



The State Bar *of California*

**OPEN SESSION
AGENDA ITEM
JANUARY 2020
COMMITTEE OF BAR EXAMINERS ITEM O-406**

DATE: January 31, 2020

TO: Members, Committee of Bar Examiners

FROM: Natalie Leonard, Principal Program Analyst

SUBJECT: Action on Application for Provisional Accreditation – Concord Law School

BACKGROUND

Concord Law School at Purdue University Global (Concord) is a registered, unaccredited distance law school. The school has filed an application with the Committee of Bar Examiners (Committee) seeking provisional or full accreditation. (Attachment A)

The Committee's Rules regarding accreditation

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

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

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

- (2) if the law school refuses to withdraw its application in spite of the Committee's advice that it do so
- (C) request further information, allowing a reasonable time for review
- (D) deny the application

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

Key operational factors for accredited schools

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

DISCUSSION

Concord Law School has been registered as an unaccredited distance law school since 1998 and has long taught its J.D. program completely online. The school is currently part of Purdue University Global, a non-profit public benefit corporation associated with Purdue University in Indiana. Concord Law School also recently secured formal 501(c)3 tax exempt status. According to its 2019 Annual Report, the school has 222 students enrolled in its J.D. program. Pursuant to the limitations provided by statute, Concord, as all other registered schools, operates a part-time J.D. program (only accredited schools are permitted to operate full-time programs).

The law school was last inspected in 2015, and will next be inspected in 2020. If the Committee advances this application today by requesting an inspection, that inspection serves both as the inspection of Concord as a registered school and also as the evaluation of the school's readiness to earn provisional or full accreditation.

Concord's proposed accredited J.D. program

If ultimately accredited, Concord plans to continue to utilize its current online J.D. curriculum. It will, however, reconfigure the order the subjects taught to create three fifteen-week terms. The current schedule is more complicated and offers a different term structure by year,

largely to time classes appropriately to prepare students to take the First Year Law Students' Examination required of all students at unaccredited law schools.

The school provided a detailed explanation of the proposed sequence changes that would be implemented for its part-time accredited program. Upon full accreditation, the school has indicated its likely intention to petition the Committee to add a full-time J.D. program. The school will also seek continued acquiescence to its non-bar-qualifying Executive J.D. program previously approved by the Committee, upon accreditation.

The school's teach out plan indicates that students in the unaccredited program will generally qualify to transfer to the accredited program, but the school is also willing to teach out students in the unaccredited program who cannot or do not wish to transfer.

Summary of Concord Law School's Plan for Compliance with the Accredited Rules

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

Dean and Faculty

The law school "must have at each campus . . . a competent dean, a qualified administrator, an adequate administrative staff and a competent faculty that devote adequate time to administration, instruction and student counseling." (Rule 4.160(D)) Concord is led by a full-time Dean who graduated from an ABA law school and is licensed to practice in California, and also served as an administrator at an ABA approved law school prior to coming to Concord. The school has nine full-time and twenty three part-time faculty, as well as a Dean of Students and a Registrar. The school also has a shared services agreement with both Purdue Global University and Kaplan Professional Higher Education. This equals or exceeds the staffing level at most State Bar of California accredited law schools.

A Sound Program of Legal Education Compliant with Scholastic Standards

Under Division 6 Academic Program Guidelines, a law school "must maintain a qualitatively and quantitatively sound program of legal education" that includes at least twelve hundred hours of verified academic engagement. (Guidelines 6.1, 6.5(A)) This translates to eighty credits, with fifteen hours of verified academic engagement plus thirty estimated hours of preparation per credit. (4.160 (E), Guidelines 6.5 (A-B)) The twelve hundred hour total does not include preparation or untracked homework. Concord's J.D. program exceeds this standard by requiring 1,864 hours of verified academic engagement and ninety credits to complete its J.D. program.

Under Division 7's Scholastic Standards, verification of at least twelve hundred hours of academic engagement must be conducted via reliable means. (Guideline 7.11) Concord uses its technology platform to track engagement including two-way interaction with professors and

precise measurement of time spent online. The platform also gates content so that students must complete a module before the gate opens to grant access to subsequent modules. The school recently partnered with Purdue University to assess its curriculum to verify time estimates based on expertise, technological tracking, and student surveys.

Competency and Practical Skills Training

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

The school meets the practical skills training requirement by integrating more than fifteen hours of practical skills into its required curriculum and it clearly explains how it does this in its application. The school also offers additional electives, independent study, and internships. The school provides worldwide support for students seeking an internship through its Legal Education Experience Program (LEEP), though most students arrange placements on their own.

Minimum, Cumulative Bar Examination Passage Rate

An accredited law school must maintain an MPR of forty percent or more. (Rule 4.160 (N), Guideline 12.1) Concord’s 2019 MPR is 48.1 percent.

Should the school become fully accredited, its students will establish exemption from the First Year Law Students’ requirement. Concord is confident that it can maintain a compliant MPR based on action it took in response to a recent study. The study reviewed Concord students’ California Bar Examination (CBX) results versus cumulative GPA’s, as well as student performance on homework, Kaplan test preparation and the Concord’s capstone course. The analysis showed that students whose cumulative GPA’s were less than 2.5 were much less likely to pass the CBX. Therefore, Concord raised the minimum required cumulative GPA from 2.0 to 2.5. If students do not maintain the minimum cumulative 2.5 GPA required for good standing, they will be academically dismissed. Concord has already instituted the change irrespective of being granted accreditation. The school is also using additional data from the analysis to target the academic support provided to students throughout their studies in order to help students maintain good standing.

The school’s July 2019 CBX Pass Rate was twenty percent, or thirteen out of sixty-five applicants. That examination’s results, along with the results of the February 2020 Bar Examination, will be taken into account when updating the school’s MPR in July 2020. A pass rate for an individual examination at that level is generally sufficient to ensure continued compliance with the MPR requirement.

Admissions

The law school must “maintain a sound admissions policy . . . [and] must not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of

completing the degree program.” (Rule 4.160(H)) The school does not expect to alter its admissions policy if it becomes an accredited school. The school currently uses an application plus a proprietary test to assess a student’s readiness for either the J.D. program or the non-Bar qualifying Executive J.D. program. The school believes that its current assessments will be sufficient to admit qualified students to the accredited program, but will verify this assumption through data analysis.

Physical Resources, Library, and Financial Resources

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

Division 8 Library Requirements can be fulfilled by making either physical or electronic library volumes available to the students. Concord’s online library is fully compliant. The school’s legal research class is taught online, but the class includes instruction on how to use both electronic and hard copy resources for legal research, as required by Guideline 8.3.

Division 9 Physical [and Infrastructure] Resources are already in place to deliver a compliant online J.D. program and related academic and administrative support. The technical platform is already in use at the school. The school has long delivered its program online, and now has the support and experience of Purdue University Global, which operates distance education degree programs in a range of areas. Therefore, the school will not need to make changes to deliver its educational program, academic support, or student records and accounts, other than the reordering of the elements of the curriculum mentioned above.

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

Other Administrative Requirements

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

The school’s compliance can be further assessed at an inspection. The school has a formal governance structure as required by its regional accreditation through the Higher Learning Commission. Its records are fully online. The school appears to be in compliance with all laws and the Constitution and to operate with integrity. It has also indicated that it is willing to comply fully with the Accredited Rules and Guidelines. The Multiple Locations Rule does not apply to this school, as it has only one location.

RECOMMENDATION

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

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

PROPOSED MOTION

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

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

Attachment A: Concord Law School Application for Provisional Accreditation Self-Study



Concord Law School at Purdue University Global

SELF-STUDY REPORT

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SECTION 1: PRIOR REQUIREMENTS AND RECOMMENDATIONS

After the last periodic site visit in 2014 for Concord Law School at Purdue University Global (“Concord” then known as Concord Law School at Kaplan University), there were a few mandatory and suggested action items that the State Bar asked Concord to address. Concord complied with each of them, and there are no mandatory or suggested action items Concord is currently working to address.

Required Attachments:

- Catalog (including Student Handbook): [Exhibit \(“Exh.”\) 1](#)
- Faculty Handbook: [Exh. 2](#)

SECTION 2: GUIDELINE WAIVERS

[Note: Concord has not responded to this section as it is inapplicable.]

SECTION 3: RULE 4.163 SELF-STUDY REPORT OVERVIEW

Academic Mission/Objectives and Goals

Founded in 1998 as the nation’s first fully online law school, Concord continues to pursue a mission of making high quality legal education accessible for those whose work or family responsibilities, geography, military service, physical disabilities, or other life circumstances preclude attending a traditional campus-based law school.

In furtherance of its mission, Concord has established the following purposes (see [Exh. 3](#)):

- Provide intensive and comprehensive instruction.
- Assist students in developing professional attitudes, values, and skills expected of a legal professional.
- Maintain the relevance of its programs to the legal professional through regular review and assessment by faculty, staff, and others.
- Provide a valuable legal education at a reasonable price.
- Provide a learning platform that is readily accessible, flexible, and easy to navigate.

In just the last few years, Concord has taken a number of steps to accomplish these goals, including the following:

- Revising its entire required curriculum to integrate best practices in legal pedagogy with the latest in distance learning and adult learning research, all under the direct supervision of the Dean.
- Mapping its required curriculum to ensure that program learning outcomes are adequately addressed and assessed throughout each student’s law school career.

- Adding practice-relevant electives such as Cybersecurity Law, Immigration Law, Employment Law, and Administrative Advocacy, and updating other electives like Virtual Law Practice, Federal Taxation, and Trial Advocacy.
- Transitioning to a new learning management system and live seminar tool that allows two-way video interaction, instant polling, and breakout rooms.
- Participating in a legal incubator to provide graduates with training in the legal and business aspects of launching a solo practice, with an emphasis on serving low-income clients.
- Expanding the externship program to help more students earn academic credit for work in a professional setting, including providing assistance with placements.
- Entering into a relationship with Kaplan Bar Review to heavily subsidize students' enrollment in a commercial bar prep program.
- Launching a Distinguished Speaker Webinar Series that provides our students and alumni the opportunity to hear from scholars and experts from institutions like Harvard, USC, UCLA, and Northwestern.

Reason to Seek Accreditation

Concord was a trailblazer in online legal education, and has consistently graduated practice-ready attorneys. In fact, Concord believes historical data would show that it has been above the 40% MPR bar pass rate required by the State Bar of California for state-accredited law schools continually since 2002, when its graduates first sat for the California Bar Exam. Concord has also complied with all of the other guidelines governing state-accredited schools, save for those that presumed the existence of a physical campus and library. As a fully online law school, Concord has not been eligible to apply for accreditation until the recent rule changes opened a path to accreditation for distance learning institutions.

Concord is eager to achieve state accreditation for a variety of reasons. Obviously, accreditation lends more credibility to the institution and its faculty, students, and alumni. More practically, accreditation would provide numerous administrative efficiencies. Concord would no longer have to have breaks in the program to accommodate students taking and passing the FYLSE, and it would no longer be subject to the requirements of the 365-day academic year, 24-week terms, or four qualifying years of study. Accordingly, Concord could offer three 15-week terms per year, and not only would Concord part-time students be more likely to actually graduate within four years, but Concord could offer a full-time program option as well. Concord's term structure would align better with traditional law schools, which may facilitate transfer or exchange of electives. In addition, California accreditation could provide benefits in other states as well. (The majority of Concord's students actually reside outside California.) For example, Colorado allows graduates of non-ABA law schools to sit for their bar exam after a number of years of practice, but only if the school is accredited in the state in which it is located.

Changes Under Accreditation

If Concord is granted California accreditation, the changes would largely be administrative, not substantive. The term structure would change from two 24-week terms per year to three 15-week terms. Concord would also offer two different JD program options: (1) a full-time program in which students would take 11-12 credits per term, and (2) a part-time program in which students would take 7-9 credits per term. The curriculum would be relatively easy to adjust, since all courses are already structured around 15 units or "modules"; the pace would simply

decrease from 10 days per module to 7 days per module, which will actually be easier for students, faculty, and staff to follow. (For more detail, see Section 4, *infra*.)

Other policies and processes would have to be adjusted to the changed term structure and two program options. Concord cannot anticipate how, if at all, enrollments will change as a result of state accreditation. Concord has no plans to increase tuition if accreditation were granted.

Required Attachments:

- Mission Statement: [Exh. 3](#)
- JD Academic Objectives and Goals: [Exh. 4](#) at p.1

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

Overview

Upon accreditation, Concord would plan to move from three 1L term starts and two upper division term starts per year to three starts per year for all students, without any gaps between terms. Concord would also transition from 24-week terms to more traditional 15-week terms. Total credits, required courses, and tuition would not likely change. Students would have the ability to take a full-time program, in which they could graduate in as few as 32 months; or a part-time program, which they could complete in 48 months.

Academic Calendar, Term Structure, and Credits

Currently, all Concord students are part-time students as required for registered unaccredited schools. The current term structure is set up to comply with the State Bar's requirement that students have a 365 day academic year. Each academic year is split up into two 24-week terms with a minimum of 10 credits--which, at 45 hours of study per credit hour, or at least 450 hours of total study, ensures that they exceed the minimum 432 hours for a qualifying half-year of study. By the end of 8 terms, students will have completed four qualifying years of study (8 qualifying half-years) as required. Concord requires 92 total credits for the JD program, so students take 12 credits in most terms, but may take 10 or 11 in some.

Concord currently offers three 1L starts per year: early January, early April, and mid-August. The April and August starts are timed around the FYLSE and Concord's 12-week FYLSE prep program, called First Year Intensive (FYI). Thus, April start students end 1L in late March of the following year, immediately begin FYI, and then take the June FYLSE. Similarly, August start students end in late July or early August of the following year, immediately begin FYI, and then take the October FYLSE. The January start is offered to students who don't want to wait between August and April to begin law school and acknowledge that there will be a several month gap between the end of 1L in December and the beginning of FYI the following March.

Concord also currently offers two upper-division starts per year: January (which coincides with the January 1L start) and late June. Because only about half of students pass the FYLSE, Concord typically has fewer upper division students than 1Ls. January or April start 1L students who take the FYLSE the following June may immediately enroll in the late June upper division term if they have passed FYI (their FYLSE results will not yet be available until August). August

1L start students who take the FYLSE the following October may enroll in the next upper division term in January if they have either passed FYI or passed the FYLSE (since they will get their results in December, prior to the January start).

Thus, students invariably have a gap in their studies due to the FYLSE, and typically graduate in slightly more than 4 years (assuming they pass the FYLSE on the first time; repeat takers will take longer).

As an accredited school, Concord would still require students to complete 92 credits, and would still require all students to take all of the subjects tested on the California Bar Exam, as well as the other courses currently required to develop writing and professionalism skills. However, Concord would no longer be restricted to offering a part-time program, would no longer be subject to the FYLSE requirement, and would no longer be required to comply with the 365 academic year rule or offer 24-week terms. Instead, Concord's academic calendars and terms would be more streamlined and consistent.

Concord would offer three 15-week terms per year, which would be roughly equidistantly spaced in early January, early May, and early September. There would be two-week breaks between the January and May terms and between the May and September terms; and a three-week break between the end of the September term in mid-December and the beginning of the next term in early January to accommodate the holiday season. Concord's January and September terms would thus correspond with the spring and fall semesters at traditional law schools, and its May term would roughly correspond to the traditional summer term. 15-week terms actually work better for Concord's curriculum than 24-week terms, since all Concord courses are already structured around 15 units, called "modules," so a one week per module pace would be easier to follow than the current pace of 10 days per module.

With the elimination of the FYLSE requirement, students would no longer be required to have a gap in their studies between 1L and upper division. Instead, all students could proceed continuously from term to term. So part-time students would consistently be able to graduate in exactly four years.

Moreover, because Concord would no longer be required to offer only a part-time JD program, Concord would plan to offer a full-time program as well. Students who want to take 10-12 credits per term for 8 terms could still do so; but because each term would be 15 weeks instead of 24 weeks, these students could graduate in $2\frac{2}{3}$ years. Students who wanted to follow a pace to graduate in 4 years, as is currently the case, would go from eight 24-week terms to twelve 15-week terms, taking fewer units per term (7-9) to compensate.

Scheduling and Curriculum

Currently, the prescribed course sequence for all JD students is as follows (students may have some flexibility as to when they take their electives):

Current Part-Time JD Course Sequence (8 terms = 4 years)

Term	Courses	Units	Term	Courses	Units
1	Torts I Contracts I Criminal Law I <u>ILA I</u> TOTAL	4 4 3 <u>1</u> 12	5	Constitutional Law I Corporations & Bus. Orgs. I Evidence I Professional Responsibility <u>Future of Law Practice</u> TOTAL	3 2 3 2 <u>2</u> 12
2	Torts II Contracts II Criminal Law II <u>ILA II</u> TOTAL	4 4 3 <u>1</u> 12	6	Constitutional Law I Corporations & Bus. Orgs. I Evidence I <u>[Elective(s)]</u> TOTAL	3 2 3 <u>4</u> 12
3	Civil Procedure I Real Property I Legal Analysis & Writing <u>Legal Research</u> TOTAL	3 4 2 <u>2</u> 11	7	Estates, Wills & Trusts I Remedies I Capstone I Community Property <u>[Elective(s)]</u> TOTAL	2 2 2 2 <u>2</u> 10
4	Civil Procedure II Real Property II Adv. Legal Analysis & Writing <u>Criminal Procedure</u> TOTAL	3 4 2 <u>4</u> 13	8	Estates, Wills & Trusts II Remedies II Capstone II Family Law Practice <u>[Elective]</u> TOTAL	2 2 2 2 <u>2</u> 10

Under the proposed plan, students who wanted to pursue the full-time option would take the same courses over 8 terms, as in the chart above--although as mentioned, since the terms would be 15 weeks instead of 24 weeks, these students would graduate in 2 $\frac{2}{3}$ years instead of 4 years.

For students who still want to proceed on a part-time basis with a plan to graduate in four years, the expected course sequencing would be modified as follows (again, with some flexibility for electives):

Proposed Part-Time JD Course Sequence (12 terms = 4 years)

Term	Courses	Units	Term	Courses	Units
1	Torts I Contracts I <u>ILA I</u> TOTAL	4 4 <u>1</u> 9	7	Constitutional Law I Corporations & Bus. Orgs. I <u>Remedies I</u> TOTAL	3 2 <u>2</u> 7
2	Torts II Contracts II <u>ILA II</u> TOTAL	4 4 <u>1</u> 9	8	Constitutional Law II Corporations & Bus. Orgs. II <u>Remedies II</u> TOTAL	3 2 <u>2</u> 7
3	Civil Procedure I Legal Analysis & Writing <u>Legal Research</u> TOTAL	3 2 <u>2</u> 7	9	Evidence I Estates, Wills & Trusts I <u>Criminal Procedure</u> TOTAL	3 2 <u>4</u> 9
4	Civil Procedure II Adv. Legal Analysis & Writing <u>Professional Responsibility</u> TOTAL	3 2 <u>2</u> 7	10	Evidence II Estates, Wills & Trusts II <u>Future of Law Practice</u> TOTAL	3 2 <u>2</u> 7
5	Criminal Law I <u>Real Property I</u> TOTAL	3 <u>4</u> 7	11	Capstone I Community Property <u>[Elective]</u> TOTAL	2 2 <u>4</u> 8
6	Criminal Law II <u>Real Property II</u> TOTAL	3 <u>4</u> 7	12	Capstone II Family Law Practice <u>[Elective]</u> TOTAL	2 2 <u>4</u> 8

Given the standard of 45 hours of total study per credit, full-time students taking 12 credits over a 15 week term would be expected to spend about 36 hours per week on average studying (45 hrs. x 12 credits / 15 weeks = 36). Part-time students taking an average of 8 credits per term would be expected to spend about two thirds that amount, or 24 hours per week, studying. That is essentially what students are expected to spend per week studying in our current 4-year part-time program.

Certain policies would need to be analyzed to make sure they work for both part-time and full-time students, or be modified as needed. For example, to stay in good academic standing, JD students must have a CGPA of 2.50 or higher. Currently, students have one probationary semester after which they will not be dismissed even if they haven't earned a 2.50 (as long as their first-term GPA is at least 2.00). Under the proposed three-terms-per-year system, part-time students would have only completed 18 credit hours in their first two terms, rather than the 24 for full-time students. Concord would need to decide whether to make the threshold for disqualification based on the number of credits completed (e.g., 24) rather than the number of terms completed. Similarly, there are late policies that provide for penalties if students turn in major assignments a certain number of modules late. Since modules would correspond to weeks, not 10-day periods, Concord would need to decide whether to adjust the late policies.

There is no expectation that the grading scale or grading standards would change with accreditation. Concord has already determined that achieving a 2.50 or above provides adequate assurance that a student has a reasonable likelihood of passing the bar, and regularly conducts calibration sessions among faculty to ensure that they are grading consistently with each other and with this benchmark.

Attendance

Concord already has measures in place to ensure that all students participate in at least 80 percent of at least 1,200 “academic engagement” hours as prescribed by the revised Accredited Guideline 6.5(A). In fact, Concord students will exceed these minimums. These measures would continue upon accreditation.

As noted in the previous section, Concord requires at least 45 total hours of study per credit hour. At least 15 hours of those 45 hours must be active engagement hours. Because Concord’s JD program requires students to complete 92 credit hours, the number of active engagement hours is at least 1380 (92×15), or 15% more than the 1200 hours required.

When Concord’s faculty recently conducted a major revision of its entire required curriculum (which constitutes 84 of the 92 total units), they also conducted--in collaboration with an associate dean of curriculum and curriculum specialists from Purdue University Global--a very careful audit of the time that each course component would take students to complete. This included clear definitions of what counted as active engagement, which essentially mirrored what is defined in the revised Accredited Guideline 7.11(B).

In tracking student hours, for course components with fixed times like live seminars, recorded video presentations, and timed assessments, actual times were used. For other components like accessing interactive online learning activities, participating in online discussion boards with colleagues and faculty, or conducting research, estimates were utilized based on collective faculty judgment and experience. To corroborate and verify these assumptions, in September 2018, a student survey was conducted regarding how much time students actually spent on each of these types of activities. The survey results showed that on average, students spent roughly as much time, if not more so, than what faculty had estimated.

As noted above, Concord requires each credit hour to contain at least 15 hours of active engagement. However, as a practical matter, many of Concord’s required courses include well over 15 hours of active engagement per credit hour. For example, the Evidence course, which is highly experiential, features almost 24 hours of active engagement per credit hour.

In total, the required curriculum as designed includes 1744 hours of active engagement across 84 units, or 20.8 active hours per credit hour. One must add to that the minimum of 120 active hours that students would necessarily engage in through their remaining 8 credit hours of electives. Thus, each Concord JD student is expected to participate in at least 1864 active engagement hours across the curriculum, which is 664 hours or 55% more than the 1200 minimum required by the State Bar.

Another important feature of Concord’s program related to attendance is its gating functioning. In Concord’s LMS, all asynchronous content is gated, meaning that students cannot access a post-video learning activity until they have accessed the video; cannot access the next video until they have completed the learning activity for the prior video; and so on. Similarly, students

cannot access any of the content in Module 2 until they have completed all of the content in Module 1, and so on. In this way, Concord ensures that students who have completed the course will necessarily have accessed all of the content in the LMS. (Reading assignments are not gated, but they do not count toward active engagement hours in any event).

In addition to the automated gating functions, students click an acknowledgment at the end of each module that they have accessed the content and completed the readings, and spent the estimated hours on active engagement and total study. While Concord does not rely solely on self-verification, this provides an added level of corroboration, and Concord believes it is valuable professional training for students to internalize the importance of honest self-reporting.

Concord also has a separate requirement and tracking function specifically for attending live seminars, which are but one component of its array of active engagement activities. Concord's policies require that students engage with at least 80% of the live seminars in a course, either in person or through watching the archives, in order to be eligible to sit for the final exam. Concord's system allows staff to verify 80% attendance, and to preclude students from sitting for final exams if this requirement is not met. Students are provided one or more warnings throughout the term if they are not on pace to meet the attendance requirement, to help ensure that they come into compliance by the time of the final exam.

Assuming one 90-minute synchronous seminar per week on average, live seminars would account for approximately 288 hours (1.5 hrs x 24 weeks x 8 terms) of the total 1864 hours of active engagement. This means that there are approximately 1576 hours of asynchronous active engagement. Thus, even aside from the time students spend in the live seminars, they still likely spend well over 1,200 hours in active engagement from the asynchronous content alone. And since students have reported spending more time on course content than faculty estimates, not less, Concord can say with a high degree of confidence that every JD student meets the required minimums for active engagement.

Teach-Out, Resources, and Other Matters

Because the content of Concord's courses would remain the same but would essentially be compressed from 24-week terms to 15-week terms, with any necessary adjustments being made to student course loads, Concord hopes to be able to relatively seamlessly "teach out" students already enrolled in its unaccredited registered program while simultaneously enrolling new students in its accredited program upon approval or provisional approval.

Concord JD students currently take their 92 credits over eight 24-week terms. At the point at which Concord could begin offering 15-week terms, it would transition students still enrolled in the unaccredited registered program into the 15-week versions of its courses in the next available term. (New students would only be enrolled in the accredited program.) As discussed above, instead of taking 10-12 units over 24 weeks, these students would take 7-9 units over 15 weeks in order to maintain roughly the same overall weekly workload. Students who still needed to take and pass the FYLSE might still have a gap in their studies in order to do so, but that gap might actually be somewhat shorter given that there would be three upper-division terms starts per year rather than two.

Concord has the resources to make this transition. In terms of teaching resources, the only additional burden would be that of offering one extra upper-division term start per year--which will likely be worthwhile given the expected reduced attrition that would come from eliminating

the FYLSE requirement. This might also involve some minor adjustments in how often certain electives are offered. The transition might actually provide some teaching load benefits in that professors would not have overlaps across terms, as some might currently have (e.g., a professor teaching a 1L course that begins in an August term will still be teaching that course for about a month after starting to teach a course in the January term that follows).

The biggest logistical challenge will involve changes to policies, as noted above, regarding satisfactory academic progress, late assignments, and the like. Concord will need to carefully coordinate with its shared services providers at Purdue Global (e.g., student records) and Kaplan Higher Education (which provides services regarding marketing, admissions, etc. to Purdue Global) to make sure all policies and procedures are implemented consistently and smoothly for all students, regardless of program.

Concord cannot predict whether accreditation would lead to significant increases in enrollment. More prospective students may be attracted by the new features of an accredited program (no FYLSE, no gaps between terms, shorter terms, and a full-time program option) or by the added prestige of accreditation. However, the lower cost and convenience of the fully online format may already be the chief drivers of who attends law school online. In any event, if Concord does experience substantial enrollment increases, it already has processes in place for the hiring of additional faculty and staff to adjust. Concord does not anticipate raising tuition in the immediate future as a result of obtaining accreditation.

SECTION 5: RULE 4.160(A) - LAWFUL OPERATION

Compliance with Laws and Regulations

Concord operates in compliance with all applicable federal, state, and local laws and regulations. For student information and services, a full list of policies can be found in the Catalog ([Exh. 1](#)).

Americans with Disabilities Act (ADA)

Concord's ADA policy, which is part of its Statement of Nondiscrimination, may be found in the catalog ([Exh. 14](#)), and includes:

- The Family Educational Rights and Privacy Act of 1974 and the implementing regulations 34 CFR Part 99
- Section 504 of the Rehabilitation Act of 1973 and the implementing regulations 34 CFR Part 104 (barring discrimination on the basis of physical handicap)
- The Age Discrimination Act of 1975 and the implementing regulations 45 CFR Part 90
- The Americans With Disabilities Act of 1990 and the implementing regulations in 29 CFR Part 1630 (1992)

Concord is committed to making educational opportunities accessible to qualified individuals with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. In addition, as an equal opportunity employer, Purdue Global/Concord does not discriminate based on disability in the hiring, promotion, and retention of otherwise qualified faculty and staff.

The policy that prohibits discrimination on the basis of disability and provides reasonable accommodations applies across Concord and Purdue Global including, but not limited to, admissions, financial aid, career services, academics, or other school-administered programs or services.

To comply with applicable laws, Concord works with trained professionals in Purdue University Global's Center for Disabilities Services (CDS). These personnel work together to provide reasonable accommodations such as extra time on timed assessments, final exams on different days, auxiliary aids, etc., depending on the individualized need. Accommodations will not be provided if they fundamentally alter the nature of the program or if they would be unduly burdensome to Concord.

Students with disabilities who require accommodations must make those needs known and are responsible for providing appropriate documentation. If a student mentions a need for accommodations at any time to a staff or faculty member, the staff or faculty or staff member must report this to the CDS. CDS then reaches out to the student within 24-48 hours to explain the process of applying for accommodations.

Students in the JD program are also counseled about State Bar requirements and the process to request accommodations for the FYLSE and general bar exam. In granting accommodations to JD students, particularly timing accommodations, Concord advises students on what they could expect in a State Bar accommodation, and also works to keep its accommodations within State Bar parameters.

Medical information provided to CDS is treated as confidential medical records under applicable laws and school policies. Such information is provided only to individuals who are privileged to receive such information on a need to know basis. These records are separately maintained by CDS.

Family Educational Rights and Privacy Act (FERPA)

Concord has several policies in place to help ensure student's privacy and security of information, and informs students of their rights under these policies.

Concord has physical, electronic, and managerial procedures in place to assist it in providing the secure transmission of students' information from their personal computers to Purdue Global servers. Student records are not released to any third party, other than those required by applicable federal and state law, without obtaining prior written permission of the student.

The release of student academic records is overseen by the Purdue Global's Registrar's Office. In accordance with FERPA, Concord maintains an online directory for the school community. Students have the ability to enter or restrict the listing of their personal directory information through an online user interface. Upon withdrawal from the school, student directory information is removed, and upon graduation from the school, student directory information is eligible for inclusion in an alumni directory. (See [Exh. 16](#) FERPA policies.)

Students may choose to withhold disclosure of directory information by filling out a Directory Information Withholding Request Form. (See [Exh. 15](#).) Students who wish to have an advisor

(Admissions, Student Support, Financial Aid, etc.) speak to someone other than the student must complete a Third Party Authorization Form (TPAF).

State or Local Business Licensing Requirements

Concord Law School is a part of Purdue University Global, which is accredited by the Higher Learning Commission. (See [Exh. 11](#); [Exh. 10](#) at pp. 6-7.) The institutional accreditation includes Concord.

Concord is compliant with all state and local business licensing requirements. (See [Exh. 5](#).) Concord is a part of Purdue University Global, and that is reflected on the various registration and compliance documents. ([Exh. 8](#), [Exh. 12](#) and [Exh. 13](#).)

Corporation with the California Secretary of State and Tax-Exempt Status

Purdue University Global, of which Concord is a part, is a non-profit public benefit corporation under the laws of the state of Indiana. ([Exh. 10](#).) It timely files its status as a corporation with the State of California each year. (See [Exh. 8](#), [Exh. 12](#) and [Exh. 13](#).)

Purdue University Global has not yet filed for 501(c)(3) status and therefore does not yet have a tax-exempt letter from the IRS or the State of California. Concord expects this to be filed soon.

Procedures

Purdue Global has a dedicated compliance team as well as a state regulatory project manager that assists Concord with implementing applicable laws and regulations, including state and local licenses, filings, etc. Concord also has access to the Purdue University legal department, which serves as a further check to ensure compliance.

Federal Financial Aid

Concord Law School offers a variety of federal and private lending programs, including military financial aid and a monthly payment plan students. (See [Exh. 6](#)) Since Concord's default rate is low (see [Exh. 7](#)), it has no plans to alter its current arrangements.

Required Attachments:

- Local business license: [Exh. 5](#)
- Financial aid disclosures: [Exh. 6](#)
- Default rates: [Exh. 7](#)
- Proof of current corporate status: [Exh. 8](#), [Exh. 12](#) and [Exh. 13](#)
- Non-profit status: [Exh. 10](#)
- Alcohol/substance abuse policy: [Exh. 9](#)
- Accreditor correspondence: [Exh. 11](#)
- ADA policies: [Exh. 14](#)
- Directory information opt-out policy: [Exh. 15](#)
- FERPA policies: [Exh. 16](#)
- Student Conduct Policy: [Exh. 23](#)

SECTION 6: RULE 4.160 (B) - INTEGRITY

Overview

Concord abides by California Business and Professions Code (B&P) § 6061.7 requirements and State Bar of California guidelines to be honest and forthright in all its communications and dealings with students and prospective students. (See [Exh. 18](#).) Among other things, Concord prominently displays the B&P information on its public website in a readable manner using the template provided by the State Bar, and updates it before January 1 of each year. ([Exh. 20](#).)

Guideline 2.1 - Honest and Integrity

In order to deal with all constituents fairly and honestly, Concord has published clear policies and procedures. The public, prospective students, and applicants can find information on the [public website](#), which also has a link to the online catalog of policies. ([Exh. 1](#).) Admissions Advisors are trained to answer questions and be transparent during the admissions and enrollment process, and their performance is regularly reviewed by supervisors and/or the Dean himself. All enrollment documents are reviewed by the administration as well as Purdue Global's Editorial and Legal Departments. Policies and procedures are applied fairly and consistently.

Enrolled students receive policy information through their student support advisors, and through the [online catalog of policies](#) that can be accessed from the homepage of their virtual classroom. Students are also provided reminders about important policies as part of the pre-start "Fundamentals" orientation program, and in class announcements at each term start.

Students receive a specific disclosure statement, depending on whether they enroll in the JD or Executive Juris Doctor (EJD) program, outlining regulatory exam statistics, state bar restrictions, student/faculty ratio, professor biographies, and more. (See [Exh. 19](#).) Students are sent updated disclosure documents at the beginning of each new academic year and are asked to read, sign, and send back an acknowledgment to be placed in their academic file.

Guideline 2.2 - Honesty Regarding Finances and Tuition Refunds

Concord never makes admissions or scholastic decisions that could adversely affect the law school's educational program or its students based solely on financial considerations. Student support and success is always a priority.

Concord clearly displays tuition and fees directly on the [public website](#) and posts a [link to a pdf](#) that goes into more detail. Concord has a refund policy that is designed to be easy to read and is applied fairly and consistently to all students. ([Exh. 21](#) at pp. 2-3.) The [refund policy](#), available in the catalog and Concord's enrollment agreement ([Exh. 22](#) at pp. 2-4), includes a chart so students are clear on refund deadlines and policies:

Students Withdrawing	Refund
Prior to the first day of the term	100% Tuition
During the first day through 10% of the term	90% Tuition ¹
After more than 10% and through 25% of the term	50% Tuition ¹
After more than 25% and through 50% of the term	25% Tuition ¹
After more than 50% and through 100% of the term	0% Tuition ¹

¹Less the Administrative Fee of \$295 per term

Guideline 2.3 - Honesty in Communications

Concord aims to be honest and forthright in all communications with prospective students, applicants, and enrolled students. It does not mislead them as to their reasonable prospects of admission or obtaining a degree, their ability to qualify for or be admitted to the bar in any jurisdiction, the cost or the requirements for obtaining the degree, or the financial support available through loans or scholarships. Concord communicates policies and procedures clearly, through its public website, the catalog of policies, forms and documents approved by Editorial and Legal, such as the disclosure forms, and trained administrative staff.

Besides prominently displaying the B&P Disclosure information on the public website, Concord prominently displays the disclosure statement on the public website under CA Bar Disclosure, found from the homepage, and in all enrollment documents and forms (catalog of policies, application, and enrollment agreement). (See [Exh. 19.](#))

As mentioned above, Concord also updates a full disclosure document that goes out to all students at enrollment, and then once at the beginning of each academic year thereafter, which students must acknowledge by their signature. Concord also publishes on its public website information relating to [historical pass rates](#) of its graduates on the California Bar Examination.

Guideline 2.4 Forms of Ownership

Previously, Concord was a part of Kaplan University, which was, until March 2018, a subsidiary of Kaplan, Inc., itself a subsidiary of the Graham Holdings Company (GHC), a publicly traded company. In April 2017, GHC announced that Purdue University, a non-profit public university, had signed an agreement to acquire the academic assets of Kaplan University, including Concord. Purdue would create a new not-for-profit public benefit corporation under the laws of the state of Indiana that would be (a distinct) part of the Purdue University system with its own board of trustees.

The necessary approvals from the Indiana Commission for Higher Education, the U.S. Department of Education, and the Higher Learning Commission (HLC), which was both Kaplan University and Purdue University's regional accreditor, were obtained by early 2018. On or about March 23, 2018, Concord Law School at Kaplan University's name officially changed to Concord Law School at Purdue University Global. At the same time, Concord transitioned from

being a for-profit to not-for profit institution. (See [Exh. 17](#), at p.1.) Concord complies with Guideline 2.4 A-C, as it is part of a non-profit entity and provides reasonable compensation.

Guideline 2.5 - Compensation Based on Number of Applicants, Enrollment, and Students Prohibited

Concord does not base compensation on the number of persons enrolled or in any class or on the number of persons applying for admission to or registering to enroll in the law school.

Guideline 2.6 - Fairness in Student Discipline

Concord Law School has a [Student Code of Conduct](#) found in its catalog and accessible from every course in the learning management system. ([Exh. 23](#).) The policy outlines procedures, which include written notice of charges, an opportunity for a hearing before a panel of impartial members of the faculty and/or administration, and a written final determination that includes a statement of the facts, conclusions, and sanctions, if any; and contact information.

Guideline 2.7 - Fairness in Academic Standards and Student Assessment

Concord's [academic standards policies](#) can be found in the catalog. ([Exh. 24](#).) Concord follows the policies fairly and consistently for all students. In addition to grading policies contained in the catalog, each course has an individual syllabus that addresses examinations, grading rubrics, and late policies. These policies have been largely standardized and vetted with the dean, and faculty are held accountable for following and implementing them consistently.

Concord uses a [numeric grading system](#). (See [Exh. 28](#).) In every course, students may earn a total of 1000 possible points. Based on the percentage of total possible points, students are awarded grade points on a 4.0 scale, which correlates to A-F grades, as follows:

Grade	Numeric	Points	Definition
A	83-100	4.0	Superior
A-	80-82	3.7	Superior
B+	78-79	3.3	Excellent
B	73-77	3.0	Excellent
B-	70-72	2.7	Excellent
C+	68-69	2.3	Proficient
C	63-67	2.0	Proficient
C-	60-62	1.7	JD Students: Below Standard Proficiency; EJD Students: Proficient
D+	58-59	1.3	Below Standard Proficiency
D	53-57	1.0	Below Standard Proficiency
D-	50-52	0.7	Below Standard Proficiency
F	Below 50	0.0	Failure
P			Pass
TC			Transfer Credit
W			Withdrawal

For example, if a student earned 711 out of 1000 possible points in a course, they earned a 71.1%, which correlates to a B-, so the student would receive a 2.7 on their transcript for purposes of calculating grade point averages (GPA).

Pass/Fail Grades

Pass/Fail grades are only used for the Capstone, Independent Study, Moot Court Honors Program, and externship courses. The professor reviews student work carefully to verify the student has adequately completed sufficient work in good faith in order to receive a pass.

Repeating Courses (See [Exh. 28](#).)

Students are required to repeat a course when they fail it with the equivalent of an F (below 50 points on a 100 points scale, which correlates to a 0.0 on a 4.0 scale). Previous grades earned for the repeated course will be marked on the transcript as indicated in the transcript legend, but the grade received on the last repeat will replace all other grades for that course in the cumulative GPA (CGPA) calculation. Students who fail a course twice are dismissed.

Good Standing, Academic Probation and Disqualification

To stay in good academic standing, JD students must maintain a CGPA of 2.50 or higher at the end of each term. At the end of their first term, however, JD students who have a CGPA between 2.00 and 2.49 will be put on academic probation. By the end of the second term (first full academic year), JD students must have a CGPA of 2.50 or higher, and pass all their courses, in order to continue and be certified for the FYLSE; otherwise, they are dismissed from the JD program.

Students must then pass the FYLSE within the first three administrations after first being certified, or are dismissed. Once students have passed the FYLSE and are in the upper-division courses, they must maintain a CGPA of a 2.50 and must not fall below a 66.6% pace (earned credits/attempted credits).

To graduate, students must meet these minimum requirements, earn 92 credits, and complete all required courses. Each term, students must have completed at least 10 credits (at least 450 hours of study and preparation) to meet the qualifying half year of law study requirement, and need 8 qualifying half years to graduate and be certified for the California Bar Exam.

If a student is placed on probation, they have one term to regain good standing. If the student does not regain good standing, they will be dismissed unless they have an approved satisfactory academic progress (SAP) appeal on file showing extenuating circumstances and a concrete action plan to improve performance. (By policy, JD students with below a 2.50 CGPA after their first full year may not submit such an appeal.) Such students would then be placed on final academic probation. Final academic probation allows students up to four terms to meet SAP, but requires students to follow an academic plan that includes no withdrawals from courses and achieving a higher term GPA (2.75). If the student does not have an approved appeal on file, or does not meet the terms of an academic plan, the student is dismissed.

Anonymous Grading

In 2017, when all of what was then Kaplan University, including Concord, moved to a new learning management system known as Brightspace by D2L, Concord no longer had the technological infrastructure to support anonymous grading. However, anonymous grading is much less of an issue in an online setting, for several reasons. Concord utilizes more frequent, lower-stakes assessments than traditional law schools do, and even at traditional law schools, writing and skills courses with more frequent assessments rarely engage in anonymous grading. Some assessments are auto-graded, and only written work is graded by instructors; in many courses, auto-graded work accounts for about half of the total available points. Even for written work, most assignments feature clear grading rubrics, and faculty regularly engage in calibration sessions to help ensure consistency in grading. Concord grades students on their absolute merits, not on a curve, so students are not “competing” for a scarce resource of high grades. And as discussed below, Concord makes a grade appeal process available to students should they take issue with the fairness of a grade.

Final Grades

Each course syllabus outlines every graded quiz, exam, or other assessment and how it contributes to the overall 1000 points in the course. Students also have access to a gradebook within each course so they can keep track of exactly how they are performing. Unlike traditional law school courses, most Concord courses have numerous interim assessments, so students can get a sense of how they are faring well before the end of the semester, when it may be too

late to make adjustments. As noted above, most professor-graded assessments feature grading rubrics, which are made available to students. Students are informed about the weight, timing, and format of the final exam in the syllabus as well as in course announcements. In topics that span two terms, professors will often review the first term's final exam during a live seminar near the start of the second term. (They are expected to write new final exam essays each term.)

Concord advises each student of the grade received on each examination and the final grade for the course within 5 days of the end of the term. For final exams, students receive overall scores for the multiple choice and essay portions, and can review individual feedback on the essay questions. A student may request a meeting with the professor to review the final exam. A student may request to meet in an administrative office to compare the multiple-choice answers, but cannot copy or take away the questions and answer keys. Professors may provide the essay question with answers/feedback to the student upon request.

Authenticity of Student Work (See [Exh. 26](#))

Students applying to Concord must submit official transcripts of their pre-legal education with their admission application. Administrative staff and the Concord Admissions Committee review these materials for veracity to ensure that the applicant has the appropriate educational credentials and that the credentials presented are those of the applicant.

Concord Law School requires that all students log into the system using two unique identifiers (login and password). Prior to test taking, students must further authenticate their identity. When attempting to log into the system for either major assignments or examinations, students must complete an "Acknowledgement Quiz." This step is required in order for students to gain access to the assignment/exam itself. The Student Code of Conduct is part of this Acknowledgement Quiz and prohibits students from submitting assignments that are not their own, and consequences are severe, potentially resulting in expulsion.

Through the LMS, professors have the ability to apply plagiarism detection software called Turnitin to student written submissions. If the software indicates potential plagiarism, or if the professor otherwise has reason to suspect something is amiss, further investigation may be conducted. If it is determined that the Code of Student Conduct or course policies have been violated, sanctions may be imposed, and may include an informal warning or earning a zero on the assignment all the way up to expulsion.

Concord is committed to maintaining state-of-the-art identification and authenticity regimes and anticipates updating its protocols as new technology or standards emerge.

Grade Review (See [Exh. 27](#))

Concord has an [Academic Appeals Policy](#) found in the catalog of policies and accessible from every course in the learning management system. The policy outlines procedures (first meet with the faculty member; then request to petition to the Appeals Committee; then request to appeal to the Chief Academic Officer) and provides relevant contact information. The Appeals Committee always has at least two full-time Concord faculty members (faculty involved in the substance of the appeal will recuse themselves).

Grading at Concord is carefully calibrated for conformity with the course grading policy and consistency across sections. Nevertheless, students may submit a petition for grade review to

contest the final course grade. The grade review is limited to alleged mistake by the school, departure from the stated course grading policy, or unfairness. Because of the academic freedom faculty have in determining assessment grades, the fact that the professor could have given a higher grade on an assessment is not considered grounds for a grade change.

Guideline 2.8 -Protection of Student Privacy and Confidentiality of Student Communications and Records

See Section 5, *supra*.

Guideline 2.9 - Security and Backup Systems

See Section 17, *infra*, and [Exh. 32](#).

Guideline 2.10 - Statement of Provided Student Services, Experiences, and Activities; Adequate Support and Resources

Each student is assigned to a dedicated student support advisor that helps monitor progress and is also a resource for administrative support. The advisors connect students with professors and the Dean's Office for further academic support and information about activities and programs. Student services, experiences, and activities are made reasonably available to all students, with the exception of minimum CGPA requirements for externship, independent study, and moot court courses, which may restrict the pool of students to whom these opportunities are available, but which are deemed to be academically important and beneficial.

Concord provides adequate support and resources for a variety of services, experiences, and activities that are available to students. These are publicly published on the website as well as the catalog of policies. The [Student Life](#) tab of the public website includes information about academic support, career services, graduation, the law library, tech support, student satisfaction, and the student community. (See [Exh. 33](#).) The [Student Services](#) section of the catalog of policies includes information about career services and student groups.

FYLSE and California Bar Exam Preparation

Concord has taken a number of steps to try to help its students and graduates pass the FYLSE and the bar exam. Concord requires JD students to pass the FYLSE to continue to 2L. If students do not receive FYLSE results in time for the upper-division start date that takes place immediately after their first administration, students may start their second year if they have completed Concord's FYLSE review program, First Year Intensive ("FYI"), with the equivalent of a C or better (on the rationale that students who pass FYI should have a reasonable prospect of passing the FYLSE). This incentivizes students to demonstrate their commitment to FYLSE preparation and, at the same time, seeks to avoid overwhelming students who did not pass the first time by having to prepare for the FYLSE again while simultaneously enrolled in 2L classes. Concord also offers a Second Time Success (STS) program for students who were unsuccessful during their first FYLSE attempt.

FYI is a free, non-credit bearing 12-week FYLSE prep program that includes full review of the substantive law covered on the FYLSE, together with lectures on the techniques necessary to succeed on the exam. It also contains extensive practice materials to allow the student to hone the skills needed to successfully complete the exam. The course culminates with a live final

review weekend, where students take a simulated exam and then spend the rest of the weekend reviewing the answers in detail.

Students who are not successful on their first FYLSE attempt may enroll in the free Second Time Success (STS) course designed to help students focus their studying and receive individual feedback and support. STS is centered on a series of live seminars. The first seminar reviews students' experiences in preparing for the FYLSE and discusses strategies for overcoming obstacles to preparedness. STS also includes lectures and written assignments from the FYI course, with a focus on targeting each student's problem areas to maximize their improvement.

Upper-division students give FYLSE test takers support and guidance through an organized FYLSE mentor program. Concord is optimistic that its various initiatives to help its FYLSE takers are bearing fruit. On the most recent FYLSE administration for which results are available from October 2018, Concord takers' first-time pass rate was 45%, which is significantly above typical statewide averages in the high 20's or low 30's.

As for bar preparation, Concord continues to have an agreement with Kaplan Bar Review (KBR), which began in February 2018, whereby Concord students receive a substantial discount (over 80%) off the face price of Kaplan Bar Review's bar preparation program. This was designed to encourage more students to take a commercial bar preparation program by reducing the financial obstacles to doing so. KBR also provides materials that are integrated into the required curriculum throughout the four years in the JD program, in particular the fourth year Capstone course discussed immediately below. Students also get free 1L materials from KBR, which can help them on the FYLSE, as well as MPRE preparatory materials.

All 4L JD students are required to take a year long Capstone course that integrates the substantive law and skills students have learned over the course of their legal education, and asks them to apply those skills by engaging in the types of assessments encountered on the California Bar Examination, particularly the performance tests which are designed to simulate the types of assignments first-year attorneys may expect to encounter. Students are taught to refine their ability to analyze legal principles and express their thoughts in an appropriate fashion.

Students in their fourth year preparing for the bar exam also enjoy mentoring through two additional programs. Each 4L JD student is assigned a faculty mentor who provides one-to-one outreach to review student study strategies and answer questions. First-time bar takers can also utilize an alumni mentor through the alumni bar mentoring program. The alumni program is meant to focus more on psychological support and guidance than providing substantive support.

But Concord has not confined its efforts to help students pass the bar exam to the fourth year, as the faculty recognizes that students must have a solid foundation in knowledge and skills throughout their law school career in order to succeed. As noted above, KBR bar prep materials have been integrated in all four years of the curriculum. Throughout the curriculum, Concord also uses self-assessment forms to accompany model answers to interim essay assignments. The self-assessment form is designed to engage students in the critical review and self-diagnosis of their own writing, and may be used for non-graded as well as graded writing assignments. In some instances, students are graded on the quality of their self-assessments themselves. Every required course exposes students to bar-style multiple choice questions

and/or essays, and students are exposed to performance test problems beginning in their 2L year.

As part of its continued review of writing, Concord faculty members have participated in the State Bar's annual grading calibration session. The information they have brought back to their colleagues has led to more internal grading calibration sessions during the monthly faculty calls.

Concord also strives to provide supplemental resources for students as well. The new and improved Academic Resource Center has multiple choice questions with explanations and practice essays with model answers (some also have issue outlines)--roughly 1000 altogether across more than 2 dozen courses. There is also a page that has videos, activities, and additional resources to help with essay writing, issue spotting, and the like.

In an effort to admit and retain more qualified students, Concord has also modified its enrollment and good standing policies. (See [Exh. 29.](#)) Concord's online admissions exam ([Exh. 30a](#) and [Exh. 30\(b\)](#)) used to include both a multiple choice and true/false component. In August 2018, the true-false section was replaced with multiple choice questions; as expected, a lower percentage of applicants have achieved a sufficient score to be eligible to apply for the JD program. Concord also changed its good standing standard so that students enrolling in April 2019 or later must achieve a 2.00 CGPA by the end of their first term (up from 1.70 previously) and a 2.50 by the end of their first year (up from 2.00) in order to pass the academic year and be certified for the FYLSE.

Guideline 13 - Executive Juris Doctor (EJD) Program

Since its founding in 1998, Concord has received approval for, and has been operating, a non-bar track Executive Juris Doctor (EJD) program. Typically, only about 20% of Concord students enroll in the EJD program. Concord includes EJD students in certification reports sent to the State Bar within 60 days of each new term start. The EJD program is also clearly defined and outlined on the public website, forms and documents, and the catalog of policies.

Concord makes very clear that EJD students do not qualify to sit for the California Bar Exam, let alone any other bar exam. Full disclosure documents are sent out at time of enrollment and each new academic year thereafter. The EJD disclosure statement is clearly posted on the public website, in the catalog of policies, and on all official forms and documents such as the tuition and fees sheet, the enrollment application, and the enrollment agreement. The disclosure statement provides:

"The method of instruction at this law school for professional law degree programs other than the Juris Doctor degree is principally by technological means including interactive classes. Completion of a professional law degree program at this law school, other than the Juris Doctor degree, does not qualify a student to take the California Bar Examination or satisfy the requirements for admission to practice law in California. It may not qualify a student to take the bar examination or satisfy the requirements for admission to the practice of law in any other jurisdiction. A student intending to seek admission to practice law should contact the admitting authority in the jurisdiction where the student intends to qualify to sit for the bar examination or for admission to practice to receive information regarding the legal education requirements in that jurisdiction for admission to the practice of law."

(See [Exh. 19](#).) EJD students are required to take a course called Cross Professional Ethics that assists them with career goals and options and teaches them about the importance of avoiding the unauthorized practice of law.

Required Attachments

- Corporate by-laws: [Exh. 17](#)
- Marketing materials: advertisements, brochures, and web pages: [Exh. 18](#)
- All required disclosures: [Exh. 19](#)
- B & P information report: [Exh. 20](#)
- Tuition refunds and cancellation policies: [Exh. 21](#)
- Enrollment agreement: [Exh. 22](#)
- Student Code of Conduct: [Exh. 23](#)
- Academic Standards policies: [Exh. 24](#)
- JD final exam qualification policy: [Exh. 25](#)
- Authenticity of work policy: [Exh. 26](#)
- Academic appeal policy: [Exh. 27](#)
- Course repetition policy: [Exh. 28](#)
- Admissions criteria: [Exh. 29](#)
- Admissions application: [Exh. 30a](#) (Part I); [Exh. 30\(b\)](#) (Part II) [Note: *Concord's admissions exam is considered confidential and proprietary and is not attached hereto, but can be provided upon request*]
- Transfer credit practices and policies: [Exh. 31](#)
- Security and backup for systems and records: [Exh. 32](#)
- Student life and services information: [Exh. 33](#)

SECTION 7: RULE 4.160 (C) - GOVERNANCE

Structure and Organization

Concord is registered with the State Bar of California as a distance education law school. It was also accredited by the Accrediting Commission of the Distance Education and Training Council (DETC, which later became the Distance Education Accrediting Commission) from 2000-2015. In 2015, Concord chose not to renew this accreditation, as it was included in the accreditation by the Higher Learning Commission (HLC) of Concord's parent university. See section 6, *supra*, at Guideline 2.4 Forms of Ownership, for more information regarding Concord's transition from Kaplan University to the not-for-profit Purdue University Global.)

Purdue University Global is led by a dedicated Board of Trustees and a Chancellor, who Concord's Dean reports to, and who in turn reports to the President of the Purdue University system, Mitch Daniels (the former governor of Indiana). Concord is led by Dean and Vice President, Martin Pritikin, and is supported by faculty, administrators, and support staff. Purdue University Global has a shared services agreement with Kaplan Professional Higher Education, thus Concord takes advantage of trained personnel from both Purdue Global and Kaplan.

Concord Law School also has a Dean's Advisory Council, a voluntary board made up of both alumni and non-alumni in the fields of law, education, and related professions, that advise the Dean on various academic and administrative processes and programs. (See [Exh. 35](#).)

Guideline 4.1 - Law School Dean, Full-Time Administrator, Registrar Duties

The faculty and administration of Concord are composed of:

- Law school Administration – Dean, Associate Dean of Faculty, Assistant Dean of Students and a Senior Student Operations Manager, each of whom serve as full-time administrators but some of whom may teach one or more courses. The Associate Dean and Assistant Dean report to the Dean, and the Senior Student Operations Manager reports to the Assistant Dean. (See [Exh. 34](#) (organizational chart); [Exh. 36](#) (Concord administrator resumes).)
- Law School Professors – Full-time faculty and part-time adjuncts. Faculty assigned to teach a given course handle all pedagogical aspects of the course that are not automated, including teaching live seminars, responding to discussion board posts and student emails, and grading and providing feedback on essays and assignments. See Section 8, *infra*, for more information about faculty involvement in governance.
- Staff - Concord operates under a shared services model with Purdue University Global, wherein centralized departments, such as the Office of Student Records (i.e., registrar) or the Office of Career Services, provide services to multiple schools, including Concord. In addition, Purdue University Global operates under Service Level Agreements with Kaplan Higher Education to provide administrative services relating to financial aid, student billing, admissions, and marketing and communications. Key student-facing departments have personnel dedicated specifically to Concord students. For example, there is a team of six admissions advisors, supervised by an Assistant Director of Admissions, who focus exclusively on serving prospective Concord students. The Office of Career Services has two advisor dedicated to serving Concord students. And each Concord student is assigned to a dedicated student support advisor who provides guidance and support with study techniques, academic support, and administrative matters. (See [Exh. 34](#)).

Concord currently has 9 full-time faculty and administrators, and 23 adjuncts/part-time faculty.

Dean Pritikin is a *magna cum laude* graduate of Harvard Law School, who previously spent 12 years as a professor and senior administrator at an ABA school. The Associate Dean for Faculty, Shaun Jamison, has not only his JD, graduating *with Distinction*, from an ABA law school, but a PhD in Education. The Assistant Dean of Students, Larasz Moody-Villarose, has a JD from an ABA law school, a Masters in clinical social work, and is pursuing her Ed.D, and has spent over 12 years in student support roles at ABA law schools. All three are licensed and in good standing with the Committee of Bar Examiners in their states.

Concord, as part of Purdue University Global, has a trained registrar team lead by Vice President of Academic Records Michael Lorenz.

Required Attachments:

- Organizational chart: [Exh. 34](#)
- Concord Law School Advisory Council: [Exh. 35](#)
- Full-Time Concord Staff Resumes: [Exh. 36](#)

SECTION 8: RULE 4.160 (D) – DEAN AND FACULTY

Guideline 4.2 Faculty Participation in Formulation, Implementation, and Administration of Academic and Non-Academic Policies and Programs

Concord has a robust tradition of faculty participation in policymaking, although the particular structure has changed in recent years. For many years, in addition to monthly faculty meetings, to which both full- and part-time faculty were invited, there were numerous Concord faculty committees. These committees would report to the Faculty Council, composed of the Dean and elected faculty members. In 2016, Concord rightsized its faculty to reflect lower enrollments resulting from the nationwide decline in law school applications. There were now nearly as many committees as faculty to fill them, and the governance structure was becoming onerous.

Accordingly, the Dean now meets twice monthly with faculty (once with part-time faculty, once without) to apprise them of developments and solicit feedback. For special projects, usually two or three faculty take the lead and keep the rest of the faculty informed. The Dean is committed to transparency and collaboration, and regularly seeks faculty input and ideally faculty consensus before making changes to academic or non-academic policies.

At the same time, Concord became more integrated into the larger university, which has its own robust governance structure (see [Exh. 39](#)), resulting in less of a need for duplicative committees within Concord. Concord has aligned its policies with those of the rest of Purdue Global to the extent practicable given the unique aspects of a law school, and Concord faculty and staff serve on various Purdue Global committees, including their Faculty Senate, as discussed below.

Concord has long benefitted from KU's and subsequently PG's leadership, including its Chancellor, Chief Academic Officer, and other deans and working groups who provide support and insight. However, the ethos within PG is to give as much autonomy as possible to the individual schools to set their own academic policies and design their own curricula.

Admissions Decisions

See Section 12, *supra*, at Guideline 5.1.

Changes to the admission process are overseen by Concord's leadership, and are coordinated with any necessary departments (e.g., Legal, Editorial, Admissions, etc.). Proposed changes to the process are evaluated against regulatory requirements and purpose, such as to enroll students with a higher likelihood of academic success. Adopted changes are monitored to determine if the expected outcomes are occurring. Given the term length of 24 weeks and the FYLSE administration cycle, it may take a year or more from when a change is adopted until there is sufficient data regarding first-year term starts to evaluate the effectiveness or impact of any change.

Setting and Administering Academic Policies

Proposals for changes to Concord's academic policies come from a variety of sources: professors, administrators, and Concord leadership. Impetus for review of current policies, and resulting proposals for change, can be driven by (1) student performance, whether in a course,

the program, or on licensing exams, or (2) regulatory demands, including changes in State Bar requirements or Title IV federal financial aid programs.

Proposals are first discussed among the faculty and then submitted to the Program, Policy, Review Committee (PPRC), which is made up of Concord Deans, two full-time Concord faculty members, administrative representatives, and leadership from Purdue University Global. Once a proposal is approved, it then moves on to the Academic Administrative Council for further vetting and review.

The policy is published in conjunction with a specific university catalog update. An operations update is sent out to the entire Concord and Purdue Global academic and administrative teams so everyone is aware of the policy updates or changes. All parties are then responsible for enforcing academic and administrative policies.

Setting Curriculum

The process for setting Concord's curriculum is similar to that described above in Setting and Administering Academic Policies. New courses and programs are proposed by Concord faculty or administration and then go through an approval process by the Purdue Global Faculty Curriculum Committee, which includes one full-time and one part-time Concord faculty member. The Committee generally defers to the judgment of the submitting school in proposing new courses, but may offer recommendations regarding things like measuring learning outcomes.

New courses are designed by a Concord subject matter expert (SME) or "course developer," who works in conjunction with a Purdue Global Curriculum Specialist and one or more Media Designers to build the components (videos, quizzes, interactive learning activities) that will be embedded in the course. The Dean or Associate Dean of Faculty reviews the course plan as well as all content to ensure quality and consistency. Written content is further submitted to the Editorial department for an additional check.

Grading and Academic Disqualification

Faculty at Concord have the academic freedom to assign grades as they see appropriate, although faculty may be asked to review extreme grades to ensure that the grade is accurate. Professors also receive feedback on grades during course observations if they appear out of synch with grading policies. Grades for multiple choice quizzes are automatically scored by Concord's learning management system based upon an answer key provided by the quiz creator (which would have been reviewed by the Dean).

Faculty members are involved in setting school grading policies through the process described above for Setting and Administering Academic Policies. The course developer of a given course (generally a full-time faculty member with expertise teaching in the field) is responsible for setting the specific course grading policy.

Grading at Concord is calibrated for conformity with the course grading policy and consistency across sections. Concord only has multiple sections for 1L courses, and so cannot evaluate consistency across simultaneous upper-division course sections. However, at the end of each 1L term, the Dean's Office conducts a final grade analysis of each course across sections. There are meetings among faculty teaching parallel courses (e.g., first-year courses or legal writing courses) to address consistency in grading, among other things. In addition, at every other monthly faculty meeting, there is a calibration session so that all faculty can ensure their

grading is consistent with the standard used on the FYLSE and Bar Exam. Concord also sends a faculty member to the State Bar calibration sessions whenever possible.

Nevertheless, students may submit a petition for grade review to contest the final course grade. The grade review is limited to mistake by the school, departure from the stated course grading policy, or unfairness. Because of the academic freedom granted to faculty in determining assessment grades, the fact that the professor could have given a higher grade on an assessment is not considered grounds for a grade change.

Academic disqualification may result from operation of academic policies that were previously reviewed and approved by faculty, per the processes discussed above. For example, first-year JD students must achieve a 2.00 CGPA by their first term and a 2.50 CGPA by their second term or they will be academically dismissed. An upper division JD student whose CGPA falls below 2.50 may continue for another term on Academic Probation; failure to raise the CGPA up to at least a 2.50 by the end of the Academic Probation term will result in dismissal.

Faculty Meetings

As noted above, Concord faculty holds a monthly remote meeting with all faculty and a separate monthly meetings with full-time faculty and staff only to discuss various issues of importance to the school. Concord also schedules an in-person meeting each February with all full-time faculty to coincide with graduation. Concord senior leadership and select faculty also meet in person with faculty and administrators of Purdue Global at annual meetings in May in Indiana scheduled to coincide with the university-wide graduation ceremony there as well.

Purdue Global Committees

As part of Purdue University Global, Concord faculty members actively participate on the following committees, which relate to both Concord and non-Concord students and issues (the number and status of Concord participants is listed for each):

- Academic Administrative Council - 1 full-time faculty, 1 part-time faculty, and the Dean
- Academic Appeals Committee (grade review, etc) - 2 full-time faculty
- Assessment Advisory Committee - 1 full-time faculty
- Center for Teaching and Learning Advisory Committee - 1 full-time faculty
- Faculty Curriculum Committee - 1 full-time faculty and 1 part-time faculty
- Faculty Senate - 1 full-time faculty and 1 part-time faculty
- Institutional Review Board - 1 full-time
- Library Advisory Committee - 1 full-time faculty
- Policy Program Review Committee - Dean, Assistant Dean of Students

For Purdue Global's faculty committee directory and manual, see [Exh. 40](#) and [Exh. 41](#).

Guideline 4.3 - Faculty and Student-Faculty Ratio

The following ratio of faculty to students is included as part of the State Bar mandated disclosure statements provided to all Concord students. The ratio is calculated in accordance with the specific directives of Unaccredited Guideline 4.4. These ratios are calculated based upon student and faculty count as of September 15 of the calendar year.

2018 1 Faculty per 31.91 students
2017 1 Faculty per 25.00 students
2016 1 Faculty per 33.70 students
2015 1 Faculty per 29.14 students
2014 1 Faculty per 26.51 students

Ratios are expected to remain stable. If the student population grows as a result of accreditation, faculty staffing levels will be adjusted accordingly.

Guideline 4.4 - Availability of Instructors for Student Counseling; Instructor Course Loads

Concord offers a virtual classroom and faculty support to its students through its online Learning Management System (LMS). The LMS offers easy access for students to attend live seminars, watch recorded video lectures, access and complete or upload assignments, and interact with their professors and fellow students. The live seminars allow the same type of interaction one would expect from a traditional law school classroom, and even offer additional advantages like “breakout rooms” and instant polling. Indeed, in the national Law School Survey of Student Engagement (LSSSE), Concord students have reported participating in class at higher rates than students at traditional law schools, likely because the remote format reduces the intimidation many law students feel.

As a distance learning law school, outside of live seminars, Concord predominantly relies upon emails and announcements posted on the LMS to initiate faculty communication with students. Concord faculty members do not have “office hours” as such, since they are available 24/7 via email. Concord encourages students to send emails to faculty to set up individual appointments via phone, email or video conference. Regular assigned discussion boards between live seminars allow faculty to monitor and assess both the quantity and quality of student interaction. Some faculty voluntarily hold supplemental “study group” sessions with students outside of regularly scheduled seminar times.

Faculty are expected to respond to student emails within 48 hours, and to return student written assignments within 5 days. (Indeed, in the LSSSE, Concord students have reported getting more prompt feedback than traditional law students.) Faculty data is regularly reviewed by the Associate Dean of Faculty to ensure that professors are complying with these benchmarks. All faculty are reviewed at least annually by the Dean and/or Associate Dean to ensure that they are making the best possible use of their live classroom time, are timely responding to student communications and grading assignments, are giving sufficiently detailed feedback on student written work, and are engaged in robust interaction with students on discussion boards.

The Code of Student Conduct prohibits students from reaching out to their course professor about the substance of an assignment before it has been graded and returned to the student. Once the assignment has been graded and returned, students are encouraged to reach out to

their professors with any questions they may have about their understanding of the course materials covered in the assignment and how the assignment grade was assigned. Many assignments have a model answer that is made available to students as soon as they submit it, and may also have a self-assessment form designed to help students compare their answer to the model answer to effectively self-diagnose areas of weakness and strategies for improvement.

Concord faculty conduct outreach with struggling students, and/or refer them to a student advisor for further follow up. The school requires students who are on academic probation after their first term to establish a remedial plan in consultation with a professor, and to check in regularly to evaluate progress toward that plan. Concord is also currently engaged in an analysis of correlations between interim and final course grades, to help determine whether earlier interventions may be appropriate prior to the end of the first term.

Concord's seeks to utilize technology to further facilitate faculty assistance of students. The LMS enables faculty to closely track student interaction with the curriculum, and faculty can utilize an "intelligent agent" feature on the LMS to send reminders or customized messages to students who have not logged in within a certain number of days, turned in assignments late or earned below a certain grade, and so on.

In addition to communicating with faculty, students are provided an email and direct phone number to regularly communicate with their assigned student support advisor for academic advice, academic support, and general student life issues.

The Dean's Office, which has two dedicated full-time administrators, an Assistant Dean of Students and a Senior Student Operations Manager, support students and the systems and processes they access. The Office has regular business hours from Monday through Friday, 6:00 a.m. PT to 4:30 p.m. PT. Administrators are also online after hours and will review messages to handle any requests that cannot wait until regular business hours.

As for instructor course loads, the baseline for full-time faculty is 3 courses per term. However, the structure of Concord's online courses is not always amenable to an hours-taught-per-week analysis. For example, a professor may teach three courses but only have live seminars a total of 1 - 5 hours per week, since lectures are generally pre-recorded on video, and professors reserve live seminar time primarily for interactive dialogue, role playing, problem solving, and the like.

To ensure parity in teaching loads and so as not to overwhelm faculty, Concord has undertaken an analysis, based in large part on faculty input, of all of the tasks that a professor will engage in for a given course (seminars, grading student work, responding to student emails, posting to discussion boards, and general course administration), including the average time spent per student. Accordingly, Concord may sometimes deviate upwards or downwards from the 3 course baseline after taking into account administrative or other outside responsibilities, overlapping terms, and student enrollment numbers. Concord strives for parity in overall workload and ensures that faculty do not work more than an average of 40 hours per week considering all in-class and out-of-class responsibilities. Part-time adjunct faculty teach no more than two courses (if writing courses) or 3 courses (if doctrinal courses) per term.

Concord would seek a variance from strict compliance with the 3-course per term cap. If the State Bar requires that Concord prevent faculty from teaching more than 3 courses in any term,

Concord will of course do so, although that may actually impede Concord's ability to ensure parity in teaching loads and effectively utilize its faculty resources.

Guideline 4.5 - Faculty Credentials

Throughout its history, Concord has featured distinguished leaders and teachers. Its second dean, Barry Carrier, is now the Managing Director of the ABA's Section on Legal Education and Admissions to the Bar. Its current dean, Martin Pritikin, is a *magna cum laude* graduate of Harvard Law School, who previously spent 12 years as a professor and senior administrator at an ABA school. The Associate Dean for Faculty, Shaun Jamison, has not only his JD, graduating *cum laude* from an ABA law school, but also a PhD in Education.

Each full-time faculty member is a graduate of an ABA-accredited law school and is licensed to practice law, and some hold distinguished positions in law and government. For example, Professor James Dodge is the head of the Illinois Legislative Reference Bureau. The ranks of adjunct faculty include not only professors from ABA-accredited schools (of the 23 adjuncts, 20 went to ABA law schools, and all are admitted to practice law in at least one jurisdiction), but also experienced practitioners, some of whom hold multiple advanced degrees. For example, Terry Watt, who teaches several intellectual property electives, holds not only a JD but an MBA in finance, a PhD in geophysics, and a master's in statistics from Princeton.

Guideline 4.6 - Duty of Instructors to Continuously Improve Teaching Skills and Substantive Expertise

Prospective faculty members typically come to the law school with significant prior teaching or experience in law. The Dean and Associate Dean of Faculty identify candidates for consideration. Resumes are screened to ensure that candidates meet the minimum qualifications for appointment, which include the following:

- A Juris Doctor from a United States institution;
- Admitted to practice law in at least one jurisdiction;
- Basic computer skills, including internet, word processing, and email;
- An up-to-date web browser; and
- Successful teaching and/or relevant legal experience in the subject matter area assigned.

Full-time candidates who move forward in the process conduct a videoconference interview with a panel consisting of the associate dean and one or more full-time faculty members chosen based on expertise (such as a writing professor to interview for a writing position), and a separate video interview with the Dean. This process allows for an evaluation of the candidate's technical and presentation skills, among other things. Prior teaching evaluations, if available, are reviewed, and references are checked. Since Dean Pritikin joined in 2016, Concord has hired two new full-time faculty members, both of whom had many years of prior teaching as well as administrative experience at one or more ABA law schools. Part-time adjuncts undergo a similar process, although they are typically not just screened but hired by the Associate Dean of Faculty in consultation with the Dean and/or other faculty as applicable.

Once hired, new full-time and part-time faculty review online materials, which help orient them to Concord and Purdue Global's LMS and course structure, allow them to practice accessing the technologies they will use in teaching online courses, and familiarize them with Concord's academic and non-academic policies. ([Exh. 43](#) at pp. 1-10.) New faculty are informally paired up

with a more seasoned faculty member, usually who teaches in a similar field, in addition to having access to the Associate Dean or Dean to ask questions.

All faculty must complete eight hours of professional development per year. These hours may consist of continuing legal education or other relevant continuing education, or professional development in teaching. Purdue University Global hosts several online conferences per year that focus on pedagogy and online teaching in particular, which faculty may attend free. Purdue Global also has an online "[Center for Teaching and Learning](#)," which features a library of mini "courses" on a variety of topics that professors can access for further professional development.

In addition to the regular calibrations noted above (see "Grading and Academic Disqualification"), there are also meetings among faculty teaching parallel courses (e.g., first-year courses or legal writing courses) to address consistency in grading, among other things.

Professors are expected to stay up to date with their subjects and remain in good standing with their respective bars. Course leads are expected to update their courses when new editions of an assigned text are published, or if there are important changes to the law in the field. Although Concord faculty are not subject to the "publish or perish" regime prevalent in traditional schools, they are encouraged to, and do, write scholarly or popular articles and present at or attend conferences and webinars.

Concord's Dean seeks to further enrich the academic environment by hosting a thrice yearly Distinguished Speaker Webinar, each of which features one or more nationally renowned experts discussing an issue of legal interest and importance, including immigration policy, online censorship, gun rights, the special counsel's investigation, and wrongful convictions of juvenile suspects. In addition, Concord recently launched a bi-monthly alumni CLE webinar series, each of which features a Concord faculty member presenting on a relevant topic to practitioners.

Guidelines 4.7 and 4.8 - Evaluation of Instructors

Along with the rest of Purdue Global, all full-time Concord faculty and staff undergo an annual self evaluation process. (See [Exh. 37](#).) In addition, Concord faculty's teaching is evaluated at least annually by Concord's Dean or Associate Dean.

The University-wide evaluation process involves each full-time faculty or staff member identifying goals for the upcoming year, and describing progress toward past goals and areas for improvement. The employee's direct supervisor provides feedback on the goals and progress; the employee is given an opportunity to respond to the supervisor comments; and then a live meeting is scheduled to review the evaluation document and provide guidance for continued improvement.

In addition, all Concord faculty's teaching is now reviewed annually, not only within their first year of hire, but each year thereafter. (Should the size of the faculty increase dramatically in the future, the timing of these assessments may be reevaluated in light of resource constraints.) The Dean reviews all full-time faculty (the Associate Dean reviews the Dean's teaching, if applicable), and the Associate Dean reviews all part-time faculty.

The process consists of an initial review by the Dean/Associate Dean, with an opportunity for faculty response; a self-evaluation by the faculty member; and a follow-up evaluation by the Dean/Associate Dean. If no issues of concern are identified, faculty may have a more

streamlined review in subsequent terms or years. If improvement is needed, a plan for improvement is discussed and implemented, and the faculty member will likely be subject to the more robust review process for one or more additional terms.

Concord's Dean and Associate Dean have developed a detailed rubric that lets professors know the criteria on which they will be evaluated, and uses that rubric both for their evaluations and faculty self-evaluations. (See [Exh. 43](#) at pp. 11-12.) The most significant aspect of the evaluation involves a review of the faculty member's teaching of live seminars, to ensure that they are utilizing the live time primarily for interaction and engagement and not merely lecture, are effectively and appropriately communicating with students, demonstrate strong knowledge of the subject matter, and adequately interface with the required technologies. Other key areas for review include the timeliness of grading student assignments, the depth of feedback, and the level of engagement with students on the discussion boards and through announcements or emails.

The Dean and Associate Dean also review the results of the end-of-term surveys distributed to students in each course. (Individual faculty members receive the results as well.) Questions on the end-of-term survey directly related to faculty performance include evaluation of whether:

- The instructor demonstrated strong knowledge of the course content.
- The instructor was prepared to teach this class.
- The instructor actively engaged students with the course materials.
- The instructor followed the syllabus during the term.
- Overall, the instructor was supportive of student success.

The Dean and Associate Dean consider both the numerical averages (accounting for the limited utility of such data, particularly with smaller sample sizes), and the narrative comments. If problem areas are identified as a result of the teaching review, student evaluations, and/or student complaints, a meeting will be scheduled with the faculty member to address them. If additional supports are needed, a plan to provide those is developed; and if faculty members do not sufficiently remediate the issues in a timely fashion, they may be subject to consequences up to and including termination.

Guideline 4.9 - Academic Freedom Policy

Concord Law School follows Purdue University Global's academic freedom policy, which strongly supports faculty members' rights to freedom of expression in the classroom and in setting their research agendas. Among other things, it states: "Academic freedom and freedom of expression are based upon the premise that scholars are entitled to immunity from coercion in matters of thought and expression, and on the belief that the mission of the University can be performed only in an atmosphere free from administrative or political constraints on thought and expression."

At the same time, the policy recognizes that "[t]he individual's right of academic freedom is subject to the promises we make to our students that the content of the course in which they enroll will be germane to the course description." The policy also makes clear that "[a]cademic freedom does not include the right to interfere with the personal freedoms, rights, dignity, and reasonable expectations of others, and faculty members shall maintain and promote the policies of nondiscrimination described herein." For the text of the full policy, see [Exh. 42](#).

Required Attachments:

- Faculty evaluation policy and procedures: [Exh. 37](#)
- Faculty retention and promotion policy: [Exh. 38](#)
- Faculty committees, with descriptions: [Exh. 39](#)
- Purdue Global 2018-19 Governance Committee Directory: [Exh. 40](#)
- Purdue Global 2018-19 Governance Committee Manual: [Exh. 41](#)
- Academic Freedom policy: [Exh. 42](#)
- Faculty orientation and training materials: [Exh. 43](#)

SECTION 9: RULE 4.160 - (E) EDUCATIONAL PROGRAM

Guideline 6.1 - Academic Program

Concord Law School maintains a sound program of legal education, follows all guidelines required by the State Bar of California, and continuously strives to assess and improve its offerings to promote student success in the classroom and on regulatory exams.

Currently, as an unaccredited registered school, Concord is not required to submit a yearly written plan and analysis of its effectiveness to the Committee with its annual report, but would be happy to do so upon accreditation.

Guideline 6.2 - Criteria for Determining Compliance with Guideline 6.1**A - Curriculum**

Concord's JD program requires 92 credits (see table below). In order to graduate, students must, in addition to having passed the FYLSE, earn the requisite number of credits as well as take all required courses, and must have earned a satisfactory cumulative grade point average (CGPA). Required courses include: all subjects tested on the California Bar Exam; a Professional Responsibility and a companion course called The Future of Law Practice (which focuses on societal, technological, and economic trends affecting the legal profession); a first-year legal writing and analysis course and upper-division legal writing and legal research courses; and a fourth-year Capstone course to integrate their knowledge and skills in preparation for the bar. There are also a number of electives students can choose from (roughly fifteen to twenty each term). For a full list of courses, see [Exh. 44](#) or visit: <https://catalog.purdueglobal.edu/concord-law-school/course-descriptions/>

JD program course requirements (see also [Exh. 45](#)):

	First Year	Second Year	Third year	Fourth Year
Required Courses	24 Credits	24 Credits	20 Credits	16 Credits
	Contracts I and II	Civil Procedure I and II	Corporations & Business Organizations I and II	Community Property
	Torts I and II	Legal Analysis and Writing	Evidence I and II	Estates Wills & Trusts I and II
	Criminal Law I and II	Real Property I and II	Professional Responsibility	Remedies I and II
	Introduction to Legal Analysis I and II	Criminal Procedure	Constitutional Law I and II	Capstone I and II
		Electronic Legal Research	Future of Law Practice	Family Law Practicum
		Advanced Legal Analysis and Writing - Litigation OR Regulatory/Transactional		
Elective Courses	No Electives	No Electives	2 – 4 Credits	6 – 8 Credits

Revised Curriculum

Concord recently went through a two-year project to dramatically revise its entire required curriculum. The revised curriculum integrates best practices in legal pedagogy with the latest in distance learning and adult learning research. Through the process, the Concord faculty carefully mapped out the required curriculum to ensure that program learning outcomes are adequately addressed and assessed throughout each student's law school career. Concord also added practice-relevant electives such as Cybersecurity Law, Immigration Law, Employment Law and Administrative Advocacy, and has been updating other electives like Virtual Law Practice, Federal Taxation, Trial Advocacy, Employment Discrimination, Contract Drafting, and Patent Law. Concord will revise and update other electives as appropriate.

Major features of the revised required curriculum including the following:

- Shorter, more frequent and more visually engaging video presentations
- Interactive ungraded post-video learning activities to apply concepts before testing
- Resource quizzes in each module to reinforce assigned material
- Cumulative review quizzes several times per course for spaced repetition of learning
- Practice and professionalism exercises and/or document exposure in each course
- Over 15 units of experiential learning throughout the required curriculum
- Kaplan Bar Review-bar preparatory materials integrated into doctrinal courses
- Discussion boards in each module to facilitate more peer interaction
- Some casebooks replaced by professor-edited cases to streamline reading and reduce cost

Method of Instruction

Concord is fully online and utilizes sophisticated technology to deliver classroom content as well as the entire law school experience. At the same time that Concord revised its curriculum, it also transitioned to a new learning management system (LMS). The LMS is a central portal that acts much like a virtual campus where students can log in to view courses, grades, and degree plans, and have access to resources such as the library, academic support center, career services network, and student support and tech support personnel. It is also a pathway to access the online classroom.

The online classroom is the home base of each course students take. Students can find their syllabus, assignments, readings, videos, learning activities, discussion boards, exams, and more. Its core features are engaging and easy to use. Most importantly, it is fully mobile-responsive, allowing students to easily navigate through their online classroom regardless of the size of device they are using. The new LMS allows better visibility and transparency, including more sophisticated student level and class level analytics, so the professor can monitor data to track progress and performance. It even includes an “intelligent agent” that allows messages to be sent to selected student automatically based on course progress, assignment completion or grades, and more.

Students also access a live seminar tool that integrates with the LMS to provide real-time, collaborative, video seminar experience. The new tool provides Concord’s students and faculty with even more interaction, including two-way video and audio capability, screensharing, enhanced chat, polling, and instant feedback. It also provides breakout rooms and other technology to simulate an in-person classroom.

While there are no immediate plans to change platforms or methods of instruction, Concord will continue to use these advanced technological methods to deliver its content and will continue to explore further ways to innovate.

B - Competence of Instructors

See Section 7, *supra*, at Guideline 4.1; Section 8, *supra*, at Guidelines 4.5 - 4.7.

C - Materials in Courses

Each course is required to have a course outline and syllabus. (See [Exh. 48](#).) These include standard institution-wide policies and procedures, course-specific grading and other policies, and a listing of required or recommended readings and assignments. (See [Exh. 47](#).)

Most courses have at least one textbook, if not more than one (e.g., a hornbook or supplemental resource in addition to a casebook), which are typically the same texts used in traditional law schools. (See Book List ([Exh. 46](#)).) Each term, a review of required texts is conducted to check for new editions or other updates, and course syllabi and related content is adjusted accordingly.

As noted above, in some courses, professors have replaced the casebook with professor-edited cases, which can be accessed directly from the LMS through hyperlinks. This not only has the benefit of better focusing student reading on the aspects the professor wants to prioritize, but professors can also digitally annotate the cases to provide background on terms or concepts, thereby enriching the reading experience.

In addition, as part of the overhaul of the required curriculum, each required course was “mapped” to the seven programmatic learning outcomes (PLOs) (see [Exh. 4](#)), as well as to six institutional professional competencies (PCs). Course level outcomes were developed and correlated to these PLOs and PCs. Each revised course was then mapped to the CLOs, utilizing a principle of Prepare, Practice, Perform: students should be exposed to material, given an opportunity to practice it in a no-stakes or low-stakes setting, and then assessed on it for a grade. Rubrics were created to assess student mastery of the CLOs or PCs, distinct from their grades on a given assignment. The Dean as well as an Associate Dean of Curriculum from Purdue University Global’s Curriculum and Innovation Department reviewed each of these PLOs, CLOs, PCs, course maps, and rubrics for consistency and quality. For more on new course development, see Section 8, *supra*, at Guideline 4.2, “Setting Curriculum.”

D - Effectiveness of Methods of Instruction

See Section 8, *supra*, at Guideline 4.8.

E - Admissions Requirements

See Section 12, *infra*, at Guideline 5.1.

F - Number of Students in Classes

The below numbers are based on total grades issued and total classes taught over the past five years. These are from previous State Bar annual reports (attachment 7).

2018 Average class size = 24
2017 Average class size = 19
2016 Average class size = 28
2015 Average class size = 27
2014 Average class size = 24

Concord does not have a reasonable basis to project any significant changes in average class sizes as a result of future accreditation. Concord does, however, have enrollment caps set for its courses, which are currently set as follows:

- 60 for required substantive courses
- 45 for the first-year Introduction to Legal Analysis skills course
- 30 for most electives and for the upper-division Legal Analysis and Writing and Legal Research courses
- 16 or 20 for certain advocacy-based courses (e.g., ADR & Technology, Administrative Advocacy, and Trial Advocacy).

G - Units Assigned to Each Course

Each credit requires 45 hours of work, including at least 15 “active engagement” hours. For a more detailed discussion of how these hours are calculated and verified, see the discussion under Guideline 6.5 below.

H - Quality of Examinations and Assessments

Final examinations in doctrinal courses typically consist of essays, and may also include multiple choice questions. Professors are expected to write new final exam essays each term, including model answers for grading purposes. First year exams and model answers are reviewed by Steven Bracci, the Associate Dean for 1L Programs, and may also be reviewed by the Dean; all other essay exams and model answers are reviewed by the Dean, and may also be reviewed by the Associate Dean.

Other assessments that are part of the revised required curriculum--whether final exam multiple choice questions or interim multiple choice quizzes, essays, or other written assignments--would have been reviewed by the Dean as part of the revision process. Assessments in revised electives are reviewed by the Dean and/or Associate Dean of Faculty. See Guideline 6.2(A), above. These assessments were reviewed not only for quality and substantive accuracy, but to ensure that they adequately assess the course learning outcomes for each course, as well as that they collectively address the institution's practice and professionalism goals for every course.

In addition, the Dean and Associate Dean of Faculty regularly review student end-of-term survey responses for feedback about the quality of assessments and the consistency of grading, among other things. See Section 8, *supra*, Guideline 4.8.

I - Soundness of Grading and Grading System

See Section 6, *supra*, at Guideline 2.7, at “Fairness in Academic Standards and Student Assessment” and “Final Grades”; Section 8, at Guideline 4.2, at “Grading and Academic Disqualification”

J - Availability of Resources

Academic and Administrative Resources

See Section 8, *supra*, at Guideline 4.4.

Legal Research

See Section 14, *infra*.

Counseling Services

As a distance learning institution, Concord does not have remote psychological counseling services, but academic support advisors and faculty may provide guidance to students regarding anxiety about time management, building confidence, and related goals.

K - Cumulative Success on Bar Exam

Concord meets the State Bar of California's Minimum Passage Rate (MPR) of at least 40%. In addition, some of Concord's graduates are licensed in other states, and are quite successful at passing those jurisdictions' bar exams. For example, since February 2018, when Concord graduates were first allowed to sit for North Carolina's bar exam immediately upon licensure in California, four graduates have sat for that exam, and all four have passed.

Historically, Concord graduates' first-time bar pass rates have been in the mid 30's, and its overall pass rates (including first-time and repeat takers) has been in the low 50's. As discussed throughout this self-study, Concord has undertaken a number of steps over the last several years to better screen candidates (changes to our admissions exam); better ensure that continuing students are likely to succeed on the bar exam (e.g., raising our good standing standards); and provide students with as many resources as possible to help them succeed in law school and beyond (e.g., revamped curriculum, probation outreach, Academic Resource Center, and KBR bar prep integration and subsidy). It will take several more years to obtain results from all of these initiatives, but in the meantime, Concord continues to monitor data to look for correlations and identify areas for further improvement.

For more information, see Section 6, *supra*, at "FYLSE and California Bar Exam Preparation.")

Guideline 6.5 - Quantitative Academic Requirements

(A) Hours and Weeks of Study; Time Requirements for Completion of Course of Study; (B) Academic Engagement; and (C) Attendance

See Section 4, *supra*, at "Attendance." See also Attendance Policy ([Exh. 50](#)) and Gating Policies: ([Exh. 49](#))

(D) Curriculum

Concord's program currently requires students to complete eight 24-week terms (offering two terms per year), and thus takes at least 4 years to complete. Concord does not currently offer a

summer term. If Concord were to change term structures due to accreditation, it would simply move to three 15-week terms per year, instead of two 24-week terms. Even with the revised term structure, if students were to complete their studies over eight terms, they will still take at least two and two-thirds years, i.e., at least 32 months, to complete their program of legal education. See Section 4, *supra*, for more information.

(E) - (F) Full-Time and Part-Time Students

Concord cannot and does not currently have full-time students as an unaccredited registered law school. However, if Concord received accreditation, it could offer a full-time program. If Concord does offer a full-time program in the future, it will comply with this guideline to ensure students are engaged in at least 10 hours of engagement a week.

As noted, Concord's curriculum includes approximately 1864 hours of active engagement over 92 credits. Even if students were somehow able to spend only 80% of active engagement hours, they would still spend 1491 hours on active engagement, or 16.2 hours per credit. Under the current 24-week term structure, Concord's part-time students who take 10 to 12 credits per term would engage in at least 162 to 186.4 hours of active engagement per term, or 6.8 to 7.8 hours per week, which exceeds the 6 hour minimum. If Concord were to move to 15-week terms and offer a full-time program option, it would still comply with the requirements of minimum hours of active engagement per week. Full-time students taking 10-12 credits over a 15 week term would engage in at least 10.8 to 12.4 hours of active engagement per week (exceeding the 10-hour requirement), and part-time students taking 7 to 9 credits per term would engage in at least 7.6 to 9.7 such hours per week (exceeding the 6-hour requirement). See also Section 4, *supra*, at "Academic Calendar, Term Structure, and Credits."

(G) - (J) Combining Study at Accredited and Registered Unaccredited Law Schools; Graduates of Accredited Law Schools Who Completed Portion of Legal Studies at Registered Unaccredited Law Schools; Proportionate Credit; and Range of Course Load for Full-time and Part-time Students; Exceptions

If Concord receives state accreditation, it plans and expects to comply fully with the guidelines above.

(K) Required Coursebooks

All courses have required course materials that are published in the syllabi and available through Concord's bookstore. In addition, as noted above, as part of the dramatic revision of Concord's entire required curriculum, some casebooks were replaced by professor-edited cases to streamline reading outside of the cases and reduce student cost.

(L) Course Outlines/Syllabi

Each course syllabus can be found as a link in the classroom. ([Exh. 47.](#)) The syllabus includes a course description, learning outcomes, course materials, school and course policies, and grading policies. (See [Exh. 48.](#)) The syllabus specifically outlines every graded quiz, exam, or other assessment and how it contributes to the overall 1000 points in the course. Students are also informed about the weight, timing, and format of the final exam in the syllabus as well as in course announcements.

Guideline 6.6 - Externship, Clinical, Law Review, and Similar Programs

See Section 10, *infra*, and [Exh. 51](#) (policies and procedures for externships).

Guideline 6.7 - Content of Curriculum

Concord requires JD students to take all courses required on the California Bar Exam, including:

- Contracts I and II
- Torts I and II
- Criminal Law I and II
- Constitutional Law I and II
- Civil Procedure I and II
- Criminal Procedure
- Real Property I and II
- Corporations and Business Organizations I and II
- Evidence I and II
- Professional Responsibility
- Community Property
- Estates, Wills and Trusts I and II
- Remedies I and II

All 1L courses are offered three times a year and upper-division required courses are offered twice a year. For more information, see Guideline 6.2(A) above, or [Exh. 45](#).

Guideline 6.8 - Balanced and Comprehensive Course of Study

Besides required courses covering California Bar Exam subjects, JD students are required to take skills/competency related courses such as:

- Introduction to Legal Analysis I and II
- Electronic Legal Research
- Legal Analysis and Writing
- Advanced Legal Analysis and Writing Litigation or Transactional/Regulatory
- Future of Law Practice
- Family Law Practicum

Students have the ability to take up to 12 credits of electives in their third and fourth year that cover a wide array of skills/competency/practical training areas. In any given term, there are usually a dozen or more electives available. For more information, see Guideline 6.2(A) above, or [Exh. 45](#).

Guideline 6.9 - Practical Skills

See Section 10, *infra*.

Guideline 6.10 - Student Interaction with Faculty

Please refer to discussion of Academic and Administrative Resources above in connection with Guideline 6.1(J).

In addition, Concord's Dean seeks to further enrich the academic environment for students and alumni by hosting a "Happy Hour with the Dean" webinar every other month where he gives an update about news and development of the law school and gives students and alumni an opportunity to ask questions. He also thrice yearly Distinguished Speaker Webinar, each of which features one or more nationally renowned experts discussing an issue of legal interest and importance, including immigration policy, online censorship, gun rights, the special counsel's investigation, and wrongful convictions of juvenile suspects. Concord also recently launched a bi-monthly alumni CLE webinar series, each of which features a Concord faculty member presenting on a relevant topic to practitioners. These are additional opportunities for students to interact with faculty and the community.

Guideline 6.11 - Required Examinations; Exceptions

There are written examinations in every substantive doctrinal course. Final exams in elective or skills courses sometimes consist of a final paper or final project. See also the discussion of Guideline 6.1(H), above.

Guideline 6.12 - Restrictions on Use of Past Examinations

As noted above, Concord faculty are expected to write new final essay exams each year. Concord has a pool of final examinations that it may occasionally rotate in as needed, but never uses past California Bar Exams or First Year Law Students Exams for purposes of assessing final exams/final exam grades.

Guideline 6.13 - Examination Formats; Evaluation of Examination Effectiveness

The primary method of evaluation on written final examinations in doctrinal courses are timed essays and multiple choice. See also the discussion of Guideline 6.1(H) above.

Guideline 6.14 - Grading Standards

See Section 6, *supra*, at Guideline 2.7, "Fairness in Academic Standards and Student Assessment."

Grade and Regulatory Exam Performance Correlation; Improvement Efforts

Analysis of Concord graduates' grades shows a direct and positive relationship between final law school CGPA and success on the California Bar Exam. Typically students with a final CGPA of at least a 3.0 have the best pass of passing the bar exam on the first try. Those between a CGPA of a 2.5 and a 3.0 may pass the bar on the first try depending on the time and commitment they can devote to their bar studies. Concord has also found that, irrespective of CGPA, those students that passed the FYLSE on the first try have a very good chance of passing the bar exam on the first try as well. (Of course, there is also a positive correlation between first-year GPA and FYLSE success.)

For more detail on improvement efforts, see Section 6, *supra*, at "FYLSE and California Bar Exam Preparation."

Required Attachments:

- List of courses offered with credits and prerequisites: [Exh. 44](#)
- Typical JD student program: [Exh. 45](#)
- Book List: [Exh. 46](#)
- Syllabus Template: [Exh. 47](#)
- Syllabi for all required courses taught within the last 2 years: [Exh. 48](#)
- Gating Policies: [Exh. 49](#)
- Attendance Policy: [Exh. 50](#)
- Policies and procedures for externships: [Exh. 51](#)
- 5-Year comparison of average class size: [Exh. 52](#)

SECTION 10: RULE 4.160 (F) – COMPETENCY TRAINING

Method of Instruction

See Section 9, *supra*, at Guideline 6.2(A), “Curriculum.”

Competency Training Courses

Concord is committed to providing students practical skills and competency based training. Concord goes beyond the State Bar minimum for accredited schools, which requires schools to provide *opportunity* for at least 15 credits. Concord requires more than 15 credits of competency training as part of its required curriculum. Below is a list of required courses that have either one or more of the prescribed competency and practical training components integrated into at least one credit:

• CL650 Constitutional Law I	1 credit
• CL651 Constitutional Law II	1 credit
• CL670 Civil Procedure I	1 credit
• CL671 Civil Procedure II	2 credits
• CL710 Evidence I	1 credit
• CL711 Evidence II	1 credit
• CL727 Legal Analysis and Writing	2 credits
• CL728 or CL729 Advanced Legal Analysis and Writing	2 credits
• CL730 Electronic Legal Research	2 credits
• CL740 Future of Law Practice	1 credit
• CL751 Estates, Wills, and Trusts II	1 credit
• CL761 Family Law Practicum	2 credits
• CL780/CL781 Capstone I and II	1 credit
TOTAL	18 credits

Concord also offers a variety of other required courses and electives that have less than one unit of integrated competency and practical training components (*italicized courses are required for all JD students*):

- *CL610 Contracts I*
- *CL611 Contracts II*
- *CL630 Criminal Law I*
- *CL631 Criminal Law II*
- *CL660 Real Property I*
- *CL661 Real Property II*
- *CL685: Criminal Procedure*
- *CL700 Corporations and Business Organizations I*
- *CL701 Corporations and Business Organizations II*
- *CL735 Professional Responsibility*
- CL745 Cross Professional Ethics
- CL801 Contract Drafting
- CL802 Business Planning and Skills Training - Practicum
- CL823 Patent Litigation
- CL824 Patent Claim Drafting
- CL826 Cybersecurity Law
- CL840 Trial Advocacy - Theories, Tactics, and Techniques
- CL841 ADR and Technology
- CL843 Virtual Law Practice
- CL845 Administrative Advocacy
- CL884 Legal Education Experience Program (LEEP)
- CL887 Legal Education Experience Program II (LEEP II)
- CL894 Moot Court - Honors Program

Externship and Related Credit

Concord gives credit for independent study, moot court, and externships (see [Exh. 51](#)).

The independent study course is either 2 or 4 credits, depending on the length and nature of the final research paper. Students generally must write 15 pages for each credit. Typically, a student will select a legal topic and solicit a full-time faculty member to supervise them throughout the term. The faculty member must approve the topic and the plan for the term before the student registers for the course. The faculty member regularly meets with the student and requires student to turn in work in phases: topic and plan, research, outline, research paper draft, and final research paper. The faculty member is available to the student throughout the term for check-in meetings and mentorship/guidance.

The moot court course is 4 credits, and two or three students are selected based on an application process that takes into account their overall GPA and their GPA in writing courses specifically, among other things. It requires students to sign up for an external moot court competition, research and write the brief associated with the competition (which is usually 25 to 30 pages), and participate in the oral arguments. Students are also required to practice a certain number of hours in preparation for the competition. Practice oral argument sessions are led by the faculty coach, currently Professor Kelley Mauerman, and one or more guest faculty members or outside lawyers or judges. Depending on the rules of the competition, the faculty coach may provide greater or lesser input into the brief itself. The faculty coach also

accompanies the student competitors to the competition. The course is designed with the expectation that students who participate in all of these aspects of preparation and competition will have completed the equivalent of 45 hours per credit. Concord students have won awards in competitions against traditional law schools for both brief writing and oral advocacy.

To help its students get a head start on their careers before they graduate, Concord also offers an extensive nationwide field placement program, the Legal Education Experience Program (LEEP), which allows students to participate in externships either remotely or in person in the state in which they reside. LEEP is available to third and fourth year JD students and second and third year EJD students. LEEP is a 2-credit course that requires 70 hours of approved field placement and 20 hours of in-classroom work, or 90 hours total. It is supervised by Professor Kelley Mauerman, who is Concord's Director of Legal Writing and teaches Professional Responsibility, as well as supervises the Moot Court Program as noted above.

Because Concord students may be located anywhere in the United States, and even outside the United States, students taking LEEP bear the responsibility of locating a suitable placement that involves doing legal related work in a legal setting. If students request in advance, the law school can assist in finding a placement. Professor Mauerman must agree to the placement in advance, and during the course she monitors that students are undertaking appropriate work in their placements. She is also available to provide assistance and support to the placement supervisor.

LEEP is a standard 15 module course in which students have to turn in regular journals about their experience in the field. They have reading assignments, discussion board posts and a final paper that deals with a legal topic encountered during their placement. Professor Mauerman oversees the student work and makes sure students are gaining the practical training arranged. At the end, she collects feedback from both field supervisors and students in order to assess and make adjustments for future coursework and field placements. Supervisors also must submit a final time card certifying the number of hours students completed in the field. The professor keeps a record of all required information regarding student participation, employer contact information and feedback, and the like.

SECTION 11: RULE 4.160 (G) - SCHOLASTIC STANDARDS

Guideline 7.1, 7.2, 7.3, 7.4 - Scholastic Standards, Academic Standing, Disqualification, Advancement, Retention, and Graduation Policy

See Section 6, *supra*, at Guideline 2.7, at “Good Standing, Academic Probation and Disqualification.” For more detailed information on our 1L first semester probation outreach efforts, please refer to the Academic Support Program section under Guideline 7.9 below.

The applicable policies can be found in the [JD page](#) and the [Satisfactory Academic Progress \(SAP\)](#) parts of the catalog. (See [Exh. 24](#), [Exh. 45](#).) No exceptions are made based on individual circumstances, and the only way to get the policies themselves changed is through formal governance approval processes. First, the proposal must be created after receiving input from various administrative departments, the faculty, and the Dean. Once a proposal has been created, it must be presented and approved for a catalog update by the Policy Program Revision Committee. Next, the Academic Administrative Council has to review and approve it.

Finally, the policy is updated and communication goes to affected students, and final forms are updated during the corresponding catalog publish date.

Guidelines 7.5 and 7.6 - FYLSE

Once a JD student successfully passes their first full year (defined as a CGPA of a 2.50 or higher, no failed courses, and the minimum 10 credits for two qualifying half years of law study), the student is certified for the FYLSE. A student must pass the FYLSE within the first three administrations or is dismissed. If a student passes within the first three administrations, all credit for work earned up to that point is given. If a student petitions to return on a subsequent passage (after being dismissed), the student may be readmitted, but no credit beyond the first year is given.

For more on efforts to improve student outcomes on the FYLSE, see Section 6, *supra*, at “FYLSE and California Bar Exam Preparation.”

Guidelines 7.7 and 7.8 - No Duplicate Credit for Course Repetition; Written Policy on Course Repetition

Concord does not grant credit for duplicate coursework or for transfer courses that are substantially similar from another law school. If a student is forced to repeat a course due to a failing class during a qualifying half year, the registrar is careful to disqualify one of those takings. The registrar’s office also carefully evaluates transfer credits to make sure no credit is given for repeated coursework.

Students are required to repeat courses when they fail the course with the equivalent of an F (below 50 points on a 100 points scale, which correlates to a 0.0 on a 4.0 scale). Previous grades earned for the repeated course will be marked on the transcript as indicated in the transcript legend, but the grade received on the last repeat will replace all other grades for that course in the cumulative GPA (CGPA) calculation. Students who fail a course twice are dismissed.

For the full text of the repeated course policy, see [Exh. 28](#).

Guideline 7.9 - Criteria for Evaluating Quality of Examinations and Accuracy and Reliability of Grading

Uniformity in Grading Standards and Final Grades

See Section 6, *supra*, at Guideline 2.7, “Fairness in Academic Standards and Student Assessment.”; Section 8, *supra*, at Guideline 4.2, at “Grading and Academic Disqualification.”

Identifying and Curbing Grade Inflation

Concord does not grade on a curve. All students are assessed on all assignments according to Concord’s standard grading scale based on absolute quality, not relative to each other. Concord’s grading scale is designed to be calibrated to sufficient performance on the FYLSE and bar exam. A 65 is generally the minimum essay score that would lead to passing those regulatory exams. Accordingly, if someone could get a passing grade of C / 2.0 or better (equivalent to 63 or better) in Concord courses, they are expected to have a good chance of passing those regulatory exams.

When Concord's current Dean joined in 2016, he discovered that, while Concord did not grade on a curve, it did apply what was referred to as grade "scaling." Apparently, this was initially done to account for differences in difficulty between final essay exams in different 1L or 2L sections. (The administrator who had implemented it had left the school years earlier.) However, when the Dean examined the grade scaling algorithm, it appeared that it would increase a student's grade on an essay by 5 points on average on a 100 point scale (e.g., from a 60 to a 65), but would almost never lower a student's grade. The net effect of this would have been to systematically inflate grades if anything. (Depending on the student's grades on other assessment, the inflation may or may not have bumped a student from, say, a 1.7 to a 2.0 or from a 2.0 to a 2.3.) The Dean consulted with the faculty and eliminated the grade scaling system in late 2016.

Concord engages in regular grading calibrations to help ensure that professors are grading consistently with the objective standard of the school's grading scale, as well as with each other. For more information on Concord's grading calibration effort, please refer to Section 6, *supra*, at Guideline 2.7, "Fairness in Academic Standards and Student Assessment."

Academic Support Programs

Concord's main individually tailored academic support program is for students who finish the first term of their 1L year on probation. This is a critical time to assist students in improving their performance, and is the point at which the greatest number of students are on probation. (Once students pass 1L and the FYLSE, it is relatively rare that they will be on academic probation thereafter.)

At the beginning of the 1L second term, academic probation students based on first term grades are identified. The Dean's Office and faculty in both substantive and writing courses meet to develop an outreach plan. Selected professors reach out to each student, asking them to complete a self-reflection form and a proposed plan for improvement. Deadlines are established and a follow-up call is scheduled between the professor and student. Thereafter, the professor and student check in roughly monthly to discuss progress and goals from the self-assessment sheet. Professors keep track of outreach and progress on a shared Google sheet that the Dean's Office can monitor. The Dean's Office and the professors meet once in the middle of the term to discuss each student's performance and to brainstorm other ways to help improve their performance or the professors' outreach.

This is a fairly new program, and the results are mixed. The first time it was conducted was with the April 2017 cohort of 1Ls who were on probation after the first term; 60% of those on probation (6 out of 10) regained good academic standing by the end of their second term. The next couple of cohorts, however, saw lower success rates: 1 out of 7 (14 %) for the August 2017 cohort, and 0 out of 8 (0%) for the January 2018 cohort. By contrast, with the most recent April 2018 cohort, 100% (2 out of 2) made it off probation. Sample sizes are small, making it difficult to draw meaningful conclusions from these fluctuating data, and the faculty and staff continues to explore ways to motivate students to respond to professor-driven outreach.

Not only is it difficult to determine trends, but it is hard to evaluate the program's efficacy in absolute terms because Concord started offering this support almost immediately after transitioning from a one year term to two six month terms in an academic year. There is thus no direct basis of comparison because under the prior year-long term structure, students did not

take final exams or receive final course grades until after a full year. At that point, there was no probationary period or opportunity to improve performance, as students with below the requisite GPA were not certified for the FYLSE and were dismissed. The move to a system of two six-month terms per year allows earlier intervention. Concord will continue to analyze and determine best methods to assist its students to improve their academic performance.

Concord has recently explored the possibility of conducting outreach even earlier than after the end of the first semester. Because Concord employs relatively frequent, low-stakes assessments throughout the term in addition to a higher stakes final exam, it undertook an analysis of correlation between interim assessment scores and final course grades. The results from the end of 2018 suggested that by Module 8 out of 15, or roughly halfway through the term, one could predict with about 70% confidence which students would fail to achieve a 2.5 in a course by the end of the term. Because the sample size was small, Concord intends to conduct a similar analysis after July 2019, at the end of the January 2019 first semester 1L term. If the correlation persists, Concord will endeavor to conduct individualized professor outreach partway through the first semester to 1L students whose early indicators suggest they may need additional support.

Other initiatives to help support students academically include the following:

- Academic Resource Center - A microsite available from every course with supplemental practice materials developed by Concord professors. There are multiple choice questions with explanations and practice essays with model answers (some also have issue outlines)--roughly 1000 altogether across more than 2 dozen courses. There is also a page that has videos, activities, and additional resources for all students on study skills, writing skills, and more.
- 1L SBA Study Sessions - The Student Bar Association, with the assistance from alumni, hosts weekly Sunday review sessions for 1Ls.
- Writing and Academic Support Center - through Purdue Global, students can utilize this center for academic assistance, general writing and grammar support, study skills, and more.
- 4L Mentor Program - Each student is paired up with a professor at the beginning of their 4L year to assist with preparation for final year and the bar exam.
- FYI and FYLSE Final Review Weekend - Students are able to take a free FYLSE preparation course that culminates with a live review weekend.
- FYLSE Mentor Program - Upper-division students give FYLSE test takers support and guidance through an organized FYLSE mentor program.
- STS - Students who do not pass the FYLSE on the first try are able to enroll for free in a second time success course that focuses in on practicing and assessing how to improve performance.
- Student Advisors - Each student is assigned a dedicated student support advisor that tracks their attendance and module progress. The advisor is available via phone or email every day and can talk to students about personal issues and study habits, and can follow up with student if an instructor has expressed concerns.
- Self-Assessment - Concord continues to use self-assessment forms to accompany model answers to interim essay assignments. This self-assessment form is designed to engage students in the critical review of their own writing and may be used for non-graded as well as graded writing assignments. In some instances, students are graded on the quality of their self-assessments themselves. This is an aspect of inculcating

students in meta-cognition, which is a critical part of developing higher-order learning skills and habits.

All of this is in addition to Concord's dramatically revised required curriculum, which incorporates bar preparatory materials from Kaplan Bar Review, spaced repetition and scaffolding, cross-course integration, and more. See Section 9, *supra*, at Guideline 6.2(A), "Revised Curriculum," for more information.

Analysis of First-Year Grades, Pass Rates, and Attrition

See [Exh. 55](#). Concord only has data going back to 2017, when Concord moved to its current LMS. There are thus five JD cohorts for whom both 1st semester and 2nd semester 1L grade data is currently available. Entering JD 1L cohorts have ranged from about 50 to about 100 students.

The data shows first-semester drops (generally voluntary withdrawals) of approximately 35% to 45%. This is not entirely surprising, given the rigor of the program and the extensive outside time commitments of most students--40 to 50 hours per week on average. However, Concord continues to explore and implement measures to minimize such attrition, including auditing reading assignments, conduct time management seminars, promoting student study groups, and more.

First-semester involuntary dismissal rates (generally for insufficient grades) have ranged between as high as 35% to as low as 11%, with the trend generally moving downward. Concord believes that the reduction in dismissals is due in part to several modifications to its late assignment grade penalties, which appears to have now struck the right balance between appropriately incentivizing students to stay on pace while not penalizing their grades so much as to cause them to give up on trying to get into or remaining in good standing.

Of those students active after the first semester, the percentage on probation has ranged between 13% and 35%. Cohorts are small, however, ranging from 17 to 44 students, making it difficult to read much into the fluctuations. For more information about Concord's outreach efforts to students on probation, see above under "Academic Support Programs."

Both voluntary and involuntary attrition diminish considerably in the second semester of 1L, ranging from 9% to 20% and 9 to 25%, respectively.

Concord has also conducted an analysis of all grades issued in required courses over the 10 terms completed since Concord moved to its current LMS, not just 1L grades. (See [Exh. 58](#).) The following table summarizes the percentage of each letter grade assigned in each year (excluding Withdrawals ("Ws") and Passes ("Ps") in pass/fail courses):

	Grades Awarded	A's	B's	C's	D's	F's
1L	1427	60 (4.2%)	404 (28.3%)	510 (35.7%)	151 (10.6%)	298 (20.9%)
2L	336	100 (29.8%)	158 (47.0%)	53 (15.8%)	13 (3.9%)	12 (3.6%)
3L	250	77 (30.8%)	97 (38.8%)	57 (22.8%)	18 (7.2%)	1 (0.3%)
4L	279	67 (24.0%)	148 (53.0%)	64 (22.9%)	0 (0.0%)	0 (0.0%)

The 1L grades largely follow a bell curve, with is to be expected given that grades are calibrated so that a C corresponds to performance that predicts a reasonable likelihood of success on the FYLSE. The one exception to the bell curve predictions is F's, which again is not surprising given that some students who have effectively withdrawn do not formally do so and so receive F's instead of W's.

Once students make it past the FYLSE and into their 2L year, grades are far more heavily skewed towards A's and B's, with far fewer D's and F's. Again, this is not surprising given that the cohort has been narrowed to those who have successfully completed the FYLSE.

Finally, Concord has done an analysis comparing grades across different sections of the same courses taught by different professors. (See [Exh. 58](#).) There are fewer upper division courses taught by different professors, and section sizes tend to be smaller, so it is difficult to determine any statistically meaningful differences in how professors grade.

There is a better basis for comparison in 1L. In general, there appears to be more consistency across the doctrinal courses than across the first-year skills course, Introduction to Legal Analysis--although even there, the level of consistency is still fairly high. This may be due in part to the fact that cohorts in the skills classes are generally smaller than doctrinal courses, yielding more fluctuation. However, it may also be that Concord's grading calibration efforts are largely geared toward the grading of traditional "issue spotter" essays used in the doctrinal courses (and administered on the FYLSE and bar exam), rather than on case briefing and other types of assessments utilized in the skills courses.

Concord appointed Kelley Mauerman as its new Director of Legal Writing in January 2019, and in that capacity, she oversees the writing and skills faculty and curriculum. Concord expects that under her direction, consistency among grading across the writing curriculum will improve. Going forward, Concord will compare consistency levels across terms to determine if trends are positive.

Guideline 7.11 - Distance Learning and Academic Engagement

For a discussion of how Concord utilizes distance learning technology to engage students, see Section 9, *supra*, at Guideline 6.2(A), at "Method of Instruction." For a discussion of how Concord tracks the required number of academic engagement hours, see Section 4, *supra*, at "Attendance."

Required Attachments:

- JD Requirements for graduation: [Exh. 53](#)
- Academic Standards, Repeated Course Policy, Satisfactory Academic Progress (SAP), Dismissal: [Exh. 54](#)
- Analysis of first-year grades, pass rates, and attrition: [Exh. 55](#)
- Policies and procedures regarding examination formulation, review and grading: [Exh. 56](#)
- [Exhibit 57 intentionally left blank]
- JD Analysis of all required courses and professors: [Exh. 58](#)
- [Exhibit 59 intentionally left blank]

SECTION 12: RULE 4.160 (H) - ADMISSIONS

Guideline 5.1 - Admissions Standards and Procedures

Concord has rigorous entrance standards, and reviews each applicant holistically to make sure admitted students are qualified and have a reasonable prospect of completing their degree program. Applicants' pre-legal education and admission exam scores are important criteria, but Concord also considers post-graduate education, work experience, personal statements, and letters of recommendation, among other things. All prospective students must conduct an initial telephonic interview with an admissions advisor before proceeding with their application and admissions exam. (See [Exh. 60](#), Admissions requirements, for more info.)

With regard to pre-legal education, Concord's admission standards are actually more stringent than those required by the State Bar, in that Concord JD program applicants must have earned a Bachelor's degree from a college or university accredited by a regional or national accrediting agency recognized by the Department of Education (rather than merely having completed two years).

Although Concord does not require students to take the Law School Admissions Test (LSAT) as a condition to admission, like traditional law schools do, Concord does require every applicant to take its own 40-question online admissions test that mimics the substance and format of the LSAT, testing reading comprehension and logical analysis. The admissions exam originally was in a one-part format, but in 2012, the school move to a two-part exam made up of 15 true/false questions and 25 multiple choice questions. In August 2018, Concord replaced the 15 true/false questions with 15 multiple choice questions to better mimic the FYLSE and bar exam better and gauge likely law school success.

Students interested in the JD program who have a minimum cut score of a 24 and an undergraduate GPA (UGPA) of at least a 2.75, and whose application does not show any prior law school attendance or potential moral character issues, may be "fast tracked" for admission. Files of JD applicants who do not meet all of these criteria are forwarded to the full Concord Admissions Committee for further review. The Concord Admissions Committee is currently composed of full-time professors Scott Johnson and Steven Bracci and Assistant Dean of Students Nidhi Vogt.

Based on its most recent admissions cycle, only 43% of applicants scored high enough on Concord's admissions exam to move forward with their application for the JD program. The 75th percentile, 50th percentile, and 25th percentile UGPA of entering JD students was 3.5, 3.1, and 2.7, respectively. This data does not reflect that about 40% of Concord students already have a

graduate degree in something other than law when they enroll, and many have decades of experience in their profession or industry.

Concord's admission process is designed to obtain information regarding:

- the applicant's level of interest and motivation through the interview with a dedicated admissions advisor;
- whether State Bar pre-legal education requirements have been met (bachelor's degree from accredited institution);
- whether the applicant has the reading, writing, reasoning, and overall academic ability to handle a rigorous course of study (based on transcripts, admissions exam, and short essays in the application);
- prior law school attendance and whether applicant left in good standing (from transcripts and application questions); and
- criminal or other academic disciplinary matters that might raise moral character issues with the State Bar of California. Applicants who answer "yes" to questions regarding academic issues or criminal convictions or pending charges, or who indicate in their personal statement or elsewhere a potential issue, are asked to acknowledge they have been advised of the State Bar's Moral Character requirements.

Changes to the admission process are overseen by Concord's leadership, and are coordinated with any necessary departments (e.g., Legal, Editorial, Admissions, etc.). Proposed changes to the process are evaluated against regulatory requirements and purpose, such as to enroll students with a higher likelihood of academic success. Adopted changes are monitored to determine if the expected outcomes are occurring. Given the term length of 24 weeks and the FYLSE administration cycle, it may take a year or more from when a change is adopted until there is sufficient data regarding first-year term starts to evaluate the effectiveness or impact of any change.

Guideline 5.2 - Review of Pre-Legal Study

Concord requires all students to submit itemized transcripts showing proof of a bachelor's degree from a college or university accredited by a regional or national accrediting agency recognized by the Department of Education. If a student has foreign education, the student is required to obtain a credential evaluation from a provider approved by the State Bar of California showing bachelor's degree equivalency.

Guideline 5.3 - 45-Day Transcript Policy

Concord requires official transcripts of any prior law studies at the time of application. Concord also requires official transcripts for all studies establishing that pre-legal education requirements have been met (bachelor's degree confirmation) within 45 days of the start of the term. If a student does not have a bachelor's degree confirmation on file on the 45th day of the term, they are promptly dismissed from the law school. Students are given notice of this policy in advance (they must sign an acknowledgement) and are reminded throughout the beginning of the term by their admissions advisor, dedicated student support advisor, and Dean's Office to order transcripts if not already on file. There is a project manager who oversees this initiative. All relevant administrators have access to a shared Google document that lists each student and whether a transcript showing bachelor's degree has arrived and been confirmed. This tracking document allows advisors and members of the Dean's Office to conduct appropriate outreach.

Guideline 5.4 - Prior Law School Attendance

Concord's law school application requires applicants to disclose any prior law school attendance, including the name of school, dates attended, academic standing when the student left, and circumstances surrounding why the student left. Official transcripts of prior law must be on file prior to enrollment.

Guideline 5.5 - Special Students

Concord does not admit special students to its JD program as defined by Guideline 5.33. Concord admits applicants who have a confirmed bachelor's degree from a college or university accredited by a regional or national accrediting agency recognized by the Department of Education.

Guideline 5.6 - Previously Disqualified Applicants

Whether disqualified from Concord or another law school, Concord strictly follows the 48-month wait-out period. A student may petition after 24 months if there are extenuating circumstances, but these petitions are rarely granted, as the Admissions Committee feels that after facing severe obstacles, a 48-month wait-out period is more appropriate for most students. The committee will look at a student previously disqualified with a high degree of scrutiny. The application specifically lists out questions in regards to previous law school attendance, what the circumstances were, and what would prevent the situation from happening again. The committee carefully reviews the stated circumstances, the student's past academic record, and the student's motivation and action plan to determine whether committee thinks the student has the academic ability and drive to succeed a second time around.

Any student who is admitted with a previous disqualification has a letter placed in their file signed by the Chair of the Admissions Committee. The letter states that the committee understands the student was previously disqualified but is satisfied that there were extraordinary circumstances and that the committee wants to give the student another chance because the committee thinks they have the aptitude and ability to succeed in law school and the situation will be different this time.

Students Previously Disqualified from Concord

In addition to the process described above, students previously disqualified from Concord must also fill out a satisfactory academic progress (SAP) appeal in order to determine whether they are eligible for federal funding. Similar to the application, this appeal will require student to show extraordinary circumstances that prevented student success previously, that the circumstances have been resolved, and that the student has clear focus, intentions, and an action plan to improve performance if given another chance.

For information on admitted students by status, please see [Exh. 61](#).

Guideline 5.7 - Credit Allowed

Any student with prior law school credit, including those who have passed the FYLSE, must have their education evaluated by the State Bar of California. Concord strictly follows the State Bar of California's guidance on qualifying years of law study and FYLSE exemption status.

Concord will not allow more than what the State Bar has outlined, but does at times transfer in less, as Concord's transfer credit criteria is more stringent than the minimum requirements. Concord only allows up to 50% of total amount of credits (46 of 92) to be transferred, a minimum grade of a C or higher, and will only accept transfer credits from a Juris Doctor program at law school with ABA accreditation, with California state bar accreditation, or that is registered with the California state bar.

Any Concord student who passes the FYLSE on a fourth or subsequent administration, and is readmitted to the JD program after being dismissed, will not receive credits beyond the first qualifying year of study.

Guideline 5.8 - Foreign Law Study

If a student has foreign education or foreign law study, the student is required to obtain a credential evaluation from a provider approved by the State Bar of California showing bachelor's degree equivalency.

Admissions and California Bar Exam Correlation

Purdue Global's shared service agreement with Kaplan Higher Education gives Concord access to personnel with sophisticated research and analysis capabilities. In 2017 and 2018, Concord conducted research on admissions data and correlation with law school success, FYLSE passage, and bar passage (particularly first time passage). The study showed a modestly positive correlation between UGPA and law school grades, FYLSE success, and bar exam success. (Concord generally looks for a 3.00 UGPA, although exceptions are made based on graduate study, work history, or other factors.) It also showed as a slightly smaller but still modestly positive correlation between admission exam score and these other variables. Not surprisingly, an applicant's UGPA and admissions exam score in combination was a stronger predictor of law school and regulatory exam success than either of those predictors in isolation. (Science and engineering majors also tend to do somewhat better.) Moreover, as numerous other studies have shown, first year law school grades and cumulative law school GPA were better predictors of regulatory exam success than predictors available at the time of admission.

Concord focuses not only on regulatory exam success but also on retention. A confounding factor in the analysis is that students with higher UGPAs tend to drop out of their first year classes at rates as least as high as those with lower performing students, if not more so--meaning some students who would be more likely to pass the FYLSE and bar exam never even get around to taking those exams. In part, this may be because Concord's typical student--a full-time worker in their 40's--is incredibly busy, and those that performed the best academically previously may be the most likely to be professionally successful and so even busier and less able to balance the demands of Concord's law program. Another confounding factor is that, given the average age of Concord's entering students, their undergraduate grades may be decades old, and so less reflective of their current abilities. Moreover, about 40 percent of Concord students have a master's degree in addition to their undergraduate degree.

Nevertheless, Concord continues to try to analyze its admissions processes and policies to make sure it is taking in students that can be successful. First, in August 2018, Concord revised its admissions test to be more reflective of the format of the FYLSE and bar exam. Instead of 25 self-contained multiple choice questions and 15 true/false questions based on a reading passage, the questions based on the reading passage have been converted to multiple choice

as well. Since that change, admissions scores have generally dropped by several points. Because applicants who took the revised exam only started in January 2019, Concord will not have adequate data to correlate new exam scores with academic performance for some months. Concord will analyze this data to determine whether to make further adjustments to its cut score.

Second, in recognition of the greater explanatory power of the admissions exam in conjunction with UGPA, Concord recently modified its admissions rules to allow applicants with a slightly lower cut score to move forward with the admissions process if they have a high enough UGPA. Similarly, applicants may be eligible for “fast track” review of their application even if their cut score is slightly below the fast-track cut-off, if they have a high GPA.

Concord has also modified its good standing requirements. In light of evidence showing that students with below a 2.50 CGPA after their first year at Concord are very unlikely to pass the FYLSE on the first try, let alone after three administrations, as of April 2019 Concord increased its good standing requirement from a 2.00 to a 2.50 CGPA.

In conjunction with regulating who may enter and remain in the school, Concord has also taken a number of steps to help its students succeed in law school and on the regulatory exams. For more information, see Section 11, *supra*, at Guideline 7.9, “Academic Support Programs.”

Required Attachments:

- Admissions Requirements: [Exh. 60](#)
- Student Admissions Data: [Exh. 61](#)

SECTION 13: RULE 4.160 (I) - MULTIPLE LOCATIONS - Not Applicable to Concord

SECTION 14: RULE 4.160 (J) - LIBRARY

Concord students and faculty benefit from accessing Purdue University Global’s online law library twenty-four hours a day and enjoy free access to legal resources such as WestLaw, HeinOnline, and CALI. The library includes online access to all mandatory library materials specified in Guideline 8.4, and Concord also maintains all required hardbound publications at its primary administrative office.

Westlaw registration is information sent to students shortly after the start of their first term, and they may access it for most research-based assignments. Students can also search for legal information in HeinOnline and have access to CALI for supplementary legal education. From the PG Library’s website and guides, students can search and open the full text of thousands of subscribed journals and magazines that cover a wide variety of subjects, including law, as well as numerous e-book titles, newspapers, reports, and other kinds of publications. To assist searching other databases, the PG Library website integrates EBSCO Discovery Service, a modern web-scale search tool that allows users to search the library’s various collections and materials through a single point.

As part of their subscription to Westlaw, students can contact Westlaw’s Reference Attorneys service for one-on-one research help, available 24/7 and staffed by bar-admitted attorneys.

Westlaw's website also offers training documentation for self-service learning. The PG Library staff are also available to answer reference questions by e-mail, chat, or by appointment. The PG Library is staffed by the Director of Library Services and two professional reference librarians, all of whom have an MLS or MLIS. Response times to emails are guaranteed to students within one business day, and chat services are available Monday through Friday at set times posted on Concord's website. Guidance on information literacy and skills like effective use of research tools are available from library guides, video and interactive tutorials, and other instructional aids like a searchable support knowledge base. There are two library guides specifically for Concord students, one embedded in courses and one available from the campus homepage. These saw 14,329 total page views in 2018.

Guideline 8.5 - Instruction in Legal Research

Concord Law School provides instruction in both physical publication and electronic-based research. Physical publication instruction is provided within the context of the legal research course. It consists of lectures on the use of physical resources and strategies for navigating the library as well as library etiquette. CALI lessons for specific print resources are assigned. Students are encouraged to participate in an optional physical library "treasure hunt."

Electronic-based research training commences during the first year within the Introduction to Legal Analysis course.

During the second year, students take a formal experiential legal research course. Students have lectures, online tutorials, quizzes, and written assignments which require research, CALI lessons, as well as a final exam which requires research, to assist them in acquiring and practicing their research skills. In the course, students learn about book--based research as well.

In addition, Concord incorporates legal research exercises and assignments into other doctrinal and skills courses. For example, students are exposed to researching the penal code and related jury instructions in their first year Criminal Law course. Students also research applicable case law in connection with a motion and other practical assignments in their second-year Civil Procedure course. Also in the second year, all students take Advanced Legal Writing and Analysis. In the Advanced Legal Analysis and Writing - Litigation course, students write an opposition to a motion for summary judgement. They conduct research to find an applicable case that applies the summary judgment standard and they use that case in their opposition. Finally, in the Advanced Legal Analysis and Writing - Transactional course, students conduct research on confidentiality clauses in relation to purchasing a business in California, and also conduct research on policy arguments which they incorporate into an assignment where they draft three policy arguments for and three against an issue.

Required Attachments:

- Student Admissions Data: [Exh. 61](#)
- Library Content and Format: [Exh. 62](#)
- Plan for development of the library resources: [Exh. 63](#)
- Brief job descriptions of librarian or other library staff members: [Exh. 64](#)
- Resumes of librarian and library staff members: [Exh. 65](#)
- Syllabus for legal research course: [Exh. 66](#)
- Record of expenditures: [Exh. 67](#)

SECTION 15: RULE 4.160 (K) - PHYSICAL RESOURCES

Overview

As a fully online school, the adequacy of Concord's facilities and instructional equipment is entirely determined by its hardware and software for student classroom access and other support. While Concord does have small administrative offices in Los Angeles, and its full-time dean is based there, students rarely have reason to visit the offices.

Facilities and Instructional Equipment-Distance Learning Technology

CampusVue (Cvue) is the main student information system (SIS), Brightspace by D2L is the learning management system (LMS) which houses the courses, and Salesforce is the student relation management (SRM) system. Cvue maintains all official registrar, financial aid, and business office related data including final grades, personal and financial data, etc. Only approved administrators have access to Cvue. The LMS houses all course and course information including records from each courses, class attendance, a full gradebook, syllabi, course policies, final exams, etc. The SRM collects basic overview information from the LMS and Cvue in order for student-facing administrative departments to be able to interact with students. The SRM allows for input of detailed notes after each student interaction so that multiple departments are aware of any questions or concerns the student may have. As a centralized relationship management system, SRM allows for customized and individualized student support.

All three integrated systems allow for 24 hour a day access to required student records, files, and materials. Concord students and faculty not only have round-the-clock access to their courses in the LMS, they also have unlimited access to Purdue University Global's online law library and free access to legal resources such as WestLaw, HeinOnLine, and CALI. Since Concord enjoys the benefits of shared resources with Purdue University Global and Kaplan Higher Education, some staff are in administrative offices located in Chicago, Illinois and Ft. Lauderdale, Florida.

Security and Backup Systems

See Section 17, *infra*.

Lease Terms and Student Visits

Concord maintains an administrative office in Los Angeles, California, which is located in a secure office building that must regularly establish compliance with local and state building and safety requirements. The space currently occupied by the Administrative Office is sufficient to appropriately house both full-time staff who work in the office (the Dean and Assistant Dean of Students) as well as a few periodic visitors to the office. Concord is engaged in a year-to-year renewable lease with the building.

Concord programs are offered wholly online so there is no need for physical space to accommodate students, and Concord does not provide computer lab facilities to students. Concord rents space, as needed, for in-person events such as the First Year Law Students' Exam Review Weekend and graduation. Students are welcome to visit the Chicago, Ft.

Lauderdale, or Los Angeles Office for service, but primarily Concord engages with individual students through email, phone, or video conference call.

Disability Access

Students and faculty can engage with the online course content and other resources from the comfort of their own home or office, so Concord rarely has reason to provide physical space to accommodate students with disabilities. However, as part of Purdue University Global, Concord has a Center for Disability Services that accommodates students with various disabilities, in terms of providing additional time for exams, etc. As part of its revision of its required curriculum, Concord endeavored to ensure that all course content was ADA compliant. Accordingly, written transcripts are provided for all video presentations for students who may be hearing impaired. Videos, learning activities, and other visual media were designed so as to be fully accessible for students who may be color-blind. Other accommodations may be provided on an individual basis upon request. If a student wishes to visit an administrative office, attend a live event, or graduation, all facilities are fully ADA compliant.

Records/Files

Due to FERPA, faculty only have access to the LMS, not the SIS or SRM. The LMS gives them everything they need, including access to grades, data on module progress and usage, classroom content and activity, live seminars and archives, a class list, the ability to email individual students or student as a whole, or even set up “intelligent agents” to send out messages to students based on selected criteria (e.g., assignment completion).

Trained and authorized staff have access to Cvue on a limited basis. Typically only the registrar’s office and key personnel in the financial and business offices have access to this system. Most student facing administrators have access to the SRM, which provides key information about students, without divulging private information.

Access to all these systems requires special log in, remote desktop, and VPN access. Although the servers on which the data is stored may not be physically located in the administrative offices in Los Angeles, Concord maintains computers in its office from which personnel with appropriate clearance can access all required records, files and materials.

For more information on Concord’s recordkeeping and retention, see Section 17, *infra*.

Required Attachments:

- Floorplan: [Exh. 68](#)
- Lease agreement: [Exh. 69](#)

SECTION 16: RULE 4.160 (L) - FINANCIAL RESOURCES

Overview

Concord is in a stable financial condition, and should continue to have adequate financial resources to meet its obligations and maintain and improve its program of legal education.

History

Previously, Concord was a part of Kaplan University, a subsidiary of Kaplan, Inc., itself a subsidiary of the Graham Holdings Company (GHC), a publicly traded company. In March 2018, Purdue University acquired the academic assets of Kaplan University, including Concord. Kaplan University was thus renamed Purdue University Global, and Concord Law School at Kaplan University's name officially changed to Concord Law School at Purdue University Global. At the same time, Concord (along with the rest of Purdue Global) transitioned from being a for-profit to not-for profit institution.

Enrollment Patterns

Currently, virtually all of Concord's revenue comes from student tuition. For much of the decade, Concord, like many law schools across the country, saw declining applications and enrollments, likely due in part to the economic headwinds in the legal sector. Since 2016, however, Concord has seen a modest rebound in new starts. Going forward, Concord expects enrollments to at least remain stable, if not grow, given several recent changes and likely trends.

First, when Concord changed from for-profit to not-for-profit status in 2018, it was no longer subject to certain federal gainful employment regulations that applied only to for-profit programs. Among them were rules that precluded Concord from offering its Juris Doctor program in states in which either Concord or its parent (then Kaplan University) had a physical presence. Thus, Concord could not enroll residents in Florida, Illinois, Indiana, Iowa, Maine, Maryland, Minnesota, Missouri, Nebraska, and Wisconsin into its Juris Doctor program. Now, Concord can enroll students in all states except for Iowa into its JD program.

Second, in late 2017, North Carolina's board of law examiners changed its rules, so that graduates of a non-ABA law school like Concord could sit for that state's bar exam immediately upon obtaining licensure in another state like California; the prior rule required that they also practice law full time for 7 out of 10 years before they were eligible to sit. Since that time, Concord has seen an increase in applicants from North Carolina.

Third, as time goes on Concord may stand to enjoy a reputational benefit as a result of its association with the prestigious Purdue system. In the short term, this has presented some challenges, because while Purdue University has strong name recognition, Purdue Global itself does not--whereas Kaplan University had spent years building up its brand equity. And of course, if Concord does earn California accreditation, that itself may provide an additional reputational boost, although the precise impact is hard to predict.

Fundraising

With Concord's new not-for-profit status, it can now do something it never did in its 20-year history: solicit tax-deductible donations from alumni or other friends of the school. Building a culture of giving is never fast or easy. Since Dean Pritikin joined Concord in 2016, he has been undertaking multiple efforts to re-engage alumni with the school, including:

- Conducting individual meetings with alumni;
- Inviting alumni to join the Dean's Advisory Council;
- Publishing quarterly Dean's newsletters updating alumni on school developments;
- Conducting quarterly Dean's "happy hour" webinars with alumni;

- Maintaining an active presence on social media, including alumni-specific groups or pages;
- Adding a new section on Concord's public website dedicated to alumni, including an alumni directory for referrals;
- Soliciting alumni participation in a bar mentor program and as externship supervisors;
- Making single course offerings available to alumni; and
- Conducting various CLE webinars for alumni.

Only very recently has Concord undertaken the first steps to solicit donations. For years, Purdue University has held an annual Purdue Day of Giving, which raises millions of dollars. 2019 was the first year that Purdue Global participated in the Purdue Day of Giving, with all donations going to student scholarships. The focus was on trying to attract as many donors as possible, without regard to dollar amount. This year's Day of Giving was April 24, 2019. Across all of Purdue Global, approximately 450 donors contributed over \$40,000. Concord saw about 40 donors contribute about \$1,500. Given Concord's size relative to Purdue Global, it actually was one of the most active schools in Purdue Global.

Concord intends to gradually increase its fundraising efforts with alumni and outside donors going forward. A major effort will be gearing up for a large campaign to celebrate Concord's 25th anniversary, which will take place in 2023.

Revenue and Expenses

As noted above, due to a decline in enrollments, revenue had been declining for a number of years. Although enrollments have started to rebound recently, given the earlier declines it will likely be a few more years before overall student census begins to climb as well.

As for expenses, in 2015 and 2016, prior to the arrival of the current Dean, some faculty and staff positions were eliminated to right size the school in relation to the smaller student body. In 2018, Concord began to hire new full-time faculty again. Even with these additions, however, both the faculty and full-time staff are fairly lean.

Concord has also undertaken other steps to eliminate unnecessary costs. Previously, Concord had separate technology and processes that ran independent of the parent university, Purdue Global/Kaplan University. In 2016, Concord began moving to a shared services model, which included not only phasing out redundant staff positions (which were particularly inefficient given the smaller size of the school), but also moved to more university-wide technology platforms. For example, whereas the rest of Purdue Global used one learning management system (LMS), (eCollege, Concord used its own system, eStream. Concord also used eStream as its primary student information system (SIS) and student relationship management system (SRM), whereas the rest of the university used CampusView and Salesforce, respectively, for these functions. Now, Concord, along with the rest of Purdue Global, uses Brightspace by D2L for its LMS, and used CampusVue and its related platforms for SIS, SRM, and similar functions.

The major curriculum revision has also resulted in some cost savings as well. The prior curriculum included a number of video presentations from non-Concord faculty who were entitled to annual royalties for their continued use. The revised curriculum includes shorter, more engaging videos created and recorded primarily by current full-time Concord faculty, so the school has been able to phase out the royalty payments.

The following table shows Concord's enrollment, revenue and expenses since 2014, and also show projections for the coming fiscal year (also attached as [Exh. 70](#)).

Concord Law School Financials, 2014-2015 through 2019-2020 *(All dollars in millions)*

Years	14/15	15/16	16/17	17/18	18/19	19/20 (Budgeted)
Fiscal Year	2015	2016	2017	2018	2019	2020
Enrolls	583	374	442	437	353	370
Starts	499	313	340	375	337	326
Net Revenue	8,293,595	6,067,943	5,480,657	4,824,725	4,759,869	4,572,249
Operating Expenses	7,892,835	6,193,293	4,877,847	4,699,647	4,335,216	4,507,525
Contribution	400,760	(125,350)	602,810	125,078	424,653	64,725
Allocation	3,284,784	2,357,389	2,075,055	1,425,532	1,014,587	1,014,587
Operating Income	(2,884,024)	(2,482,739)	(1,472,245)	(1,300,454)	(589,934)	(949,863)
Operating Margin	-35%	-41%	-27%	-27%	-12%	-21%

As the above shows, even though Concord's annual revenue have declined in recent years, its revenue has generally exceeded its operating expenses, leading to a positive contribution to the university. Once one factors in an allocation of shared expenses (marketing, financial aid processing, etc.), Concord's operating income (OI) has been negative. However, even here, the trend has been positive, with OI deficits generally shrinking by hundreds of thousands of dollars per year. Since Dean Pritikin joined in 2016, operating margin deficits have declined from -41% to -12%.

Purdue Global and Concord develop budgets for each coming fiscal year. They do not, however, develop financial projections for the next three years, in recognition of the fact that circumstances can change so quickly as to make such projections insufficiently reliable. The budget for 2019-20 projects slightly fewer enrolls than in 2018-19 and a somewhat smaller contribution and greater operating income deficit. This is largely due to the fact that, although the number of enrollment inquiries has increased in the last year, Concord's shift to a new platform for its admissions exam has resulted in lower conversion rates. Concord is working with Purdue Global personnel to address the technology and user interface issues, and hopes to have these addressed within the next several months. Concord expects that once these issues are addressed, enrollments will grow at least to the point where operating income will be positive.

Concord is also fortunate to be a part of the much larger Purdue Global (formerly Kaplan University), with hundreds of faculty and nearly 30,000 students. Concord anticipates that Purdue Global itself will gain further financial strength as brand awareness increases and outreach efforts continue. (See [Exh. 71](#), [72](#).)

Required Attachments:

- Budget for current fiscal year: [Exh. 70](#)
- Kaplan Higher Education, LLC Consolidated Financial Statements, 12/31/17: [Exh. 71](#)
- Purdue University Global, Inc. Financial Statements, 12/30/18: [Exh. 72](#)

SECTION 17: RULE 4.160 (M) – RECORDS AND REPORTS

Overview:

Concord maintains complete and accurate records of its programs and operations and they are readily accessible to its administration and the Committee upon request.

With respect to student files, Concord's admission policies require that all necessary documents and transcripts are submitted with the admission application. All applicant files are reviewed multiple times to make sure they are complete. Current student records are kept electronically. Records are not released to any third party, other than those required by applicable federal and state law, without obtaining prior written permission of the student.

Systems and Protection:

CampusVue (Cvue) is the main student information system, Brightspace is the learning management system (LMS) which houses the courses, and Salesforce is the student relation management (SRM) system. Cvue maintains all official registrar, financial aid, and business office related data including final grades, personal and financial data, etc. Only approved administrators have access to Cvue. The LMS houses all course and course information including records from each courses, class attendance, a full gradebook, syllabi, course policies, final exams, etc. The SRM collects basic overview information from the LMS and Cvue in order for student facing administrative departments to be able to interact with students. The SRM allows for input of detailed notes after each student interaction so that multiple departments are aware of any questions or concerns the student may have. As a centralized relationship management system, SRM allows for customized and individualized student support.

All three systems are maintained under Purdue Global's standard data integrity policies with security and backup systems to protect the system from corruption. Each is also required to comply with security certifications. Salesforce has the following [certifications](#): ISO 27001, ISO 27018, SOC 1, SOC 2, SOC 3, PCI DSS, CSA STAR. Brightspace has the following [certifications](#): ISO 27001, ISO 27018, ISO 27017 (in progress), SOC 1, SOC 2, CSA STAR.

The CampusVue application and its corresponding data are protected with the following measures:

- CampusVue data backups are taken both daily and weekly, with a full database backup happening on the weekend and daily differential backups. Database backups are stored with Amazon Web Services (AWS) and protected with server side encryption. Database backup transfers to AWS happen over a secure SSL connection.
- Physical security for the systems is maintained with the data hosted at a secure Purdue Global cage at a Tier1 Colo provider. Access to the cage is badged, biometric enabled, and audited.
- Regular user review audits are performed to confirm system and data access & roles.
- CampusVue systems and databases follow SOX auditing procedures and are audited by both internal and external auditors.

- Change management process is followed for all change events requested of the infrastructure, data, and code.
- Active Threat Protection agents on the servers monitor and alert for suspicious activity.
- Primary firewalls at the Tier1 Colo provider protect our servers from the unintended traffic outside the data center itself.
- The systems are regularly scanned for vulnerabilities.

Finally, Concord enforces an IT Acceptable Use Policy (AUP), found in the employee handbook, for all users of our systems. The policy sets out rules and regulations regarding the transmitting, storing, and printing of materials. For example, when an employee attempts to print a document with confidential student information, the employee receives a warning and an acknowledgment pop-up window that reviews the AUP.

Accuracy and Compliance

The Concord Assistant Dean of Students, along with the Purdue University Global Registrar, are responsible for maintaining the filing of all academic records. Please see below for other responsible parties that maintain records.

The Registrar regularly reconciles student status information (active, graduate, term completed, dropped) in the LMS with the student status information on the Cvue system. Grade entries on student transcripts are regularly checked against grade calculations on grading spreadsheets and the data on grading spreadsheets are spot checked against interim assessment scores captured by the LMS.

Concord also undergoes annual internal audits conducted by the Kaplan Higher Education internal audit group to ensure that records are in compliance with all school policies.

Accredited Guidelines 11.1 A-O (Unaccredited Guidelines 9.1 A-R)

- *Guidelines 11.1 A, B, C, D, E* - Applications, records of admissions, student files, transcripts, and class records are maintained in a combination of Cvue and SRM. Enrollment Auditing and the Registrar's office are responsible for compliance and accuracy.
- *Guideline 11.1 F* - Examinations are maintained digitally and in the LMS and grade tabulations are maintained in Cvue and the LMS. The Purdue University Global Curriculum & Innovation department, the Concord Associate Dean of Faculty, and the Registrar's office are responsible for compliance and accuracy.
- *Guidelines 11.1 G and H* - Official administrative and faculty personnel files are maintained by Purdue University Global's Human Resources Offices in Chicago. Information is also available for individual employees, as well as their managers, to review through the online employee portal, <http://www.ghconnect.net>. Human Resources is responsible for compliance and accuracy.
- *Guideline 11.1 I* - Faculty Minutes are maintained via video archive.
- *Guideline 11.1 J* - Concord does not have a governing board. It has an advisory council and minutes of their meetings are maintained on a secure shared drive. The meeting minutes of Purdue University Global's governing board (Board of Trustees) are maintained at the academic headquarters of the university in Chicago, Illinois.
- *Guidelines 11.1 K and L* - Concord maintains operating records as well as brochures digitally in a secured share drive.

- *Guideline 11.1 L* - Catalogs and bulletins are maintained in an archive by Purdue University Global: <https://catalog.purdueglobal.edu/calendar-catalog-archive/>
- Consolidated financial reports, which include Concord Law School, are maintained in the Finance offices of Purdue University Global. Digital copies are obtained each year by Concord to be included as part of its annual report to the Committee.
- Digital copies of the disclosure statements are maintained in a secured shared drive for prudent recordkeeping as well as to be included as part of the annual report to the Committee. Concord's Assistant Dean of Students is responsible for accuracy and reporting.
- *Guideline 11.1 M* - Concord maintains a permanent online shared folder (shared by the Dean, Associate Dean, and Assistant Dean) of all correspondence to and from the Committee, including Annual Compliance Reports and other reports, all certifications, and all petitions and requests for waivers, together with any supporting materials and the action taken by the Committee.
- *Guideline 11.1 O* - As an unaccredited, registered law school, Concord regularly submits the Annual Compliance Report, posts the B&P Disclosure Records on the website, updates the disclosure statements and forms, and submits the Admissions Certification reports within 60 days of each new term start.

For more information regarding Concord's policies and procedures for maintaining privacy and confidentiality of student records and information, see Section 5, *supra*, and [Exh. 15](#) and [Exh. 16](#).)

SECTION 18: RULE 4.160 (O)

Equal Opportunity and Nondiscrimination

Central to Concord's mission as a fully online law school is providing opportunities to those who might not otherwise have them. This includes historically disadvantaged persons based on race and gender, but may also include socio-economic status, childcare responsibilities, military service, physical disabilities, or other life circumstances.

Concord provides equality of opportunity to all students, faculty, staff, and visitors, and strictly prohibits unlawful discrimination. Concord complies with all federal and state laws and follows policies and procedures consistent with Purdue University Global.

The student statement of nondiscrimination, easily accessible through the catalog on the website, internal portal and in pdf form, prohibits discrimination and/or harassment based on race, religion, gender, color, sex, age, national origin or ancestry, disability, marital status, parental status, sexual orientation, gender identity and expression, veteran status, genetic information, or any other legally protected status under applicable federal, state, and local law. Sexual harassment is a prohibited aspect of sexual discrimination under this policy.

The policy goes on to describe applicable laws and regulations, Title IX compliance, Department of Education Office of Civil Rights, and disability services. The policy also outlines grievance procedures and awareness of confidentiality and prohibition of retaliation.

For the full policy, see [Exh. 73](#). Concord's nondiscrimination, ADA services, and grievance procedures can also be found in the [Faculty Handbook](#) on page 24, or at [Exh. 14](#).

Demographic Information

[Exh. 74](#) contains the demographic information on Concord's faculty and student body provided in Concord's annual reports in 2018, 2017, 2016, 2015, and 2014. The demographic information does not match up with either faculty or student counts since not everyone responded to the survey requests.

Faculty and Staff

As of the most recent annual report from 2018, slightly more than half of Concord faculty (or 58%) reported being male, with the remainder (42%) reporting female. Sixteen percent reported as belonging to a racial or ethnic minority group (10% African American and 6% Latin), with the remainder (84%) reporting as Caucasian. These figures have not changed dramatically in the last several years.

In terms of recent hires, Concord has hired two full-time faculty members in the last year. Both were women, and one was African American. Concord only has two full-time non-faculty administrators, both of whom have joined since 2016. Both are women, and one, who was hired recently, is African American.

Student Body

The percentages of female and non-white students have also remained stable over the last several years, with women generally outnumbering men, and non-white students making up nearly or even slightly more than half of the student body according to those who report their ethnicity. The largest cohort of non-white students is consistently African American students, who make up about 20% of the student body according to those who report their ethnicity. While the percentage of non-white students has risen slightly in the last few years, between a third and two-fifths of students do not self-report their ethnicity, making it difficult to determine the true percentage. The below table summarizes the data from the last several years, listing ethnic composition according to all students as well as students who provided information.

Concord Student Body Diversity Statistics, 2016 - 2018

Year	Male	Female	Reporting Ethnicity	White		Non-White		African American	
				As % of Total*	As % of All Reporting	As % of Total*	As % of All Reporting	As % of Total*	As % of All Reporting
2016	47%	53%	60%	34%	57%	26%	43%	11%	20%
2017	45%	55%	67%	36%	54%	31%	46%	14%	21%
2018	47%	53%	56%	27%	49%	28%	51%	11%	19%

*Figures will not add up to 100%

Concord has not yet analyzed, but would be interested in analyzing, differentials in retention rates according to gender and ethnicity, to determine whether post-enrollment initiatives are warranted, and if so, what kind. Concord is also interested in pursuing initiatives that will encourage a higher percentage of the student body to self-report regarding ethnicity, so that Concord can have more accurate data and more effectively allocate diversity and inclusion resources and outreach efforts.

Required Attachments:

- Equal Opportunity and Non-Discrimination Policy: [Exh. 73](#)
- Faculty, Staff, and Student Demographics: [Exh. 74](#)

SECTION 19: RULE 4.160 (P) - COMPLIANCE WITH COMMITTEE REQUIREMENTS

Concord submits required reports and otherwise complies with the Rules and Guidelines.

- *Guideline 11.1 M* - Concord maintains a permanent online shared folder (shared by the Dean, Associate Dean and Assistant Dean) of all correspondence to and from the Committee, including Annual Compliance Reports and other reports, all certifications, and all petitions and requests for waivers, together with any supporting materials and the action taken by the Committee.
- *Guideline 11.1 O* - As an unaccredited registered law school, Concord:
 - Annually submits all fees and documents requested by the Annual Compliance Report;
 - Posts the B&P Disclosure Records on the public website by January 1 of each year;
 - Updates the disclosure forms every six months and requires students to read, sign and acknowledge forms at the beginning of each academic year;
 - Verifies disclosure statements are accurate and transparent on all documents, marketing materials, etc; and
 - Submits the Admissions Certification reports within 60 days of each new term start.

Concord is not aware of any presumed weaknesses or non-compliance with respect to the rules and guidelines arising since the law school's most recent inspection report in 2014. All mandatory steps identified by the State Bar in response to that report were promptly addressed.

Conclusion

Concord is grateful to the Committee for its consideration of the school's application for accreditation, and will gladly provide supplemental information upon request. Concord is excited about the opportunity to become one of the first if not the first fully online law schools ever to achieve accreditation from a state bar.