



The State Bar *of California*

OPEN SESSION AGENDA ITEM APRIL 2019 COMMITTEE OF BAR EXAMINERS ITEM O-400

DATE: April 16, 2019

TO: Members, Committee of Bar Examiners

FROM: Natalie Leonard, Principal Program Analyst, Office of Admissions

SUBJECT: Report on Cal Northern School of Law Periodic Inspection

EXECUTIVE SUMMARY

Cal Northern School of Law underwent its five-year periodic inspection on September 25-28, 2018. It is recommended that the Committee of Bar Examiners continue the accreditation of the school, approve the Periodic Inspection Report (Attachment A), and adopt the mandatory and suggested actions noted therein, and that the response filed by the school be received and filed. It is further recommended that the school provide an update as to its progress in responding to these recommendations in its 2019 Annual Compliance Report and that the school's next periodic inspection be scheduled for the Fall of 2023, or sooner should the Committee so determine. In a letter dated April 4, 2019, the school has agreed to address all mandatory and suggested actions. (Attachment B)

BACKGROUND

Cal Northern School of Law (CNSL) is a California Accredited Law School (CALS) located in Chico, California. The school underwent its five-year periodic inspection on September 25-28, 2018. The inspection was conducted by a team composed of State Bar Consultant Heather Georgakis, Committee of Bar Examiners' member Kareem Gongora, and Dean Jay Frykberg, Dean of the University of West Los Angeles School of Law (Inspection Team).

Originally founded in 1983, CNSL is a privately-owned institution in Chico, California. The school's mission is to provide quality, affordable legal education that is practical and well-grounded in legal theory. The law school was accredited by the Committee in 1992, and in March 2018 the school was recognized as a candidate for Accreditation by the Western Association of Schools and Colleges (WASC) as well. When a school earns Candidate status with

WASC, this indicates that CNSL is progressing toward, but is not assured of, eventual accreditation by WASC.

CNSL offers both a Juris Doctor program (J.D.) and, pursuant to the Committee's grant of acquiescence in 2014, a Master of Legal Studies program (M.L.S.). The J.D. is offered through a part-time, four-year 84-unit evening program of on-site courses. At the time of inspection, total CNSL enrollment was 43, including two M.L.S. students. In 2018, CNSL's graduates had a minimum, cumulative bar examination pass rate (MPR) of 73% on the California Bar Examination for the most recent five-year reporting period, which is well above the 40% MPR that is required of all California accredited schools.

It is noteworthy that the school operated successfully and without a break in service this past year during a period of difficulty due to the wildfires in the surrounding community, ensuring that its students continued to receive an uninterrupted and compliant education.

The Inspection Team recommends that the school's accreditation be continued, that the following mandatory and suggested actions listed below be adopted, and that the school's next periodic inspection be scheduled for Fall 2023, unless an earlier visitation is deemed necessary by the Committee.

RECOMMENDED, MANDATORY ACTIONS

Through its inspection, the Inspection Team found CNSL to be compliant with the Rules and Guidelines for Accredited Law Schools; the Inspection Team did, however, identify several issues relating to the law school's current degree of compliance with the Guidelines that need to be remedied by the school. They are enumerated here for reference.

1. To comply with Guidelines 2.1 and 13.3, it is recommended that the law school, revise or remove from its communications any statement to the effect that "[g]raduates of Cal Northern School of Law are eligible to become members of the State Bar of California, as well as the bar of other jurisdictions upon passage of their respective bar examinations."
2. To comply with Guideline 2.7(A)(3), it is recommended that the course repetition policy be revised to address repetition by a student who withdraws from or fails a required, non-core course.
3. To comply with Guideline 2.7(C), it is recommended that the law school supplement its authenticity policy to require that exam-takers show identification and sign in to examination sessions.
4. To comply with Guideline 2.7(G), it is recommended that the law school amend its policy to state available grounds for a grade change, as required by Guideline 2.7(G).
5. To comply with Guideline 2.8, it is recommended that the law school segregate student testing accommodation health records in a separate file, or under seal if maintained in the student's primary file, to allow access only to personnel directly involved in deciding accommodation matters.

6. To comply with Guidelines 4.6 and 6.1, it is recommended that the law school implement an ongoing faculty development program focused on teaching skills and address the program as part of the plan the law school is required to file annually under Guideline 6.1.
7. To comply with Guidelines 6.11, 6.13, and 6.14, it is recommended that the law school implement a process by which examination materials must be submitted for review and approval by the Dean or Dean of Students to permit oversight as to clarity, accuracy, and appropriate coverage of questions, and that the law school take steps to improve the amount and quality of examination feedback. The law school should address the review process and adequacy of feedback as part of the plan it is required to file annually under Guidelines 6.1 and 6.13.
8. To comply with Guideline 7.2, it is recommended that the law school state the process used to amend its policies related to academic standards.
9. To comply with Guidelines 2.3, 5.1, and 5.8, it is recommended that the law school clearly state in its published admission policies that previously disqualified students will not be admitted as transfer students; describe policies for admission under the “Start Over” policy; and fully address transfer credit requirements, including the Guideline 5.8(2)(a) limit on credit for study at an accredited law school.
10. To comply with Guidelines 5.7, 5.8, and 7.11, it is recommended that the law school review its procedures for reviewing and accepting transfer credit, revising the procedures as necessary to ensure all Guideline provisions relating to transfer credit are followed.

RECOMMENDED, SUGGESTED ACTIONS

The following suggested actions are recommended to further enhance the school’s compliance:

1. Pursuant to Guideline 2.1, the law school should review and, as necessary, revise its communications to make clear which statements apply to all students and graduates of the school and which are pertinent only to those in a specific degree program (J.D. or M.L.S.).
2. Pursuant to Guideline 2.7(D), the law school and its faculty should continue to make prompt return of grades a priority, and the Dean should continue to consider adherence to the grade return policy in making faculty rehiring decisions.
3. Pursuant to Guideline 2.10(B), the law school should continue its innovative approach to providing effective academic support to its students, particularly those in academic jeopardy.
4. Pursuant to Guideline 6.5(A) and (B), the law school should continue its efforts to verify, by all reasonable means, that instructors are fulfilling their duty to hold class for the entire class session and that student attendance is regular and punctual.
5. Pursuant to Guidelines 6.14 and 7.9, the law school should continue to monitor the rigor of grading in Pass/Fail courses to ensure proper evaluation of student performance.
6. Pursuant to Guideline 8.5, the Legal Research syllabus should be revised to clearly reflect that students receive instruction in both electronic and hard copy materials.

DISCUSSION

On behalf of the school, CNSL Dean Sandra L. Brooks accepted the report, and agreed to address all suggested and recommended actions. The school indicated that they have already begun to address recommendation number seven in the mandatory action section by creating a faculty examination review committee to review all examinations against an expanded range of criteria before the examinations are administered. The school clarified several points as well, and the report was revised to reflect all clarifications.

RECOMMENDATION

It is recommended that the Periodic Inspection Report be received and filed; that the mandatory and suggested compliance recommendations discussed in the Report be adopted; that the law school's response be received and filed; that the law school be required to report to the Committee as part of the school's Annual Compliance Report all efforts to address each such recommendation; that accreditation of CNSL be continued; and that the law school's next periodic inspection be scheduled for the Fall of 2023 unless an earlier visit is found to be needed by the Committee.

MOTION

Should the Committee agree with the staff recommendation, the following motion is recommended:

Move that the Periodic Inspection Report of Cal Northern School of Law conducted September 25-28, 2018 by State Bar Consultant Heather Georgakis, Kareem Gongora, Member of the Committee of Bar Examiners, and Jay Frykberg, Dean of University of West Los Angeles School of Law, be received and filed; that the response submitted by Sandra L. Brooks, Dean of Cal Northern School of Law, dated April 4, 2019 and submitted on behalf of the law school be received and filed; that the mandatory compliance recommendations made in the Report be adopted; that the law school be required to report to the Committee in its 2019 Annual Compliance Report all efforts to address each such recommendation; that the accreditation of Cal Northern be continued; and that the school's next periodic inspection be scheduled for the Fall of 2023, unless an earlier visitation is deemed necessary by the Committee.

ATTACHMENTS

- A. Cal Northern School of Law Periodic Inspection Report
- B. Letter from Dean Brooks Accepting the Inspection Report



The State Bar of California

Cal Northern School of Law

Periodic Inspection Report

Inspection conducted
Pursuant to Rule 4.162 of the
Accredited Law School Rules on:

September 25-28, 2018

Visitation Team:

Kareem Gongora, Member
Committee of Bar Examiners

Jay Frykberg, Dean
University of West Los Angeles School of Law

Heather Georgakis,
Educational Standards Consultant



CAL NORTHERN School of Law

1395 Ridgewood Drive, Suite 100 / Chico, California 95973

♦ Phone: (530) 891-6900 ♦ Fax: (530) 891-3429

April 4, 2019

Natalie Leonard, Principal Analyst
The State Bar of California
Office of Admissions
180 Howard Street
San Francisco, CA 94105-1617

Re: *Cal Northern School of Law's Periodic Inspection Report*

Dear Ms. Leonard:

Thank you for forwarding the Inspection Team's Period Inspection Report from Cal Northern's September 25-28, 2018 visit. Please accept this as Cal Northern's (CNSL) response to the visitation team's report.

There are certain factual errors within the report which I've corrected below:

Page 4-Report of Self-Study: Dana L Campbell is CNSL's Chief Financial Officer not the Director of Student Services. Sharon Stone-Stover is the Director of Student Services. In the second paragraph, Jeff Huckins is listed as Chair Sean Minard's predecessor when in fact he is the Secretary of the Board of Directors, not the prior Chair.

Page 10-Rule 4.160(C): The Board of Directors meets at least quarterly (not annually) and the Board of Trustees' work is done through five Committees (Audit, Academic Affairs, Finance, Membership/Nomination and Strategic Planning) not four Committees (Audit, Academic Affairs, Finance and Membership/Nomination). In the fourth paragraph, as of October 1, 2018, CNSL shares the facilities with two tenants, the IRS and HBW Financial Advisors/Gysin Law Office.

Page 15-Fourth paragraph: Examination questions are reviewed by the Dean and Registrar for proper grammar, spelling and punctuation. However, after meeting with the site team, the Faculty agreed to form an Exam Review Committee responsible for assuring in addition to proper grammar, spelling and punctuation, all exams (1) reflect as accurately as possible, the

State Bar's examination standards; (2) do not contain inappropriate subject matter and language; and (3) are uniform in exam instruction and exam design.

Page 18-First paragraph: All admission decisions are not made by the Dean. The Dean only admits applicants who have an LSAT of 145 or higher and a bachelor's degree with a GPA of 2.0 or higher. CNSL's Admissions Committee routinely interviews all other applicants and makes the determination to admit or deny admission and that decision is submitted to the Dean.

Page 19-Rule 4.160(K): The corporate owner is Cal Northern Educational Development Corporation (CNEDC) and as of October 1, 2018 the then vacant professional offices are now occupied by HBW Financial Advisors/Gysin Law Office.

With the exception of the above corrections of fact, CNSL has no objections to any of the report's findings, conclusions or recommendations. CNSL's efforts to address the recommended mandatory actions and recommended suggested actions of the visitation team are set forth below:

Recommended Mandatory Actions

1. To comply with Guideline 2.1 and 13.3, CNSL has removed from its website the statement that "Graduates of Cal Northern School of Law are eligible to become members of the State Bar of California, as well as the bar of other jurisdictions upon passage of their respective bar examinations."
2. To comply with Guideline 2.7(A)(3), the course repetition policy will be revised to address repetition by a student who withdraws from or fails a required, noncore course.
3. To comply with Guideline 2.7(C), CNSL will supplement its Test Guidelines to require exam-takers show identification and sign in to exam sessions.
4. To comply with Guideline 2.7(G), CNSL will amend its Petition for Review of a Grade policy to state the available grounds for changing a grade.
5. To comply with Guideline 2.8, CNSL will seal student testing accommodation health records in a separate envelope in the student's file to allow access only to personnel directly involved in deciding accommodation matters.
6. To comply with Guidelines 4.6 and 6.1, CNSL will continue its faculty development efforts and address the program as part of the plan the law school is required to file annually under Guideline 6.1.

7. To comply with Guidelines 6.11, 6.13, and 6.14, at its February 19, 2018 faculty meeting, CNSL's faculty approved the formation of an Exam Review Committee responsible for assuring in addition to proper grammar, spelling and punctuation, all exams (1) reflect as accurately as possible, the State Bar's examination standards; (2) do not contain inappropriate subject matter and language; and (3) are uniform in exam instruction and exam design. The faculty also discussed the quality of examination feedback.
8. To comply with Guideline 7.2, CNSL will include in its Student Handbook the process used to amend its policies related to academic standards.
9. To comply with Guidelines 2.3, 5.1, and 5.8, CNSL will (1) revise its published admission policies so it is clear that previously disqualified students will not be admitted as transfer students; (2) describe policies for admission under the "Start Over" policy; and (3) fully address transfer credit requirements, including the Guideline 5.8(2)(a) limit on credit for study at an unaccredited law school.
10. To comply with Guidelines 5.7, 5.8, and 7.11, CNSL will review its procedures for reviewing and accepting transfer credit and revise the procedures as necessary to ensure all Guideline provisions relating to transfer credit are followed.

Recommended Suggested Actions

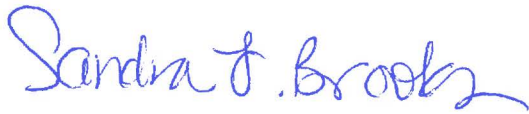
1. Pursuant to Guideline 2.1, CNSL will review and, as necessary, revise its communications to make clear which statements apply to all students and graduates of the school and which are pertinent only to those in a specific degree program (J.D. or M.L.S.).
2. Pursuant to Guideline 2.7(D), CNSL will continue to make prompt return of grades a priority.
3. Pursuant to Guideline 2.10(B), CNSL will continue to provide academic support to its students, particularly those in academic jeopardy.
4. Pursuant to Guideline 6.5(A) and (B), CNSL will continue its efforts to verify instructors are fulfilling their duty to hold class for the entire class session and that student attendance is regular and punctual.
5. Pursuant to Guidelines 6.14 and 7.9, CNSL will continue to monitor the rigor of grading in Pass/Fail courses to ensure proper evaluation of student performance.

Natalie Leonard
April 4, 2019
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6. Pursuant to Guideline 8.5, the Legal Research syllabus has been revised to clearly reflect that students receive instruction in both electronic and hard copy materials.

If the Committee has any questions or concerns regarding CNSL's response or needs any additional information, please do not hesitate to contact me.

Sincerely,



Sandra L. Brooks
Dean and CEO

REPORT ON THE PERIODIC INSPECTION OF CAL NORTHERN SCHOOL OF LAW
1395 Ridgewood Drive, Suite 100
Chico, CA 95973

EXECUTIVE SUMMARY AND RECOMMENDATIONS

A periodic inspection of the Cal Northern School of Law (CNSL) was conducted on September 25-28, 2018. The inspection team (Team) consisted of Kareem Gongora, a member of the Committee of Bar Examiners (Committee), Dean Frykberg, Dean of the University of West Los Angeles School of Law, and Heather Georgakis, Educational Standards Consultant to the Committee.

CNSL, a privately-owned institution founded in 1983, operates in good standing as a dba of the Cal Northern Educational Development Corporation, a California S-Corporation. The law school's mission is to provide an affordable quality legal education that is both practical and well-grounded in legal theory; all activities are conducted at its campus in Chico, California. The law school was first accredited by the Committee in 1992; in March 2018, the school also became recognized as a Candidate for Accreditation by the Western Association of Schools and Colleges (WASC) Senior College and University Commission (WSCUC). Candidacy is a preliminary affiliation; it indicates that CNSL is progressing toward, but does not ensure, eventual accreditation.

CNSL offers both the Juris Doctor (J.D.) and, pursuant to the Committee's grant of acquiescence in 2014, the Master of Legal Studies (M.L.S.) The J.D. is offered through a part-time, four-year 84-unit evening program of on-site courses. The M.L.S. requires completion of 36 units; M.L.S. students attend classes alongside J.D. students. At the time of inspection, total CNSL enrollment was 43, including 2 M.L.S. students.

Sandra L. Brooks is the Dean of CNSL. All instructors teach part-time. Each instructor is a licensed attorney, judge, or J.D. graduate of an ABA- or California-accredited law school; of the 21 current instructors, 44% have taught at CNSL for more than 10 years. Total J.D. tuition is \$44,100, or \$525 per unit, one of the lowest charges for any California-accredited law school (CALS). CNSL's graduates had a minimum, cumulative bar examination pass rate (MPR) of 73% on the California Bar Examination for the most recent five-year reporting period under Guideline 12.1 for results through the February 2017 administration, which is well above the 40% MPR that is required.

Recommended Action by the Committee

The Team found CNSL to be in substantial compliance with all relevant accreditation standards of the Accredited Law School Rules (Rules) and all relevant Guidelines for Accredited Law School Rules (Guidelines). Overall, CNSL's curriculum, admissions, scholastic standards, faculty, library, facilities, Dean and administrators combine to offer its students a compliant program of legal education.

The Team recommends that the Committee adopt each of the actions listed below, continue the accreditation of CNSL, and schedule the next periodic inspection for the fall of 2023 unless it deems earlier visitation necessary.

Recommended Mandatory Actions

Based upon its inspection, the Team found the school to be in substantial compliance with all Committee Rules and Guidelines. The Team did, however, identify several issues relating to the law school's current degree of substantial compliance that need to be remedied. The Team recommends that each mandatory action noted below be adopted by the Committee and that the law school report all actions taken to address these issues in its 2019 Annual Compliance Report:

1. To comply with Guidelines 2.1 and 13.3, it is recommended that the law school, revise or remove from its communications any statement to the effect that "[g]raduates of Cal Northern School of Law are eligible to become members of the State Bar of California, as well as the bar of other jurisdictions upon passage of their respective bar examinations."
2. To comply with Guideline 2.7(A)(3), it is recommended that the course repetition policy be revised to address repetition by a student who withdraws from or fails a required, non-core course.
3. To comply with Guideline 2.7(C), it is recommended that the law school supplement its authenticity policy to require that exam-takers show identification and sign in to exam sessions.
4. To comply with Guideline 2.7(G), it is recommended that the law school amend its policy to state available grounds for a grade change, as required by Guideline 2.7(G).
5. To comply with Guideline 2.8, it is recommended that the law school segregate student testing accommodation health records in a separate file, or under seal if maintained in the student's primary file, to allow access only to personnel directly involved in deciding accommodation matters.
6. To comply with Guidelines 4.6 and 6.1, it is recommended that the law school implement an ongoing faculty development program focused on teaching skills and address the program as part of the plan the law school is required to file annually under Guideline 6.1.
7. To comply with Guidelines 6.11, 6.13, and 6.14, it is recommended that the law school implement a process by which examination materials must be submitted for review and approval by the Dean or Dean of Students to permit oversight as to clarity, accuracy, and appropriate coverage of questions, and that the law school take steps to improve the amount and quality of examination feedback. The law school should address the review process and adequacy of feedback as part of the plan it is required to file annually under Guidelines 6.1 and 6.13.
8. To comply with Guideline 7.2, it is recommended that the law school state the process used to amend its policies related to academic standards.

9. To comply with Guidelines 2.3, 5.1, and 5.8, it is recommended that the law school clearly state in its published admission policies that previously disqualified students will not be admitted as transfer students; describe policies for admission under the “Start Over” policy; and fully address transfer credit requirements, including the Guideline 5.8(2)(a) limit on credit for study at an unaccredited law school.
10. To comply with Guidelines 5.7, 5.8, and 7.11, it is recommended that the law school review its procedures for reviewing and accepting transfer credit, revising the procedures as necessary to ensure all Guideline provisions relating to transfer credit are followed.

Recommended Suggested Actions

1. Pursuant to Guideline 2.1, the law school should review and, as necessary, revise its communications to make clear which statements apply to all students and graduates of the school and which are pertinent only to those in a specific degree program (J.D. or M.L.S.).
2. Pursuant to Guideline 2.7(D), the law school and its faculty should continue to make prompt return of grades a priority, and the Dean should continue to consider adherence to the grade return policy in making faculty rehiring decisions.
3. Pursuant to Guideline 2.10(B), the law school should continue its innovative approach to providing effective academic support to its students, particularly those in academic jeopardy.
4. Pursuant to Guideline 6.5(A) and (B), the law school should continue its efforts to verify, by all reasonable means, that instructors are fulfilling their duty to hold class for the entire class session and that student attendance is regular and punctual.
5. Pursuant to Guidelines 6.14 and 7.9, the law school should continue to monitor the rigor of grading in Pass/Fail courses to ensure proper evaluation of student performance.
6. Pursuant to Guideline 8.5, the Legal Research syllabus should be revised to clearly reflect that students receive instruction in both electronic and hard copy materials.

Report of Self-Study

CNSL submitted a self-study that was thorough and helpful to the Team in assessing the law school’s compliance. Dean Brooks responded promptly and fully to requests for follow up information, and that information was considered when drafting this inspection report.

Report of the Site Visit

The inspection took place over three and one-half days (September 25-28, 2018) during which comments were gathered from CNSL’s major constituencies. The Team met individually with administrators, including Sandra L. Brooks, Dean and President; Marty Gosling, Assistant to the Dean/Registrar; Doug Jacobs, Dean of Students; and Dana L. Campbell, Chief Financial Officer.

The Team also conferred with leaders of the Board of Directors, including Chair Sean Minard, Board Secretary Jeff Huckins, and with Board of Trustees Chair, Jim Morgan. A joint board

luncheon provided an opportunity to meet other directors and trustees. Meetings were held with Faculty Senate Chair Martha Wilson, faculty members on the Academic Standards and Admissions Committees, and students from all class levels. Team members toured the facilities, reviewed the library collection, observed class sessions over three evenings, and conducted a sample review of student and faculty files, final examinations and answers, and other records.

The Team concluded the visit with a comprehensive exit interview with Dean Brooks and other CNSL leaders to discuss the Team members' impressions, preliminary findings and anticipated recommendations. Throughout the visit, all participants appeared to be cooperative and candid.

SPECIFIC FINDINGS AS TO COMMITTEE ACCREDITATION STANDARDS

Below are the Team's findings, conclusions and recommendations as to CNSL's compliance with the Committee's accreditation standards.

Rule 4.160(A): Lawful Operation. The law school must operate in compliance with all applicable federal, state and local laws and regulations. (Guideline 1.6)

CNSL appears to comply with applicable federal, state and local laws, pursuant to appropriate written policies administered by the Dean. The law school operates in good standing with the State of California as a for-profit S-Corp and is licensed by the City of Chico. To raise scholarship funds for its students, CNSL also operates a 501(c)(3) tax-exempt foundation, the Cal Northern Scholarship Foundation. The law school does not participate in any federal financial aid programs.

As required by the Americans with Disabilities Act (ADA), CNSL's facilities are accessible to persons with limited mobility. The Student Handbook (Handbook) outlines policies and procedures by which students may request accommodations based on disability. All such requests must be in writing and supported by appropriate documentation. Students are advised that the same accommodations may not be granted when they take the General Bar Examination (GBX). Decisions on accommodations are made by the Dean.

The Handbook also includes policies to protect student privacy rights under the Family Educational Rights and Privacy Act of 1974 (FERPA). CNSL protects student information against disclosure without the student's consent, except as required or permitted by law. As noted with respect to Guideline 2.8, it is recommended that the law school segregate student health records to limit their unnecessary disclosure. Appropriate written policies also address substance abuse and enforcement of civil rights laws, including those relating to discrimination and sexual harassment.

CNSL is compliant with the mandate of California Business and Professions Code section 6061.7 requiring that any Committee-accredited law school report certain data and program information. As properly updated in 2018, the report is found in the Catalog and linked to CNSL's website, www.calnorthern.edu.

Policies and procedures applicable to students generally are stated in the Handbook and, in some cases, the Academic Catalog (Catalog) and elsewhere on the website. The policies adequately inform students about their rights and responsibilities under governing laws, with minor exceptions noted below.

Rule 4.160(B): Honesty and Integrity. The law school must demonstrate integrity in all of its programs, operations, and other affairs. (Guidelines 2.1- 2.10 and 13.1-13.5; Bus. & Prof. Code sec. 6061.7(a, c and d)

Overall CNSL appears to be honest and forthright in dealings with students and the public, as required by Guideline 2.1. The law school's representations, both verbal and written, were found to be substantially consistent. The institution's financial affairs are conducted with integrity, consonant with Guidelines 2.2(A)-(C). Day-to-day management has been delegated to the Dean, with oversight by the Board of Directors, Board of Trustees, and the Chief Financial Officer (CFO), a licensed attorney and CPA with 35 years of accounting experience. An outside CPA firm is engaged to monitor expenses, prepare financial statements, and draft budgets. According to the self-study and CFO, this firm employs sound accounting procedures with safeguards to prevent fraud. CNSL's annual audit, performed by yet another CPA, provides additional protection.

CNSL policies reflect integrity in the evaluation of applicants and retention of students. Applicants are evaluated for potential to finish law school and pass the GBX, based on academic performance and LSAT scores. Those with scores below 145 are interviewed by the Admissions Committee before acceptance. Promising applicants with strong desire but lower academic profiles are admitted conditionally, then counseled and monitored.

The law school's communications largely appear to be honest and forthright, as required by Guideline 2.3. The Catalog, Handbook, and website clearly describe the curriculum, academic policies, and graduation requirements. Tuition, fees, and refund policies are accurately stated and easily found on the website. Tuition refund policies are compliant with Guideline 2.2(B), providing for refunds of 100% for withdrawal before or on the first day of instruction. After instruction has begun and until 60% of instruction is completed, a student may receive a pro rata refund for unused tuition, based on a clearly-explained formula. Full refunds are made if CNSL cancels or discontinues a course or program and refunds are made within 30 days of a triggering event.

Required disclosures have been made. The Guideline 2.3(D)(1) warning, addressing eligibility to take a bar exam or practice law elsewhere, is in the Catalog and on an Accreditation webpage. Guideline 2.3(D)(2) is met by a link to the State Bar's Bar Examination Statistics page. Pursuant to Guideline 13.3, disclosure language is provided on the website home page and elsewhere as to the limitations of the M.L.S. degree. As noted above, CNSL has met its duties under Business and Professions Code section 6061.7, which requires California's non-ABA-approved law schools to post an Information Report Form and other information on their websites. CNSL's publications address the Committee's accreditation and degree-granting authority with accuracy.

To avoid misleading prospective and enrolled students, it is recommended that the following inaccurate statement be removed from all CNSL communications, including the CNSL Accreditation webpage on which it now appears:

Graduates of Cal Northern School of Law are eligible to become members of the State Bar of California, as well as the bar of other jurisdictions upon passage of their respective bar examinations.

This statement blurs a key distinction between CNSL's two programs, in that only *J.D.* graduates are qualified to take the GBX or satisfy other requirements for admission to practice law, while *M.L.S.* graduates are not. (See Guideline 13.3 disclosure on limitations on non-*J.D.* "professional law degree" programs.) It also creates the misimpression that eligibility for admission arises "upon passage" of a bar examination rather than upon fulfillment of all admission requirements. Finally, the statement materially downplays the challenges faced by CNSL's *J.D.* graduates who seek admission in "other jurisdictions." As such, it undermines the warning CNSL is required to give, under Guideline 2.3(D)(1), which states in part: "[G]raduation from this law school may not qualify a student to take the bar examination or be admitted to practice law in jurisdictions other than California;" therefore, the State Bar's language is recommended.

It is also suggested that the law school review and, as necessary, revise its website and publications to make clear which statements apply to *all* students/graduates and which are pertinent only to those pursuing a specific degree (*J.D.* or *M.L.S.*).

As an S-Corporation in good standing, CNSL operates within the terms of Guideline 2.4. Profits are normally reinvested in the law school; shareholder distributions have been made twice in the last 15 years.

Guideline 2.5 is satisfied. CNSL does not compensate individuals based on the number of persons enrolled, applying for admission, or registering.

Policies for non-academic student discipline meet the requirements of Guideline 2.6. As stated in the Handbook, such discipline may be imposed for a variety of well-defined behaviors such as theft, obstruction or disruption of a school function, and physical abuse. Sanctions range in severity from cancellation of a course or exam grade to dismissal, including all sanctions required by Guideline 2.6(A). Students are given written notice of the specific charge(s), an opportunity for a hearing before a panel of impartial faculty members and one student, the right to assistance of counsel, and a written final determination based upon a statement of facts and findings as to sanctions. Investigations are conducted, and sanctions are recommended to the panel, by a "special counsel" appointed by the Dean. There is no appeal from the panel's decision or any sanctions imposed by the Dean based on the panel's findings.

CNSL's academic standards, as set by the Dean in consultation with the faculty, are clearly communicated. Numerical grading is used for most courses, including all GBX-tested subjects. Students earn numerical grades from 0-100; these are converted to a four-point scale (for example, an "80" equates to 3.00 points.) A minimum GPA of 2.0 is required for good standing

and graduation. Certain non-Bar courses are graded Pass/Fail, with the Dean's approval, such as Legal Writing, Advanced Legal Reasoning, Advanced Legal Writing, Clinical Self-Help and Trial Advocacy.

Course repetition policies are stated. A student who fails to successfully complete a "core" course (defined as a GBX-tested subject) must repeat that course at CNSL. A similar-situated student in an "elective" course may repeat that course or take another elective. Any course may be repeated only once, and only three core courses may be repeated. Both original and repeated course grades appear on the transcript; if a student successfully repeats the course, the repeated course grade is used to calculate the cumulative grade point average (cumulative GPA). It is recommended that the policy be revised to address repetition by a student who withdraws or fails a required, non-core course.

Requirements for retention, good standing, advancement, and graduation are clearly explained. A minimum 2.0 cumulative GPA is required for good standing. Students who fail to achieve good standing at the end of a semester are placed on academic warning; those who fall short at the end of the academic year are subject to exclusion. Under narrow circumstances, some students are permitted to advance into the next year on probation. First year students with a cumulative GPA of at least 1.80 may petition for probation while second year students may petition with a cumulative GPA of 1.90 or better.

To protect against bias or favoritism, anonymous grading is used. Each semester, students are assigned new "anonymity numbers" for that purpose.

To ensure reasonable grade correlation, faculty participates in calibration sessions as addressed below in the section on Rule 4.160(F) Scholastic Standards.

Each faculty member is required to create a course syllabus with information defined in the Faculty Handbook, including the factors to be considered in calculating the final grade. During a sample review, the Team found consistency between the announced grading factors and those used for grade calculation.

As required by Guideline 2.7(C) CNSL has a written policy on procedures to authenticate the identity of each student submitting work and to ensure that the work is the student's own. The law school communicates the importance of academic honesty in its Academic Integrity Policy, found in the Handbook. Section 2 identifies as "prohibited acts" cheating, plagiarism, unauthorized collaboration, and other dishonest behavior concerning academic work. Students are informed that the law school reserves the right to use electronic means to detect and help prevent plagiarism and that, by submitting their work, they consent to the use of Unicheck Plagiarism Checker or similar software. Unicheck services are available through Populi, the law school's information management system. The law school also uses traditional means to prevent cheating, such as the monitoring of exam rooms by roving proctors and prohibitions against the use of devices and communications during exams. To ensure that all exam-takers are properly

identified, it is recommended that the law school supplement its authenticity policy to require that exam-takers show identification and sign in to exam sessions.

Guideline 2.7(D) requires that students be advised of their grades within “a reasonable time.” The Faculty Handbook requires instructors to return their grades within two weeks after an examination; according to the Dean, submission may take as long as three weeks, particularly after year-end holidays. Administrative processing generally takes no longer than a week, so students typically receive notice of grades within three to four weeks after taking examinations. The Team suggests that the law school and its faculty continue to make prompt return of grades a priority, and that the Dean continue to consider adherence to the grade return policy in making faculty rehiring decisions.

Students may inspect and copy their examination papers as required by Guideline 2.7(E). About a week after grades are posted, students receive copies of their answers. Examination questions, issue outlines, and multiple-choice answer keys are made available for student review during the current semester.

A student may petition the Faculty Senate for a grade review. The Senate issues a non-appealable decision after reviewing the petition, exam, and issue outline, and at its discretion, hearing oral statements. To ensure that both Senate members and students are aware of the applicable grounds for grade review under Guideline 2.7(G) (“unfairness, a departure from established grading policy, or a clearly shown mistake”), it is recommended that CNSL amend its policy to state those grounds.

Generally, CNSL maintains the privacy of student information, records, and communication, as required by Guideline 2.8. It is recommended that CNSL segregate student ADA-related health records in a separate file, or under seal if maintained in the student’s primary file, to allow access only to those personnel directly involved in deciding ADA matters. The Handbook states exceptions to confidentiality limits and outlines certain student rights under the Family Educational Rights and Privacy Act (FERPA).

Reasonable security and backup procedures have been established to protect CNSL’s computer systems, communications systems, and records. (Guideline 2.9.) The law school contracts with an outside vendor to protect its computer systems and electronic records. Current hard-copy records are stored in fireproof cabinets, while non-current hard-copy records are stored onsite and scanned for storage on CNSL’s server.

The law school is compliant with Guideline 2.10(A). “Services, experiences and activities” available to students are effectively described in the Handbook, Catalog, and website; these appear to be adequately resourced. The administration uses a variety of means to keep students informed of activities and services, including an electronic portal, email, Facebook, and communications with the Student Bar Association. The latter sponsors events and programs that promote a sense of community within the small student body.

Appropriate academic support services and clinical experiences are available to students (Guideline 2.10 (B)). Faculty members are required to be available at least one hour per week to provide academic counseling and the Dean of Students also provides advice. Students expressed a high degree of satisfaction with academic support services.

To promote academic achievement during all four years of law school and while students are preparing for the GBX, the law school provides access to BarBri Study Materials and Bar Support, Kaplan's 7-Day MBE Foundation Course, and a fourth-year bar preparation course. In Fall 2016, the law school added a first-year Tutoring Program to provide individualized counseling upon request. In Spring 2017, participation became mandatory for underperforming first-year students, and initial results showed that fully half of the tutored student improved their final exam scores. Participants are now required to attend at least three tutoring sessions. Clinical opportunities are addressed below in connection with the curriculum.

The Team suggests that the law school continue its innovative approach to providing effective academic support to its students, particularly those in academic jeopardy.

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

CNSL is a for-profit S-Corporation with two boards, including a 7-member Board of Directors and a 9-member Board of Trustees; currently, two individuals serve on both. The Directors appointed the Trustees in 2010 to advance the school's effort toward earning WASC accreditation. Board members appear to understand their respective roles and work together effectively to advance the interests of the law school and its students.

The Board of Directors meets at least quarterly to set the Corporation's goals and oversee business operations, excluding the law school's educational operations. Directors provide comment to the Trustees on the law school's operating budget and must approve all capital expenditures not previously approved as budget items. All Directors are shareholders and most have experience in law and/or business.

The Board of Trustees meets formally at least quarterly and reports to the Board of Directors; much of Trustees' work is done through five Committees (Audit, Academic Affairs, Finance, Membership/Nomination and Strategic Planning). The Trustees are charged with ensuring the quality, integrity, and financial sustainability of the law school, and achieving its mission. As such, they hold authority to approve the CNSL budget and to hire, evaluate, and remove the Dean. The Trustees are members of the legal, business, and academic communities. The majority are neither shareholders nor employees of the law school.

Day-to-day responsibility for law school operations belongs to Dean Sandra L. Brooks, a 1996 graduate of the law school. Dean Brooks serves full-time and reports to the Board of Trustees; she is a full voting member of that board and each of its Committees. She also manages relationships with the tenant who shares the facilities with CNSL, the Internal Revenue Service (IRS), and,

subsequent to the inspection since October 1, 2018, HBW Financial Advisors/Gysin Law Office. Her qualifications are set forth in the next section.

The Dean is effectively assisted by other key administrators. Since 2012, Registrar functions and a wide variety of other essential duties have been handled by full-time Assistant to the Dean/Registrar, Marty Gosling, an 18-year veteran of CNSL. Part-time administrators include Dean of Students Doug Jacobs, an attorney and CNSL faculty member; CFO Dana L. Campbell, a CPA and attorney; and Director of Student Services, Sharon Stone-Stover.

As detailed below, the law school has no full-time instructors. Adjunct faculty members, some of whom have taught at CNSL for decades, contribute actively to the law school's governance through the Faculty Senate and its Committees.

Rule 4.160(D): Dean and Faculty. The law school must have a competent dean and a competent faculty that devotes adequate time to administration, instruction, and student counseling. Guidelines 4.1 – 4.9

Dean Brooks is well-qualified for her role. She holds a Master's Degree in Public Administration from Cal State Chico (1991) and a J.D. from CNSL (1999). She served as a paralegal/law office manager for Chico law firms for twelve years before joining CNSL in 1999 as Assistant Dean/Registrar. She was appointed Dean in 2000 and CEO in 2011. Dean Brooks has been active in the California Accredited Law Schools (CALS) association and was chosen by her peers to serve on the State Bar Law School Council. During her tenure, GBX pass rates for CNSL graduates have often exceeded the CALS average and the law school has qualified for Candidacy for Accreditation with the Western Association of Schools and Colleges.

The law school's faculty is experienced and involved in the region's legal and educational communities. Of the twenty-one adjunct instructors, 44% have taught at CNSL for more than ten years, while 20% have taught for more than twenty years; the average tenure is thirteen years. All instructors hold a J.D. or equivalent degree, and most are practicing attorneys or judicial officers. More than half graduated from ABA-approved law schools and about a quarter are CNSL graduates. They represent a wide range of law schools throughout California.

Faculty members work with Dean Brooks to develop and implement academic policies. Working primarily through the Faculty Senate, the faculty assists with curriculum development, faculty hiring/evaluation, academic advising, admissions, student discipline, and grade challenges. The Senate meets at least twice a year, but its three Committees meet as needed. These include the Academic Advising Committee, which reviews student petitions; the Admissions Committee which interviews prospective applicants; and the Faculty Hiring and Evaluation Committee, which recruits and interviews for teaching positions and also reviews evaluation forms for retention decisions.

A comprehensive Faculty Handbook states faculty-related policies, procedures, and expectations, including those pertaining to compliance with the Committee's requirements. The full faculty

meets each fall to discuss topics such as the curriculum, bar results, testing issues, effective student assessment, and faculty development.

Teaching loads and class sizes are such that instructors have enough time for class preparation, teaching, and counseling. According to the self-study, the ratio of students to professors is 2:1 on average and, with total enrollment of about 38 to 49 students, in the past five years there have been four to twenty-three students per class. Teaching assignments are within required limits and professors are available for student counseling, consistent with Guideline 4.4. In addition, syllabi consistently state how students can reach their professors.

The Faculty Handbook addresses the continuing duty of faculty to improve their teaching skills and substantive expertise as mandated by Guideline 4.6. The law school has provided some support for faculty improvement. According to the self-study, faculty have been encouraged to attend GBX calibration sessions and “at various meetings and/or workshops, teaching skills and techniques, student learning styles and exam preparation and grading are discussed.” However, because the faculty has an ongoing duty of self-improvement and because there is a close connection between teaching ability and the soundness of the academic program, as recognized in Guidelines 6.1 and 6.2(B) and (D), it is recommended that the law school and its faculty adopt and implement an ongoing faculty development program focused on teaching skills, and that the law school regularly address the program as part of the Guideline 6.1 plan submitted by the law school as part of its annual compliance report.

CNSL’s faculty evaluation procedures are compliant with Guidelines 4.7 and 4.8. Pursuant to the Faculty Peer Review Program, newly hired instructors are to be evaluated not less than once during the first academic year of instruction and, together with all other instructors, not less than every three years thereafter. As part of the evaluation process, a team of two faculty members conducts a class observation and completes a Peer Evaluation form that is shared with the Dean and the instructor. This evaluation has two purposes: 1) to measure teaching effectiveness and 2) to allow reviewers to learn through observation. In addition, students evaluate instructors at the end of each semester. Student evaluation results are reviewed by the Dean and Dean of Students and provided to instructors after final grades are submitted. Instructors are also evaluated based on a grade correlation review; concerns raised during the review process are addressed by the Dean and Faculty Senate.

As required by Guideline 4.9, a written academic freedom policy protects faculty.

Team members observed nine evening lecture classes. Core classes were taught primarily through lecture or modified Socratic inquiry. The Team observed effective teaching in most classes; most professors appeared to be well-prepared and in command of their subject matter. Although only a few professors used classroom technology, most clearly worked hard to prepare effective classes; one professor used props to particularly good effect. The Team was impressed to see polished presentation skills among some of the newer instructors. In the most dynamic classrooms, professors clearly communicated their teaching goals for the evening, kept class lively

by using various teaching modes, and used their physical presence, through movement or voice, to convey emphasis.

Student engagement varied, ranging overall from fair to excellent. To ensure that all students have a sound law school experience, the Team encourages the law school to ensure that all faculty members are aware of, and using, best practices for fostering student engagement.

Rule 4.160(E): Educational Program. The law school must maintain a sound program of legal education. Guidelines 1.8, 6.1 – 6.14

CNSL offers the J.D. degree through a four-year, 84 semester-unit program designed to prepare graduates to practice law in California. Students are admitted only in the Fall semester. The calendar includes both Fall and Spring 15-week semesters, and one 10-week Summer session. Classes are held in the evening, Tuesday through Thursday, during the regular academic year, and on Tuesday and Wednesday in Summer session. Classes last three hours with a 20-minute break. It is suggested that the law school should continue its efforts to verify, by all reasonable means, that instructors are fulfilling their duty to hold class for the entire class session and that attendance by students is regular and punctual.

CNSL also offers a 36-unit Master of Legal Studies degree (M.L.S.) designed to be completed within two years. M.L.S. students enroll in regular J.D. courses, taking 27 units of required subjects (first-year courses and Constitutional Law) and nine elective units chosen from other J.D. subjects. Students must also complete a thesis project or take written examinations with an oral review.

Students may transfer between the J.D. and M.L.S. programs, as stated on the website under M.L.S. “Program Academic Requirements” (Paragraph 7.) With approval, a J.D. student may switch to the M.L.S. program, transferring all J.D. units earned. The student cannot re-apply to the J.D. track and J.D. units, once accepted, “are exclusively for the M.L.S. program and cannot be retransferred.”

CNSL also allows M.L.S. students to transfer *into* the J.D. program, in limited circumstances, if students “have a cumulative GPA of 2.00 and have taken the LSAT” (Paragraph 7). Paragraph 7 states in the discussion of M.L.S.-to-J.D. transfer that “transfer credit may be received for up to 6 units from another Master of Legal Studies or equivalent degree program at a regionally accredited institution.” Elsewhere, in paragraph 2, addressing M.L.S. elective units, the policy provides that “[n]o transfer units from another [non-CNSL] law program shall be allowed.” It is suggested that the law school should clarify these apparently contradictory statements, and exercise extreme caution in accepting M.L.S. units that might be subject to later credit toward the J.D. program. Such caution is warranted because other law schools’ M.L.S. units may not be earned, as CNSL M.L.S. units are, in J.D. classes in which students are graded by the same rigorous standards as the law students in those classes.

The J.D. curriculum exceeds the quantitative requirements of Guideline 6.5(D) requiring part-time students to complete at least 1200 hours and 80 units over not less than 120 weeks. As stated in

the Handbook, CNSL requires students to complete the J.D. in the required sequence on a regular part-time basis over four years and any deviation from that sequence and timing requires the Dean's approval. CNSL's minimum and maximum course loads comply with Guideline 6.5(H). Typically, students attend class for nine hours each week during the regular academic year and for six hours each week during Summer session.

Attendance policies satisfy Guideline 6.5(B). Regular and punctual attendance is required, and administrators maintain careful attendance records. Students are warned in the Handbook that a student who is absent from more than 20% of meetings in any course will be subject to automatic withdrawal.

CNSL's instructional approaches are compliant. Syllabi, based on a required, template, consistently address course organization, readings, grade calculation, and expected student learning outcomes. They also reflect the use of current, recognized texts and appropriate, although limited, instructional formats. The Team observed nine classes over three evenings; lecture and modified Socratic dialogue were approaches commonly used. Use of learning technology was very limited, although in one very small team-taught class, one instructor participated effectively via Skype. (Guidelines 2.7(C); Guideline 6.5 (J)-(L))

Although clinical and internship opportunities are not extensive, students expressed a high degree of satisfaction with CNSL's offerings; these clinical offerings comply with Guideline 6.6. To enhance practical skills training, the law school added a Self-Help Clinic course in Spring 2015. Third-year students work in a walk-in clinic setting, helping self-represented litigants with family law, landlord/tenant, and small claims matters. The clinic operates in collaboration with Butte County's Self Help and Referral Program (SHARP) and is supervised by SHARP's managing attorney. Students may also earn up to two credits working as legal interns under direct supervision by attorney; alternatively, they may complete an independent study project on a topic not otherwise covered by the curriculum. Internships have increased in popularity and over the past three years, 46% of CNL's graduates have earned internship credit.

The J.D. curriculum fulfills Guidelines 6.7-6.9, including requirements to provide practice-based skills and competency training, as discussed below. Students take 82 units of required courses, including 60 units in courses covering all subjects tested on the both the Bar Examination and the Multi-State Professional Responsibility Examination. All required courses are offered annually. Students also take two elective units, giving them the chance to develop practical skills and explore various practice areas, such as Creditor/Debtor Law, Insurance, and Special Studies in Civil Discovery. Electives are scheduled throughout the program based on faculty availability and student interest.

Courses are properly sequenced. The first year includes both traditional subjects (Contracts, Torts, and Criminal Law) and skills topics (Introduction to Law School and Legal Analysis, Legal Research, and Alternative Dispute Resolution.) Second-year courses include Wills, Trusts, Evidence, Real Property, and Civil Procedure. Third year topics are Business Associations, Community Property, Constitutional Law, Professional Responsibility, and Self-Help Clinical. Fourth-year students take

Advanced Legal Reasoning, Advanced Legal Writing, Criminal Procedure, Remedies, and Trial Advocacy; they also complete Kaplan's 7-Day Foundation Multistate Bar Review Program (PMBR). No credit is given, but students pay a reduced fee for the program as part of their tuition.

As addressed above, opportunities for student interaction with faculty and each other are available. (Guideline 6.10)

The law school's examination and grading practices are compliant with Guidelines 6.11-6.14. Policies related to examinations and grading are published, as applicable, in the Handbook and Faculty Handbook. The topic of examination effectiveness is discussed at each faculty meeting and the Faculty Senate evaluates a sampling of examination questions each year.

Examinations are given in all courses except those with substantial writing assignments. Midterms are required in all GBX-tested subjects. Finals are given "Bar Exam Style" to mimic high-stakes testing. Students take six one-hour exams over a single day; questions are not labeled by subject. A typical final includes two one-hour essays or one hour of essay and one hour of multiple-choice questions.

Instructors draft examination questions in their own courses. While the materials are not reviewed by the Dean or other faculty before being administered, they are submitted along with issue outlines or model answers to the Administration Office so that students can view these materials after the examination is administered.

The Team found that the most questions were properly drafted, though some had extremely long fact patterns, unnecessary distractors, or vague queries. In a few cases, issue outlines or model answers were incomplete or poorly organized. It is recommended that the law school expand its process by which examination materials are submitted for review and approval by the Dean and Registrar to expand beyond the current proofreading checks. The review should include clarity, accuracy, and appropriate coverage in order to promote submission of carefully drafted outlines and model answers. CNSL should address this procedure as part of its examination evaluation process in the plan required to be filed annually under Guidelines 6.1 and 6.13. Subsequent to the inspection, the school advised that in response to this suggestion, the school has created an Exam Review Committee responsible for assuring not only accuracy, but also compliance with State Bar standards, proper subject matter and language, and uniform exam instruction and design. It is recommended that the progress of this new Committee be included in the school's 2019 Annual Report.

Another aspect of exam effectiveness that merits ongoing discussion and evaluation is the duty of instructors to provide feedback to students to help students understand their scores, as recognized in the law school's Examination Policy. The Team found that many student responses were graded with few or no comments from professors. It is recommended that the law school take steps to improve the amount and quality of examination feedback and address the adequacy of feedback as part of its annual examination evaluation and faculty review processes.

Grading standards are stated in the Student Handbook and Faculty Handbook. CNSL does not require instructors to grade on a curve. Grades are given as numerical percentages from 0-100, with 60 as the minimum passing score, then converted to a 4-point scale. In a Pass/Fail course, a grade of Pass is earned if the student earns at least a 60 on all assignments. In numerically-graded courses, essay questions are graded in 5-point increments, based on descriptions in the Grading Policy Guideline and Exam Writing Rubric (Rubric). For example, a score of 70 reflects that “all issues were spotted AND some good analysis included but several areas need improvement.” The Rubric is a guide to more granular, issue-by-issue scoring and could be used by instructors to provide individualized feedback to students about their essay scores.

Based upon the findings above, the Team found CNSL’s program of legal education to be sound and compliant with Accredited Law School Rule 4.160(E) and Guidelines 6.1-6.14.

Rule 4.160(F): Competency Training. The law school must require that each student enrolled in its Juris Doctor degree program satisfactorily complete a minimum of six semester units designed to teach practice-based skills and competency training. Such competency training must teach and develop those skills needed by a licensed attorney to practice law in an ethical and competent manner. Guideline 6.9

CNSL requires students to take twenty units of courses that qualify as practice-based skills and competency training under Guideline 6.9. The law school is thus compliant with both the six-unit requirement of Rule 4.160(F) and the phased-in fifteen-unit requirement of Guideline 6.9 for practice-based skills and competency training.

Required courses include Legal Writing (2 units), Legal Research (2 units), Alternative Dispute Resolution (2 units), Taxation (2 units), Civil Procedure (1 unit), Professional Responsibility (2 units), Internship/Elective (2 units), Self-Help Legal Clinic (3-units), Trial Advocacy (2 units), and Advanced Legal Writing (2 units).

Rule 4.160(G): Scholastic Standards. The law school must maintain sound scholastic standards and must as soon as possible identify and disqualify those students who lack the capability to satisfactorily complete the law school’s J.D. degree program. Guidelines 7.1 – 7.11

CNSL maintains scholastic standards designed to ensure that it retains only those students who appear to have the ability to satisfactorily complete its J.D. program. Policies stated in the Handbook clearly define academic standing, academic disqualification, advancement in good standing and on probation, and retention and graduation requirements. It is recommended that the law school state the process used to amend these policies to bring its policies more fully into compliance with Guideline 7.2.

Students are evaluated for advancement and retention at the end of each academic year; to remain in good standing and earn the J.D. degree, they must achieve a minimum 2.0 GPA. Those whose GPA’s fall below 2.0 are academically disqualified unless, upon petition to the Dean, they are permitted to advance on probation. Probation is granted only for one year, and only to first-

year students with a GPA of at least 1.80 or second year-students with a GPA of 1.90 or better. The Dean of Students is available to provide counseling to probationary students and recently, the law school has opened its Student Services Tutoring Program to any student upon request.

CNSL effectively uses the First Year Law Students' Examination (FYLSX) to evaluate students for advancement. First-year "regular" students with a GPA below 2.0 after their first semester must register to take the FYLSX and those with a 2.0 at the end of Spring semester must take the exam. Students required to take the FYLSX may advance into the second year but are dismissed if they fail to pass the examination within three administrations of becoming eligible to take it, as required by Guideline 7.6.

The course repetition policy, detailed above in connection with Rule 4.160(B), does not allow duplicate credit for repeated courses and is compliant with Guideline 7.7.

CNSL fulfills its obligation to quickly identify students not likely to complete the J.D. program, as indicated in data on academic dismissal and voluntary withdrawal. Academic exclusion, although limited, typically occurs in the first year. Based on data in the 2017 Annual Compliance Report, over the prior three academic years about 10-15% of each first-year class was disqualified. Voluntary withdrawal is a more significant aspect of attrition, as shown in an analysis of retention and graduation rates on the website and in the self-study.

CNSL examinations and grading practices are compliant with Guideline 7.9 except as noted above with respect to the need for oversight of examination drafting and more extensive feedback. The Team found consistency of grading across time and among faculty members, including reasonable correlation in grades awarded by instructors teaching the same groups of students. To promote consistency, CNSL regularly compiles grade distribution reports for discussion at faculty meetings. With respect to Pass/Fail courses, the Team's sample review did not reveal any instance in which a student received a grade of "Fail." Scores, when reported, were higher than averages typically seen in numerically-graded courses. In at least one Pass/Fail course, failing students were permitted to perform extra assignments to pass. It is suggested that CNSL the law school should continue to monitor the rigor of grading in Pass/Fail courses to ensure that student performance is properly evaluated, pursuant to Guidelines 6.14 and 7.9.

Overall, the law school's grading processes appear to yield grades that are fair and consistent and, except as noted, the law school's academic standards appear to be compliant with Guidelines 7.1 – 7.11. Individuals who are not otherwise students at the school are permitted to audit a limited number of courses on an ungraded basis pursuant to a written policy as required by Guideline 7.12.

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

Admission policy at CNSL is sound and compliant with Guidelines 5.1-5.9 except as noted below. The website outlines basic application procedures and admission requirements. Applicants must submit an application form, fee, official transcripts, two letters of recommendation, and an LSAT score; “special students” must supply additional information. The application form asks about prior law school attendance and academic standing at a prior law school. Registrar Marty Gosling tracks applicant files to determine whether pre-legal education requirements are met and all required documentation, including official transcripts, has been received. She also monitors special students’ files to track progress in timely passing the FYLSX when required to do so. Admissions decisions are made by the Dean when applicants have an LSAT of 145 or higher, a GPA of 2.0 or higher, and a bachelor’s degree. Other candidates are first routinely interviewed by the Admissions Committee, who determines whether or not the student will be admitted. During admissions interviews, applicants are counseled about the relationship between LSAT scores, success in law school and GBX performance. The Admissions Committee submits a written recommendation as to each interviewee, recommending denial, admission, or admission with conditions, such as limits on hours worked during law school.

CNSL has very few transfer students; as stated in the Catalog, it admits only those who show “satisfactory completion of all prior studies.” According to the self-study, the law school does allow those who had previously attended law school to be admitted under the Committee’s “Start Over” policy upon successful petition to the Faculty Senate. The Senate’s decision to admit such a student is documented in the student’s file. Over the past five years, eight students were admitted to start over; four were academically disqualified after the first year, one graduated in 2018 after repeating a second-year course, and three students remain in good standing.

To bring the school into full compliance with Guidelines 2.3, 5.1, and 5.8, it is recommended that CNSL amend its policies to clearly state that it does not accept previously disqualified students as transfer students, set forth its policies for admission under the “Start Over” policy, and fully address the transfer credit provisions of Guideline 5.8, including the limit on transfer credit for study at a registered unaccredited law school in Guideline 5.8(2)(a).

CNSL admits some students with modest academic profiles; it is candid about its mission as an opportunity law school. For students admitted in 2017 with a bachelor’s degree, the average undergraduate GPA was 3.285 and the lowest was 2.19; for those with an associate’s degree, the average GPA was 2.77. Average GPAs have remained relatively consistent over at least three admission cycles. Of students admitted in the last five years, 84% held a degree, 13% held no degree, and 3% were special students. Some 11% had prior law study.

Although LSAT scores are weighed in the admissions process, no minimum score is required. Students admitted in 2017 had LSATs whose scores were anywhere from three to fifty-six. The self-study notes that over a five-year span, fifty percent of students with LSAT scores below the

fortieth percentile passed the GBX, while thirty eight percent of those with scores below the twentieth percentile did so.

Like most law schools, CNSL experienced a multi-year enrollment downturn followed by a plateau of similar length. In Fall 2018, the total number of applications increased. In addition, total enrollment increased year-over-year by 24%, in part because the retention rate increased from 54% for the incoming Fall 2017 class to 63% for the class of 2018.

Rule 4.160(I): Multiple locations. Accreditation is granted to a law school as an institution. If a law school conducts seminars or classes other than at its principal facility or branch campuses, the seminars and classes must be conducted in compliance with the Standards, except the Library Standard.

CNSL operates only a single campus and is not subject to this standard.

Rule 4.160(J): Library. The law school must maintain a library consistent with the minimum requirements set by the Committee. Guidelines 8.1 – 8.8

The law library is compliant with Committee standards. The library occupies 2,500 square feet of the school's building and it includes the main library collection, a student conference room, and a computer lab with a printer and three terminals connected to the Internet via high-speed DSL. Seating is available for about forty students. Library materials do not circulate but are available to all users during library hours. The library is open to students, faculty, and the public for a total of sixty-six hours each week. Hours are: Monday through Thursday, 9:00 a.m. - 9:30 p.m.; Friday, 9:00 a.m. - 1:00 p.m.; and Saturday and Sunday, 10:00 a.m. - 4:00 p.m. The library and its hours are adequate to meet the needs of the law school's faculty and students.

The Registrar has oversight responsibility for the library facility, records, and collection. She hires and trains library employees, whose primary functions are to shelve materials and keep the library open when the Administration Office is closed. Library records are maintained in compliance with Guideline 8.8.

CNSL provides access to all library materials as mandated by Guideline 8.4. CNSL's collection includes up-to-date volumes of all resources required in hard copy, and a few materials for which electronic access is an acceptable alternative. Most outdated hard copy resources are clearly marked as such, and most are scheduled for eventual removal.

To provide access to required resources not provided in hard copy, CNSL subscribes to the Lexis/Nexis electronic database, and all students, faculty and relevant staff receive individual passwords proving Lexis/Nexis access at any hour via the internet. On campus, internet access is available via Wi-Fi connection, or through the library computers via DSL connection. Guideline 8.7 requirements for electronic access are met.

Guideline 8.5 requires the law school to “provide students with instruction in the use of both hard copy publications and electronic-based research.” According to the self-study, CNSL’s Legal Research course provides instruction in both types of research, but the syllabus mentions only electronic research. It is suggested that the course syllabus should be revised to clearly reflect instruction in both types of materials.

Rule 4.160(K): Physical Resources. The law school must have physical resources adequate for its programs and operations. Guidelines 9.1-9.3

CNSL’s physical resources are adequate and compliant, including its administrative offices, law library, classrooms, and classroom technology. All facilities are housed in a 20,000 square feet portion of a single-story facility built in 1998 specifically to house the law school. The school leases the space from its corporate owner, Cal Northern Educational Development Corporation. The building also includes space leased to the IRS, a long-term tenant, as well as HBW Financial Advisors/Gysin Law Office. These uses do not interfere with law school activities.

The law school occupies an administrative suite with a private office for the Dean, Institutional Research office, reception space and areas for office tasks, and file storage. Outside the administration suite, two multi-purpose offices are available. Primarily used by the Dean of Students and instructors for counseling students or class preparation, these offices also provide extra space needed for testing accommodations.

There are four classrooms, one assigned to each class year. All classrooms are large enough to accommodate additional enrollment. Equipment for computer projection equipment and video playback is adequate to meet faculty needs, but electrical outlets are in short supply, so extension cords are prevalent.

Ancillary facilities include a spacious lobby, faculty lounge, student lounge with kitchen and vending machines, bookstore, two storage areas, two outdoor patios for receptions, and ample parking.

Rule 4.160(L): Financial Resources. The law school must have adequate present and anticipated financial resources to support its programs and operations. Guidelines 10.1 – 10.3

The law school is compliant with fiscal responsibility requirements. As reflected in the self-study, CNSL has a long history of sound financial planning and proper management of both finance and accounting functions. The law school is audited annually by a certified public accountant, most recently the firm of Barry Glassner & Company, and it has regularly received unqualified financial reports. Based on the Glassner firm’s financial report of November 29, 2017, CNSL appears to be fiscally sound.

To support continued financial viability, the law school follows a conservative approach to long range planning. The annual budgeting/planning process is completed between October and

January and approved in January. Budgets and audits are regularly submitted to the Committee, as required.

CNSL has operated with a net profit in the most recent four of the five years since the last inspection visit in 2011. At the end of fiscal year FY2016, the subject of the most recent audit, the law school had net assets of \$1.5 million. As noted in the self-study, generally profits are reinvested into the law school. Since 2004, when the status of the law school was changed from a private, for-profit institution to an S-Corp., dividends have been distributed only twice, in 2005 and 2006. The Team found that the directors and trustees share a commitment to sustaining and improving the infrastructure and educational opportunities provided by CNSL.

CNSL is largely tuition-dependent. Enrollment has remained relatively steady over the past five years and, based upon current class sizes, the law school reasonably projects profits at about current levels over at least the next three years. Tuition has not been increased for four years and tuition increases are a potential source of additional revenue, if needed.

The total J.D. tuition is \$44,100 at the 2018-2019 rate of \$525 per unit. As noted in the self-study, its reasonable tuition and relatively high cumulative CBX bar passage rate of 73% make the CNSL educational program “an excellent value.”

To further address affordability, in 2017, CNSL established a loan program that allows students to defer payment of roughly half their tuition and fees until they graduate or otherwise leave CNSL. Two scholarship programs were also added, including one designed to support racial and ethnic minority students.

Enrollment management remains a priority. In addition to ongoing initiatives to increase applications, the law school has redoubled its efforts to retain enrolled students. According to the self-study, J.D. retention improved 25% from 2014 to 2015 and 18% from 2016 to 2017. The law school also anticipates that WASC accreditation, if achieved, will result in higher enrollment.

Law school leadership is aware of the need for non-tuition revenue. Lease payments for office space in the CNSL building improve cash flow and “relieve financial pressures that might otherwise exist if the school were dependent on tuition alone,” as acknowledged in the self-study. In 2016, the law school launched an annual fund drive to encourage donations from alumni and friends, achieving a modestly positive response.

Based on documented financial resources, CNSL appears to be financially sound and compliant with the requirements of Guideline 10.1 in having “adequate present and anticipated financial resources to support its program of legal education and to ensure that all students admitted into its program have a reasonable opportunity to complete the program and earn their degrees.”

Rule 4.160(M): Records. The law school must maintain adequate records for its programs and operations. Guideline 11.1

The law school now maintains many of its files in both hard copy and electronic form. Hard copy files for active students and faculty are held in the Administration Office under the Registrar's supervision, while those for past students and faculty are held in onsite storage. These files are kept in cabinets that are locked and, as required, fireproof, and proper steps are taken to protect privacy and security.

As of Fall 2017, all student files are maintained electronically through Populi, the law school's data management system. Other files have been or are being digitized. Electronic files are password-protected, accessible only by authorized personnel, and backed up daily. In compliance with Guideline 11.1, CNSL has a written policy whereby staff can promptly produce paper copies of electronically-stored documents from electronic records maintained on its server, off-site backup, or Populi.

The Team conducted a sample review of law school files to confirm compliance, including applicant files and records of admissions (Guidelines 11.1(A), 11.1(B)); student files and transcripts (Guidelines 11.1(C), 11.1(D)); class records, examinations and grade tabulations (Guidelines 11.1(E), 11.1(F)); and faculty and administrative files (Guidelines 11.1(G), 11.1(H)). Files were well-maintained and compliant with very limited exception. In one case, limits on transfer credit were exceeded. It is recommended that the law school review its procedures for reviewing and accepting transfer credit, revising them as necessary to ensure all provisions relating to transfer credit are followed, including Guidelines 5.7, 5.8, and 7.11. In another instance, private health records were maintained in a student's file. A recommendation for the segregation of health-related documents has been made above.

The Team also reviewed a sample of other records required by Guidelines 11.1(I) - (O) and found them to be in good order, including minutes of Board and faculty meetings, the law school's Annual Compliance Reports, and inspections agencies other than the Committee. Based upon its inspection, the Team confirmed that CNSL appears compliant with requirements of Accredited Law School Rule 4.160(L) and Guidelines 11.1(A) – 11.1 (O).

Based upon its inspection, the Team confirmed that CNSL appears substantially compliant with the file and document requirements of Accredited Law School Rule 4.160(L) and Guidelines 11.1(A) – 11.1 (O).

Rule 4.160(N): Minimum, Cumulative Bar Pass Rate. The law school must maintain a minimum, cumulative bar examination pass rate as determined and used by the Committee in the evaluation of the qualitative soundness of a law school's program of legal education. Guidelines 12.1 – 12.2

The law school is compliant with the minimum, cumulative bar pass rate (MPR) requirements of Guideline 12.1. On July 2, 2018, CNSL filed its Annual Compliance Report on the MPR, reporting

that for the most recent five-year Reporting Period, 73% of its graduates passed the bar. Therefore, the law school maintained a compliant MPR of at least 40% as calculated by the Committee's approved methodology. In its report filed in 2015 for the prior period, the CNSL had reported an MPR of 82%. The law school's efforts to support its students to prepare for the GBX have been noted above.

Rule 4.160(O): Equal Opportunity and Non-Discrimination. Consistent with sound educational policy and these rules, a law school must operate in accordance with policies and procedures that comply with the Constitutions and all applicable laws of both the United States and the State of California to provide both equality of opportunity and to prohibit unlawful discrimination. Guideline 14.1

CNSL operates in compliance with Guideline 14.1. Equal opportunity policies are stated in the Handbook, Catalog, and Faculty Handbook. Despite the law school's stated commitment to recruiting a diverse faculty and student body, according to the self-study it faces a demographic challenge in Butte County where the general population is 86% white. Nonetheless, 53% of the students are female and about 17% belong to an ethnic or racial minority group. Historically the faculty has been less diverse, with only 31% being female and 2% belonging to an ethnic or racial minority group. As reported in 2017, however, women now make up 50% of the faculty and about ethnic and racial representation is about 5%. As confirmed through its operational practices and policies, the law school does not discriminate unlawfully in its admissions or employment practices.

Given the importance of diverse viewpoints in educational and legal environments, the law school is encouraged to continue its efforts to offer opportunities to diverse groups in recruiting both students and faculty.

Rule 4.160(P): Compliance with Committee Requirements. The law school must demonstrate its compliance with these rules by submitting required reports and otherwise complying with the rules.

Historically, the law school has submitted Annual Compliance Reports that are complete, comprehensive, timely, and compliant. The law school also has a record of submitting, pursuant to Guideline 4.10, timely notice of changes in its administrative personnel and responses to Committee requests for information. Finally, as noted above, the CNSL self-study required by Rule 4.163 was timely submitted to enhance the Team's ability to judge the law school's overall compliance.

CONCLUSION AND RECOMMENDATION

The Team recommends that this Periodic Inspection Report be received and filed, that its suggested mandatory and suggested recommendations be adopted by the Committee, that CNSL's accreditation be continued, and that its next periodic accreditation inspection be scheduled in the Fall of 2023 unless an earlier visitation is deemed necessary by the Committee.