



# The State Bar *of California*

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## **OPEN SESSION**

### **AGENDA ITEM O-403**

**JUNE 2020**

### **COMMITTEE OF BAR EXAMINERS**

**DATE:** June 19, 2020

**TO:** Members, Committee of Bar Examiners

**FROM:** NatalieLeonard, Principal Program Analyst

**SUBJECT:** Action on Major Change Request (Ownership) – John F. Kennedy University School of Law and Action on Notice of Noncompliance with Rule 4.160(N)

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### **EXECUTIVE SUMMARY**

John F. Kennedy University School of Law (JFKUSOL) has made the decision to close at the end of 2020, and the school seeks approval of a major change from the Committee of Bar Examiners (Committee) to transfer ownership of its JD program to Northcentral University effective January 1, 2021, under the new name of John F. Kennedy School of Law at Northcentral University (Northcentral). (Attachment A) Northcentral plans to offer JFKUSOL's online JD program, previously approved by the Committee in January 2020, and scheduled to launch in Fall 2020, and to discontinue the school's fixed facility classroom JD program.

Along with its petition, the school submitted its 2020 Minimum, Five-Year Cumulative Bar Passage Rate, which would otherwise be required to be submitted by the July 1, 2020 reporting deadline. (Rule 4.160(N); Guideline 12.1) While a minimum MPR of 40 percent is required, the school reported an MPR of 39.7 percent. (Attachment B) Therefore, the school included a letter from Northcentral acknowledging, accepting, and agreeing to address the school's MPR and any conditions that the Committee may impose in response. (Attachment C)

It is recommended that the school's MPR be verified and presented to the Committee at its meeting in August along with MPR data from all accredited law schools and considered for further action at that time as part of a focused presentation on that topic.

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## **BACKGROUND**

John F. Kennedy University School of Law has filed the attached Major Change Request with the Committee of Bar Examiners (Committee) seeking permission for a major change of ownership effective January 1, 2021, allowing the current school to close and transfer its accredited JD program to Northcentral University, where it will be called John F. Kennedy School of Law at Northcentral University. (Attachment A)

JFKUSOL is a State Bar accredited law school located in Pleasant Hill, California that has been accredited since 1981. The law school is part of John F. Kennedy University, a non-profit corporation located in Pleasant Hill, California. Since 2009, JFKUSOL has been an affiliate of the National University System, located in San Diego, California. The school teaches a fixed facility JD program. In January, 2020, JFKUSOL sought and received expedited approval from the Committee to launch an online JD program in Fall 2020.

In early 2019, Northcentral also became an affiliate of the National University System. That system also includes a precollege program as well as the City University of Seattle and National University. Though Northcentral University was previously located exclusively in Arizona, it has since transferred its administrative and legal headquarters to San Diego, California while maintaining a service center in Arizona. Northcentral University offers a wide range of online-only graduate programs, but the school does not yet include a JD program as part of its portfolio.

Under Rules 4.164 and 4.165, “[a]n accredited law school contemplating a major change must notify the Committee and obtain its approval at least ninety days before making the change . . . [and t]he notice must explain in detail any effect the change might have on the law school’s compliance with the rules.” (Rule 4.164) Such changes include a change in ownership, as is contemplated here. (Rule 4.165)

In addition, if there are any issues related to the school’s overall compliance, these should be considered. In particular, all accredited law schools must maintain an MPR of at least 40 percent pursuant to Rule 4.160(N) and Guideline 12.1. Accredited law schools can calculate their MPR’s as soon as pass lists are distributed in early May, and must report their annual MPR’s no later than July 1 each year. JFKUSOL calculated its 2020 MPR at 39.7 percent and provided this information to the State Bar in advance of the July 1 deadline. The school acknowledges its noncompliance, and acknowledges that the Committee could consider issuing a Notice of Noncompliance to the school at any time based on this finding.

## **DISCUSSION**

JFKUSOL and Northcentral provided a detailed application explaining Northcentral’s plan to ensure a successful transition of the JD program and maintain or improve compliance with all Accredited Rules and Guidelines. Several noteworthy points are discussed below.

As a distance-only school, Northcentral will be offering the online JD, newly created by JFKUSOL, approved by the Committee in January 2020, and originally scheduled to launch in Fall 2020. The fixed facility program will be discontinued.

When the Committee approved the online program in January, while it was contemplated that students would be able to select a classroom JD, a hybrid JD, or a fully online JD, it was understood that the online program was a complete and approved JD offering.

Northcentral will use that approved format and curriculum as designed by JFKUSOL, and will retain access to the National University System experts who consulted on the instructional design. Northcentral will also employ JFKUSOL faculty and staff involved in the development of the online JD to administer the program.

JFKUSOL will seek to ensure that all students have the opportunity to complete their legal education in their preferred format. All students enrolled at JFKUSOL at the end of 2020 will have the opportunity to transfer to Northcentral's online JD program. For those students who wish to transfer to a fixed facility program, JFKUSOL is pursuing transfer agreements with other law schools.

Northcentral also acknowledges that the school's 2020 MPR is below the minimum value of 40 percent, and the school will need to address this as soon as possible within a time period to be specified by the Committee as the noncompliance process proceeds. The school understands that this is a serious matter warranting immediate and focused attention. The school believes that the structure of the online JD program, offering more opportunities for practice and intermediate feedback, will be one way to help improve graduates' bar passage rate. Northcentral also acknowledged that it will be required to incorporate JFKUSOL's historical bar passage data as part of any future MPR calculation, as a condition of any change of ownership.

Finally, Northcentral acknowledges that the school's next inspection was set for 2022, and Northcentral agrees to an inspection in 2022 or sooner if the Committee should so direct.

Regarding JFKUSOL's MPR, the school is to be commended for its forthright sharing of the MPR and acceptance of responsibility for its performance in advance of the July 1, 2020 reporting deadline. It is recommended that the Committee defer action on the school's MPR until its next meeting in August, at which time staff will provide a full and focused review of the MPR, its calculation, and its verification, so that the Committee may evaluate the appropriate next step.

In the meantime, staff recommends approval of this major change request despite the fact that the school's MPR falls below the minimum required. While this major change request is a technical change of ownership, it is also largely a reorganization within an existing system in which the program and staff are maintained, and the school fully acknowledges and accepts its history, is keeping its name, and is incorporating its past performance into the calculation of future cumulative metrics. The school also indicated as part of its application to create the online JD program that one of the purposes was to provide additional intermediate support to improve overall bar pass rates. This change of ownership and reorganization preserves that program designed to improve bar passage results and situates the program in a part of the

National University System experienced in delivering online graduate programs. This will hopefully provide the focus and feedback required to improve the program's MPR.

### **FISCAL/PERSONNEL IMPACT**

None

### **AMENDMENTS TO RULES OF THE STATE BAR**

None

### **AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL**

None

### **STRATEGIC PLAN GOALS & OBJECTIVES**

None – core business operations

### **RECOMMENDATIONS**

It is recommended that the Committee of Bar Examiners grant the school's request for a Major Change, that is, a change of ownership of the JD program from John F. Kennedy University to Northcentral University.

It is also recommended that, for the reasons stated above, JFKUSOL's 2020 MPR be further evaluated at the Committee's meeting in August 2020.

### **PROPOSED MOTION**

Should the Committee of Bar Examiners agree with the staff recommendations, the following motion should be made:

**MOVE**, that the Major Change request filed by John F. Kennedy University School of Law seeking a change of ownership be received and filed; that the request be granted, terminating the program's fixed facility program effective January 1, 2021, and transferring its online program to ownership and operation by Northcentral University, subject to the requirements that John F. Kennedy University School of Law timely fulfill its compliance obligations for the remainder of this calendar year, including addressing MPR noncompliance, keeping accounts current, and filing a complete Annual Report in November, and that Northcentral University acknowledge the JD program's apparent noncompliance, accepting its history and incorporating its historical pass rates into any future Minimum, Cumulative Bar Passage calculations pursuant to Guideline 12.1.

## **ATTACHMENT(S) LIST**

- A.** Application for Major Change – John F. Kennedy University School of Law
- B.** 2020 MPR Compliance Report for John F. Kennedy University School of Law
- C.** Letter from Northcentral University Acknowledging and Accepting JFKUSOL's 2020 MPR



## JOHN F. KENNEDY UNIVERSITY

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TRANSFORMING LIVES, CHANGING THE WORLD

April 30, 2020

The State Bar of California  
Attn: Natalie Leonard, Principal Program Analyst  
180 Howard Street, San Francisco, CA 94105  
*Via Email*

Re: John F. Kennedy University's Relocation of JD Program to Northcentral University

Dear Ms. Leonard:

I am the Dean of the College of Law at John F. Kennedy University. Our mission has always been to provide our students with a transformational education experience that helps students pursue their academic goals in an environment that is engaging and enriching, but also adaptable to the busy lives that our students lead. In recent years, we have focused on our core strengths while exploring ways to reach more students who need greater flexibility to achieve their educational goals. While we have made significant changes to be relevant, viable, and cost-effective, including our decision earlier this year to offer a fully online, accredited JD Program, the university's position as a tuition-dependent institution with declining enrollment has increasingly become a precarious one.

After careful consideration, the JFK University Board has decided that the best path forward is to administratively relocate our programs to our sister institution, Northcentral University, thus ensuring our long-term sustainability. As you may know, JFK is an affiliate of the non-profit National University System. NCU is an affiliate of the system as well. Pursuant to the board's plan, the entire JFKU School of Law will be relocated to NCU. Both JFKU and NCU are accredited by WSCUC. NCU is a non-profit institution, also based in California, with approximately 11,000 students. NCU is very strong both financially and academically. JFKU, as a separate institution, will end operations by the end of 2020.

I want to assure you that the JFKU School of Law will be relocated to NCU in its entirety. The online degree and its curriculum approved by the Committee of Bar Examiners on January 31, 2020 will not be changed, and all rules and guidelines of the Committee will be maintained. I will remain Dean, and all full-time faculty and most adjunct faculty will continue to teach and guide our students within the academic program. NCU will maintain the legacy of JFKU's School of Law by keeping its name as the John F. Kennedy School of Law at Northcentral University.

NCU has significant experience in online graduate degrees. The faculty at JFKU began working with NCU's online development team in 2019. At that time, NCU assisted us in our major change proposal to the Committee and their faculty and staff continue to partner with us to

*100 Ellinwood Way, Pleasant Hill, California 94523 telephone: 925/969-3322 [www.jfku.edu](http://www.jfku.edu)*

help deliver the online JD Program. We have already benefited greatly from their expertise. This continued partnership, along with their financial stability, will allow for much greater long-term stability and growth for the law school.

WSCUC has been fully apprised of the Board's decision, and we anticipate they will grant approval for NCU to offer the Juris Doctor in its current form approved by CALBAR within the next 30 days. We have put into place individualized plans for all students to stay on track to graduation. This transition will not affect any law students' planned graduation date.

Given that JFK will be making broader announcements to various constituencies this week, I wanted to personally provide you with notice regarding our plans to relocate the JFKU Law School to Northcentral University. I welcome the opportunity to speak with you about how best to navigate our next steps to ensure we not to disrupt our status as an accredited Juris Doctor program.

Very truly yours,

Lisa S. Hutton, J.D.  
Dean  
College of Law  
John F. Kennedy University  
(925) 969-3492  
[lhutton@jfkku.edu](mailto:lhutton@jfkku.edu)

## EXHIBIT C

### State Bar Library Requirements for the JD (Guidelines for Accredited Law Schools, Div. 8):

- 1) NCU's law school's library resources serves the teaching, research, and other educational objectives of the law school.
- 2) Students will learn and have the ability to research competently using both hard and electronic research resources. (**Guideline 8.4** is satisfied via a public law library within currently enrolled students' regional area(s) and the Dean will file the appropriate declarations attesting to their permission to use said library for hard copy legal research needs and seek approval from this committee as needed).
- 3) All students may have access to all material electronically, and instruction in hard copy is included in the curriculum.
- 4) A record of expenditures will be maintained for hard copy and electronic materials provided to students and faculty.

### Library Resources at NCU for the School of Law (8.2)

Requirement	Hard Copy/Online	Location
<b>General National Materials:</b> Corpus Juris Secundum or American Jurisprudence, 2d	Online Access	<ul style="list-style-type: none"> <li>• <b>Lexis:</b> Content Type &gt;Secondary Materials &gt; Treatises, Practice Guides &amp; Jurisprudence</li> <li>• <b>Westlaw:</b> Content Type &gt; Secondary Sources &gt; Jurisprudence &amp; Encyclopedias – Alphabetized list has Corpus Juris Secundum (C.J.S) and American Jurisprudence, 2d.</li> </ul>
<b>Dictionaries:</b> A legal dictionary A general dictionary	Online Access	<ul style="list-style-type: none"> <li>• <b>Black's Law Dictionary on Westlaw:</b> Secondary Sources &gt; Tools and Resources bar on the right side.</li> <li>• General Dictionary freely available on Google search.</li> </ul>
<b>Annotated Reports:</b> American Law Reports - Federal American Law Reports, 4 <sup>th</sup> and 5 <sup>th</sup>	Online Access	<ul style="list-style-type: none"> <li>• <b>Lexis:</b> Content Type&gt; Secondary Materials &gt; Treatises, Practice Guides &amp; Jurisprudence</li> <li>• <b>Westlaw:</b> Content Type&gt; Secondary Sources&gt; "By Type" – American Law Reports</li> </ul>
<b>American Law Institute Publications:</b> Model Codes, Reports and Drafts Restatements of the Law, Reports and Drafts	Online Access	<ul style="list-style-type: none"> <li>• <b>Westlaw:</b> Content Types &gt; Secondary Sources &gt; "American Law Institute"</li> <li>• <b>Lexis:</b> Content Type&gt; Secondary Materials &gt; Varies</li> </ul>
<b>Forms of Pleading and</b>	Online Access	<ul style="list-style-type: none"> <li>• <b>Lexis:</b> State Materials &gt; California</li> </ul>



<b>Practice and Legal Forms:</b> CA Judicial Council Forms Current set of CA forms Current set of Federal Forms		> Secondary Materials > “Top Secondary Sources” > California Forms Of Pleading and Practice – Annotated OR “Forms” <ul style="list-style-type: none"> <li>• <b>Westlaw:</b> Form Finder &gt; Forms by Publication &gt; Federal Procedural Forms</li> </ul>
<b>Uniform Laws Annotated</b>	Online Access class	<ul style="list-style-type: none"> <li>• <b>Westlaw</b> &gt; Statutes &amp; Court Rules &gt; Uniform Laws Annotated</li> </ul>
<b>CA Materials:</b> -CA Supreme Court case reports (official or unofficial) -CA Appellate Courts case reports (official or unofficial) -West Digest -CA Jurisprudence 3 <sup>rd</sup> -Wests or Deering’s - Annotated Codes, including indices -CA Jury Instructions, - Civil and Criminal -Law Commission Reports -Attorney General Opinions -CA Code of Regulations	Online Access	<ul style="list-style-type: none"> <li>• <b>Westlaw</b>&gt; State Materials&gt; Cases &gt; California State &amp; Federal Cases &gt; California State Cases / Lexis: Advanced Search: CA Supreme Court Cases from 1850</li> <li>• <b>Westlaw:</b> State Materials &gt; Cases &gt; California State &amp; Federal Cases &gt; California Courts of Appeal Cases Lexis: State &gt; California &gt; Cases &gt; “CA Courts of Appeal Cases from 1905”</li> <li>• <b>West’s Digest:</b> Westlaw – State Materials &gt; California &gt; "Key Number Search Tool", which uses a word search to identify up to five key numbers OR with the "Key Numbers and Digest" feature (browse by subject using an expandable tree – no search terms required)</li> <li>• <b>Cal Jur 3<sup>rd</sup>:</b> <b>Westlaw</b> – “State Materials” &gt; California &gt; Secondary Sources &gt; California Jurisprudence</li> <li>• West’s Annotated Codes: <b>Westlaw</b> &gt; Statutes &amp; Court Rules</li> <li>• California Statutes &amp; Court Rules &gt; California Statutes Index</li> <li>• CA Jury Instructions: <b>Lexis</b>&gt; Content Type &gt; Jury Instructions &gt; California / <b>Westlaw:</b> Secondary Sources &gt; California Secondary Sources &gt; Judicial Council of California Civil Jury Instructions (CACI)</li> <li>• CA Law Commission: direct website <a href="http://www.clrc.ca.gov/">http://www.clrc.ca.gov/</a></li> </ul>

		<ul style="list-style-type: none"> <li>Attorney General Opinions: Westlaw&gt; Administrative Decisions &amp; Guidance &gt; California Administrative Decisions &amp; Guidance &gt; California Attorney General Opinions / Lexis: State Materials &gt; California &gt; Administrative Materials, Codes and Regulations &gt; CA Attorney General Opinions</li> <li>CA Code of Regulation: Lexis &gt; California &gt; Administrative Materials, Codes and Regulations / Westlaw: California Regulations &gt; Current version of Barclays Official California Code of Regulations (CCR)</li> </ul>
<b>Federal Materials:</b> United States Supreme Court cases, any set Federal Reporter, 1 <sup>st</sup> – 3 <sup>rd</sup> Federal Supplement Federal Rules Decisions Tax Court Cases Board of Tax Appeals decisions Federal Digest Supreme Court Digest Annotated edition of US Code United States Statutes at Large Code of Fed Regulations Loose leaf Tax Service	Online Access	<ul style="list-style-type: none"> <li>Supreme Court Cases: <b>Westlaw</b> &gt; Cases &gt; U.S. Supreme Court Cases / <b>Lexis</b>: Content Type &gt; Federal &gt; US Supreme Court Cases</li> <li>Federal Reporter, Federal Supplement, and Federal Rules Decisions (all very similar)  <b>:Westlaw</b>: Cases &gt; Federal Cases / Lexis: Federal &gt; All Federal Cases</li> <li>Tax Court Cases &amp; Board of Tax Appeals Decision: <b>Westlaw</b> &gt; Cases &gt; Tax Court &gt; Right sidebar: US Tax Court Cases</li> <li>Federal Digest / Supreme Court Digest: General Search Boxes work on both</li> <li>US Annotated Code (USCA) – <b>Westlaw</b> &gt; Statutes &amp; Court Rules</li> <li>United States Code Annotated (USCA) / Lexis: Federal&gt; US Code Service</li> <li>US Code of Federal Regulations – <b>Lexis &amp; Westlaw</b>: Search box: Code of Federal Regulations (CFR)</li> <li>Looseleaf Tax Service: <b>Lexis</b>: Search “CCH Standard Federal Tax Reporter”</li> </ul>
<b>National Reporter System</b> (1 <sup>st</sup> to date for all)	Online Access	<ul style="list-style-type: none"> <li>Searchable by case on both <b>Lexis and Westlaw</b></li> </ul>

Atlantic Reporter New York Official Reports Northeastern Rept Northwestern Rept Pacific Rept Southwestern Rept Southern Rept Southeastern Rept		
<b>Text and Treatises</b> Encyclopedia, treatises, or current text for all bar tested courses taught Witkin, Summary of CA Law Witkin, CA Procedure Witkin, CA Criminal Law Witkin, CA Evidence	Online Access	<ul style="list-style-type: none"> <li>Witkin on <b>Westlaw</b>: Secondary Sources &gt; California Secondary Sources &gt; California Texts &amp; Treatises &gt; Witkin's California Materials</li> </ul>
<b>Law Reviews and Journals</b>	Online Access	<ul style="list-style-type: none"> <li><b>Westlaw</b>: Secondary Sources &gt; Law Reviews and Journals</li> <li><b>Lexis</b>: Secondary Materials&gt; Law Reviews and Journals</li> </ul>
<b>Other Resources:</b> Current Law Index or Index to Legal Periodicals Local county and city ordinances Local Municipal Codes Legislative history – United States Code Congressional and Administrative News (USCCAAN) Local Court Rules	Online Access	<ul style="list-style-type: none"> <li>Index to Legal Periodicals on <b>Westlaw only</b>- Secondary Sources &gt; Current Index to Legal Periodicals</li> <li>Local county and city ordinances/ municipal codes –Search by County/City on the web</li> <li>Local Court Rules – Searchable on Google</li> <li>USCCAAN – <b>Westlaw</b>: Legislative History &gt; U.S. Code Congressional &amp; Administrative News</li> </ul>
<b>Cite Checking Resources:</b> Shepard's Citation Service or Westlaw KeyCite	Online Access	<ul style="list-style-type: none"> <li>Embedded into Lexis (Shepards) or Westlaw (Keycite)</li> </ul>

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## JURIS DOCTOR\*

### Make a Difference in the Legal System

Northcentral University’s John F. Kennedy School of Law provides highly motivated students of all ages and life circumstances with the tools they need to succeed in the legal profession. With 100% online coursework, the JD program is perfect for busy working professionals who are balancing work, life, and the drive to make a difference in their communities.

At its heart, the program emphasizes clinical and practical skills training in the realm of public interest law and social justice. This program prepares individuals for the independent professional practice of law, for taking the CA State Bar Exam, and for advanced research in jurisprudence. Hands-on training experience is embedded into the curriculum, allowing students to provide much-needed services to their local communities while learning practical, applied aspects of the legal profession that build off the solid theoretical foundation they are developing to pass the CA Bar Examination. Program includes instruction in the theory and practice of the legal system, including the statutory, administrative, and judicial components of civil and criminal law.

#### Earn Your JD Online

At Northcentral University, you can complete your Juris Doctor program online, when it’s best for you, so you can make an impact and create lasting change as a legal professional in your community. This provides you the flexibility you need to continue your education without putting your life on hold.

Additionally, we provide a unique Teaching Through Engagement pedagogical model that offers you the personal guidance, attention, and support you deserve.

By offering students from across the country the opportunity to attain a legal education, the NCU online JD program aligns with both NCU’s and the California State Bar’s mission of making a law degree flexible, affordable, and accessible to all types of students. Our focus on student success offers more individualized faculty attention than the traditional law school model via highly interactive and personalized feedback on student learning throughout the curriculum.

Study at, or graduation from, this law school may not qualify a student to take the bar examination or be admitted to practice law in jurisdictions other than California. A student who intends to seek admission to practice law outside of California should contact the admitting authority in that jurisdiction for information regarding its education and admission requirements.

#### Career Potential\*\*

- Attorney
- Legal Counsel
- Contract Specialist
- General Counsel
- Law Clerk
- Real Estate Attorney
- Corporate Attorney
- Employment Attorney
- Insurance Attorney
- Patent Attorney

\* Program pending WSCUC approval.  
\*\* Positions may require additional experience, training, and other factors beyond successfully completing this degree program. Many roles may also require state licensure, and it is the responsibility of the student to ensure that all licensure requirements are met.

[REQUEST INFORMATION](#)

#### Scholarships Available

The Nurture Ingenuity Scholarship will award three (3) full-tuition scholarships and two (2) 50% off scholarships.

Deadline:  
December 21, 2020. [View Scholarship](#)

#### Program at a Glance

Total Credit Hours: **82 Hours**  
Courses: **29 Courses**  
Recommended Completion Time: **59 Months**  
Next Start Date: **January 2021**

## REQUEST INFORMATION

#### My Interests

Select a Degree

▼

Select a Specialization

▼

#### About Me

First Name

Last Name

Email

Phone

Numbers only e.g. 8885551212

Zip Code

[REQUEST INFORMATION](#)

As an affiliate of National University System, by submitting your information to Northcentral University, you agree to NCU's Privacy Policy and acknowledge that Northcentral University has your authorization to provide your information to its affiliates in National University System, and that such affiliates are authorized to contact you regarding their educational programs via automated means, including emails, calls, or text messages to your wireless phone if provided.

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Next Start Date: **January 2021**

## REQUEST INFORMATION

#### My Interests

Select a Degree



Select a Specialization



#### About Me

First Name

Last Name

Email

Phone

Numbers only e.g. 8885551212

Zip Code

#### REQUEST INFORMATION

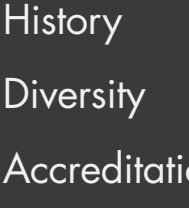
As an affiliate of National University System, by submitting your information to Northcentral University, you agree to NCU's [Privacy Policy](#) and acknowledge that Northcentral University has your authorization to provide your information to its affiliates in National University System, and that such affiliates are authorized to contact you regarding their educational programs via automated means, including emails, calls, or text messages to your wireless phone if provided.

#### Also of Interest:

[School of Technology](#)

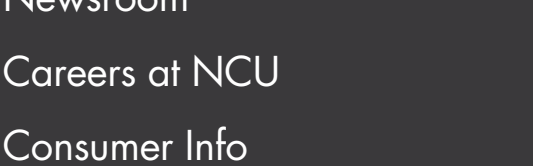
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NORTHCENTRAL  
UNIVERSITY

As a regionally accredited online university, Northcentral University has the privilege of serving students worldwide. Just as we are interested in learning more about you and your educational and career aspirations, we hope you'll take the time to get to know us, discover how our programs and services work to reflect our Mission, Vision, and Values, and our commitment to excellence in everything we do.



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## Substantive Change Report for Expedited Reviews

### Proposal Information:

Proposal Review Date	May 12, 2020
Institution	Northcentral University
Type of Substantive Change	Distance Education
Program Name/Location	Juris Doctor
ALO	John Lanear
WSCUC Staff	Karen Graham

### Staff Action and Date:

<b>*5/12/2020 Approved: CONTINGENT upon receipt and satisfactory review of, at minimum, one final and signed Memorandum of Understanding used for the sites of the JD Internship Program.</b>
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### Staff Findings:

#### *Commendations:*

1. The institution is commended for thoughtful transition processes of the program from JFK in consideration of enrolled student access and completion.
2. The proposed program proposal is comprehensive and clear with appropriate documentation to support proposal claims.

#### *Recommendations:*

1. Program administrators should carefully monitor and support the ongoing needs and transition of JFK faculty into the faculty community, ethos, and protocols of NCU.
2. The institutional administrators must continue to develop activities, funding, and opportunities for a strong graduate culture among all students in doctoral level programs.
3. Program faculty must ensure that students' achievement of program learning outcomes is supported with formative assessment and feedback as well as summative assessment.
4. NCU should be ready to provide assessment data of student support services by distance education students regarding accessibility, sufficiency, and satisfaction.

### Additional Information:

#### **Notification of Implementation:**

Under Standard One, it is the institution's responsibility to notify WSCUC when a program begins. You are required to confirm implementation of the program in order for the program or location to be listed on the WSCUC website for purposes of financial aid eligibility verification by the U.S. Department of Education.

Login to the Accreditation Management Portal and mark this program as Active within 30 days of

**Retain this document and attachments for your permanent records.**



## Substantive Change Report for Expedited Reviews

implementation. Failure to report implementation may result in the suspension of financial aid eligibility for enrolled students. Repeated non-compliance with this requirement could also lead to a sanction of the entire institution under Standard One.

### **Representation of Status:**

Commission approval of a new degree program signifies that the program is covered by the WSCUC accreditation of the institution as a whole. Approval by WSCUC should not be represented, in marketing materials or any other form of communication, as program-specific accreditation, such as that bestowed by a specialized, professional, or programmatic accrediting organizations.

### **WSCUC Liaison Signature:**

A rectangular box containing a handwritten signature in black ink. The signature appears to be "Karen Felt". The box has a light gray background and a black border.

**Date:** 5/12/2020





**John F. Kennedy University, College of Law**  
**Major Change Request**  
**Transfer of Online Juris Doctor Program to North Central University**

**INTRODUCTION:**

Pursuant to Rule 1.165 of the Committee of Bar Examiners *Accredited Law School Rules*, John F. Kennedy University (JFKU) is notifying the Committee of Bar Examiners (Committee) of this Major Change request seeking approval by the Committee. The request is to administratively relocate JFKU's accredited online JD program to Northcentral University on January 1, 2021 and to remain accredited by the Committee.

Both JFKU and NCU are sister institutions affiliated within the National University System, and both institutions are accredited by WSCUC. On May 12, 2020 WSCUC approved NCU and JFKU's request to administratively transfer the JFKU School of Law to Northcentral University. ***(WSCUC approval attached as Exhibit A).***

**BACKGROUND**

The Juris Doctor Program at JFKU has been accredited by the Committee of Bar Examiners of the State Bar of California since 1981. In 2009, JFKU affiliated with the National University System (NUS). This system includes three other degree awarding institutions – National University (NU), City University of Seattle (CityU), and Northcentral University (NCU) – with approximately 45,000 students and 250,000 alumni. JFKU has enjoyed significant benefits of affiliation with NUS, including financial and administrative support.

In 2019, the JFKU board directed University leadership to adapt the university to the changing higher education landscape. At that time, University leadership decided to adapt the Juris Doctor degree to an online delivery. The Committee approved that change in January, 2020. The outbreak of Coronavirus exacerbated JFKU's financial hardship. In the interest of preserving viable programs and protecting existing students and alumni, the JFKU Board of Trustees voted unanimously on April 17, 2020 to administratively relocate select JFKU academic programs to fellow NUS affiliate institutions, and close the University on December 31, 2020. The sister NUS affiliates enjoy greater financial security and provide assurance of sustainable future for these programs. The Northcentral University Board of Trustees simultaneously voted to relocate the JFK School of Law to NCU. This relocation will preserve the legacy of JFKU programs, providing alumni with a continuing alma mater and current students with a pathway to completion.

The John F. Kennedy School of Law will be relocated to Northcentral University (NCU) on January 1, 2021. The School of Law will be adopted by NCU in its entirety, including the

administration, staff, faculty. The curriculum, including verified and unverified academic engagement hours per course, the course schedule, and the course sequence approved by this Committee earlier this year will remain intact after transition to NCU. All academic policies and procedures utilized by JFKU currently will continue with no disruption, remaining in compliance with the Rules and Guidelines. NCU will adopt the established program, its expectations, requirements, legacy, and name, which will create the John F. Kennedy School of Law at Northcentral University.

### **NORTHCENTRAL UNIVERSITY OVERVIEW**

Northcentral University is headquartered in La Jolla, California. It is a WSCUC accredited, not-for-profit, private, online institution. NCU offers doctoral, master's, and bachelor's degrees to a diverse community of learners. NCU currently enrolls nearly 11,000 students and employs over 500 individuals. NCU faculty – each holding a doctoral degree – are engaged with students in our distributed, distance-based delivery model, living and working throughout the United States and globally. NCU faculty and programs are organized into five disciplinary schools: School of Behavioral and Social Sciences (SSBS), School of Business (SB), School of Education (SoE), School of Health Sciences (SHS), and School of Technology (ST). NCU also maintains a Graduate School focused on providing support to the NCU community and fostering graduate culture throughout the University. The John F. Kennedy School of Law will become NCU's seventh school.

NCU's Mission, Vision, and Values guide our shared commitment to providing a learning experience that supports students in the pursuit of academic achievement. NCU believes that education should be widely accessible to adult learners and offered in a manner that supports each student's academic goals and needs while accommodating their professional and personal commitments. NCU faculty and staff honor the University Mission, Vision, and Values by maintaining high standards of Integrity, which serves as the foundation for all our Values. This respect for our foundational commitments empowers the community to build and sustain distinctive academic programs within an ethos of service to students and contribution to the public good.

NCU has earned specialized accreditation for various programs from the Accreditation Council for Business Schools and Programs (ACBSP) (including earning ACBSP's Accreditation Plus designation); the International Accreditation Commission for Systemic Therapy Education (IACSTE); and the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE). NCU's Masters of Social Work program was recently awarded candidacy status from the Council on Social Work Education (CSWE), and The School of Health Sciences has recently achieved Candidacy from The Commission on Accreditation of Healthcare Management Education (CAHME), is has initiated the process for seeking accreditation by the

Commission on Collegiate Nursing Education (CCNE) for the Master of Science in Nursing and Doctor of Nursing Practice degree programs.

NCU operates independently as an academic institution affiliated with the non-profit National University System (NUS). The University is overseen by an independent, fiduciary Board of Trustees that operates pursuant to clearly articulated Board Bylaws. The NCU Board of Trustees is chaired by Dr. Erlinda Martinez.

Northcentral is led by President David Harpool, J.D., Ph.D., who has been in executive leadership at Northcentral University for over eight years; Provost and Chief Academic Officer John LaNear, J.D., Ph.D., who has been with Northcentral University for more than six years; an experienced Chief Financial Officer, Ms. Jamie Nickel; a talented group of School Deans; and an independently elected, representative Faculty Senate. The JFK School of Law at NCU would continue to be led by the current Dean, Lisa Hutton, J.D.

NCU consists of and serves a diverse population. The NCU student population is approximately one third (31.2%) in the 40-49 age group and another third (31%) over the age of 50. Six in 10 (61.7%) NCU students self-report as female. NCU students are ethnically diverse as well. More than three in 10 (32.9%) self-report as Black or African American, while another 7.9% self-report as Hispanic. Another 11.9% self-report as Asian, Native Hawaiian or Pacific Islander, American Indian, or Alaska Native, and 3.4% self-report two or more races. Approximately three in 10 (31.6%) identify as Caucasian. A recent NCU Alumni Survey and an external Gallup Alumni Survey confirm that more than 97% of NCU's graduates are employed or not seeking employment, and that NCU alumni generally increase their earnings post-graduation. The university collectively embraces a commitment to diversity, academic freedom, transparency, and contributing to the public good.

In many respects, the NCU faculty and staff demographics align with NCU's student demographics. Nearly a third of the NCU faculty members (30.66%) are in the 40-49 age group, and almost six in 10 self-identify as female (57%). 23.3% of faculty self-report a race other than Caucasian. NCU's leadership has made recruiting a more diverse faculty body an institutional priority over the past several years.

#### **JFKU's PLAN FOR CURRENT STUDENTS:**

JFKU is accredited by WSCUC, and the accrediting body was apprised of the Board's April 17, 2020, action. WSCUC leadership and liaisons worked with JFKU leadership to establish a smooth transition plan for all students. On April 29, 2020, WSCUC approved JFKU's transition plan, and all students were provided notice of the Board of Trustee's decision on April 30, 2020. The administrative relocation will serve current students with limited interruption, ensuring a pathway to completion for each of them.

The Juris Doctor program currently has 89 students. Starting the week of May 25, 2020, the Dean of the School of Law will meet with each student who is not scheduled to graduate by December 2020, to advise them of their options. The first option is for the student to relocate with the JFK School of Law to NCU. If a student chooses to relocate to NCU, all credits will be transferred and there will be no impact to their course schedule, or to their expected graduation date. Nothing will change for these students, save for the positive effects of affiliation with NCU and NUS. The second option is for the student to transfer to another law school. We are creating transfer agreements with Golden Gate Law School and San Francisco Law School, both of which are approved by this Committee and accredited by WSCUC, and those transfer options will be presented to any student who wishes to transfer.

### **COMPLIANCE WITH THE GUIDELINES**

*There will be no changes with respect to how the program complies with the rules and guidelines of the Committee, unless indicated below.*

#### ***Division 1: General Provisions.***

Pursuant to **Guideline 1.7**, a law school must maintain its primary administrative offices and records in California. NCU's primary administrative offices are located at 11355 N. Torrey Pines Rd, La Jolla, California. Access to all required records is maintained in these offices, and copies of records can be produced there. NCU maintains administrative office hours between 8:00 a.m. and 5:00 p.m. Monday – Friday. The administrative offices are accessible to the administrators, faculty and students during these times. Due to the online nature of the NCU Library, a majority of the NCU Library and its resources are accessible 24-hours per day, 7-days per week. Additionally, NCU's Librarians provides a variety of tailored services to support student learning. Live student support is available 70 hours per week, during the following hours: Monday- Thursday 8 a.m. – 9 p.m., Friday 8 a.m. – 5 p. m., and Sunday 10 a.m. – 7 p.m. During these times, students can call, text, chat, video conference, email, or submit an online form to access library support.

#### ***Division 2: Honesty and Integrity***

**Guideline 2.1** requires a law school must be honest and forthright in all of its activities. Integrity serves the foundation for NCU's four core Values. NCU prides itself on a collective commitment to this foundational value. This commitment is embedded in our academic efforts and all supporting areas of the institution, including operations, communications, interactions with students, financial matters, and academic records. University operational policies and procedures also reflect the institution's commitment to integrity and transparency. The Office of the Registrar maintains these policies and procedures in NCU's *Policy and Procedure Manual (PPM)*. The *PPM* outlines NCU policies and also contains detailed procedural [steps](#) (where

warranted) for ensuring adherence to each policy. The *PPM* is regularly updated and is available via NCU's internal SharePoint site, called "FRANK."

To further support integrity and transparency, NCU includes a Code of Conduct and Ethics and Standards of Professional Conduct in the *NCU Employment Handbook*. These standards are expected of all members in the Northcentral University community. The Human Resources team provides each person with a copy of the *Handbook* upon hire (or renewal of the *Handbook*), and all employees must confirm their acceptance and understanding of these expectations. Additionally, the *NCU Faculty Handbook* outlines expectations of academic integrity applicable to all members of the academic community. Faculty are also expected to confirm acceptance and understanding of these expectations outlined in the *Faculty Handbook*.

**Guideline 2.2A** requires a law school must conduct its financial affairs honestly and in a forthright manner. The Board of Trustees and the administration of Northcentral University take their responsibility to University constituents seriously, ensuring that the university operates with integrity and transparency by remaining in compliance with all applicable local, state, and federal laws. The university's academic, financial, and operational performance is evaluated quarterly by the Board of the Trustees at standing meetings.

An independent auditing firm conducts an annual audit of the university's financial statements in accordance with auditing standards generally accepted in the United States and standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller of the United States. Based on the results of these audits, the university received unqualified ("clean") audits for each of the previous five years.

**Guideline 2.2B** requires a law school must deal with prospective students, applicants, and students in an honest and forthright manner in all financial dealings and **Guideline 2.2C** requires a law school must establish reasonable safeguards against financial fraud and other financial improprieties. Policies about financial matters, refunds, and financial aid are established and followed in order to promote clarity and equity in the treatment of students. Specific policies regarding these matters are included in the *NCU Catalog* (Section 3 – Financial Policies and Section 4 – Student Aid). Similarly, integrity and transparency are supported by clear policies articulated in NCU's Policy and Procedure Manual, including 309-8 Awarding/Packaging Financial Aid Policy; 305-8 Refund Policy and Student's Right to Cancel Program; and 309-11 Return of Title IV Funds.

**Guideline 2.3A** requires a law school must be honest and forthright in all communications, including communications with the Committee, the legal profession, the public, prospective students, applicants, and students. **Guideline 2.3B** requires a law school must be honest and forthright in all communications with students. **Guideline 2.3C** requires a law school must be honest and forthright in all communications with prospective students and applicants.

Northcentral University truthfully represents its academic goals, programs, services, and costs to students and to the larger public, primarily through the *NCU Catalog* and the *NCU website*. Before any website content or materials are posted publicly, they are reviewed by the marketing department and General Counsel to certify that all information is accurate and compliant with applicable law and regulations, and programmatic accreditation requirements.

NCU is committed to protecting students as consumers in all endeavors, including, but not limited to, efforts related to marketing and disclosure, recruitment, student support, and the publication of retention, completion, and student default rates. NCU's public website includes a specific page titled Privacy Statement, detailing technological tools employed in our processes and outlining our limited use of student personal information. NCU also provides consumer information required by accrediting and other regulatory authorities related to cost of attendance, financial assistance, Veterans benefits, Family Education Rights and Privacy Act, Americans with Disabilities Act, Rehabilitation Act of 1973, Higher Education Opportunity Act, and state authorizations (along with others). In addition to the *NCU website* and marketing materials, the primary source of information for students and the public is the *NCU Catalog*, which is also available on the public website.

**Guideline 2.3D1** requires an accredited law school must include the following statement, without alteration, in either its course catalog or student handbook (electronic or hardcopy) and on a discrete page readily accessible to the public found on the law school's website entitled "Accreditation" on which the law school refers to its status as being accredited by the Committee and any other regional or national accrediting entity or agency: "Study at, or graduation from, this law school may not qualify a student to take the bar examination or be admitted to practice law in jurisdictions other than California. A student who intends to seek admission to practice law outside of California should contact the admitting authority in that jurisdiction for information regarding its education and admission requirements." Northcentral University has created a draft marketing program page for the JD program demonstrating the required language included and attached as **Exhibit B**. This language will also be included in the *NCU Catalog*, *School of Law Student Handbook*, and on the current [public-facing accreditation webpage](#) upon approval by The Committee.

**Guideline 2.3D2** requires an accredited law school must publish on its "Accreditation" webpage information relating to the pass rates of its graduates on the ten most recent administrations of the California Bar Examination and **Guideline 2.3D3** requires an accredited law school must publish on its Accreditation webpage a standardized report, in a format determined by the Committee, all of the disclosure information required by Business and Professions Code section 6061.7. Upon notification of approval from the Committee, Northcentral University will update its current, public-facing [accreditation webpage](#) with all required disclosures included in Guidelines **2.3D** and **2.3E**.

**Guideline 2.4** requires a law school may be organized as a corporation, partnership, LLP, LLC or sole proprietorship and may be for-profit or not-for-profit. Northcentral University is organized as a 510(c)3 tax-exempt organization with headquarters located in La Jolla, California.

**Guideline 2.5** requires a law school may not base the compensation paid any person for service to the law school (other than compensation paid a student or associate for reading and correcting papers or similar activity) on the number of persons enrolled or in any class or on the number of persons applying for admission to or registering to enroll in the law school. Northcentral University abides by the Department of Education's Federal Guidelines regarding Incentive Compensation and does not base compensation on the number of persons applying for admission and/or enrolling and/or registering to enroll in the law school.

**Guideline 2.6** requires a law school must have a written policy for the imposition of student discipline and that policy must be fair. Northcentral University treats students fairly and equitably through adherence to established written policies and procedures. Fairness dictates the clear communication of academic expectations, policies, and procedures. Therefore, NCU publishes policies on academic expectations, student grievances, and ethical standards and practices in the catalog. Those policies are consistent with the policies approved by The Committee in January, 2020.

**Guideline 2.7** requires a law school must adopt written academic standards that are fair. NCU publishes academic and university policies such as grades, grade appeal process, satisfactory academic progress, and academic integrity in the *NCU Catalog*. NCU will adopt the JFK School of Law grading system, pass/fail option, rules for course repetition, course units, grades, and gpa rules, anonymous grading, disqualification, probation, and grade review standards and procedures approved by The Committee in January, 2020.

**Guideline 2.8** requires a law school must protect student privacy and the confidentiality of student communications and records. NCU is committed to protecting students as consumers in all endeavors, including, but not limited to, efforts related to marketing and disclosure, recruitment, student support, and the publication of retention, completion, and student default rates. NCU's public website includes a specific page titled Privacy Statement, detailing technological tools employed in our processes and outlining our limited use of student personal information. NCU also provides consumer information required by accrediting and other regulatory authorities related to cost of attendance, financial assistance, Veterans benefits, Family Education Rights and Privacy Act, Americans with Disabilities Act, Rehabilitation Act of 1973, Higher Education Opportunity Act, and state authorizations (along with others). In addition to the *NCU website* and marketing materials, the primary source of information for students and the public is the *NCU Catalog*, which is also available on the public website.

**Guideline 2.9** requires a law school establish and maintain security and backup procedures to protect its systems. NCU's network infrastructure is comprised of redundant components and connections providing reliable data and voice communications. The primary data center is in a certified tier III facility in Phoenix, Arizona. Tier III data centers are composed of redundant power and cooling distribution paths. The Tier III data center is also SSAE-16 SOC Type 2 compliant. NCU has a secondary data center in a certified tier IV facility in Las Vegas, Nevada. Tier IV data centers are composed of 2N+1 fully redundant power and cooling distribution paths. The Tier IV data center is also SSAE-16 SOC Type 2 compliant. These structures ensure continuity in systems access and business continuity during any planned or unplanned systems failures. Similarly, NCUOne, Northcentral University's Learning Management System is built on Desire2Learn's Brightspace platform. It is housed in Amazon's Web Services (cloud-based) and also has both primary and redundant secondary backups to ensure continuity.

**Guideline 2.10** requires a law school **(A)** must publicly state what services, experiences, and activities are available to students at each campus, and must provide adequate support and resources for all such provided services, experiences, and activities; and **(B)** must provide academic counseling to students. NCU has multiple departments that focus on supporting students and helping them feel like an integral part of the NCU community. Academic and Financial Advisors in the Student and Financial Services Department, the Academic Success Center (ASC), The Commons, the Center for Teaching and Learning (CTL), and Library Services support student success in various ways. Faculty members serve as the initial and primary contact for providing student support. Our faculty employ the Teaching Through Engagement (TTE) pedagogy as a primary support to bolster student success. TTE was created to provide students with the coaching, guidance, and support required to achieve academic success. At NCU, engagement is an active relationship between each student and faculty member, and this engagement encourages the promotion of active relationships between all members of the NCU community.

### ***Division 3: Governance***

**Guideline 3.2 - Governing Board.** NCU operates independently as an academic institution affiliated with the non-profit National University System (NUS). The University is overseen by an independent, fiduciary Board of Trustees that operates pursuant to clearly articulated Board Bylaws. The Northcentral University Board is substantially the same as JFKU's Board of Trustees. The NCU Board of Trustees is chaired by Dr. Erlinda Martinez. The NCU Board, like the JFKU Board, will provide the Dean of the School of Law at NCU the authority and support necessary to discharge the responsibilities of the position.

### ***Division 4: Dean, Full-Time Administrator, and Faculty***



*No changes will be made with respect to our current policies and procedures under Division 4, but clarity is provided where appropriate for certain guidelines under Division 4.*

**Guideline 4.1** - The current full-time Dean of the School of Law at JFKU will be employed by NCU as the full-time Dean of the John F. Kennedy School of Law at NCU. All four full-time core faculty in the school will likewise transition as full-time faculty at NCU, and many of the adjunct faculty who wish to teach in the online modality will transition as well. Their roles at NCU will be substantially the same as they are now at JFKU. NCU's Registrar, Jennifer Racer, MA, CIPP/US, GRCP, will be responsible for recording grades and issuing transcripts. The School of Law students and faculty will have adequate and timely access to all services provided by the University Registrar.

**Guideline 4.2** - NCU maintains a system of committees and faculty governance structures that undergirds the university's shared governance model, inclusive of a representative Faculty Senate and school-based Adjunct Faculty Councils. The governance structure and its committees and processes are clearly articulated in the NCU Policy and Procedures Manual and Faculty Handbook. Faculty serving on committees in NCU's shared governance model collectively ensure programs meet quality and integrity standards and align with the university's Mission, Vision, and Values. Faculty create and review new and revised programs and courses through participation on the University Assessment & Curriculum Committee and the Academic Affairs Committee.

**Guideline 4.3** – The faculty to student ratio will remain consistent with past practice, currently at approximately 1:20.

**Guideline 4.6** – NCU recognizes the importance of faculty research, scholarship, and creative activity as complements to effective teaching and educational quality. Faculty are expected to maintain their professional competencies by participating in professional and academic activities in their disciplinary field, such as conferences, seminars, and workshops. Schools and programs have specific requirements for research, scholarship, and professional development. These professional development, research, and scholarship activities are supported by Professional Development funds as well as Research Support Funding and Awards that are available to full-time and, in most cases, part-time faculty. JFK School of Law at NCU faculty will be entitled to these funds upon transition.

**Guideline 4.7** – To evaluate teaching effectiveness, NCU conducts annual evaluations of all full-time and part-time faculty. Full-time faculty evaluations are completed every July, and part-time faculty evaluations follow an annual schedule determined by each adjunct faculty member's hire date. Annual evaluations examine specific performance standards that address institutional standards, school-specific standards, and additional standards required for

programmatic accreditation. The protocol used to evaluate NCU faculty is described in detail in the *NCU Faculty Handbook*. Expectations of faculty performance are also outlined in faculty appointment letters. Faculty performance expectations are made available to all faculty during the onboarding process.

The annual evaluation process addresses multiple aspects of faculty performance, including quality of teaching, participation in faculty and professional development activities, adherence to standards and procedures, and participation in non-teaching responsibilities (e.g., attendance at required faculty meetings, support of curriculum revision, etc.). Faculty are initially invited to complete a self-evaluation as part of the evaluation process. Simultaneously, the Associate Directors of Faculty Support and Development (or Assistant/Associate Deans) in each School review their notes on coaching sessions and examine faculty work throughout the prior year to complete the evaluation. Deans or their designees then review completed evaluations for revision and approval. Written evaluations are then sent to faculty with an invitation to discuss their review and self-evaluation with their Associate Directors of Faculty Support and Development or their Dean or designee.

In addition to the annual evaluation process, faculty members may participate in additional evaluations throughout the year. Once new faculty members are on-boarded and complete the initial training with the Center for Teaching and Learning, they participate in coaching with their School's Associate Directors of Faculty Support and Development (or Assistant/Associate Deans), including an informal evaluation several months after they start teaching. The purpose of this informal first-year evaluation is to confirm faculty are comfortable in their new role and are meeting expectations. This evaluation is an opportunity to provide faculty with guidance and feedback about their performance before their first formal annual evaluation. All faculty also have the opportunity to meet with their School's Associate Directors of Faculty Support and Development (or Assistant/Associate Deans) throughout the year to discuss their teaching and receive formative feedback.

**Guideline 4.9** – NCU collectively embraces a commitment to academic freedom, and articulates its commitment to the American Association of University Professors (AAUP) "1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments," and to the American Council on Education's "Statement on Academic Rights and Responsibilities," in the *Faculty Handbook*.

#### ***Division 5: Admissions***

No changes will be made with respect to the current policies and procedures under Division 5, as approved by this Committee in January, 2020.

### ***Division 6: Academics***

No changes will be made with respect to our current policies and procedures under Division 6, as approved by this Committee in January of 2020.

### ***Division 7: Scholastic Standards***

No changes will be made with respect to our current policies and procedures under Division 7, as approved by this Committee in January, 2020.

### ***Division 8: Library Requirements***

No changes will be made with respect to our current policies and procedures under Division 8, as approved by this Committee in January, 2020. As they were with John F. Kennedy University, all required materials will be accessible online via the NCU library (***Please see Exhibit C***). In accordance with **Guideline 8.3**, the School of Law will continue to provide instruction in the use of both hard copy publications and electronic-based legal research. The Dean will ensure **Guideline 8.4** is satisfied via a public law library within currently enrolled students' regional area(s) and will file the appropriate declarations attesting to their permission to use said library for hard copy legal research needs and seek approval from this committee as needed.

### ***Division 9 Physical Resources***

**Guideline 9.1** requires that a law school have physical and technological resources in an infrastructure adequate for its programs and operations. The J.D. Degree is an online program, with three required weekends throughout the program held at the JFKU campus which will be maintained by NUS. We will also utilize this location for students who are local and choose to participate in the two current clinical programs. The administrative office and technology platform will be maintained in California as required by this guideline.

**Guideline 9.3** requires a school to have and maintain instructional equipment and distance learning technology that is adequate to support its educational program. The J.D. Program utilizes the Desire to Learn (D2L) platform. The D2L platform is one provided by an industry-leader in Learning Management Systems (LMS), and is now used by over 1200 schools, colleges, universities, and businesses around the world. Since the program is online, support for the platform is provided 24 hours a day to ensure that, should students run into infrastructure concerns while attempting to complete their coursework, they can receive resolution in that session and complete on time as scheduled. In addition to immediate service support to redress any issues, there are monthly and bi-weekly meetings to continue to refine and improve the experience and platform.

### ***Division 10 Financial Resources***

**Guideline 10.1** requires a law school have adequate present and anticipated financial resources. At NCU, the JFK School of law will have sufficient funds to support its programs and operations, ensure students have the opportunity to complete the program, and pay any refunds to which students are entitled. Northcentral University is fiscally sound. NCU's financial and operational models ensure NCU is, and will continue to be, a viable and sustainable entity into the future. NCU aligns its resources with institutional priorities defined by our commitment to student success, continuous improvement efforts, and the development of human capital within all aspects of the NCU community.

NCU has received five years of unqualified independent financial audits (note that NCU's most recent audited financials for the period ending June 30, 2019 are for six months of operations due to the change in ownership effective December 31, 2018). In this June 30, 2019, audit, NCU received another unqualified opinion. In addition, the auditors reported no compliance findings and no internal control comments to the Board of Trustees. NCU achieved a Department of Educational financial responsibly composite score of 1.6 for this period, which is considered financially responsible. The university does not have any current or long-term debt outstanding. The university also has no significant contingent liabilities or commitments at this time.

**Guideline 10.2** requires a law school must use its assets and funds, including tuition, fees, and other charges collected from or on behalf of students, to provide a sound program of legal education. NCU's financial stability will ensure that the JFK School of Law is able to continue to provide the sound program of legal education as approved by this Committee in January, 2020.

**Guideline 10.3** – NCU has submitted audited financial statements to WSCUC and other programmatic accreditors. The most recent audited financial statement is provided as **Exhibit D**.

### ***Division 11 Records and Reports***

No changes will be made with respect to our current policies and procedures under Division 11 as approved by the Committee in January, 2020. JFKU's Annual Compliance Report has been submitted. Pursuant to **Guideline 11.1 (O) (2)**, the JD Program will continue to be part of an extensive assessment process at NCU (details below).

**Overview of the J.D. Program's on-going assessment process:** In accordance with its mission, vision, and values, Northcentral (NCU) is committed to the continuous improvement of its programs and services. NCU utilizes many direct and indirect methods to assess the academic and operational units of the University. Academic programs are examined annually through Annual Assessment Reports, which also help to inform larger Program Reviews (every 5-8 years). Schools and non-academic departments also conduct Strategic Planning Department Reviews on an annual basis. All of these reviews are documented in Campus Labs (NCU's chosen tool for aggregating and tracking assessment activities).

**Program Reviews (PRs)** are a systematic and reflective process in which an academic unit reviews and assesses data relevant to a specific academic program in order to develop long-term strategies for achieving improvements. PRs are completed every five to eight years (or sooner as deemed necessary by school leaders) on a staggered basis and are a critical component of the University's comprehensive strategic planning, continuous improvement, and resource allocation processes. These reviews are meant to be strategic tools that are necessarily reflective over the period of review and provide both internal and external reviewers with a comprehensive synopsis of the assessment data for review process conclusions. Action plans issuing from the PRs are meant to address long-term strategies in contrast to the tactical responses of the AAR.

**Annual Assessment Reports.** AARs are fundamental to the continuous improvement loop of the Program Review as it includes the action items of an academic unit, correction strategies, and benchmarks for the implemented improvements in which to measure the next cycle of outcomes-based data. The AAR is not only a useful complement to the larger PR, but is also intended to inform the PR by "rolling up" in the aggregate to supplement the formal internal and external review processes undertaken in the strategic PR. AARs are completed annually with quarterly snapshot update reports provided as needed (e.g., updates on open or new action items), but they may be updated more frequently if needed. AARs are due by the end of the first to second quarter to allow for tactical changes, with quarterly updates provided as needed. AARs cover several areas that help provide academic leadership with a clear picture of the status of any one program and they aid in managing programs on a more routine basis. The AAR is meant to be a tactical tool that is reactionary and agile, focusing on shorter-term goals and incremental improvements. All data are maintained in Campus Labs and used for continuous improvement, strategic planning, and budget allocations.

#### ***Division 12 Minimum, Cumulative Bar Examination Pass Rate***

No changes will be made with respect to our current policies and procedures as approved by this Committee in January, 2020. Our MPR currently stands at 40.1%, taking into account the results from the February, 2020 Bar Examination covering graduates from Aug 2014-Aug. 2019.

#### ***Division 13 Awarding of Professional Degrees in Addition to the JD Degree***

No changes will be made with respect to our current policies and procedures under Division 13, as approved by this Committee in January of 2020.

#### ***Division 14 Equal Opportunity and Non-Discrimination***

No changes will be made with respect to our current policies and procedures under Division 14, as approved by this Committee in January of 2020.

**2020 COMPLIANCE REPORT FORM -**  
**MINIMUM CUMULATIVE CALIFORNIA BAR EXAMINATION PASS RATE (MPR)**  
*Rule 4.160(N); Guideline 12.1*

Must be received by Wednesday, July 1, 2020 in the State Bar of California's San Francisco Office

Name of Law School:	John F. Kennedy University College of Law
Report Prepared By:	Sherrill Hall
Telephone Number:	916.955.0947
Email Address:	shall@jfkku.edu

**1. Data Supporting Compliance Reporting**

Please provide the following information and data for this Reporting Period:  
August 1, 2014—July 31, 2019

**a. Numerator of the MPR:**

Sum of all qualified takers for the Reporting Period who passed any administration of the California Bar Examination (CBX) during the Reporting Period or the first February administration after the Reporting Period that was no more than 10 administrations after the qualified taker's graduation.

Numerator: 48

**b. Denominator of the MPR:**

Sum of all qualified takers for the Reporting Period who, whether they passed or failed, took any administration of the CBX during the Reporting Period or the first February administration after the Reporting Period that was also no more than 10 administrations after the qualified taker's graduation.

Denominator: 121

**c. MPR Formula:**       $(\text{Numerator} \div \text{Denominator}) \times 100$   
Calculate to one decimal place.

= 39.7 %

## 2. MPR Compliance Reporting

Did the law school maintain a compliant MPR of at least 40.0 percent, as calculated by the methodology described above, for this Reporting Period?


☒ Yes    ☐ No

## 3. Certification

***The certification below must be signed by the Dean of the law school.***

- ☒ I agree to retain these pass-fail lists in order to calculate future MPR reports.
- ☒ I hereby certify that the statements and all information contained in and attached to this 2020 Compliance Report Form - Minimum Cumulative California Bar Examination Pass Rate are true and correct to the best of my knowledge.

Signature:



Print Name:

Lisa S. Hutton

Title:

Dean

The completed MPR Form must be received in the State Bar's San Francisco Office by Wednesday, July 1, 2020. **Return by email to [Admissions@calbar.ca.gov](mailto:Admissions@calbar.ca.gov).**

Or mail to:

THE STATE BAR OF CALIFORNIA  
Office of Admissions  
180 Howard Street  
San Francisco, CA 94105



June 3, 2020

Committee of Bar Examiners  
State Bar of California  
Attn: Natalie Leonard  
180 Howard Street  
San Francisco, CA 94105

Re: Transfer of John F. Kennedy School of Law to Northcentral University

Dear Committee of Bar Examiners,

Northcentral University is committed to ensuring compliance with the Rules and Guidelines for Accredited Law schools as the John F. Kennedy J.D. program transfers and becomes part of Northcentral University.

We are aware that Rule 4.160(N) requires accredited schools maintain a minimum, cumulative bar examination pass rate (MPR) of at least 40 percent for the most recent five-year reporting period. After the last administration of the California Bar Examination, John. F. Kennedy's MPR fell below 40%, to 39.7%. We understand that, upon Committee approval of the program transfer to Northcentral, the program will be transferred with the current MPR of 39.7% and will be subject to a Notice of Non-Compliance. NCU acknowledges and accepts that it will assume the John F. Kennedy University College of Law's bar passage history, and that this history will be included in the calculation of the future MPR of the program.

Increasing the academic success of our law students - both those that transfer from JFKU to NCU as part of this transition, as well as new students who enroll in the School of Law after transition – is our main priority. A primary goal of the new online JD Program is to better prepare students with the skills necessary to pass the CA Bar Examination. The program's pedagogy is focused on extensive academic content which includes weekly formative assessment activities with consistent and individualized faculty feedback to increase student learning. Embedded into every week are practice hypotheticals, MBE-style questions with immediate feedback, and several practice exams. Additionally, each doctrine course includes, not only casebook reading requirements, but several other instructional sources for students to solidify their understanding of theory and law. Requiring students to apply their learning via weekly assessments will prepare them for much greater success on exams in school and ultimately on the bar examination.

Additionally, our newly revamped JD curriculum includes five (5) units of Extended Bar Review. All students starting the JD program in Fall, 2020, will be required to take all 5 units in their final year.

The two bar review courses focus on review of doctrine and skills to pass the bar examination including essays, MBE's, and the performance exam. These new review courses are also being offered to our current students as electives starting this fall. We will continue to support our 1L and 2L students with TA sessions, and will embed a new legal writing position into the academic support team at NCU.

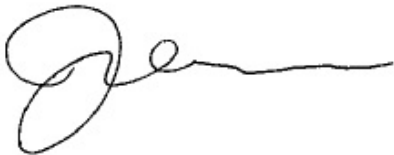
Moreover, academic support services will be enhanced at NCU. NCU has a strong tradition of helping students successfully complete doctoral programs and to qualify for licensing in their respective fields. JFK J.D. students will, at NCU, have access to 24/7 student support and academic services. NCU will support any and all appropriate changes in curriculum, sequencing, pedagogy and teaching effectiveness required to improve the outcomes of the graduates of JFK School of Law.

In summary, NCU is unconditionally committed to improving the academic success of the law students attending JFK School of Law at NCU and to promptly and fully comply with all accreditation standards and regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "David Harpool". The signature is fluid and cursive, with the first name "David" and last name "Harpool" clearly distinguishable.

Dr. David Harpool, J.D., Ph.D.  
President, Northcentral University

A handwritten signature in black ink, appearing to read "John LaNear". The signature is fluid and cursive, with the first name "John" and last name "LaNear" clearly distinguishable.

Dr. John LaNear, J.D., Ph.D.  
Provost and Chief Academic Officer, Northcentral University