



The State Bar *of California*

OPEN SESSION AGENDA ITEM APRIL 2020 COMMITTEE OF BAR EXAMINERS ITEM O-401

DATE: April 24, 2020

TO: Members, Committee of Bar Examiners

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

SUBJECT: Approval of Report of Periodic Inspection - Taft Law School

BACKGROUND

Taft Law School (Taft) was inspected by educational standards consultant Heather Georgakis on October 8-9, 2019. (See Report, Attachment A). The school accepted the findings by letter dated March 19, 2020, and has already begun to address a number of the recommendations. (Attachment B).

Taft Law School is a for-profit law school registered, unaccredited law school located in Santa Ana, California offering programs through distance and correspondence.

In 1984, the school was founded and registered with the Committee as the William Howard Taft University (WHT University) School of Law. In 2008, the school separated from the rest of the University, changed its name to Taft Law School, and became a free-standing law school. Taft and WHT University are now divisions of The Taft University System, Inc., a California corporation that shares the Santa Ana office space with Taft. WHT University offers distance learning programs in business and education from offices in Lakewood, Colorado.

Taft offers both an interactive distance learning JD program and an independent study correspondence JD degree. In addition, the school also offers several other non-bar-qualifying degrees including an Executive JD degree, which does not qualify students to take the Bar Examination.

DISCUSSION

Overall, the school was found to be in compliance, but a number of policies need to be clarified or put in writing, and several suggested recommendations are proposed. The school has already begun to respond to the recommendations by creating the written policies requested.

The following mandatory and suggested recommendations are proposed as a result of the inspection:

Recommended Mandatory Actions

1. Guidelines 2.3, 5.32 and 5.33: It is recommended that the school correctly define the Committee's categories of regular and special admissions in its publications, including its website, and that where conflict exists between policies of DEAC and the Committee, the policies should be stated clearly, so that DEAC policies are not attributed to the Committee.
2. Guideline 2.8: It is recommended that the school adopt, publish, and implement a written student discipline policy that meets all requirements of the guideline as to all forms of student conduct subject to discipline by the school.
3. Guideline 2.9(A) and Guideline 9.1(D)(6): It is recommended that the school must publish its policy regarding expunging grades below 2.0 in Contracts, Criminal Law and Torts when a student passes the First Year Law Students' Examination and replacing those grades with a 2.0. Further, the school should address this FYLSX procedure in the written policy on transcript changes recommended in paragraph 8 below and, in implementing the FYLSX policy, adhere to all Guideline 9.1(D) requirements.
4. Guidelines 5.11, 5.23, 2.1, and 2.3: It is recommended that, as to courses designed for transfer students, the school adopt, publish, and implement a written policy that accurately describes the academic content and enrollment limits for such courses and that ensures that students taking such courses are not being awarded duplicate academic credit.
5. Guideline 5.12: It is recommended that the school revise its curriculum to provide instruction in all of the skills enumerated in the Guideline and implement that revision no later than Fall 2020.
6. Rule 4.240(F): It is recommended that the school adopt, publish, and implement a written policy to ensure that any transfer student will complete at least six units of competency training prior to graduation.
7. Guideline 5.19: It is recommended that the school adopt, publish, and implement a written policy that meets all requirements of the guideline, including the requirement that power to grant policy exceptions must be vested in a faculty committee and not in any one individual.

8. Guideline 9.1(D): It is recommended that the school adopt, publish, and implement a written policy that meets all requirements of the guideline, including procedures and standards with respect to transcript changes. The policy should address any specific provisions as to transcript changes, such as the FYLSX policy addressed in paragraph three above. Further, the school should adopt procedures to ensure that: (a) the permanent transcript will contain any credit allowed for law study at another institution, listing the law school, course or courses taken, when taken, unit credit allowed, and grades received (Guideline 9.1(D)(5)); (b) if there is a change or correction on the face of the transcript, the transcript will contain a notation of the reason for the change (Guideline 9.1(D)(6)); and (c) transcript entries will be changed only upon a proper showing of good cause.
9. Guideline 9.1(D): It is recommended that the school review and, as necessary, correct, the transcripts of current students to meet the guideline requirements in all situations, including, but not limited to, JDAT students in each of the following circumstances, showing compliance with Guideline 9.1(D): a student admitted without prior law study; a transfer student; a student whose grades were changed after passing the FYLSX, and a student who was given a grade of Incomplete who later earned a numerical grade.

Recommended Suggestions to Enhance Compliance

1. Pursuant to Guideline 2.3(C), it is suggested that the school clarify its explanation of academic requirements and expectations of students in the more flexible JDAT Independent Study program, particularly with respect to due dates for written assignments.
2. Pursuant to Guideline 2.8, it is suggested that the school address in the Faculty Handbook the duty of faculty members to continually improve their teaching skills and substantive expertise.
3. Pursuant to Guideline 5.18, while the school has a duty to disqualify students who are not qualified to continue, the school should also take steps to address unusually high attrition. As for academic disqualification, the school should inform students about the demands of its program and to expand opportunities for students to practice, and receive feedback on, the legal analytical skills they must develop to succeed. The school should also continue to study the factors contributing to high voluntary attrition after the first year, and use the study results to consider changes to its communications, admissions, curriculum, or other elements of the program to improve retention.
4. Pursuant to Guideline 10.1, it is suggested that the school continue its efforts to recruit and retain diverse faculty.

RECOMMENDATION

It is recommended that the Periodic Inspection Report be received and filed and that the Committee adopt each of the recommended actions listed above, continue the registration of Taft Law School as an unaccredited law school, and schedule its next periodic inspection for Fall 2024 unless the Committee determines an earlier visitation is required.

PROPOSED MOTION

Should the Committee agree with this recommendation, the following motion is suggested:

Move that the Inspection Report of Taft Law School conducted on October 8-9, 2019 be received; that the mandatory and suggested compliance recommendations made in the Inspection Report be adopted; that the response from the school accepting all mandatory and suggested actions be accepted and filed; that the school provide the Committee with a written progress report as to the status of the mandatory and suggested actions identified in the Inspection Report as part of the School's 2020 Annual Report; and that the school's registration as an unaccredited law school be continued, with the school's next inspection to be set for Fall 2024.

Attachment A: Report Periodic Inspection of Taft Law School, October 8-9, 2019

Attachment B: Taft Law School's Response, March 19, 2020



The State Bar of California

Taft Law School

Periodic Inspection Report

Inspection conducted
Pursuant to Rule 4.244(A) of the
Unaccredited Law School Rules on:

October 8-9, 2019

Visitation Consultant:

Heather Georgakis,
Educational Standards Consultant

REPORT ON THE PERIODIC INSPECTION OF TAFT LAW SCHOOL

3700 SOUTH SUSAN STREET, SANTA ANA, CALIFORNIA 92704

EXECUTIVE SUMMARY AND RECOMMENDATIONS

Introduction

A site inspection of the Taft Law School (Taft) was conducted on October 8-9, 2019 by Heather Georgakis, Educational Standards Consultant to the Committee of Bar Examiners (Committee). The school was last inspected in April 2014 and found to be compliant with the Rules for Unaccredited Law Schools and Guidelines for Unaccredited Law Schools.

Taft is a registered, unaccredited, correspondence law school with offices in Santa Ana, California. In 1984, the school was founded and registered with the Committee as the William Howard Taft University (WHT University) School of Law. In 2008, the school separated from the rest of the University, changed its name to Taft Law School, and became a free-standing law school. Taft and WHT University are now divisions of The Taft University System, Inc. (TUS), a California corporation that shares the Santa Ana office space with Taft. WHT University offers distance learning programs in business and education from offices in Lakewood, Colorado.

Since 2003, Taft has been accredited by the Distance Education Accrediting Commission (DEAC) as a division of TUS. In June 2019, DEAC renewed the system's accreditation through June 2023. Since 2009, the DEAC accreditation status has allowed Taft to participate in Title IV federal financial aid programs for students in the telecommunications-based Juris Doctor (J.D.) programs, but not for the independent studies correspondence J.D. program. These two programs will be described in further detail below.

Dean Robert Strouse, a McGeorge Law School graduate and State Bar licensee, oversees Taft operations with the assistance of Registrar and Office Manager Christine Baldwin. Both are long-term Taft employees. The faculty is comprised mainly of adjunct instructors. All instructors are graduates of law schools approved by the American Bar Association (ABA) or overseen by the Committee, and all but two of the faculty are licensed to practice law.

The school offers the Juris Doctor-Attorney TrackSM (JDATSM), which qualifies graduates to take the California Bar Examination (CBX), and a Juris Doctor-Executive TrackSM (JDETSM), which does not qualify students to take the CBX. In each track, students choose one of two learning modalities: a telecommunications program (TEL) or an independent study (IS) program. Taft also offers a non-professional bachelor's degree completion program leading to a Bachelor of Science in Laws (B.S.L.) and a Master of Laws (LL.M.) degree program with a concentration in Taxation. Except as noted, this report addresses only the CBX-qualifying JDATSM track.

The JDATSM track requires students to complete ninety-six semester units, including six elective units, typically within four to four and one half years. Instruction is delivered asynchronously through the Internet; students choose when and where to log in for course lectures. While students in the telecommunications program (JDAT-TEL) must interact weekly with their instructors and classmates, those students in the independent study (JDAT-IS) may complete the work on their own without interacting with students or faculty. Current total tuition for the full J.D. program for either modality is \$35,040, based on per-unit tuition of \$365. A student's tuition rate is "locked-in" for four years upon enrollment.

At the time of inspection, Taft had total enrollment of 252 students, including 163 JDATSM students (136 in JDAT-TEL and 27 in JDAT-IS), 88 JDETSM students, and one LL.M. student. Of all JDATSM students, about half are female and about seventy percent identify as non-white. About ninety-nine percent qualified for admission as regular students; almost eighty-eight percent hold a bachelor's degree.

According to school records, of the 371 Taft graduates who have taken the CBX since the school was founded in 1984, 248 have passed, for a cumulative CBX pass rate of 66.8 percent since its founding. In the most recent five-year period, 12.7 percent of the school's first-time takers passed the First-Year Law Students' Examination (FYLSX), while 22.2 percent of the school's first-time takers passed the CBX, through November 12, 2019, as reported in Taft's 2019 Annual Report. For the most recent examinations, two of nineteen applicants passed the October 2019 FYLSX, while two of twelve takers passed the July 2019 CBX examination.

Taft was found to comply with the Unaccredited Law School Rules (Rules) and Guidelines for Unaccredited Law School Rules (Guidelines) in most respects, subject to the recommendations noted below. This conclusion was reached after review of the curriculum, learning platform, admissions, scholastic standards, faculty, legal research resources, facilities, records, Dean, administrators, and faculty.

Recommended Action by the Committee

It is recommended that this Periodic Inspection Report be received and filed and that the Committee adopt each of the recommended actions listed below, continue the registration of Taft Law School as an unaccredited law school and schedule its next periodic inspection of Taft Law School for the Fall of 2024 unless the Committee determines an earlier visitation is required.

Recommended Mandatory Actions

1. Guidelines 2.3, 5.32 and 5.33: It is recommended that the school correctly define the Committee's categories of regular and special admissions in its publications, including its website, and that where conflict exists between policies of DEAC and the Committee, the policies should be stated clearly, so that DEAC policies are not attributed to the Committee.

2. Guideline 2.8: It is recommended that the school adopt, publish, and implement a written student discipline policy that meets all requirements of the guideline as to all forms of student conduct subject to discipline by the school.
3. Guideline 2.9(A) and Guideline 9.1(D)(6): It is recommended that the school must publish its policy regarding expunging grades below 2.0 in Contracts, Criminal Law and Torts when a student passes the First Year Law Students' Examination and replacing those grades with a 2.0. Further, the school should address this FYLSX procedure in the written policy on transcript changes recommended in paragraph 8 below and, in implementing the FYLSX policy, adhere to all Guideline 9.1(D) requirements.
4. Guidelines 5.11, 5.23, 2.1, and 2.3: It is recommended that, as to courses designed for transfer students, the school adopt, publish, and implement a written policy that accurately describes the academic content and enrollment limits for such courses and that ensures that students taking such courses are not being awarded duplicate academic credit.
5. Guideline 5.12: It is recommended that the school revise its curriculum to provide instruction in all of the skills enumerated in the Guideline and implement that revision no later than Fall 2020.
6. Rule 4.240(F): It is recommended that the school adopt, publish, and implement a written policy to ensure that any transfer student will complete at least six units of competency training prior to graduation.
7. Guideline 5.19: It is recommended that the school adopt, publish, and implement a written policy that meets all requirements of the guideline, including the requirement that power to grant policy exceptions must be vested in a faculty committee and not in any one individual.
8. Guideline 9.1(D): It is recommended that the school adopt, publish, and implement a written policy that meets all requirements of the guideline, including procedures and standards with respect to transcript changes. The policy should address any specific provisions as to transcript changes, such as the FYLSX policy addressed in paragraph three above. Further, the school should adopt procedures to ensure that: (a) the permanent transcript will contain any credit allowed for law study at another institution, listing the law school, course or courses taken, when taken, unit credit allowed, and grades received (Guideline 9.1(D)(5)); (b) if there is a change or correction on the face of the transcript, the transcript will contain a notation of the reason for the change (Guideline 9.1(D)(6)); and (c) transcript entries will be changed only upon a proper showing of good cause.
9. Guideline 9.1(D): It is recommended that the school review and, as necessary, correct, the transcripts of current students to meet the guideline requirements in all situations, including, but not limited to, JDAT students in each of the following circumstances, showing compliance with Guideline 9.1(D): a student admitted without prior law study; a transfer student; a student whose grades were changed after passing the FYLSX, and a student who was given a

grade of Incomplete who later earned a numerical grade.

Recommended Suggestions to Enhance Compliance

1. Pursuant to Guideline 2.3(C), it is suggested that the school clarify its explanation of academic requirements and expectations of students in the more flexible JDAT Independent Study program, particularly with respect to due dates for written assignments.
2. Pursuant to Guideline 2.8, it is suggested that the school address in the Faculty Handbook the duty of faculty members to continually improve their teaching skills and substantive expertise.
3. Pursuant to Guideline 5.18, while the school has a duty to disqualify students who are not qualified to continue, the school should also take steps to address unusually high attrition. As for academic disqualification, the school should inform students about the demands of its program and to expand opportunities for students to practice, and receive feedback on, the legal analytical skills they must develop to succeed. The school should also continue to study the factors contributing to high voluntary attrition after the first year, and use the study results to consider changes to its communications, admissions, curriculum, or other elements of the program to improve retention.
4. Pursuant to Guideline 10.1, it is suggested that the school continue its efforts to recruit and retain diverse faculty.

Submission of Self-Study

Taft submitted a self-study to assist the Consultant in her assessment of the school's compliance with the Rules and Guidelines. Dean Strouse and other administrators responded promptly to requests for follow-up information, and that information was considered when drafting this report.

Conduct of Site Visit

To prepare for the inspection, the Consultant reviewed the school's self-study and attachments, the institutional website (<http://www.Taftu.edu>) (website), and portions of the 2018 and 2019 Annual Report. The two-day visit included a tour of the Santa Ana facility and meetings with administrators, including Dean Robert Strouse, Registrar and Office Manager Christine Baldwin, Associate Dean Melody Jolly, Director of Student Services Joan Slavin, Director of Compliance David Campbell, Chief Accountant Linda O'Connor, and Administrative Assistant Lauren Croswell. The Consultant also observed demonstrations of the Moodle learning platform and a synchronous online lecture.

After reviewing the storage and maintenance of files, the Consultant inspected a representative sample of records. These included applicant and student files; course syllabi, instructional

materials, and attendance records; examinations, assignments, and student answers; and administrative files, including faculty personnel records. Students, graduates, and instructors were interviewed about the school, in person or by phone. The Consultant concluded the meetings with a comprehensive exit interview with Dean Strouse.

At the Consultant's request, the school emailed all current students, inviting them to submit confidential comments about the school to the Consultant. After the inspection visit, the Consultant reviewed numerous emailed comments from students, materials for several courses on Moodle, and supplemental information provided by the school.

SPECIFIC FINDINGS AS TO THE COMMITTEE'S RULES AND GUIDELINES

Below are the Consultant's findings, conclusions, and recommendations as to the school's compliance with the Rules and Guidelines.

Rule 4.240(A): Lawful Operation. The law school must operate in compliance with all applicable federal, state, and local laws and regulations. (Guideline 1.9)

Taft operates from administrative offices at 3700 South Susan Street, Suite 200, Santa Ana, California. The school is one of two educational divisions of The Taft University System, Inc. (TUS), a for-profit S Corporation owned by the Boyd Family Trust, governed until recently by trustees David L. Boyd and Patricia Boyd. Mr. Boyd, the founder of TUS and its Chancellor since 1984, passed away shortly before this report was prepared and succession arrangements are being confirmed. The trust is expected to survive Mr. Boyd's passing. The other TUS division is William Howard Taft University (WHT University) which offers distance learning programs in business and education from offices in Lakewood, Colorado.

TUS is in good standing with California's Secretary of State, has filed a Fictitious Business Name Statement in Orange County, and has a current business license issued by the City of Santa Ana. As an educational entity participating in federal student loan programs, TUS maintains cohort default rates within limits set by the U.S. Department of Education.

Taft has been registered with the Committee or its predecessors as an unaccredited law school since 1984 and derives its degree-granting authority from the Committee. The school's non-professional degree program, the Bachelor of Science in Laws (B.S.L.), is authorized by the State of Colorado, according to Dean Strouse.

As a division of TUS, the school has been accredited since 2003 by the Distance Education Accreditation Commission (DEAC). By virtue of its DEAC accreditation, in 2009, Taft became eligible to participate in federal Title IV student loan programs as the JDATSM and JDETSM tracks, but only for students who choose the telecommunications modality, not for those who pursue the independent study track.

In compliance with the federal Family Educational Records Privacy Act (FERPA) and similar laws, Taft has sound written policies to protect the confidentiality of academic information. Student records are password-protected or placed in locked files accessible only by appropriate personnel. Disclosure is properly limited as outlined in the school's Consumer Information Guide Catalog Supplement (Consumer Guide). The Consumer Guide also includes federally-required policies on voter registration, copyright infringement, Constitution Day, and, by a general link to the Taft Campus Security Report, alcohol and substance abuse. Policies and procedures addressing discrimination and harassment are found in several publications.

Services for disabled students, as outlined in the Consumer Guide and on the website, are provided to comply with the Americans with Disabilities Act (ADA) and similar laws. The Office of Student Services handles requests for accommodations; final decisions are made by the Dean. Access to Taft's second-floor office space is somewhat limited because the building lacks an elevator. Students rarely visit the Santa Ana facility, however, because Taft's programs are delivered almost entirely over the Internet. If students with mobility limitation wish to take their proctored examinations at the school's offices, ground-floor testing space is made available.

Rule 4.240(B): Integrity. The law school must demonstrate integrity in all of its programs, operations, and other affairs. (Guidelines 2.1 - 2.3, 2.8 - 2.12)

Taft appears to operate with integrity. To promote institutional compliance, the school has hired an individual with an accounting background, David Campbell, as its Director of Compliance. Since 2016, all Taft communication channels have been reviewed annually to ensure their accuracy, consistency, compliance, and ease of use.

The school's tuition refund policy is in compliance with Guideline 2.2(B). Refund formulas are stated in the Consumer Guide and each enrollment agreement. A student who cancels during the first two weeks of the 50-week academic year receives a full tuition refund; one who later withdraws or is dismissed receives a prorated refund of two percent per week up to sixty percent (thirty weeks), after which no refund is paid. A refund or refund accounting is issued within thirty days of cancellation or withdrawal; pursuant to prior agreement with the student, the refund is paid to a student's financial aid lender, if any.

Appropriate safeguards are in place to protect the integrity of financial operations, under the direction of Chief Accountant Linda O'Connor, a 20-year employee. (Guideline 2.2(C)) The school has established numerous internal controls to protect against financial impropriety, including checks and balances to ensure that transactions are not controlled by any one person, monthly reconciliation of accounts, and careful tracking of credit card purchases. The Chancellor, Dean Strouse, and Ms. O'Connor review the general ledger monthly; accounting audits are performed each April and financial audits are conducted in May. As discussed below, the school employs technology to protect its financial and other records.

Policies are represented honestly on the website and in other publications. (Guideline 2.3 (A-C)) Prospective students and enrolled students receive electronic copies of a General Catalog, Catalog Supplements and Student Handbook for their JDATSM program, and the Consumer Guide. Faculty receives a Faculty Handbook and TUS Faculty Catalog Supplement. To promote its programs, Taft relies on referrals and small Internet search engine ads; it does not advertise in print or broadcast media, brochures, or lead-generating websites.

The 2014 Inspection Report noted that the policies of the Committee and DEAC (then DETC), Taft's other accreditor, are in conflict with respect to the admissions categories of regular student and special student. To ensure that DEAC policies are not attributed to the Committee, the school was required to correctly define these categories in its materials. However, some text remains to be corrected as, for example, on the JDAT admissions web pages. To more fully comply with Guidelines 2.3(C), 5.32, and 5.33, Taft must correctly define the Committee's categories of regular and special admissions in all its publications, including its website. Further, where any conflict exists between policies of the two accreditors, that should be stated clearly so DEAC policies are not attributed to the Committee. Taft is asked to take note of this request, reaffirmed here since the last inspection.

Pursuant to Guideline 2.3(C), Taft may wish to clarify its explanation of the JDAT-IS program. JDAT-IS students must complete the same written assignments as JDAT-TEL students, but may submit them up until the end of the course, rather than weekly. That policy is not made clear in the JDAT-IS Student Handbook which, unlike the JDAT-TEL version, has no section on "academic requirements and expectations," or the Catalog Supplement, which discusses assignments in terms that might confuse the uninitiated (e.g., referring to "recommended assignments.")

The school has fulfilled its disclosure obligations under Guideline 2.3(D) and other mandates. The recent update to the Information Report Form, required by Business and Professions Code section 6061.7, appears to be complete. As required, the form is distributed to prospective students and a link is provided from the website homepage. (Guideline 2.3(D)(2)-(3)) Pursuant to Rule 4.241, disclosure statements are prepared, disseminated, tracked, filed, and certified to the Committee. References to the school's registration with the Committee and accreditation by DEAC comply with Guideline 2.3(D)(4). As permitted by Guideline 2.4, Taft operates as a division of a California corporation, The Taft University System, Inc. (TUS).

Faculty does not earn commission to solicit or procure applicants or students, and employees are not compensated based on the numbers of students they cause to apply to, or enroll in, the school or any class. (Guidelines 2.5 and 2.6) Taft appears to have properly informed the Committee of changes affecting compliance with applicable regulations, such as the school's relocation to the Santa Ana facility. (Guideline 2.7)

Student discipline policies meet some but not all requirements of Guideline 2.8. The Student Handbooks address discipline as an aspect of “academic integrity,” defining as conduct such as cheating and plagiarism as violations. The handbooks describe a process by which disciplinary matters are investigated and then decided by a committee, subject to final appeal to the TUS Chancellor. Certain mandates of Guideline 2.8 are omitted, however, including suspension as a potential sanction and enumerated due process protections, such as written notice of the charges, assistance of counsel, the opportunity to present witnesses at any hearing, and a written final determination that includes a statement of the facts, conclusions and, if any, sanctions, so these should be added.

A separate TUS Student Code of Conduct (Code), found in the Consumer Guide, defines a much broader set of violations. The Code does not include procedures, except to allow appeal of a “decision of the law school Dean” to the Chancellor if the appeal is filed within a stated time frame and is based on specified grounds. It is unclear to what extent the Student Handbook provisions apply to Code violations, and vice versa. To be fully compliant with Guideline 2.8, the school should adopt, publish, and implement a written student discipline policy that meets all requirements of the guideline as to all forms of student conduct subject to discipline by the school, whether as a function of Taft or TUS standards of conduct.

Academic policies are compliant with Guideline 2.9 except with respect to an unpublished policy of changing the transcripts of students who pass the FYLSX. The Student Handbooks convey policies on examinations and grading. (Guideline 2.9(A)) Required courses, with minor exceptions, are graded on a 4.0 scale with D- as the lowest passing grade, while elective courses usually are graded on a Credit/No Credit basis. Students are informed of the basis for final grades in their course syllabi. To avoid bias in grading, examinations are graded anonymously based on student numbers assigned upon enrollment. Midterm examinations are given in most required courses; as a means of authenticating student work, final examinations must be taken under proctored conditions and are worth fifty percent of the grade in most courses. In addition to examinations, grades are also based upon written assignments and, in the JDAT-TEL program, participation in discussion boards. Students are consistently given both timely notification of their grades and opportunities to review their examination papers. Policies on course repetition are addressed below.

Students must maintain a cumulative grade point average (GPA) of 2.0 to advance in good standing. Academic standing is determined, at minimum, at the end of each academic year, defined “as a period of time of not less than 42 weeks nor more than 52 weeks.” Policies on advancement on probation are stated clearly; generally, a student with a cumulative GPA below 2.0 will be placed on probation and is subject to dismissal as detailed below. Standards for advancement vary based on class level and, at least in part, are guided by federal standards defining “Satisfactory Academic Progress” (SAP) for financial aid eligibility.

The school has maintained an unpublished policy, which it will now publish in writing, that allows students to adjust their prior grades in Contracts, Criminal Law and Torts after passing the First Year Law Students' Examination if they had previously earned grades in these classes below 2.0. When a JDAT student with a GPA below 2.0 has passed the FYLSX, that student's transcript will be changed to replace any grade below 2.0 with a grade of 2.0 for those first-year courses tested on the First-Year Law Students' Examination: Contracts, Criminal Law, and Torts. As noted in the 2014 Inspection Report, but for this policy, a student who has passed the First-Year Law Students' Examination might not otherwise be able to overcome a GPA below 2.0 to achieve good academic standing. According to Dean Strouse, the reason for any grade change is noted on the student's transcript, as required by Guideline 9.1(D)(6). To remain in compliance with Guideline 2.9(A) and Guideline 9.1(D)(6), the school should continue to publish its policy. As discussed below, the school should make reference to the policy in a written note on transcript changes. Further, when implementing that policy, the school should adhere to Guideline 9.1(D) with respect to transcript changes, including the requirement that the reason for any transcript change must be noted on the transcript, with the prior grade being set forth in a footnote or other location.

The school allows students to request review of any grade under circumstances clearly defined by the school. Guideline 2.9(G) requires that a grade review committee consist of faculty and, if the school chooses, one or more administrators. The Grade Review Committee consists of Dean Strouse, Associate Dean Melody Jolly, and Director of Student Services Joan Slavin. At Taft, both the Dean and Associate Dean teach courses and all three administrators are listed as faculty members; the Dean and Associate Dean are particularly well equipped to review grades because they create and update all Taft course materials, including examinations and grading rubrics. As discussed in this report, prior efforts to bring adjunct faculty into the grade review process caused delays in responding to petitions, according to the self-study.

The school meets its obligations, under Guidelines 2.10 through 2.12, with respect to confidential handling of student records, security and backup of data, and academic support for students. These matters are addressed below.

Rule 4.240(C): Governance. The law school must be governed, organized, and administered so as to provide a sound educational program. (Guideline 3.1)

Taft is governed, organized, and administered in a manner that allows for a sound educational program. The school is a division of The Taft University System, Inc. (TUS). TUS was overseen by Chancellor David L. Boyd, a graduate of Western State University College of Law who was licensed to practice law in California, until his recent death. Chancellor Boyd founded Taft Law School and served as Dean for many years prior to Dean Strouse. Chancellor Boyd's long career as an educator and administrator included service on the Committee's Law School Council and the Educational Standards Committee of DETC (now DEAC). He regularly conferred with Dean Strouse about operational and academic functions at Taft.

TUS operates pursuant to a Close Corporation Shareholders' Agreement; one hundred percent of the voting stock (the only stock category) belongs to the Boyd Family Trust of which Mr. Boyd and his wife Patricia M. Boyd were the sole trustees. The system has no formal governing board. A six-member Board of Advisors provides counsel to TUS but has no authority to make decisions as to TUS or Taft. The advisory board consists of the Chancellor, the WHT University President, the Deans of the TUS schools of law and education, and two community and business leaders. According to Dean Strouse, the Chancellor consults directly with advisory board members and no meetings are held.

Once each year, the school convenes an Advisory Committee to discuss the curriculum in light of developments in the practice of law. Participants include Dean Strouse, a faculty member, JDATSM graduates, and an outside attorney with no affiliation with the school. Recently, the Advisory Committee provided guidance about the design of a new elective course, Alternative Dispute Resolution.

Dean Strouse, who has direct oversight of Taft, is an experienced administrator. A graduate of McGeorge School of Law, Dean Strouse has been licensed to practice law in California since 1980. He joined TUS as Chief Operating Officer of TUS and became Dean in 2009. He began his legal career in private law practice and then served as General Counsel for two institutions, American Institute of Hypnotherapy and California Design College, before becoming Legislative Counsel for the California Association of Private Postsecondary Schools. Dean Strouse has served on several site inspection teams for DETC/DEAC, two Committee working groups on law school matters, and the State Bar's Law School Council.

In addition to his administrative duties, Dean Strouse regularly teaches Introduction to Law to incoming students and occasionally teaches courses needed by one or more transfer students. He is also listed as a co-instructor for all other courses so he can carefully monitor Taft's academic programs. He is a primary architect, together with Associate Dean Jolly, of all course materials used in Taft's programs, including examination questions and grading rubrics. The administration includes thirteen additional staff members. Lines of authority and job functions are defined clearly; in addition, many staff members have been cross-trained to ensure that applicants and students receive prompt responses to their inquiries.

A trio of experienced employees handles matters related to the academic program. Christine Baldwin, Taft's Director of Administration/Registrar for the last twenty-eight years, is responsible for ensuring compliance with the Committee's recordkeeping requirements with one assistant. Associate Dean Melody Jolly, a licensed attorney and former bar review instructor, joined Taft almost ten years ago. She creates course and extracurricular materials, teaches a variety of required courses, and is the primary liaison for faculty matters. Director of Student Services Joan Slavin oversees the admissions process and engages regularly with enrolled students to promote successful completion of their academic programs; she has been affiliated with Taft for almost

thirty years, including five years as a faculty member. She is assisted by four staff members. Both Associate Dean Jolly and Director Slavin are graduates of Western State University College of Law.

Taft's Financial Aid Office is overseen by Director Lucy Cordova who, with one assistant, handles processing, review and reporting on all financial aid applications. Director of Compliance David L. Campbell, a part-time staff member, reviews Taft processes, publications, and records, primarily to ensure compliance with federal financial aid and other regulations. Information Technology Specialist Charles de Torres manages the school's computer equipment, data, and online learning platform. Chief Accountant Linda O'Connor oversees Taft's accounting functions in a part-time role she has held for twenty years.

In its strategic planning process, Taft has addressed succession plans. After the inspection visit, Taft founder and TUS Chancellor David Boyd passed away. Dean Strouse intends to remain in his leadership position at Taft for the foreseeable future; he may assume greater responsibilities with respect to TUS during a transition period. Taft notified the Committee of the Chancellor's death and, according to Dean Strouse, will provide further information about the leadership transition at TUS as decisions are made.

The Consultant found Taft to be governed, organized, and administered effectively and found the school to be in compliance with Rule 4.240(C) and related guidelines.

Rule 4.240(D): Dean and Faculty. The law school must have a competent dean or other administrative head and a competent faculty that devotes adequate time to administration, instruction, and student counseling. (Guidelines 4.1- 4.10)

Dean Strouse works full-time at the school and reports to the TUS Chancellor; he is well-qualified for his role as the full-time administrator required by Guideline 4.1.

The composition of the faculty satisfies the requirements of Guidelines 4.1 and 4.6. The school defines its faculty of twenty-one to include eighteen adjunct instructors as well as administrators Dean Strouse, Associate Dean Jolly, and Director Slavin, as reported in its 2019 Annual Report. All instructors hold at least one law degree; two also hold the LL.M. The faculty reflects diverse educational backgrounds. Fifteen graduated from law schools approved by the American Bar Association, including Arizona State, Gonzaga, Harvard, Southwestern, University of Virginia, and Willamette. Three graduated from State Bar of California-accredited institutions, while three are alumni of unaccredited law schools. All but one are licensed to practice law, with fifteen licensed only in California, two only outside of California, and three in California and at least one other jurisdiction. Many faculty members have taught at Taft for a decade or more and there is very little turnover.

The Consultant had the opportunity to speak with six instructors who teach a variety of required and elective courses to students in all years of the JDATSM track. Two meetings were held face-to-

face, while four were by teleconference. All instructors were enthusiastic about teaching at Taft; their dedication to the success of their students was evident. They were well informed about their responsibilities to provide students with timely feedback and opportunities for counseling by phone or e-mail. In the Consultant's conversations with students and alumni, faculty responsiveness was often cited as a key strength of the JDATSM programs.

Taft's faculty has limited involvement in the formulation, implementation, and administration of academic programs and policies. Instructors do not create their own course materials; administrators, including Dean Strouse, Associate Dean Jolly, and Director Slavin, choose casebooks and provide syllabi, videotaped lectures, assignments, examinations, and grading rubrics. The role of instructors is to grade and provide comments on assignments and examinations and, in the telecommunications modality, to monitor and comment upon weekly student postings in discussion forums. Instructors interviewed by the Consultant felt their ability to teach was enhanced by the course materials. Further, they reported that administrators were very receptive to suggestions for improving course materials, whether conveyed in private or at the faculty meetings held several times each year.

Adjunct faculty members also do not participate in decisions relating to student petitions for leave to advance or for review of grades. Except as discussed below, these matters are decided by the Dean, Associate Dean, and Director of Student Services, sitting as the Academic Review or Grade Review committees.

The 2014 Inspection Report recommended, but did not require, that Taft expand faculty involvement in curriculum development and decision-making on student matters. Faculty may now make curriculum changes after receiving administrative approval. After attempting to involve adjunct faculty in grade review decisions, Taft concluded that the benefits of broader input were outweighed by resulting decision-making delays. On balance, the Consultant finds Taft's policies to be sufficient under Guideline 4.3, which allows a school to determine the degree of faculty involvement.

Class sizes and faculty teaching loads allow instructors adequate time for effective preparation, teaching, and student counseling, as contemplated by Guidelines 4.4 and 4.5. Taft's student-faculty ratio has ranged from 17-1 to 20-1 over the past five years and the typical teaching load is two courses per academic period; instructors teach no more than three courses. All course syllabi contain instructor contact information. Instructors do not maintain specific "office" hours but are expected to check their Taft e-mail accounts regularly, monitor course discussion boards at least every two days, and respond to student questions within twenty-four hours, if not the same day. Faculty, students, and alumni all confirmed that these expectations are met.

The school supports improvement of faculty teaching skills, as required by Guideline 4.7. New instructors receive information about the school's student profile, policies, preferred instructional approach, and online learning platform, Moodle. A substantial Faculty Handbook states academic

and administrative policies, including duties related to matters such as academic integrity, student assessment, grading, and faculty-student interactions. The handbook also details scholarly research on effective strategies for teaching adult learners. Teaching skills are discussed regularly in faculty meetings, held three or four times per year by teleconference. Faculty can also access resources on teaching methodologies through Lexis Advance and CALI, the Center for Computer-Assisted Legal Instruction.

Because most instructors are practicing attorneys teaching in their areas of expertise, they maintain subject matter currency through continuing education activities. Taft also encourages instructors to take courses in the areas in which they teach. While primary responsibility for updating course materials lies with Taft administrators, they consult with instructors in revising the curriculum and are receptive to suggestions.

In compliance with Guidelines 4.8 and 4.9, faculty members are regularly evaluated. At the end of each course, students are required to complete Student Reviews that include instructor evaluation. Administrators regularly monitor individual course activities for adherence to Taft standards, including assignment of grades. Each instructor is evaluated comprehensively by the Dean or Associate Dean every two to three years, depending on the instructor's teaching load, and a written report of the evaluation is maintained in the instructor's file.

The school has adopted a robust Faculty Academic Freedom Policy as mandated by Guideline 4.10 and met its obligations to inform the Committee of changes, pursuant to Guideline 4.11.

Rule 4.240(E): Educational Program. The law school must maintain a sound program of legal education. (Guidelines 5.1-5.16)

Taft offers only one track that qualifies students to take the CBX, the Juris Doctor-Attorney TrackSM (JDATSM). Students in this track choose one of two learning modalities: the Telecommunications (JDAT-TEL) program or the Independent Study (JDAT-IS) program. Both learning modalities are quantitatively and qualitatively sound, as required by Rule 4.240(E) and Guidelines 5.1-5.16.

All JDATSM students must fulfill similar curricular requirements over a four year period. To graduate, students must study 864 hours each year, complete ninety-six semester units of coursework, pass all required courses, and achieve a minimum cumulative grade point average (GPA) of 2.0. The academic year is defined as from "forty-eight to fifty-two weeks" and includes at least forty-five weeks of instruction followed by a period for review and final examinations. Each semester unit is designed to require forty-five hours of study. Taft students generally earn twenty-four semester units each academic year and thus study about 1080 hours, in excess of the 864 hours required by Guideline 5.3(B).

To ensure that students make satisfactory academic progress toward these quantitative requirements, students are required to record and then certify completion of their required study hours by submitting notarized forms after each academic year. Taft also monitors the hours each JDAT-TEL student spends on the Moodle platform. Academic progress is evaluated at the end of each academic year. A student with a GPA below 2.0 is subject to dismissal for lack of satisfactory academic progress, but, upon successful appeal, may be placed on a Student Academic Improvement Plan (SAIP) and allowed to advance on probation. By the end of the second academic year, every student must achieve a grade point average that would allow the student to graduate with minimum 2.0 GPA; at the end of the third year, this minimum GPA must be maintained. Consequences imposed for failing to meet academic requirements vary by degree, but include warnings, imposition of probation and Student Academic Improvement Plans, and dismissal. The quantitative requirements of Guidelines 5.3(B) and 5.9 are met.

Although Guideline 5.6 allows a school to grant some exceptions to the required curriculum, Taft has not done so in the past five years for students who started and finished their studies at the school. The school has followed appropriate procedures to ensure that transfer students are eligible to take the CBX, pursuant to Guideline 5.7. Guideline 5.8 is not applicable, because Taft students participate only in studies taught by the school's own faculty.

Taft meets the qualitative standards established by Guidelines 5.10 through 5.13. The required curriculum includes courses in all subjects tested on the CBX including, pursuant to Guideline 5.10, Professional Responsibility. Students also take Introduction to Law and Legal Writing in the first year and Advanced Legal Reasoning and six elective units in the fourth year. Legal research is covered in both Legal Writing and Advanced Legal Reasoning. As addressed below, Taft has modified several courses to increase instruction in practical skills.

Guideline 5.11 requires that students be given the opportunity to take elective courses in a variety of legal topics. The Catalog lists fifteen elective courses, eight of which are "Advanced" courses in bar-tested subjects. The remaining electives address a variety of law practice topics, such as Intellectual Property and Sports Law, and practical skills, including Alternative Dispute Resolution. Elective courses will proceed even if enrollment is very low (i.e., one to three students), according to the self-study submission. Nonetheless, students are warned that not all electives are available each year; on occasion, Taft is unable to find a qualified instructor.

The eight "Advanced" courses give rise to several concerns as to transparency and academic content. Although the Catalog suggests that these electives are open to all students, in practice enrollment is open only to transfer students whose prior law studies did not cover all the topics addressed in Taft's required courses. These courses are described as offering "advanced study and research" but this characterization is not entirely accurate. The actual purpose of these courses is to allow transfer students to "fill gaps in their knowledge" as to fundamental topics.

The school has not created, for any of these courses, a standard syllabus reflecting coverage of advanced topics. Instead, when a student enrolls in an Advanced elective, Taft merely adapts the standard syllabus for the corresponding required course; the school states that it deletes topics that the student has already studied and, as necessary, adds new topics. The term “Advanced” has been used for administrative convenience, to distinguish the standard course from the individualized one, but this practice has the potential to mislead.

Another concern raised by the individualized nature of the Advanced electives is that the school has no written policies and procedures to prevent duplicate credit from being awarded to transfer students for taking “the same or substantially the same course,” a practice prohibited by Guideline 5.23. When a student is allowed to enroll in a course on the same general subject matter as a course completed at a prior law school, at minimum, the student’s file should document the school’s review of the syllabus and topic outline from the prior course, and the individualized syllabus and topic outline from the Taft course. Such documentation would allow a determination that the Advanced course is not offered as a “refresher” course.

To achieve greater compliance with Guidelines 5.11, 5.23, 2.1 and 2.3, it is recommended that, as to courses designed for transfer students, the school adopt, publish, and implement a written policy that accurately describes the academic content and enrollment limits for such courses and that ensures that students are not being awarded duplicate academic credit in taking such courses.

The school’s efforts to expand competency training, described below, address some of the requirements of Guideline 5.12 for practical skills training. It does not appear that the curriculum currently offers instruction in appellate advocacy, law office management, counseling, or negotiation. The self-study indicates that Taft has been considering adding courses in Trial Advocacy and Appellate Advocacy; according to Dean Strouse, a course in Alternative Dispute Resolution has been created and a course titled Solo Law Practice is under development. It is recommended that the school revise its curriculum as needed to provide instruction in all of the skills enumerated in the Guideline 5.12.

The JDAT-TEL program, a hybrid of distance learning and correspondence, requires “regular and substantive interaction with faculty.” The JDAT-IS program, described as “Directed Independent Study,” provides somewhat greater flexibility. The cost for both programs is the same, but federal financial aid is only available for the JDAT-TEL program, which is the more popular program. According to Dean Strouse, the JDAT-IS program has proven ideal for individuals whose work or family circumstances require greater control over their time and who do not need financial assistance.

All students use the Moodle learning platform to access course materials, participate in discussion boards, and submit written assignments; examinations answers are submitted through ExamSoft. A separate Moodle course site is established for each program. The Consultant reviewed several

course sites in both programs and found course materials to be comprehensive as well as consistent in format, organization, and quality. Standard law school casebooks have been adopted and grade components have been clearly stated in course syllabi.

JDAT-TEL students adhere to a weekly schedule of activities clearly described in a Student Handbook section entitled “Academic Requirements and Expectations.” Each week, a student must complete a written assignment based on assigned readings and videotaped lectures, and then post comments or questions on an “assignment” electronic message board designed to facilitate student-faculty interaction. Failure to post is counted as an absence; students are dropped from the course if they fail to post during nine of the forty-five instructional weeks. An instructor monitors the board to provide general feedback on assignments, answer questions, and guide discussions.

Each course also has a “forum” for optional student discussions of course topics and a “wiki” board that students may use to create a collaborative course outline. Moodle automatically records participation in course boards. JDAT-TEL students may earn points for participation based on the quality of their postings; participation constitutes twenty percent of the course grade.

Generally, JDAT-IS students follow the same curriculum. However, they are permitted to submit their written work anytime during the academic term and are not required to participate in the assignment discussion boards.

Taft has developed, standardized, and copyrighted most of the JDAT course materials. Syllabi, schedules, lectures, assignments, and ancillary materials are uploaded to Moodle and all instructors for the course use the same materials. Videotaped lectures are key components of all courses. Most courses feature lectures created by created by Associate Dean Jolly and several other Taft instructors. These are supplemented by taped lectures by professors from ABA approved law schools, licensed through Interactive Legal Tools, in the Contracts, Torts, Criminal Law, Real Property and Constitutional Law courses.

Twice monthly, Taft offers supplemental online lectures known as “e-classes”; topics alternate between first-year and upper-level subjects. A separate multi-week series of lectures focuses on preparation for the First-Year Law Students’ Examination. Students may watch these supplemental lectures live or access them later on the website. Taft also provides access to the resources of the Center for Computer-Assisted Legal Instruction (CALI) and, for legal research, Lexis Advance. Closed-captioning is available for all videotaped lectures; supplemental lectures are transcribed in real time and transcripts are archived for later access.

Examination practices are compliant with Guidelines 5.14 through 5.16. Generally, students take a one-hour midterm and a two-hour final examination in each class, except in courses requiring substantial written work; practice quizzes and examinations are given in some courses to improve test-taking skills. Final examinations typically consist of two one-hour essay questions or, in

subjects tested on the Multistate Bar Examination (MBE), one essay and thirty-three multiple-choice questions. Questions are drafted by the Dean and Associate Dean and reused on a rotating basis. Multiple-choice questions are circulated to the faculty, without answers, to test their quality.

Students submit their examination answers using school-issued identification numbers to facilitate anonymous grading. They complete assignments and midterm examinations on the honor system but, with rare exception, must take final examinations under proctored conditions at test sites approved by the school. According to Dean Strouse, students in very remote locations are permitted to take unproctored final exams. Typically, students use proctoring facilities hosted by community colleges or the Consortium of College Testing Centers, which has locations throughout the United States. Students from more remote locations may propose alternate sites, while those who live near the school's Santa Ana office may take examinations there. To promote the integrity of grades, Taft requires that proctored final examinations constitute fifty percent of a course grade and that students must pass the final examination to pass any course; for JDAT-IS students, seventy percent of the grade is based on examinations, while thirty percent of the grade is based on written assignments.

The school does not impose a grading curve but achieves accurate and reliable grading by other means. Essay questions are similar in structure and difficulty to those used on the State Bar examinations. Administrators attend Committee-sponsored calibration sessions and review examination materials, including questions, sample answers, and answers by students who have failed either the First Year Law Students' Examination or the Bar Examination. Essay grades are based upon standardized rubrics and model answers; on final examinations, student answers are distributed for grading to the primary instructor and an alternate grader, and their grades are evaluated for consistency. Essay answers given a failing grade are automatically reviewed by a second grader. Students must answer at least seventy percent of multiple-choice questions correctly to perform at a satisfactory level.

The Consultant reviewed sample examination questions and student answers for courses in all four curricular years. Essay questions were drafted well and appropriate in length and complexity; answers were assessed consistently and fairly. Taft students receive several types of feedback about their performance. The school routinely provides model answers for essay questions and some instructors use assignment boards to convey general comments. The essay answers that the Consultant reviewed included instructor comments ranging in quality from acceptable to excellent.

The self-study included a comparison of first-year grades and First-Year Law Students' Examination performance. Although students with a GPA of 2.9 or higher pass that examination at the highest rate, according to the self-study results on the FYLSX have more to do with "the student's dedication, discipline and determination" than with grades. Among the post-admission factors Taft associates with success on the First-Year Law Students' Examination are high

participation rates in online discussions, contributions to the wiki course outlines, regular attendance, timely submission of assignments, and attendance at supplemental lectures. To improve academic performance and examination results, Taft has added optional writing assignments, optional online lectures, and additional quizzes and practice examinations.

The school should continue to evaluate its program against student outcomes, including not only success on State Bar examinations, but also retention and graduation rate as part of evaluating whether the school is providing a sound legal education. According to school records, of the 371 Taft graduates who have taken the CBX since the school was founded in 1984, 248 have passed, for an overall lifetime CBX pass rate of 66.8 percent. In the most recent five-year period, 12.7 percent of all first-time takers passed the First-Year Law Students' Examination, while 22.2 percent of all first-time takers passed the California Bar Examination, as reported in Taft's Student Disclosure Form dated November 12, 2019. During the most recent FLSX examination, two of seventeen students passed the October FLSX, while two of nineteen graduates passed the July 2019 CBX.

Rule 4.240(F) Competency Training. The law school must require that each student enrolled in its Juris Doctor Degree program satisfactorily complete a minimum of six semester units (or their equivalent) of course work designated to teach practice based skills and competency training. Such competency training must teach and develop those skills needed by a licensed attorney to practice law in an ethical and competent manner. (Rule 4.240(F))

To expand the options available in the area of competency training, Taft has adding writing assignments to eleven of the seventeen required courses. The school estimates that the time required to complete these assignments is about 520 hours, equivalent to 11.5 of the ninety-six semester units required for graduation. A wide spectrum of practice-related tasks is assigned across all four curricular years. Students draft legal memoranda, ethics opinions, wills and trusts. They also create transactional documents, such as contracts, business agreements and leases, and litigation materials such as complaints, interrogatories, summary judgment motions, and a closing argument. A competency component has recently been included in Alternative Dispute Resolution, a newly-created elective course that will be added to the curriculum soon.

Because Taft has built the equivalent of 11.5 semester units of competency training into its required courses, students who begin and complete the JDAT program at Taft will, of necessity, complete the minimum units required by Rule 4.240(F). It is recommended that the school adopt, publish, and implement a written policy to ensure that any transfer student will also do so.

Rule 4.240(G) Scholastic Standards. The law school must maintain sound scholastic standards and must as soon as possible identify and exclude those students who have demonstrated they are not qualified to continue. (Guidelines 5.17-5.25)

Taft's academic standards are designed and implemented so as to provide for the early identification and dismissal of students who are unqualified to complete a JDAT program. The Student Handbooks clearly define policies on academic standing, disqualification, advancement in good standing and on probation, and graduation requirements.

Academic progress is evaluated at the end of each academic year. Students must maintain a grade point average (GPA) of 2.0 to remain in good standing and earn the J.D. degree. Taft uses a standard 4.0 grading scale. Faculty award numerical grades that correspond to letter grades with plus/minus increments (e.g., 90-100 points=A, 88-89=A-, etc.); these grades are converted to grade points used to calculate the GPA (e.g., A or 90-100=4.0 grade points). A few courses, including electives, are graded on a Credit/No-Credit basis. The Student Handbooks explain the grading scale, define the meaning of letter grades ("A=Outstanding, B=Superior", etc.), and illustrate how course grade points are used to calculate the annual GPA.

Policies governing advancement, probation, and disqualification are consistent with Guidelines 5.19 and 5.20, with narrow exception. Separate rules apply to first-year students. Those who fail the Introduction to Law course are immediately dismissed. To advance automatically to the second year, first-year students must achieve a GPA of 2.0 or higher. Those with a GPA between 1.33 and 1.99 may advance only with the permission of the Academic Review Committee, while those with a GPA below 1.33 cannot advance until they pass the FYLSX, at which point their grades may be adjusted upward to 2.0 consistent with the policy described earlier in this report. A first-year student who fails any course will be dismissed.

Any student with a GPA below 2.0 at the end of the academic year who is not making Satisfactory Academic Progress (SAP) is subject to dismissal. The student may appeal the SAP determination and, if successful, will be placed on a Student Academic Improvement Plan (SAIP) and allowed to advance on probation. A student who again fails to make SAP, at either the midpoint or end of the next academic year, will be subject to dismissal, unless the student successfully appeals the SAP decision based on mitigating circumstances. Because federal financial aid is not available to any student who does not have a GPA of at least 2.0 at the end of both the second and third years, a student allowed to continue after the midpoint of the JDAT-TEL program may be required to find alternate funding.

According to the self-study, any decision to allow the student to continue on probation beyond the program midpoint, and presumably any decision to the contrary, "will be made by the Dean of the School of Law or his designate." This policy must be brought into compliance with Guideline 5.19, which requires that the power to grant exceptions to academic standards must be vested in "a faculty committee and not left to the discretion of one individual."

Taft students are properly informed of the First-Year Law Students' Examination requirements; promptly dismissed if they do not pass within three administrations of becoming eligible to take the that examination, and, upon passing thereafter, given credit only for the first year of study, pursuant to Guidelines 5.21 and 5.22.

Under Guideline 5.23, duplicate credit is not allowed for repetition of the same, or substantially the same course. Certain electives at Taft, however, create a risk of noncompliance with the guideline. The school offers eight different three-unit Advanced electives offering “advanced study and research” in Bar-tested subjects covered at Taft in foundational courses. The course topics in the Advanced courses overlap substantially with those in the foundational courses; for example, the description of Advanced Civil Procedure is identical to that of Civil Procedure.

According to Dean Strouse, these Advanced courses exist to serve transfer students who would otherwise be unable to study foundational topics covered in Taft courses they have missed. Because elective units are very limited, those who are not transfer students typically choose other electives. Nonetheless, the Advanced courses are listed in the Catalog without restriction on enrollment. To be in full compliance with Guidelines 5.23 and 2.1, the school must restrict enrollment in the Advanced elective courses to transfer students who have not taken the same or substantially the same course, and not to other students. Further, the school must give notice of that restriction in the Catalog and other publications.

Under the course repetition policy, a student must repeat any course that the student failed, and may petition to repeat a course in which a passing grade of C- or below was earned. Pending completion of the repeated course, the student’s transcript will show a grade of Incomplete; the new grade, when issued, will appear on the transcript and be used to calculate the student’s GPA. The former grade will not appear.

Taft has high attrition rates, according to the self-study, due to the school’s “combination of friendly admissions standards and high academic standards.” The 2014 Inspection Report noted that average attrition of over eighty percent occurred between the first and second years and that, by the fourth year, typically over ninety percent of entering students had been withdrawn or dismissed. For example, the current class of fourth year students began as a class of 209 students, with thirty-eight advancing to the second year, then eleven to the third year, and ultimately thirteen in the fourth year.

More recent data indicate that, for students entering Taft in 2014 and 2015, attrition ranged from seventy-five percent to eighty-one percent between the first and second years, and no more than three percent have entered or completed the fourth year. In calculating attrition and retention, in some reports Taft has included as “continuing students” not only students who have actually enrolled in classes, but also individuals who remain eligible to enroll because they have not been officially withdrawn from or dismissed by the school. To more accurately represent attrition and retention in its programs, the school should include as “students” only those who have actually enrolled, not those who might eventually do so.

Most students who leave Taft do so for reasons other than academic disqualification. Many withdraw voluntarily, often due to inability to pay tuition. Some are administratively withdrawn, for reasons that suggest unwillingness or inability to devote enough time to their studies, such as failure to participate or take examinations. Based on data submitted with Annual Compliance

Reports, about twenty percent of JDAT attrition results from academic disqualification; most such dismissals occur during or at the end of the first year, in alignment with the Guideline 5.18 mandate that the school promptly identify and disqualify those not likely to succeed.

In an effort to identify causes of attrition, Taft initiated Exit Surveys for students leaving the JDAT programs and interviewed many unsuccessful students. The school has also attempted to analyze the correlation between pre-legal credentials, law school study habits, and success on both the First-Year Law Students' Examination and the Bar Examination. Those most likely to succeed in law school, according to the self-study are "B students, but who are dedicated, disciplined, determined and hungry" while those who enter with better academic credentials are often insufficiently motivated or too busy working to finish the program. Almost all of Taft's graduates who have passed the California Bar Examination had law school GPA's in the 2.0 to 2.89 range, according to the self-study.

The Consultant suggests that the school should be mindful of ways to address this unusually high rate of attrition, ensuring that students are clearly informed about the costs, nature and obligations of undertaking the course of study. The school should provide support services appropriate to the students it enrolls, and to expand opportunities for students to practice, and receive feedback on, the legal analytical skills they must develop to succeed. The school should also continue to study the reasons for a high rate of voluntary departure after the first year and use the findings to adjust the communications, admissions, course of study or other factors to reduce this attrition.

Rule 4.240(H) Admissions. The law school must maintain a sound admissions policy. The law school must not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the degree program. (Guidelines 5.26-5.35)

The admissions process is driven by its mission to provide "educational opportunities to those who are mature adults, employed on a full-time basis or for whom place of residence or travel requirements are constraining factors." The school's admissions policies and practices fulfill the Committee's requirements.

Taft enrolls new JDATSM students throughout the year, depending on learning modality. Students may begin independent studies at any time, but JDAT-TEL students must enter in January, April, July or September, begin the second and third year in May or October, and start fourth year in May or December. About thirty-seven percent of JDATSM students are California residents, while about sixty-two percent live elsewhere in the United States. Currently, only two reside outside the country. Taft does not enroll students who reside in twenty-one states, due to the high cost or other burdens of educational licensing regulations in those states.

Admission and application policies are described on the website and in the General Catalog. Taft does not charge an application fee or require letters of recommendation. Both the online and

hardcopy application forms ask, as mandated by Guideline 5.31, whether the applicant has ever attended another law school and if so, whether the applicant left in good standing. Applicants are asked to respond to a questionnaire addressing, among other things, their learning styles and attitudes, and to provide a personal statement. Although the LSAT is not required and generally scores are not used in the admissions process, applicants are asked to provide scores if available.

The school will consider applicants for admission in each category permitted by the Guidelines: “regular,” “special,” and “transfer,” as clearly explained in the JDATSM Catalog Supplements. Of those admitted between 2014 and 2019, ninety-nine percent were regular students; eighty-eight percent held a bachelor’s degree and eleven percent had earned an Associate of Arts degree or at least sixty college units. Taft accepts very few special students; only one was accepted in 2019, while two were admitted in each of the most recent three academic years, according to the 2019 Annual Compliance Report. The school does reject some completed applications, typically based on candidates’ inadequate language skills or apparent unsuitability for law study by correspondence.

In evaluating candidates, Taft does not consider prior class rank or grade point averages to be “significant factors” according to the self-study. Joan Slavin, Director of Student Services, reviews each application and conducts an interview “to gauge the applicant’s level of dedication.” Ms. Slavin is also charged with evaluating whether pre-legal education requirements have been met, under Guideline 5.28. It is not unusual for Taft to “conditionally admit” applicants before their pre-legal transcripts have been received. As required by Guideline 3.0, however, the school has an adequate process to ensure that official transcripts are on file within forty-five days of a student’s enrollment. Admission decisions are made by the Dean or, in his absence, the Associate Dean.

Taft is willing to admit students with prior law school experience. Of the ninety-seven new students enrolled between September 2017 and September 2018, thirty had prior law school experience, including ten who had been dismissed from Taft or another school and three who were admitted as transfer students. Taft requires previously disqualified students to meet the Guideline 5.34 requirements for readmission; decisions to readmit are documented properly.

When admitting transfer students, Taft complies with Guideline 5.35. The school awards transfer credit only to applicants who are exempt from or have passed the FYLSX; except as the guideline otherwise allows, credit is granted only for whole courses completed within twenty-seven months of enrollment in which a passing grade was earned. The Consultant received comments from transfer students who favorably compared Taft to their prior law schools.

Rule 4.240(I) Library. The law school must maintain a library consistent with the minimum requirements set by the Committee. (Guidelines 6.1-6.6)

Taft meets the Committee’s library requirements. Students and faculty are provided with passwords to Lexis Advance, an electronic database that includes all mandated resources except

the hard copies of current, standard text books that Taft is required to maintain at its administrative offices under Guideline 6.2. Lexis Advance may be used only for academic purposes but access is available without time restriction except for brief periods of site maintenance. As required by Guideline 6.2, the school's Santa Ana office houses hard copies of standard texts for all courses in the curriculum. In addition, online tutorials in legal subjects are available through the Center for Computer-Assisted Legal Instruction (CALI), a non-profit legal education consortium. Students pay an annual fee of seventy-five dollars for Lexis Advance but the school does not charge for CALI resources.

Legal research instruction is given in two courses. Introduction to Law (one unit) emphasizes electronic research using state and federal materials freely available on the Internet. In Legal Writing (three units) students complete several legal research and writing assignments using Lexis Advance and print-based materials. Competency training exercises in other courses allow students to further develop their legal research skills. Associate Dean Jolly assists students with research questions; support is also available through Lexis Advance, which offers tutorials and live research assistance.

Rule 4.240(J) Physical Resources. The law school must have physical resources and an infrastructure adequate for its programs and operations. The law school must, at a minimum, maintain its primary administrative office in the State of California. (Guidelines 7.1-7.2)

Taft's physical resources and infrastructure meet the requirements of Guidelines 7.1 and 7.2. Since 2004, the school has occupied a leased, second-story office suite of 4,865 square feet in a Santa Ana, California office complex. The school recently renegotiated its lease for an additional four years, through October 31, 2023.

The suite features a main floor and a partial loft served by two stairways. Key administrators have private offices; other staff work in semi-private offices or open cubicles. Financial aid and information technology staff are housed in the loft. A conference room on the second floor features a comfortable table and six chairs as well as a wifi-connected digital screen; another conference room is located in the loft. Space is available for storage of active records in lockable file cabinets; after several years, inactive student academic files are moved to off-site storage.

Taft has no classroom facilities. To accommodate students who may wish to take examinations at the headquarters, the school has set aside a private testing room in the second-floor suite and has arranged to use first-floor space as needed for testing of students who cannot climb stairs.

Administrators have been diligent to ensure that other resources are accessible to persons with disabilities. The website and Moodle learning platform currently fulfill Web Content Accessibility Guidelines 2.0, Level AA and both are monitored for continuing compliance. Recorded lectures are closed captioned; transcripts of live lectures are prepared and transmitted in real time to students with impaired hearing, then both lectures and transcripts are posted for later access.

Finally, Taft personnel help students with disabilities to obtain course materials in accessible formats, as confirmed by the Consultant in a conversation with a current student who is blind.

The school has taken appropriate measures to provide security for hardcopy and digital records, under the guidance of Director of Compliance David Campbell and IT Specialist Charles de Torres. Since 2015, student records have been maintained in both hardcopy and digital format; files are accessible on a need-to-know basis and data is released only as permitted by FERPA. ADA-related medical documents are sequestered in the Dean's office. Digital student and administrative records are held on separate on-site servers with restricted physical access and digital firewall protection. Finally, to protect data against loss from hardware failure or natural disaster, Taft follows a multi-layered backup protocol with both on-site and off-site data storage.

Rule 4.240(K) Financial Resources. The law school must have adequate present and anticipated financial resources to support its programs and operations. (Guidelines 8.1-8.3)

The school has adequate present and anticipated financial resources to support its programs and operations, as shown by audited financial statements and financial projections submitted with the self-study.

Annual audits are conducted according to generally accepted accounting principles by Almich and Associates, a Certified Public Accounting firm providing services to more than 600 educational institutions. According to the self-study, Taft has been profitable and financially stable in the five years since the 2014 inspection visit. Financial statements and projections reviewed by the Consultant confirmed profitability over the past five years and projected profitability for 2019. The school has no operational deficits and no debt other than monthly bills and unearned tuition; TUS assets now exceed liabilities by more than \$545,000.

Although enrollment has declined slightly over the past five years as Taft has applied more selective admissions standards, the school has been able to maintain financial stability by adjusting its most significant budget items, staff and faculty costs. First-year student enrollment in 2019 was similar to that of the prior year.

Current total tuition is \$35,040, based on per-unit tuition of \$365; a student's tuition rate is "locked in" for four years. Taft's overall tuition costs are in the middle range as compared with those of other correspondence and distance education law schools registered by the Committee. In February of 2018, Taft raised its tuition rate for the first time since 2009. At this time, no additional increases are planned.

Rule 4.240(L) Records and Reports. The law school must maintain adequate records of its programs and operations. (Guidelines 9.1)

The Consultant confirmed, based upon a sample review of files and documents, that Taft maintains all records as mandated by Guideline 9.1 except as to certain transcript requirements. Primary recordkeeping duties are shared by Christine Baldwin, Registrar; Joan Slavin, Director of Student Services; and Lucy Cordova, Director of Financial Aid.

As noted above, proper steps have been taken to ensure that academic records and administrative files are held under secure and confidential conditions, whether in hard copy or digital format. Hard copy files are kept in lockable cabinets while electronic files are password-protected, accessible only by authorized personnel, and backed up incrementally on a daily, weekly, and monthly basis. A records retention policy has been adopted in accordance with Committee guidelines, including the requirement that student files, including transcripts, be held as permanent files.

All Taft students have both an academic file and a financial file; academic files have been maintained in both hard copy and digital format since 2015. Applicant files were found to contain all required materials, including correspondence and notes on conversations. Student files held all documents needed to support admission, notes and memoranda to support various administrative actions, and the signed disclosure forms mandated by Rule 4.241. The Consultant found examination questions and corresponding answers, other course work retained by the school, records of course grades given, and attendance records to be properly organized and filed, allowing for a straightforward review process. Administrative files were well maintained; faculty personnel files were complete and included the required faculty evaluation materials.

The Consultant recommends that, to be in full compliance with Guideline 9.1(D), the school amend its procedures for preparing student transcripts. Transcripts for transfer students must state all information required by Guideline 9.1(D)(5), including any credit allowed for prior law study and the “[prior] law school, course or courses taken, when taken, unit credit allowed, and grades received.” Some transcripts reviewed by the Consultant stated only how much credit the Committee would allow the student toward the years of study required by its rules.

Further, as required by Guideline 9.1(D)(6), when a change or correction is made on any transcript, Taft must include “a notation of the reason for the change.” Failure to do so has sometimes created confusion or delay for students when they are applying to register for State Bar examinations, and this needs to be revised as soon as possible. Some transcripts noted only that a change was made, without a stated reason. Pursuant to the last paragraph of Guideline 9.1, Taft must also adopt a written policy and procedures providing that transcript entries may be changed only upon a showing of good cause. To ensure compliance with Guideline 9.1 in all particulars, transcripts of current students should be reviewed and, as needed, corrected.

Rule 4.240(M) Equal Opportunity and Non-Discrimination. Consistent with sound educational policy and these rules, the school should demonstrate a commitment to providing equal opportunity to study law and in the hiring, retention and promotion of faculty without regard

to sex, race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, political affiliation, sexual orientation, or veteran status. (Guideline 10.1)

Taft has demonstrated a commitment to equal opportunity and non-discrimination as required by Guideline 10.1. Both the school and TUS have adopted and implemented non-discrimination policies. The Catalog provides that the school “does not discriminate on the basis of sex, race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, political affiliation, sexual orientation, or veteran status.” The TUS policy focuses on ensuring equal employment and reflects commitments to “[t]horoughly investigate instances of alleged discrimination” and to “[b]e continually alert to identify and correct” noncompliant practices.

The Taft student body is relatively diverse. According to the self-study, over the past five years enrollment has been equally split between men and women. Students self-identified with racial and ethnic groups as follows: thirty-one percent African-American, eleven percent Latinx, eight percent Asian/Pacific Islander, two percent Native American, and thirty-six percent Caucasian. Twelve percent declined to disclose their self-identity.

The faculty is less diverse as to racial/ethnic identity, with ninety-five percent of instructors self-identifying as Caucasian and five percent Latinx. Gender diversity is relatively high, however, with women accounting for fifty-two percent of the faculty according to the 2019 Annual Report. Given the importance of diverse viewpoints in educational and legal environments, the school is encouraged to continue its efforts to recruit and retain diverse faculty as hiring opportunities arise.

Rule 4.240(N) Compliance with Committee Requirements. The law school must demonstrate its compliance with these rules by submitting the required annual reports and otherwise complying with the rules. (Guidelines 9.1(M)-9.1(Q))

Taft is in compliance with Rule 4.240(N). The school has timely submitted Annual Compliance Reports and other documents as mandated by the Rules and Guidelines. Further, it has promptly responded to requests by the Committee, including information requests from the Consultant.

CONCLUSION AND RECOMMENDATION

It is recommended that this Periodic Inspection Report be received and filed and that the Committee adopt each of the recommended actions listed above, continue the registration of Taft Law School, and schedule the next periodic inspection of Taft Law School for the Fall of 2024 unless the Committee determines an earlier visitation is required.

TAFT LAW SCHOOL

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March 19, 2020

Ms. Natalie Leonard
Principal Program Analyst, Educational Standards
The State Bar of California
180 Howard Street
San Francisco, CA 94105

Dear Ms. Leonard:

Taft Law School received the 2019 Periodic Inspection Report on March 5, 2020. The Report is fair and comprehensive. It reflects a tremendous amount of work by you, your staff and Heather Georgakis, your Educational Standards Consultant. We want to personally thank Ms. Georgakis for her extraordinary diligence and hard work in her thorough honest evaluation of Taft Law School. We learned a lot from this Review process and from the Report itself.

Taft Law School accepts the Report and its Recommended Mandatory Actions and its Recommended Suggestions to Enhance Compliance. Where possible, we have already begun to implement many of the Recommendations.

Listed below are the Recommendations in italics and the actions taken in the 15 days we have had to respond to this report. All Recommendations either have been implemented or will be implemented in the timeframe discussed in the Report.

Recommended Mandatory Actions

1. Guidelines 2.3, 5.32 and 5.33: It is recommended that the school correctly define the Committee's categories of regular and special admissions in its publications, including its website, and that where conflict exists between policies of DEAC and the Committee, the policies should be stated clearly, so that DEAC policies are not attributed to the Committee.

Response: Taft Law School has modified both its catalogs and website to correctly define the Committee's categories of Regular and Special admissions. It has also clarified the conflict between the DEAC requirements and the Committee's Guidelines. Here is the language of these modifications:

REGULAR APPLICANTS:

The California Committee of Bar Examiners has determined that an applicant who has a bachelor's degree from an institution approved by the Committee is admissible as a Regular Student. An applicant who does not have a bachelor's degree, but who has completed at least one-half of the work required for a bachelor's degree at a college or university approved by the Committee, is also admissible as a Regular Student.

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An Educational Division of The Taft University System

Our accrediting body, the Distance Education Accrediting Commission (DEAC) has determined that Applicants who have earned a Bachelor's degree or higher from a college or university accredited by an accrediting agency recognized by the United States Department of Education generally qualify as regular applicants.

SPECIAL APPLICANTS:

Individuals, who do not qualify as a regular applicant, may apply as a special applicant. Special Applicants must satisfy the standards established by the Committee of Bar Examiners of the State Bar of California with respect to prelegal education. An applicant may not be admitted as a Special Student unless he or she has satisfied the examination requirements (currently the College Level Equivalency Program examination) of § 6060(c)(2) of the California Business and Professions Code and Rule VII, Section 1 of the Rules Regulating Admission to Practice Law in California.

Other than the minimum threshold mandated by the Committee of Bar Examiners, the School has not developed any pre-established criteria for special admissions. In the admission of special applicants, the major consideration is whether the applicant has the ability to succeed in the Program and if the applicant will benefit from the Program. All applicants that do not hold at least a bachelor's degree must be interviewed by a faculty member and provide supplemental application information. (The interview can either take place in the School's offices or via telephone.)

2. Guideline 2.8: It is recommended that the school adopt, publish, and implement a written student discipline policy that meets all requirements of the guideline as to all forms of student conduct subject to discipline by the school.

Response: Taft Law School has adopted and published in its Student Handbook a written Student Discipline Policy. Here is the language of the Student Discipline Policy;

STUDENT DISCIPLINE POLICY

Taft Law School has developed this written policy for the imposition of student discipline. It will be applied when Taft Law School has reason to believe that a student has cheated on work or examinations submitted to Taft Law School or has taken some action toward another student, faculty member or Taft Administrator that requires discipline. This policy, which provides for a hearing may also be requested by a student who feels that he or she may have been harmed or prejudiced by a Taft Law School policy or administrative decision. It is our intent that this policy be fair to both the student, the student body as a whole and to Taft Law School.

(A) This policy on Student Discipline, shall apply to all of the situations discussed above, where the penalty may be but is not limited to, cancellation of an examination, denial of course credit, suspension, or dismissal.

(B) Under this policy the student will receive:

- (1) Written notice of the specific charge(s);
- (2) An opportunity to confer with counsel and respond to the charge(s) in writing;
- (3) An opportunity to review any written evidence Taft Law School possesses;
- (4) An opportunity for a hearing before a panel of disinterested members of the faculty, administration, and/or students, as Taft Law School chooses;
- (5) An opportunity to have the assistance of counsel (at the student's expense) at the hearing and the opportunity to call witnesses; and
- (6) A written final determination, which includes a statement of the facts, conclusions, reason for the conclusion and sanctions, if any.

3. Guideline 2.9(A) and Guideline 9.1(D)(6): It is recommended that the school must publish its policy regarding expunging grades below 2.0 in Contracts, Criminal Law and Torts when a student passes the First Year Law Students' Examination and replacing those grades with a 2.0. Further, the school should address this FYLSX procedure in the written policy on transcript changes recommended in paragraph 8 below and, in implementing the FYLSX policy, adhere to all Guideline 9.1(D) requirements.

Response: Taft Law School has adopted and published in its Student Handbook a written policy regarding expunging the grades below a 2.0 for students that pass the First Year Law Students Examination. It has also placed an explanation of this policy in its transcript key. Here is language we have placed in the Student Handbook:

CURING ACADEMIC PROBATION BY PASSING THE FIRST YEAR LAW STUDENTS EXAMINATION

A student that is on Academic Probation after the first year will be removed from First Year Academic Probation and his or her first year GPA will be raised to a 2.00 at the time Taft Law School receives verification that the student has passed the First Year Law Students' Examination (FYLSX).

Such a student's first year course grades will be raised to a 2.0 on the student's transcript. However the transcript will note that the student's grades were raised due to passing the FYLSX. The first year course grades that were replaced will show up in the transcript in a comment section.

4. Guidelines 5.11, 5.23, 2.1, and 2.3: It is recommended that, as to courses designed for transfer students, the school adopt, publish, and implement a written policy that accurately describes the academic content and enrollment limits for such courses and that ensures that students taking such courses are not being awarded duplicate academic credit.

Response: Taft Law School has placed a notation in its catalogs explaining that certain “Advanced” courses are designed specifically for transfer students. Upon matriculation, the law courses that the transfer student took at another school are compared to similar courses offered at Taft Law School. If there is course content that could be tested on the General Bar Examination that was not a part of the courses that the transfer student took, an advanced course is created to bridge the gap in the student’s knowledge. The examples used in the notification is California Evidence and California Civil Procedure which is often not taught in ABA accredited law schools, particularly out of state law schools. Here is the notation we have created to explain the Advanced Courses:

The courses listed below as “Advanced” courses, may only be taken by transfer students. We have found that some law schools do not teach all of the law that may be tested on the California General Bar Examination. For example, the California Bar Examination can test California Evidence and California Civil Procedure. Many law schools only teach the federal law in these areas. The lesson assignments for the Advanced Courses will be individually designed for a transfer student that needs to fill a gap in the student’s knowledge.

5. Guideline 5.12: It is recommended that the school revise its curriculum to provide instruction in all of the skills enumerated in the Guideline and implement that revision no later than Fall 2020.

Response: Taft Law School is in the process of developing three new courses that focus on the practical skills of legal research, drafting legal documents, trial and appellate advocacy, and other professional skills. These courses are tentatively called Trial Advocacy, Appellate Advocacy and Law Office Management. These new courses, along with the existing courses of Alternative Dispute Resolution and Legal Writing will give our students the opportunity to take up to 12 semester units of instruction in the practical skills designated in Guideline 5.12. These new course will be online for our advanced year students who will start in the fall of 2020.

6. Rule 4.240(F): It is recommended that the school adopt, publish, and implement a written policy to ensure that any transfer student will complete at least six units of competency training prior to graduation.

Response: Taft Law School has adopted and published a written policy that mandates competency training as part of the degree requirements. The policy will require any graduate, including all transfer students to complete at least six semester units of competency training while attending Taft Law School. Here is the language:

DEGREE REQUIREMENTS

The professional degree of Juris Doctor is awarded to those students in the *JDATSM Program* who have fulfilled all of the following requirements:

1. Satisfactory completion of 96 semester units within a period of not more than seven years with at least 24 semester units completed at Taft;
2. Satisfactory completion of a minimum of six semester units of Taft Law School course work designed to teach practice-based skills and competency training. These units are available in a variety of required and elective courses.
3. Cumulative grade point average (GPA) of 2.00 or higher in Taft courses; and
4. Completion and submission of the School's *Program Evaluation Form*.

7. Guideline 5.19: *It is recommended that the school adopt, publish, and implement a written policy that meets all requirements of the guideline, including the requirement that power to grant policy exceptions must be vested in a faculty committee and not in any one individual.*

Response: Taft Law School has adopted, published in its Student Handbook and implemented a revised written policy on determining academic standing, disqualification, advancement, and graduation. That policy vests such power in the Academic Review Committee. Here is the language that has been placed in the Student Handbook:

REVIEW OF ACADEMIC STANDING, DISQUALIFICATION, ADVANCEMENT AND GRADUATION

It is the responsibility of Taft Law School to fairly evaluate the performance of each student and disqualify a student if the School does not believe that the student will ultimately be successful. Satisfactory Academic Performance (SAP) is evaluated at the end of each academic year. Information about SAP, how it is determined, and the consequences for failing to meet the SAP standards can be found in both this Handbook and also the Consumer Information Guide Catalog Supplement.

Once a student fails to make SAP and is subject to dismissal, the following steps will be taken:

1. The Dean, on behalf of the Academic Review Committee (ARC) will contact the student and provide written information to the student of the failure to meet the SAP requirement and information about the academic review process;
2. The student has the following rights:
 - a. to review the student's work product, including final examinations;
 - b. to ask questions about the evaluation of the work product;
 - c. to provide any information that is relevant to the failure to meet SAP;
 - d. to request a meeting with the Academic Review Committee (ARC) to exercise his/her rights in person or via a teleconference.
 - e. During each step of the Academic Review Process, the Student has the right to consult with Counsel and to have Counsel present. It will be the student's responsibility to pay for any fees and cost of such Counsel.
3. If the student chooses to not meet with the ARC, the Dean will seek a written response from the student regarding any reason for the Student failing to meet SAP and any other information the student wishes to provide;
4. The Dean will organize all information available from the student, faculty and staff regarding the failure to meet SAP and present it to the ARC;
5. The ARC will review all information available and render a decision. The basis of the decision will be recorded in the minutes of the ARC.
6. Once a decision has been reached, the student will be notified in writing of the decision. The decision will also be noted in the student's file.

8. Guideline 9.1(D): It is recommended that the school adopt, publish, and implement a written policy that meets all requirements of the guideline, including procedures and standards with respect to transcript changes. The policy should address any specific provisions as to transcript changes, such as the FYLSX policy addressed in paragraph three above. Further, the school should adopt procedures to ensure that: (a) the permanent transcript will contain any credit allowed for law study at another institution, listing the law school, course or courses taken, when taken, unit credit allowed, and grades received (Guideline 9.1(D)(5)); (b) if there is a change or correction on the face of the transcript, the transcript will contain a notation of the reason for the change (Guideline 9.1(D)(6)); and (c) transcript entries will be changed only upon a proper showing of good cause.

Response: Taft Law School has adopted published and implemented a written policy regarding the preparation and maintenance of transcripts that complies with Guideline 9.1 (D). Specifically, the policy regarding any transcript changes due to a student passing the Baby Bar is published in the Student Handbook and noted on the Transcript Key on the back of the transcript. Further, transfer credit allowed to a student is now placed on the transcript under a listing that shows prior law school, specific courses taken, attendance dates, course grades and units granted. Also, if changes are made to the transcript, the reason for the change will be indicated in a footnote, which will be based upon the written statement from the faculty member, Dean or Committee specifying the change. Here is the language about Transcripts that has been placed in the Student Handbooks:

TRANSCRIPTS.

Upon review and approval of calculated grades by the Dean or Associate Dean, grades are entered into the student database record that creates permanent student transcripts. Taft Law School will prepare and keep a permanent transcript for each student who was or is enrolled in any course at Taft Law School. The Transcript will contain:

- (1) Information sufficient to clearly identify the student;
- (2) Information sufficient to establish admission status as a Regular or Special Student;
- (3) Date of admission;
- (4) Whether the student is or is not a J.D. degree candidate;
- (5) Any credit allowed for law study at another institution, either at the time of admission or thereafter, listing prior law school, course or courses taken, when taken, unit credit allowed, and grades received;
- (6) All academic credit granted for courses taken at the law school and all courses in which the student registered, clearly indicating, beginning and ending dates of the semester, quarter, or other applicable academic period and year, the courses and their unit value, credit granted and grade(s) received, and if there is a change or correction on the face of the transcript, a notation of the reason(s) for the change;
- (7) The date or dates on which the student took the First Year Law Students' Examination and whether the student passed or failed each examination;
- (8) A notation of any academic, administrative, or disciplinary action taken, indicating the nature and date thereof;
- (9) A notation of any leaves of absence granted or other interruptions in study, whether authorized or not; and
- (10) The date and nature thereof as to withdrawal, disqualification, transfer, graduation, or otherwise, and if graduated, the degree conferred.

The Policies and Procedures manual for the Registrar contains the following policy:

Once grades are recorded on a transcript, such grades may only be changed for good cause. Such good cause shall be noted on a Transcript Change Request Form and signed by the Dean, Associate Dean, or Chairperson of the Academic Review Committee

9. Guideline 9.1(D): It is recommended that the school review and, as necessary, correct, the transcripts of current students to meet the guideline requirements in all situations, including, but not limited to, JDAT students in each of the following circumstances, showing compliance with Guideline 9.1(D): a student admitted without prior law study; a transfer student; a student whose grades were changed after passing the FYLSX, and a student who was given a grade of Incomplete who later earned a numerical grade.

Response: The Taft Law School Registrar has completed her initial review of current student transcripts and made corrections to bring them into compliance with Guideline 9.1 (D). Upon completion of a second review, the Director of Compliance will also review the transcripts.

RECOMMENDED SUGGESTIONS TO ENHANCE COMPLIANCE

1. Pursuant to Guideline 2.3(C), it is suggested that the school clarify its explanation of academic requirements and expectations of students in the more flexible JDAT Independent Study program, particularly with respect to due dates for written assignments.

Response: Taft Law School is in the process of reviewing the academic requirements of its independent study program. Upon completion, it will rewrite the description of the program in its catalog.

2. Pursuant to Guideline 2.8, it is suggested that the school address in the Faculty Handbook the duty of faculty members to continually improve their teaching skills and substantive expertise.

Response: Taft Law School is researching online courses to recommend to faculty members that will improve their teaching skills. We will then update the Faculty Handbook with recommendations for improving teaching skills and substantive expertise.

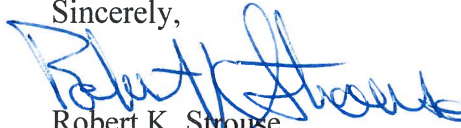
3. Pursuant to Guideline 5.18, while the school has a duty to disqualify students who are not qualified to continue, the school should also take steps to address unusually high attrition. As for academic disqualification, the school should inform students about the demands of its program and to expand opportunities for students to practice, and receive feedback on, the legal analytical skills they must develop to succeed. The school should also continue to study the factors contributing to high voluntary attrition after the first year, and use the study results to consider changes to its communications, admissions, curriculum, or other elements of the program to improve retention.

Response: Taft Law School is studying this recommendation to determine the best way to achieve better retention and improve Bar Examination results. We will review our admission process to see if it can be strengthened. We will also examine course content and rigor and the student withdrawal surveys to ascertain if there are specific reasons for the high attrition during years one and two.

4. Pursuant to Guideline 10.1, it is suggested that the school continue its efforts to recruit and retain diverse faculty.

Response: Taft Law School will continue its efforts to recruit and retain a diverse faculty.

Please feel free to contact me if you or the Committee has any questions or concerns regarding this response.

Sincerely,

Robert K. Strouse
Dean, Taft Law School