



The State Bar of California

OPEN SESSION AGENDA ITEM O-412 AUGUST 2020 COMMITTEE OF BAR EXAMINERS

DATE: August 21, 2020

TO: Members, Committee of Bar Examiners

FROM: Natalie Leonard, Principal Program Analyst

SUBJECT: Report on 2019-2020 Educational Standards Goals and Accomplishments

EXECUTIVE SUMMARY

Below is a report on the progress against the goals of Educational Standards for 2019-2020 CBE year.

1. Implement the rules and guidelines approved by the Committee of Bar Examiners and the Board of Trustees to create a path to accreditation for qualifying law schools offering online J.D. programs.

Complete.

2. Implement avenues of engagement with law schools by forming and coordinating the work of the Committee on State Bar Accredited and Registered Schools (CSBARS) and the Law School Council (LSC) and a new e-newsletter. Continue to host the Law School Assembly and Registrars' Meeting.

Complete. Meetings commenced on April 22, 2019 for Law School Council and April 23, 2019 for CSBARS. Newsletters have been issued quarterly, with the most recent issue sent in June focusing on response to COVID and future bar exam studies. While tentative dates were set for the Law School Assembly and Registrars' Meeting as live gatherings, conditions are being monitored to determine the best timing and format for these gatherings.

3. Review rules to: 1) create a modified “deemed accredited” status for law schools that earn accreditation from a regional accreditor and also meet specified State Bar responsibilities and disclosures; 2) ensure rules embody best practices in accreditation; 3) review major change guidelines as requested by the Committee.

CSBARS reviewed the history of Accreditation in June and met in October to discuss Guiding Principles and Values, presented to the Committee in December. Drafting continued with updates along the way. CSBARS drafted a full proposed rule set that will be introduced to the CBE today along with a staff proposal.

4. Review applications for registration or accreditation of law schools, as well as petitions for major changes or waivers from existing registered and accredited schools.

Applications were presented as received. This was a year of change for many law schools. California Southern Law School planned a voluntary closure. Monterey College of Law closed its Santa Cruz satellite. San Francisco Law School recapitalized. Campus moves were completed for San Francisco Law School, University of West Los Angeles and American Heritage University School of Law. Ownership changes are in process at Western Sierra Law School and John F. Kennedy School of Law.

Four more schools changes accreditation status. Both Thomas Jefferson Law School and University of La Verne College of Law transitioned from regulation by the ABA to California accredited status, while both Southern California Institute of Law and Pacific Coast University are applying for registration after the termination of their accreditation.

Four previously accredited schools launched fully online programs (Santa Barbara and Ventura Colleges of Law, Monterey Colleges of Law, John F. Kennedy Law School; Trinity Law School), while Lincoln Law San Jose will be seeking Committee approval to do so, and three unaccredited distance law schools are up for accreditation decisions today: Concord Law School, Northwestern California School of Law and St. Francis Law School. Five more schools are in the process of seeking accreditation: Abraham Lincoln Law School, California School of Law and California Desert Trial Academy, and California School of Law will begin the process of seeking accreditation today.

San Francisco Law School is also seeking to add a full time program today.

The Committee also acted swiftly to address issues raised by the pandemic, adopting a general waiver allowing schools to transition to fully online teaching and pass-fail grading from March 9, 2020 through August 31, 2020, and to continue to teach classes online through August 21, 2020. Other pandemic response issues included adjusting guidelines to allow a smooth transition to online testing for the First-Year Law Students’ Examination and holding feedback sessions between California Deans and bar examination registrants and Supreme Court Justices, members of the Committee.

5. Participate in the periodic inspection of prospective and current registered and accredited law schools. Consider reports of interim and periodic inspections of accredited and registered law schools and inspections performed in response to the issuance of Notices of Noncompliance; generally monitor the compliant operation of both California-accredited and registered law schools and the overall educational requirements for applicants seeking to qualify to take and pass the California Bar Examination.

Ongoing. This year, the Committee undertook eleven inspections, some of which were conducted remotely due to the pandemic. Periodic inspections were conducted at registered, unaccredited schools Peoples College of Law, Taft Law School and Oak Brook College of Law, as well as at two-campus accredited law school San Francisco Law School. Inspections for accreditation or pending accreditation were conducted at Abraham Lincoln University Law School, Concord Law School, Northwestern California School of Law, and St. Francis Law School. Two noncompliance inspections resulted in the termination of accreditation at two noncompliant schools.

The Committee also continued monitoring MPR compliance, and will address the potential noncompliance of three schools today.

6. Support the State Bar's 2019 strategic initiatives related to law school diversity, retention and performance on the Bar examination.

Ongoing. The State Bar has issued enhanced 2020 Annual report templates collecting demographic and attrition data from both accredited law schools and registered, unaccredited law schools that more readily compares with data at schools approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association.

7. Continue to pursue mandatory accreditation for unaccredited law schools in accordance with the Rules and Guidelines approved by the Committee of Bar Examiners and the Board of Trustees.

TBD.

FISCAL/PERSONNEL IMPACT

None

AMENDMENTS TO RULES OF THE STATE BAR

None

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & OBJECTIVES

Goal: None - core business operations

RECOMMENDATIONS

It is recommended that the Committee of Bar Examiners approve the report on the 2019 – 2020 Educational Standards goals set forth above.

PROPOSED MOTION

Should the Committee of Bar Examiners agree with the staff recommendations, the following motion should be made:

MOVE, that the report on the 2019 – 2020 Educational Standards goals be approved.