



JOHN F. KENNEDY UNIVERSITY  
*An Affiliate of the National University System*

COLLEGE OF LAW

January 12, 2018

Committee of Bar Examiners  
The State Bar of California  
Attn: George C. Leal, Program Manager, Educational Standards  
180 Howard Street, 9<sup>th</sup> Floor  
San Francisco, CA 94105

Re: John F. Kennedy University College of Law Application for a Major Change to Open a Branch Campus-Rule 4.165 (B) and Guideline 15.2

Dear Members of The Committee of Bar Examiners:

The John F. Kennedy University College of Law ("JFK College of Law") is seeking approval for a major change pursuant to Rule 4.165(B) of the Accredited Law School Rules to permit the JFK College of Law to open a branch campus of its law school program in San Jose, California where it will offer a Juris Doctorate ("JD") program starting with the Fall 2018 semester term, in August 2018.

The JFK College of Law is accredited by The Committee of Bar Examiners and the Western Association of Schools and Colleges. In 2017 The Committee of Bar Examiners completed its 5-year periodic inspection, and the JFK College of Law accreditation was approved for another 5 years. Similarly, in 2016 the entire John F. Kennedy University completed its regularly scheduled re-accreditation process with the Western Association of Schools and Colleges, and received an 8-year re-accreditation.

John F. Kennedy University already maintains a branch campus at 3031 Tisch Way, San Jose California 95128, and has operated a branch campus in the South Bay area for many years. The JFK College of Law has never offered law school classes in San Jose or the South Bay. The current JFK University San Jose branch campus offers primarily psychology based programs and courses, including undergraduate bachelor's level as well as master's level degree programs. This major change request is to permit the JFK College of Law to begin offering JD courses, and a JD degree program, at the existing JFK University branch campus.

Previously, the JFK College of Law had been approved to offer, and did offer for a couple of years, a JD program at the Berkeley branch campus of the JFK University. That branch campus of the JD program stemmed originally from the sudden failure of another Cal Bar accredited law school, New College of California of San Francisco, CA. With the approval of The Committee of Bar Examiners law students from the New College law school were able to immediately transfer to the JFK College of Law to complete their JD education and qualify to sit for the California Bar

ATTACHMENT A

Examination. Given the distance between the former campus of New College in the Civic Center area of San Francisco, and the Pleasant Hill campus of the JFK College of Law, The Committee of Bar Examiners approved on an expedited basis the establishment of the JFK Berkeley branch campus. That campus operated for a couple of years, until most of the former New College students graduated, and then the entire JFK College of Law JD program was consolidated to the one Pleasant Hill, CA location. JFK University still maintains a Berkeley branch campus with master's level programs primarily in psychology, business and museum studies.

Type, Name, Location and Proposed Opening Date. Guideline 15.2 provides that in an application for a major change the school must provide the following information:

- a. Type of new campus: Branch Campus
- b. Name: The proposed name is John F. Kennedy University College of Law, San Jose Branch
- c. Location: 3031 Tisch Way, San Jose, CA 95128 where JFK University already maintains a branch campus. That branch campus presently is comprised of 5 separate classrooms, a library/student resource center, computer lab, student lounge, faculty offices, restrooms, and reception area. The total square footage of the existing San Jose Branch campus is over 10,000 square feet. Attached hereto is a schematic of the existing JFK University San Jose branch campus space. Additionally, there is significant parking at the location that can accommodate all of the students attending classes at the branch campus.
- d. Proposed Opening Date: Classes would first be offered for the Fall 2018 Semester which will commence on August 13, 2018.

Research or Planning Regarding the New Campus. Guideline 15.2 (A) (a) asks for a narrative discussing any research or planning for the new campus. JFK University and the College of Law have long considered opening a San Jose branch campus of the law school. Recently, the JFK College of Law has had many students from southern Alameda County as well as Santa Clara County, and we regularly receive inquiries from prospective students about the opening of a San Jose branch of the law school. Prospective students are familiar with the presence of JFK University in the South Bay, and inquire about the possibility of offering JD classes at the San Jose branch. Additionally, over the past few years the JFK College of Law has received many transfer students from currently existing Committee accredited law schools. When asked why the students prefer to transfer to the JFK College of Law the answers include: (1) JFK's ability to offer federal student loans as a result of being WASC accredited; (2) more schedule options as JFK offers full and part time programs, as well as day and evening classes; (3) faculty, as JFK has four full time faculty members, not just adjunct professors; (4) academic support and bar preparation programs; and most recently (5) the attraction and interest of JFK College of Law offering more classes in an online modality. With the growing traffic problems throughout the San Francisco Bay Area, online class offerings are becoming increasingly attractive. JFK University has extensive experience with the development and offering of classes in an online modality, and over the past year the JFK College of Law has begun offering classes online, and

this has resulted in great acceptance and appreciation by the students, with excellent reviews and high student satisfaction with the quality and content of the online offerings. We are confident that with proper marketing and promotion that the San Jose area will support a San Jose Branch campus of the JFK College of Law, and provide an excellent opportunity to receive a quality legal education at the branch campus.

Projected Financial Impact of the New Campus on the Law School. Guideline 15.2 (A) (b) asks for a narrative on the financial impact if a new branch campus is approved. Our financial analysis indicates that there would be a significant positive financial impact on the law school should a San Jose branch campus be approved and operated. The existing infrastructure is already in place in the form of the existing San Jose campus, classes, administrative personnel including Registrar, financial aid advisors and support, computer lab, library space, student lounge and all of the other physical requirements for a fully operating branch campus. The additional costs will include compensation for the teachers, law administrators, library books, and marginal costs associated for each new law student. These additional costs will all be offset by new student tuition, which is expected to result in a net positive gain for JFK University and the JFK College of Law.

Proposed Resources to be Allocated to the New Campus. Guideline 15.2 (A) (c) asks about the proposed resources that will be allocated to the new campus. The follow are those resources:

- a. Dean and Campus Administrator. The exiting Dean of the JFK College of Law, Dean E. Barbieri, will continue to be the Dean of the Pleasant Hill main and San Jose Branch campuses. Dean Barbieri is qualified to serve as the Dean as he is a 1980 graduate of the University of San Francisco School of Law, and has been a member of The State Bar of California in good standing continually since December 1980. The existing Associate Dean of the JFK College of Law, Chris Gus Kanios, will continue to be the Associate Dean of the Pleasant Hill main and San Jose Branch Campuses. Associate Dean and Professor of Law Kanios is a 1980 graduate of New College School of Law, and has been admitted to practice law in California continuously since December 1980. Associate Dean Kanios was previously the Dean of the New College School of Law for many years prior to accepting a teaching and administrative position at the JFK College of Law.

Dean Barbieri and Associate Dean Kanios, as part of their oversight and operation of the San Jose branch campus will each be on the San Jose campus site at least once per week throughout the school year, during regular school times. To provide access to the greatest number of students to account for different work and personal schedules, Dean Barbieri will be on campus from at least 4 p.m. until the start of classes, and will vary the days of the week when he will be on the San Jose Branch campus to hold office hours and meet with students for academic support, assistance and counseling. Associate Dean Kanios will teach the 1<sup>st</sup> year class of Torts one night per week, from 7-10 p.m., and on the day that he teaches will arrive on the San Jose campus no later than 4 p.m. to be hold office hours and provide academic support, assistance and counseling to the San Jose branch campus students.

Matthew Taxman will serve as the San Jose Branch campus administrator. Depending on the number of students enrolled at the branch campus; Mr. Taxman will serve as either a part-time or full time administrator, consistent with The State Bar of California Accreditation Rules and Guidelines. Mr. Taxman is currently a full time employee of the JFK College of Law and is the Assistant Director College of Law for Admissions, Advising and Records. He is a 2014 graduate of the JFK College of Law, holds a Bachelor of Arts in Speech Communications for the University of Illinois Urbana-Champaign and received a Master's of Fine Arts in Acting from The Theatre School, DePaul University. Mr. Taxman has been employed by the JFK University since 2012 in both Law Library and College of Law admissions, advising and records coordination capacities.

- b. Registrar, Financial Aid, Academic Support, Library and Student Services. As the JFK University is currently operating a successful branch campus at the proposed College of Law San Jose branch campus site, the activities of the Registrar, Financial Aid advisors, Academic Support advisors, full time librarian, student government, IT Support and other student services, are already in place. Representatives from the Registrar, Financial Aid, Student Services and other JFK University offices have a regular and periodic presence at the existing San Jose branch campus enabling the San Jose students to gain access to necessary information and services. Adding the additional JD program will not adversely impact the level of services already being offered.

The current library offerings at the San Jose branch campus of JFK University do not include the hard copy volumes necessary for an on-site library to meet the Accredited Law School Rules and Guidelines. If the Committee of Bar Examiners approves this major change request, then the JFK College of Law will immediately begin assembling all of the necessary books and hard copy volumes to come into compliance well within the time periods established by the Rules and Guidelines. It is not anticipated that the San Jose Branch campus of the JFK College of Law will need to request a waiver of any of the library requirements. Additionally, all of the students at the San Jose Branch campus will have full and complete access to the electronic library resources provided to the current Pleasant Hill main campus students, which include access to both Westlaw and Lexis/Nexus.

#### Curriculum and Law Faculty.

If approved, the San Jose Branch Campus of the JFK College of Law will have the same curriculum as the Pleasant Hill main campus. The first year of operation will include only first year College of Law classes, and over the course of the following three years thereafter a full four year curriculum is planned to be offered. The only difference will be that for the San Jose Branch, the offerings may be for only for a night program, at the beginning. The Pleasant Hill campus maintains both three year full-time and four year part-time programs, and offers all of the required courses in both the daytime and evening hours. If the enrollment would permit it, the San Jose Branch would also offer day and evening classes, as well as part-time and full-time programs. Given the existing facilities and personnel at the existing San Jose campus, offering

day and evening classes can be accommodated without any additional adjustments to existing operating or work hours.

Commencing with the August 2018 semester, it is anticipated that the First-Year Curriculum of the San Jose Branch Campus will be on a Monday through Thursday schedule, with classes offered between 7 p.m. and 10 p.m. as follows:

<u>Class</u>	<u>Units</u>	<u>Term</u>	<u>Day of Week</u>
Legal Methods	2	Fall	Monday
Legal Research & Writing	2	Spring	Monday
Exam Skills Lab	1	Fall and Spring	Monday
Contracts	6	Fall and Spring	Tuesday
Torts	6	Fall and Spring	Wednesday
Criminal Law	3	Fall	Thursday
Criminal Procedure	3	Spring	Thursday

### Faculty

The JFK College of Law currently has four full-time faculty teaching courses at the Pleasant Hill campus. Each has extensive law school teaching experience. If approved to offer a course of study at the San Jose branch campus, it is anticipated that some of the current full time faculty will also teach at the San Jose branch campus. Additionally, existing experienced adjunct professors at the JFK Pleasant Hill campus have expressed interest in teaching at the San Jose branch, if approved. The following are some of the anticipated teaching assignments at the San Jose Branch campus:

- A. Audrey Smith. Legal Methods, Legal Research & Writing, and Exam Skills Lab. Professor Smith is a graduate of the University of Santa Clara College of Law, and has been a full time professor at the JFK College of Law since 2008. Professor Smith is the Director of the Legal Research and Writing Programs at the JFK College of Law and has extensive experience teaching first year law students.
- B. Chris Gus Kanios. Torts. Associate Dean and Professor Kanios is a graduate of the New College School of Law, was the former Dean of New College School of Law, was the Interim Dean of the JFK College of Law. Associate Dean and Professor Kanios is a full-time professor at the JFK College of Law and has over 30 years of law school teaching experience.
- C. Peter Clapp. Contracts. Professor Clapp is a graduate of the UC Hastings College of Law and has over 10 years teaching experience as an adjunct professor at the JFK College of Law, and has taught Torts, Transactional Document Drafting and Remedies courses.
- D. Ian Kelley. Criminal Law and Criminal Procedure. Professor Kelley is a graduate of the New College School of Law, and has been an adjunct professor at JFK College of Law and New College School of Law for over 10 years. Professor Kelley has taught Criminal Law, Criminal Procedure, Constitutional Law and has developed law school courses for online offerings.

Tuition, Academic Policies, Student Support and Counseling

The students at the proposed San Jose Branch Campus of the JFK College of Law will have the same tuition, follow the same academic policies, and have access to and receive the same student support, counseling and other services that the law students at the Pleasant Hill campus receive, as well as the other JFK University students at the existing San Jose and Berkeley branch campuses.

Dean Certification.

Pursuant to Guideline 15.2 (A) I, Dean E. Barbieri, Dean of the College of Law of the John F. Kennedy University, hereby certify that if approved by the Committee of Bar Examiners of The State Bar of California, that upon the opening of the San Jose Branch of the John F. Kennedy University College of Law, each campus of the John F. Kennedy University College of Law will be in substantial compliance with all relevant academic and operational requirements as set forth in the Accredited Law School Rules and the Guidelines for Accredited Law School Rules.

Thank you for your consideration of this major change request to open and operate a branch campus of the JFK College of Law in San Jose, CA. Please contact me should you need any further information in support of this major change request, or should you have any questions about this request.

Sincerely,



Dean E. Barbieri  
Dean of the College of Law  
John F. Kennedy University



