



# The State Bar *of California*

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**OPEN SESSION  
AGENDA ITEM  
JANUARY 2020  
COMMITTEE OF BAR EXAMINERS ITEM O-407**

**DATE:** January 31, 2020

**TO:** Members, Committee of Bar Examiners

**FROM:** Natalie Leonard, Principal Program Analyst

**SUBJECT:** Action on Application for Provisional Accreditation – Northwestern California University School of Law

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## **BACKGROUND**

Northwestern California University School of Law (NWCUSOL) is a for-profit law school that has been registered as an unaccredited correspondence law school since 1982. The school has filed the attached application with the Committee of Bar Examiners (Committee) seeking provisional or full accreditation. (Attachment A)

### **The Committee's Rules regarding accreditation**

A registered, unaccredited school applies for State Bar of California accreditation by submitting an application and detailed self-study demonstrating how it currently complies with the Rules for Accredited Law Schools (Rules) and Guidelines for Accredited Law Schools (Guidelines) or plans to do so in the near future. (Rule 4.121) The application also includes a plan for teaching out currently enrolled law students in their current program or allowing the students to apply to transfer to the accredited program to ensure that all students have a reasonable opportunity to complete their J.D. degrees. (Guideline 1.1(D)(1))

When the Committee reviews an application for provisional accreditation under Rule 4.123, it will take one of the following actions:

- (A) notify the law school within thirty days of considering the application that it does not appear to substantially comply with these [Accredited] rules and, for reasons stated in the notice, advise the law school to withdraw its application
- (B) require an inspection within sixty days of the Committee's consideration of the application for provisional accreditation

- (1) upon determining that the law school appears to substantially comply with the standards; or
  - (2) if the law school refuses to withdraw its application in spite of the Committee's advice that it do so
- (C) request further information, allowing a reasonable time for review
- (D) deny the application

Before being granted provisional or full accreditation, the State Bar must conduct an inspection in order "to verify the information submitted by the law school and determine the extent of the law school's compliance with these [Accredited] rules." (Rule 4.124) If the Committee grants provisional accreditation, the provisionally accredited law school is subject to annual inspection and its students remain subject to the First-Year Law Students' Examination requirement until such time as full accreditation is achieved. (Rule 4.120)

### **Key operational factors for accredited schools**

The Rules identify sixteen subject matter areas with which all accredited law schools must comply; the Guidelines further clarify a school's responsibilities as to each area. (Rule 4.160) The key provisions unique to the substance of the accredited J.D. curriculum will be summarized below: Educational Program including Transition Plan; Competency and Practical Skills Training; Scholastic Standards; Minimum, Cumulative Bar Passage Rate Requirements; Admissions; Physical Resources/Infrastructure; Library; Financial Resources; and Dean and Faculty. (Rule 4.160 (D-H),(J-L),(N)) Additional administrative compliance is fully described in the school's application form as to: Lawful Operation; Integrity; Governance; Multiple Locations; Records; Constitutional Compliance; and Compliance with Committee Requirements. (Rule 4.160 (A-C),(I), (M),(O-P)).

### **DISCUSSION**

NWCUSOL is a for-profit law school in operation continuously since 1982 and has been fully accredited since 1984 as a correspondence law school that also teaches classes online. The school was founded by its Dean Michael P. Clancey, who has served as Dean since the school's inception. According to its 2019 Annual Report, there are 461 students enrolled in the school's online J.D. program. NWCUSOL is due to be inspected in 2020. If the Committee advances this application today by requesting an inspection, that inspection will serve both as the inspection of NWCUSOL as a registered school and also as the evaluation of the school's readiness to earn provisional or full accreditation.

### **NWCUSOL's proposed accredited J.D. program**

Today, in its unaccredited status, NWCUCOL's courses are largely offered on-demand without specific verified academic engagement. If ultimately accredited, the school would use a similar curriculum, but would reconfigure its courses from the current four year terms to four separate terms, each including three hundred hours of verified academic engagement. Pursuant to the

limitations provided by statute, NWCUSOL, like all other registered schools, operates a part-time J.D. program (only accredited schools are permitted to operate full-time programs).

In its application, the school mapped its current course progression to the proposed new course progression that would be implemented for its part-time accredited program, if ultimately accredited. Upon full accreditation, the school has indicated its likely intention to petition the Committee to add a full-time J.D. program.

The school's teach out plan indicates that students currently enrolled in the unaccredited program are likely to qualify to transfer to the accredited program. The school is fully prepared, however, to teach out students in the unaccredited program who cannot or do not wish to transfer. There may be a need to clarify the transfer process and calculation of credits for the transfer students, but this can be completed as part of the inspection process. The school has already agreed to work with the State Bar to ensure that any transfers from the school's unaccredited program to an accredited program are executed in a fully compliant manner.

### **Summary of NWCUSOL's Plan for Compliance with the Accredited Rules**

NWCUSOL's application for accreditation was comprehensive and thorough. It appears that the school is at or near full compliance, with limited technological and administrative details still to be arranged. The school has represented that it is ready to proceed to an inspection to verify its substantial or full compliance in all areas, including the following substantive areas.

#### **Dean and Faculty**

The law school must have at each campus . . . a competent dean, a qualified administrator, an adequate administrative staff and a competent faculty that devote adequate time to administration, instruction and student counseling. (Rule 4.160(D)) The school is led by its founder and Dean, along with an Academic Dean and Dean of Instruction, both of whom are State Bar licensees, and the Registrar, and supported by its part-time faculty.

#### **A Sound Program of Legal Education Compliant with Scholastic Standards**

Under Division 6 Academic Program Guidelines, a law school "must maintain a qualitatively and quantitatively sound program of legal education" that includes at least twelve hundred hours of verified academic engagement. (Guidelines 6.1, 6.5(A)) This translates to eighty credits, with fifteen hours of verified academic engagement plus thirty estimated hours of preparation per credit. (4.160 (E), Guidelines 6.5 (A-B)) That total does not include untrack preparation or homework time. NWCUSOL's program will exactly contain the required twelve hundred hours of verified academic engagement consisting of eighty total credits.

Under Division 7's Scholastic Standards, verification of at least twelve hundred hours of academic engagement must be conducted via reliable means. (Guideline 7.11) NWCUCOL uses a proprietary platform called eJuris to deliver classes and, with the help of recent enhancements, track student interaction with the platform. This new module tracks time spent

answering verification questions, watching lectures with a cue every fifteen minutes to confirm engagement, and tracking the time spent doing online assignments.

### **Competency and Practical Skills Training**

As part of the curriculum, “[a] law school must provide the opportunity for students in the J.D. degree program to complete a minimum of fifteen (15) units of practice-based skills and competency training. (Rule 4.160(F), Guideline 6.9(A)(1))

The school can comply with this requirement through its six credit skills course, a series of four-unit electives, and the opportunity to participate in internships. Students generally arrange their own internships using the methods required by the school. The school has also considered adding an additional six unit practical skills training if it achieves accreditation.

### **Minimum, Cumulative Bar Examination Passage Rate**

An accredited law school must maintain an MPR of forty percent or more. (Rule 4.160 (N), Guideline 12.1) NWCUSOL’s 2019 MPR is 48.6 percent. Should the school become accredited, its students will establish exemption from the First Year Law Students’ requirement. The school will need to be vigilant to maintain its pass rate absent that requirement. Currently, the school does not plan to adjust its admissions or curriculum, but it is aware of the obligation of an accredited school to maintain a compliant MPR.

The school’s July 2019 California Bar Examination Pass Rate was sixteen percent, or eight out of fifty-one applicants. That examination’s results, along with the results of the February 2020 Bar Examination, will be taken into account when updating the school’s MPR in July 2020. That pass rate is likely to allow continued compliance, but the school should be vigilant as to its students’ bar examination preparation and results.

### **Admissions**

The law school must “maintain a sound admissions policy . . . [and] must not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the degree program.” (Rule 4.160(H)) The school believes that its Admission policy is sufficiently thorough and rigorous that no change will be needed if the school becomes accredited.

### **Physical Resources, Library, and Financial Resources**

The school must also have adequate infrastructure, including an appropriate library, technical infrastructure, and sufficient financial resources to implement the required changes. (Rule (4.160 (J-L), Guidelines 8-10) NWCUSOL complies with these requirements.

Division 8 Library Requirements can be fulfilled by making either physical or electronic volumes available to the students. NWCUSOL provides students with access to electronic research

databases. Its legal research class is taught online, but the online explains how to do research using both electronic and hard copy materials, as required by Guideline 8.3. NWCUSOL also plans to petition the Committee for permission to allow its students to access their local law libraries under Guideline 8.4 to access certain hard copy materials.

Division 9 Physical [and Infrastructure] Resources are already in place to deliver a compliant online J.D. program and related academic and administrative support. The school already uses its own proprietary learning management system, eJuris, which includes features to track student engagement via technology. In addition, the school has long delivered its J.D. program, academic support, and administrative services online. Therefore, the school will not need to invest in further changes, other than the reordering of the elements of the curriculum as described earlier.

Division 10 Financial Resources must be “adequate . . . to support [the school’s] programs and operations . . . including all services it claims to provide.” Here, the school will not have to make significant changes to comply with the accredited rules, as the coursework is already developed and available and the school is debt-free. Therefore, the school appears to have sufficient financial resources.

### **Other Administrative Requirements**

The school also demonstrates compliance with additional administrative rules including: Lawful Operation; Integrity; Governance; Multiple Locations; Records; Constitutional Compliance; and Compliance with Committee Requirements. (Rule 4.160 (A-C),(I),(M),(O),(P)).

The school’s compliance can be further verified at its inspection. The school has a formal board that advises regarding operational issues. Its records are fully online. The school appears to be in compliance with all laws and the Constitution and to operate with integrity. It has also indicated that it is willing to comply fully with the Accredited Rules and Guidelines. The Multiple Locations Rule does not apply to this school, as it has only one location.

### **RECOMMENDATION**

It is recommended that the Committee “determin[e] that the law school appears to substantially comply with the standards” and “require an inspection within sixty days of the Committee’s consideration of the application for provisional accreditation” or, potentially, full accreditation. (Rule 4.123(B))

The results of the inspection would then be returned to the Committee to determine whether the school has established substantial compliance warranting provisional accreditation or full compliance warranting accreditation.

## **PROPOSED MOTION**

If the Committee agrees with this recommendation, the following motion is suggested:

Move that Northwestern California University School of Law's Application and Self-Study for Provisional Accreditation be received and filed; that the Committee determine that the law school appears to substantially comply with the standards; and that staff be directed to schedule an inspection of the school within sixty days to verify that the school is in substantial or full compliance with the Rules for Accredited Law Schools and Guidelines for Accredited Law Schools; and that the Inspection Report be presented to the Committee to allow a final decision on this application.

**Attachment A:** Northwestern California School of Law - Application for Provisional Accreditation Self-Study

**SELF-STUDY REPORT OF NORTHWESTERN CALIFORNIA UNIVERSITY  
SEEKING PROVISIONAL CALIFORNIA ACCREDITATION  
BY THE STATE BAR CALIFORNIA**

**SECTION 1: PRIOR REQUIREMENTS AND RECOMMENDATIONS**

If the law school is still working to address any mandatory or suggested actions identified in the school's most recent inspection, please identify the status and how compliance will be achieved under the Rules and Guidelines for Accredited Law Schools.

**Required Attachments:**

- Catalog (Item 1: provide name used by law school)
- Student Handbook (Item 2: provide name used by law school)
- Faculty Handbook (Item 3: provide name used by law school)

*Suggested: 1-3 pages*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

— NWCU Response to SECTION 1: PRIOR REQUIREMENTS AND RECOMMENDATIONS

**Mandatory or suggested actions identified in the school's most recent inspection**

Northwestern California University is not still in the process of working to address any mandatory or suggested actions identified in the school's most recent inspection.

All mandatory or suggested actions identified in the school's most recent inspection were made soon after that inspection.

## **SECTION 2: GUIDELINE WAIVERS**

If the law school currently operates under a Committee-granted Guideline waiver, describe:

- the nature of each such waiver and its continuing need;
- plans to meet applicable accreditation standards without the waiver, with anticipated time frame;
- anticipated need to request future waivers on any topic under the Rules and Guidelines for Accredited Law Schools.

### **Required Attachments:**

- Documents/Correspondence confirming waivers granted by the Committee

*Suggested: up to 1 page*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

— NWCU Response to SECTION 2: GUIDELINE WAIVERS

**Committee-granted Guideline waiver**

Northwestern California University is not operating under any Committee-granted Guideline waiver.

### **SECTION 3: RULE 4.163 SELF-STUDY REPORT OVERVIEW**

Please discuss how the law school currently operates to achieve its stated academic mission, objectives and goals. Describe the reasons that it seeks accreditation. Further summarize the school's J.D. program(s) and any changes expected under accreditation. Please note whether the school anticipates that student enrollment numbers would change and whether tuition would be expected to change. Further detail on these matters will be requested in other sections of this Self-Study Report.

#### **Required Attachments:**

- Mission statement
- Current statement of academic objectives and goals (e.g., program outcomes)

*Suggested: up to 1 page*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 3: SELF-STUDY REPORT OVERVIEW

### **How the School Operates to achieve its Academic Mission**

The mission of Northwestern California University is to provide affordable, quality education in law to individuals around the world through non-resident study.

The main goal of the school is to teach students who cannot attend law school in a traditional setting because of economic obstacles, family commitments, remoteness of location, and other hardships.

The school operates to achieve its stated academic mission, objectives, and goals by offering a distance learning program using an internet-based course management system which is designed to combine the best features of traditional law schools with modern technology. The program includes traditional casebooks, virtual classrooms, recorded audio and video lectures, real-time interaction between faculty and students, student study groups, online discussion boards, and much more.

To accomplish its mission, the school has the following objectives:

1. To educate students for a career in law.
2. To equip those students with knowledge of law, skills and ethical values, while teaching them the basic reasoning underlying laws in the United States.
3. To promote critical evaluation of law and its application to situations in a broad perspective.

### **The Reasons for Seeking Accreditation**

Since the school's founding, over 37 years ago, the hope and dream of its staff, faculty and students has been that a path for accreditation would eventually be created for law schools that offer study through distance education, and that ultimately NWCU would attain it.

The primary reason that Northwestern California University seeks accreditation involves the benefit to the school's graduates that would result should accredited status be achieved. A secondary reason for seeking accredited status concerns the sense of import to faculty and staff members of NWCU who work diligently to provide quality legal education to deserving individuals.

It is a reality that good law schools in California without accreditation do not have the credibility and the esteem that is shared by accredited law schools. Moreover, many firms who would consider employment of graduates of accredited law schools will not consider employment of graduates of unaccredited law schools. Since accreditation of educational institutions is perceived by most people as the primary measure of quality assurance and the best indicator of a schools affinity for quality improvement, it is extremely important to the faculty, staff and students of NWCU that it seek accredited status.

## **Summary of The School's J.D. Program and Changes Expected Under Accreditation**

**Current J.D. Program:** The current Northwestern California University J.D. program takes four calendar years to complete, with each year requiring 48-52 consecutive weeks of study. During the four-year program, students must complete fifteen core courses and at least two electives, one of which must be selected from those providing training in practical skills.

The educational methods at NWCU are both traditional and non-traditional. The methods are traditional in that students read required casebooks and other assigned materials. Yet, the methods are also non-traditional in that much of the learning is focused on internet-based and recorded instruction. The students listen to and view recorded lectures and have access to and interact with their professors through the school's online learning management system. They have the opportunity to attentively learn and discuss their studies, ideas and questions online with their professors and other students.

Students use the school's internet-based course management system and technology platform to access the school's course material, and they can collaborate and communicate online with NWCU faculty members and other NWCU students. They can both see and hear the school's professors and each other as they participate together in online real-time class sessions in the school's virtual classroom, and have access to an electronic law library, LexisNexis™. Faculty members are available to all students for course-specific questions, discussions and class session instruction via the school's virtual classrooms and on discussion boards.

Course requirements include completing traditional assignments such as reading casebooks and other texts; writing essays and thesis papers on specified topics; researching cases; preparing case briefs; and taking midterms and final examinations. Final exams are proctored by lawyers, judges, credentialed school teachers or school administrators, or professional proctoring services, and are graded by the school's professors.

**Changes in the J.D. Program Expected Under Accreditation:** It is expected that once provisionally accredited, the school's J.D. program will change in duration to allow students to complete it in a period of 30-84 months of study. Students will still be required to complete the same courses, although the credits for some courses will change as the courses are modified to fit within the accreditation rules.

A key change will be that participation in interactive learning activities on the school's online learning platform will now be mandatory rather than optional. Student participation in real-time online classes or asynchronous lessons, lectures and the like will be required of all students.

## **Anticipated Changes in Student Enrollment Numbers**

It is anticipated that application and enrollment numbers will increase. However, it is not possible at this time to accurately predict the extent to which there will be an increase.

### **Anticipated Changes in Tuition**

It is anticipated that the amount of tuition will increase. However, it is not possible at this time to accurately predict the extent to which it will increase. The hope is that the amount of tuition will not be significantly higher than the present rate of tuition. Affordable tuition is one of the hallmark features of the Northwestern California University Law Study Program. It is intended that low tuition remain a hallmark feature of the program for the future.

The school's motto is: "Quality, Opportunity, Affordability." It is a motto that has considerable meaning to the school's staff, faculty and students.

Presently, students at NWCU are able to complete the entire NWCU law study program for less than \$12,000 in tuition for the entire four-year J.D. program. The plan is to continue to keep the school's tuition impressively low in the future.

#### **SECTION 4: RULE 4.105(C)-(D) GENERAL PROVISIONS. Program Transition Plan (Guideline 1.1(D))**

Please describe the school's transition plan for any students currently enrolled in the registered program:

- Academic calendar
- Term structure
- Credits required or offered
- Course scheduling
- Attendance requirements
- Curricular requirements
- Teach-out for programs no longer to be offered
- Resources needed to accommodate multiple programs or growth in the student body
- Other matters necessary for students to transition to accredited program of the law school

The plan should include:

1. **CALENDARING.** What would be the changes to the school's calendar, if any? If the degree may take a longer or shorter time to complete, discuss it here. Briefly discuss the current calendar, and then fully discuss any changes.
2. **TERM STRUCTURE.** What are the differences, if any, in the term structure for the school year or for completion of the degree. Briefly discuss the current term structure, and then fully discuss any changes.
3. **CREDITS.** What are the differences, if any, in credits offered for the degree, including how they may be obtained? Briefly discuss the current credits, and then fully discuss any changes.
4. **COURSE SCHEDULING.** What are the differences, if any, in the course scheduling, in terms of actual time requirements and time required for completion of the course. Briefly discuss the current time requirements, and then fully discuss any changes.
5. **ATTENDANCE REQUIREMENTS.** Regular and punctual attendance in academic engagement is required under Guideline 6.5(C). Briefly discuss the school's current methods for measuring attendance or engagement and fully discuss how this requirement will be met under accreditation. For courses offered online, explain how attendance in engagement will be measured. If various methods are used, discuss all methods and the courses to which they apply.
6. **CURRICULAR REQUIREMENTS.** Please discuss any changes that will be made in the curricular requirements. Please be as specific as possible about any new requirements, or different means of fulfilling old requirements, and how grading will be determined.

7. TEACH-OUT PROGRAMS OR PROGRAMS NO LONGER TO BE OFFERED. Please discuss any teach-out for programs that will be discontinued after the transition, addressing the requirements of *Guidelines, Division 1, Section (2)*. Will all students be eligible to transition to the planned newly accredited program?
8. OTHER MATTERS. Please discuss any other changes that will be implemented as a result of the transition, including any matters necessary for students to transition to the accredited program of the law school.

In addition, make sure to discuss the effect any new programs will have on any current programs, and how the needs of the students in those current programs will be addressed. Is an increase in enrollment expected? Is an increase in tuition expected? Does the law school expect that additional resources will be needed under accreditation to ensure that students are appropriately resourced?

**Required Attachments:**

- Program Transition Plan

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 4: GENERAL PROVISIONS. Program Transition Plan

### Description of the School's Transition Plan

#### 1. Academic Calendar

Individuals apply for admission and, if accepted for enrollment, may enroll at any time. NWCU operates has a rolling enrollment system so that students start the law study program every month.

**Current Academic Calendar:** Students enrolling in the school's current program have one year from the date they begin each year of studies to finish the year. They must complete the year of studies in a period of 48-52 consecutive weeks. It currently takes four years of study to complete the J.D. degree program. Currently, students may have breaks between years of study and there are no limitations on the length of such breaks or on the time between start of law study and graduation.

**Changes in the Academic Calendar for Accredited Program:** In the new accredited program, the terminology is changed to refer to a "term" rather than a "year" of study. This is because, in the new program, students must complete each term in a period of 8-12 months. Students will be able to complete the J.D. degree in a period of time that ranges from 32 months to 48 months of study. Additionally, while students may still have breaks in their studies, the new program will require that they complete the J.D. degree within 84 months from the date they began their law studies, regardless of what school or program they attended when they commenced law study.

#### 2. Term Structure

**Current Term Structure:** In the current program, each term is one year and students must complete the year of studies within a period of 48-52 consecutive weeks. Additionally, students must complete a minimum of 864 hours of study during each year of studies.

**Changes in the Term Structure for Accredited Program:** In the school's planned accredited program, each term must be completed within a period of 8-12 months. A typical term will include courses totaling 20 credits and will require a minimum of 300 hours of verified academic engagement and 600 hours of further study and preparation. Over the course of four terms, students must complete a minimum of 1200 hours of verified academic engagement and 2400 hours of further study and preparation.

There may be some variances in the number of credits completed each term for individual students. For example, a student who does not pass a course may earn fewer than 20 credits during that term, but this would be offset by repeating the course in a later term. Another example would be a student who takes an elective class in 3L, resulting in completion of more than 20 credits during the 3L term, so that the student may take fewer than 20 credits in 4L. In any case, all students will be required to complete a minimum of 80 credits to earn the school's J.D. degree.

The standard structure of each term for the school's new accredited program is as follows. No variation is allowed for first year students, but there may be some variation for 2L, 3L, and 4L students who transfer into the program from other law schools, who must repeat courses, or who take elective courses.

#### Term One

Introduction to Law, Legal Analysis, and Legal Research (4 units)  
Contracts (6 units)  
Criminal Law (4 units)  
Torts (6 units)

#### Term Two

Business Associations (6 units)  
Criminal Procedure (4 units)  
Real Property (6 units)  
Remedies (4 units)

#### Term Three

Civil Procedure (6 units)  
Constitutional Law (6 units)  
Evidence (4 units)  
Professional Responsibility (4 units)

#### Term Four

Administrative Law (5 units)  
Community Property (3 units)  
Practical Skills Elective (6 units) \*  
Trusts (3 units)  
Wills (3 units)

#### Elective Courses

Elective courses are available to third and fourth term students, and to transfer students who have already completed all or most of the NWCUC standard curriculum but need additional courses to meet graduation requirements. Currently offered elective courses include the following:

Legal Document Drafting (6 units) \*  
Legal Research (6 units)  
Legal Practice (6 units) \*  
Legal Writing (6 units)  
Medical Jurisprudence (6 units)  
Military Law (6 units)  
Philosophy of Law (6 units)  
Professional Skills (6 units) \*  
Trial and Appellate Advocacy (6 units) \*

- \* The four elective courses marked with an asterisk may be selected to fulfill the Practical Skills Elective requirement.

### **3. Credits Required or Offered**

In both the current and new program, the school requires students to complete 15 core courses and at least two electives. In both programs, the school requires at least six units of practical skills, with students currently being offered a choice of four different courses to fulfill that requirement. This is being phased into the current program and is mandatory for those students who began their studies after January 1, 2018. It is optional for those who enrolled prior to that date. The four practical skills courses are currently being modified to increase the practical skills assignments to ensure students meet the competency training requirements.

**Current Credits Required or Offered:** Students in the school's current program are required to earn 102 credits, through completion of 17 courses, each of which is six credits. Of the 17 courses, 15 are mandatory: Introduction to Law and Legal Analysis, Contracts, Criminal Law, Torts, Business Associations, Criminal Procedure, Real Property, Remedies, Civil Procedure, Constitutional Law, Evidence, Professional Responsibility, Community Property, Trusts, and Wills.

Waivers are currently available for transfer students who have taken a course which is substantially the same as the required course at NWCUC, but for which they earned fewer than six credits. In addition to the 15 mandatory courses, students take two electives: Administrative Law and a Practical Skills Elective. Currently, students in good standing may opt to take a second elective rather than Administrative Law, and students have a choice of four different electives to fulfill the practical skills requirement.

**Changes in the Credits Required or Offered for Accredited Program:** In the school's planned accredited program, the number of credits for many courses has changed and the new number of credits per course is shown at Item 2 above, on the list of courses by terms. Students will now be required to earn 80 credits to graduate and earn the J.D. degree. Students in good standing will continue to have the option to opt for a second elective in place of Administrative Law, and students will still have a selection of elective courses that will fulfill the practical skills requirement.

### **4. Course Scheduling**

All required courses are currently offered during each term, and will continue to be offered during each term in the new accredited program. The courses will be different in terms of the time required for completion of the course as follows:

**Current Course Scheduling:** Students currently must complete a minimum of 216 hours of study for each course, and a total of 864 hours of study during each year of study. Additionally, each year of study must currently be completed within a period of 48-52 consecutive weeks.

**Changes in the Course Scheduling for Accredited Program:** In the school's planned accredited program, students will be required to complete a minimum of 15 hours of verified academic

engagement, plus 30 hours of further preparation and study, for each credit earned. Thus, the number of hours of study will vary by course depending on the number of credits. Students who follow the typical course plan will take 20 credits per term, so they will complete a minimum of 300 hours of verified academic engagement, plus 600 hours of further preparation and study, during each term. Although there may be some variation within terms of study, in order to graduate, a student must complete a minimum of 80 credits, 1200 hours of verified academic engagement, and 2400 hours of further preparation and study.

## **5. Attendance Requirements**

**Current Attendance Requirements:** Since the school's current program is correspondence based and offered online, students are not required to attend online classes nor to participate in online activities. However, they are encouraged to do so and may earn exam grade increases if they participate in a regular and meaningful way. The school's current online system automatically tracks student participation in various online activities such as real-time classes, viewing of archived classes or video lectures, postings on the school's discussion boards, etc. Students currently keep a log of their study hours, including both online activities and independent study, and the study log is required to be submitted to the school for verification that the student has completed the minimum hours of study required.

**Changes in the Attendance Requirements for Accredited Program:** In the school's planned accredited program, required attendance and tracking of attendance will change significantly. Students will be required to complete a minimum of 15 hours of verified academic engagement for each unit of credit earned. The hours of verified academic engagement will be measured and verified in two different ways.

First, each time a student logs into an online activity that qualifies as verified academic engagement for a particular course, the time spent in that activity will be automatically tracked by the school's computer system. For example, when a student attends an online real-time class, the time spent attending that class will be logged by the computer from the moment a student enters the online classroom. As another example, when a student logs into the school's online system and views a video lecture presented by one of the school's professors, the time that the student spends viewing the lecture will also be logged automatically by the computer. The system includes pop-up windows that will require verification of the student's presence at the computer every 15 minutes, in a way similar to what is often used now for online CLE classes for attorneys. Students will be able to sign-in to their online accounts and view the number of hours of verified academic engagement logged by the system for them in each course, so they can keep pace with the requirements for each course in which they are enrolled.

Second, each of the school's courses includes participation in specified assignments monitored by a professor, that will result in students earning a specified amount of time of verified academic engagement upon successful completion of the assignments. For each assignment that results in an award to a student of a set number of hours of verified academic engagement, there is significant study and research by the school's staff and professors to determine an appropriate amount of time to award.

For every assignment that results in an award of a specified time of verified academic engagement, the requirements for the assignment and the number of hours to be awarded will be clearly detailed in the syllabus for the course. Additionally, a student will not receive credit for the time spent unless the assignment receives a passing grade, which is an indication that the student spent the time intended on the assignment.

Most courses require a combination of graded assignments with a designated time for verified academic engagement, plus a requirement for participation in online activities that are tracked by time spent for verified academic engagement. Students who do not meet the minimum requirement of at least 15 hours per credit for time spent in verified academic engagement will not pass the course.

## **6. Curricular Requirements**

**Current Curricular Requirements:** Each course in the school's current program requires the use of specified course materials and completion of various assignments, exams or, in the case of some elective courses, a final paper. Students must complete all assignments within the allotted 48-52 weeks for the course, and must earn a passing grade in the course to receive credit for it. Students must also complete a minimum of 216 hours of study for each course. The school currently offers many real-time online classes, video lectures, and other online learning activities, but in the current program, participation online is not mandatory.

**Changes in the Curricular Requirements for Accredited Program:** In the school's planned accredited program, the basic curriculum will be nearly the same, including required course materials, completion of assignments, and taking of exams or completion of final papers. However, there is a key change in that online participation will now be required. Although there will be certain participatory assignments which will count toward verified academic engagement, it will be impossible for a student to complete the school's J.D. program without participating actively online. For example, the school's first-term program will require approximately 2/3 of the minimum 300 hours of verified academic engagement to be completed while logged into the online system.

The grading of assignments, exams, and project papers will continue as it has been for the current program. However, the grade increases that have been awarded in the current program for regular and meaningful participation in real-time online class sessions will be discontinued since participation will now be required of all students.

The specific number of hours of participation will be a minimum of 15 hours of verified academic engagement for each credit earned.

## **7. Teach-out Programs or Programs No Longer to Be Offered**

Students in the school's current program would be encouraged to transfer to the new accredited program. Yet, for those in the last part of the program this may not be possible.

The school has a four-part plan to transition students to the new program.

**First**, the school will complete all items essential to begin the new program, such as revisions of course syllabi and update of the online components of the program. Though a full year is allowed after approval to implement an accredited program, the school will begin enrollment as soon as all necessary components are in place.

**Second**, the school will cease new enrollments in the unaccredited program when the accredited program begins.

**Third**, the school will encourage students currently enrolled in the unaccredited program to transfer to the accredited program. The requirements for and means of transfer will be discussed below in Item 9: "Other Matters."

**Fourth**, the school will continue the unaccredited program in tandem with the accredited program until all currently enrolled students in the unaccredited program have either transferred to the accredited program or have had the opportunity to complete the unaccredited program and earn the J.D. degree. Former students who have completed one or more years of study in the school's unaccredited program and who wish to re-enroll to complete the unaccredited J.D. program would be eligible for re-enrollment if they can complete the program during the time for teach-out of currently enrolled students.

## **8. Resources Needed to Accommodate Multiple Programs or Growth in the Student Body**

The school has developed a system that will allow current students to participate in classes with students in the accredited program. Thus, during the teach-out period, some students attending the school's online classes would be enrolled in the current unaccredited study program, while others in the classes would be enrolled in the new accredited program. Since the teaching of doctrinal points of law would be exactly the same for both programs, no problems are anticipated with this arrangement.

It is anticipated that a number of new professors would be added to the school's faculty upon the granting of provisional accreditation. This would be done to accommodate anticipated growth in the student body and to ensure that no professor teaches more than three courses concurrently.

Expenses have already been incurred by the school for the development of a new component for its electronic learning management system that will accurately time and track student participation. It is probable that there will be other expenses for the maintenance of both the teach-out program and a new accredited program.

The cost of maintaining two programs and of managing growth in the student body would be offset by tuition revenue derived from new students. Additionally, if needed, an increase in tuition would be implemented to cover increased costs.

## **9. Other Matters Necessary for Students to Transition to Accredited Program of the Law School**

It is expected that many of the school's current students will transfer to the accredited program. Four pathways to transition are planned.

**The first transition pathway** to the accredited program will be to allow currently enrolled students to restart their law studies by transferring into the first term of the new program if they have sufficient time remaining on their current enrollment contracts to allow them to restart and complete the first term.

The school's enrollment contract is for a two-year period, which allows students in the current program to apply for a modification of their start date, in effect restarting the year of studies, in the event of a delay or serious interruption to their studies. The transition will work in a similar way in that students wishing to transfer to the first term of the new program could do so as long as there is time remaining within their enrollment contracts to allow completion of the newly restarted term. A nominal \$75 modification fee will be charged for a transfer to the new program. This is the same fee currently charged for a request to modify a start date due to delay or interruption of studies. There will be no new tuition nor additional fees. It is anticipated that this pathway will be utilized primarily by students who are in the first year of the current program.

**The second transition pathway** to the accredited program will be for currently enrolled students who have completed at least one year of law studies in the current program, or in a program at a similar registered law school, and who have passed the First-Year Law Students' Exam. Such students will be eligible to transfer into the second term of the new accredited program, with full credit for the first term, including 300 hours of verified academic engagement, based upon their successful passing of the FYLSX, as long as there is sufficient time remaining on their enrollment contracts to allow them to restart and complete the second term during their contract period. The only additional fee for such a transfer will be the above-referenced \$75 modification fee.

**The third transition pathway** to the accredited program will be for those currently enrolled students who completed one or more years of study at a law school accredited by either the ABA or the State Bar of California prior to transferring to NWCUC, and who were therefore exempt from the FYLSX upon enrollment at NWCUC. Such students will have full transfer credit already awarded for their studies completed at an accredited law school, and may restart their studies for successive terms in the new accredited program if there is sufficient time remaining on their enrollment contracts to allow them to restart and complete their current term. The only additional fee for such a transfer will be the \$75 modification fee.

The first three pathways described above will allow currently enrolled students to restart the term of studies in which they are currently enrolled. The next pathway will allow students to transfer into the new program part way through a term, with credit for work completed beyond the first year, and then to finish in the new accredited program.

**The fourth transition pathway** to the accredited program will be for currently enrolled students who have passed the FYLSX, and who have completed additional studies beyond the first year, where such studies qualify for credit under the rules related to passing the FYLSX within three administrations after becoming eligible to take it. Such students will be required to request an accounting from the school of the time they have spent in verified academic engagement prior to their transfer to the new program. Based upon their passing of the FYLSX, such students will receive credit for 300 hours of verified academic engagement for the first term. Additionally, students will receive credit for hours of verified academic engagement that have been completed in the second or later term of the unaccredited program, on assignments that are substantially the same as those in the new program, as well as credit for participation in activities that are substantially the same as those in the new program that receive such credit. The fourth pathway is intended to allow a transition path for students who are in the second through fourth year of the school's current program.

The current program does track time spent in online participatory academic activities, although the tracking is not as sophisticated as the tracking for the new program. Thus, there is a reasonable and fair method to assess current students' time spent on verifiable academic engagement in two specific ways that are similar to the verification process in the new program.

First, students in the second through fourth term who completed assignments that are substantially the same as assignments in the new program would receive a comparable amount of credit for verified academic engagement. For example, the final exams in both the current courses and the new courses for the accredited program typically consist of a one-hour essay exam similar to those on the California Bar Exam. Students who passed a one-hour final exam for a course already completed would receive one hour of credit for verified academic engagement. Similarly, other assignments that have been assessed for the new program and assigned an appropriate amount of credit for verified academic engagement would be worth a similar amount of credited time for completion of the assignment in the current program.

Second, students in the current program are already encouraged to participate in the same kinds of activities that will earn time for verified academic engagement in the new program. The way participation time is tracked differs, but many of the activities are the same. It is proposed that students be allowed to transfer time for verified academic engagement from the current program to the new one. Only activities that can be reasonably verified as being substantially equal in substance and time will be transferred, which will likely result in some students having a deficit in hours needed to graduate from the new accredited program. In that case, students would make up the necessary hours in the terms remaining until graduation, without loss of program transfer credit. Prior to approving a program transfer, the number of hours granted for verified academic engagement, as well as the number remaining to be completed prior to graduation, will be fully disclosed to the student so that the student can make an informed decision regarding whether to transfer to the new accredited program or to complete the current program.

Some students in the school's current program may have earned credits too long ago to allow them to complete the new accredited program within the maximum 84-month period allowed by the State Bar pursuant to the *Accredited Law School Rules* and *Accredited Law School*

*Guidelines.* Those students will be subject to the 84-month limitation if they transfer to the accredited program, such that they may be required to retake courses taken too long ago to count, since all credits toward the J.D. degree will have to be earned within 84 consecutive months.

Through the four enumerated pathways for transition, it is hoped that most of the school's students will transfer to the new program. For those not transferring to the new program, the school will continue the current program to provide them with an opportunity to complete their J.D. degree. The teach-out of the current program will continue until students in the current program have had sufficient time to complete it.

The pathways described for current students to transition to the new accredited program will also apply to students who were previously enrolled at NWCU and seek re-enrollment.

As to students seeking to transfer to NWCU after completing one or more years of study at another California registered law school, such students will be accepted for enrollment only if they have passed the FLSX. Those with more than one year of law school in a registered program will be required to have their law school transcripts evaluated by the State Bar of California for a determination of how many credits and how many hours of verified academic engagement they have earned at the prior law school.

**SECTION 5: RULE 4.160(A) - LAWFUL OPERATION. The law school must operate in compliance with all applicable federal, state, and local laws and regulations. (Guideline 1.6)**

Please discuss the law school's:

- compliance with all applicable local, state and federal laws and regulations, including the Americans with Disabilities Act (ADA), Health Insurance Portability and Accountability Act (HIPAA) and Family Educational Rights and Privacy Act (FERPA)
- compliance with all relevant state or local business licensing requirements
- current status as a corporation with the California Secretary of State and, if relevant, status as tax-exempt entity; its status if not a corporation
- procedures for implementing applicable laws and regulations, including the above

**Required Attachments:**

- Proof of current corporate status; local business license, if required
- If the law school participates in any federally-sponsored financial aid program(s), any report regarding loan default rates of its students, the law school's plans to address the default rate and participation in such programs
- If the law school is tax exempt, its most recent IRS 501(c)(3) exemption letter
- Any alcohol or substance abuse policy or program applicable to students
- If applicable, the most recent correspondence received from WASC or any other accrediting entity confirming the current status of the law school's accreditation
- Policies and procedures related to accommodations under the ADA or FERPA

*Suggested: 1-2 pages*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 5: LAWFUL OPERATION

### **Compliance with all applicable local, state and federal laws and regulations, including the Americans with Disabilities Act (ADA), Health Insurance Portability and Accountability Act (HIPAA) and Family Educational Rights and Privacy Act (FERPA)**

Northwestern California University (NWCU) is committed to the principles of equal access and opportunity for persons with disabilities in compliance with the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973. NWCU does not discriminate on the basis of disability in regard to admission, grading, advancement, training, discipline, graduation, or other aspects of a student's participation in the NWCU program.

The NWCU Accommodation Process is an interactive process between the student and the school. NWCU has and will make reasonable accommodations for qualified persons with disabilities to allow the performance of the essential requirements of the law study program. NWCU will not make an accommodation if the accommodation will alter the academic nature of the program, result in undue hardship to the school, or threaten the health and safety of the student with a disability or other persons.

Those who have physical or mental disabilities or learning disabilities such that they need accommodations may request them. Reasonable accommodations for law students with disabilities have and will be made in the instructional program and on examinations when supported by an evaluation from a well-qualified expert. Accommodations that have been approved and provided by the school most commonly involve allowing extra time on exams, breaks during exam sessions, or use of speech recognition software to dictate and transcribe exam answers.

A student requesting an accommodation must provide the school with current professional verification certified by a licensed health care provider who is qualified in the diagnosis of the disability. The verification must reflect the student's present level of functioning for the major life activity affected by the disability and must provide data that support the request for the particular accommodation sought.

### **Compliance with all relevant state or local business licensing requirements**

The City of Sacramento does not issue business licenses; however, the city does collect a Business Operations Tax each year and does issue receipts to verify the payment of that annual tax. Northwestern California University is current in the payment of the Business Operations Tax.

No other permits, certifications, or other evidence of inspections or authorizations to operate are required within the jurisdictions in which Northwestern California University operates.

### **Current status as a corporation with the California Secretary of State and, if relevant, status as tax-exempt entity; its status if not a corporation**

Northwestern California University is a California Corporation that is presently in good standing. It is not tax-exempt.

**Procedures for implementing applicable laws and regulations, including the above**

Detailed policies have been established by Northwestern California University for compliance with the laws, regulations and rules, including those mentioned above, that directly or substantially affect procedural or substantive obligations of Northwestern California University and the rights and duties of individuals who interact with it as staff members, faculty members, students and others.

It is the responsibility of all members of the school's staff to be sure that the policies are followed.

The Dean of the school has ultimate responsibility for their compliance.

**SECTION 6: RULE 4.160 (B) - INTEGRITY. The law school must demonstrate integrity in all of its programs, operations, and other affairs. (Guidelines 2.1-2.10; Bus. & Prof. Code Section 6061.7, subdivisions (a) and (c); Guidelines 13.1-13.5)**

Discuss how the law school operates in an honest and forthright manner, specifically noting all of the policies, procedures and disclosures noted in Guidelines 2.1-2.10, Bus. & Prof. Code section 6061.7(c), and, if the school offers any professional degree in addition to the Juris Doctor degree, Guidelines 13.1-13.5.

In responding to this section, please explain:

- how the law school operates with honesty and integrity from the perspective of the public, prospective students, applicants and enrolled students (Guideline 2.1)
- how the law school conducts its financial affairs in an honest and forthright manner, with specific reference to the terms of its tuition refund policy (Guideline 2.2(B))
- how the law school communicates honestly, including specific references to where it posts all mandatory disclosures (Guidelines 2.3 (A) – 2.3(E), B.&P. Code § 6061.7)
- the name and nature of any entity that owns or controls the law school and whether any compensation is paid to recruit or enroll students (Guidelines 2.4, 2.5)
- all policies and procedures governing student discipline (Guideline 2.6(B))
- the type of grading system used; when pass/fail grades are used; when students are required to or allowed to repeat a class; the definition or requirements for academic good standing; the use of anonymous grading; whether and how students are informed of all factors used to issue final grades; the standards and circumstances governing academic probation and disqualification; whether students may remain enrolled while on probation and how they may be taken off probation; the methods used to confirm the authenticity of student work; how students obtain a review of grades received; how all such requests are handled and resolved (Guideline 2.7(A) – 2.7(H))
- how privacy and confidentiality of student records are maintained (Guideline 2.8)
- how the law school maintains appropriate security and backup for its records, whether maintained in hard copy files or electronically (Guideline 2.9)
- how the law school publicly states and informs students of the services, experiences, activities, and academic counseling, as offered at each campus (Guidelines 2.10(A), 2.10(B))
- the nature of any review and preparation curriculum offered by the law school, either in-house or commercial, to help prepare students to take the First-Year Law Students Examination (FYLSX) or California Bar Examination (CBX) (Guideline 2.10)
- if the law school offers any professional degree in addition to the Juris Doctor degree, how the law school complies with the requirements of Guideline 13 and specifically, the requirements of Guidelines 13.3-13.4

**Required Attachments:**

- Current corporate by-laws, if any
- Copies of any advertisement, brochure or webpage used to recruit students
- Copies of all required disclosures; please identify where each appears in the law school's correspondence, publications and website, including all disclosures required by B&P

Code sections 6061.7(a) and (c), Guideline 2.3(D) and, if applicable, Guideline 2.3(E) and Guidelines 13.3-13.4. Please provide a screenshot and URL address for each website page on which information appears on the law school's website, as required by B&P Code section 6061.7(a) and (c); Guideline 2.3(D); and, as applicable, Guideline 2.3(E) and Guideline 13.3.

- Current Information Report (B&P Code section 6061.7(a))
- Policies and procedures from catalog or student handbook as to:
  - o tuition refunds and cancellations
  - imposition of non-academic student discipline
  - academic standards
  - examinations and grading, including grading basis and authenticity of work
  - request for grade reconsideration and grade review
  - course repetition policy
  - student confidentiality and privacy
  - admission criteria
  - transfer credit practices and policies
  - security and backup for systems and records
  - availability of student services and activities

If any of the above is not in either publication, please include a hard copy of such policies or procedures, and explain how students can access the information.

*Suggested: 4-6 pages; please emphasize Guidelines 2.2, 2.3, 2.7, 13.3 and 13.4*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 6: INTEGRITY

### **How the law school operates with honesty and integrity from the perspective of the public, prospective students, applicants and enrolled students (Guideline 2.1)**

Northwestern California University has established and maintains procedures and practices that demonstrate an on-going commitment to ensuring that every activity of the school is conducted honestly and in a forthright manner. The school has an excellent record of honesty and integrity regarding finances, communications, required disclosures and registration with the Committee of Bar Examiners of the State Bar of California, such that no issues involving the honesty or integrity of the school have arisen with the State Bar in the 37 years of the school's existence.

### **How the law school conducts its financial affairs in an honest and forthright manner, with specific reference to the terms of its tuition refund policy (Guideline 2.2(B))**

Northwestern California University has maintained a solid fiscal position. It is positioned to maintain its fiscal stability in the future. The school has virtually no debt.

There have been no judgments in actions against the school for any sum owed or for past-due debt of the school in the entire time of the school's existence.

Cancellations, withdrawals and refunds are handled as specified in the school's individual enrollment contracts and pursuant to applicable regulations, including the payment of any refund owed and a clear explanation of how the refund was calculated, within thirty days after a student withdraws.

Students may cancel their enrollment contracts and receive a full refund of all tuition during their initial terms of enrollment up to midnight of the seventh day from the date access to the school's online course materials is given.

A cancellation that occurs later than midnight of the seventh day after a student has been granted access to the school's course materials, but before the student has completed 60 percent or less of the course of instruction for the enrolled term, results in a prorated refund of tuition based upon the length of time the student has been enrolled in the term.

### **How the law school communicates honestly, including specific references to where it posts all mandatory disclosures (Guidelines 2.3 (A) – 2.3(E), B.&P. Code § 6061.7)**

Northwestern California University maintains honesty and clarity in communications as instrumental to its mission and goals. The school's website, catalog, application, enrollment contracts, and other communications are regularly reviewed, monitored, and updated to ensure compliance with all applicable laws, rules, and guidelines, as well as to ensure they are accurate and clear. All students and prospective students are provided clear information regarding the requirements of the NWCU J.D. program, the costs, the school's available payment plan, and the likely ability to qualify to practice law in other jurisdictions besides California with the NWCU J.D. degree.

The disclosure statements required by Guideline 2.3(A) – 2.3(E) are included in the school’s catalog, as well as on its website, application, and enrollment contract. The disclosure statements that the school has been obligated to maintain in compliance with the Guidelines have always been in place.

Regarding the required B.&P. Code § 6061.7 disclosure, it has been on the school’s website in the proper location and has also been included in enrollment documents, as required, since the effective date the law.

**The name and nature of any entity that owns or controls the law school and whether any compensation is paid to recruit or enroll students (Guidelines 2.4, 2.5)**

Northwestern California University is a California corporation and is not owned by any other entity. The school does not compensate anyone involved in recruitment, enrollment, admissions, student attendance, or sales of educational materials to students, on the basis of a commission, commission draw, bonus, quota, or any similar arrangement.

**All policies and procedures governing student discipline (Guideline 2.6(B))**

Northwestern California University has a *Policy on Misconduct* and a *Policy on Student Discipline* that provide a fair, equitable and confidential framework for the investigation and resolution of alleged cases of student misconduct. The policies apply to all students enrolled in a program of study offered by Northwestern California University. They also apply to all circumstances that relate to the matriculation and continuing enrollment of students, including involvement in school-related tasks and functions, as well as situations involving contact and communication with the school’s faculty, staff and other students.

The *Policy on Misconduct* defines the specific improprieties and acts which are considered as misconduct. These range from academic misconduct, such as plagiarism and cheating on exams, to harassment, fraud, and criminal acts. The *Policy on Student Discipline* provides for written notice to the accused student of the specific charge or charges; an opportunity for a hearing before a panel of impartial members of the faculty or administration; and a written final determination, including a statement of the facts, conclusions, and sanctions, if any.

**The type of grading system used; when pass/fail grades are used; when students are required to or allowed to repeat a class; the definition or requirements for academic good standing; the use of anonymous grading; whether and how students are informed of all factors used to issue final grades; the standards and circumstances governing academic probation and disqualification; whether students may remain enrolled while on probation and how they may be taken off probation; the methods used to confirm the authenticity of student work; how students obtain a review of grades received; how all such requests are handled and resolved (Guideline 2.7(A) – 2.7(H))**

The NWCU *Student Handbook* and course syllabi cover all the information listed below, as well as in Guideline 2.7, in greater detail.

### **1. Type of grading system used**

The school uses a five-letter grading system with grades A, B, C, D, and F. The A grade is the highest and the F grade is the lowest. The F grade denotes failure. Modifying variants, represented by + (plus) and – (minus), are also used.

### **2. When pass/fail grades are used**

Pass/fail grades are used for some assignments.

In the school's current program, pass/fail grades are also used for the course *Introduction to Law and Legal Analysis* and for some elective courses. In the new accredited program, all courses will be awarded a letter grade.

Transfer students who were awarded pass/fail grades at a prior law school will continue to have those pass/fail grades reflected on the NWCUC student transcript showing transferred credits.

### **3. When students are required to or allowed to repeat a class**

In the current program, repetition of a course is allowed only with approval of the academic dean, based upon whether it will be allowed under the *Unaccredited Law School Rules and Guidelines*. Since students must complete a full "year" of study, when a student fails a course, the entire year of studies must typically be repeated because the student will fall short of the required hours to comprise a year of study.

In the new accredited program, students will have the opportunity to petition to repeat a course. Such petitions will be granted only if the student received a grade of D or lower, and only with permission of the academic dean, with the decision based on a consideration of the likelihood of improvement by the student if allowed to repeat the course; the potential effect of any increase in course load; and the impact the repetition will likely have on the student's ability to complete the J.D. program within the maximum time limit.

### **4. The definition or requirements for academic good standing**

Currently, students who earn a 2.0 or higher grade point average for the term of study are considered in good academic standing with the school. Those who earn less than a 2.0 GPA for the term are subject to academic probation or academic dismissal. This remains unchanged for the new accredited program.

### **5. The use of anonymous grading**

Grading is not anonymous, as students' names appear on exam answers. However, in the event that a professor has a conflict of interest which will affect the professor's ability to score a student's work without favoritism or bias, the exam is assigned to a different professor for grading. The professor who graded the exam is identified on the grade report to the student.

## **6. Whether and how students are informed of all factors used to issue final grades**

Each student is informed of all factors used to issue final grades. Such information is provided in course syllabi and the *Student Handbook*.

## **7. The standards and circumstances governing academic probation and disqualification**

A student whose grade point average for a term is below 2.0 must be placed on academic probation. Students placed on academic probation may advance to the next academic term, but are limited to taking only core courses, unless otherwise required for graduation.

Any transfer student who was on academic probation in his or her most recent academic term, or who was academically dismissed from the law school last attended, will automatically be placed on probation if accepted at Northwestern California University.

Academic dismissal (disqualification) can result in three ways. First, a student whose GPA is below 1.00 for an academic term must be academically dismissed from the program. Second, a student who is placed on academic probation and whose GPA remains below 2.00 for the subsequent academic term must be academically dismissed from the program. Third, a student who has committed academic misconduct may be academically dismissed from the program.

The school notifies a student in writing when he or she is placed on academic probation or is academically dismissed. The academic probation or academic dismissal designation will appear on the transcript.

## **8. Whether students may remain enrolled while on probation and how they may be taken off probation**

Students placed on probation may enroll in the next academic term and must achieve a grade point average of at least 2.0 to be taken off probation and continue to the following term.

## **9. The methods used to confirm the authenticity of student work**

NWCU has a written policy setting forth the procedures used to authenticate the identity of the student submitting work and participating in educational and other law school activities and to ensure that work submitted is the student's own. The procedures include verifying student identity through use of secure log-ins and passwords, proctored examinations, and plagiarism-detection tools.

## **10. How students obtain a review of grades received**

The Northwestern California University *Student Handbook* includes the process by which students may request a review of grades.

If a student believes a mathematical or transcription error was made on an exam grade report or on a transcript, then the student must email or mail the academic dean with information about the suspected error.

A student may contest an exam grade by submitting a Petition for Review of Exam Grade within 30 days of receiving notification of the grade. Such petitions are accepted by email or by mail and students who call the school to ask or complain about an exam grade are directed to the appropriate section of the *Student Handbook* or, if the student is no longer enrolled at the time of the call and does not have access to the handbook, a copy of the applicable section is provided to the student.

Course grades at NWCU are calculated based upon grades earned on midterm and final exams, so are mathematically calculated and not subject to contest other than for reasons related to alleged calculation or transcription error.

### **11. How all such requests are handled and resolved**

The Northwestern California University *Student Handbook* includes the process by which requests for review of grades are handled and resolved. In summary, the process varies depending upon the category of the student's allegations: (1) a mathematical or transcription error, or (2) an impact on the grade caused by unfairness, prejudice, arbitrariness, caprice, mistake, or departure from established grading policy on the part of the grading professor.

All requests for review of the first category are investigated by the academic dean by review of the original documents and discussion with the professor who issued the grade, if applicable. Mathematical calculations are redone and a copy of such calculation is sent to the student.

All requests for review of the second category are handled by a process that includes initial consideration by the dean or academic dean; an opportunity for the student to file a grievance if the initial determination is to dismiss the petition; an opportunity for response by the professor if the initial determination is to grant the petition; a review by the Committee on Academic Standing, if applicable; and a final result of regrading of the exam by a different professor if further review is ultimately granted, or a hearing by a disinterested panel of faculty or administration members if the petition was ultimately dismissed and the student files a grievance.

### **How privacy and confidentiality of student records are maintained (Guideline 2.8)**

Northwestern California University protects student privacy and the confidentiality of student communications and records both in principle and practice. The disclosure of information from student records is largely governed by state and federal law. The school policy is to abide by that law. Accordingly, faculty members and administrative staff members of Northwestern California University are guided by three principles as to the privacy and confidentiality of student communications and records. They are:

- The privacy of an individual is of great importance;
- The information in a student's file should be disclosed to the student on request unless there are compelling school interests for non-disclosure of particular information; and
- Without the written consent of the student, disclosure of confidential information from student records to anyone is limited to those who have a legal right of access to the records.

A determination of whether a legal right to confidential information exists must be made whenever access to a student record is requested by someone other than the student or the administrative staff and faculty of the school. The determination is based on proof that the person or entity requesting disclosure is one of the following:

1. A person or entity for whom the school has been given the student's written consent to disclose information;
2. A person or entity to whom disclosure is required by law, pursuant to subpoena or court order;
3. The State Bar of California, including the Committee of Bar Examiners, if entitled by law to the disclosure, or if the student's written consent for disclosure is provided;
4. An accrediting agency, if entitled by law to the disclosure, or if the student's written consent for the disclosure is provided.

An exception to this policy may be made only in the case of emergency.

Students may file complaints with the State Bar of California and with the Family Educational Rights and Privacy Act Office of the United States Department of Education (FERPA) concerning alleged failures by the school to comply with California law and with the Family Rights and Privacy Act of 1974 (the "Buckley Amendment") as amended, in relation to the procedures and decisions involved with any such matters.

**How the law school maintains appropriate security and backup for its records, whether maintained in hard copy files or electronically (Guideline 2.9)**

The school maintains the records of enrolled students in a paper format in files kept in fireproof cabinets for a period from the date of enrollment up to a date that is not less than one year after enrollment has ended.

Records that need not be kept on the school's premises for a longer period are thereafter maintained in a paper format in a safe and reliable commercial storage facility, except for student transcripts which are kept at the school's office facility in an electronic format.

In accordance with Guideline 2.9, the school takes all reasonable precautions to protect the required records from loss, destruction or corruption. Additionally, the school has and fully utilizes a reliable daily off-site backup and redundancy through an FTP (File Transfer Protocol) server for the secure upload and download of all of the school's computer data, including transcripts.

**How the law school publicly states and informs students of the services, experiences, activities, and academic counseling, as offered at each campus (Guidelines 2.10(A), 2.10(B))**

Northwestern California University (NWCU) offers web-enabled educational services and activities. The following narrative is used to inform prospective students, applicants and students as to those that are offered by NWCU:

*The custom electronic technology platform used by NWCULaw® for distance teaching and learning via the internet is called eJuris™. Students in the school's law study program use this dynamic internet-based course management platform to access the school's course material, to collaborate and communicate in text chats and videoconference sessions online with fellow students and faculty members, and view and listen to recorded audio and video lectures from anywhere in the world. They also receive audio recordings containing terminology and supplemental interactive tutorial CD-ROMs.*

*The students participate with faculty members and each other in online real-time classes and in the school's virtual classroom, and have access to an electronic law library. Faculty members are available to all students for course-specific questions, discussions and reviews via the school's online discussion boards and through email.*

Due to the correspondence-based format of the current law study program at NWCU, and the wide geographical area over which its students are enrolled, the school does not offer certain services and activities, such as social events, housing assistance, and employment services.

Academic counseling is offered by NWCU to its students through phone, email, or video conference between NWCU faculty members and students. The counseling helps students with their academic plans and decisions, and provides them with accurate information about NWCU policies, procedures and requirements.

**The nature of any review and preparation curriculum offered by the law school, either in-house or commercial, to help prepare students to take the First-Year Law Students Examination (FYLSX) or California Bar Examination (CBX) (Guideline 2.10)**

Northwestern California University maintains a *General Bar Practicum* in its ongoing effort to improve the performance of its graduates on the California Bar Examination. Exercises and lectures in the practicum are an adjunct to regular coursework and supplement activity in the school's online classes and writing exercises. A similar online workshop, the *Baby Bar Practicum*, is utilized by first-year NWCU students to improve their chances of passing the First-Year Law Students' Examination.

Communication in both practicums is designed with a focus on topics such as cohesive writing, conciseness, clarity, issue recognition, analysis and style. The practicums provide NWCU students with video-streamed lectures from the school's faculty members on topics related to passing bar examinations, and present the opportunity for students to answer practice exam questions that are graded and critiqued.

NWCU faculty members recognize that ultimate success for the school's students is measured by their ability to competently practice law upon graduation, which requires passing the California Bar Examination. To that end the faculty is always working to assist students in improving their chances to do so.

**If the law school offers any professional degree in addition to the Juris Doctor degree, how the law school complies with the requirements of Guideline 13 and specifically, the requirements of Guidelines 13.3-13.4**

Northwestern California University does not offer any professional degree in addition to the Juris Doctor degree.

**SECTION 7: RULE 4.160 (C) - GOVERNANCE. The law school must be governed, organized, and administered so as to provide a sound educational program. (Guidelines 3.1-3.3; 4.1-4.2)**

Describe the law school's governance and organization; identify all members of any board governing the law school; identify and provide the credentials of everyone responsible for its administration and generally describe their respective responsibilities by referring to each requirement of Guidelines 3.1-3.3; Guidelines 4.1(A)-4.1(C); and Guideline 4.2.

In responding to each of the Guidelines cited, please discuss:

- the role of the dean and each associate or assistant dean of the law school; if not the dean, please specify and identify each full-time or part-time administrator at each campus, including each branch or satellite campus; the registrar and any faculty members involved in governance, operations or academic policy-making processes
- if the law school is part of a larger institution or entity, the relationship between the law school and that larger organization, with respect to its governance and decision- and policy-making regarding the law school
- For law schools with more than one campus, please address and describe the manner or form of the law school's governance of each campus

**Required Attachments:**

- Organizational chart for the law school, by campus, showing names and titles of each dean, administrator, registrar and all administrative staff, and whether employed on a full- or part-time basis
- A resume and job description of each person identified in the organizational chart
- A list of the members of the law school's governing board(s) and board of visitors/advisors, if any, including name, contact information, academic and professional degrees, and present occupation of each member

*Suggested: 2-3 pages*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 7: GOVERNANCE

Northwestern California University is governed, organized, and administered by its board of directors and its administrative officers, the school's dean, academic dean and executive director, to maintain a sound program of legal education.

The identity and credentials of the members of the board of directors are as follows:

### **Lorenza Zapata, Board Member and Chair**

#### Education:

- Paralegal Certificate – Northwestern California University, Sacramento, CA
- Diplôme and Certificate in Professional Culinary Arts – Kitchen Academy/Le Cordon Bleu College of Culinary Arts, Sacramento, CA (First in class – Valedictorian)
- Diplôme and Certificate in Professional Pâtisserie and Baking Arts – Le Cordon Bleu College of Culinary Arts, Sacramento, CA – *Major de promotion* (First in class)

#### Expertise:

- Administration and Record Management

#### Qualifications:

- 17 years as Executive Director of Northwestern California University

#### Experience and Employment History:

- Executive Director/Chief Operating Officer – Northwestern California University, Sacramento, CA – June 1998 to Present
- Legal Assistant – Law Office of Clancey, Doyle and O'Donnell, Sacramento, CA – June 1995 to June 1998
- Co-Owner – Double "OO" Construction, Sacramento, CA – June 1989 to February 1992

### **Oscar Olivares, Board Member and Vice-Chair**

#### Education:

- AS Degree in Computer Technology with Emphasis in Network Security – Heald College, Rancho Cordova, CA – 2006
- BS Degree Candidate – Internet and Computer Technology – University of Maryland, University College, Adelphi, MD – Presently enrolled

#### Expertise:

- Internet and Computer Technology

#### Qualifications:

- 17 years as Director of Internet Technology and Computer Service at Northwestern California University

- Wowza Media Systems Certified – 2012
- Moodle Course Creator Certificate – 2014

Experience and Employment History:

- Northwestern California University School of Law – 2002 to Present (Full-time)
- Director of Internet Technology and Computer Service
- Protection & Advocacy, Sacramento CA – 2006 to 2007 (Part-time)
- Coordinator of Information Technology and Computer Services
- Security Systems Supply, Sacramento CA – 2000 to 2002 (Full-time)
- Security System Installer

**Tara E. Ozes, Board Member**

Education:

- J.D. degree – Indiana University, Bloomington, IN
- B.A. degree – University of California – Davis, CA

Qualifications:

- Professor of Law at Northwestern California University – June 2016 to present
- Previously worked as a Spanish/English/ESL Instructor, SAT/TOEFL/GRE instructor and Praxis I Instructor at the Learning Plus Academy in Bloomington, Indiana from January 2012 to August 2012
- Also worked as a Spanish/English/ESL instructor providing structured conversational instruction in English to international adults and professionals via an online classroom platform in 1 on 1 bilingual classes in English and Spanish with Spanish-speaking adult students, for Education First in Bloomington, Indiana from September 2015 to December 2015

Experience and Employment History:

- Staff Attorney in San Francisco, California at HomeBase, The Center for Common Concerns.’ – June 2016 to Present (HomeBase is a nonprofit public interest law firm dedicated to the social problem of homelessness. Its mission is to end homelessness and prevent its recurrence.)
- As a staff attorney at HomeBase, she analyzes State and Federal legislation to aid local decision-makers regarding homeless policy and advocacy efforts; she also supports facilitation of gatherings of regional stakeholders and Continuum of Care leads from across Northern and Central California to discuss evidence-based practices and solutions for eradicating homelessness.
- ‘Bridge to Practice’ Fellow for the Immigrants & Language Rights Center/Migrant Farmworker Law Center at Indiana Legal Services, Inc., Indianapolis, Indiana, from September 2015 to December 2015
- Legal Intern for the Indiana Department of Child Services, Monroe County, Bloomington, Indiana – May 2014 to May 2015
- Law Clerk at the Legal Services of Northern California, Yolo County, California – May 2013 to August 2013

Bar Membership:

- Admitted to State Bar of California on May 19, 2016 (License currently active)

**Michael Clancey, Board Member and Secretary**

Education:

- Degree of the Utter Bar – Middle Temple (England)
- J.D. degree – Western State University, Fullerton, CA
- LL.M. degree – Regent University, Virginia Beach, VA
- LL.M. degree – Thomas Jefferson School of Law, San Diego, CA
- B.S.L. degree – Western State University, Fullerton, CA
- Graduate– United States Naval Justice School Course
- Graduate – Judge Advocate General’s Basic Course
- Graduate – United States Marine Corps Command and Staff College

Qualifications:

- 37 years as Dean of Northwestern California University

Experience and Employment History:

- Private Practice Attorney – California (1974 – 2000)
- Judge Advocate - United States Marine Corps Reserve (Retired)
- Judge Pro Tem - California Municipal and Superior Court

Bar Membership:

- Admitted to State Bar of California on June 17, 1974 (License currently active)
- Called to the Bar of England & Wales (Barrister) on March 10, 2011 (License currently active)

The identity and credentials of the school’s Administrative Officers: the school’s Dean, Academic Dean and Executive Director, are detailed as follows:

**Michael Clancey, Dean**

See above-referenced details for this person

**Mary Schofield, Academic Dean**

Education:

- J.D. degree – Northwestern California University School of Law, Sacramento, California.
- B.S.L. degree – Northwestern California University School of Law, Sacramento, California.
- A.A. degree – Glendale Community College, Glendale, California.

### Qualifications:

- 6 years as Academic Dean of Northwestern California University
- 12 years as Professor of Law at Northwestern California University
- 33 years as education consultant and homeschool teacher

### Experience and Employment History:

- Attorney – General practice attorney handling matters in the areas of landlord/tenant, criminal, contract, personal injury, wills and trusts, juvenile dependency, and private education – 2007 to present (Presently only part-time, occasional)
- Private Education Consultant – Consultant working with private schools and homeschool programs throughout California, helping them to set up their courses of study and programs in compliance with current state requirements; consulting with various private school organizations on legislation, testifying before the State Legislature, drafting wording for legislation related to private schools and homeschools; speaking at conventions and seminars throughout the U.S. on issues related to private education – 1984 to present
- Director – Support Network Director for Christian Home Educators Association of California, a statewide organization, at its office in Norwalk, California, directing programs for school principals, administrators, and parents involved in home education or private school satellite programs, including researching current legal requirements, providing leadership training, organizing and hosting conferences of 50-400 attendees, publishing a bi-monthly newsletter and other materials for private education leaders – 1990 to 2007
- Homeschool Teacher – Elementary and Secondary Teacher at Christian Heritage School, Placerville, California, teaching all grades from K-12 and all subjects in a private school, homeschool setting. Both graduates continued to college, one attaining a Bachelor's Degree (cum laude) and the other attaining a Master's Degree – 1989 to 1999
- Radio Talk Show Host – “The Home School Connection.” KJAY, Sacramento – October 1995 to July 1997
- Curriculum Counselor – Sunland Christian School, Sunland, California. Assisted homeschool parents in selection of curriculum and design of courses of study for children in grades K-12 – 1987 to 1989

### Bar Membership:

- Admitted to State Bar of California on June 5, 2007 (License currently active)
- Member on the Role of Solicitors, England (Non-practicing)

### **Lorenza Zapata, Executive Director**

See above-referenced details for this person

Northwestern California University does not have a Board of Visitors.

**The role of the dean and each associate or assistant dean of the law school; if not the dean, please specify and identify each full-time or part-time administrator at each campus, including each branch or satellite campus; the registrar and any faculty members involved in governance, operations or academic policy-making processes**

**Position Title: Dean**

**Name of Dean: Michael P. Clancey**

**Status: Full-time**

**Job Description:** The dean of the school is responsible for developing and administering the school's law study courses, and establishing procedures concerning academic support services for students. The dean manages these areas to ensure quality instructional delivery to enable students to succeed in their academic endeavors. This includes hiring and supervising faculty and staff.

This individual is in the forefront of all important business and academic decisions, and provides implementation of all procedures necessary to ensure online instructional quality for improved student retention and completion of the online program.

School promotion, business development, marketing and course development are the major responsibilities of the dean. Accordingly, the dean is responsible for the overall strategic management of the school's operation, both with respect to:

1. Core business functions requiring executive decisions and design; and
2. Courseware and learning management system development and delivery, with control of related technical and production services, and assurance of a continued web existence. This involves working with faculty, staff and administration to develop policies and procedures to facilitate the school's distance education initiatives, and collaborating with appropriate IT contractors. It also involves research of innovative instructional media technology, instructional methods, equipment and software.

The dean is also responsible for maintaining the school's internal academic policies and procedures necessary for compliance with external standards as set by *The California Committee of Bar Examiners* and other regulatory entities of the United States and State of California governments. These relationships include the oversight necessary for the preparation and submission of required reports relating to all academic courses, programs and academic services offered.

Additional functions of the dean include the following:

1. Instructing and grading in certain subject areas;
2. Supporting and communicating, as needed, with students, prospective students, faculty members and testing proctors;
3. Reviewing matters related to appeals by students of grades, probation and dismissal;
4. Handling disciplinary matters regarding alleged violations of the school's Honor Code.

**Position Title: Academic Dean**

**Name of Academic Dean: Mary Schofield**

**Status: Full-time**

**Job Description:** The academic dean is an adjunct to the dean of the school and performs essential job functions in support of the school's law study program. This individual has direct duties in all of the following areas:

1. Maintains the curriculum appropriate to the school's law study program;
2. Upholds appropriate academic standards for the school's law study program;
3. Supports and communicates with the students, prospective students, teaching faculty members and exam proctors;
4. Initiates collaborative relationships with other institutions and state agencies in the delivery of the law study program;
5. Facilitates implementation of *Lexis-Nexis* online law library services for students;
6. Provides day-to-day management of web-based programs;
7. Coordinates the implementation of instructional technology for students, via the school's eJuris™ course management platform, for all courses and workshops;
8. Answers emails sent to the school by students and prospective students;
9. Reviews and processes applications for enrollment;
10. Arranges for the opening of new student files and requests and reviews needed transcripts and reports;
11. Coordinates the administration of final examinations for all students;
12. Instructs in certain subject areas;
13. Grades program assignments, as needed;
14. Grades mid-term and final exams, in certain subject areas;
15. Calculates and records final course grades, then posts them to transcripts;
16. Attends certain State Bar meetings.

**Position Title: Dean of Instruction**

**Name of Dean of Instruction: George Castagnola**

**Status: Part-time**

**Job Description:** The dean of instruction helps coordinate instruction of the school's students and fosters a positive atmosphere to promote academic success. This faculty member motivates students to succeed and coaches professors to become better educators.

This individual:

1. Provides instructional leadership, inspiration and support for the school's academic initiatives to uphold its mission, vision and goals;
2. Works with the dean and academic dean for development of the school's online class session schedule;

3. Facilitates student communication regarding academic support and learning enhancement opportunities;
4. Fosters effective relations across the school's online campus;
5. Performs other duties as assigned.

**Position Title: Executive Director/Registrar**

**Name of Executive Director/Registrar: Lorenza Zapata**

**Status: Full-time**

**Job Description:** The executive director, while managing the operation of the school, provides student and faculty support to fulfill the school's mission to recruit and retain students to progress with a high degree of satisfaction through the law study program. This individual:

1. Directs student enrollment and retention efforts;
2. Develops administrative procedures and implements a streamlined admissions process in conjunction with school policy;
3. Supervises first-line office staff offering a high-quality point of contact for all student services;
4. Supervises e-learning course access for students and faculty;
5. Addresses administrative, faculty and student issues, and prospective student questions, regarding the school's web-based programs;
6. Defines and documents internal school procedures;
7. Tracks and provides accurate enrollment management data;
8. Supports and communicates with students, prospective students, teaching faculty members and testing proctors;
9. Works with other universities and colleges, and with education evaluation services, to acquire records needed to enroll new students;
10. Manages relationships at the administrative, faculty, and student services levels;
11. Acquires all needed supplies and facilities for the school;
12. Manages accounts payable and receivable;
13. Manages payroll;
14. Makes bank deposits;
15. Reconciles bank statements;
16. Processes credit card payments of tuition and fees;
17. Processes student withdrawals from school programs and refunds;
18. Collects on non-sufficient funds (NSF) checks;
19. Processes incoming mail;
20. Orders degree certificates;
21. Prepares student certification forms for the First-Year Law Students Examination and General Bar Examination;
22. Prepares forms for governmental agencies, as required;
23. Organizes documents, facilities and participants for the school's periodic faculty meetings;
24. Compiles and updates the school's student records;

25. Compiles information for the annual report to the California Committee of Bar Examiners;
26. Serves as the school's registrar;
27. Attends annual California State Bar Registrar meetings.

The executive director manages the operational side of the school while the dean and academic dean focus on academic standards, course development, curriculum, business development, marketing, etc. However, the functions and tasks are overlapping to the extent that participation is required of all on some projects.

**If the law school is part of a larger institution or entity, the relationship between the law school and that larger organization, with respect to its governance and decision- and policy-making regarding the law school**

Northwestern California University is not part of a larger institution or entity.

**For law schools with more than one campus, please address and describe the manner or form of the law school's governance of each campus**

Northwestern California University does not have more than one campus.

**SECTION 8: RULE 4.160 (D) – DEAN AND FACULTY. The law school must have a competent dean and a competent faculty that devotes adequate time to administration, instruction, and student counseling. (Guidelines 4.1-4.9)**

Discuss how the law school's faculty is compliant and devotes adequate time to provide students both sound instruction and adequate counseling; please refer to all requirements noted in Guidelines 4.3-4.9.

In responding to each Guideline noted, please discuss in particular:

- the role of individual faculty members or faculty committees in student discipline, grade review, and any academic and non-academic policy-making (Guideline 4.2)
- current student-faculty ratios, by campus, for multi-campus schools (Guideline 4.3)
- current faculty course loads (Guideline 4.4)
- policies and practices to ensure reasonable office hours are provided (Guideline 4.4)
- current faculty credentials (Guideline 4.5)
- how faculty members are recruited and hired and what the law school does to promote and offer means for faculty to improve their teaching skills (4.6)
- the process, timing and procedures used to evaluate faculty (Guidelines 4.7, 4.8)
- the law school's policy regarding academic freedom (Guideline 4.9)

**Required Attachments:**

- Faculty evaluation policy and procedures
- Faculty retention and promotion policy, if any
- List of faculty committees, if any, with description by function and membership roster
- Academic Freedom policy
- Faculty orientation and training materials, if any

*Suggested: 4-6 pages*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 8: DEAN AND FACULTY

### **The qualifications of the school's dean, academic dean and faculty and the time devoted by them to administration, instruction, and student counseling. (Guidelines 4.1-4.9)**

#### **1. Dean**

The full-time dean of Northwestern California University, Michael P. Clancey, is a lawyer in California and a member in good standing of the California Bar. He is also a lawyer (Barrister) in England & Wales and member in good standing of the Bar there.

He is a B.S.L. and J.D. graduate of Western State University and earned the LL.M. in International Taxation at Regent University School of Law, and an LL.M. (summa cum laude) in International Taxation and Financial Services from Thomas Jefferson School of Law. He studied law in England at the University of Leicester with U.S. to U.K. Law Revision at the University of Oxford. In March 2011, he was appointed to the Degree of the Utter Bar at Middle Temple in London, England.

Dean Clancey is a former United States Marine Corps Judge Advocate.

#### **2. Academic Dean**

The full-time academic dean of the school, Mary Schofield, is a B.S.L. and J.D. graduate of Northwestern California University School of Law. As a licensed lawyer in California, she is an active member in good standing of the California Bar. Additionally, she is a qualified lawyer (Solicitor) (non-practicing) in England & Wales and has been admitted to the Roll of Solicitors of the Senior Courts of England & Wales.

Academic Dean Schofield is a past president of the El Dorado County Bar Association in California.

#### **3. Faculty**

All of the faculty members of Northwestern California University are law school graduates. Two of them, the dean and the academic dean are full-time employees of the school. The dean of instruction and the other 13 faculty members are part-time employees of the school.

### **The role of individual faculty members or faculty committees in student discipline, grade review, and any academic and non-academic policy-making (Guideline 4.2)**

The dean typically seeks the advice of the faculty in matters related to admissions and appeals involving academic standing, grades and honor code violations, as well as early in the development of new or revised major academic and non-academic policies and prior to the issuance of a new interpretation of a current major academic or non-academic policy.

On academic and non-academic policy matters in which faculty recommendations forwarded to the dean reflect serious differences, the dean or the academic dean, at the dean's discretion, will consider assembling an ad hoc committee of the school's faculty or the school's faculty as a whole for consultation purposes prior to making a decision.

The names of the school's faculty committees are as follows:

- a. The Admissions Committee;
- b. The Faculty Committee for Formulating, Implementing, and Administering Academic Policies and Programs, and;
- c. The Academic Standing and Grade Review Committee.

The meetings take place as needed, with the Admissions Committee typically meeting a number of times each month and the other committees meeting less often, but when necessary.

#### **Current student-faculty ratios, by campus, for multi-campus schools (Guideline 4.3)**

Northwestern California University is not a multi-campus school. It has one facility. The current ratio of faculty to students is 1:27.

#### **Current faculty course loads (Guideline 4.4)**

The faculty members of Northwestern California University will concurrently teach courses in no more than three separate subjects in an academic term, once and if the school is granted provisional accreditation. Each will teach no more than 10 hours per week counting sections of the same course at full value or 10½ hours per week counting sections of the same course as one-half.

#### **Policies and practices to ensure reasonable office hours are provided (Guideline 4.4)**

Each member of the Northwestern California University faculty has a responsibility to counsel students, and must be available at times and through means that are reasonably accessible and convenient to the students.

The school's policy on counseling students provides that faculty members at Northwestern California University can play a significant role in students' lives by making a conscious effort to act as mentors. They are expected to take an active role in counseling those students who, for a variety of reasons, sometimes need special advice to facilitate their learning experiences. Such counseling given should be appropriately provided in the context of the student's educational needs.

Counseling is available through email, telephone and use of the school's videoconference site, as arranged by the student and faculty member at times and through means that are reasonably accessible and convenient to the students.

According to the policy, any advice given should be focused on helping students reach their stated goals in the study of law. Issues that involve personal crises, personal relationships, etc., will not be handled by NWCU faculty members. Instead, students with such issues will be advised to seek counsel from a professional counselor not affiliated with the school.

### **Current faculty credentials (Guideline 4.5)**

As a California Accredited Law School, at least eighty percent of the Northwestern California University faculty teaching in any academic term will be either admitted to the practice of law in a jurisdiction in the United States, be a judge of a United States court or a court of record in any jurisdiction of the United States, or be a graduate of a law school approved by the American Bar Association or accredited by the Committee. Currently, all of the faculty members meet these criteria.

The faculty as a whole possesses a diverse educational background demonstrated in part by degrees earned from a variety of colleges and universities. Students are not the sole instructors of any course, seminar, program or activity for academic credit.

### **How faculty members are recruited and hired and what the law school does to promote and offer means for faculty to improve their teaching skills (4.6)**

NWCU faculty members are hired based on criteria that may include academic preparation, proven or potential ability in instruction, public service as a lawyer, research and writing, and professional experience.

Appointment to the position of professor at Northwestern California University presumes a solid academic record and, for many, experience in teaching. There must be indications that each individual chosen has the aptitude of a successful teacher, the potential to grow as an educator, and a willingness to play an active role in the school's progress. The individual's experience in areas involving teaching; focused study; and service in teaching, law practice, or law enforcement are taken into consideration.

The dean and academic dean of the school are jointly and ultimately responsible for ensuring institutional compliance with all hiring guidelines and with appropriate documentation of all degree qualifications. They are accountable for evaluating faculty credentials and certifying that each faculty member is qualified to teach in an assigned subject. Consideration is given by them to professional experience, in addition to expected academic credentials, when it will serve to further the instructional goals and objectives of the school.

To promote and offer means for faculty to improve their teaching skills, NWCU provides all members of its faculty with *Strategies and Techniques of Law School Teaching - A Primer for New (and Not So New) Professors*, by Howard E. Katz, Professor of Law Elon University School of Law and Kevin Francis O'Neill, Associate Professor of Law Cleveland-Marshall College of Law, which is published by Aspen Publishers and Wolters Kluwer Law & Business. In addition to urging NWCU faculty members to implement teaching skills described in the book, they are encouraged to read other books and take courses to develop their skills, knowledge and teaching ability in areas relevant to the subjects they teach, to keep themselves up to date in the highest standards of teaching.

### **The process, timing and procedures used to evaluate faculty (Guidelines 4.7, 4.8)**

Faculty members of Northwestern California University are reviewed annually. The reviews are conducted by the dean and the academic dean.

One source of information for these reviews is student evaluations. Another involves monitoring both the synchronous and asynchronous activities of individual faculty members. The final source of information for the reviews is comprised of course materials and online documentation of the instruction provided by the faculty member being evaluated.

The dean or academic dean may hold private meetings with individual faculty members as part of the evaluation process. These meetings, when held, provide the opportunity for dialogue concerning goals, achievements and observations. They also allow for a discussion of the reviewed information for purposes of making an evaluation of the faculty member's performance.

### **The law school's policy regarding academic freedom (Guideline 4.9)**

The Northwestern California University policy on academic freedom allows faculty members to express themselves along political, theological, and ideological lines such that their related opinions are not stifled in any way and to provide the students with a more diverse faculty from which to learn.

The policy provides that all faculty members of the school are entitled the freedom to discuss their subjects and that they may not be penalized by the school for expressions of opinion nor for associations in their private or civic capacity, but also that they should bear in mind the special obligations arising from their position in the academic community.

**SECTION 9: RULE 4.160 - (E) EDUCATIONAL PROGRAM. The law school must maintain a sound program of legal education. (Guidelines 1.8, 6.1-6.14)**

Demonstrate how the law school maintains a sound academic program that is qualitatively and quantitatively compliant, with reference to all subsections of Guidelines 6.1-6.10, with specific reference to each subsection of Guidelines 6.2. and 6.5, and a thorough discussion of all the ways that “academic engagement” as defined in Guideline 6.5(B) will be achieved and measured in the law school’s educational program, including noting how a student’s work will be authenticated.

In responding to the Guidelines, discuss in particular:

- the current curriculum, providing a detailed discussion relating to the total units and required courses needed to earn a J.D. degree; all elective classes, and the law school’s efforts to expand or improve the curriculum since its last inspection
- all policies and procedures, if any, for granting exceptions to the required curriculum, and how often and under what circumstances exceptions are made
- methods of instruction used (*e.g.*, lecture, performance, etc.) and alternative teaching platforms used (*e.g.*, in class, distance-learning) and what changes, if any, are currently contemplated to improve and expand the curriculum
- whether the number of hours of instruction for the J.D. degree that are academic engagement are or will be verified in accordance with the requirements of Guideline 6.5(B), including a discussion of the minimum 45-hour requirement for each semester unit and how the school will ensure that a minimum of 15 hours of each semester unit will be taken through academic engagement
- the school’s published or planned policy requiring regular and punctual attendance in verifiable academic engagement, per the standards set forth in Guideline 6.5(C)
- the school’s published or planned policy specifying the requirements to verify student participation in an approved experiential or clinical program, and to monitor that (Guideline 6.5(C))
- if the school requires student attendance in a physical classroom, whether the school is using either semester or quarter terms of study (Guideline 6.5(D)(1))
- if the school has a summer session, discussion of how that is defined (five weeks for a semester-based law school, three weeks for a quarter-based law school, or other), including the credit offered. Focus the discussion on Guideline 6.5(D)(1) and Guideline 7.3(C)
- for a law school offering a summer session and requiring student attendance in a physical classroom or its equivalent, demonstration that the summer session is within the scope of Guideline 6.5(D)(1) and Guideline 7.3(C)
- for a law school in which students earn credit for academic engagement through participation in an approved synchronous or asynchronous curriculum taught through distance-learning technology or by participation in an experiential or clinical program approved under Guideline 6.6, or a combination thereof, discuss how credits are earned as authorized by Guideline 6.5(A). (See Guideline 6.5(D)(2))
- the law school’s published policy discussing the verified academic engagement for a full-time student as defined in Guideline 6.5(E) or a part-time student as defined in 6.5(F)

- for students that have completed a portion of their legal studies at a registered, unaccredited law school and subsequently graduate from an accredited law school, the policies in place to ensure that they meet the Guideline 6.5(A) requirements concerning 1,200 hours of study in aggregate (Guideline 6.5(H))
- the policies, procedures and controls used to grant credit for internships, externships or other non-classroom activities; please discuss their utility and effectiveness
- the relationship between graduates' final grade point averages to CBX results and all efforts undertaken to improve academic performance and CBX results

**Required Attachments:**

- Most recent Annual Compliance Plan submitted to the Committee, if any
- List of courses offered; include units of credit given, whether graded or pass/fail, any necessary prerequisites or sequencing requirements and whether exceptions are made, whether course is required or elective
- Policies and procedures, if any, for making exceptions to required curriculum
- A typical student program
- Book list, syllabi template and syllabi for all required courses taught within the last two years
- Policies, procedures and controls relating to attendance in verified academic engagement, and the number of hours of academic engagement required for a student to receive the J.D. degree and sit for the CBX
- Policies concerning participation and credit for summer sessions, if any
- Policies, procedures and controls as to all credit given for internships, externships or legal work performed outside the classroom, or for participation in approved synchronous or asynchronous curriculum
- A five-year comparison of average class size, with any reasonable projections of whether average class size is expected to increase or decrease

**Additional Attachments:**

- Any additional studies or statistics internally prepared which measure or correlate academic performance and eventual success on the CBX

*Suggested: 8-12 pages*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 9: EDUCATIONAL PROGRAM

Northwestern California University has and will continue to maintain a qualitatively and quantitatively sound program of legal education to prepare its students to not only pass the California Bar Exam and obtain licenses to practice law, but also to ensure they are an asset to society, the legal community, and their families, by instilling an appreciation for fairness and justice, and an understanding of the foundations and principles of the American legal system and the law in general. Those students who complete each course required to graduate and earn the J.D. degree will have obtained a sound legal education which well prepares them for the practice of law. (Guideline 6.1, Rule 4.160(E))

Currently, NWCU submits its annually required report to the State Bar of California, and is in compliance with all applicable laws and rules. All programs and courses in the proposed accredited program will be fully compliant with the *Accredited Law School Rules* (“Rules”) and the *Guidelines for Accredited Law Schools* (“Guidelines”) including the requirement of annually submitting a written plan and a yearly analysis of its effectiveness with the annual report required of accredited law schools (Guideline 6.1)

NWCU’s program begins with admission of students and care is taken to evaluate each application to determine whether the applicant meets the eligibility requirements for admission to law school. The application process requires applicants to provide a full educational history from high school forward, and also requests information about current employment and prior law school attendance. Students must have at least a bachelor’s degree from a U.S. accredited college or university; sufficient college education to equal half of that required for a bachelor’s degree, as defined by the State Bar of California; or they must have passed a sufficient number of CLEP exams, as established by the State Bar of California. (Guideline 6.2 (E)) Official transcripts, foreign degree evaluations, or CLEP score reports proving eligibility are required within 45 days of enrollment. If it is unclear whether an applicant meets the minimum level of prior education, NWCU requires the applicant to obtain an evaluation of pre-legal education from the State Bar. (Guideline 6.4)

Transfer students must present the same proof of eligibility for law school admission as is required of all applicants. Additionally, transfer students must provide official transcripts from each prior law school attended. Such transcripts are evaluated for determination of transferability of units, which must be substantially equal in content, quality, and grading standards to those offered by NWCU. If it is unclear whether units earned at a prior law school should be accepted for transfer, the applicant is required to obtain an evaluation of prior law study from the State Bar. (Guideline 6.4)

The NWCU J.D. program is balanced and comprehensive, with materials and courses presented in a logical manner and sequence. All first-term students must take the core courses of Contracts; Criminal Law; Torts; and Introduction to Law, Legal Analysis, and Legal Research. Through the remaining three terms of the four-term program, students will study every subject tested on the California Bar Exam in a meaningful and orderly progression. Additionally, all students are required to complete two electives, one of which is in the area of practical skills. Every course is available to students in every term. The number of units for each course has been carefully designed to meet the requirements of the *Rules* and *Guidelines* and to meet the

school's goal of providing excellence in its programs. The list of courses, units for each, sequencing, and grading are included in Attachment 29. Students must earn at least 80 units during four terms of study and must pass each core course to graduate. (Guideline 6.2(A), 6.7, 6.8)

Each student is provided access to the syllabus for each course in which he or she is enrolled prior to the day the course begins. The syllabus for each course includes the materials required for the course, an outline or study plan to show the order and organization of the course, a list of assignments that must be completed to pass the course, deadlines, and more. The syllabus and outline or study plan for NWCU courses are standardized, so each NWCU faculty member is readily familiar with, follows the same general outline, and covers each topic presented in the course syllabus. (Guideline 6.5 (K), (L))

The number of students attending real-time classes varies, but typically remains at less than 30. Many classes at NWCU are currently attended by 20 or fewer students, particularly at the upper levels. It is anticipated that the number of students may increase as participation online becomes mandatory in the new program and if so, impacted classes will be reviewed and additional ones added as necessary to ensure that the number of students per class remains at an appropriate level to provide for effective participation and for professors to have the opportunity to know and build relationships with the students they teach. Enrollment and attendance are monitored regularly and discussed with faculty members throughout the year to ensure appropriate class size. (Guideline 6.2, 6.5(N))

Students at NWCU enjoy regular interaction with faculty members and most report that they have greater opportunity for interaction with their professors than they experienced at brick-and-mortar schools. Professors are available in classes, by discussion boards, by email, and if necessary, by phone or videoconference appointments. (Guideline 6.10)

Every course at NWCU includes assignments which must be completed satisfactorily to pass the course, as well as either a final exam for core courses, or a final paper or project for some elective courses. Assignments are designed to teach the students important terminology; provide opportunity for research, independent study, and thought; lead the students through a logical progression of the concepts of the course; and allow for practice at legal analysis. Each required assignment is described in the syllabi included as Attachment 32. Final examinations at NWCU are proctored, timed, closed-book, and cover the full range of topics covered in the course. Most final exams are similar in structure and format to the one-hour essay exams included on the California Bar Exam, such that students must be fully prepared for any course topic to be raised by the facts in a hypothetical, and must be fully capable of providing a clear and concise legal analysis in response to the exam question. The grading system at NWCU is clearly communicated to all students, and great care is taken to ensure grades are awarded fairly and present an accurate representation of the students' mastery of the subject. The NWCU grading system is presented more fully in Attachment 18. (Guideline 6.2(H), (I))

Every NWCU student has a subscription to LexisNexis™ which includes both state and federal cases nationwide and other legal research content. NWCU's course, *Introduction to Law, Legal Analysis, and Legal Research*, includes assignments that ensure students learn how to use LexisNexis as well as hard-copy legal research materials. Every student receives a letter from

the school to assist them in gaining use privileges to law libraries in their locales. (Guideline 6.2 (J))

NWCU maintains an administrative office which is open Monday through Friday and staffed by employees who are ready and able to answer student questions about the program. Academic and counseling services are also available to students by appointment. (Guideline 6.2 (J))

**The current curriculum, providing a detailed discussion relating to the total units and required courses needed to earn a J.D. degree; all elective classes, and the law school's efforts to expand or improve the curriculum since its last inspection**

As explained at Section 4 (Transition Plan) at item 3, Students in the school's current program are required to earn 102 credits, through completion of 17 courses, each of which is six credits. Of the 17 courses, 15 are mandatory: Introduction to Law and Legal Analysis, Contracts, Criminal Law, Torts, Business Associations, Criminal Procedure, Real Property, Remedies, Civil Procedure, Constitutional Law, Evidence, Professional Responsibility, Community Property, Trusts, and Wills. Waivers are currently granted for transfer students who have taken a core course which is substantially the same as the required course at NWCU, but for which they earned fewer than six credits. In addition to the 15 mandatory courses, students take two electives: Administrative Law and a Practical Skills Elective. Currently, students in good standing may opt to take a second elective rather than Administrative Law, and students have a choice of four different electives to fulfill the practical skills requirement.

During the past year, important changes were made in two areas of the course of study. First, the school's prior Agency & Partnership (2L) and Corporations (3L) courses were combined into one course of Business Associations, which is taken in 2L. Professional Responsibility, formerly taken in 4L, has moved to 3L, which assists students in preparing for the MPRE earlier than before. These two changes were accomplished in large part to prepare an opening for the new requirement that all students who enrolled on or after January 1, 2018, must complete a Practical Skills Elective. To further improve the program and implement the new rule, four elective courses were designated to comply with the practical skills training requirements, and their respective syllabi and course requirements are currently being updated to meet the new requirements. Students must take a practical skills elective course during 4L.

The school's proposed accredited program will include the same required subjects that the school currently requires, but the number of units will change to reflect the new timing requirements for both verified academic engagement and further preparation and study. Students will now be required to earn 80 credits to graduate and earn the J.D. degree. Students in good standing will continue to have the option to choose a second elective in place of Administrative Law, and students will still have a selection of elective courses that will fulfill the practical skills requirement.

The required courses for the new accredited program are shown below. No variation is allowed for first year students, but there may be some variation for 2L, 3L, and 4L students who transfer into the program from other law schools, who must repeat courses, or who add elective courses during their third or fourth term.

#### Term One

Introduction to Law, Legal Analysis, and Legal Research (4 units)  
Contracts (6 units)  
Criminal Law (4 units)  
Torts (6 units)

#### Term Two

Business Associations (6 units)  
Criminal Procedure (4 units)  
Real Property (6 units)  
Remedies (4 units)

#### Term Three

Civil Procedure (6 units)  
Constitutional Law (6 units)  
Evidence (4 units)  
Professional Responsibility (4 units)

#### Term Four

Administrative Law (5 units) \*\*  
Community Property (3 units)  
Practical Skills Elective (6 units) \*  
Trusts (3 units)  
Wills (3 units)

#### Elective Courses

Elective courses are available to third and fourth term students, and to transfer students who have already completed all or most of the NWCU standard curriculum but need additional courses to meet graduation requirements. Currently offered elective courses include the following:

Legal Document Drafting (6 units) \*  
Legal Research (6 units)  
Legal Practice (6 units) \*  
Legal Writing (6 units)  
Medical Jurisprudence (6 units)  
Military Law (6 units)  
Philosophy of Law (6 units)  
Professional Skills (6 units) \*  
Trial and Appellate Advocacy (6 units) \*

\* The four elective courses marked with an asterisk may be selected to fulfill the Practical Skills Elective requirement.

\*\* Students in good standing may choose to take a different elective in place of Administrative Law.

**All policies and procedures, if any, for granting exceptions to the required curriculum, and how often and under what circumstances exceptions are made**

No exceptions to the required curriculum are allowed for first-term students. Exceptions are allowed to transfer students only if they have already completed courses at their prior schools which are substantially the same in content, quality and grading standards to those required at NWCU. For such transfer students, the requirements for a specified number of units in a course may be waived if the course taken previously was awarded fewer credits. However, all students must complete a minimum of 80 units to graduate and earn the NWCU J.D. degree, so some transfer students must take additional elective courses to allow them to meet the minimum unit requirement.

Additionally, students in good standing may add an elective course in their third or fourth term of studies, if they have sufficient time available for the increased course load.

**Methods of instruction used (e.g., lecture, performance, etc.) and alternative teaching platforms used (e.g., in class, distance-learning) and what changes, if any, are currently contemplated to improve and expand the curriculum**

NWCU uses an online learning platform called eJuris™ to provide web-based instruction for its program. EJuris includes video-based classes so NWCU professors teach regular classes in real-time, allowing students to attend at set class times just as they might do in a brick-and-mortar program. Students can see and hear the professor as well each other. Those whose computer systems lack a camera may participate by audio only. Real-time classes are recorded so those who cannot attend live may still participate at a time that is convenient for them, which allows students from all over the world to enroll and study law at NWCU.

Classes vary in teaching method, depending on the professor and on the course subject and material. Some classes are lecture format, with professors discussing doctrinal issues of substantive law; others utilize the case method to discuss key rulings related to the subject of the course. Some professors present problems, often in the form of hypotheticals, to work with students as they write or solve legal issues. Many NWCU professors use the Socratic Method, at least in part. Directed study is more commonly used in some of the elective courses, but may be used in core courses where desirable. (Guideline 6.2 (D), 6.5 (M))

**Whether the number of hours of instruction for the J.D. degree that are academic engagement are or will be verified in accordance with the requirements of Guideline 6.5(B), including a discussion of the minimum 45-hour requirement for each semester unit and how the school will ensure that a minimum of 15 hours of each semester unit will be taken through academic engagement**

NWCU's proposed accredited program requires a minimum of 45 hours of study per unit of credit granted. Of these, at least 15 must be verified academic engagement, and 30 are further preparation and study by the student. The school's program is offered entirely through distance learning, so all hours of verified academic engagement meet the requirements of Guideline 6.5 (B)(b): "student participation in a synchronous or asynchronous curriculum offered through distance-learning technology." The school will verify academic engagement in two ways.

First, each time a student logs into an online activity that qualifies as verified academic engagement for a particular course, the time spent in that activity will be automatically tracked by the school's electronic learning management system. For example, when a student attends an online real-time class, the time spent attending that class will be logged by the computer from the moment a student enters the online classroom, until the student leaves the class or the class session ends. As another example, when a student logs into the school's online system and views a video lecture presented by one of the school's professors, the time that the student spends viewing the lecture will also be logged automatically by the computer. The system includes pop-up windows that will require verification of the student's presence at the computer every 15 minutes, in a way similar to what is often used for online CLE classes for attorneys now. Students will be able to log into their online accounts and view the number of hours of verified academic engagement logged in each course, so they can keep pace with the requirements for each course in which they are enrolled.

Second, each of the school's courses includes participation in specified assignments monitored by a professor, that will result in students earning a specified amount of time of verified academic engagement upon successful completion of the assignments. For each assignment that results in an award of a set number of hours of verified academic engagement, significant study, research, or monitoring of the activity is completed by the school's staff and professors to determine an appropriate amount of time to award. A student does not receive credit for the time spent unless the assignment receives a passing grade, which is an indication the student spent the time intended on the assignment.

Most courses require a combination of graded assignments with a designated time for verified academic engagement, plus a requirement for participation in online activities that are tracked by the school's learning management system for time spent in verified academic engagement activities. The minimum number of hours of academic engagement, and the means to accomplish them, are clearly presented in each course syllabus. Students who do not meet the minimum requirement of at least 15 hours per credit for time spent in verified academic engagement will not pass the course. (Guideline 6.5 (B))

**The school's published or planned policy requiring regular and punctual attendance in verifiable academic engagement, per the standards set forth in Guideline 6.5(C)**

NWCU requires regular and punctual attendance in academic engagement. Students must take final exams on the last day of their term of studies, which must be no earlier than eight months and no later than twelve months after commencing study. Additionally, students must schedule final exams at least 30 days before they plan to take them. In order to establish eligibility to request final exams, students must have completed and passed all specified assignments that count as verified academic engagement, except for the midterm essay exam (which must be submitted, but may not have yet received a passing grade) and the final exam (because it has not yet been taken.) Additionally, the student must have completed at least the minimum hours of verified academic engagement before credit for a course will be granted.

Students receive credit only for the actual time they attend classes, so students who arrive late do not receive credit for the portion of the class they missed. Additionally, students who arrive late and cause an interruption to real-time classes on a regular basis can be barred from

attendance to prevent disruption to the other students.

Students participating in an experiential or internship-type course which requires attendance at a law office, court, or similar live location, are expected to be prompt, professional, and courteous in each interaction with a professor, supervisor, or other person involved in the course. The evaluation form used for such courses includes these topics and students who behave unprofessionally, including being regularly tardy, may have their grade reduced or, in more severe cases, may fail the course. (Guideline 6.5 (C))

**The school's published or planned policy specifying the requirements to verify student participation in an approved experiential or clinical program, and to monitor that (Guideline 6.5(C))**

Experiential or clinical programs are under the general supervision and review of an NWCU faculty member. Additionally, students who participate in an approved experiential or clinical program will be directly supervised by a licensed attorney or a sitting judge who has agreed to participate with the school to work with the student. Such participation will require verification by the supervising attorney or judge of the required hours of academic engagement, including a log that includes a clear description of each of the specific activities performed by the student and the time spent on each, as well as an evaluation of the student's performance during the program. There may be a few tasks within a course for which verification may be provided by a person other than the supervising attorney or judge, such as attending a court hearing, which could be verified by a judge, court clerk, or bailiff. However, these few instances will apply only to specific assignments still under the general supervision of the NWCU faculty member. At this time, the only courses for which such experiential or clinical programs may be used are six units, which means only 90 hours of verified academic engagement can be counted toward the 1,200 hours total for graduation. (Guideline 6.5 (B))

**If the school requires student attendance in a physical classroom, whether the school is using either semester or quarter terms of study (Guideline 6.5(D)(1))**

Northwestern California University does not require student attendance in a physical classroom.

**If the school has a summer session, discussion of how that is defined (five weeks for a semester-based law school, three weeks for a quarter-based law school, or other), including the credit offered. Focus the discussion on Guideline 6.5(D)(1) and Guideline 7.3(C)**

Northwestern California University does not offer a summer session; rather, the school offers year-round enrollment for students to complete an entire term of study within 8-12 months from the date they begin the term.

**For a law school offering a summer session and requiring student attendance in a physical classroom or its equivalent, demonstration that the summer session is within the scope of Guideline 6.5(D)(1) and Guideline 7.3(C)**

Northwestern California University does not offer a separate summer session, nor does the school require student attendance in a physical classroom.

**For a law school in which students earn credit for academic engagement through participation in an approved synchronous or asynchronous curriculum taught through distance-learning technology or by participation in an experiential or clinical program approved under Guideline 6.6, or a combination thereof, discuss how credits are earned as authorized by Guideline 6.5(A). (See Guideline 6.5(D)(2))**

NWCU offers all instruction through distance-learning technology, with the exception of some elective courses that may include participation in an experiential or clinical program in accordance with Guideline 6.6. Credits in the school's program are earned by completing the requirements for each course, as specified in the course syllabus. Each course requires a minimum of 15 hours of verified academic engagement and 30 hours of further preparation and study, per unit of credit for the course. The course syllabus explains the total number of hours in each category of study, and provides the means by which the students are to accomplish the requirement. For example, the NWCU Torts course is six units and requires a minimum of 90 hours of verified academic engagement and 180 hours of further preparation and study.

The NWCU J.D. degree requires completion of at least 80 units of credit, totaling a minimum of 1,200 hours of verified academic engagement and 2,400 hours of further preparation and study for the entire program.

Some of the activities utilized at NWCU for verified academic engagement are participation online in real-time video classes led by NWCU professors, viewing and listening to pre-recorded classes and lectures led by NWCU professors, communicating with professors on the NWCU discussion board in response to exercises posted by professors about substantive law issues covered in classes, completing online quizzes, completing lessons which combine video, audio, or slide presentation of course material, completing enumerated assignments for a course which have been specified by NWCU faculty for the course, and taking exams. Guideline 6.5 (A)

**The law school's published policy discussing the verified academic engagement for a full-time student as defined in Guideline 6.5(E) or a part-time student as defined in 6.5(F)**

It is anticipated that all students enrolling in NWCU's proposed accredited program will qualify as part-time students because they will spend less than ten hours per week in verified academic engagement. (Guideline 6.5 (E))

All students must enroll in courses that will together require a minimum of 300 hours of academic engagement per term of 8-12 months. Thus, it is expected that students will complete 6-9 hours of academic engagement per week. (Guideline 6.5 (F))

**For students that have completed a portion of their legal studies at a registered, unaccredited law school and subsequently graduate from an accredited law school, the policies in place to ensure that they meet the Guideline 6.5(A) requirements concerning 1,200 hours of study in aggregate (Guideline 6.5(H))**

Students who transfer to NWCU's accredited program after having completed some studies at a registered unaccredited law school, including NWCU's current registered unaccredited program, will have their prior law studies individually assessed before a determination is made regarding transfer credit. When transfer credit is assessed, any correlating hours of verified academic engagement will also be assessed for a determination as to whether or not the 15 hours per unit requirement has been satisfied. The policy by which prior credits will be evaluated is as follows:

1. For students who have not passed the First-Year Law Students' Exam, no credit toward the accredited program and no hours of verified academic engagement will be awarded. Such students include those who have completed one or more years of study and are thereby eligible to take, but have not yet passed, the FYLSX, as well as those who have completed less than one year of studies in a registered unaccredited law school. These students may apply for enrollment to begin their law studies from the beginning of the first term in NWCU's accredited program. Students who are currently enrolled at NWCU when the accredited program begins may restart their first year of studies with no further tuition owed if there is sufficient time remaining on their two-year enrollment contract to allow them to complete the entire first term after restarting.
2. For students who have passed the FYLSX, credit will be given for the entire first term of study, including 300 hours of verified academic engagement, based on the *Rules and Guidelines* and on the presumption that in order to pass the FYLSX, such students have completed at least 300 hours of verified academic engagement and 600 hours of further preparation and study.
3. For students who have passed the FYLSX and who have completed studies at NWCU beyond the first year of law school that would count for credit under the rules governing registered unaccredited law schools—and they have either passed the FYLSX within the first three administrations for which they were eligible or, if they passed at a later administration, all studies beyond the first year were begun after they passed—credit will be awarded for the first year as described in paragraph 2 above, plus credit for verified academic engagement will be granted for those hours which can be verified, as outlined in the transition plan, including hours designated for specific assignments and hours verified as equal to the new requirements using the prior tracking system. Such students may continue their studies although they may have a deficit of hours of verified academic engagement which must be made up prior to graduation.
4. For students who have passed the FYLSX and who have completed studies at a different registered unaccredited law school beyond the first year of law school, that would count for credit under the rules governing registered unaccredited law schools—and they have either passed the FYLSX within the first three administrations for which they were eligible or, if they passed at a later administration, all studies beyond the first year were begun after they passed—credit will be awarded for the first year as described in paragraph 2 above, plus credit for verified academic engagement will be granted only for those hours as evaluated by the State Bar of California, as all such students will be required to obtain an evaluation of prior law studies completed. (Guideline 6.5 (H))

**The policies, procedures and controls used to grant credit for internships, externships or other non-classroom activities; please discuss their utility and effectiveness**

Students enrolled in elective courses that include internships, externships, or similar activities that are completed outside of the NWCU online eJuris platform may qualify for no more than 120 hours of credited verified academic engagement through such activities. All such elective courses are under the general supervision of an NWCU faculty member and under the direct supervision of a licensed attorney or sitting judge. Students must complete a specified number of hours of verified academic engagement under the direction of the supervising attorney or judge, or as directed by the NWCU faculty member, and described in the course syllabus. The types of activities to be performed under supervision of the attorney or judge must be pre-approved by the NWCU faculty member, and a signature of the student and attorney or judge is required to verify understanding of the activities that are approved.

For all activities completed under the supervision of the attorney or judge directly supervising the student, a log must be completed, verified by the attorney or judge, and submitted to the school. The log must include actual time for each activity and a description of the activity completed. The log is reviewed by the NWCU faculty member providing general supervision for the class. Additionally, evaluations are submitted by the attorney or judge who is directly supervising the student to help verify the quality and quantity of activities. Finally, the student must submit a report providing a self-evaluation of tasks completed and their utility and effectiveness in learning the course material and meeting the course goals. All records required by Guideline 6.6 are kept with the student’s permanent file.

Students may enroll in no more than one course of six units per term of study, nor more than two courses totaling twelve units of study for the J.D. program, of courses which include the grant of credit for internships, externships, clinical practice, and the like. (Guideline 6.6)

**The relationship between graduates’ final grade point averages to CBX results and all efforts undertaken to improve academic performance and CBX results**

The following chart shows the relationship between graduates’ final grade point averages to CBX results for those students who graduated between 08-01-2012 and 07-31-2018, and who have taken the CBX at least one time. The chart reveals a clear correlation between the academic achievement during the NWCU law study program and the likelihood of passing the CBX.

NWCU Cumulative GPA (GPA at graduation)	# students	# passed CBX	%
3.5 or higher	Redacted	Redacted	100.00%
3.25 or higher	Redacted	Redacted	60.00%
3.0 or higher	18	14	77.78%
2.75 or higher	50	32	64.00%
2.5 or higher	89	54	60.67%
2.25 or higher	125	66	52.80%
2.0 or higher (2.0 required to graduate)	154	74	48.05%

NWCU Cumulative GPA (GPA at graduation)	# students	# passed CBX	%
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Below 4.0 (all students)	154	74	48.05%
Below 3.5	153	73	47.71%
Below 3.25	149	71	47.65%
Below 3.0	135	60	44.44%
Below 2.75	103	42	40.78%
Below 2.5	64	20	31.25%
Below 2.25	28	Redacted	28.57%

The scores show that those students who earn a cumulative GPA at NWCU of below a 2.25 score poorly on the CBX. It is expected that this will be rectified with the new accredited program for three reasons, the first two of which are related directly to the above chart showing GPA and pass rate.

First, NWCU's current program provides for a grade increase for those students who participate regularly in the school's online program. Regular participation is not currently required, so some students choose to complete the program almost exclusively through independent study, which is allowed under the current rules governing correspondence law schools. This has a negative impact on the school's CBX pass rate because students who do not receive a grade increase have a lower GPA, and fall within the lower pass rates. The new accredited program will require significant participation, so these students will either participate more or will not pass their courses. It is hoped that if they participate more, they will learn better, thereby increasing both their GPAs and pass rates.

Second, also related to the current practice in the unaccredited program of providing a grade increase based upon participation in the program, that practice will be discontinued with the new accredited program, since all students must participate in order to pass their courses. Thus, any students who currently participate solely to earn a grade increase, but who do not fully apply themselves to learning the material, will earn lower grades, resulting in academic dismissal and removing them from the pool of graduates who qualify for the CBX.

Third, although not reflected in the data on the above charts, an increase in GPA and corresponding CBX pass rate is expected in the new accredited program because of the more equitable way that accredited law schools are allowed to handle transfer students, as well as non-transfer students who perform poorly in one or two courses. Unaccredited law schools must focus on completion of "years of study" rather than credits or courses, which means that students must be credited for either an entire year or they likely will not receive credit for any courses at all because failing one course means an insufficient hours total to receive any credit at all. Repeating a course usually requires repeating the entire term. For example, the State Bar will grant credit for a year of study to a transfer student who has received a D- in a course at the prior law school, but the student cannot usually be forced to repeat that course because to do so would affect the student's ability to receive credit for the entire year of study. Each student must take a sufficient number of "new"

courses each year to meet the minimum study hours for the year. That minimum number of hours is typically a full course load already, leaving little option for repeating courses. However, for many students, the opportunity to repeat a course would result not just in a higher GPA, but would also result in another chance to better master the material. It is expected that with the new program, in which the school can award credit for a smaller course load each term, students' performance both in GPA and on the CBX will improve.

**SECTION 10: RULE 4.160 (F) – COMPETENCY TRAINING.** The law school must require that each student enrolled in its Juris Doctor degree program satisfactorily complete a minimum of six semester units (or their equivalent) of course work designed to teach practice-based skills and competency training. Such competency training must teach and develop those skills needed by a licensed attorney to practice law in an ethical and competent manner. (Guideline 6.9)

Describe the courses offered that fulfill the requirement for competency training, noting any difference between the ways that these students will fulfill the requirements based on whether they are enrolled in a fixed facility classroom program, a hybrid program, or an online program. Discuss what measures are in place to ensure students enroll in, progress in, and complete those courses.

In responding to the Guidelines, discuss in particular the following, if they were not already provided under Section 9 – Educational Program above.

- the current curriculum, providing a detailed discussion relating to the total units and required courses needed that qualify as competency training; all elective classes, and the law school's efforts to expand or improve the curriculum since its last inspection
- all policies and procedures, if any, for granting exceptions to the required curriculum, and how often and under what circumstances exceptions are made
- methods of instruction used (*e.g.*, lecture, performance, court appearance, appearance at administrative hearing, etc.), alternative teaching platforms used (*e.g.*, in class, distance-learning), and what changes, if any, are currently contemplated to improve and expand the curriculum
- the policies, procedures and controls used to grant credit for internships, externships or other non-classroom activities, and discuss their utility and effectiveness

**Required Attachments** (unless they were all provided under Section 9 – Educational Program and, if so, reference those sections in the narrative above):

- List of courses offered; include units of credit given, whether graded or pass/fail, any necessary prerequisites or sequencing requirements and whether exceptions are made, and whether course is required or elective
- Policies and procedures, if any, for making exceptions to required curriculum
- A typical student program
- Book list, syllabi template and syllabi, if any, and
- Policies, procedures and controls as to all credit given for internships, externships or legal work performed outside the classroom

*Suggested: 7-11 pp.; emphasize particularly Guideline 6.9*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 10: COMPETENCY TRAINING

Northwestern California University currently requires all students who enrolled on or after January 1, 2018, to take a 6-unit practical skills course in their fourth year of study. This will continue for the new accredited program; however, the requirement may increase to two practical skills electives (12 units) for those who enroll in the 2020-2021 year and beyond. In the alternative, the school is working to incorporate more practice skills within many doctrinal courses, and if that happens within the next year, it is anticipated that students will earn at least six units of skills and competency training through completion of the core courses. In that case, the current requirement of one practical skills elective will remain.

In addition to the six units currently required, all students in the accredited program must complete a four-unit course in professional responsibility and ethics, which includes topics related to client service; professional civility; professional responsibility; and cultural competency and the needs of special populations. Thus, NWCU students will complete a minimum of 10 units in the area of skills and competency training, and students enrolling in the 2020-2021 year may complete a minimum of 16 units if an additional practical skills elective is completed or practical skills training is incorporated into required core courses.

Students who began their law studies on or after January 1, 2018, are required to select one of four practical skills electives and must pass the course in order to graduate. Most students take the practical skills elective during their fourth term. Students may choose from one of the following four elective courses, each of which is currently being revised specifically to fulfill the skills and competency training requirement:

- Legal Document Drafting (6 units)
- Legal Practice (6 units)
- Professional Skills (6 units)
- Trial and Appellate Advocacy (6 units)

Because the NWCU program is online, students fulfill most course requirements using distance learning and technological tools. However, for the practical skills elective courses, there are several aspects of the courses that differ from other NWCU courses in this regard. Each of the practical skills electives includes the assignment of a faculty advisor who communicates directly with and works individually with the student for the duration of the course. The Legal Practice course also requires a licensed attorney or sitting judge to work directly with and supervise the student during a practicum portion of the course.

Each of the four practical skills electives include significant training in practical skills, designed to bring the student to a competent level of skill in the particular area covered by the course. Each requires a minimum of 90 hours of verified academic engagement. A summary of each of the four practical skills electives currently offered, and the skills and competencies which are the focus of each, is discussed below.

## **1. Legal Document Drafting**

The course exposes students to basic legal document drafting in various settings. Drafting techniques common to most legal documents will be explored from the perspective of a small law office setting. The student will draft complaints, motions, answers, contracts, legislation, and wills. Additionally, students will consider the effect their writing style has upon the documents they draft, and they will learn about various resources to help in document drafting.

Students in this course are each assigned a faculty advisor who works with the students individually as the students complete the assignments. Included in the assignments are 27 drafting assignments sent by the student to the faculty advisor, which are reviewed, discussed, and typically rewritten during the course. The final exam for the course is a comprehensive three hour, closed-book, proctored session during which students must draft several legal documents.

In addition to the individualized instruction on the drafting of a variety of legal documents, students also complete significant time studying the ethical and professional responsibility ramifications of their work. Case briefs are assigned for a selection of cases which turned on the proficiency of the legal documents involved.

## **2. Legal Practice**

This course provides an opportunity for practical training that allows students to create a meaningful purpose for their career in the field of law, to choose an area of specialty, and to determine the kind of practice for which they would be most interested or best suited. Each student will work in a law office or court under the internship of either a currently licensed lawyer who has practiced law for at least the last two consecutive years, or a sitting judge, who is willing to individually supervise the student and to certify the scope, depth and length of the work experience. Note that students must locate and arrange for the internship, and submit a proposal for approval by the school. Students will also complete an in-depth study of the ethical requirements for lawyers, and will prepare a paper discussing the ethical, social, practical and moral issues involved in the practice of law.

The internship must include a minimum of 180 hours of work in a legal field under the supervision of the attorney or judge. These 180 hours must be spent on the types of skills and competencies listed in Guideline 6.9(C). Prior to confirming enrollment in the course, students must submit a proposal for the internship, which identifies and is signed by the supervising attorney or judge. The proposal includes the list of competencies and skills from Guideline 6.9(C) so that the attorney or judge supervising the internship is well-informed about what is required. Upon approval of the student's proposed internship, the student is enrolled in the course, which includes a mandatory orientation. At the end of the internship, an evaluation is required from the supervising attorney or judge. The student's assigned faculty advisor is available to the student throughout the course for counsel and assistance.

In addition to completing the internship, the student is required to complete a significant amount of further preparation and study related to the course. Included in these are a study of

the *California Rules of Professional Conduct*, the *Handbook on Client Trust Accounting for California Attorneys*, a casebook focusing on problems related to professional responsibility, and a study of key cases related to ethics and professional responsibility. Finally, the student must write a thesis paper related to the practice of law.

### **3. Professional Skills**

The course includes a study of what is needed to set up and maintain a law practice, from choosing a location and equipment to building a clientele, handling calls, papers, and case files. Legal analysis will be used during the course as the student develops a case and manages it from discovery through negotiations. Each enrolled student is assigned a faculty advisor for the course who is available for counsel and assistance through the course.

As part of the course, students work through a fictitious case from start to finish, including drafting an engagement letter to the client, drafting a complaint, interrogatories, and more, all the way through the drafting of a letter closing the case. Additionally, assignments are included which focus on practice management by learning key aspects involved in setting up and establishing a law office, such as preparing a business plan and beginning budget, and presentation of resources available in the student's locale. Additionally, students are required to attend several court hearings of various types, and to research any local rules applicable in their jurisdictions as preparation for practicing law there in the future. Students are encouraged to attend a local bar association meeting, if available, or to communicate with attorneys in their areas to begin to establish a network for their eventual practice. Other assignments involve learning about various support providers, such as local law librarians, process servers, paralegals, and practice management software companies. Students will also complete several CLE-style classes in the area of law practice management. Finally, students must write a thesis paper in the form of a law review article after approval of their selected topic by their faculty advisor.

### **4. Trial and Appellate Advocacy**

This is a practical course designed to prepare students for handling cases at trial. The course provides students with an understanding of the rules of evidence and their application in a trial and appellate setting, as well as preparation of documents and oral arguments at trial. The focus of the course is on planning, case theory, trial strategy and tactics, opening statements, direct and cross examination of witnesses, closing arguments, appellate brief writing and appellate oral arguments. Students will choose one area of trial law for additional focused study in this course. Each student is assigned a faculty advisor who works with the student and is available for counsel and help with assignments.

The course begins with an introduction to case analysis and trial strategy, and then systematically covers each phase of trial, from opening statements to final argument. Direct and cross examination techniques, expert testimony, objections, presentation of evidence, and selection of jury are presented through readings, audio and video presentations, and live court attendances. Students are required to attend live court proceedings covering a range of types, from arraignments, preliminary hearings, jury selection, trial, and closing arguments. New to

the course will be requirements that students prepare and submit documents oriented toward trial, including opening statements and questions to use for examination and cross examination of witnesses; prepare and submit a video presentation of an opening statement for an assigned fictional case; and complete an assignment related to a selected field of law for focused study. Finally, students complete a thesis paper on a topic approved by their faculty advisor.

**The current curriculum, providing a detailed discussion relating to the total units and required courses needed that qualify as competency training; all elective classes, and the law school's efforts to expand or improve the curriculum since its last inspection**

This topic is covered in Section 9, plus the above summary of this section.

**All policies and procedures, if any, for granting exceptions to the required curriculum, and how often and under what circumstances exceptions are made**

Exceptions to the required curriculum are discussed in Section 9.

**Methods of instruction used (e.g., lecture, performance, court appearance, appearance at administrative hearing, etc.), alternative teaching platforms used (e.g., in class, distance-learning), and what changes, if any, are currently contemplated to improve and expand the curriculum**

Methods of instruction used are discussed in Section 9 for the program as a whole, and in the above summary with regard to the four practical skills elective courses.

**The policies, procedures and controls used to grant credit for internships, externships or other non-classroom activities, and discuss their utility and effectiveness**

Students are granted credit for internships only within the school's Legal Practice course, which is one of the four electives that qualify as a practical skills elective. To participate in the course, students must submit a proposal which includes verification by the attorney or judge who will directly supervise the student. The proposal is reviewed by the school's designated faculty advisor, academic dean, or dean before it is granted. The attorney or judge who supervises the student must sign the log of tasks performed by the student and must submit an evaluation of the student's performance. This process has proved effective both in verifying the student's participation, as well as in providing a useful opportunity for students to gain experience working in a law office or court.

**SECTION 11: RULE 4.160 (G) - SCHOLASTIC STANDARDS. The law school must maintain sound scholastic standards and must as soon as possible identify and disqualify those students who lack the capability to satisfactorily complete the law school's J.D. degree program. (Guidelines 7.1-7.12)**

Please describe and explain how the law school maintains sound scholastic standards and meets its obligation to identify and disqualify students who lack necessary capability, by reference to each of the specific provisions of Guidelines 7.1-7.12.

In responding to the Guidelines, discuss in particular the law school's:

- policies, procedures and efforts to: 1) maintain uniform grading standards; 2) identify and curb grade inflation; and 3) ensure that grades accurately reflect students' abilities and their likelihood of passing the California Bar Examination 4) otherwise satisfy the factors addressed in Guideline 7.9
- policies, procedures and efforts to promote identification and disqualification of students who are not academically capable, including those related to decisions on good standing, probation, academic dismissal, course repetition and graduation
- policies and procedures designed to evaluate the quality, accuracy and reliability of grades
- procedures used to develop and evaluate use of grading "curves" if any
- academic support classes and programs, including any current or planned effort to expand and improve such efforts, especially for students on probation
- law school policies and procedures to determine which students are in need of academic support and how such support is offered, and how such efforts have affected the law school's attrition/retention rate over the past five years
- current or planned use of distance-learning technology in its J.D. curriculum, including verifying academic engagement, with an explanation of which methods of those in Guideline 7.11(B) have been, are now, or will be implemented

**Required Attachments:**

- Requirements for graduation (refer to the catalog where stated, or otherwise provide)
- Academic policies regarding good standing, probation, dismissal and course repetition (refer to the catalog or where otherwise provided to students)
- Analysis of first-year grades and the pass rate for students for the last five years
- Policies and procedures regarding examination formulation, review and grading (refer to the catalog and faculty handbook)
- Policies regarding time allotted to submit grades, provide grading comments, express limits on the use of any grading "curve" (refer to pages in faculty handbook or other publication if included there, or otherwise provide)
- Analysis of grades issued, by groups (*e.g.*, by class year) of students comparing the several instructors teaching the class
- Year-to-year comparisons for each instructor
- Instructor-to-instructor comparisons where multiple instructors teach the same subject matter

- An analysis, if performed, of class enrollment, attrition and retention rates, differentiating between academic exclusion and other withdrawals

*Suggested: 7-10 pp.; emphasize particularly Guidelines 7.2-7.4*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 11: RULE 4.160 (G) - SCHOLASTIC STANDARDS

### **Policies, procedures and efforts to: 1) maintain uniform grading standards; 2) identify and curb grade inflation; and 3) ensure that grades accurately reflect students' abilities and their likelihood of passing the California Bar Examination 4) otherwise satisfy the factors addressed in Guideline 7.9**

The law school's procedures to establish uniformity in grading standards within the faculty, and for conformity to standards that realistically reflect student abilities, are contained in the school's policy on grading standards. The policy states that course assessments are considered reliable if they provide consistent measurements of the abilities they are supposed to measure. It also states that reliability of the assessments requires not only that a grade is accurate, but also that the grade bears the appropriate relationship to others that are assigned.

Calibration meetings with faculty are held to promote reliability of grading assessments and help advance the goal of ensuring that grades accurately reflect both the students' ability and the school's grading standards.

Faculty members of Northwestern California University use a uniform and identifiable standard to grade all examination answers and other student work that forms part of a student's grade in a course. Overall, the effort is to grade in a way that will develop students' abilities and their likelihood of passing the California Bar Examination.

NWCU faculty members all recognize that ultimate success for the school's students is measured by their ability to competently practice law in the legal profession upon graduation, which for them requires passing the California Bar Examination. Grading by the faculty is focused on assisting students in improving their chances to do so.

Grading by faculty of student work other than essay and multi-choice examinations, such as project and thesis papers, requires a different focus and greater flexibility. Accordingly, the standard for such work is more general.

### **Policies, procedures and efforts to promote identification and disqualification of students who are not academically capable, including those related to decisions on good standing, probation, academic dismissal, course repetition and graduation**

Northwestern California University has policies and procedures to establish uniformity in grading standards within the faculty. They require conformity to grading standards that realistically reflect student abilities and assist in the identification and disqualification of students who are not academically capable. The policies and procedures include provisions related to making decisions on good standing, probation, academic dismissal, course repetition and graduation.

### **Policies and procedures designed to evaluate the quality, accuracy and reliability of grades**

The school's policies and procedures on grading are designed to promote quality, accuracy and reliability of grading assessments.

Calibration meetings with faculty members are held to assure that the grading process is accomplishing those important goals. Additionally, grades are compared regularly by the academic dean to insure they reflect the school's grading standards and that those standards are consistently applied. Finally, at each receipt of FYLSX and CBX pass lists, scores are analyzed and compared with students' GPAs to verify that grades earned at NWCU provide an accurate reflection of the student's abilities.

### **Procedures used to develop and evaluate use of grading "curves" if any**

Northwestern California University utilizes a criterion-based grading method for the grading of examinations. Grading is not accomplished through use of a curve. Instead, it is based on mastery of the material and utilizes a criterion-based grade for standard performance involving the ability to meet specific criteria.

The average grade is a C, which indicates satisfactory competence. To achieve a grade higher than a C, the student must demonstrate ability, understanding, and achievement better than that of the average law student.

Each professor who grades exams is well-informed about the knowledge base required for completion of a course, the appropriate course-related levels of skill, and the essential analytical, methodological and theoretical knowledge and ability required to respond to examination questions.

Grades are assigned by faculty members based on how much students are expected to know to demonstrate various levels of mastery, not by mathematically shaping grades into a predetermined distribution. Students who perform either above or below the standard level receive grades that are accordingly either above or below the criterion-based grade for standard performance.

The key aspects NWCU professors consider for the assignment of letter grades while grading essay exams are as follows:

- Identification of the major and minor legal issues raised by the key facts of a question
- Knowledge and presentation of the relevant laws that pertain to the issues identified
- Ability to apply the relevant law to the facts in a logical, organized and analytical presentation
- Recognition of reasonable arguments which should be expected on both sides of the issues
- Clear and concise writing style
- Use of standard "Issue-Rule- Application-Conclusion" (IRAC) format
- Responsiveness to the call of the question

For the grading of multiple choice or similar exams, there are specific correct answers which must be identified. Professors at NWCU for those exams assign points on a graduated scale. The points are converted to letter grades.

For written project papers, the grading involves criteria that consider:

1. Originality - The writing must be an original work product of the student.
2. Clarity - The writing should demonstrate the student's ability to identify different issues and discuss them in a logical manner.
3. Authority - The writing should not be just a series of unsupported assertions. The student needs to provide support for statements made.
4. Significance- The writing must provide a meaningful disclosure of knowledge and insight.
5. Difficulty - The difficulty level of the essay topic must be assessed.
6. Professionalism - The writing must adhere to an appropriate standard of style in terms of formatting in general, bibliographic format, etc.

**Academic support classes and programs, including any current or planned effort to expand and improve such efforts, especially for students on probation**

A *Beginning Essay Writing* 10-week class is available for 1L students. The optional class is presented to introduce new law students to law school essay exam writing, and to begin to prepare them for NWCU's exams, the First Year Law Students Exam, and the California Bar Exam. After completing this 10-week class, students move into an advanced essay writing class, which runs continuously through the year. The beginning 10-week course teaches the basics of law school essay writing using the IRAC format, which is also the foundation to most other legal writing.

The school's advanced essay writing class is for students who already have learned the basics of law school essay exam writing, particularly IRAC and necessary pre-writing skills. It is focused on advanced skills. Both writing classes take place in videoconference sessions at scheduled times.

Additionally, Northwestern California University maintains a *General Bar Practicum* that is offered to students in the later terms of the program with the focus of improving their performance on the California Bar Examination. Exercises and lectures in the practicum are an adjunct to regular coursework and supplement activity in the school's weekday and weekend online writing work groups for NWCU students who wish to hone their legal writing skills.

A similar online workshop, the *Baby Bar Practicum*, is utilized by first-year NWCU students to improve their chances of passing the school's examinations and the First-Year Law Students' Examination. The practicums provide NWCU students with video streamed lectures from the school's faculty members on topics related to taking and passing examinations, and present the opportunity to students for answering practice exam questions that are graded and critiqued.

The writing classes and both practicums are designed with a focus on topics such as cohesive writing, conciseness, clarity, issue recognition, analysis and style.

Additionally, NWCU offers a course in legal writing which provides students needed additional help in this area with the opportunity to work one-on-one with a faculty member to improve their legal writing ability.

**Law school policies and procedures to determine which students are in need of academic support and how such support is offered, and how such efforts have affected the law school's attrition/retention rate over the past five years**

The policies and procedures related to academic advancement and probation provide guidance to students who are having significant challenges in the school's law study program such that their status in the program is in jeopardy. Students are encouraged to communicate with their professors and with the academic dean to seek academic counseling when needed. Those placed on academic probation are provided notice of what steps they must take to get off probation, and they offered suggestions to help improve their grades. Academic counseling is available to all students by appointment.

It is likely that the school's attrition and retention rates have been positively affected by student participation in the school's writing classes. While the extent to which that participation has affected the school's attrition and retention rates is not known, the FYLSX pass rate for those who participated in the 10-week writing course during the last four years, and who took the FYLSX, is 65%.

**Current or planned use of distance-learning technology in its J.D. curriculum, including verifying academic engagement, with an explanation of which methods of those in Guideline 7.11(B) have been, are now, or will be implemented**

Northwestern California University has its own custom electronic learning management system called "eJuris™." Students on eJuris participate in real-time classes, watch video lectures, communicate on discussion boards and much more.

The system includes announcements, a student handbook, course syllabi, study material, access to classes and study groups, archived recordings of previous classes, video lectures, quizzes, interactive lessons, discussion boards, and so forth, all in a user-friendly format. Faculty members teach classes in real-time in the video classroom, where they can make use of a presentation system for visual aids such as notes, outlines, or illustrations. Classes are recorded and available for viewing by those who were unable to attend live.

Through eJuris, NWCU students also listen and watch audio and video lectures, discuss substantive law issues with their professors on electronic discussion boards, take quizzes, and use computer-based tutorials via a program provided by the Center for Computer-Assisted Legal Instruction (CALI.)

During real-time class sessions on eJuris, students participate with a webcam, microphone, and speakers, to allow them to both see and hear the professor, any visual presentation, and each other. Students can customize their views of the classes and the participants as needed to make the system suitable for their own environment. Both faculty members and students can share documents and communicate live during the classes.

The means of verification of the required hours of verified academic engagement for each student will be accomplished as specified in Guideline 7.11 by both means described in Guideline 7.11(C). Some portions of the curriculum have been established and documented to

require a specific amount of time intended and expected to be spent on completion. Additionally, when students participate on eJuris in specific approved activities that require academic engagement, the time spent in each activity is tracked electronically, as described in sections 4 and 9 of this self study.

**SECTION 12: RULE 4.160 (H) - ADMISSIONS. The law school must maintain a sound admissions policy. The law school must not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the degree program. (Guidelines 5.1-5.9)**

Please describe and explain how the law school maintains a compliant admissions policy with specific reference to each of the specific requirement of Guidelines 5.1-5.9.

In responding to the Guideline provisions, describe the law school's:

- process used to confirm an applicant's compliant pre-legal education
- procedures used to monitor student files to confirm each contains all required information and transcripts within 45 days after they start attending classes
- the identity of all persons responsible for preliminary and final admissions decisions
- the use of scores on the Law School Admissions Test (LSAT), the minimum acceptable LSAT score, if any, and a description of all other factors or information used in the decision to admit or deny an applicant
- policies and procedures used in the admission of special students, as defined in Guideline 5.5, whether their admission is limited, and the monitoring of the academic standing of those admitted
- policies and procedures for deciding on admission of previously disqualified students, including the basis and number of those disqualified by law school and readmitted and those admitted from other law schools under the State Bar's "start-over" policy. Please discuss the number of such students admitted over the last five years, their academic progress and, as applicable, results on the FYLSX and CBX
- policies on granting credit for any prior law study and in the event an admitted student passes the FYLSX
- efforts to analyze the correlation between bases for students' admission and success in passing the CBX and conclusions drawn from such analysis

**Required Attachments:**

- Admission criteria (refer to pages in catalog or student handbook)
- Policies and procedures as to incomplete student files
- Policies as to the use of the LSAT
- Policies and procedures related to special students, including admission
- Policies and procedures related to admission of previously disqualified students
- Policies on granting credit for prior law study
- Student admissions data, for each of the last five years, showing the number of students admitted as:
  - Regular students, with a degree
  - Regular students, without a degree
  - Special students admitted
  - And, if conducted, o Students with prior law school admitted and academically dismissed
  - Students with Prior law school admitted and not academically dismissed

*Suggested: 5-8 pp., emphasize Guideline 5.6.*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## **—NWCU Response to SECTION 12: ADMISSIONS**

### **Process used to confirm an applicant's compliant pre-legal education**

The process of pre-legal education qualification at Northwestern California University involves a careful review of each applicant's academic background, particularly the undergraduate school or schools attended, degrees, grade point average, units and, in some situations, equivalency exam test scores, to verify that the student meets or exceeds the minimum eligibility requirements set by the State Bar for admission to law school. The review of each application includes a verification of the accreditation status of the colleges or universities listed attended by the applicant.

All admissions to the school are conditioned upon receipt within 45 days of enrollment, of official academic records verifying that the student meets the prerequisites for the study of law mandated by the State of California. The academic records required for each student depend upon which means of eligibility apply to the student: an official transcript is required from the college or university where the applicant earned a degree; official transcripts from every college or university attended are required for students who have not earned a bachelor's or associate's degree and are seeking admission on the basis of having earned at least 60 units that would be applicable toward a bachelor's degree; an official copy of a course-by-course evaluation performed by an evaluation company approved by the State Bar is required for those who seek admission on the basis of a foreign degree or units; and official score reports are required from The College Board for those seeking admission as special students on the basis of CLEP scores.

### **Procedures used to monitor student files to confirm each contains all required information and transcripts within 45 days after they start attending classes**

The procedure used to monitor student files to confirm that each contains all required transcripts and other required information, such as college level equivalency test scores is as follows: upon receipt of enrollment documents from an applicant, a hard copy student file is created by NWCU admissions staff. All documents relating to the applicant are placed in the file, including the application, any email communications, all enrollment contracts, and any official transcripts, evaluations, or test score reports. An electronic file is then created for the student in the school's computer database. Prior to the student's start date for courses, each hard-copy file is delivered to the academic dean, who reviews each file individually to verify that the applicant meets the eligibility requirements and that official documents are in the file to evidence that the requirements have been met. If the official transcripts, evaluations, or test score reports are not in the file, the academic dean sends an email to the applicant to remind him or her of the requirement that those documents be received by the school within 45 days of enrollment. The email includes the deadline for receipt of the official records. The academic dean then physically flags the file as pending official documents. All such files are kept by the academic dean personally until the documents are received.

During the 45-day period, email reminders are sent to the student at regular intervals. If the documents arrive prior to the end of 45 days, the student's enrollment is confirmed and the file is processed for completion and moved to the student file system. If the documents are not received within 45 days, the student is promptly disqualified from the program. In that event,

the student is notified of the disqualification and provided with information about the possibility of reinstatement or reentry if he or she is able to arrange for the official documents to be delivered.

### **The identity of all persons responsible for preliminary and final admissions decisions**

Preliminary admissions decisions are made by Mary Schofield, Academic Dean, or by Michael Clancey, Dean. In the event there is an applicant for which either the dean or academic dean determines additional review or consideration is warranted, such as a history that includes dismissal or misconduct at a prior college, university, or law school; a history of other unacceptable conduct; or an indication that the applicant may not accept the school's administrative and academic methods and procedures, then an ad hoc committee consisting of the dean and academic dean makes a final admissions decision.

### **The use of scores on the Law School Admissions Test (LSAT), the minimum acceptable LSAT score, if any, and a description of all other factors or information used in the decision to admit or deny an applicant**

The school does not require or maintain LSAT scores of its applicants for enrollment or for any other purpose. If the school is granted provisional accreditation, it will require all applicants seeking admission or readmission following disqualification for academic reasons to take the Law School Admission Test, except for applicants that had taken the test prior to the disqualification. NWCUC will not admit or readmit the applicant until the law school has received an official LSAT score.

### **Policies and procedures used in the admission of special students, as defined in Guideline 5.5, whether their admission is limited, and the monitoring of the academic standing of those admitted**

A limited number of students who do not meet the requirements for admission as a regular student may be considered for admission as special students at Northwestern California University. Such applicants must satisfy the general education requirements by attaining passing scores on the following College Level Examination Program (CLEP) tests administered by The College Board: College Composition (but not the modular exam); and an additional two to four exams for any of the following subjects: Composition and Literature (Humanities examination only), Foreign Language, History and Social Science, Science and Mathematics, and Business. The required score for each examination is 50 or higher.

The progression of achievement of special students is monitored on a regular basis. Those not meeting the school's academic progress criteria will be placed on scholastic probation or be academically dismissed. The measurements for evaluation of the special students' progress are the same as those used for regular students of the school.

No more than ten percent of the school's student body will be admitted as special students. The school tracks the number of students enrolled in the special student category to ensure that the total number of special students admitted by a school is kept to a minimum. Over the years, the

number of special students in the school's law study program constitutes about five percent of the student body.

**Policies and procedures for deciding on admission of previously disqualified students, including the basis and number of those disqualified by law school and readmitted and those admitted from other law schools under the State Bar's "start-over" policy. Please discuss the number of such students admitted over the last five years, their academic progress and, as applicable, results on the FYLSX and CBX**

NWCU will accept for admission applicants who were previously disqualified for academic reasons at a law school previously attended when there is an affirmative showing by the applicant that he or she possesses the requisite ability for the study of law.

Such a showing may be made:

- (1) at any time, if the applicant presents credible evidence that the prior disqualification was not caused by the applicant's lack of capacity for the study of law, but resulted from a traumatic event or serious hardship that prohibited the applicant from performing at her or his normal level;
- (2) at any time, if the applicant passed the First-Year Law Students' Examination; or
- (3) after at least two years have elapsed since the disqualification, if the applicant demonstrates that work, study, or other experience during the interim has resulted in a stronger potential for law study than the applicant exhibited at the time he or she was previously disqualified for academic reasons.

Accepted applicants to NWCU who were disqualified for academic reasons at a prior law school will, upon enrollment, be granted credit only for courses in which they received a grade above passing.

Individuals from other law schools who apply for enrollment at NWCU under the State Bar's "start-over" policy may be accepted if there is an affirmative showing by the applicant that he or she possesses the requisite ability for the study of law.

NWCU does not keep separate statistics for those admitted from other law schools under the State Bar's "start-over" policy as these students are fully integrated with all other new first-year students. The academic progress and results on the FYLSX and CBX for readmitted students who were previously disqualified is as follows:

During the past five years, 31 students have been admitted or readmitted to NWCU after having been academically dismissed. Of these, 14 are currently enrolled, 7 have graduated from NWCU, 1 was academically dismissed from NWCU, and 9 withdrew or were disqualified for other than academic reasons. Of the seven graduates, four have taken but not passed the CBX and three have not yet taken the CBX. All 31 students either took and passed the FYLSX or were exempt from having to take it at the time they entered NWCU.

**Policies on granting credit for any prior law study and in the event an admitted student passes the FYLSX**

For those who were in good standing at a prior accredited law school, credit will be granted for all passing grades. For all applicants who have passed the First-Year Law Students' Examination, credit will be allowed in Torts, Contracts, and Criminal Law, even if the grades at the prior law school were not above passing, and regardless of the type of law school attended.

Credit ordinarily is granted for whole courses successfully completed at another law school within the 36-month period prior to transferring to NWCU, provided that the credits to be transferred are appropriate to the law degree program at NWCU and the content, quality, and grading standards for those courses were substantially equivalent to those at NWCU. The time limitation does not apply to students who have passed the First-Year Law Students' Examination.

Under special circumstances, transfer credit may be granted for courses taken prior to the 36-month period when approved by the academic dean or dean based upon documented exceptional circumstances such as serious illness or personal tragedy.

**Efforts to analyze the correlation between bases for students' admission and success in passing the CBX and conclusions drawn from such analysis**

The school does periodically analyze the correlation between the bases for students' admission and success in passing the CBX. An analysis of CBX results for those who graduated between August 1, 2013, and July 31, 2018, and who have taken the CBX at least once, produced the following results:

<b>Admissions Status</b>	<b># Students</b>	<b># Passed CBX</b>	<b>Pass Rate</b>
Special Admission: CLEP	Redacted	Redacted	50.00%
Entered on 60+ Units, But No Degree	12	Redacted	58.33%
Entered with Associate Degree Only	17	Redacted	47.06%
Entered with Bachelors or Higher Degree	117	55	47.01%
Also Possess a Degree Higher than Bachelors*	30	19	63.33%

\* These students are also included with the category of those entering with a bachelors or higher degree.

Overall, the conclusion drawn from these statistics is that students can succeed in law school regardless of their academic background. However, those who have graduated already from a post-graduate program perform better than those who have a bachelor's degree only. This is likely because of the closer match in degree of difficulty and amount of study required for a post-graduate degree.

**SECTION 13: RULE 4.160 (I) - MULTIPLE LOCATIONS. Accreditation is granted to a law school as an institution. If a law school receives approval to open a branch campus or a satellite campus, the branch or satellite campus must be operated in compliance with the Rules and Guidelines for Accredited Law Schools, subject to all site-specific operational requirements and any waivers approved by the Committee. (Guidelines 15.1-15.4)**

For each branch or satellite campus the law school operates, confirm and explain how each operates compliantly as to each of the following Guidelines:

- Guideline 1.7
- Guideline 2.10
- Guideline 4.1
- Guideline 4.3
- Guideline 6.2(J)
- Guideline 15.4

Discuss all operational and administrative policies used to ensure each campus operates in parity with all other campuses (i.e., as to grading standards, course offerings, and extracurricular opportunities.) Emphasize any differences between the campuses. Discuss any anticipated changes or improvements to each campus to enhance compliance.

**Required Attachments**

**None**

*Suggested: 1-3 pages*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

**— NWCU Response to SECTION 13: MULTIPLE LOCATIONS**

**Multiple Locations**

Northwestern California University does not have branch or satellite campuses.

**SECTION 14: RULE 4.160 (J) - LIBRARY. The law school must maintain a library consistent with the minimum requirements set by the Committee. (Guidelines 8.1-8.6)**

Demonstrate that the law school's library serves "the teaching, research, and other educational objectives of the law school," allowing students the "ability to perform legal research competently using both hard copy and electronic research resources," and faculty the ability to access "adequate legal research resources to supplement their preparation and research."

In responding to these Guideline provisions be sure to include explanations of how:

- all mandatory authorities are updated and compliant and available to both students and faculty
- students learn to use hard copy and electronic-based legal research
- students and faculty can access library resources, and any technical support if available

**Required Attachments:**

- List of items in the library collection, and the format in which the item is maintained, or provide the list from the last Annual Report with updates, if any
- Resumes and brief job descriptions of librarian or other library staff members, if any, to the extent they were not included as part of the organization chart submitted for Section 7-- Governance above
- Plan for development of the library resources, if available
- Syllabi for legal research courses
- If the law school relies on an external library, information or documentation concerning students' rights to use the facility
- Record of expenditures for hard copy and electronic library and research materials and other legal research resources for the last five years

*Suggested: 2-3 pages*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 14: LIBRARY

### **Explanation of how all mandatory authorities are updated and compliant and available to both students and faculty**

Northwestern California University is not a fixed-facility law school. The school's students are provided access to an electronic law library through LexisNexis™. They pay the school a nominal fee each academic term for that access.

### **Explanation of how students learn to use hard copy and electronic-based legal research**

The law school will provide instruction in basic physical publication and electronic-based legal research in its first-year Introduction to Law, Legal Analysis and Legal Research course.

The school also has an elective course in its curriculum that provides more advanced instruction in legal research.

### **Explanation of how students and faculty can access library resources, and any technical support if available**

Students of the school are provided access to an electronic law library through LexisNexis™. A LexisNexis support team is available to help students with technical issues. Additionally, students are provided a letter of introduction to assist them with gaining access to local law libraries in their locales.

**SECTION 15: RULE 4.160 (K) - PHYSICAL RESOURCES. The law school must have physical and technological resources and an infrastructure adequate for its programs and operations. (Guidelines 9.1-9.3)**

Describe the adequacy of the physical resources and infrastructure provided by the law school and each campus it operates in reference to the requirements of Guidelines 9.1-9.3.

In responding to Guideline provisions, describe for each location:

- facilities and instructional equipment, including any available audio/visual or computer-based resources, computer labs and access to those labs
- lease terms, if any of the facilities are leased
- provisions made for security, including applicable policies and procedures
- accessibility for those with physical disabilities
- programs, services and technology used to provide distance learning

A law school offering its curriculum by means of distance learning technology must maintain its administrative office and administer its technology platform in California. If the school offers its curriculum through distance learning technology:

- provide information about the location and facilities of its administrative office and whether students can visit that location for service
- explain how the school will maintain and provide access to all required records, files and materials in the administrative office

**Required Attachments:**

- Diagram or floor plan of the physical facilities of each fixed facility law school location
- Copy of any lease agreement for law school facilities (redactions concerning identifiable persons and economic terms are permitted, if explained to the satisfaction of the Committee.)

*Suggested: 1-2 pages*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## **— NWCU Response to SECTION 15: PHYSICAL RESOURCES**

### **Facilities and instructional equipment, including any available audio/visual or computer-based resources, computer labs and access to those labs**

Northwestern California University is an online law school that has an administrative office facility. The facility is leased by Northwestern California University from Lowe Enterprises. The leased space is 3,129 square feet in size. It has been divided into areas and rooms identified, as follows:

- a) Reception Area
- b) Executive Director's Office
- c) Dean's Office
- d) Academic Dean's Office
- e) Four Administrative Assistant Offices
- f) Internet Technology and Computer Services Director's Office
- g) Moot Courtroom (used for meetings and filming)
- h) Kitchen and Break Room
- i) Main File and Copy Room
- j) Supplement File Room
- k) Storage Room

The school maintains computers and audio and visual equipment at the school's facility which is used by the employees of the school.

### **Lease terms, if any of the facilities are leased**

The lease has been renewed a number of times. The most recent renewal term began on January 25, 2003 and ends on November 30, 2020, with certain rights for renewal.

### **Provisions made for security, including applicable policies and procedures**

A private security firm regularly patrols the building in which the NWCU facility is located. The outside doors to the building are locked after 5:00 P.M. on weekdays and during all weekend hours. The doors to the school's leased space are locked and secured by a monitored alarm system during non-business hours.

### **Accessibility for those with physical disabilities**

The facility is accessible to those with physical disabilities. There are handicap spaces in the parking lot, wheelchair ramps from the parking lot to the building, automatic door opening devices to the building, and elevators with audible and visible signals that indicate when the elevator has arrived on each floor of the building.

### **Programs, services and technology used to provide distance learning**

The school's custom electronic learning management system for distance learning via the internet is called "eJuris™." Students in the school's law study program use the eJuris platform

to access course material; to collaborate and communicate online in real-time videoconference class sessions with NWCU faculty members and fellow students; to view and listen to recorded video lectures and audio presentations; to complete quizzes; to participate in web-based lessons; to complete legal research via a link to LexisNexis; to view law study aids and resources, and more.

Faculty members are available to students for course-specific questions, discussions and reviews in the class sessions, by email, and on the school's online discussion boards. Since Northwestern California University is a member of The Center for Computer-Assisted Legal Instruction (CALI), materials on the CALI electronic platform are also available to NWCU students via eJuris.

**Provide information about the location and facilities of its administrative office and whether students can visit that location for service**

The Northwestern California University administrative office is located at 2151 River Plaza Drive, Suite 306, Sacramento, CA 95833. Students can visit the office for service each business day of the week from 8:30 AM to 4:30 PM.

**Explain how the school will maintain and provide access to all required records, files and materials in the administrative office**

Records for students of Northwestern California University, including transcripts of academic progress, are made in such a way that adequate information is maintained by the school to show student advancement, grades, and that satisfactory standards are enforced relating to progress and performance. Entries to the records are made promptly upon the achievement of each milestone in the process of enrollment and program completion.

The school maintains the records of enrolled students in a paper format in files kept in fireproof cabinets for a period of not less than one year at 2151 River Plaza Drive, Suite 306, Sacramento, California 95833, immediately available during normal business hours. Those records, along with all of the other records specified in Guideline 11.1 (i.e. institutional, educational, fiscal, and student information and data) that need not be kept on the school's premises for a longer period of time, are thereafter maintained in a paper format in a safe and reliable commercial storage facility, except for student transcripts that are kept at the school's office facility in an electronic format.

Student records for graduates are maintained on the school's premises for one full year before being sent to storage. Accordingly, the files for individuals enrolled from term one through term four of the school's proposed accredited law study program would be maintained on the school's premises for a total of anywhere from three and a half to eight years prior to being sent to storage, depending on each individual student's length of time in the law study program.

The school assures maintenance of the records in the referenced formats for the length of time required by law. The records are available during normal business hours for inspection by officials from the State Bar of California.

**SECTION 16: RULE 4.160 (L) - FINANCIAL RESOURCES. The law school must have adequate present and anticipated financial resources to support its programs and operations. (Guidelines 10.1-10.3)**

Please describe how the law school meets its present and anticipated financial obligations to operate compliantly with reference to the specific requirements of Guidelines 10.1-10.3.

In responding to Guideline provisions, in particular:

- analyze the law school's current financial status and history over the past five years, specifically addressing any operational deficits, declining revenue or increased debt
- analyze future revenue projections
- describe current or planned efforts to raise funds from the alumni, the community or governmental or private grants

**Required Attachments:**

- Budget for current fiscal year
- Financial projections for the next three years
- Most recent financial review or audited financial statement
- Financial reports most recently submitted to another accrediting agency or governmental authority, if any

*Suggested: 2-4 pages*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 16: FINANCIAL RESOURCES

### **Analyze the law school's current financial status and history over the past five years, specifically addressing any operational deficits, declining revenue or increased debt**

The law school has maintained an average net equity position of \$629,625 for the past five-year period, with all the equity consisting of cash in checking and savings accounts. On December 31, 2018, the law school had a cash balance of over \$641,191 and virtually no debt.

Northwestern California University has not had its unrestricted or operating fund sustain material deficits for the last five fiscal years, or ever.

The school's financial condition is strong. It has never had an operating loss, and does not have and has never had a ratio of current assets to current liabilities of less than 1.5 to 1.

### **Analyze future revenue projections**

The number of enrollees declined slightly from 2016 to 2018, and increased significantly during 2019. If the school were to remain in its current category as a registered, unaccredited law school, it is anticipated that the school's revenues and net income for the next few years would each year be higher than its 2018 revenue and income.

The law school has maintained a solid fiscal position and should be able to maintain its profitable operations in the foreseeable future. A modest increase in tuition would, if necessary, ensure a solid fiscal position.

Should the school be granted provisional accreditation, it is probable that it would experience an increase in the number of enrollees. Operating costs would increase, but tuition could be raised moderately to offset the cost increase and support a robust program.

### **Describe current or planned efforts to raise funds from the alumni, the community or governmental or private grants**

The school has never raised funds from its alumni, nor sought funds from investors, anyone in the community at large, nor from the government, nor does it have any plan to do so.

**SECTION 17: RULE 4.160 (M) – RECORDS AND REPORTS. The law school must maintain adequate records of its programs and operations. (Guideline 11.1)**

Describe and explain how the law school compliantly maintains all required files, transcripts and records with specific reference to all such records as identified in Guideline 11.1(A)-(O).

In responding to the Guideline provisions, in particular:

- describe all means and technology used to maintain the records and transcripts (hard copy and electronic) in a safe and secure environment, the policies and procedures used to maintain and confirm that all required records are accurate, complete and compliant
- identify the law school administrator(s) or employee(s) who are responsible for the various records, at each location

**Required Attachments:**

- Written policies and procedures regarding recordkeeping

*Suggested: 1-3 pages*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 17: RECORDS AND REPORTS

### **Describe all means and technology used to maintain the records and transcripts (hard copy and electronic) in a safe and secure environment, the policies and procedures used to maintain and confirm that all required records are accurate, complete and compliant**

Applications, records of admissions, student files, transcripts, course records, examinations and grade tabulations, records on administrative personnel, records on faculty personnel, faculty minutes, board minutes, operating records, catalogs, bulletins, brochures, policies and handbooks, committee correspondence, records of inspections by agencies other than the committee, annual compliance and other reports are all kept by Northwestern California University in the school's office facility in the manner and detail required by Guideline 11.1.

Detailed policies of the school are in place to assure maintenance of the records in the referenced formats for the length of time required by law. The records are available during normal business hours for inspection by officials of the State Bar of California.

Records for students of Northwestern California University, including transcripts of academic progress, are made in such a way that adequate information is maintained by the school in paper form and electronically to show student advancement, grades, and that satisfactory standards are enforced relating to progress and performance. Entries to the records are made promptly upon the achievement of each milestone in the process of enrollment and program completion.

The school maintains the records of enrolled students in a paper format in files kept in fireproof cabinets for a period of not less than one year at 2151 River Plaza Drive, Suite 306, Sacramento, California 95833. Those records, along with all of the other records specified in Guideline 11.1 (i.e. institutional, educational, fiscal, and student information and data) that need not be kept on the school's premises for a longer period of time, are thereafter maintained in a paper format in a safe and reliable commercial storage facility, except for student transcripts that are kept at the school's office facility in an electronic format.

Student records for graduates are maintained on the school's premises for at least one year prior to being sent to storage. Accordingly, the files for individuals enrolled from term one through term four of the school's proposed accredited law study program are maintained on the school's premises for a total of anywhere from three and a half to eight years prior to being sent to storage, depending on each individual student's length of time in the law study program. Transcripts in electronic form would, however, continue to be maintained at the school's administrative facility.

As stated in a prior section, the school takes all reasonable precautions to protect the required records from loss, destruction or corruption. Additionally, the school has and fully utilizes a reliable daily off-site backup and redundancy program through an FTP (File Transfer Protocol) server for the secure upload and download of all of the school's computer data, including transcripts.

**Identify the law school administrator(s) or employee(s) who are responsible for the various records, at each location**

Lorenza Zapata, Executive Director and Registrar

Oscar Olivares, Internet Technology and Computer Services Director

Both work at the school's only location at 2151 River Plaza Drive, Suite 306, Sacramento, California 95833.

**SECTION 18: RULE 4.160 (O) - Consistent with sound educational policy and these rules, a law school must operate in accordance with policies and procedures that comply with the Constitutions and all applicable laws of both the United States and The State of California so as to both provide equality of opportunity and prohibit unlawful discrimination. (Guideline 14.1)**

Demonstrate that the law school complies with applicable laws and efforts taken to offer equality of opportunity and prohibit unlawful discrimination, focusing on Guideline 14.1.

In responding to the Guideline, in particular:

- describe policies and programs designed to further compliance with laws protecting equality of opportunity and prohibiting unlawful discrimination, including their implementation and effects
- provide information and analysis of available statistics relating to the gender, racial and ethnic makeup of the law school's faculty, staff and student body for the last five years

**Required Attachments:**

- Policies designed to address issues of equality of opportunity and non-discrimination
- Reports, including statistics, addressing gender, racial and ethnic makeup of student enrollment, current faculty and staff, if available

*Suggested: 1-2 pages*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

## — NWCU Response to SECTION 18: Compliance with Constitutions and Other Laws

### **Describe policies and programs designed to further compliance with laws protecting equality of opportunity and prohibiting unlawful discrimination, including their implementation and effects**

Northwestern California University has had an effective Equal Opportunity and Non-Discrimination policy ever since it was founded in 1982. No complaints related to discrimination have been lodged with the school or against the school with any governmental agency in the entire time of the school's existence.

The wording of the policy, in its most pertinent parts, states as follows:

*Northwestern California University is committed to the principle of equal opportunity in education, employment and welfare for its faculty, staff, students and prospective students. This commitment is consistent with principles of justice and equality, and conforms to both the spirit and intent of federal and state equal opportunity and anti-discrimination legislation.*

*It is illegal and/or against school policy to discriminate against a prospective student, a student, a faculty member or staff member on political grounds or for reasons of race, religion, sex, sexual orientation, handicap, ethnic or national origin, ancestry, marital status, medical conditions, status as a veteran or disabled veteran, or within the limits imposed by law because of age or citizenry. Application and enforcement of this policy extends to related forms of intolerance, including, for example, harassment and discrimination based on gender identity or expression. Conduct that undermines the spirit of this policy, whether or not explicitly stated, will not be tolerated.*

### **Provide information and analysis of available statistics relating to the gender, racial and ethnic makeup of the law school's faculty, staff and student body for the last five years**

**Faculty:** The following chart shows the race, ethnicity and gender of the Northwestern California University faculty for the last five years.

Redacted

|

**Staff:** The following chart shows the race, ethnicity and gender of the Northwestern California University staff for the last five years.

Redacted

**Student Body:** The following chart shows the gender of the Northwestern California University student body for the last five years. Information regarding race and ethnicity has, in the past, not been collected by the school from enrolled students.

Trait	2018	2017	2016	2015	2014	Average Percentage Over 5 Years
Black	Unknow	Unknow	Unknow	Unknow	Unknow	Unknown
Hispanic	Unknow	Unknow	Unknow	Unknow	Unknow	Unknown
Asian	Unknow	Unknow	Unknow	Unknow	Unknow	Unknown
Pacific Islander-Filipino	Unknow	Unknow	Unknow	Unknow	Unknow	Unknown
American Indian -	Unknow	Unknow	Unknow	Unknow	Unknow	Unknown
Alaskan	Unknow	Unknow	Unknow	Unknow	Unknow	Unknown
White	Unknow	Unknow	Unknow	Unknow	Unknow	Unknown
Ethnicity Unknown	All	All	All	All	All	100%
<b>TOTAL</b>	Unknow	Unknow	Unknow	Unknow	Unknow	100%
Female	172	172	190	214	290	40.13%
Male	257	288	290	305	319	59.87%
<b>TOTAL</b>	<b>429</b>	<b>460</b>	<b>480</b>	<b>519</b>	<b>549</b>	<b>100%</b>

**SECTION 19: RULE 4.160 (P) - COMPLIANCE WITH COMMITTEE REQUIREMENTS. The law school must demonstrate its compliance with these rules by submitting required reports and otherwise complying with the rules.**

Demonstrate that the law school submits required reports and otherwise complies with the Rules and Guidelines, focusing on Guideline 11.1. In responding to the Guideline, in particular:

- confirm that the law school has regularly submitted required reports and complied with the rules since its most recent inspection report
- describe any perceived issues of weakness or non-compliance with respect to the rules and guidelines arising since the law school's most recent inspection report, and address efforts and progress toward remedy of any such issues

**Required Attachments:**

- None

*Suggested: 1-2 pp.; emphasize particularly Guideline 11.1 (M-O)*

*[NARRATIVE RESPONSE FOLLOWS HERE]*

**— NWCUC Response to SECTION 19: COMPLIANCE WITH COMMITTEE REQUIREMENTS**

**Confirm that the law school has regularly submitted required reports and complied with the rules since its most recent inspection report**

Northwestern California University has regularly submitted required reports and complied with the *Rules of the State Bar of California* since its most recent inspection report, and at all prior times.

**Describe any perceived issues of weakness or non-compliance with respect to the rules and guidelines arising since the law school's most recent inspection report, and address efforts and progress toward remedy of any such issues**

There are no perceived issues of weakness or non-compliance with respect to the rules and guidelines arising since the law school's most recent inspection report.