

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM: May 2018 – O-403

DATE: May 4, 2018

TO: Subcommittee on Educational Standards

FROM: Natalie Leonard, Program Manager, Educational Standards

SUBJECT: Further Discussion: Monterey College of Law - Major Change Request to Redesignate Santa Cruz Satellite Campus to a Branch Campus

BACKGROUND

Monterey College of Law (MCL) has submitted a Major Change Request seeking approval from the Committee of Bar Examiners (Committee) to elevate its existing Santa Cruz satellite two-year campus to a full branch campus that would operate as the Santa Cruz College of Law and open in the spring of 2019 (See Attachment A).

This request was first discussed by the Subcommittee on Educational Standards (Subcommittee) on March 23, 2018. The Subcommittee moved to delay consideration of the application until this May meeting in order to allow time to review all information received and to seek updated verification the school's continued compliance with the Rules and Guidelines.

DISCUSSION

The Accredited Law School Rules and interpretive Guidelines require a school proposing to open a branch campus to provide a "comprehensive explanation" for its decision to open the new campus, that includes: "a) a narrative discussing any research or planning regarding the new campus; b) projected financial impact of the new campus on the law school; and c) proposed resources to be allocated to the new campus."

The initial MCL application was presented to the Subcommittee at its meeting on March 23, along with a staff analysis. (See Attachments A & B.) The staff analysis reviewed the State Bar Rules related to Accredited Law Schools (Title 4, Division 2, commencing with Rule 4.100) and the Guidelines for Accredited Law School Rules to determine if MCL satisfied the requirements for approval of a branch campus. Briefly stated, the Rules and Guidelines provide that, "[u]pon a finding, based upon the materials and information provided by the law school [set forth in 15.2(A)] and as certified by the Dean that the proposed branch or satellite campus will be in substantial compliance as of the date of its opening, the Committee will provide its approval pursuant to the provisions of Guideline." In other words, if, based on the information provided as required by the

guidelines, the Committee determines that the proposed branch campus will be in substantial compliance with the Rules and Guidelines, approval should be granted.

Staff believes this language, also has the effect of limiting the appropriate scope of inquiry to whether the law school provided the information required by Guideline 15.2(A) and whether the branch will be able to satisfy the requirements for substantial compliance. To the extent inquiries go to issues that do not assess either compliance with Guideline 15.2(A), or the analysis of substantial compliance, staff believes such inquiry to be unsupported by the Rules and Guidelines. Based on that review, staff believed MCL met the requirements, and recommended that the Committee approve the request.

At the March 23, meeting, the Subcommittee requested time to consider additional information the subcommittee felt would be helpful in the evaluation of MCL's proposal. In April, MCL submitted a supplemental memorandum to address questions posed by the Subcommittee at the March 23 meeting, as well as those raised through public comment. (See Attachment C.) MCL acknowledged its unique configuration as a school with a main campus (located in Monterey), two branches (the San Luis Obispo campus established in 2015 and the Kern County campus established in 2017), as well as the Santa Cruz satellite. In addition to these physical campuses, at its March meeting, the Committee approved the school's proposal to establish a hybrid J.D. program. That program would provide 70% of its curriculum through online, distance-learning, with students completing their first year of study on-campus, and then, with the exception of 10 additional units, completing the second and third year curricula online through a combination of synchronous and asynchronous content.¹

While MCL submitted a comprehensive supplement, this agenda item addresses only those items that are subject to consideration by the Subcommittee as part of an evaluation of a request for a branch campus.

Although not a component of determining substantial compliance, the school indicated that it adopted the strategy of creating several branch campuses to address the fact that growth of the law student candidate pool in Monterey is likely to be limited for some time due to a number of demographic reasons and limitations on real estate development. Therefore, as enrollment remains static or declines in Monterey, the school can leverage its fixed costs over a number of sites, including branch campus sites that are in growing areas. While Santa Cruz is growing more slowly than Monterey, UC Santa Cruz is in the process of increasing its student population greatly, and MCL hopes that students from that school will be interested in applying to MCL.

¹ Monterey College of Law's proposal to redesignate Santa Cruz from a satellite campus to a branch campus anticipates the use of a part-time administrator, which is permitted under Guideline 4.1(B) so long as the branch campus has 30 or fewer students enrolled and is offering only first-year and second-year classes. With the recent plans unveiled by MCL to house its new hybrid J.D. law degree program on that campus, MCL should consider whether the hybrid program impacts staffing, specifically whether more than one part time administrator is more appropriate. Should the hybrid be envisioning that the students will take third or fourth year classes at the Santa Cruz campus, then a full time administrator would be required under the Guidelines.

The school also noted that it tracks attrition and performance by campus, demonstrating consistent performance between each campus site. The school attributes an average attrition rate of nearly 30% to family circumstances of the student population, which is largely composed of second-career working law students. The Santa Cruz satellite campus has a similar rate of attrition when compared to the other campuses. Since Santa Cruz is a satellite campus, it only offers classes for the first year. Students must transfer to another campus to complete their education. MCL notes that those students who begin their law study at the Santa Cruz satellite before transferring to the main campus have had a somewhat higher bar passage rate than the students who complete their entire study at the main campus. Neither the San Luis Obispo campus nor the Kern campus has yet graduated students, so no bar passage rates are available for those students.

MCL was last inspected in 2012 and will be inspected again in the Fall of 2018. The MCL Dean attests to the school's continued compliance in the Addendum to MCL's Major Change request.

In addition, the Committee requested information to provide an independent means to confirm that the school as a whole remains in substantial compliance with the Accredited Rules and Guidelines.

First, the Committee requested an updated version of the school's general statistical disclosure for 2018 as required by California Business and Professions Code section 6061.7. This updated information is attached as Attachment D. (Although the school has multiple branch campuses, it properly reports these statistics as a combined figure for all branch campuses.)

The Subcommittee also requested updated information about the school's five-year minimum cumulative bar passage rate (MPR). Schools are required to maintain an MPR of 40% or above under Guideline 12.1. That requirement was suspended by the Committee from January 2016 until very recently. Therefore, the last MPR provided by any CALS was created in 2015, covering the classes graduating between August 1, 2009 and July 31, 2014. Because the suspension was lifted only recently, the next cumulative MPR calculated pursuant to Guideline 12.1 is due on July 1, 2018, and will include those students who graduated between August 1, 2012 and July 31, 2017.²

In response to the Committee's request, the State Bar's Office of Research and Institutional Accountability (ORIA) calculated the MPR that would have been reported last summer if the requirement to do so had not been suspended at that time, covering

² At its January 2016 meeting, the Committee voted to suspend the requirement to calculate and post the MPR under Guideline 12.1 due to the requirements of the newly implemented Business and Professions Code section 6060.25, which stated that "any identifying information submitted by an applicant to the State Bar for admission and a license to practice law and all State Bar admission records, including, but not limited to, bar examination scores . . . shall be confidential and shall not be disclosed." As a result, schools did not have access to pass/fail lists enabling them to report their MPR. Those restrictions were recently revised, permitting pass/fail lists to be shared, and enabling the schools to report the current MPR under Guideline 12.1. The schools are required to report the current MPR by July 1, 2018.

those students who graduated between August 1, 2011 and July 31, 2016. ORIA also estimated the figure that will be provided this summer by July 1, 2018.

ORIA used the methodology adopted by the Committee at its March 23, 2018 meeting to conform to guidelines that schools have been instructed to apply for the upcoming data reporting. The MPR calculation looks at the pass rate for a five-year cohort of graduates over eleven administrations of the examination, per Guideline 12.1.

As noted above, each CALS is required to maintain an MPR bar passage rate of 40% or above. According to the State Bar's calculation, MCL's MPR for those who graduated between August 1, 2011 and July 31, 2016 was 48.9%³, while an estimate of a five-year cumulative bar passage average that will be reported as of July 1, 2018 is 45.7%.⁴

RECOMMENDATION:

Based upon the school's certified submission and addendum, it appears that the school has fulfilled the requirements set forth in Guideline 15. Therefore, it is recommended that the request of the MCL for approval of a major change, to allow it to elevate its existing Santa Cruz satellite campus to a branch campus, be received and filed; that the Major Change Request be approved such that MCL may open, in the spring of 2019, the Santa Cruz College of Law as a provisionally-approved branch campus under the accreditation standards and operational requirements found in Accredited Law School Rules and the Guidelines for Accredited Law School Rules; that, as required by Rule 4.160(I) and Guideline 15.2(C), no less than 90 days and again within 30 days before the expected first day of classes at the branch campus that a report be submitted, certified by Dean Winick, to confirm the substantial compliance of the branch campus with all relevant Accredited Law School Rules and the Guidelines for Accredited Law School Rules; and, that following receipt of said certification, the provisionally-approved branch campus may open, enroll students and then begin offering classes; and, pursuant to Guideline 15.3(C), within two years of its opening as a branch campus, MCL must seek confirmation from the Committee that the Santa Cruz College of Law is in full compliance with the Rules and Guidelines.

³ This figure looks at the bar passage rate of those who graduated between 8/1/11 and 7/31/2016 and who took the California Bar Examination between February 2012 and February 2017 (11 cycles). The numerator consists of passers (44 students), while the denominator consists of unique takers who graduated during the period (90 students).

⁴ This estimated figure looks at the bar passage rate of those who graduated between 8/1/12 and 7/31/2017 and took the California Bar Examination Administrations between February 2013 and February 2018 (10 cycles). While the calculation would normally include eleven cycles of examinations, the results are not yet released for the eleventh cycle bar examination administered in February 2018. Those results will be added in to the actual MPR calculation due on July 1, 2018, and this would more likely increase than decrease the overall cumulative passage rate. Here, and in the final MPR to be issued later this summer, the numerator consists of passers (42 students), while the denominator consists of unique takers who graduated during the period (92 students).

PROPOSED MOTION:

If the Subcommittee agrees with the staff recommendation, the following motion is suggested:

Move, that the request of the MCL for approval of a major change, to allow it elevate its existing Santa Cruz satellite campus to a branch campus, be received and filed; that the Major Change Request be approved such that MCL may open, in the spring of 2019, the Santa Cruz College of Law as a provisionally-approved branch campus under the accreditation standards and operational requirements found in *Accredited Law School Rules and the Guidelines for Accredited Law School Rules*; that, as required by Rule 4.160(I) and Guideline 15.2(C), no less than 90 days and again within 30 days before the expected first day of classes at the branch campus that a report be submitted, certified by Dean Winick, to confirm the substantial compliance of the branch campus with all relevant *Accredited Law School Rules and the Guidelines for Accredited Law School Rules*; and, that following receipt of said certification, the provisionally-approved branch campus may open, enroll students and then begin offering classes; and, pursuant to Guideline 15.3(C), within two years of its opening as a branch campus, MCL must seek confirmation from the Committee that the Santa Cruz College of Law is in full compliance with all relevant *Accredited Law School Rules and the Guidelines for Accredited Law School Rules*.



Monterey College of Law
100 Col. Durham Street
Seaside, California 93955

Major Change Request

Re-designation of Current Santa Cruz Satellite Campus to a Branch Campus

Submitted, December 1, 2017

Revised and Resubmitted, February 23, 2018

INTRODUCTION

Pursuant to Rule 4.165 of the *Accredited Law School Rules*, Monterey College of Law (MCL) is notifying the Committee of Bar Examiners (Committee) of a contemplated major change and requests approval by the Committee. The major change is defined in Section 4.165 (B) of the rules: "... opening a new branch".

Under Rule 4.165 (B), MCL requests approval of the Committee to expand its current *satellite* campus in Santa Cruz, California that currently only offers a first-year law school curriculum, to the status of *branch* campus that will offer a full four-year degree program. As defined by Guideline 15.1(A), a satellite campus of an accredited law school is a location where students may complete no more than one half of the total number of units required to earn a Juris Doctor Degree or any other law degree that the law school is authorized by the Committee to offer. At the point that the offered curriculum expands to third-year courses or when the location has an enrollment greater than 30 students, the location must apply to become a branch campus and provide the same administrative and academic resources of a regular campus.

MCL has successfully provided first-year courses at the Santa Cruz satellite campus since 2010 and is responding to requests from the community, faculty, and students to expand the program from a *satellite* to *branch* campus starting in the Spring Semester 2019. As detailed in the comprehensive plan included in this proposal, the law school has the administrative and academic resources and experience to expand the existing campus in compliance with the rules and guidelines.

The name of the Santa Cruz branch campus shall follow the naming protocol of the law school's other branch locations and will be "*Santa Cruz College of Law; a branch of Monterey College of Law*" (SCCL). The branch shall be owned and operated by MCL, a nonprofit law school institution founded by local lawyers and judges in 1972 and accredited by the Committee since 1981. The law school is currently in full compliance with the Rules and Guidelines of California Accredited Law Schools and is scheduled for its next five-year site visit in Fall 2018. The institution is a 501(c)3 California non-profit corporation based in Seaside, California with approved branch campuses operating successfully in San Luis Obispo and Bakersfield.

A. PROGRAM DESCRIPTION

History of the Santa Cruz Program - MCL was approved by the Committee to open a satellite campus in Santa Cruz, California in 2010. This was the first *satellite* campus location requested and approved by the Committee for a CALS and has remained as the only satellite campus for the past seven years. Prior to the approval of the MCL satellite location, two other CALS operated multiple locations for several decades. The Colleges of Law at Santa Barbara & Ventura and Southern California Institute of Law have both operated multiple campuses under a single administration since their original accreditation by the Committee. Due to the lack of clarity regarding the type and level of services and resources required at separate campus locations, the Committee clarified the guidelines in 2009 by amending Division 15 of the guidelines to make a clear distinction between satellite and branch campuses. The guidelines were further amended by the Committee in 2016 to provide additional notice and content requirements for branch campus applications. MCL's original satellite campus application and this current branch campus application are in full compliance with the rules and guidelines as amended and enforced by the Committee.

Because MCL's Santa Cruz location is the only current CALS satellite location, this is the first time that a major change request has been presented to the Committee to re-designate an existing satellite campus to the status of a branch campus. Unlike a request to open a branch campus in a new market, MCL has a seven-year history providing law school classes at its satellite location in Santa Cruz. Furthermore, prior to the opening of the satellite campus, MCL had a 35-year history of serving Santa Cruz county law students through its original Monterey and subsequent Seaside main campus locations. Other than MCL and its satellite campus, there are no other law schools directly serving the local Santa Cruz community. (See Map A below.)



Map A. Location and distance - Law Schools in Santa Cruz region.

Red markers identify the locations of JFK University School of Law's *proposed San Jose Branch* (28.5 miles), Lincoln Law School San Jose (31.5 miles), Santa Clara University Law School (30 miles), and Stanford Law School (42 miles).

Blue markers identify the location of the MCL Santa Cruz proposed branch campus and Monterey College of Law's main campus (37.5 miles).

Although detailed historical records are not available, it is estimated that

approximately 20% of the MCL student population originates from Santa Cruz County. This is the reason that MCL opened its first-year satellite campus in Santa Cruz in 2010. Since the opening of the satellite location, MCL has enrolled approximately 70 students in the Santa Cruz first-year law school program, with annual cohorts ranging in size from 6 to 11 students per year.

Faculty and Classroom: The satellite campus was designed to offer the first-year courses of Contracts, Torts, and Criminal Law & Procedure in a traditional classroom setting. Upon successful completion of these courses, Santa Cruz students are required to commute to the MCL main campus in Seaside, California, a distance of approximately 37 miles, to complete their second, third, and/or fourth years of the JD or MLS degree programs.

The Santa Cruz first-year program has its own designated faculty who are respected lawyers and judges from the Santa Cruz bench and bar. Classes are held in a classroom at 303 Water Street located directly across the street from the Santa Cruz County Superior Court and the Santa Cruz County Law Library. Campus Dean Steve LaBerge, who has served in this role since the satellite campus first opened, has a law office in the same building and provides local administrative and academic support for students and faculty. The classroom seats up to 20 students and is equipped with traditional classroom whiteboards, a large screen television, AV projector, and high speed Internet. The Student Bar Association provides coffee and bottled water services and supplies and a small printer/copier for students as part of their Student Bar annual dues. The students and faculty have free lighted parking at the location.

Change in Market Conditions: When the Santa Cruz location opened in 2010, the average commute from the satellite campus in Santa Cruz to the MCL main campus in Seaside, CA was 45 to 60 minutes. At the time, this was seen as an acceptable commute for full-time working students transitioning from their worksite to the MCL campus in time for classes starting at 6:30 p.m.

Unfortunately, traffic on Highway 1 between Santa Cruz and Seaside has become notably worse over the past seven years. Students and faculty members now report that it consistently takes 60 to 75 minutes (or longer) during the prime-time weekday commuting period between 5:00 to 6:30 p.m. Students and faculty have reported frequent difficulty in leaving work at 5:00 p.m. in Santa Cruz and being able to dependably arrive safely and calmly at the main campus in time for the 6:30 p.m. start of classes.

During the same years, traffic between Santa Cruz and San Jose along the Hwy. 17 corridor has also grown demonstrably worse. The rush-hour commute between the two cities is frequently more than one-hour. In addition, the Hwy. 17 corridor is a winding, relatively narrow 2-lane highway that has a relatively high number of traffic incidents that can add delays and closures, particularly during dark, wet,

foggy, or windy conditions (which are not uncommon).

Therefore, the increase in traffic over the past several years from Santa Cruz to locations outside of the region has created a significant barrier to access to legal education for residents in the community.

Request from Faculty and Students: For this reason, the students and faculty from Santa Cruz have requested that MCL evaluate the viability of expanding the current Santa Cruz program from a one-year satellite campus to a four-year branch campus. Having completed that analysis (*See* Section C. below), MCL has determined that the Santa Cruz market will support expanding the existing satellite campus to a branch campus and that MCL has the administrative and academic resources to support the expanded branch campus without placing our other campus operations in financial, academic, or operational jeopardy.

Therefore, under Rule 4.165 (B), MCL requests approval of the Committee to expand its current *satellite* campus in Santa Cruz, California to the status of *branch* campus effective Spring Semester 2019. The name of the branch campus shall follow the naming protocol of the law school's other branch locations and will be "*Santa Cruz College of Law; a branch of Monterey College of Law*" (SCCL).

B. COMPLIANCE WITH APPLICABLE RULES AND GUIDELINES

1. Rule 4.164 Prior Approval of Major Changes - An accredited law school contemplating a major change must notify the Committee and obtain its approval at least ninety days before making the change. The notice must explain in detail any effect the change might have on the law school's compliance with the rules and be submitted with the fees specified in the Schedule of Charges and Deadlines. The Committee may then require submission of additional information or an inspection.

MCL proposes to expand the Santa Cruz location from a satellite to a branch Campus beginning with the Spring 2019 Semester. This major change request meets the 90-day requirement of Rule 4.164. The following details outline the resources of the law school that will support the expansion of the location and its ability to remain in compliance with the rules and guidelines for accredited law schools.

2. Rule 165(B) Major Changes - Guideline 15.2 requires that as a major change pursuant to Rule 4.165(B), no less than 180 days prior to the first day of classes, a law school must obtain the prior approval of the Committee to open a branch or satellite campus. To apply for and receive Committee approval, a law school must provide the Committee with a comprehensive explanation of the operating plans for the new branch campus.

MCL requests approval that the re-designation of the Santa Cruz campus from satellite to branch be effective as of Spring 2019. Therefore, the approval of this major change at the March 23, 2018 Committee meeting will be in compliance with

the timing and notice requirements of Guideline 15.2.

As detailed in the following comprehensive explanation of its operating plans, MCL has the financial and administrative resources to expand and operate the current Santa Cruz campus as a four-year branch campus. The law school's existing administrative and academic infrastructure, including course management systems, policies, procedures, course syllabi, exams, practice skill programs, marketing, admissions, academic support, financial reporting, and business office management will support an additional branch campus. The increase of 15 to 20 new students each year in the proposed branch program will not create a significant additional burden on the existing administrative infrastructure and staff. This is evidenced by the law school's successful ongoing operation of its current main campus (since 1972), while opening and operating successful locations in Santa Cruz (since August 2010), San Luis Obispo (since August 2015), and Bakersfield (since August 2017).

MCL is a 501(c)3 nonprofit educational institution. As such, it dedicates all of the resources from tuition, program revenue, grants, and donations to the operation of its four law school locations. The law school has a balance sheet of more than \$7.5 million (*See Appendix B*), and projected 2018 revenue and expenses of \$2.2 million and \$2.1 million respectively. The law school revenue is derived from tuition, fees, other program revenue, grants, and income from investments. The law school budgets for each law school location to generate adequate tuition and fees from students attending each location to pay for the allocated expenses for the location. The expenses for central services such as the registrar, business manager, admissions, and academic support are allocated proportionately to each location. The economy of scale for sharing the expenses of central services among multiple locations has been a significant factor in the law school's successful growth in operations over the past several years.

The proposed budget for the Santa Cruz branch campus (*See Appendix A*) indicates that with an enrollment of 15-18 students per year the branch is projected to generate adequate tuition and fees to pay for the allocated expenses of operating the location as a branch campus. The law school has direct experience in opening new law school branches. In both San Luis Obispo and Bakersfield, the new law school branches enrolled 15-18 students during each of their initial years. In both of these cases the branch campus was a new location that did not have the benefit of already serving the local community. In the case of Santa Cruz, MCL is a known entity, with numerous alumni serving as lawyers, judges, and community leaders. The satellite campus has been on location for seven years. Therefore, the projection of an enrollment of 15-18 students per year appears to be very reasonable based on the law schools previous experience. In addition, the financial resources of the law school provide adequate funds to cover unanticipated shortfalls without jeopardizing existing programs (*See Appendix B*)

3. Rule 4.160 Standards - (H) 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 Standards, except that the Committee may determine whether, and to what extent, the Library Standard shall apply. The new campus must be in substantial compliance with the Standards one month prior to the start of classes, and must be in full compliance within two years. The Dean of the law school will certify substantial compliance by letter no later than one month prior to the start of classes.*

Compliance: MCL was founded in 1972 and has been accredited by the CBE since 1981. The law school was found to be in compliance with the Rules and Guidelines at its most recent five-year site visit in 2013 and in the subsequent 2014, 2015, and 2016 Annual Self-Study Reports. As required by the Guidelines and described in this filing, the proposed branch campus will be in substantial compliance with the standards no later than one month prior to the re-designation as a branch campus in Spring 2019.

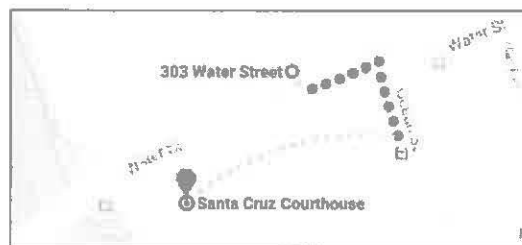
Library: Guideline 8.6 authorizes the Committee to approve the campus use of an off-site law library that is in reasonable proximity to the law school location.

8.6 Other Law Libraries.

Upon prior approval of the Committee, a law school that is located in reasonable proximity to a public, private or other law library, which contains all the mandatory requirements of Guideline 8.4, may satisfy the library requirements as set forth in Division 8 by filing a declaration from the dean that confirms the following:

- A) the governing authorities of any such other law library have agreed to permit the use of the library by the law school's students and faculty at no additional charge and under the same accessibility and conditions required by Guideline 8.3; and*
- B) the other library contains and offers equal access to all mandatory library contents as required by Guideline 8.4.*

The Santa Cruz County Superior Court and Law Library is located directly across the street from the Santa Cruz campus location and includes the library resources required by the Guidelines. The Committee has previously granted MCL an annual waiver of the hard-copy library requirements for the Santa Cruz campus because of the close proximity of the satellite campus to the County Law Library. Students are provided access cards for after-hours and weekend access to the law library. [However, it is important to note that with the recent amendments to Guideline 8.1 allowing online library resources to meet the requirements of the guidelines, a waiver will no longer be required as of the effective date of the new amendments.] All online library resources required by Guideline 8.1



and 8.2 are provided by student Lexis Nexis accounts.

Rule 1.7 Primary Administrative Office, Classroom, and Law Library Facilities Location and Hours; Availability of Records.

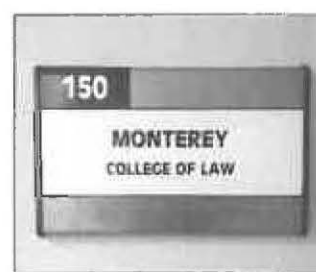
The law school's primary administrative office, classrooms, and branch campuses, and all associated law library facilities are located in California. The primary administrative offices of the law school are located at 100 Col. Durham Street, Seaside, CA.



The law school has operated at the Seaside location since May of 2005. All permanent records of the law school, including the student records for all branch campuses are maintained at the primary administrative office. The law school's administrative resources, facilities, staffing, policies, and procedures have been reviewed as part of the law school's most recent five-year accreditation site visit in 2013 and found to be in full compliance with the Rules and Guidelines.

The primary administrative office is open and permanent records are available for access during regular business hours, Monday through Thursday, 9:00 a.m. to 6:30 p.m. The law school is not open on Fridays.

Santa Cruz Classroom Facility: The current Santa Cruz satellite campus is located at 303 Water Street in the downtown area of Santa Cruz.



The location has one dedicated classroom and access to a second classroom as needed. The classrooms and restrooms are ADA accessible and designated ADA parking is provided. The current classrooms are adequate to meet the branch campus needs for the next two years. Additional classroom resources will be added, as necessary, beginning in Fall 2020.

Dean Steve LaBerge, who has served as Campus Dean for the location since 2010 has a law office in the same building and provides local administrative and academic support for students and faculty. Dean LaBerge is a graduate of Santa Clara Law School and is a Certified Criminal Law Specialist having practiced in Santa Cruz for more than 35 years. Dean LaBerge has been on the MCL faculty since 2007.

Each of the two classrooms seat up to 20 students and are equipped with traditional classroom whiteboards, a large screen television, AV projector, and high speed Internet. The Student Bar Association provides coffee and bottled water services and supplies and a small printer/copier for students as part of their Student Bar annual dues. The students and faculty have access to free parking at the location.



Law Library: All Santa Cruz students are provided with Lexis Nexis accounts that meet the requirements of amended Guideline 8.1 and 8.2. In addition, students will continue to have access to the Santa Cruz County law library during regular and after-hours (with access card). The Committee has approved the use of the County Law Library under Guideline 8.6 for the existing satellite campus for the past seven years. The County Law Library collection includes all of the legal resources required by the Rules. The library is managed by a full-time law librarian who is available during regular library hours to assist students. In addition, students are provided with access cards to allow entry to the library after-hours and on weekends.



Rule 2.10 Statement of Provided Student Services, Experiences, and Activities; Adequate Support and Resources for Provided Services, Experiences, and Activities.

Academic Support: All categories of academic support services provided at the branch campus will be equivalent to those provided at the law school's other locations. The academic support program is coordinated by Dean Elizabeth Xyr, the law school Dean of Academics. Dean Xyr has served as an academic advisor at the law school since 2008. Prior to her current role, Dean Xyr served as Assistant Dean of Academic Support and Associate Dean of Student Success. Dean Xyr also developed the law school's unique bar skills program that is integrated into the law school's primary curriculum.

Clinical Programs and Practical Skills Training: First-year law students do not traditionally participate in clinical programs at the law school. However, for the upper division Santa Cruz students, local clinical opportunities will be developed in collaboration with the Santa Cruz Bar Association and other legal service agencies. The six (6) units of required practical skills training will be provided through courses, internships, and externships that follow the same rules and requirements as those in place for the other MCL locations.

Student Organizations: Santa Cruz students will participate in Student Bar Association activities through election of student representatives to the MCL student bar association. In addition, similar to the law school's locations in Monterey, San Luis Obispo, and Bakersfield, a Santa Cruz student representative will be elected to serve as a student representative to the Santa Cruz County Bar Association.

Business Services: Heather English serves as the law school's full-time Business Manager and is located at the primary administrative office. Students at all of the law school's locations manage their student financial accounts on-line through Populi, the law school's course management system. Ms. English is available to all students by telephone, e-mail, and through the Populi system during regular business hours, Monday through Thursday, 9:00 a.m. to 6:30 p.m.

Admissions: Assistant Dean Wendy LaRivière has served as MCL's Dean of Admissions for more than 15 years. Dean LaRivière also manages the law school's marketing and recruiting program and the web-based admissions portal that serves as one of the primary methods of inquiry for prospective law students. Dean LaRivière is also available to prospective students for all MCL locations by telephone and e-mail during regular business hours, Monday through Thursday, 9:00 a.m. to 6:30 p.m. Admissions files for prospective Santa Cruz students will be compiled and maintained at the law school's primary administrative offices. All enrollment decisions for Santa Cruz will be made by the law school's Admissions Committee at the main campus and will follow the same standards, policies, and procedures that are utilized for all MCL locations.

Curriculum: Santa Cruz students will be required to successfully complete the same 90-unit JD program curriculum that is required at all MCL locations.

Rule 4.1 Law School Dean; Full-Time Administrator; Registrar Duties

President and Dean: Mitchel L. Winick has served as the full-time dean of the law school since August 2005. He previously served as the Assistant Dean at Texas Tech University School of Law, an ABA approved law school, and has more than three-decades of experience in law, legal education, and business. Dean Winick is a former Assistant Attorney General of Texas and has business experience serving as a senior partner in a management consulting firm, vice president of a publicly traded corporation, and founder of a venture capital firm. Dean Winick received his J.D. from the University of Houston Law Center and B.A. (with emphasis in economics and political science) from the University of the Pacific.

As President and Dean of the law school, Dean Winick serves as the chief executive and chief academic officer managing and administering the business, academic, and financial affairs of all locations of the law school. During Dean Winick's tenure, the law school has grown from approximately \$785,000 to more than \$2.2 million in gross revenue. During this period, the law school is the first CALS to be authorized to offer M.L.S. and LL.M. degrees in addition to the traditional J.D. and has improved its cumulative bar pass rate from 39% (2005) to 57% (2015). The law school has also expanded to include the satellite campus in Santa Cruz and successful branch campuses in San Luis Obispo and Bakersfield.

Dean Winick is active in higher education leadership, recently completing a term as chair of the CBE Rules Advisory Committee (RAC) and currently serving as the chair of the Law School Council. He previously served on the State Bar's Presidential Task Force on Admissions Regulatory Reform (TFARR) and on the Standing Committee for the Delivery of Legal Services. Locally he has served on the higher education advisory committees of the Monterey County Business Council, the Panetta Institute for Public Policy, and Leadership Monterey Peninsula.

Campus Dean: Dean Steve LaBerge has been a member of the MCL faculty since 2007 and has served as Campus Dean since 2010. He will continue to serve as the part-time campus dean of the Santa Cruz location for the first two years. At the point that the branch campus has more than 30 students or begins to offer third-year courses, a full-time dean or campus administrator will be hired subject to the rules and guidelines in place at that time.

Registrar: Shashi Chand is the law school's full-time Registrar and is located at the primary administrative offices in Seaside. Ms. Chand has served as Registrar for the law school for more than two decades. Ms. Chand is responsible for recording grades, maintaining all permanent student records, and registering students through Populi, the law school's on-line course management system. The vast majority of all information related to registration and student records, including transcripts, grades,

and formal student notifications are provided to students through the web-based Populi system. Ms. Chand is available by telephone, e-mail, and through the Populi system during regular business hours to students at all MCL locations.

C. MARKET FOR A SANTA CRUZ BRANCH CAMPUS

This proposal reflects the growing demand for legal education within the Santa Cruz region. Approximately 20% of current MCL students come from the Santa Cruz area. This was the original reasoning for opening the Santa Cruz satellite campus in 2010. Since the opening of the satellite location, MCL has enrolled approximately 70 students in the Santa Cruz first-year law school program, with cohorts ranging in size from 6 to 11 students per year. By offering a full four-year program, the school anticipates increasing enrollment to 15-18 students per year. This is similar annual enrollment to the branch campuses in San Luis Obispo and Bakersfield.

Population: Santa Cruz County has a population of approximately 275,000 and has an undergraduate student population of more than 32,000 attending UC Santa Cruz and Cabrillo College. Based upon our experience in opening branch campuses in San Luis Obispo (2015) and Bakersfield (2017), MCL believes that the combination of a growing general population and two strong undergraduate “feeder” institutions provides a market for legal education large enough to support expanding Santa Cruz from a one-year satellite campus to a full branch campus.

The location is also convenient located between UC Santa Cruz and Cabrillo College.



In addition to traditional undergraduate students, Santa Cruz has a broad range of the typical categories of non-traditional law students; court and law firm personnel, county and municipal employees, and adult-learners who are considering a second-career. Santa Cruz County has a much higher than average higher education demographic with more than 52% of the adult population having a bachelors degree or higher in comparison to 31% for the State of California.

Santa Cruz relies primarily on its agriculture, tourism, high technology and educational industries. A 2016 economic development survey indicated business

confidence regarding the years ahead and that the business community has made leaps and bounds in recovering from the 2008 recession. County demographics indicate the type of local economy that traditionally will support additional higher education opportunities.

Job Growth: 2.7%

Unemployment: 7.4%

Work Force: 148,100

Median Household Income: \$70,963

Household Income Growth: 2.4%

High School Attainment: 86.8%

College Attainment: 38.9%

In 2015, Value Penguin, a New York-based consumer data website, ranked Santa Cruz County as the 11th most educated region in the nation, largely due to the quality of its schools, colleges and universities.

UC Santa Cruz: UCSC has a current enrollment of more than 17,000 students. The university does not have a law school, but is ranked nationally for the percentage of its students whose bachelor's degrees lead to doctorates. Over the past three years, approximately 450 UCSC graduates applied to ABA law schools. With an acceptance rate of 72%, this means that approximately 125 of these graduates were not accepted to an ABA law school and provide a special target market for potential MCL Santa Cruz students. However, in conversations with UCSC pre-law students, the number one reason given for not considering MCL is the commute from Santa Cruz to Seaside. MCL believes that by providing an opportunity in Santa Cruz to complete an accredited JD program, a significant number of these students would take advantage of a local law school program.

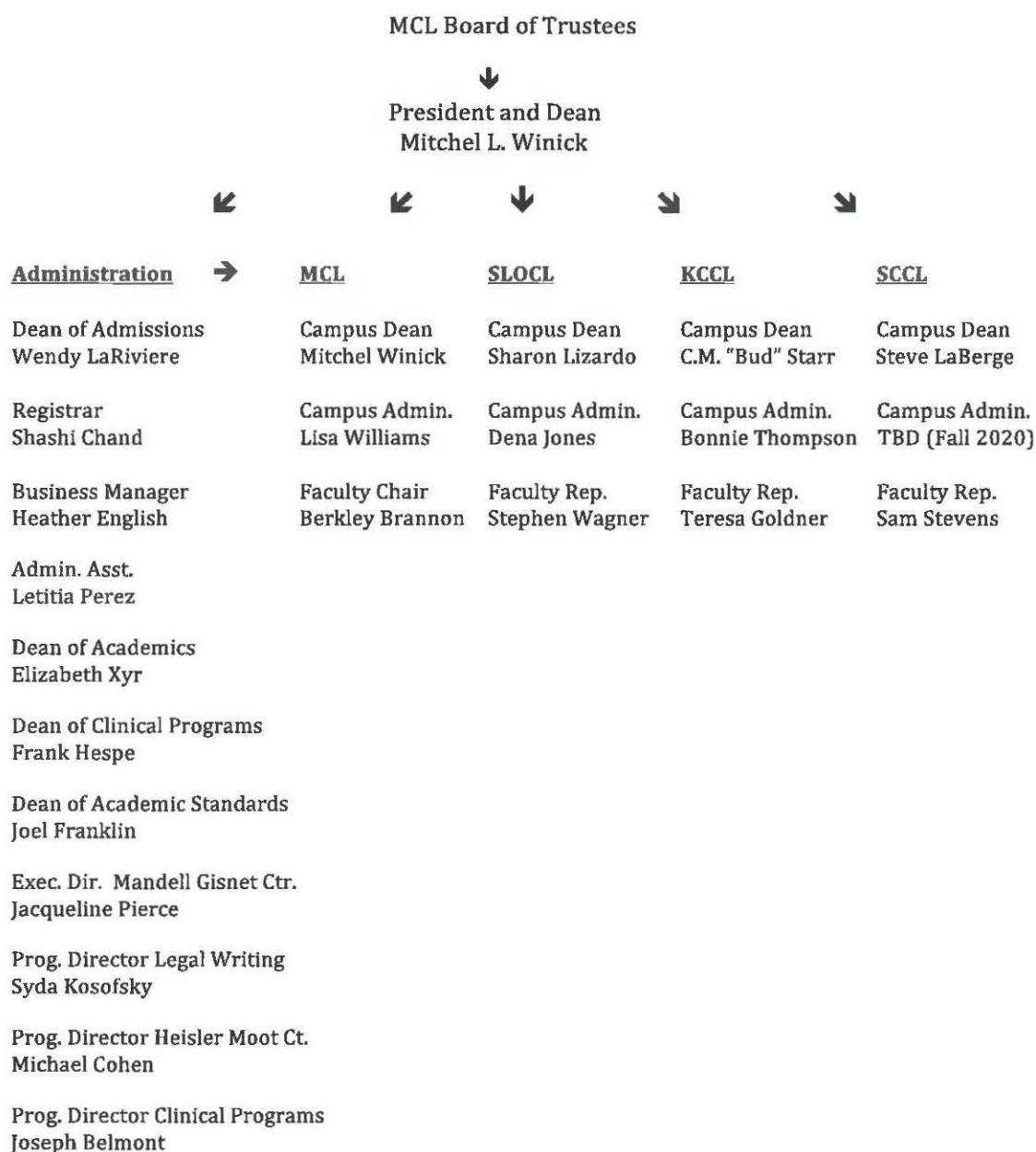
Cabrillo College: Cabrillo College is a respected California Community College located in Santa Cruz that has a current enrollment of more than 15,000 students. The college currently offers Associate Degree programs in Administration of Justice and Criminal Justice and is one of the State Bar of California Pathway to Law program participants. The Pathways project, sponsored by the State Bar's Council on Access and Fairness, established agreements with California community colleges to provide early exposure to the law school experience, individual advisement and mentoring from law school advisors, financial aid counseling, LSAT preparation and waived application fees for certain law schools.

D. LAWFUL OPERATION AND GOVERNANCE

Board of Trustees: MCL operates as a 501(c)3 California non-profit corporation. The MCL Board of Trustees will serve as the fiduciary governing body of the branch campus. MCL Trustees serve three-year terms and may serve two consecutive terms.

Santa Cruz Advisory Board: The MCL Board of Trustees will appoint an advisory board for the branch campus comprised of lawyers, judges, and community leaders. The advisory board will meet quarterly and provide input to the MCL Trustees on issues and policies of importance to the local program. Advisory Board members will serve three-year terms.

Executive Management: President and Dean of the law school, Dean Mitchel Winick serves as the chief executive and chief academic officer managing and administering the business, academic, and financial affairs of all locations of the law school. He is supported locally at each branch by the Campus Deans and faculty and at the main campus by the administrative staff (*See Organizational Chart below*).



E. FACULTY

Following the successful model that MCL has employed for the past 45 years, the adjunct law faculty for the Santa Cruz branch will be practicing lawyers and judges. MCL does not employ any full-time law faculty other than Dean Winick and Dean Xyr. The following experienced first year adjunct professors will continue as the 1L faculty for the Santa Cruz branch. Second-year faculty will be hired prior to Fall 2019. Third- and Fourth-year faculty will be hired in subsequent academic years.

First-Year Faculty:

- Contracts – Robert Patterson, Private Practice, MCL faculty since 1985
- Criminal Law – Hon. Samuel Stevens, Ret. Judge, MCL faculty since 2010
- Torts – David Spini, Private Practice, MCL faculty since 2017
- Legal Research and Writing
 - Jennifer Bruno, Private Practice, MCL faculty since 2010
 - Alexi Haller, Private Practice, MCL faculty since 2014

Upper Division

- TBD (Fall 2019, Fall 2020, Fall 2021)

F. ACADEMIC PROGRAM

First Year Curriculum: The Santa Cruz branch campus will continue to offer the following first-year law courses using the same Monday through Thursday evening schedule (6:30-9:30 p.m.) that is used at the law school's other locations:

Contracts	6 units
Torts	6 units
Criminal Law	6 units
Legal Writing	2 units
<u>Legal Skills</u>	<u>1 unit</u>
Total	21 units

Each of these courses will utilize the same or similar syllabi and casebooks as the first-year courses offered at MCL's other locations. First year students at the branch campus will also take the same format of examinations and be graded following the same rubrics as first year students attending the other MCL locations. The syllabi, course materials, examinations, and grading rubrics for these courses have all previously been submitted for review and approved by the Committee as part of MCL's 2013 five-year site visit.

Practical Skills Training and Moot Court: The Santa Cruz branch campus will offer a minimum of six (6) units of required practical skills training courses, Moot Court,

internships, externships, and clinical programs that will be delivered as residential courses during the second, third, and fourth years. Additional practical skills units will be imbedded within the online curriculum to meet the 15-unit requirement of Guideline 6.9.

Upper Division Curriculum: The Santa Cruz branch campus will expand and offer the same upper division course curriculum on the same weekly course schedule as offered at the law school's other locations. The courses will be added each year as the Fall 2018 entering class cohort advances through the JD and MLS programs.

Academic Policies: The Santa Cruz branch campus will follow the same academic policies that are currently in place at the other MCL locations related to grading, attendance, academic honesty, equal opportunity, anti-harassment, faculty evaluations, course syllabi, examinations, academic probation, course repetition, and disqualification.

Bar Review Resources: MCL has a special license agreement with BarBri and Kaplan to provide a comprehensive bar review programs and skills courses that are included in the law school's tuition and fees. The Santa Cruz branch campus students will have access to the same programs, many of which are offered online.

Student Handbook: All policies and procedures are the same for all MCL locations.

Faculty Handbook: All faculty policies and procedures are the same for all MCL locations.

H. FINANCIAL PROJECTIONS

MCL has developed a four-year pro forma for the Santa Cruz branch campus that includes estimated revenue and expenses for the fiscal years 2019 through 2022. (See Appendix A – 4-Year Pro Forma for details.)

The pro forma includes strategic enrollment objectives, revenue estimates, and program expenses.

	<u>Net Revenue</u>
Year 1	\$ 23,575.00
Year 2	\$204,611.00
Year 3	\$498,982.00
Year 4	\$584,337.00

I. SUMMARY

MCL requests approval of the Committee to expand its current *satellite* campus in Santa Cruz, California that currently only offers a first-year law school curriculum, to the status

of *branch* campus that will offer a full four-year JD degree program and two-year MLS program. The name of the branch campus shall follow the naming protocol of the law school's other branch locations and will be "*Santa Cruz College of Law; a branch of Monterey College of Law*" (SCCL). The branch shall be owned and operated by MCL, a 501(c)3 California non-profit corporation located in Seaside, California.

The status of the existing Santa Cruz program expansion from a *satellite* to *branch* campus will take effect in Spring 2019.

MCL Requests that the Committee approve the above Major Change Requests at the March 23-24, 2018 Committee meeting in order to allow adequate pre-marketing, planning, and implementation of the expanded program.

Submitted by:

A handwritten signature in black ink, appearing to read "Mitchel L. Winick", written in a cursive style.

Mitchel L. Winick
President and Dean

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM : **March 2018 – 0-401**

DATE: March 12, 2018

TO: Subcommittee on Educational Standards

FROM: George C. Leal, Program Manager for Educational Standards

SUBJECT: **Monterey College of Law – Major Change Request to
Redesignate Santa Cruz Satellite Campus to a Branch Campus**

BACKGROUND

Attachment A is a Major Change Request submitted by the Monterey College of Law (MCL) seeking approval from the Committee of Bar Examiners (Committee) to elevate its existing Santa Cruz satellite campus to a branch campus that would operate as the Santa Cruz College of Law and open in the spring of 2019. As required by Rule 4.164 and as defined by Rule 4.165(B) of the *Accredited Law School Rules* (Rules), a California-accredited law school (CALS) must request and obtain prior Committee approval to make any major change which includes, “opening a new branch” campus.

As described by Dean Mitchel Winick, MCL’s request has been submitted under the process and timing established by Rule 4.160(H) and Guidelines 15.1 – 15.4 (Division 15. Opening and Operating a Branch or Satellite Campus) of the *Guidelines for Accredited Law Schools Rules* (Guidelines). Under this Rule and these Guidelines, the Committee has simplified and shorten the process used to receive its approval to open a new branch campus. As described below, the Committee’s approval is to be based upon its consideration written narrative, “notice” submission as certified by the Dean.

The timing and process to evaluate MCL’s request is as follows:

As provided by Guideline 15.2(A): “No less than 180 days before the proposed first day of classes of a branch or satellite campus, the law school must provide the Committee with notice of its intention to open a new branch or satellite campus.” In doing so, the notice must identify the type, location, name and proposed opening date of the new campus. It must also provide the Committee a “comprehensive explanation” for its decision to open the new campus, that includes: “a) a narrative discussing any research or planning regarding the new campus; b) projected financial impact of the new campus on the law school; and c) proposed resources to be allocated to the new campus.” Finally, the notice must be certified by the Dean that, “upon its opening,” the

new campus will be in substantial compliance with all relevant academic and operational requirements” as set out in the Rules and Guidelines.

Once submitted, the Committee then has 60 days to consider whether to approve or deny the request. Guideline 15.2(B) requires that “[n]o less than 120 days before the proposed first day of classes at the branch or satellite campus, the Committee must approve or deny the law school’s proposal” if it finds, as certified by the Dean, that the new branch will be in substantial compliance as of the date of its opening. Thereafter, under Guideline 15.2(C), “within 90 days of the first day of classes of the branch or satellite campus,” the law school must submit a report, also “certified by the Dean,” to confirm that the new campus is, in fact, then in “substantial compliance.”

As a final check to confirm that the new branch campus will open in substantial compliance with the Rules and Guidelines, Rule 4.160(H) provides that “no later than 30 days prior to the start of classes, the Dean of the law school “will certify the substantial compliance of each new branch or satellite campus, by a letter to the Committee.

Each of the subsequent certifications is intended to provide the Committee and staff additional information regarding the operational status and readiness of the new branch before students start attending classes. Since some of the information subsequently submitted may not have been available to the Dean when the 180-day notice was initially received the Committee, the Rule and Guidelines are intended to provide the Committee with further factual support to confirm that its approval was appropriate.

Under Guideline 15.3(B), if approved, a new branch campus operates as “provisionally approved” until it is shown to be in full compliance with “all accreditation standards and operational requirements” of the Rules and Guidelines. Moreover, each new branch campus is required to operate with a qualified administrator who, under Guideline 4.1(B), must be a graduate of either an ABA-approved or Committee-accredited law school. Under this Guideline, if a branch opens with 30 or fewer students and offers only first or second-year classes, it may operate with only a part-time administrator.

Once opened, and as required by Guideline 15.3(C), “[w]ithin two years of operating a provisionally-approved branch campus, the law school must seek confirmation from the Committee that the campus is in compliance with all accreditation standards” found in the Rules and Guidelines. To make this determination, the Committee will then conduct an inspection of the campus to determine whether it is to be “deemed approved, continue to be provisionally approved or denied continued provisional approval.”

Finally, under Guideline 15.4, the Annual Compliance Report submitted by a CALS operating a provisionally-approved or fully approved branch campus “must include, by separate attachment, all requested information and data” relating to the operational status of the branch campus. Accordingly, if approved to open in the spring of 2019, MCL will submit a separate section of its 2019 Annual Compliance Report, due November 15, 2019, to provide the Committee with relevant data, such as its admissions, student enrollment and faculty relating to the Santa Cruz branch campus.

PROPOSED, NEW BRANCH CAMPUS

MCL is a non-profit, tax-exempt CALS founded in 1972 that received its accreditation from the Committee in 1981. Dean Winick has served in his position since 2005. MCL currently operates four campuses. Its main campus is located in Seaside, a community just north of Monterey, in close proximity to California State University, Monterey Bay. The Seaside campus offers a part-time, four-year day and evening program leading to the award of the Juris Doctor degree. This campus also offers two other law degrees, a Master of Legal Studies (M.L.S.) and a LL.M. degree in International Law.

In 2010, MCL received Committee approval to open and operate a satellite campus in Santa Cruz, the first and only CALS to operate such a campus. Given its status as a satellite, students enrolled in Santa Cruz are only offered classes in MCL's first-year J.D. curriculum. Once they complete their first year, they must matriculate and commute to the Seaside campus. Since it opened, the Santa Cruz campus has been a success, with approximately 70 students starting there and later enrolling at the Seaside campus. Altogether, Dean Winick estimates that approximately 20% of MCL's current enrollment now originates from the Santa Cruz branch campus. Its currently has eight students.

In 2015, MCL sought and received Committee approval of its first, four-year branch campus, the San Luis Obispo College of Law. That campus opened in the fall of 2015 and now offers classes in all four years of the MCL J.D. curriculum. As of the fall of 2017, this campus had an enrollment of 36 students. In 2016, MCL again sought and received Committee approval to open a second branch campus in Bakersfield. In the fall of 2017, the Kern County College of Law opened with 16 students.

Based upon the enrollment at all of its campuses, MCL current, 2017 enrollment was 119 students, an increase of 7.2% from the year before. Both of MCL's then-existing campuses (Seaside and Santa Cruz) were inspected in September 2012 and each was found operationally compliant. MCL's next periodic inspection, which will include all four campuses, is scheduled to take place sometime next fall.

As discussed by Dean Winick, several key factors prompted MCL's decision to seek approval to elevate its Santa Cruz campus into a four-year branch campus. They include its demonstrated success over the past seven years to attract qualified applicants, and the real potential for its enrollment to grow. There is also meaningful support from the local community given MCL's long-standing commitment to offer its program of legal education along California's Central Coast. As noted in Attachment B, as a member of the Santa Cruz County Board of Supervisor, Mr. Ryan Coonerty supports having a branch campus in Santa Cruz given MCL's "deep ties to the local legal community." Moreover, as expressed by its students and faculty, allowing MCL to offer a four-year program will give residents in Santa Cruz the opportunity to both enroll in an accredited J.D. curriculum and then be able to finish their education in their own community and thus avoid what has become an increasingly tougher and far more time-consuming commute to the Seaside campus. That desire is expressed by Mr. Burleigh Cooper, a current member of the MCL faculty in Santa Cruz. Attachment C.

The current Santa Cruz campus is near downtown and operates in a commercial office building across the street from both the Santa Cruz County Superior Court and County Law Library. Its current, part-time administrator is a member of the faculty, Campus Dean Steve LaBerge, a local attorney who maintains his law office in the same building. He is a graduate of the Santa Clara University School of Law and a certified Criminal Law with over 35 years of experience as a trial attorney. As planned and with approval to offer a four-year program, Mr. LaBerge would continue in a part-time capacity until enrollment exceeds 30 students or when the third or fourth year curriculum is offered. Then as required, a full-time administrator will be retained to be the Campus Dean.

The current campus includes a single large classroom with access to smaller classroom which, together, meet the needs of its current enrollment. The main classroom is equipped with traditional educational technology (whiteboards, AV projector), as well as high-speed Internet connectivity. Additional classroom space in the building is expected to be available in the same building by the fall of 2020 to handle the anticipated growth of future student enrollment into a four-year program. Until then, the current two classroom configuration will support the initial growth in enrollment to include, if approved, the first class of second year students in Santa Cruz in the fall of 2019.

In regard to offering students in Santa Cruz a compliant law library, MCL requested and received a waiver from the Committee in 2010 to allow its students to use the Santa Cruz County Law Library, a library that far exceeds the hardcopy contents requirements of Guideline 8.4. As a result, since it opened, students enrolled in Santa Cruz have extended, non-public access to a law library in very close proximity to their classroom. As with all students enrolled at each of its campuses, students in Santa Cruz are provided with 24/7 access to the online law library resources provided by Lexis/Nexis.

As confirmed during the 2012 inspection, and as discussed at length in Dean Winick's submission, the Santa Cruz campus compliantly operates within each accreditation standard and with all academic and operational requirements found in the Rules and Guidelines. As such, it offers students in Santa Cruz receive the same program of legal education, through the first year, and have access to the same academic support and students services those in Seaside. Finally, if elevated to a full, four-year branch, the Santa Cruz College of Law would join MCL's other provisionally-approved branch campuses (the San Luis Obispo College of Law and the Kern County College of Law) and would continue to operate with the same administrative resources provided in Seaside, including regular online and telephone access to the law school's Registrar.

DISCUSSION

In reviewing Dean Winick's certified submission, the Committee should judge whether MCL has provided sufficient information to support approval to elevate the Santa Cruz satellite campus into a provisionally-approved branch campus. To do this, as required by Guideline 15.2(A), the Committee should consider whether MCL has offered a "comprehensive explanation" for its decision to open the new campus, that includes: "a) a narrative discussing any research or planning regarding the new campus; b) projected

financial impact of the new campus on the law school; and c) proposed resources to be allocated to the new campus.” From an objective reading of Dean Winick’s narrative, it appears MCL has met its burden of proof and its request should be approved.

In regard to the research and planning that supported MCL’s decision, Dean Winick (at pp. 11-12) notes that Santa Cruz is home to two universities including U.C. Santa Cruz and is a community with an above-average population of college graduates that includes what he describes as potential “non-traditional” law students, such as local government and court employees and law firm personnel. These same demographic factors initially prompted MCL in 2010 to open its satellite campus and, over time, have confirmed that they can and will support a steady enrollment of new law students. With the approval to expand into a four-year program, Dean Winick estimates that a full branch campus would increase its enrollment by 15-18 students a year.

With this projected increase in its student enrollment, the projected financial impact on MCL of having a four-year branch campus in Santa Cruz will be positive. As estimated, the net revenues to be generated by having four classes of students enrolled in Santa Cruz will approach and exceed \$500,000 within the first three to four years it is open, a potentially significant sum in light of its current gross revenue of \$2.2 million.

Finally, as discussed at length (pp. 7-10), based upon its current commitment of both financial and academic resources used to operate as a satellite campus, MCL is fully committed to provide all additional resources needed to support its students and faculty if and when the current campus begins to operate as the Santa Cruz College of Law.

RECOMMENDATION

Based upon Dean Winick’s certified submission, it is recommended that the request of the Monterey College of Law (MCL) for approval of a major change, to allow it elevate its existing Santa Cruz satellite campus to a branch campus, be received and filed; that the major change request be approved such that MCL may open, in the spring of 2019, the Santa Cruz College of Law as a provisionally-approved branch campus under the accreditation standards and operational requirements found in *Accredited Law School Rules* and the *Guidelines for Accredited Law School Rules*; that, as required by Rule 4.160(I) and Guideline 15.2(C), no less than 90 days and again within 30 days before the expected first day of classes at the branch campus that a report be submitted, certified by Dean Winick, to confirm the substantial compliance of the branch campus with all relevant *Accredited Law School Rules* and the *Guidelines for Accredited Law School Rules*; and, that following receipt of said certification, the provisionally-approved branch campus may open, enroll students and then begin offering classes; and, pursuant to Guideline 15.3(C), within two years of its opening as a branch campus, MCL must seek confirmation from the Committee of Bar Examiners that the Santa Cruz College of Law is in full compliance with the Rules and Guidelines.

PROPOSED MOTION

Should the Subcommittee agree with the recommendation, the following motion is suggested:

Move, that the request of the Monterey College of Law (MCL) for approval of a major change, to allow it elevate its existing Santa Cruz satellite campus to a branch campus, be received and filed; that the major change request be approved such that MCL may open, in the spring of 2019, the Santa Cruz College of Law as a provisionally-approved branch campus under the accreditation standards and operational requirements found in *Accredited Law School Rules* and the *Guidelines for Accredited Law School Rules*; that, as required by Rule 4.160(I) and Guideline 15.2(C), no less than 90 days and again within 30 days before the expected first day of classes at the branch campus that a report be submitted, certified by Dean Winick, to confirm the substantial compliance of the branch campus with all relevant *Accredited Law School Rules* and the *Guidelines for Accredited Law School Rules*; and, that following receipt of said certification, the provisionally-approved branch campus may open, enroll students and then begin offering classes; and, pursuant to Guideline 15.3(C), within two years of its opening as a branch campus, MCL must seek confirmation from the Committee of Bar Examiners that the Santa Cruz College of Law is in full compliance with the Rules and Guidelines.

Memo

TO: Committee of Bar Examiners, State Bar of California

ATTN: Erica Hiramatsu, Chair, Committee of Bar Examiners; Alex Lawrence, Chair, Ed Standards Subcommittee

FROM: Mitchel L. Winick, President and Dean, Monterey College of Law

SUBJECT: Addendum to Santa Cruz Branch Campus Major Change Request

Date: April 10, 2018

CC: Donna Hershkowitz, Chief of Programs; Amy Nunez, Interim Director of Admissions; David Knight, Senior Administrative Assistant

I. Response to Questions from Committee of Bar Examiners

A. How to measure academic success of students enrolled in the existing Santa Cruz satellite campus?

Monterey College of Law ("MCL") indicated in its major change proposal that approximately 70 students have enrolled in our Santa Cruz satellite campus since 2010, with an average of 10 students per year. The Committee of Bar Examiners ("Committee") inquired about the attrition and bar pass rate of those students.

As an opportunity law school serving regions with a growing percentage of students from non-traditional and disadvantaged communities, MCL has historically maintained an institutional attrition rate of approximately 30%.

It is important to note that program attrition is not limited to academic disqualification. For non-traditional students who are working adults, financial disruptions such as student or spouse loss of employment, job transfers out of the area, and unexpected family expenses are common financial issues that cause students to suspend or discontinue their legal studies. Personal and family medical emergencies (including those of elderly parents and adult children who are financially supported by adult MCL students) are also common disruptors. Note that for these reasons, attrition statistics for California Accredited Law Schools ("CALs") are significantly different than those for graduate programs that are populated by traditional graduate students in their "twenties" who are financially supported by family, not the financial supporters of family.

The following chart reflects the academic success of the students originally enrolled in the Santa Cruz first-year satellite who transitioned their academic

program to the main Seaside campus. Of the total of 65 students (not including the five who have already enrolled for Fall 2018), 71% have either graduated or are currently enrolled in good academic standing.

Therefore, students originating their legal education at the Santa Cruz satellite campus have an attrition rate of 29%, slightly lower than MCL's institutional attrition rate.

SANTA CRUZ SATELITE CAMPUS STUDENT POPULATION 2010 - 2018					
<u>Enrolled</u>	<u>Graduated or Continuing</u>	<u>Percent</u>	<u>Taken Bar</u>	<u>Passed Bar</u>	<u>Percentage</u>
65	46	71%	18	9	50%

In addition, since the satellite program was opened in 2010, 18 students who began their program in Santa Cruz have graduated and taken the California Bar Exam. To date, these students have achieved a 50% cumulative pass rate. Guideline 12.1 of the *Guidelines for Accredited Law School Rules* requires that an accredited law school must maintain a cumulative bar examination bar pass rate of at least 40%.

Using the 40% standard as a benchmark, students who were initially enrolled through the Santa Cruz satellite campus have exceeded the required cumulative pass rate and have contributed to the law school's overall compliance with the minimum bar pass rate criteria.

Finally, MCL compared the median GPA for 1L students at Santa Cruz vs. our other two locations for the most recently completed academic year. (Bakersfield students have not yet completed a full academic year.) The following chart illustrates that Santa Cruz students had the highest median 1L GPA for 2017.

<u>Location</u>	<u>2017 Median 1L GPA</u>
Santa Cruz	75.53
San Luis Obispo	74.50
Seaside	71.00

Therefore, by each of the above three academic criteria – attrition rate, bar pass rate, and median 1L GPA – students originating their legal education at the Santa Cruz satellite campus have reflected successful academic performance.

B. How to measure and compare branch campus academic performance?

A question also was raised by the Committee regarding how to measure whether the MCL academic model for branch campus locations has been successful. MCL's annual compliance report and the major change proposal reflect the

institution's overall financial stability and sustainability. However, these reports do not necessarily reflect the *academic* performance of individual branch locations.

As previously indicated, the law school has historically maintained a program attrition rate of approximately 30%. The following information reflects and compares the attrition rates for each of the law school's locations during the period of time that the law school has been operating branch and satellite campuses.

The following chart reflects that during the period of time that the law school has been operating branch campuses (2015-2018), MCL has successfully maintained an overall institutional attrition rate of 27% for students originating (non-transfer) at MCL.

MONTEREY COLLEGE OF LAW BRANCH/SATELLITE CAMPUSES			
Student Retention Statistics 2015 - 2018			
	Number <u>Enrolled</u>	Number <u>Continuing</u>	Percent <u>Retained</u>
Santa Cruz	22	16	73%
San Luis Obispo	40	31	78%
Bakersfield	16	11	69%
Seaside	44	31	70%
Total all campuses	122	89	73%

The more established Seaside, San Luis Obispo, and Santa Cruz locations have all maintained attrition rates at or below the school's 30% historical average and the new Bakersfield location is only 1% higher in its first enrolled class.

These statistics indicate that MCL continues to attract and enroll students at each of our campus locations that successfully meet the academic standards of our program. (Note that the San Luis Obispo and Bakersfield campus locations do not yet have graduates that eligible to sit for the bar exam, therefore bar exam statistics are not yet available for these campuses.)

Finally, it is important to note that during this same period of time, MCL as an institution has continued to meet all compliance requirements under the Rules and Guidelines for Accredited Law Schools.

II. Response to Antitrust and Anti-Competition Allegations Submitted by Lincoln Law School of San Jose (“Lincoln Law School”)

A. Lincoln Law School has alleged violations of antitrust laws and anticompetitive business practices related to the Santa Cruz branch campus major change proposal. Lincoln Law School has repeated these claims in verbal and written public comments before the Committee, in a request for antitrust determination filed with the Office of General Counsel, in a federal antitrust conspiracy lawsuit filed in the Northern District of Federal Court, and in a “Responsive Memorandum” filed with the Committee. All of these original documents and presentations are available to the Committee through the State Bar video archive of CBE meetings and the written filings submitted to the Committee by Lincoln Law School, therefore they are not being attached to this document.

Simply put, it is MCL’s contention that these claims fail to state a basis in fact or law in objection to MCL’s current branch campus major change request as submitted under the *Rules and Guidelines for Accredited Law Schools*. MCL calls to the Committee’s attention the report to the Committee by the OGC at the recent March 2018 public meeting that indicated after a preliminary review of Lincoln Law School’s claims, the OGC found no basis or valid claim that the properly adopted and enacted *Rules and Guidelines for Accredited Law Schools* should not be followed by the Committee.

B. Furthermore, Lincoln Law School appears to be alleging that all points and references incorporated in an unrelated major change request by JFK University School of Law are somehow dispositive for MCL’s current proposal. Lincoln requests in its “Responsive Memorandum” to the MCL proposal that:

*. . . consideration of this Request **should be deferred for all the same reasons Lincoln has requested that the John F. Kennedy College of Law (“JFKCOL”) Request be deferred.** Lincoln won’t repeat **all the points made** in its Responsive Memorandum in that (0-400) matter, but **incorporates them by reference here.** (emphasis added)*

MCL respectfully requests that the Committee consider the MCL major change request on its own merits. Lincoln Law School’s attempt to incorporate unrelated issues from another law school’s application to the Committee does not provide the Committee or MCL with questions of fact or law that can be appropriately directed to the specific issues and merits of MCL’s major change proposal.

C. The Office of General Counsel has issued an Antitrust Determination opinion that is dispositive of the antitrust issues raised repeatedly by Lincoln Law School. Lincoln has alleged that it is “anticompetitive” that the CBE employs a different procedure for approval of a major change to a CALS as compared with the procedure for approval of a new CALS or the procedure employed by the American Bar Association for a major change or a new school.

The Office of General Counsel has issued a formal Antitrust Determination in response to Lincoln Law School's allegations.

*[Lincoln Law School] **has not articulated** how this difference implicates the antitrust laws. . . . The mere fact that there are different procedures for different types of applications and different types of schools **does not itself implicate the antitrust laws.***¹ (emphasis added)

It is important to note that the OGC opinion specifically finds that on the face of its filings, Lincoln Law School failed to raise questions of fact or law that are issues of antitrust law.

D. In its "Responsive Memorandum" dated March 23, 2018, Lincoln Law School repeated its claim that the CBE should consider the effects of permitting multiple law schools to operate in a geographic area when determining whether to grant approval of a new branch law school.

However, this issue was also resolved by the Office of General Counsel in its March 8, 2018 Antitrust Determination prior to Lincoln Law School's submission to the Committee on March 23, 2018.

*. . . the Rules and Guidelines do not currently permit consideration of the potential impact of a new branch campus on other law schools operating in the area, and **such an inquiry would therefore be outside the proper scope of CBE's consideration of whether or not to approve a new law school branch campus.***² (emphasis added)

MCL requests that the Committee take notice of the opinion of the OGC in its consideration of the proper criteria to be used for evaluating whether a specific branch campus proposal meets the substantial compliance requirements under the existing *Rules and Guidelines for Accredited Law Schools*.

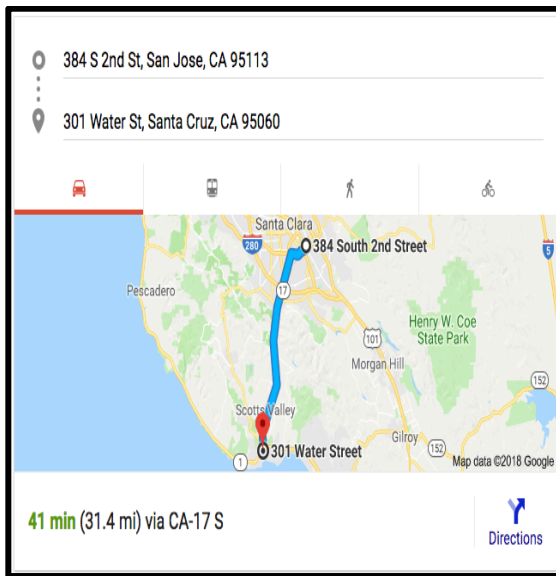
E. Furthermore, in its "Responsive Memorandum" dated March 23, 2018, Lincoln Law School incorrectly alleges that MCL's Santa Cruz branch campus will "create an anticompetitive effect" for Lincoln **in the San Jose marketplace**.

First, Lincoln misstates the relative drive time distance between the two locations. Lincoln stated that, "This [Santa Cruz College of Law] campus will be within a half hour drive of Lincoln Law School of San Jose." This statement is

¹ State Bar Office of General Counsel, Antitrust Determination 2018-0002, March 8, 2018, Page 3.

² Id., Page 4.

incorrect or misleading. The two campuses are actually 31.4 miles apart and without traffic are an estimated 40+ minutes drive time (see Google Maps estimate below). However, during evening rush hour traffic when students are commuting to our evening law school program, **the commuting time between San Jose and Santa Cruz on the relatively narrow and serpentine Highway 17 is known to be an unpredictable 45 minutes to two hours**, depending on traffic conditions.



Estimated Drive Time Between Lincoln Law School and MCL's Proposed Branch Campus

Second, it is important to recognize that Lincoln Law School and the proposed Santa Cruz College of Law are not located in the same market region. Market analysts commonly define a metropolitan statistical area (MSA) as a geographical region with a relatively high population density at its core **and close economic ties throughout the area**.

Lincoln Law School is located in the **San Jose-Sunnyvale-Santa Clara MSA**. The total population of San Jose-Sunnyvale-Santa Clara, CA MSA was 1,978,816 in 2016 and is projected to exceed 2,000,000 by 2020. (<http://proximityone.com/cbsa/1/cbsa41940.htm#6>).



Northern boundaries of San Jose-Sunnyvale-Santa Clara MSA

The proposed Santa Cruz College of Law is located southwest of the San Jose MSA in the separate ***Santa Cruz – Watsonville MSA***. The total population of Santa Cruz-Watsonville, CA MSA was 274,673 in 2016 and is projected to grow to 281,000 by 2020. (<http://proximityone.com/cbsa/1/cbsa42100.htm>)



Boundaries of the Santa Cruz- Watsonville MSA

Third, Lincoln Law School fails to acknowledge that MCL has been lawfully marketing and enrolling students at its satellite campus in Santa Cruz **since 2010**. Lincoln Law School has never previously appeared before the Committee during the first seven years of MCL's operations in Santa Cruz to express concern about alleged anti-competitive effects of the existing Santa Cruz satellite campus.

Fourth, Lincoln Law School misstates that MCL intends to *increase* its Santa Cruz enrollment by 15-18 students. In fact, the major change proposal indicates that MCL's goal is to annually enroll *a total of 15-18 students in Santa Cruz*. Since MCL already enrolls 7-10 students per year at its Santa Cruz satellite program, the law school is only proposing to increase enrollment by eight students per year as a branch campus. The major change proposal provides specific details and data related to the challenges created by the increase in traffic between Santa Cruz and Seaside. Given the fact that students enrolled in Santa Cruz will no longer be required to commute 45 minutes to two hours to the Seaside campus to complete their upper division courses, this modest projection of increased annual enrollment appears very reasonable.

Considering that the two schools are located in separate MSAs and that Lincoln Law School is located in the third largest city in California with a city population of more than one million and an MSA population of 1.9 million, it is not a plausible or reasonable argument that expanding MCL's existing Santa Cruz satellite campus to a branch campus will have any unlawful "anti-competitive effect" on Lincoln Law School.

2015 City Population Rankings			
California Cities Ranked by 1/1/2015 Total Population			
Rank	City	County	Total Population
1	Los Angeles	Los Angeles	3,957,022
2	San Diego	San Diego	1,368,061
3	San Jose	Santa Clara	1,016,479
4	San Francisco	San Francisco	845,602

(<https://www.cacities.org/Resources/Learn-About-Cities/2011Cities-by-Population.aspx>)

F. Lincoln Law School also raised concerns that there does not appear to be any plan, either currently or in the future, to have support staff located at the Santa Cruz campus location or to have office facilities for on-site academic support or on-site business services.

Apparently, Lincoln Law School appears to be unfamiliar with the guidelines that regulate satellite and branch campuses. Guideline 4.1(B) specifically states that:

*An approved branch campus with thirty or fewer students enrolled and offering only first-year or second-year classes **may operate with a qualified part-time administrator.** (emphasis added)*

MCL's major change request specifically addresses this issue:

Campus Dean Steve LaBerge, who has served in this role since the satellite campus first opened, has a law office in the same building and provides local administrative support for students and faculty.

Dean LaBerge is a highly respected attorney who has been in practice in Santa Cruz County for over 35 years. He is a graduate of Santa Clara University Law School and has been admitted to the California Bar since 1977. He has been a part-time member of the MCL law faculty and the part-time campus dean for the Santa Cruz Satellite campus since 2010. Dean LaBerge fully meets the criteria of Guideline 4.1(B). As campus dean, he utilizes his private office space in the same building as the classrooms. The delivery of business services for the branch campus is also fully explained in the major change proposal.

G. Lincoln Law School further raises the concern whether "additional space for classrooms will become available when the third and fourth year classes are ready to be seated." Again, I would direct Lincoln Law School to the *Guidelines* in response to their question. The *Guidelines* do not require a branch campus to have the entire facilities for a four-year program available on the first day of branch operations. Guideline 9.1 merely requires that a law school must have classrooms that are sufficient for its programs and adequate for their intended use. As stated in MCL's major change proposal:

The current classrooms are adequate to meet the branch campus needs for the next two years. Additional classroom resources will be added, as necessary, beginning in Fall 2020.

III. Financial Viability of MCL

Lincoln Law School has raised the question of the financial viability of MCL *based solely on reduced enrollment at our Seaside location over the past several years*. In fact, the projection of lower enrollment in our Seaside campus is one of the factors that support our business model of opening small branch campus locations in other communities within our region. Monterey County, the location of our main campus, is not expanding in industries that traditionally support second-career law students. Monterey County has well-documented housing and water shortages that will continue to limit economic growth outside of the agricultural market sector. For these reasons, we anticipate low- or no-growth for our Seaside enrollment until these issues are resolved.

As explained in our major change proposal, the addition of regional branch campus locations in regional communities that are experiencing greater economic growth strengthens our financial sustainability. This is the case for our initial branch locations in San Luis Obispo and Kern Counties. As reflected in the following chart, Kern County and San Luis Obispo Counties are growing considerably faster than Monterey County

Fastest Growing Counties in California³

#3	Kern County
#23	San Luis Obispo
#42	Monterey
#46	Santa Cruz

Although Santa Cruz County is not growing in population, it provides a different growth opportunity. The expansion of our existing one-year satellite campus to a full branch campus eliminates the challenge created by the significant increase in the commute time between Santa Cruz and Seaside. (As documented in our major change proposal.)

In addition, UC Santa Cruz has recently announced plans to grow its student body by more than 50 percent — some 10,000 students — by the year 2040.⁴ It is important to note that UC Santa Cruz does not have a law school and has no future plans to add one. Therefore, UC Santa Cruz will continue to be the primary undergraduate feeder school for the proposed Santa Cruz branch campus.

³ <http://www.usa.com/rank/california-state--population-growth-rate--county-rank.htm?tag=Fastest+Growing+Counties+in+CA>

⁴ <http://www.santacruzsentinel.com/social-affairs/20180112/ucsc-planning-for-10000-more-students-by-2040>

It is equally important to note that the branch campus locations in San Luis Obispo, Bakersfield, and Santa Cruz provide opportunities to serve communities that do not have access to local legal education. The State Bar has emphasized the need to expand access to justice and diversity in the legal profession as primary objectives of its mission. The MCL branch campus model supports this mission.

Our business model is to have 15-20 new students at each of our four locations for a total 1L institutional enrollment of 60-80 students. Rather than having to rely on enrollment from one community to pay for 100% of our fixed overhead, we can have smaller enrollment requirements at each location, serve multiple communities, and still grow overall student population based on demand within each respective community.

The following chart illustrates that we are beginning to see the effect of our branch campus business model. During the period of 2015 to 2017, the combined CALS experienced an 11.06% reduction in enrollment, while MCL's reduction was 7.03%. Although MCL was not immune from the national trend of reduced law school enrollment, between 2015-2017 we performed 36% better than the CALS as a whole. Our most recent 7.21% increase between 2016 and 2017 outperformed the CALS by a 10.25% margin.

Change in Enrollment (2015-2017)

<u>Year</u>	<u>CALS</u>	<u>(+/-)</u>	<u>% Change</u>	<u>MCL</u>	<u>(+/-)</u>	<u>% Change</u>
2015	1935			128		
2016	1775	(-160)	- 8.25%	111	(-17)	-13.28%
<u>2017</u>	<u>1721</u>	<u>(- 54)</u>	<u>- 3.04%</u>	<u>119</u>	<u>(+ 8)</u>	<u>+ 7.21%</u>
2015-17		(-214)	-11.06%		(- 9)	- 7.03%

We certainly hope that the most recent numbers indicate that the national downward trend for law school enrollment has begun to reverse for CALS as well as MCL.

IV. Summary

At the March 2018 Ed Standards Committee, Monterey College of Law presented a comprehensive major change request to modify the designation of our existing Santa Cruz satellite campus to a branch campus. The major change proposal addressed each of the standards detailed in the *Rules and Guidelines for Accredited Law Schools*. MCL is pleased to provide this addendum to the Santa Cruz major change proposal to answer additional questions related to the success of our Santa Cruz satellite program. We believe that the initial major

change proposal and this addendum provides the necessary information to allow the Committee to assess whether the Santa Cruz branch campus major change request meets the substantial compliance test as required by the current *Rules and Guidelines*.

In addition, Lincoln Law School has raised a number of questions alleging violations of antitrust laws, vague conspiracies, and anticompetitive business practices. In addition, they have suggested that their school be granted special protection from competition in the San Jose market area.

MCL is in agreement with the Office of General Counsel (Antitrust Determination, March 8, 2018) that Lincoln Law School has failed to present either facts or legal arguments to support their allegations related to antitrust laws, anti-competition, or to justify their request for special protection from competition. In addition, Lincoln Law School's "Responsive Memorandum" dated March 23, 2018 does not appear to provide any substantive basis for claiming that the approval of a branch campus outside of their market area creates any "anticompetitive effect".

Given all of the above factors, MCL respectfully requests that the Committee of Bar Examiners approve the law school's major change proposal to change the status of our Santa Cruz satellite campus to an accredited branch campus that will be designated Santa Cruz College of Law.

**Business & Professions Code Section
6061.7(a) Information Report for All Locations
2018 Report**

Name of Law School: Monterey College of Law

Primary Address: 100 Colonel Durham Street

Seaside, CA 93955

Additional Branch/Satellite Campus Name(s) and Location(s):

San Luis Obispo College of Law, San Luis Obispo; Kern County

College of Law, Bakersfield; Santa Cruz Satellite Campus

The following requests apply solely to all first-year students enrolled in a law school's J.D. Program, who were admitted as of September 15th of the previous year, and who were not reported in any prior year:

1) Admissions Data:

- a) Total number of first-year applications received: 72
- b) Total number of first-year students accepted: 64
- c) Total number of first-year students enrolled: 49
- d) Undergraduate Grade Point Average (GPA) for all first-year students admitted:
 - i) 75th Percentile: 3.58
 - ii) 50th Percentile: 3.10
 - iii) 25th Percentile: 2.79
- e) Law School Admissions Test (LSAT) numerical score (if required for admission).
Reported Numerical Score:
 - i) 75th Percentile: 146
 - ii) 50th Percentile: 142
 - iii) 25th Percentile: 134

2) Tuition and Fees Totals for First-Year Students in the Year Reported:

- a) Total number of units required to earn a J.D. degree: 90
- b) Estimated total tuition charged to complete a J.D. degree: \$MCL=74,250, SLOCL & KCCL =
- c) Estimated total fees charged to complete a J.D. degree: \$4800 \$64,000

3) Financial Aid Available to First-Year Students (if qualified):

- ☐ Federally Guaranteed Loans
- ☒ Private Student Loans
- ☒ Veterans Education Benefits
- ☒ California Dept. of Rehabilitation
- ☐ Unrestricted Scholarships/Grants/Discounts:
Total number and dollar amount awarded as of Sept 15:
 \$
- ☒ Conditional Scholarships/Grants:
Total number and dollar amount awarded as of Sept 15:
16 \$ 11,000

Description of all conditions (e.g., cumulative GPA) required to maintain any such scholarship awarded:

10 1-L Tuition Grants are awarded on a one-time basis only. Judge Smith Scholarship is awarded to a
1-L MCL student to encourage individuals with academic ability and motivation to pursue their dream of
a legal education in the face of financial difficulty.

4) Enrollment Data

- a) Total number of students enrolled, per class in the law school's J.D. degree program, during each of the prior three years:

	2014-2015	2015-2016	2016-2017
1st	29	43	33
2nd	25	36	29
3rd	26	24	18
4th	28	25	28
Total J.D. enrollment	108	128	108

- b) Total number of students who transferred to and from the J.D. program during the prior three years:

	2014-2015	2015-2016	2016-2017
Transfers (in)	1	20	0
Transfers (out)	1	9	0

- c) Total number of students who did not remain enrolled in the J.D. program, on either a voluntary or involuntary basis during each of the prior three years:

	2014-2015	2015-2016	2016-2017
Total Attrition (#)	5	9	7

5) Law School Administrators, Faculty, and Librarians:

- a) Number of full-time faculty: 0
 b) Number of part-time faculty: 69
 c) Number of full-time administrators: 3
 d) Number of part-time administrators: 3
 e) Number of trained librarians (full- or part-time): 1

6) Required Courses and Clinical Courses:

- a) Number of required courses for J.D. degree: 25
 b) Average class size for required courses: 21
 c) Number of school-sponsored clinical programs offered for credit: 7

7) Employment Outcomes:

The results of a survey conducted by the law school, taken three years after its graduates completed their J.D. degree requirements, indicate that the percent of graduates employed over each of the last three years working at jobs that: a) a J.D. degree is required by their employer; and b) a J.D. degree is an advantage in their employment are as follows.

Graduates of calendar year 2014* Total number of graduates: 20

Total number of responses received: 14 Survey response rate: 70%

Employment Status	2015	2016	2017
J.D. degree-required	41 %	33 %	42 %
J.D. degreed-advantage	28 %	28 %	28 %

* This report is intended to survey the employment status of all 2014 graduates.

8) California Bar Examination (CBX) Passage Data

- a) Reporting period (five years): January 1, 2011 - December 31, 2015;
 b) The total number of a law school's students who did each of the following during the current reporting period:
 (1) Graduated and then took the CBX at least once: 82;
 (2) Passed any administration of the CBX: 47;
 c) The cumulative CBX pass rate for the reporting period: 57%