

Lobby Table Policy - Bar Review Companies

I. Bar Review Companies

1. As of September, 2019, there are three bar review companies that have been approved to sell bar review courses, books, or services to students at New England Law | Boston: (1) BarBri; (2) Kaplan; and (3) Themis.

2. Approved bar review companies are permitted to sell bar review courses, books, or services only at lobby tables on scheduled table days as provided in sections II and VII below.

3. The term “bar review company” shall be construed as including any vendor of bar review courses, books, or services designed to help students take a bar examination in any U.S. state or territory, or in a foreign country. The term “sell” shall be construed broadly to include the sale or offering of free or discounted bar review courses, books, or services to New England Law | Boston students not hired as student representatives. The term “student representative” shall be construed to mean any student hired by a bar review company who receives a free or discounted bar review course in exchange for working part-time for the company while attending law school. The term “director” shall mean the Director of Bar Preparation Services.

II. Number of Table Days

1. BarBri, Kaplan, and Themis shall be allowed two (2) table days during any fall semester. BarBri and Kaplan shall be allowed three (3) table days during any spring semester. Themis shall be allowed two (2) table days during the spring semester.

2. For any fall semester, the table days may only be scheduled during the last two weeks of September, the month of October, and the first two weeks of November. For any spring semester, the table days may only be scheduled during the last two weeks of January, the months of February and March, and the first two weeks of April.

3. The designated table day for outside vendors, including bar review companies, is Wednesday. A bar review company shall be allowed to reserve only one lobby table at a time.

III. Advertising

1. No advertising is allowed, except that flyers announcing the date of the table day can be posted up to a week in advance of the date. A maximum total of 12 flyers may be posted on the 5th and 3rd floors of the law school building located at 154 Stuart St. Similarly, an announcement of an upcoming table day can be posted on the plasma boards up to a week in advance of the date. The Director of Bar Preparation Services may send out an e-mail announcement to the student body prior to the table day. Postings, plasma board announcements and email announcements must all be done following the normal New England Law procedures, except that Bar Review Companies shall not advertise, communicate, e-mail, or post information through or use the Student Bar Association (“SBA”) as a means of communication.

IV. Student Groups and Events

1. A bar review company providing free or discounted bar review courses, books, or services to New England Law | Boston students or student groups shall inform, in writing, the Director of Bar Exam Preparation Services of the nature and cost of all such discounts or giveaways before the discount or giveaway is offered to the students.

V. Student Participation and Limits on Company Payments or Solicitation

1. Bar review companies shall not pay money, cash equivalents, or any payment that translates into money -- including free gift cards -- as an incentive to sell or offer bar review courses, books, or services. Bar review companies may compensate student representatives with free courses, books, or services produced by their company. Additionally, bar review companies cannot require a student to meet a certain sales quota as a condition of receiving a free bar review course, books or services from a bar review company.

2. Bar review companies shall not direct students, including student representatives, to solicit/contact other students for purposes of selling bar review courses, books, or services. The job of selling courses, books, or services is the job of the bar review company and its non-student representatives. Students may assist in the distribution of materials providing the bar review company's name and contact information, announce the date of the scheduled table day, and provide assistance during the scheduled table day. They may not sell or provide information about the courses, books or services on the scheduled table day or at other times.

3. These rules do not prohibit bar review companies from hiring student representatives, nor from paying a stipend to students so long as payment is not contingent on selling bar review courses, books, or services.

4. Bar review companies, their employees, agents, student representatives or other New England Law students shall not send unsolicited e-mails to or telephone New England Law students for purposes of selling bar review courses, books, or services.

VI. New Bar Review Companies

1. Any bar review company that is not already approved to sell bar review courses, books, or services to students at New England Law must be approved by the Dean's Office, and, if approved by the Dean's office, by the SBA. The number of days that a new bar review company can sell bar review courses, books, or services to students at New England Law shall be determined by the Dean's Office

VII. Reservation Requests and Approval

1. Reservation requests may be made online using the master calendar system at <http://calendar.nesl.edu/CampusCalendar>. Reservations are not final until the event is approved by the Office of Facilities and the event appears on the master calendar. Reservations must be made at least one week in advance for times between 10:00 am and 7:00 pm. Bar review companies shall be automatically assigned the first table day of the semester by the Office of Facilities on a rotating basis beginning in the fall of the 2019.

VIII. Zero Tolerance Policy

1. Bar review companies, their employees, agents, and student representatives shall not speak, act, or in any way disparage other bar review companies, their employees, agents, or the student representatives working with those companies, nor shall the bar review companies contact students either, personally, through e-mail, telephone or other electronic means for the purpose of getting the student to switch from one bar review company to another. Bar review companies shall not advertise pass rates at New England Law.

2. Bar review companies, their employees, agents, and student representatives shall not speak, act, or in any way disparage the members of the faculty, staff, or administration of New England Law. This non-disparagement policy applies regardless of whether the acts or comments occur on the New England Law premises or elsewhere.

3. Bar review companies, their employees, or their agents shall not solicit, ask, allow, or use student representatives to lobby for changes to these policies, file complaints with the SBA or the law school administration, or behave hostilely or encourage others to behave with hostility towards students working for competing bar review companies.

4. Bar review company regional directors, managers, employees, agents, and student representatives shall be responsible for coordinating all bar review activities of their company at New England Law and for communicating them directly to the Director.

5. Bar review companies shall not charge or attempt to collect a cancellation fee, liquidated damage fee, or any such other fee designed to prevent a student from switching out of their course to take another bar review course, except that a bar review company may charge a one-time \$250.00 non-refundable fee if a student should decide to switch courses and take another bar review course.

IX. Violations of this Policy

1. Violation of these rules may result in immediate termination, temporary or permanent, of the permission to sell bar review books, courses or services at New England Law.

X. Communications Related to this Policy

1. Any communications regarding these policies shall be directed to both the Director and the Dean's office.