outcomes of these meetings resulted in 2008 pass rate of 94% and 2009 of 93% which are well above the national average.

The Caylor School of Nursing also initiated graduate-level nursing with a Master of Science in Nursing (MSN) degree offered in August 2006. The first concentration in the MSN degree was the Family Nurse Practitioner (FNP). The first two classes that have graduated from this program have mean certification scores above the national average. For example, the 2007 certification pass rate for MSN FNP students was 83.3% when the national average was 76.6%. Furthermore, the 2008 pass rates for the MSN FNP students was even higher at 86%.

LMU offers a Bachelor of Science in Medical Technology degree. Graduates take the *American Society of Clinical Pathology Board of Registry Exam* (ASCP BOR) shortly after graduation. Their performance on this national board exam is a reflection of the quality of this medical technology program. The following tables (**Tables 4.1-5, 4.1-6, and 4.1-7**) summarize the performance of the past three graduating classes on this national board exam, as compared to the national average of other National Accrediting Agency for Clinical Laboratory Sciences (NAACLS) accredited medical technology programs in the United States. The minimum pass score on this exam is 400.

Table 4.1-5 American Society of Clinical Pathology Board Results for 2009

American Society of Clinical Pathology Board of Registry Exam Results				
Class	Exam Category	LMU Class Average Score	National Average Score	LMU Pass Rate
Class of 2009	Composite Exam Score	548	503	100%
Class of 2009	Immunochemistry	476	505	100%
Class of 2009	Clinical Chemistry	574	498	100%
Class of 2009	Hematology	611	515	100%
Class of 2009	Immunology	455	490	100%
Class of 2009	Lab Operations	455	527	100%
Class of 2009	Microbiology	559	496	100%
Class of 2009	Urinalysis	645	508	100%

Table 4.1-6 American Society of Clinical Pathology Board Results for 2008

American Society of Clinical Pathology Board of Registry Exam Results				
Class	Exam Category	LMU Class Average Score	National Average Score	LMU Pass Rate
Class of 2008	Composite Exam Score	581	497	100%
Class of 2008	Immunochemistry	572	492	100%
Class of 2008	Clinical Chemistry	576	493	100%
Class of 2008	Hematology	678	509	100%
Class of 2008	Immunology	415	489	100%
Class of 2008	Lab Operations	470	522	100%
Class of 2008	Microbiology	578	495	100%
Class of 2008	Urinalysis	595	485	100%

Table 4.1-7 American Society of Clinical Pathology Board Results for 2007

American Society of Clinical Pathology Board of Registry Exam Results				
Class	Exam Category	LMU Class Average Score	National Average Score	LMU Pass Rate
Class of 2007	Composite Exam Score	550	499	100%
Class of 2007	Immunohematology	544	497	100%
Class or 2007	Clinical Chemistry	540	494	100%
Class or 2007	Hematology	590	503	100%
Class or 2007	Immunology	528	497	100%
Class or 2007	Lab Operations	486	524	100%
Class or 2007	Microbiology	524	492	100%
Class or 2007	Urinalysis	582	493	100%

The Doctor of Jurisprudence (J.D.) program will incorporate continuous monitoring of licensure pass rates as a measure of student achievement and program success. Prior to graduation of the first class of students, regular standardized assessment of students' academic progress is planned to enhance students' performance on licensure examinations. Students must successfully complete courses that are tested on the Tennessee Bar Exam to progress through the J.D. program. This process tracks course completion for each student for each semester.

Job Placement Rates

LMU tracks the employment status of its graduates as a measure of student achievement and program success. LMU employs the ACT Alumni Outcomes Survey to gather information on graduates five years after program completion. Recent administrations of the ACT Alumni Outcomes Survey have suffered from low survey return rates which limits the usefulness of results. Results from the last administration of the ACT Alumni Outcomes Survey are included in **Exhibit 121**. LMU's Office of Career Planning and Placement is a part of the Division of Enrollment Management and Student Affairs. The Office of Career Planning and Placement offers career information and assistance to students seeking employment. Many of LMU's programs (especially graduate education programs) are designed for working professionals, and

employment statistics may represent continuing employment within the student's profession rather than new placement.

LMU employs a comprehensive Graduating Student Survey (graduate and undergraduate versions) and analyzes the results at each level of instruction as a measure of institutional effectiveness including students' perceptions of their learning and academic achievement. The results of these surveys are disaggregated by program and degree levels and used by individual programs for program assessment purposes.

Although the DSOL does not yet have graduates, the DSOL will actively track job placement rates pursuant to American Bar Association (ABA) reporting standards.¹⁸⁶ Furthermore, the DSOL will develop and implement a DSOL Graduation Student Survey

¹⁸⁶ Interpretation 301-6 provides:

- A. A law school's bar passage rate shall be sufficient, for purposes of Standard 301(a), if the school demonstrates that it meets any one of the following tests:
 - 1. That for students who graduated from the law school within the five most recently completed calendar years:
 - a. 75 percent or more of these graduates who sat for the bar passed a bar examination, or
 - b. in at least three of these calendar years, 75 percent of the students graduating in those years and sitting for the bar have passed a bar examination.

In demonstrating compliance under sections (1)(a) and (b), the school must report bar passage results from as many jurisdictions as necessary to account for at least 70% of its graduates each year, starting with the jurisdiction in which the highest number of graduates took the bar exam and proceeding in descending order of frequency.

- 2. That in three or more of the five most recently completed calendar years, the school's annual first-time bar passage rate in the jurisdictions reported by the school is not more than 15 points below the average first-time bar passage rates for graduates of ABA-approved law schools taking the bar examination in these same jurisdictions.

In demonstrating compliance under section (2), the school must report first-time bar passage data from as many jurisdictions as necessary to account for at least 70 percent of its graduates each year, starting with the jurisdiction in which the highest number of graduates took the bar exam and proceeding in descending order of frequency. When more than one jurisdiction is reported, the weighted average of the results in each of the reported jurisdictions shall be used to determine compliance.

- B. A school shall be out of compliance with the bar passage portion of 301(a) if it is unable to demonstrate that it meets the requirements of A(1) or (2).

specific to graduates of the J.D. Program. Finally, DSOL will join the National Association for Law Placement (NALP), a non-profit educational association that “meets the needs of all participants in the legal employment process (career planning, recruitment and hiring, and professional development of law students and lawyers) for information, coordination, and standards.”¹⁸⁷

As detailed above, DSOL complies with Federal Requirement 4.1.

¹⁸⁷ The National Association for Law Placement, at <http://www.nalp.org/whatisnalp> (last visited January 20, 2010). DSOL will not be eligible to join the National Association for Law Placement until the DSOL achieves accreditation by the American Bar Association.

- 4.3** The institution makes available to students and the public current academic calendars, grading policies, and refund policies. **(Publication of policies)**

Narrative Response:

Lincoln Memorial University (LMU) complies with Federal Requirement 4.3. LMU publishes its current academic calendars, grading policies, and refund policies for academic programs at all levels of instruction and makes them available to students and the public. The academic calendars, grading policies, and refund policies for programs are located both in academic catalogs and on the LMU website. The Duncan School of Law (DSOL) has a website, accessible through the LMU website, which provides a copy of the DSOL Student Handbook and Catalog. The DSOL Student Handbook and Catalog contains calendars and policies (including grading and refund policies) designed to provide detailed information to students and the public about the Doctor of Jurisprudence (J.D.) degree program.

Undergraduate Programs

- The academic calendar for undergraduate programs is published in the LMU Undergraduate Catalog 2009-2010, p.6.
- Refund policies for undergraduate programs are published in the LMU Undergraduate Catalog 2009-2010, p. 15.
- Grading policies for undergraduate programs are published in the LMU Undergraduate Catalog 2009-2010, p. 22.

Management and Leadership Studies Program (Degree Completion)

- The academic calendar for the Management and Leadership Studies program is published in the Management and Leadership Studies Catalog 2009-2010, p. 7.
- Refund policies for the Management and Leadership Studies program are published in the Management and Leadership Studies Catalog 2009-2010, pp. 15-16.
- Grading policies for the Management and Leadership Studies program are published in pages the Management and Leadership Studies Catalog 2009-2010, pp. 19.

Graduate Education Programs

- The academic calendar for graduate education programs is published in the LMU Graduate Education Catalog 2009-2010, p. 9.
- Refund policies for graduate education programs are published in the LMU Graduate Education Catalog 2009-2010, p. 14.
- Grading policies for graduate education programs are published in the LMU Graduate Education Catalog 2009-2010, p. 18-19.

Graduate Business Programs

- The academic calendar for graduate business programs is published in the LMU Master of Business Administration Catalog 2009-2010, pp. 9-10.
- Refund policies for graduate business programs are published in the LMU Master of Business Administration Catalog 2009-2010, p. 13.
- Grading policies for graduate business programs are published in the LMU Master of Business Administration Catalog 2009-2010, p. 16.

Graduate Nursing Programs

- The academic calendar for graduate nursing programs is published in the LMU Master of Science in Nursing Catalog 2009-2010, p. 10.
- Refund policies for graduate nursing programs are published in the LMU Master of Science in Nursing Catalog 2009-2010, pp. 14.
- Grading policies for graduate nursing programs are published in the LMU Master of Science in Nursing Catalog 2009-2010, pp. 17.

Doctor of Jurisprudence (J.D.) Program

- The academic calendar for the Law School program is published in the LMU-Duncan School of Law Student Handbook and Catalog 2009-2010, p. 72-73.
- Refund policies for the Doctor of Jurisprudence program are published in the LMU-Duncan School of Law Student Handbook and Catalog 2009-2010, p. 39-40.
- Grading policies for the Doctor of Jurisprudence are published in the LMU-Duncan School of Law Student Handbook and Catalog 2009-2010, p. 51-55.

4.4 Program length is appropriate for each of the institution's educational programs.
(Program length)

Narrative Response:

Lincoln Memorial University (LMU) complies with Federal Requirement 4.4. All degree programs at LMU conform to generally accepted standards for program length, including program accreditation/approval standards where appropriate at each level of instruction.

Associate degree programs require a minimum of sixty-seven to seventy-five semester credit hours, equivalent to a minimum of two years of full-time study, for completion. Baccalaureate degree programs require a minimum of 128 semester credit hours, equivalent to a minimum of four years of full-time study, for completion. Masters degree-level programs require a minimum of thirty-three to forty-three graduate semester credit hours, equivalent to a minimum of one year of full-time study. Core requirement 2.7.1 lists the specific credit hour requirements for all degree programs.

The following provides a more detailed description of the minimum program length for LMU's graduate degrees:

- The M.Ed. in School Counseling (PreK–12) program requires a minimum of thirty-three graduate semester hours for completion (a minimum of one year of full time study). The PreK–12 school counseling licensure program requires fifty-seven graduate semester hours, including a six-hour internship/seminar. Students seeking licensure must meet all requirements specified by the State, which may entail more than the fifty-seven hour licensure program for some states. The program meets the Tennessee Department of Education requirements for State licensure as an advanced-level program.
- The M.Ed. in Agency Counseling program requires a minimum of thirty-three graduate semester hours for completion (a minimum of one year of full-time study).
- The M.Ed. in Curriculum and Instruction program requires a minimum of thirty-three graduate semester hours for completion (a minimum of one year of full-time study). The program meets Tennessee Department of Education requirements for State licensure as an advanced-level program.
- The M.Ed. in Educational Administration and Supervision requires a minimum of thirty-three graduate semester hours for completion (a minimum

of one year of full-time study). The program meets Tennessee Department of Education requirements for State licensure as an advanced-level program.

- The M.Ed. with an emphasis in English program requires a minimum of thirty-three graduate semester hours for completion (a minimum of one year of full-time study). The program meets Tennessee Department of Education requirements for State licensure as an advanced-level program.
- The M.B.A. program requires a minimum of thirty-six graduate semester hours for completion (a minimum of one year of full-time study.)
- The Ed.S. in School Counseling program requires a minimum of thirty graduate semester hours beyond the master's degree for completion (the program is open only to those who complete the LMU M.Ed. in School Counseling program). The program meets Tennessee Department of Education requirements for State licensure as an advanced-level program.
- The Ed.S. in Curriculum and Instruction program requires a minimum of thirty graduate semester hours beyond the master's degree for completion. The program meets Tennessee Department of Education requirements for State licensure as an advanced-level program.
- The Ed.S. in Educational Administration and Supervision program requires a minimum of thirty graduate semester hours beyond the master's degree for completion. The program meets Tennessee Department of Education requirements for State licensure as an advanced-level program.
- The M.M.S. program requires 115 semester credit hours. The M.M.S. Program is accredited by the Accreditation Review Commission on Education for the Physician Assistant.
- The Ed.D. program requires seventy-two semester credit hours beyond the master's degree.
- The D.O. program requires 247.00 semester credit hours. The D.O. Program is provisionally accredited by the American Osteopathic Association—Commission on Osteopathic College Accreditation.

The Doctor of Jurisprudence (J.D.) degree requires:

- successful completion of eighty-eight semester credit hours;
- satisfaction of residency requirements;
- successful completion of all first-year courses;
- successful completion of all required upper-level courses;
- successful completion of the professional responsibility course requirement;
- successful completion of an upper-level writing requirement;
- a cumulative GPA of at least 2.00; and
- successful completion of the pro bono requirements.

LMU operates on a standard semester calendar (the traditional semester credit hour equivalency is used), and all degree programs follow commonly accepted practices for similar degree programs in terms of curriculum content and program length. The full-time program is a

three-year program. The part-time program is a four-year program. Program length is regulated and monitored by institutional curriculum approval processes at all degree levels (undergraduate, graduate, and professional) and by external program accreditation/approval agencies, where appropriate and/or applicable.

- 4.5 The institution has adequate procedures for addressing written student complaints and is responsible for demonstrating that it follows those procedures when resolving student complaints. **(Student complaints)**

Narrative Response:

Lincoln Memorial University (LMU) complies with Federal Requirement 4.5. LMU has adequate procedures for addressing written student complaints and follows those procedures when resolving student complaints. Procedures for addressing Academic Grievances are published in LMU's Academic Catalogs on the following pages:

- LMU Undergraduate Catalog 2009-2010, p. 26
- LMU Graduate Nursing Catalog 2009-2010, pp. 17
- LMU Master of Business Administration Catalog 2009-2010, p. 16
- LMU-DCOM Student Handbook and Catalog 2009-2010, p. 57.
- LMU Duncan School of Law Student Handbook and Catalog 2009-2010, p. 40.

Additionally, academic grievance procedures are published in the LMU Student Handbook.¹⁸⁸

The LMU Faculty/Staff Policy Manual 2009-2010 describes the function and membership of LMU's Student Appeals Committee which deals with complaints related to actions administered through the Office of Enrollment Management and Student Services on page 10, reproduced below:

Student Appeals Committee

Function: Conduct formal appeal hearings as requested by students facing disciplinary action administered through the Office of Enrollment Management and Student Services, and make written recommendations directly to the President of the University regarding any adjustment to the disciplinary action deemed appropriate by two-thirds vote of the membership.

Membership: Two (2) staff personnel (not of the Office or Enrollment Management and Student Services) appointed by the President of the University, one serving as Chair and the other as Recorded; the Attorney General of the Student Government Association; four (4) students (with no adverse disciplinary record) appointed by the President of the SGA; two (2) faculty members elected by the University Faculty; ex officio: Vice President for Enrollment Management and Student Services appoints chair.

¹⁸⁸ See Exhibit 44.

In addition to the above, DSOL has policies for both student complaints and academic grievances. As to student complaints, DSOL's Student Handbook and Catalog provides the following:

Grievances concerning any aspect of academics should first be taken to the instructor of the class if a classroom situation is in dispute. If a student feels he/she needs to take the matter further, the Associate Dean for Academics should be consulted no later than two weeks following the first day of classes for the next semester (including summer terms). The next appeal source is to the Dean. All academic and grade appeals must be submitted in writing.¹⁸⁹

As to academic grievances, the DSOL Student Handbook and Catalog provides the following:

Grievances concerning any academic issues should first be taken to the instructor of the class. If a student feels he/she needs to take the matter further, the Associate Dean for Academics should be consulted. . . . After a professor has submitted grades to the Registrar's office, the grades are final and may not be changed except with permission from the Academic Standards Committee. To qualify, a requested grade change must allege facts indicating a basis for the change that falls within one of three categories set forth below . . .

Mathematical, administrative or clerical error . . .
Bias . . .
Arbitrary and Capricious Grading . . .¹⁹⁰

Finally, DSOL publishes its grievance procedure for students with disabilities, which provides:

All grievances concerning any aspect of the services or accommodations provided to student with a disability or related to any issue related to Section 504 or the ADA should be taken to the ADA Coordinator within ten (10) working days. If the student feels he/she needs to take the matter further, LMU's grievance committee will review the matter. The LMU grievance committee consists of: Vice President for Enrollment Management & Student Services (Chair), the ADA Coordinator, the Director of Student Success and Retention, the Director of Student Support Services, and the Dean. The decision of LMU's grievance committee is final.¹⁹¹

Evidence related to the resolution of specific student complaints from LMU will be made available to members of the on-site evaluation team. Evidence related to the resolution of specific student complaints from DSOL are attached hereto as **Exhibit 124**.

¹⁸⁹ See Exhibit 11, page 40.

¹⁹⁰ For further details regarding the process DSOL uses for academic grievances, see Exhibit 11, page 55-56.

¹⁹¹ See Exhibit 11, page 67.

4.6 Recruitment materials and presentations accurately represent the institution's practices and policies. (Recruitment materials)

Narrative Response:

Lincoln Memorial University (LMU) complies with Comprehensive Standard 4.6. The recruitment materials and presentations designed for recruitment accurately represent LMU's practices and policies. Published policies are approved by appropriate LMU approval processes (and the LMU Board of Trustees). LMU administrators review published policies and recruitment materials and are responsible for ensuring that all practices in their areas of authority are consistent with published policies. The primary sources for published LMU and program policies are LMU Program catalogs and web pages. The LMU webpage and the program pages are updated regularly to ensure accuracy in content. In preparation for this report, recruitment materials for all programs were carefully reviewed, and the results indicated that the material does accurately represent the institutions practices and policies. While not all printed recruitment materials are updated each academic year, and this inevitably leads to dating of some information prior to revision, LMU is careful to clearly date information likely to change with each enrollment period (typically concerning enrollment and cost figures). All printed recruitment materials will be made available to the evaluation team for verification of accuracy.

The Dean of the Duncan School of Law (DSOL) has reviewed DSOL's recruitment materials and presentations and determined they contain accurate information and accurately represent LMU's current policies and practices.¹⁹²

¹⁹² See Exhibit 125.

4.7 The institution is in compliance with its program responsibilities under Title IV of the *1998 Higher Education Amendments*. (**Title IV program responsibilities**)

Narrative Response:

Lincoln Memorial University (LMU) complies with its program responsibilities under Title IV of the 1998 Higher Education Amendments. The United States Department of Education has authorized LMU to participate in the following student financial assistance programs authorized by Title IV of the Higher Education Act of 1965, as amended (Title IV, HEA Programs) through September 30, 2014, under the current Program Participation Agreement:

- Federal Pell Grant Program
- Federal Family Education Loan Program
- Federal Direct Student Loan Program
- Federal Perkins Loan Program
- Federal Supplemental Educational Opportunity Grant Program
- Federal Work Study Program

A copy of LMU's Program Participation Agreement is included in **Exhibit 126**. LMU has contracted with Crowe-Horwath, LLC, certified public accountants, to conduct annual audits of the financial aid programs in compliance with Office of Management and Budget Circular A-133. The compliance audits have consistently shown no material findings related to compliance with applicable regulations. Copies of the results of the 2006, 2007, and 2008 audits of financial aid programs are included in **Exhibit 127**.

The following paragraphs document compliance with specific "key requirements" of the Program Participation Agreement.

LMU publishes its campus security information and crime statistics as required by the Program Participation Agreement in its Student Handbook, which can be accessed from the LMU website.¹⁹³ Recent crime statistics follow in **Table 4.7-1**

¹⁹³ LMU Student Handbook, at <http://www.lmunet.edu/campuslife/sthandbook/handbook.pdf> (last visited January 17, 2010).

Table 4.7-1: LMU Crime Statistics

Crime	2004	2005	2006	2007	2008
Homicide					
Murder/Non-negligent Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Sex Offenses					
Forcible	1	0	0	0	0
Non-Forcible	0	0	0	0	0
Robbery	0	0	0	0	0
Simple Assault	4	0	0	0	0
Aggravated Assault	1	2	0	0	1
Burglary	2	7	0	1	1
Theft	9	13	12	12	6
Arson	0	0	0	0	0
Intimidation	0	3	1	0	0
Vandalism	6	9	8	3	12

Arrests or referrals for the following occurring on campus:

	2004	2005	2006	2007	2008
Alcohol-related violations	50	41	31	15	4
Drug law violation arrests	0	1	3	0	1
Illegal weapons possession	0	0	0	0	0

Hate Crimes [34 CFR 668.46(b)(1) & CFR 668.46(c)(3)]

	2004	2005	2006	2007	2008
Race	0	0	0	0	0
Gender	0	0	0	0	0
Religion	0	0	0	0	0
Sexual Orientation	0	0	0	0	0
Ethnicity	0	0	0	0	0
Disability	0	0	0	0	0

LMU publishes and strictly adheres to a policy of non-discrimination that includes the specific requirements of the Title IV Program Participation Agreement. The non-discrimination policy, approved by LMU's Board of Trustees and included in official LMU publications (including all 2009-2010 LMU Catalogs), is:

Lincoln Memorial University reaffirms its commitment to personnel and educational policies that comply with the requirement applicable to equal opportunity/affirmative action laws, directives, executive orders, and regulations to the effect that no person at Lincoln Memorial University shall, on the basis of age, color, creed, disability, ethnic/national origin, gender, military status, pregnancy, race, religion, sexual orientation, or any other class protected by applicable law, be excluded from participation in, or be denied benefits of, any employment or educational opportunity.

As required under the Program Participation Agreement, LMU completes surveys conducted as part of the Integrated Postsecondary Education Data System (IPEDS). Copies of the most recently submitted IPEDS surveys, listed below will be available for committee review:

- Institutional Characteristics
- Completions
- 12-month Enrollment
- Human Resources
- Fall Enrollment
- Finance
- Student Financial Aid
- Graduation Rates

Additionally, LMU completes and submits Enrollment and Completions Reports (available for review upon request) to the Tennessee Higher Education Commission through the Tennessee Independent Colleges and Universities Association each semester. These reports include information concerning individual student's enrollment (by program level), performance, classification/progress to degree, financial aid participation and funds received, and graduation as required by the State of Tennessee to participate in state financial aid and lottery programs.