



# The State Bar of California

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

**DATE:** August 21, 2020

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

**FROM:** Natalie Leonard, Principal Program Analyst

**SUBJECT:** Action on Periodic Inspection Report – Peoples College of Law

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### **EXECUTIVE SUMMARY**

Peoples College of Law (PCL) underwent a five-year inspection on January 14-16, 2020. While numerous issues were uncovered during the inspection, the school focused its efforts to address and complete nearly all of them. As a result, the Inspection Report recommends that the school's registration be continued. Several options are presented as to the timing of the school's next inspection.

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### **BACKGROUND**

Peoples College of Law is a registered, unaccredited fixed facility law school located in Los Angeles, California. The school was founded in 1973. It has always focused on preparing students for practice in public interest law.

Registered, unaccredited law schools undergo inspection every five years to confirm continuing compliance.

State Bar Consultant Heather Georgakis conducted the inspection on January 14-16, 2020 at the law school's Los Angeles location.

The State Bar provided the school with an advance copy of the inspection report. (Attachment A) The school responded via letter in which it agreed with the recommendations, and further

documented that it had implemented the majority of the recommendations and created plans to address the remaining recommendations. (Attachment B)

## DISCUSSION

The attached inspection report documents the observations and substantial number of compliance issues noted at the time of the school's inspection. The summary at the front of the report, reproduced below, also summarizes, in italics, the significant documented progress that the school has made subsequent to the inspection.

## RECOMMENDED MANDATORY ACTIONS

- 1. Guidelines 1.9 and 2.10:** To achieve full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*
- 2. Guideline 2.2(B):** To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications. *Subsequent to the inspection, the school published a single clear policy, and provided a copy of that policy to the State Bar.*
- 3. Guideline 2.3(B):** To bring itself into full compliance, the school should remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years, and inform students in the Catalog that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability. *Subsequent to the inspection, the school updated the course list, deleting two courses that did not meet these criteria, and added the language regarding frequency.*
- 4. Guideline 2.3(D):** To bring itself into full compliance, the school should demonstrate that the disclosure statements required by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7, and Rule 4.241 have been implemented accurately, completely, consistently, and as mandated. *These disclosures have been corrected and implemented.*
- 5. Guidelines 2.9(A)-(B) and 5.24:** To bring itself into full compliance, the school should demonstrate that the Catalog and other publications set forth the school's academic standards and student assessment policies accurately, clearly, consistently, and as mandated. *Subsequent to the inspection, the school provided evidence of the updates as required.*
- 6. Guideline 2.9(C):** To bring itself into full compliance, the school should adopt, publish, and implement a policy, including oversight provisions, to ensure that students are provided with written statements of the components of course grades. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*

- 7. Guideline 2.9(D):** To bring itself into full compliance, the school should adopt, publish, and implement a policy on authentication of student work, and discontinue its current practice of allowing students to take in-class exams using devices that are not protected by exam-security software. *Subsequent to the inspection, the school advised that it is actively evaluating options to implement secure testing.*
- 8. Guidelines 2.10 and 5.17:** To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*
- 9. Guidelines 2.11, 7.1, and 9.1:** To bring itself into full compliance, the school should adopt policies and procedures that are adequate to protect the school's digital records. *Subsequent to the inspection, the school purchased Populi, a commercially available package designed for schools containing the safeguards identified in this report.*
- 10. Guideline 3.1:** To bring itself into full compliance, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE's standards, including written job descriptions for the dean and registrar, and adequate oversight provisions. *Subsequent to the inspection, the school increased the paid hours of the administrator, and secured significant volunteer assistance from the dean, the Board, and alumni. The school will monitor the adequacy of its administrative capacity. The school also created compliant job descriptions for both the dean and the registrar.*
- 11. Guidelines 4.8 and 4.9:** To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*
- 12. Guidelines 5.3(A)(1) and 5.9:** To bring itself into full compliance, the school should adopt, implement, and publish attendance policies and procedures that: require student attendance at no less than 80 percent of the regularly scheduled class hours for each course during a particular term, not a series of courses over two or more terms; provide for accurate and timely maintenance of records; and eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*
- 13. Guideline 5.8:** To bring itself into full compliance, the school should demonstrate that its clinical courses meet all Guideline 5.8 requirements, including maintenance of records for each student in the course. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*
- 14. Guidelines 5.17, 5.18, and 5.25:** To bring itself into full compliance, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students

receive adequate feedback on their exam performance. *Subsequent to the inspection, the school began addressing this issue and it continues to discuss further options with priority.*

**15. Guidelines 5.18–5.20:** To bring itself into full compliance, the school should adopt, publish, and implement policies for academic advancement that adhere to the school’s academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines. *All identified policies were updated, and non-compliant policies deleted.*

**16. Guideline 5.24:** To bring itself into full compliance, the school should revise and republish its course repetition policy to meet all requirements of the guideline. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*

**17. Guidelines 6.2–6.4:** To bring itself into full compliance, the school must devise a plan and a timeline to return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement. *Subsequent to the inspection, the school did confirm that legal research is being taught using both hard copy and electronic resources, and the syllabi are being updated appropriately.*

**18. Guidelines 7.1 and 7.2:** To bring itself into full compliance, the school should maintain essential and permanent hard-copy records in fire-safe lockable cabinets, maintain all electrical equipment in working order, and provide digital projection equipment adequate to meet the needs of faculty and students. *Subsequent to the inspection, the school transferred files to lockable, fire-safe cabinets; projectors were replaced with other options.*

**19. Guideline 9.1:** To bring itself into full compliance, the school should adopt and implement a policy to ensure that records are fully compliant with Guideline 9.1, that the law school has adopted written procedures, including oversight provisions, of record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D). *Subsequent to the inspection, the school adopted compliant policies and provided the State Bar with copies of those policies.*

## **SUGGESTIONS FOR MAINTAINING CONTINUED COMPLIANCE**

1. Pursuant to Guidelines 2.9(C) and 5.13, it is suggested that the school require faculty to use a standard syllabus template to promote consistent communication of course requirements. *Subsequent to the inspection, the school purchased a commercially available software package that includes a standard syllabus template that is now used.*

2. Pursuant to Guidelines 2.11, 7.1, and 9.1, it is suggested that the school base its data security policies and procedures on generally accepted industry standards, consulting with an expert if the expertise is not available within the school. *Subsequent to the inspection, the school purchased commercially available software package with these features included, and purchased the appropriate storage containers for files held only in hard copy.*
3. Pursuant to Guidelines 5.14 through 5.16 and 5.25, it is suggested that the school adopt and implement a procedure requiring that exam questions, accompanied by issue outlines or model answers, be reviewed and approved by the dean or another legal educator before being administered. *Subsequent to the inspection, the school began evaluating this suggestion.*
4. Pursuant to Guidelines 5.17, 5.18, and 5.25, it is suggested that the school adopt and implement a procedure requiring grades and student exams papers to be reviewed and approved by the dean or another legal educator before being posted. *Subsequent to the inspection, the school began evaluating this suggestion.*

The school worked swiftly to address the issues identified during the inspection, all while transitioning classes online during a pandemic. Key improvements include the installation of the Populi learning management system and the creation of an updated handbook including required policy additions, clarifications and deletions. Subsequent to the issuance of the inspection report, the school also selected a software vendor to allow proper security and authentication during examinations. In addition, PCL has undertaken steps to increase faculty retention, clarify and enforce the attendance policy, study the correlation between grading and success, adjust grading to remove class participation as a major element, and implement a plan to review grades for consistency and adherence to policy before grades are released.

Based on this significant progress demonstrated subsequent to the inspection, the inspection report recommends a standard five year renewal of registration as an unaccredited law school.

Before deciding, however, the Committee should consider the context of this inspection to determine whether more vigilant monitoring and inspection may be appropriate.

While the school has made substantial progress in a short period of time, PCL must now demonstrate that the new policies, software and staffing will be utilized to not only establish, but also to proactively maintain, continued compliance.

The school's most recent three periodic inspections, in 2009, 2014, and 2020, demonstrate a pattern in which similar and significant compliance issues are identified, PCL reacts in response, but the solution is not sustained, and the issues recur at future inspections. Persistent issues seen at this inspection were observed at past inspections in the areas of staffing capacity (Reco. 1 (2009)); incomplete records (Recommendation 3, 4, 21 (2009), 4, 5 (2014)); unclear or incomplete policies (Reco. 5 (2009), 4 (2014)); deficient statements of refund policies (Reco. 12 (2014); flawed disclosures (Reco. 4 (2009), 1 (2014)); incomplete library resources (Recos. 2, 20 (2009), 2 (2014)); and inconsistent grading with evidence of intermittent grade inflation (Recos. 11, 15, 17 (2009), 3 (2010)). In particular, each of the three reports discusses the overemphasis

placed on attendance and participation as part of the class grade, grade inflation and inconsistent correlation with State Bar examination results (Reco. 17 (2009) 9 (2014)). The school was also advised in 2014 to remove electives not taught in the last three years and to describe accurately the nature and frequency of electives (Reco. 18 (2014)).

In light of this history, increased monitoring may be appropriate to ensure that the school is fully implementing the steps identified in a sustainable manner.

At a minimum, PCL should be inspected again no later than fall 2024. The school's original fall 2019 inspection was delayed to allow time for the school to complete its self-study. The school's self-study was also delivered late in 2009. While the State Bar agreed to the extension, the school should be inspected on the original timeline going forward.

Next, Committee should also consider enhanced monitoring as part of the school's Annual Reports each year until the school's next inspection. As part of the 2020 Annual Report and each inspection thereafter, PCL should address each recommendation identified in this inspection report, demonstrating continued compliance. If the school fails to do so, or its report does not demonstrate compliance then the Committee should issue a Notice of Noncompliance.

The Committee should also consider whether it is sufficient to receive written updates to the Annual Report, or whether, instead, the school should be set for interim inspection in 2022 to verify the school's stated progress and ensure sustained and effective implementation of the changes identified. Given the large number of recommendations that need to be implemented, as well as the state of the files that was observed during the inspection, and the school's history of recurring issues, the level of detail that an inspection allows may be required to determine and maintain continued compliance.

## **FISCAL/PERSONNEL IMPACT**

None

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

None

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

None

## **STRATEGIC PLAN GOALS & OBJECTIVES**

Goal: None - core business operations

## RECOMMENDATIONS

It is recommended that the CBE accept the 2020 Periodic Inspection Report of Peoples College of Law and adopt all recommendations in the report, noting that the school has documented progress as to each objective identified in the report, with the exception of the library requirement.

It is also recommended that the school be granted a waiver to offer its library resources online and through the Los Angeles County Law Library for an additional year through August 31, 2021, and submit a preliminary plan to return to compliance with its 2020 Annual Report, as well as demonstrated compliance as part of the 2021 Annual Report. If the Committee finds that the school has not demonstrated a sufficient plan to return to compliance as part of the 2020 Annual Report or actual compliance as part of the 2021 Annual Report, it is recommended that a Notice of Noncompliance be issued.

It is further recommended that the school provide an update as to each recommendation in this report as part of each of its Annual Reports starting with the 2020 Annual Report and continuing through the school's next inspection in order to establish not only a return to compliance, but documented continued compliance. Failure to document continued compliance should result in the issuance of a Notice of Noncompliance by the Committee.

It is also recommended that the CBE renew the registered, unaccredited fixed facility status of Peoples College of Law and set the school's next inspection for fall 2024, unless the Committee determines that one is required sooner based on the discussion suggested above.

## PROPOSED MOTION

Should the Committee of Bar Examiners agree with staff recommendations, the following motion should be made, confirming that the proposed inspection date conforms with the Committee's findings:

**MOVE**, that the Committee of Bar Examiners receive and file the 2020 Periodic Inspection Report of Peoples College of Law; that it adopt all recommendations contained therein, and accept the school's documented progress as to each of those recommendations with the exception of the library requirement; and that it renew the school's registration as an unaccredited law school through fall 2024.

**FURTHER MOVE**, that the school be granted a waiver regarding its library facilities to allow the use of online resources and the Los Angeles County Law Library for this year, with the understanding that the school will submit an updated plan to return to compliance with Guideline 6.2 acceptable to the Committee as part of the 2020 Annual Report and document actual compliance in its 2021 Annual Report. Failure to do so will result in the issuance of a Notice of Noncompliance.

**FURTHER MOVE**, that the school provide in each Annual Report a detailed update as to its compliance status with respect to each of the recommendations noted above, with the understanding that failure to demonstrate continuing compliance will result in the issuance of a Notice of Noncompliance .

**FURTHER MOVE**, that the school's registration be renewed and its next inspection set for fall 2024, unless the Committee determines that an inspection is required sooner.

### **ATTACHMENT(S) LIST**

- A.** Inspection Report – Peoples College of Law
- B.** Response from Peoples College of Law





# The State Bar of California

## **Peoples College of Law Periodic Inspection Report**

**Inspection Conducted  
Pursuant to Rule 4.244(A) of the  
Unaccredited Law School Rules On:**

January 14–16, 2020

**Visitation Consultant:**

Heather Georgakis,  
Educational Standards Consultant

# **REPORT ON THE PERIODIC INSPECTION OF PEOPLES COLLEGE OF LAW**

## **660 SOUTH BONNIE BRAE STREET, LOS ANGELES, CA 90057**

### **EXECUTIVE SUMMARY AND RECOMMENDATIONS**

#### **Introduction**

A site inspection of the Peoples College of Law (PCL) was conducted on January 14–16, 2020 by Heather Georgakis, Educational Standards Consultant to the Committee of Bar Examiners (CBE). The school was last inspected in November 2014. The school was found to be compliant with the Rules for Unaccredited Law Schools, as well as the Guidelines for Unaccredited Law Schools at that time, and its registration was renewed.

PCL is an unaccredited, fixed facility school that has been registered as an unaccredited law school since it opened in 1974. The school operates as a nonprofit 501(c)(3) organization and owns its own two-story building in Los Angeles. Founded as a joint effort of the Asian Law Collective, the La Raza National Students Association, the National Conference of Black Lawyers, and the National Lawyers Guild, the school's mission is "to bring legal resources to underrepresented communities and to train legal advocates dedicated to securing progressive social change and justice in society."

The school offers a four-year, part-time evening program that leads to the Juris Doctor (JD) degree and qualifies graduates to take the California Bar Exam (CBX). Students are required to complete 72 quarter units, including courses in all subjects tested on the CBX. Tuition and fees are \$5,600 per year and the total program cost is \$22,400.

As reported in the 2019 Annual Compliance Report, PCL had a total enrollment of 25 students. Approximately 50 percent of all PCL students have earned a bachelor's degree. Of the 18 students who entered PCL in fall 2019, all were admitted as regular students. In recent years, the school has not admitted special students and has only admitted a few transfer students.

The school has a unique organizational structure. A governing Community Board, which includes six students and nine nonstudents, makes both policy-level and executive-level decisions. Standing committees composed of Board and faculty members handle certain day-to-day functions, such as evaluating applicants and instructors. Historically, the dean and registrar have been part-time volunteers, while the school's only paid employee has been an administrator. The current Administrator, Anna Hawkins, works part-time and reports to the Board. After this inspection, her position was expanded to include the duties of Registrar.

Dean Ira Spiro graduated from Berkeley Law School and is a licensee of the State Bar of California. After teaching at PCL for roughly seven years, he was elected Dean in May 2017, and there was significant turnover within the Board and administration. Since 2017, Dean Spiro has been

reelected annually, but the school has continued to experience significant turnover in the registrar and administrator positions.

PCL's adjunct instructors are also volunteers. All 16 current faculty members are graduates of law schools approved by the Council to the Section on Legal Education and Admissions to the Bar of the American Bar Association (ABA) or overseen by the CBE; all but one are licensed to practice law.

As reported in PCL's January 2020 Disclosure Form required under California Business and Professions Code section 6061.7, the five-year cumulative CBX pass rate for PCL graduates was just under 24 percent. On the FYLSX, the pass rate was 22 percent for those takers who had attended PCL within the past five years, as shown on the school's Rule 4.241 Disclosure Form for the five administrations from June 2017 through June 2019.

During this inspection, Peoples College of Law demonstrated compliance to some but not all of the relevant standards of the Unaccredited Law School Rules and Guidelines for Unaccredited Law School Rules, after a review of the curriculum, admissions, scholastic standards, faculty, legal research resources, facilities, records, dean, administrators, and faculty. Since that time, the school has made significant, documented progress.

### Recommended Action by the CBE

This inspection report outlines a significant number of issues observed during the inspection that required immediate and focused attention. Subsequent to the inspection, however, the school has already accomplished remediation of many of the identified issues.

Just prior to the completion of this inspection report, the school sent an update documenting significant progress or completion of the majority of the recommendations, as noted in each recommendation below. Progress included significant changes, such as selecting and implementing a new software package to improve recordkeeping, security, and more. The school also added additional paid staff and created job descriptions that defined clear roles for the administration, and updated a wide range of policies that were approved by the school's governing Board in time for implementation in the fall, if not sooner.

Based on the school's significant progress and planned progress in the near term, it is recommended that the school's registration be renewed, with the next inspection to be scheduled for winter 2025, unless the CBE determines that a visit is required sooner.

### Recommended Mandatory Actions

- 1. Guidelines 1.9 and 2.10:** To achieve full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*

2. **Guideline 2.2(B):** To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications. *Subsequent to the inspection, the school published a single clear policy and provided the State Bar with a copy of that policy.*
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sufficient administrative capacity to achieve and sustain compliance with the CBE's standards, including written job descriptions for the dean and registrar, and adequate oversight provisions. *Subsequent to the inspection, the school increased the paid hours of the administrator, and secured significant volunteer assistance from the dean, the Board, and alumni. The school will monitor the adequacy of its staffing capacity. The school also created compliant job descriptions for both the dean and the registrar.*

- 11. Guidelines 4.8 and 4.9:** To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*
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copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement. *Subsequent to the inspection, the school did confirm that legal research is being taught using both hard copy and electronic resources, and the syllabi are being updated appropriately.*

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**19. Guideline 9.1:** To bring itself into full compliance, the school should adopt and implement a policy to ensure that records are fully compliant with Guideline 9.1, that the law school has adopted written procedures, including oversight provisions, of record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D). *Subsequent to the inspection, the school transferred files to lockable, fire-safe cabinets; projectors were replaced with other options.*

### Suggestions for Maintaining Continued Compliance

1. Pursuant to Guidelines 2.9(C) and 5.13, it is suggested that the school requires faculty to use a standard syllabus template to promote consistent communication of course requirements. *Subsequent to the inspection, the school purchased a commercially available software package that includes a standard syllabus template that is now used.*
2. Pursuant to Guidelines 2.11, 7.1, and 9.1, it is suggested that the school bases its data security policies and procedures on the recommendations of generally accepted industry standards, consulting with an expert if the expertise is not available within the school. *Subsequent to the inspection, the school purchased commercially available software package with these features included, and purchased the appropriate storage containers for files held only in hard copy.*
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approved by the dean or another legal educator before being posted. *Subsequent to the inspection, the school began evaluating this suggestion.*

### **Submission of Self-Study**

PCL submitted a self-study to assist the consultant when assessing the school's compliance with the Rules and Guidelines. Dean Spiro and Ms. Hawkins responded to requests for follow-up information promptly after the inspection, and that information was considered when drafting this report. The school was undergoing some staff turnover, and therefore requested and received an extension to prepare for its inspection, as well as a delay of the inspection from December 2019 to January 2020.

### **Conduct of Site Visit**

To prepare for the inspection, the consultant reviewed the school's self-study and attachments, website, 2014 Inspection Report, 2019 Annual Report, and recent FYLSX and CBX pass rate statistics.

During the inspection, the consultant toured the facility and conferred with PCL's: Dean, Ira Spiro; Administrator, Anna Hawkins; Treasurer, David Bouffard; several Community Board members; several current instructors; two members of the Admissions and Faculty Curriculum committees; and students representing all four class years. The school's registrar was unavailable during the visit; Anna Hawkins was also interviewed by telephone after she was named Registrar in late February 2020.

After reviewing the storage and maintenance of files, the consultant inspected a representative sample of available records. These included applicant and student files, course files, attendance records, exams, and administrative files, including minutes of Board meetings, minutes of Faculty Curriculum Committee meetings, and faculty and other personnel records. The consultant observed all class sessions held over two evenings. At the consultant's request, PCL invited all current students to submit confidential comments to her via email. She reviewed the comments received, as well as follow-up information provided by PCL.

### **SPECIFIC FINDINGS AS TO THE CBE'S RULES AND GUIDELINES**

Below are the consultant's findings, conclusions, and recommendations with respect 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)**

PCL has been registered as an unaccredited law school since 1974, and has been subject to the CBE's exclusive regulatory authority since 2008. The school derives its degree-granting authority from the CBE and is not accredited by any other entity. Founded as The Guild Law School, a nonprofit corporation, the school has long operated as the Peoples College of Law. The

corporation is in good standing with the California Secretary of State. At the time of the inspection, the school's most recent fictitious business name statement, filed with the County of Los Angeles, had expired four months prior. Subsequent to the inspection, the school renewed the fictitious business statement; during the renewal process, the school learned that it was not legally required to do so, but chose to do so.

PCL's policies are published in a combined catalog and student handbook (Catalog), a Faculty Handbook, and on its website. The school has adopted sound provisions addressing substance abuse, hate speech, sexual misconduct, harassment, discrimination, and copyright infringement.

The school has a policy to provide accommodations pursuant to the Americans with Disabilities Act (ADA) and similar laws. After the inspection, the Board adopted a new policy that meets most guideline requirements. However, to bring itself into full compliance, the school must show that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, as well as to secure health records against unauthorized disclosure.

While the school has a written policy with respect to student privacy, unauthorized disclosures have occurred, and as noted below, information security is also a concern. To bring itself into full compliance, PCL must demonstrate that it has adopted adequate procedures to effectively administer its privacy policy.

**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)**

PCL maintains a reasonable tuition refund policy; as required, refunds are issued within 30 days of any valid request. (Guideline 2.2(B)) The policy is clearly explained in the enrollment agreement, but not in the Catalog, which uses different language that was challenging to understand and that included at least one undefined term, "regulation fee." The school must state its refund policies clearly and consistently across its publications.

Adequate safeguards are in place to protect the integrity of financial operations. (Guideline 2.2(C)) The school has adequate internal controls to protect against impropriety, including control of cash transactions, regular reconciliation of accounts, limited signatory authority on checking accounts, and tracking of ATM card purchases. Access to financial records is controlled properly. Administrator Anna Hawkins accepts payments and is responsible for day-to-day accounting, while Treasurer David Bouffard handles all cash deposits and regularly reviews the school's accounts. Oversight is provided by both an outside bookkeeper and a tax accountant.

Except as noted, the school has credibly presented its policies in its statements. (Guideline 2.3 (A-C)) Most prospective students learn about PCL by word of mouth through local attorneys, alumni, and social activist organizations. Modest efforts are made, almost exclusively by volunteers, to promote the school's programs. The Admissions Committee distributes an admissions brochure, primarily at events targeting the progressive political community, and the Communications Committee posts notices of recruitment events on social media sites. The school has not done any



print advertising recently, although advertisements filed with the 2019 Annual Report were reviewed and found to be compliant.

To demonstrate full compliance, the school must demonstrate that all required disclosures have been implemented accurately, completely, consistently, and as mandated. These include statements made in the Admissions Brochure (Guideline 2.3(D)(1)), the Information Report Form (Business and Professions Code section 6061.7 and Guideline 2.3(D)(2)-(3)), and the Rule 4.241 Disclosure Statement. References to the school's registration with the Committee comply with Guideline 2.3(D)(4).

PCL does not pay commissions to solicit or procure applicants or students, and employees are not compensated based on student recruitment. (Guidelines 2.5 and 2.6) The school has informed the CBE of changes affecting compliance with applicable regulations, such as the personnel changes in 2017 and recent months. (Guideline 2.7)

The school's Disciplinary Code, adopted in late 2019 and published in the Catalog, meets the requirements of Guideline 2.8. The policy provides all CBE-mandated due process protections and potential sanctions. Acts subject to discipline include conduct such as theft, intentional or grossly negligent violence, plagiarism, and violation of exam instructions.

Under Guideline 2.9, the school must have written academic standards and student assessment policies that are fair. As stated in the Catalog, many of PCL's policies are ambiguous and confusing, a problem noted in the school's last two Inspection Reports. Requirements for good academic standing, certification to take the FYLSX, and graduation are addressed inconsistently in various locations. Policies on advancement on probation, conditions of probation, course repetition, and disqualification are vague and incomplete. Certain statements do not reflect current policies, such as those addressing when electives may be graded on a Pass-Fail basis and whether anonymous grading is used. Some information is omitted, such as the level of achievement each letter grade category represents (Guideline 2.9(A)(1)), how many units of credit each course carries, and when academic standing is determined. (Guideline 5.20)

To bring itself into full compliance with Guideline 2.9(A) and (B), PCL should ensure that the school's published statements—in the Catalog and other publications—set forth the school's academic standards and student assessment policies accurately, clearly, consistently, and as mandated.

Guideline 2.9(C) requires that students be informed in writing of the extent to which various factors will be used in determining course grades. PCL's Faculty Handbook is silent on this issue, and a sample review confirmed that many course syllabi did not provide grading information or other essential information, such as the instructor's contact details. To bring itself into full compliance, it is recommended that the school adopts, publishes, and implements a policy, with oversight provisions, to ensure compliance with the guideline. It is suggested that PCL requires faculty to use a standard syllabus template to promote consistent communication of course requirements.

PCL has no written policy on authentication of student work; the school's policies on plagiarism do not serve this function. The authenticity of student work at PCL is also called into question by the practice of allowing students to take exams on computers that are not protected by exam-security software. PCL should adopt, publish, and implement a written policy as required by Guideline 2.9(D), and discontinue its current practice of allowing students to take exams using devices that are not protected by exam-security software.

PCL instructors draft, administer, and grade their own exams. Faculty are responsible for calculating students' grades; students generally receive notice of their grades directly from their instructor within approximately two weeks after the end of the exam period. PCL returns all exam papers to students, as permitted under Guideline 2.9(F).

The school's grade review process is inconsistent with two guidelines. Privacy concerns (Guideline 2.10) are raised by the policy that to gain access to a review committee, a student must discuss a grade review request with another student who is a Board member. Guideline 5.17 requires grade decisions to be made by qualified and competent instructors or graders; so while students may be included on the Committee, those evaluating grades should have the proper qualifications. The school should review, revise, and republish its grade review policy to meet the guidelines.

Under Guidelines 2.11, 7.1, and 9.1, PCL is required to maintain adequate security to protect its records against disruption or destruction. Minimal efforts have been made to provide security for digital records, which are held primarily on a PCL computer locked in the administrator's office when not in use. Hard drive backups are performed manually and sporadically, and off-site backup storage depends on the dean's visits to PCL. The school has no policies to address the security of digital records that are stored on commercial platforms and accessible to persons outside the administration, such as application forms used by the Admissions Committee. To bring itself into full compliance, the school should adopt and implement policies and procedures that are adequate to protect the school's digital records. It is also suggested that the school base its data security policies and procedures upon industry standards and consult with experts if the school does not have this expertise internally.

PCL provides adequate information about the services and activities it provides, and student counseling is available from the dean, faculty, and PCL's tutorial program, in which volunteers offer one-on-one tutoring and mock FYLSX and CBX exam sessions. (Guideline 2.12)

**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)**

PCL has been rebuilding its governance and administrative structures since May 2017, when Dean Ira Spiro and a new Board were elected. Regular governance practices have been re-established but there is more to be done. Since 2017, turnover has been frequent in both the registrar and administrator positions, and as discussed in this report, several administrative functions have not been handled in compliance with CBE standards.

Historically, PCL has differed significantly from its peer schools with respect to governance and administration. According to the self-study, “PCL practices democratic representation in its governance principles.” Students are represented on the governing Board, the dean is elected rather than appointed, and most operational functions have been performed by occasional or part-time volunteers, including the dean, registrar, and faculty. The school has only one paid staff member, a part-time administrator, who was also appointed to be registrar after the inspection and allotted more paid time.

Membership in PCL’s nonprofit corporation is open to the entire PCL community, including students. The members elect a governing body, the 15-member Community Board. The Board includes six students elected by the student and nine nonstudents elected by all members. The Board elects officers annually, including the dean.

The Board is responsible for making all major decisions affecting the school. Meetings are held at least monthly; members are actively engaged in decision-making processes on appropriate topics such as finances and infrastructure improvements. The Board also retains hands-on control over several matters typically handled by the dean and faculty, including decisions on student admissions and faculty appointments. Also atypical is the administrative reporting structure, in that the administrator reports to the Board, as opposed to the dean.

Instructors and students have a significant voice in PCL’s governance by virtue of their representation on the Board and in committees. The school has no Board of Visitors, which is acceptable. (Guideline 3.3) Five standing committees advise the Board, but only two committees meet regularly. The Admissions Committee interviews and evaluates applicants, while the Faculty Curriculum Committee advises the Board on new policies, faculty hiring, and curriculum issues. Social media postings are handled by an ad hoc Communications Committee.

PCL’s governance structure appears to serve the school’s mission and fundamental principles, to the extent the structure promotes decision-making on a broad range of concerns by an inclusive Board, and allows tuition to remain low. From an administrative standpoint, however, the absence of traditional lines of authority and heavy reliance on volunteers have been less successful, as shown by the concerns raised in this report. Without written descriptions for the positions of dean and registrar, there appears to be confusion about who is responsible for important administrative tasks and who has oversight responsibility to ensure timely, compliant completion of those tasks. For example, vital record-keeping functions, typically the responsibility of the registrar, have lapsed when entrusted to a series of short-term volunteers, including a significant backlog of grades spanning multiple years awaiting data entry. Subsequent to the inspection, those grades were properly entered.

To bring itself into full compliance with Guideline 3.1, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE’s standards, including written job descriptions for the dean and registrar and adequate oversight provisions.

**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 Ira Spiro graduated from Berkeley Law. He has been a licensee of the State Bar of California since 1976, and he taught PCL courses for roughly seven years before assuming the role of Dean. The Dean began his career as a legal aid lawyer and deputy public defender, and later co-founded the Los Angeles law firm of Spiro Moss, LLP to represent employees and consumers. He has a lengthy resume of professional activities, including years of service on committees of the State Bar, the Los Angeles County Bar Association, and the California Judicial Council. Now semi-retired from the practice of law, Dean Spiro works part-time. He communicates almost daily with PCL's administrator, but usually works off campus, visiting campus about once a month when Board meetings are held.

According to the self-study, the Dean counsels students, participates in certain faculty evaluations, writes or helps write PCL's policies and other documents, distributes information, addresses safety issues, and occasionally co-teaches a course. He serves on PCL's Board, Faculty-Curriculum Committee, and Development and Fundraising Committee, and represents the school at meetings of law school deans, Committee, and the State Bar. As required by Guidelines 4.1 and 4.2, he has adequate credentials for his position, appears to devote adequate time to his duties, and is eager to take steps to ensure the school's success.

Anna Hawkins has been PCL's Administrator since October 2019, and the Registrar since February 2020. A 2017 PCL graduate, Ms. Hawkins is an experienced administrator, having worked for media, litigation, and title firms. The administrator's role, according to its job description, is a full-time position with responsibility for PCL's day-to-day operations. At the time of the inspection, Ms. Hawkins worked 24 hours per week, from 2:00 p.m. until 8:00 p.m., a schedule that allowed her to meet with students and faculty before evening classes began. Since being named Registrar, she has been authorized to work full-time, but continues to work part-time thus far.

The composition of PCL's all-volunteer faculty satisfies Guidelines 4.2 and 4.6. Of PCL's 16 instructors, all but one are licensed to practice law. 12 faculty members are graduates of law schools approved by the American Bar Association (ABA), and four are graduates of PCL. In the current academic year, four instructors are teaching law for the first time.

Instructors design their own courses and create their own syllabi, course outlines, and exams. No meeting minutes were available to confirm whether or not instructors participate in decisions on student petitions for probation or for review of grades, as provided by PCL's policies.

The consultant met with several instructors who teach a variety of courses; all were enthusiastic about teaching at PCL and felt they were able to contribute to the formulation of academic policies through service on PCL's Board and committees. Guideline 4.3 is satisfied. Faculty members were aware of their duty to provide students with opportunities for counseling and

timely feedback. Students agreed that faculty provide timely assistance, but desired more feedback on exams.

Class sizes and faculty teaching loads allow instructors adequate time for effective preparation, teaching, and student counseling, as required by Guidelines 4.4 and 4.5. The school's low enrollment permits a ratio of students to faculty members of 3.85:1. The typical teaching load is one course per academic quarter.

Because most instructors are practicing attorneys, they maintain subject matter currency through continuing education activities. (Guideline 4.7) The school assists faculty members to develop their teaching skills through orientation meetings with the dean, guidance in the Faculty Handbook, and the discussion of teaching and grading topics at biannual faculty meetings.

During the inspection, several classes were observed. Most instructors favored straightforward lecture over Socratic dialogue; some faculty members showed good teaching abilities, while others would benefit from training. In one classroom, poorly functioning digital projection equipment made it difficult to follow the instructor's presentation.

As noted in the 2014 Inspection Report, Guidelines 4.8 and 4.9 require a comprehensive program of faculty evaluations. Upon review, only a few files included copies of a two-page class observation form that addresses a few of the guideline requirements; most forms were incomplete. To bring itself into full compliance, the school should adopt and implement a faculty evaluation policy that meets guideline requirements.

The school has adopted a Faculty Academic Freedom Policy as mandated by Guideline 4.10, and met its obligations to inform the CBE 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)**

To graduate, a student must pass the FYLSX, complete 72 quarter units of academic credit over four years, maintain a minimum 2.0 grade point average, and meet the minimum attendance requirement. (Guidelines 5.3 and 5.9)

The school's attendance practices are problematic in three respects. Guideline 5.3(A)(1) mandates that to receive academic credit, a student must attend "not less than eighty (80) percent of the regularly scheduled class hours in each course." At PCL, courses end after 10 study weeks and a final exam. Contrary to the guideline, PCL has allowed students to earn course credit despite excessive absences, by redefining "course" to include a series of courses in the same subject. PCL also allows a student to "make up the missed classes" by "doing extra credit work" with the approval of the Faculty Curriculum Committee and instructor, or by attending a class session with an instructor, but not necessarily the course instructor. This policy is noncompliant because it permits a student to earn credit through activities that do not include all the course material the student missed. As noted below, the school has also maintained inaccurate attendance records.

To demonstrate full compliance with Guideline 5.3(A) and 5.9, the school should adopt, publish, and implement attendance policies and procedures that require students to attend no less than 80 percent of the regularly scheduled class hours for each course—not a series of courses—to receive course credit, provide for accurate and timely maintenance of records, and eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities.

The school offers clinical courses on occasion, but has no externship program. To bring itself into full compliance, PCL should demonstrate that its clinical courses meet Guideline 5.8 requirements, including maintenance of records for each student in the course.

PCL's required curriculum includes all subjects tested on the CBX. Students must also take Legal Writing, Legal Research, Advanced Legal Writing, and Competency and Performance. The curriculum is fixed for first- and fourth-year students; second- and third-year students take courses together, with courses that rotate on a two-year cycle. (Guideline 5.10)

Students take six quarter-units of elective courses; these are not true electives because PCL offers no more than the minimum required hours of coursework each year, so the students are not afforded the opportunity to elect the courses. (Guideline 5.11) Elective courses rotate and have included Movement Lawyering, as well as Special Education Law and Practice. PCL's curriculum does not include instruction in appellate advocacy, law office management, counseling, or negotiation. (Guideline 5.12) To bring itself into full compliance with Guideline 2.3(B) requiring forthright communications, PCL should remove from the Catalog electives not offered in the past two years or expected to be offered in the next three years, and should inform students that electives are not taught each year, but offered from time to time based on student interest and instructor availability.

To ensure that students consistently receive contact information for instructors (Guideline 5.13) and other course information, it is suggested that PCL adopts a standard syllabus template.

Final exams and in some cases, midterm exams are given in all CBX-tested subjects; typically these exams include essay and MBE-style multiple-choice questions. (Guideline 5.14) Instructors draft and administer their questions without regular administrative oversight. A sample review of exam questions and syllabi found that a number of graded exams and assignments have consisted of questions used in CBE-administered exams, contrary to Guideline 5.15. Other questions were poorly drafted, with problems that limited their value in measuring student achievement, such as extensive fact patterns, unnecessary distractors, and vague queries. Overall, the degree of difficulty varied widely. During the inspection, no student exam answers were available for review, because instructors return all student answers to their students. It does not appear that the school evaluates exams for effectiveness in testing student ability, appropriate coverage, or the adequacy of feedback provided to students. (Guideline 5.16)

To address considerations such as clarity, accuracy, effectiveness, appropriate coverage, and compliance with the guidelines, it is recommended that the school establishes a review process requiring that exam questions—accompanied by issue outlines or model answers—must be reviewed and approved by the dean or another legal educator before being administered.

**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))**

PCL students take three courses of practice-based skills and competency training, for a total of nine quarter units of credit, the equivalent of six semester units. Courses include Legal Research and Writing, Competency and Performance, and a practice-focused elective. Recent elective competency courses have included Criminal Defense Clinic and Special Education Law and Practice.

**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)**

PCL must set grading standards that evaluate students “honestly and realistically” (Guideline 5.17), and meet its obligation to “identify and disqualify” students who do not meet those standards. (Guideline 2.18) Several of the school’s policies do not align with these guidelines.

Serious grade inflation was noted in the 2014 Inspection Report, and it persists. In 2014, 90.8 percent of PCL’s grades were at or above the minimum good standing level. In 2019, 93 percent (108 of 116) were at the good standing level, with 90.7 percent (98 of 108) of those grades being A’s and B’s. Overall, the proportion of low grades appears to have dropped recently. In light of the low rates at which PCL’s students pass the FYLSX and CBX, these figures appear to indicate that PCL’s student progress is not being evaluated accurately.

On the FYLSX, the pass rate was 22 percent for those takers who had attended PCL within the past five years, as reported on PCL’s Rule 4.241 Disclosure Form for the period from June 2017 through June 2019. The five-year cumulative bar exam pass rate for PCL graduates was almost 24 percent, as reported in PCL’s January 2020 Disclosure Form under California Business and Professions Code section 6061.7.

To address grade inflation, PCL adjusted its grading scale and urged instructors not to inflate grades. PCL did not, however, adopt other policies to control inflation, such as administrative review of grades prior to their release, or reasonable limits on the extent to which grades may be based on class participation, including attendance. As concluded in 2014, a sound grading program would limit participation points to no more than 3 of 100, and the award of points based

on attendance is “clearly inappropriate” in light of Guideline 5.3(A)(1)’s minimum attendance requirement. PCL’s policy allows up to 30 percent of a course grade to be based on participation.

The self-study reports a better correlation between first-year grades and FYLSX success in the most recent two years. A concern remains that PCL’s students are not being made aware of their likely prospects of success on the FYLSX and CBX. PCL’s five-year FYLSX data shows many failures among students with first-year GPAs within the C+/B range, although some students passed the exam with grades near the minimum good standing level. More telling is the fact that over the past five years, no PCL graduate with a GPA below 2.7 (B-) has passed the CBX. Based on the uneven quality of PCL’s exams as noted above, and the apparent unreliability of the school’s grades to predict success on the CBX, improvement is warranted. (Guideline 5.25)

To bring itself into full compliance with Guideline 5.17, 5.18, and 5.25, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students receive adequate feedback on their exam performance.

Guideline 5.19 authorizes PCL to grant rare exceptions to its policies on academic standing and advancement, and then “only on a clear showing of special circumstance and good cause,” as properly documented in faculty minutes and student files. As noted above, PCL’s academic standing and advancement policies are not clearly defined. Under Guideline 5.20, PCL must determine students’ good standing at the end of the academic year, if not more often. At that time, the school requires that students have a GPA of 2.0 to advance to the next year in good standing.

PCL offers struggling students two options for overcoming low grades that do not align with the school’s guidelines. Students who receive a failing grade, or two grades below 70 in first-year courses, may receive up to two chances to raise their grades by doing “additional extra credit work,” with the permission of their instructor and a PCL Committee. Without prior notice, students who fail to finish course work or take final exams will receive a grade of Incomplete; they are given an additional quarter to fulfill course requirements, and if they fail, they may apply to do “make-up” work.

Neither policy fulfills Guideline 5.19 mandates with respect to evidentiary showing and proper documentation. Both policies also undermine the school’s academic standards, and likely allow students to advance who should be disqualified under Guidelines 5.18 and 5.20. Under the CBE’s guidelines, students who do not meet course expectations should not be allowed to earn academic credit by circumventing those expectations. If special circumstances and good cause exist, they should be placed on probation and given the opportunity to repeat the courses in question.

To bring itself into full compliance with Guidelines 5.18 through 5.20, the school should adopt, publish, and implement policies for academic advancement that adhere to the school’s academic



standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines.

As noted above, the Catalog should inform students as to when the school will determine their academic standing for advancement and retention (Guideline 5.20) and reconcile conflicting statements with respect to certification to take the FYLSX. (Guideline 5.21)

Students are promptly dismissed if they do not pass within three administrations of becoming eligible to take the FYLSX (Guideline 5.21), and upon passing thereafter, are given credit only for the first year of study. (Guideline 5.22) The school continues to rely on the FYLSX to determine which students may remain enrolled, as noted in the 2014 Inspection Report. In the past four years, only one student has been disqualified for reasons other than the FYLSX.

As provided above, the school must revise and republish PCL's course repetition policy to comply with all requirements of Guideline 5.24.

**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)**

PCL's admissions process is handled largely by a seven-member, all-volunteer Admissions Committee composed of several Board members, alumni, the dean, and one student. Each applicant is interviewed by one or more members of the committee, and asked to bring two copies of official transcripts to the interview. Committee members determine eligibility for admission based on the CBE's pre-legal study requirements, and handle submission of transcripts to the State Bar for evaluation as necessary. (Guideline 5.28) Once an applicant has submitted all required documents, including official college transcripts, the committee votes to admit or deny admission and forwards its recommendation to the Board, which renders a final decision.

The school does not consider LSAT scores in the admissions process, nor does it require a minimum undergraduate GPA beyond the CBE's pre-legal study requirements. Admission is based on an applicant's interview, responses to application questions, ability to meet the intellectual and financial demands of attendance, and recommendations. Reasons for denying admission typically include an applicant's poor written or oral communication skills, a combative personality, or misalignment with PCL's progressive philosophy.

PCL's application form fulfills Guideline 5.31 requirements. For several years, the school has not admitted transfer students, special students, applicants previously dismissed from prior law study, or auditors. Guidelines 5.33 through 5.36 are met.

Guidelines 5.26 and 5.27 require that the school neither admit, nor allow to continue, any student who does not appear to have a reasonable prospect of completing the degree program. Although attrition can be an indicator of unsound admissions practices, grade inflation and unenforced academic standards are greater concerns at PCL. In the past two years, PCL has lost an average of

43 percent of its new students by the end of the first year, a rate typical of registered, unaccredited schools.

As discussed below, the school's admissions records have not been well-managed. In part, this problem appears to have been related to insufficient coordination among the administrator, registrar, and Admissions Committee, and a lack of clear definition as to roles and responsibilities. For example, a review of the school's files revealed that many admissions documents were missing from student files, including official transcripts (Guideline 5.30), application forms, and letters of recommendations; pending applications were not available for review and were believed to be with Admissions Committee members.

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

PCL does not own a hard copy library. In 2017, the school experienced a fire that rendered the library structurally unsound.

Due to that fire, students have since accessed the library materials required by the Guideline 6.2 via the Los Angeles County Law Library (LACLL). Located about two miles from the school, LACLL is open on weekdays except Tuesdays from 8:30 a.m. to 6:00 p.m., on Tuesdays from 8:30 a.m. to 8:00 p.m., and on Saturdays from 9:00 a.m. to 5:00 p.m.

The school also provides students with access to some required materials through a contract with Casetext, a commercial provider of online legal materials. Casetext provides access to statutes and cases at both the federal and state levels, as well as basic citator services.

The school must devise a plan and timeline to return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2, and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to extend the school's waiver for an additional year through November 2021, given the health circumstances that have led fixed facility schools to teach online during the 2020–2021 academic year.

To bring itself into full compliance, PCL should also confirm whether students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement.

**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)**

PCL's physical resources and infrastructure satisfy Guidelines 7.1 and 7.2, except as noted. All operations take place on the second floor of a two-story building owned by PCL. Built in the early

twentieth century, because the building lacks an elevator, the school is inaccessible to individuals who cannot climb stairs. PCL leases the first floor and a small room on the second floor to other nonprofit organizations. Although PCL has maintained the improvements described in the 2014 inspection report, further upgrades have been postponed pending the Board's decision as to how to manage the building since the fires.

In 2017 and 2018, PCL's building suffered substantial damage as a result of three fires that spread from adjacent structures to the school's roof and library. Repairs have been made as necessary to restore structural integrity, but the library remains closed. The student lounge, which features a small alcove with a table and chairs, and a larger room equipped with a table, chairs, couch, and a refrigerator is now the only nonclassroom space in which students can congregate or study, either individually or in study groups.

PCL's administrator works in a small office. Current records are stored in lockable files, while older records are housed in storage closets located off the main hallway. The office also includes bookshelves, a couch, and video equipment used to monitor activities in the adjacent parking lot.

The school has three classrooms and a small seminar room, each outfitted with adequate tables and chairs for both students and faculty members. Internet access is available throughout the school, and the classrooms appear to have an adequate number of outlets for students with laptop computers. A number of outlets in the seminar room and at least one classroom appeared to be out of order.

Computers and screens are available in the classrooms for PowerPoint and video presentations. One issue raised by instructors and students was the inadequacy of PCL's projection equipment. The school has only one functioning digital projector, limiting the availability of properly functioning audiovisual equipment.

An ongoing concern is the lack of adequate parking. PCL's building has no parking lot; nearby options include expensive commercial lots and metered street parking. Several Board members see the parking issue as a deterrent to the recruitment of both students and faculty; the school has offered to reimburse instructors' parking fees.

To bring itself into full compliance with Guidelines 7.1 and 7.2, the school should maintain essential and permanent hard copy records in firesafe lockable cabinets, maintain all electrical equipment in working order, provides digital projection equipment adequate to meet the needs of faculty and students, and have an adequate location to store the library required by the guidelines.

**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)**

PCL has sufficient assets with which to support its operations, although its cash reserves are limited. The school owns the building in which it operates. PCL has no debt aside from a small

loan secured by the property; the self-study suggests this loan may have been satisfied in full, or even forgiven. In March 2020, cash on hand totaled \$70,000, held in the school's checking accounts.

The school's reliance on volunteer labor keeps overhead low. Historically, the dean, registrar, and faculty members have been uncompensated, and a few students have provided administrative assistance in exchange for a reduction of their fees. The school's only paid position has been that of a part-time administrator. After the inspection visit, the Board expanded the Administrator's role to include the duties of the Registrar and authorized full-time hours.

PCL's revenues have been roughly equal to expenses in most years, according to the self-study. Approximately 60 percent of the school's income has typically derived from tuition and student fees, and another 33 percent from rental of the building's first floor, with additional revenue generated from small donations and uncategorized income.

In the past three years, the school incurred unusual expenses, including attorneys' fees for a lawsuit arising from the 2017 governance crisis, and construction costs for the repair of property damage caused by the 2017 and 2018 fires. Expenses exceeded income in fiscal year 2019 by roughly \$23,350, after adjustment to exclude fire-related insurance payments and expenses. A total enrollment of 25 students has remained relatively consistent since the 2014 visit.

To address budget shortfalls, PCL raised its tuition in fall 2019 by 25 percent, from \$4,000 to \$5,000 per year, the first such increase in at least eight years. An annual student accountability fee of \$600 remained unchanged, and no additional tuition increases are planned at this time. Total program costs are now \$22,400, making PCL's JD program one of the most affordable in the state. Largely due to increased tuition revenue, PCL projects a return to profitability in fiscal year 2020, with an anticipated surplus of \$27,610.

PCL's Board is pursuing several initiatives to ensure the school's continuity. A draft strategic plan is expected to be finalized by mid-2020; as part of that effort, the school has hired a consultant to create a development plan. Separate subcommittees are exploring how to best manage the current building. Pending that decision, the school has elected to make only necessary structural repairs to the fire-damaged portion of the building, so the library portion currently remains closed, though the school must create a plan to return to compliance regarding its library contents.

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

PCL has maintained some, but not all, of the records required by Guideline 9.1, as shown by a sample review of the school's files and records. Historically, record-keeping responsibilities have been assigned to a paid, part-time administrator and a volunteer registrar, overseen by the Board. Turnover in these roles has been frequent and the school has no written procedures to guide new

personnel about how to maintain accurate records in compliance with Guideline 9.1. As outlined in the self-study, the dean's duties do not encompass oversight for record-keeping.

Since her appointment in October 2019, Administrator Hawkins had been working to bring the school's records into compliance. She explained ongoing file reconstruction efforts, as well as plans to create written procedures to address record-keeping requirements. After the inspection, Ms. Hawkins' position was expanded to include the registrar's duties and the dean reported that PCL had brought certain records up-to-date, including entering student grades from the most recent class terms rather than storing them in emails.

To bring itself into full compliance, the school should ensure that its records are fully compliant with Guideline 9.1, that it has adopted written procedures—including oversight provisions—with respect to record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D). Several priority tasks are enumerated below.

Admissions and permanent student files must be regularly maintained, pursuant to the requirements of Guideline 9.1(A)-(C). The school should ensure that all mandated documents—the files of applicants and admitted applicants for the 2020-2021 academic year, and all current student files—are either filed or justifiably awaited. Transcripts showing eligibility for admission should show they have been timely filed, pursuant to the 45-day requirement of Guideline 5.30. Files should routinely include memoranda documenting all academic, administrative, and disciplinary decisions, including the grant of disability accommodations.

Records related to academic matters should be timely prepared and available for their intended purpose, which is improvement of the educational program. To be fully compliant, the school should ensure that files of all PCL students, both past and current, contain an accurate, up-to-date, permanent transcript compliant with Guideline 9.1(D). The school should also ensure regular compliance with the several types of grade records listed in Guideline 9.1(E), as well as maintenance of class records data for all current courses, including final grades, as required by Guideline 9.1(F). Faculty files should be reviewed and updated annually to include all information outlined in Guideline 9.1(H), including but not limited to law school transcripts, evaluations, bar status updates, and current evaluation documents.

PCL should permanently maintain its institutional documents, pursuant to Guideline 9.1(I) through (M). PCL's Board meeting minutes since mid-2017 and a number of committee minutes were available for review; other documents were not, including faculty meeting minutes.

The school was found to have regularly filed annual reports required by Guideline 9.1(O) and (P); compliance with the Rule 4.241 Disclosure Statement is addressed above.

**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)**

PCL satisfies Guideline 10.1. The school adheres to the principle of equality of opportunity, as reflected in the school's student body and faculty, and has adopted a written policy of nondiscrimination. As stated in the Catalog, "PCL is committed to equality of opportunity, academic freedom, and human dignity requiring that all affairs of the school be free, to the fullest extent the law allows, from invidious discrimination in all its forms."

PCL's student body and faculty are diverse. During the 2019–2020 academic year, 82 percent of PCL students identified as belonging to demographic groups other than white, an increase from 68 percent in the prior year. The current male-to-female ratio for students is 55 percent male to 45 percent female, representing a slight increase in women enrolled since last year. According to the school's 2019 Annual Compliance Report, approximately 44 percent of PCL's faculty members are women, and roughly 81 percent are not Caucasian.

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

PCL 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 CBE, including information requests from the Consultant.

## **CONCLUSION AND RECOMMENDATION**

While a significant number of issues were identified at the time of the inspection, the school was open to suggestion and took immediate action, continuing even through the challenges brought about by the current pandemic.

Since the inspection, the school has already documented completion of the majority of both the mandatory and suggested recommendations.

One of the issues being considered involves the school's requirement to own and maintain a hard copy library after the school's library building was damaged by a fire. Given the CBE's waiver allowing schools to teach online this year, it is suggested that the school be granted with a temporary waiver to satisfy the library requirements through its online research provider and access to the nearby Los Angeles County Law Library through November 2021.

It is further recommended that the school provide a progress report on all other specified recommendations in its 2020 Annual Report. For those recommendations for which the school has created and published a compliant policy, the school's summary in the Annual Report should include confirmation of the implementation of the policy.

Based on the significant progress made by the school since the inspection, and the progress planned in the near term, it is recommended that the school's registration be extended through winter 2025 unless the Committee requests an inspection sooner.



## PEOPLES COLLEGE OF LAW

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*Training Peoples Lawyers Since 1974*

July 20, 2020

Committee of Bar Examiners  
State Bar of California  
180 Howard Street  
San Francisco, CA 94105

Re: Notification pursuant to Rule 4.244(F) of the Unaccredited Law School Rules, concerning Inspection Report dated July 8, 2020

Dear Committee of Bar Examiners and State Bar of California:

Our thanks to the Committee of Bar Examiners, the State Bar, and the Committee's Inspector, Ms. Georgakis, for the Inspection Report, which has been so helpful to us in making improvements at Peoples College of Law. This is our notification regarding the Report pursuant to Rule 4.244(F) of the Unaccredited Law School Rules.

Peoples College of Law (PCL) certainly accepts the Conclusion and Recommendation on page 22, the Recommended Action by the CBE on page 3, and the material under "Recommended Mandatory Actions" and "Recommended Suggestions to Enhance Compliance" on pages 3 to 7.

Yet there is a technicality we need to address. In a nutshell it is this: the true import of the Inspection Report is in the Conclusion and Recommendation, the Recommended Action by the CBE, and the material under "Recommended Mandatory Actions" and "Recommended Suggestions to Enhance Compliance." Those show PCL's remediation and progress following the inspection. But it appears the remediation and progress are not entirely reflected in the discussion on pages 7 to 22, written before PCL sent to the Committee an update of its progress. We explain this point in more detail.

As the Report states on page 3 under the heading, "Recommended Action by the CBE":

"This inspection report outlines a significant number of issues observed during the inspection that required immediate and focused attention. Subsequent to the inspection, however, the school has already accomplished remediation of many of the identified issues.

"Just prior to the completion of this inspection report, the school sent an update documenting significant progress or completion of the majority of the recommendations,



as noted in each recommendation below. Progress included significant changes ... [¶]  
Based on the school's significant progress and planned progress in the near term, it is recommended that the school's registration be renewed ...."

To reflect PCL's "remediation" and "update" noted in the excerpt above, the "Recommended Mandatory Actions" and "Recommended Suggestions to Enhance Compliance" (pages 3 to 7) were modified by adding at the end of nearly all of them a phrase such as this one at the end of Recommended Mandatory Action Number 1: "Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy."

The issues concerning PCL's compliance that were observed during the inspection, before PCL's remediation and update, are discussed in the Report beginning at the bottom of page 7 and ending nearly at the end of the entire Report, on page 22, just before the Conclusion and Recommendation. As far as length, this discussion is the bulk of the report.

The technicality we need to address arises from the fact that in many places this discussion on pages 7 through 22, unlike the Recommendations, was not modified to reflect PCL's remediation and update. Thus, where that discussion raises issues with PCL's compliance with a particular Rule, often it does not also reflect PCL's remediation and progress with respect to the Rule, although the corresponding Recommendation does reflect the remediation and progress.

As we say, this is our notification pursuant to Rule 2.444(F). That Rule reads in part, with emphasis added here: "Within fifteen days of receiving an inspection report, the law school must notify the Committee that it *accepts the report or objects to it in whole or in part.*"

Thus, our "objection" is simply that the discussion on pages 7 through 22 should not be read without reference to the remediation and progress PCL accomplished subsequent to the inspection, or without reference to the comments about the remediation and progress in the various Recommended Mandatory Actions and Recommended Suggestions to Enhance Compliance, or without reference to the discussion on page 3 under "Recommended Action by the CBE" and to the Conclusion and Recommendation at the end of the Report. We also believe the page 7-22 discussion should be read in conjunction with the update PCL sent to the Committee, contained in my lengthy letter of June 22, 2020.

Sincerely,

*Ira Spiro*

Ira Spiro  
Dean, Peoples College of Law