



The State Bar of California

OPEN SESSION
AGENDA ITEM O-403
DECEMBER 2020
COMMITTEE OF BAR EXAMINERS

DATE: December 4, 2020

TO: Members, Committee of Bar Examiners

FROM: Natalie Leonard, Principal Program Analyst

SUBJECT: Periodic Inspection Report of San Francisco Law School

EXECUTIVE SUMMARY

This agenda item presents the report of the periodic inspection of San Francisco Law School conducted in February and March 2020.

BACKGROUND

Accredited law schools are inspected for compliance with the Rules for Accredited Law Schools (rules) and Guidelines for Accredited Law School Rules (guidelines) approximately every five years. (Rule 4.162.)

San Francisco Law School is an accredited Law School with approved campuses in Emeryville and San Diego. The law school is part of Alliant International (AIU), a larger entity based in San Diego and offering a wide range of undergraduate and graduate degree programs.

San Francisco Law School is an accredited law school that has been in continuous operation since 1909. It was first accredited in 1937. The school enrolls 63 students across two campuses. Its most recent Minimum, Cumulative Five-Year Bar Passage Rates (MPR) are as follows: 46.2 percent (2018); 41.7 percent (2019); and 36.0 percent (2020). The law school's current MPR is below the minimum required value of 40 percent and will be discussed under separate cover today.

In recent years, the school has undergone several significant changes. These include a merger with AIU, conversion to for-profit status, sale of its San Francisco campus and two subsequent

campus moves of the northern California campus to its current home in Emeryville, and the addition of a San Diego branch campus. SFLS also recently underwent a recapitalization process such that the non-profit entity that maintains scholarships and proceeds from the sale of the business no longer has an ownership stake in the law school, though it will continue to maintain or utilize those funds for the benefit of the school. The school has also undergone significant staff changes, as well as significant periods of time when key positions were vacant.

The State Bar conducted a partial inspection of the school in 2017 but was unable to complete the inspection at that time. It was challenging to reschedule the inspection with the number of changes taking place over an extended period of time. In 2018, a tentative inspection was proposed, but could not be confirmed before the dean departed suddenly. In 2019, the school was set for inspection, but the move to Emeryville was delayed due to unforeseen construction issues, now resolved. The inspection was conducted in 2020 at both the San Diego and Emeryville campuses, and staff has been working with the school to address the team's observations since that time.

The inspection team was composed of team leader and State Bar educational consultant Heather Georgakis, joined in Emeryville by Committee of Bar Examiners (Committee) member Alex Chan and Dean Mitchel Winick of Monterey College of Law, and joined in San Diego by Dean Robert Humphreys of Humphreys University. The team met at the San Diego campus on February 9-11, 2020 and at the Emeryville campus on March 3-5, 2020. Just prior to the inspection, SFLS promoted the interim dean, Timothy Weimer to permanent status.

In preparation for the inspection, the school received a list of documents that would be reviewed and created a schedule with the consultant. The school was provided with the opportunity to designate which portions of the inspection would be conducted in Emeryville versus San Diego and selected the order in which the campuses would be visited. The law school had several weeks between visits to prepare and adjust as well.

The dean, now newly permanent, was eager to implement plans to enhance the school's operation and performance, and he was looking forward to hiring a permanent administrative team. After the visit, an interim campus administrator in San Diego was named to a permanent role, an experienced registrar was hired to replace a prior interim assistant registrar who retired, and the dean added clerical support and information technology support from a central staff.

During the visit, a significant number of issues were raised in three general areas: staffing levels; unfamiliarity with the Rules for Accredited Law Schools; and confusion regarding the services handled by the law school versus centralized university administrative services. It was challenging to assess the financial resources available to the school due to the complex and evolving nature of the entities involved in the ownership of the law school and the university of which it is a part; in addition, AIU has been funding campus operations, but indicated that it has not sought contribution from the funds dedicated to the benefit of the law school for several years and that it would be doing so in the future.

Due to the extensive and detailed nature of the team's overall observations, the State Bar provided the law school with an informal copy of the report for review and discussion to confirm facts before the report was finalized. After the school had an initial opportunity to respond, the inspection report was finalized and submitted to the law school. (Attachment A.) SFLS exercised its option to provide a response under the rules, forwarding a summary after thirty days, and requesting an additional sixty days allowed under the rules to support its response. (Attachment B) At the State Bar's request, the school provided a further update as to its progress relative to its self-identified progress deadlines, which were generally delayed due to changes related to the pandemic (Attachment C.) The school's responses includes objections, clarifications, and progress accomplished or planned subsequent to the inspection. Staff reviewed the extensive supporting documents provided to confirm the extent to which they supported the assertions in the school's response.

The team's resulting recommendations are as follows, with a brief summary of subsequent progress or clarification provided in the school's response noted in italics after each recommendation.

The team proposes that the Committee of Bar Examiners (Committee) adopt the nineteen mandatory recommendations and three additional recommendations listed below:

- 1. Guideline 2.3(B)-(C):** It is recommended that the school revises the publications of AIU and SFLS to accurately and consistently state its academic and operational policies, and with respect to electives, to delete electives not offered in the past three years or expected to be offered in the next two years, and to inform students 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 law school fully addressed this recommendation and provided documentary evidence.

- 2. Guideline 2.3(D)(1)-(3):** It is recommended that the school publishes all disclosures required by the guideline on a separate page of its website that is entitled Accreditation and readily accessible to the public by that title, correctly labeled and in their most current version.

Subsequent to the inspection the law school fully addressed this recommendation and provided documentary evidence.

- 3. Business and Professions Code section 6061.7:** It is recommended that the school includes the required link to the current version of the disclosure form on the Admissions page of its website.

Subsequent to the inspection the law school fully addressed this recommendation and provided documentary evidence.

4. **Guideline 2.3(E)(2):** It is recommended that the school revises all published statements referring to WASC accreditation to indicate that the law school's degree-granting authority is based on accreditation by the Committee of Bar Examiners, as it pertains to qualification to take the California bar exam and become a licensee of the State Bar of California.

Subsequent to the inspection the law school fully addressed this recommendation and provided documentary evidence.

5. **Guideline 2.3(E)(2):** It is recommended that the school revises all published statements, in the AIU Catalog and otherwise, to clarify that students who graduate from SFLS are eligible to practice law in California after passing the bar exam, by adding "and successfully fulfilling all other licensing requirements."

Subsequent to the inspection the law school fully addressed this recommendation and provided documentary evidence.

6. **Guideline 2.7(C):** It is recommended that the school adopts, publishes, and implements a written policy on the authentication of student work.

Subsequent to the inspection the law school fully addressed this recommendation and provided documentary evidence.

7. **Guideline 2.7(E):** It is recommended that the school amends and republishes its policy on the review of exam answers to permit students to inspect and copy exam questions as provided.

Subsequent to the inspection the law school fully addressed this recommendation and provided documentary evidence.

8. **Guideline 2.10(A):** It is recommended that the school amends its publications, including the SFLS website, to accurately describe the services, activities, and experiences currently available to students, by campus.

Subsequent to the inspection the law school fully addressed this recommendation and provided documentary evidence.

9. **Guidelines 3.1 and 4.1(A)-(C):** It is recommended that the school evaluates its administrative structure and makes such changes as necessary to ensure full and sustained compliance with the Committee's guidelines, including all administrative requirements. Since the inspection, the school has added a full-time registrar effective June 15, 2020, though hiring of any other positions has been frozen due to the pandemic.

Subsequent to the inspection the interim assistant registrar retired and was replaced by a new registrar who has served as a registrar at another institution of higher learning. The registrar will also participate in student counseling. A staff administrator has also been made permanent at the San Diego campus, and a full-time faculty member has

been hired concurrent with the launch of a full-time campus. It is hoped that these additions will assist the school to take proactive steps to achieve and maintain compliance.

- 10. Guidelines 4.7 and 4.8:** It is recommended that the school adopts, publishes, and implements a compliant faculty evaluation process.

Subsequent to the inspection the law school has outlined a process in its response, some of which existed previously, and must demonstrate consistent implementation of the process going forward.

- 11. Guidelines 5.3 and 11.1(B)-(C):** It is recommended that the school adopts, publishes, and implements a policy that meets guideline requirements with respect to the filing of official transcripts, and includes a procedure that will permit validation that all requirements have been met and official transcripts are received within the Committee's time limits.

Subsequent to the inspection the law school fully addressed this recommendation and provided documentary evidence.

- 12. Guidelines 5.6 and 5.7:** It is recommended that the school adopts, publishes, and implements policies that incorporate guideline standards, including a process to ensure that decisions are documented as required.

The school indicated that it planned to update all student files with documentation of key decisions and to create a centralized repository of communication with the Committee by October 30, 2020. More recently, the school clarified that this project will be completed by January 31, 2021.

- 13. Guideline 6.5(A):** It is recommended that the school states in the Student Handbook the requirement that the JD must be completed within the time limits specified in the relevant guideline.

Subsequent to the inspection the law school fully addressed this recommendation and provided documentary evidence.

- 14. Guidelines 6.6(A)-(D) and 6.9(D)-(E):** It is recommended that the school revises its externship policy to state the maximum number of externship units that may be earned.

Subsequent to the inspection the school fully addressed this recommendation and provided documentary evidence.

- 15. Guideline 6.14:** It is recommended that the school shows compliance with the guideline documenting a process to show that grading is consistent and fair and informs students of their progress.

Subsequent to the inspection the law school asserted that it had operating with compliant policies, but they were not documented, and they are now being documented. The school is also requiring more formal documentation from faculty regarding grading, conducting a grading workshop for faculty, and keeping the required copies of examinations on a forward basis to evaluate the correlation between grading and performance on state bar exams.

- 16. Guideline 7.1:** It is recommended that the school carefully tracks the relationship between students' GPAs at graduation and their performance on the bar exam, to demonstrate that students are being graded in a manner that will inform them of their level of academic achievement and likely success on the bar exam.

The law school has ended its experiment in which its curve was raised overall, and it will begin a review of the required correlation metrics. The law school advised that staffing levels were previously insufficient to maintain compliance in this area, but the staff has now been hired and the school intends to return to compliance. This is particularly urgent considering the law school's need to return to compliance with the MPR.

- 17. Guideline 7.9:** It is recommended that the school provides the data and exam papers necessary to demonstrate the quality and reliability of its grades.

The law school asserts that this information has been maintained since 2018 but was not available to the inspection team due to time constraints, which conflicts with the team's account. The law school is in the process of moving the exams to an easily accessed cloud server that will allow a future review, and the law school plans to undertake its own review.

- 18. Guideline 7.11:** It is recommended that the school demonstrates that it documents completion of the minimum number of hours of actual academic engagement for courses delivered by any form of distance-learning technology as required.

The law school must provide the necessary documentary evidence to show that their distance learning requirements meet the standards set forth in the guidelines.

- 19. Guideline 11.1 (A)-(F) and (H):** It is recommended that the school takes steps to comply with all administrative guideline requirements in this section and documents that compliance to the Committee.

Subsequent to the inspection the law school acknowledged that it was out of compliance at the time of the inspection and has undertaken a process to update its recordkeeping as to files for applicants, student and personnel as well as course and examination records.

Additional Recommendations to Enhance Compliance

The inspection team suggests that the school takes the following actions to further enhance compliance:

- 1. Pursuant to Guideline 4.6:** It is suggested that the school considers expanding the faculty development opportunities it provides.

Subsequent to the inspection the law school has updated the faculty handbook, documented policies and implemented training related to the creation and grading of examinations.

- 2. Pursuant to Guideline 8.2:** It is suggested that the school clearly labels hard copy library materials that are not being updated.

Subsequent to the inspection the school indicated that it has fully addressed this recommendation.

- 3. Pursuant to Guideline 9.3:** It is suggested that the school reviews its procedures for promptly addressing technology-related problems to determine what changes are needed, if any.

Subsequent to the inspection the school indicated that its information technology system has been updated, and the school has fully updated its website.

DISCUSSION

Many of the issues observed during the inspection were related to resource availability and allocation. The law school allowed its written and electronic documentation to become out of date, displayed errors in regulatory calculations, raised its grading curve without improvement in performance perhaps contributing to the current drop in bar exam pass rate, and exhibited a number of administrative issues including miscertification of a student as eligible for the bar exam, and course offerings limited relative to what was noted in the student catalog, leading students to take classes at other institutions, contributing to further administrative complications.

The law school also indicated that, in some cases, the required documentation or policies were in place, but could not be produced in time to demonstrate compliance at the inspection. In particular, in some instances, materials were handled by a central staff who had not been briefed on the requirements for compliance. The school also alleged that the individual discussing records was not fully informed, but that was the person proffered by the law school to speak on that topic.

Resource allocation has been raised to this school in the past. In 2016, while the Committee granted permission to the law school to open a branch campus at AIU headquarters in San Diego, the Committee denied two other proposed branch campuses due to a lack of

administrative support identified in the law school's project plan. Since 2017, the school has experienced significant turnover, including the departures of multiple deans and significant periods without a registrar. More recently, the law school did not deploy the resources of its central clerical staff or information technology staff to keep literature and web resources updated.

Since the inspection, the school has reacted quickly and responded to address at least eleven of the nineteen recommendations and made progress toward the additional recommendations. Hopefully, the school's investment in staff, administration and student support subsequent to the inspection will help to ensure affirmative, sustainable, continuous compliance in the future. A portion of this new staff, however, will focus on supporting the school's new full-time program limited to students transferring from John F. Kennedy School of Law as that school's fixed facility program shuts down, so the school will need to monitor its compliance carefully.

The school's response identified several deliverables due on September 30, October 30, or November 30. The State Bar requested an update in mid-November, which confirmed that some progress had been made, but most deadlines had been extended due to issues stemming from the pandemic. (Attachment C.)

Going forward, it will be important not only to confirm that compliance has been achieved, but also to ensure that the law school takes the affirmative steps necessary to 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 Committee of Bar Examiners receives and files the periodic inspection report of San Francisco Law School, adopt its recommendations, and receives and files the law school's two formal responses documenting progress since the inspection.

It is further recommended that the school be required to provide a written update as to each recommendation identified in the report every six months, by May 15 and November 15 of each year, until its next periodic inspection is completed, and that the school's next inspection be set for winter 2022, unless the Committee deems it appropriate to schedule an inspection sooner.

PROPOSED MOTION

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

MOVE, that the 2020 Periodic Inspection report of San Francisco Law School be received and filed, along with the law school's response to that report dated September 24, 2020 and further update dated November 13, 2020; that the school be required to provide an update as to each recommendation identified in the inspection report by May 15 and November 15 of each year until the school's next periodic inspection is completed, and that the school's accreditation be continued and the next inspection set for winter 2022, unless modified by the Committee's findings as to the school's progress related to these recommendations, the school's Minimum, Cumulative Five-Year Bar Examination Passage Rate, or other compliance issues.

ATTACHMENTS LIST

- A.** 2020 Periodic Inspection Report for San Francisco Law School
- B.** San Francisco Law School's Response to the 2020 Periodic Inspection for San Francisco Law School
- C.** San Francisco Law School's Further Response to the 2020 Periodic Inspection Report for San Francisco Law School



The State Bar of California

San Francisco Law School including San Diego Branch Campus

Periodic Inspection Report

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

February 9–11, 2020 and March 3–5, 2020

Visitation Team:

Alex Chan, Member
Committee of Bar Examiners

Robert Humphreys, Dean
Humphreys University, Drivon School of Law

Mitchel Winick, Dean
Monterey College of Law

Heather Georgakis,
Educational Standards, Office of Admissions

REPORT ON THE PERIODIC INSPECTION OF SAN FRANCISCO LAW SCHOOL, 1475 66TH STREET, EMERYVILLE, CA 94608 AND ITS SAN DIEGO BRANCH CAMPUS, 10455 POMERADO ROAD, SAN DIEGO, CA 92131

EXECUTIVE SUMMARY AND RECOMMENDATIONS

Introduction

A periodic inspection of the San Francisco Law School (SFLS) was conducted on February 9–11, 2020 at San Francisco Law School’s branch campus in San Diego (SFLS San Diego), and on March 3–5, 2020 at the main SFLS campus in Emeryville, California (SFLS Emeryville). The Visitation Team consisted of: Alex Chan (SFLS Emeryville), member of the Committee of Bar Examiners (CBE) and Chair, Operations and Management; Dean Robert Humphreys of Humphreys University, Drivon School of Law (SFLS San Diego); Dean Mitchel Winick, Monterey College of Law (SFLS Emeryville); and Heather Georgakis, Educational Standards Consultant to the CBE.

SFLS was founded in 1909 and accredited in 1937. In 1941, the school became a nonprofit entity and moved to its Haight Street campus in San Francisco. In 2010, SFLS began a merger with then nonprofit Alliant International University (AIU). After the merger, the entity switched to for-profit status. As a school within AIU, an institution regionally accredited by the Western Association of Schools and Colleges (WASC), SFLS became eligible to participate in federal financial aid programs. In 2014, SFLS received CBE approval to open a branch campus at an AIU campus in the Scripps Ranch area of San Diego.

The CBE began a partial inspection of the school in 2017, but the inspection was not completed before significant internal change occurred and continued. Since that time, the school has undergone multiple changes in leadership, location, and ownership positions. The State Bar contemplated completion of the inspection in 2018, but leadership changed again on short notice. An interim dean was appointed in 2019, and after the interim period continued for some time, an inspection was scheduled for fall 2019, but was moved to winter 2020 at the school’s request to accommodate a delay in moving the main campus from San Francisco to Emeryville. Shortly before the inspection, Interim Dean Timothy P. Weimer was elevated to Dean.

To capture the current status of the law school’s compliance, a full inspection of both campuses was conducted in 2020 and is summarized in this report.

The school offers a Juris Doctor (JD) through a part-time, four-year, 87-unit evening program that includes a combination of classroom courses and up to 12 online courses. Total program tuition is \$85,260. In fall 2019, total SFLS enrollment was 54 JD students, including 26 students enrolled at SFLS Emeryville and 28 students enrolled at SFLS San Diego. The school has one full-time faculty member, Professor Scott Pearce. All instructors are graduates of law schools accredited by the CBE or approved by the Council of the Section on Legal Education and Admissions to the Bar of the American Bar association, and all faculty are licensed to practice law.

In 2019, the school's five-year Minimum, Cumulative California Bar Passage Rate (MPR) was approximately 42 percent, which exceeds the minimum 40 percent value that must be maintained, but its 2020 MPR has declined to 36 percent, which is below the minimum as discussed below.

Recommended Action by the CBE

While the school has demonstrated compliance with significant portions of the Rules and Guidelines, it appears that the school must make focused, efficient efforts to address a number of compliance in a number of key areas identified in this report. In particular, the school's recordkeeping must be reviewed, disclosures must be updated timely, and the school's communications must be accurate, consistent, and clear. The school must also adjust and implement several policies as noted. Finally, the school's minimum, cumulative five-year California bar examination pass rate (MPR) has been declining for the past several years, and the school's 2020 MPR has fallen below the minimum threshold of 40 percent.

The team understands that these issues may have been exacerbated by significant staff turnover or unfilled positions since 2018, and it is hoped that the school's current initiatives, including the hiring of a permanent dean earlier this year, and a registrar effective June 15, 2020, will enhance compliance. All other job positions at AIU are frozen due to the pandemic. With that said, the school must ensure that it has sufficient support to meet its compliance obligations in order to preserve its accreditation.

The nature and number of recommendations suggest the school's level of compliance may warrant further CBE action unless the school can document significant, specific progress and timelines toward completion of the items listed in the report. The school will have the opportunity to do so in its response to this inspection report. Any action required related to the school's minimum, cumulative bar passage rate will be discussed under separate cover, but will also be discussed here.

Recommended Mandatory Actions

The team recommends that the school takes the following actions to establish full compliance:

1. **Guideline 2.3(B)-(C):** It is recommended that the school revises the publications of AIU and SFLS to accurately and consistently state its academic and operational policies, and with respect to electives, to delete electives not offered in the past three years or expected to be offered in the next two years, and to inform students that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability.
2. **Guideline 2.3(D)(1)-(3):** It is recommended that the school publishes all disclosures required by the guideline on a separate page of its website that is entitled Accreditation and readily accessible to the public by that title, correctly labeled and in their most current version.
3. **Business and Professions Code section 6061.7:** It is recommended that the school includes the required link to the current version of the disclosure form on the Admissions page of its

website.

4. **Guideline 2.3(E)(2):** It is recommended that the school revises all published statements referring to WASC accreditation to indicate that the school's degree-granting authority is based on accreditation by the Committee of Bar Examiners, as it pertains to qualification to take the California Bar Exam and become a licensee of the State Bar of California.
5. **Guideline 2.3(E)(2):** It is recommended that the school revises all published statements, in the AIU Catalog and otherwise, that students who graduate from SFLS are eligible to practice law in California after passing the bar exam, by adding "and successfully fulfilling all other licensing requirements."
6. **Guideline 2.7(C):** It is recommended that the school adopts, publishes, and implements a written policy on the authentication of student work.
7. **Guideline 2.7(E):** It is recommended that the school amends and republishes its policy on the review of exam answers to permit students to inspect and copy exam questions as provided.
8. **Guideline 2.10(A):** It is recommended that the school amends its publications, including the SFLS website, to accurately describe the services, activities, and experiences currently available to students, by campus.
9. **Guidelines 3.1 and 4.1(A)-(C):** It is recommended that the school evaluates its administrative structure and make such changes as necessary to ensure full and sustained compliance with the CBE's guidelines, including all administrative requirements. Since the inspection, the school has added a full-time registrar effective June 15, 2020, though hiring of any other positions has been frozen due to the pandemic.
10. **Guidelines 4.7 and 4.8:** It is recommended that the school adopts, publishes, and implements a compliant faculty evaluation process.
11. **Guidelines 5.3 and 11.1(B)-(C):** It is recommended that the school adopts, publishes, and implements a policy that meets guideline requirements with respect to the filing of official transcripts, and includes a procedure that will permit validation that all requirements have been met and official transcripts are received within CBE time limits.
12. **Guidelines 5.6 and 5.7:** It is recommended that the school adopts, publishes, and implements policies that incorporate guideline standards, including a process to ensure that decisions are documented as required.
13. **Guideline 6.5(A):** It is recommended that the school states in the Student Handbook the requirement that the JD must be completed within the time limits specified in the relevant guideline.
14. **Guidelines 6.6(A)-(D) and 6.9(D)-(E):** It is recommended that the school revises its externship policy to state the maximum number of externship units that may be earned.

15. **Guideline 6.14:** It is recommended that the school shows compliance with the guideline.
16. **Guideline 7.1:** It is recommended that the school carefully tracks the relationship between students' GPAs at graduation and their performances on the bar exam to demonstrate that students are being graded in a manner that will inform them of their level of academic achievement and likely success on the bar exam.
17. **Guideline 7.9:** It is recommended that the school provides the data and exam papers necessary to demonstrate the quality and reliability of its grades.
18. **Guideline 7.11:** It is recommended that the school demonstrates that it documents completion of the minimum number of hours of actual academic engagement for courses delivered by any form of distance-learning technology as required.
19. **Guideline 11.1 (A)-(F) and (H):** It is recommended that the school takes steps to comply with all administrative guideline requirements in this section and documents that compliance to the CBE.

Suggestions for Enhanced Compliance

The team suggests that the school takes the following actions to further enhance compliance:

1. Pursuant to Guideline 4.6, it is suggested that the school considers expanding the faculty development opportunities it provides.
2. Pursuant to Guideline 8.2, it is suggested that the school clearly labels hard copy library materials that are not being updated.
3. Pursuant to Guideline 9.3, it is suggested that the school reviews its procedures for promptly addressing technology-related problems to determine what changes are needed, if any.

Submission of Self-Study

SFLS submitted a complete self-study to assist the team in its assessment of the law school's compliance with the Rules and Guidelines. Dean Timothy Weimer responded promptly to requests for additional information, and that information was considered when drafting this report.

Conduct of Site Visit

The inspection was conducted over two visits, both led by State Bar Consultant Heather Georgakis. The team for the San Diego visit from February 11-13, 2020 also included Dean Bob Humphreys of Humphreys University, Drivon College of Law, while the team for the SF-Emeryville visit from March 3-4, 2020 included Alex Chan, member and chair of operations and management, CBE, and Mitchel Winick, Dean, Monterey College of Law.

At the SFLS San Diego campus, the team toured the branch facilities and interviewed SFLS personnel, including Dean Timothy Weimer, Professor Scott Pearce, and several adjunct professors. The team held a videoconference with the AIU Board of Trustees and met with AIU personnel, including Provost Tracy Heller, members of the Finance and Marketing Departments, Head Librarian Scott Zimmer, Registrar Paul Welch, Human Resources Director Victoria Davidson, and Admissions Director Jose Hernandez. The team observed class sessions over two nights, held a meeting with students, and reviewed a representative sample of AIU and SFLS records. A preliminary exit interview was held with Provost Heller, Dean Weimer, and Professor Pearce.

At SFLS Emeryville, the team toured the new facility, met with Dean Weimer, and discussed record-keeping policies and procedures with Assistant Registrar Tony Cravotto. Campus Librarian Dean Jones provided a tour of the library and reviewed library resources available to SFLS students. The team discussed infrastructure matters with AIU personnel Rudy Torres and Aja Smith, and admissions issues with Admissions Councilor Scott Louie. Meetings were held with groups of adjunct instructors and students. The team reviewed a sample of school records and observed class sessions over two nights. An exit interview was held with AIU President and Chief Executive Officer Andy Vaughn, Provost Heller, and Dean Weimer.

SPECIFIC FINDINGS AS TO THE CBE'S RULES AND GUIDELINES

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

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

The school is compliant with Guideline 1.6.

SFLS is a graduate school within Alliant International University (AIU), a California for-profit benefit corporation in good standing with the Secretary of State. The school is headquartered at the AIU campus in Emeryville, while AIU operates out of its main campus in the Scripps Ranch area of San Diego, where the SFLS San Diego campus is also situated. At both locations, AIU fulfills local requirements governing businesses.

AIU holds institutional accreditation through the Western Association of Schools and Colleges (WASC). As a result of the SFLS merger with AIU, qualified SFLS students are eligible for financial aid issued by or through the U.S Department of Education. AIU maintains cohort default rates within the limits set by the U.S. Department of Education.

Policies and procedures of the larger university apply to SFLS and its students. AIU has policies and procedures in place to protect student privacy and comply with the Family Educational Records Privacy Act. Student files are password-protected or held in locked files with limited access. University policies and procedures also address the Americans with Disabilities Act and similar laws, including requests for accommodations. Health records submitted with such

requests are held in the AIU Office of Accessibility and protected against unauthorized disclosure pursuant to the Health Insurance Portability and Accountability Act.

As required under applicable federal laws, AIU has appropriate policies on smoking, alcohol, drugs, crime, discrimination, and sexual harassment. In some cases, SFLS has school-specific policies, such as the school's Substance Abuse Policy.

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

Except as noted, SFLS complies with the requirements of the Rules and Guidelines as to integrity.

Adequate personnel are employed to handle financial matters in a timely, compliant manner. Financial information is set forth coherently and consistently in AIU and school publications. Applicants and students have access to financial counseling, and the school appears to comply with Department of Education requirements for financial aid programs. The school's tuition refund policy complies with Guideline 2.2(B). Refund terms are reasonable and clearly stated in the SFLS Student Handbook (Handbook) and AIU Catalog (Catalog), refunds are processed within 30 days, and students are informed of the impact of withdrawal on financial aid they may have received.

Guideline 2.3 requires that SFLS communicates honestly and forthrightly with the public, applicants, and students. Academic and operational policies are communicated in the AIU Catalog, SFLS Student Handbook, and Law Faculty Handbook. These documents provide detailed information about: the curriculum; academic standards, including exam procedures, grading, calculation of academic standing, grade appeals, and probation; and graduation requirements. The Student Handbook outlines compliant policies on attendance and discipline.

There were material inconsistencies between the AIU Catalog and the SFLS Student Handbook, as for example, with respect to graduation requirements and the availability of an elective course Internship/Externship, some information was not current. To comply with Guideline 2.3(B) and 2.3(C), SFLS should revise publications of AIU and SFLS to accurately and consistently state the school's academic and operational policies. Further, the school should remove from the AIU 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 taught each year, but are offered from time to time based on student interest and instructor availability.

The SFLS website is accessible through the AIU website. To comply with Guideline 2.3(D)(1)-(3), on a separate page of its website that is entitled Accreditation and readily accessible to the public by that title, the school should publish all disclosures required by the Guideline, correctly labeled and in their most current version. SFLS should also revise the Admissions page of its website to include a link to the current version of the disclosure form mandated by California Business and Professions Code section 6061.7, as the statute requires.

To comply with Guideline 2.3(E)(2), SFLS should revise published statements referring to WASC accreditation, both on the AIU and SFLS website and elsewhere, to indicate that the degree-granting authority of SFLS is based on accreditation by the CBE, as it pertains to qualification to take the bar exam and to become licensed to practice law by the State Bar of California. Further, the school should correct the materially incomplete statement in the AIU Catalog that students who graduate from SFLS are eligible to practice law in California upon passage of the bar exam, by adding “and meeting other licensing requirements.”

Academic standards are fair and stated in writing, as required by Guideline 2.7(A), except as noted. SFLS uses a letter grading scale for most required courses, including courses tested on the bar exam. Pass-Fail grading is used for certain practical skills and elective courses. Anonymous grading is used in most courses. Every course syllabus states the basis for the final course grade (Guideline 2.7(B)) and grades are typically issued within reasonable time period. (Guideline 2.7(D)) Petitions for grade review are handled by the faculty Academic Standards Committee pursuant to an appropriate process. (Guideline 2.7(F)-(G))

As required by Guideline 2.7(C), SFLS should adopt, publish, and implement a written policy on authentication of student work. The school also should amend and republish its policy on the review of exam answers to permit students to inspect and copy exam questions, as required by Guideline 2.7(E).

AIU and SFLS have appropriate written policies for protection of student privacy. (Guideline 2.8) Through AIU, the school has adequate security procedures to protect its computer systems, communications systems, and electronic records.

The school offers its students a variety of opportunities, not limited to academic counseling, library services, moot court, bar preparation assistance, Westlaw, and instructional technology. These opportunities are described generally in the AIU Catalog, but are largely unmentioned on the SFLS website. To bring itself into compliance with Guideline 2.10, it is recommended that the school amend its publications, including the SFLS website, to accurately describe the services, activities, and experiences currently available to students organized by campus.

Academic counseling is offered to all students through the SFLS Academic Support Program. Dean Weimer and Professor Pearce regularly provide individual and group counseling on effective study, exam preparation, and test-taking strategies. They anticipate that counseling will be a responsibility of the Associate Dean and Registrar when those positions are filled, though they have been open for more than one year. As stated in the SFLS Faculty Handbook, adjunct instructors are expected to be available by appointment to counsel their students; they also meet with students before and after class. (Guideline 2.10(B)) The school also provides online academic resources, including access to past SFLS exam questions, Westlaw Academic website materials, tutoring services, and BARBRI bar preparation outlines.

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

Over the past ten years, both SFLS and its corporate parent AIU have undergone a series of significant transitions. When SFLS began its merger with AIU in 2010, AIU was a nonprofit corporation. After several ownership and corporate changes, AIU is now a California for-profit public benefit corporation, AIU, Inc., owned by Arist Education System LLC (Arist), a Delaware limited liability company. Arist, in turn, is owned by Bertelsmann SE & Company, a conglomerate based in Germany.

The Alliant Education Foundation (Foundation), a former shareholder in AIU, Inc., no longer has an ownership interest, and the Foundation has further been renamed and repurposed. As an entity which historically provided funding and resources to support AIU scholarships and research grants, the Foundation still holds approximately \$965,000 in SFLS scholarship funds. Through its legal counsel, the Foundation has given reassurances that it remains committed to AIU and SFLS, and “will continue to honor in perpetuity the specific purposes for which those funds were designated,” though it no longer has an ownership stake in the school.

As the University’s corporate status and ownership were changing, SFLS was itself engaged in ongoing changes. By merging with a larger WASC-accredited institution, SFLS qualified to participate in federal financial aid programs. Since 2014, the school has had five deans and two registrars, as well as a significant period in which it operated under interim leadership. Regarding facilities, the school opened a San Diego branch campus in 2014. Shortly thereafter, the school sold the San Francisco campus building and moved the campus to leased space in San Francisco in 2016, and then again to Emeryville in 2019 and 2020. At the end of 2019, AIU and SFLS were also forced to quickly transition to a new Student Information System because a prior system failed ahead of schedule.

SFLS is now governed by two boards. The AIU, Inc. Board of Directors includes five-to-six members who are responsible to the corporation’s shareholders and employees. The directors hold the power to approve the University’s budget prepared by the AIU Board of Trustees. The Board of Trustees, with nine-to-eleven members, meets at least four times per year. Subject to the ultimate control of the directors, the trustees oversee the institutional integrity, educational functions, policies, and operations of AIU, including SFLS. Day-to-day management of AIU has been delegated to AIU President Andy Vaughn, a nonvoting member of the Board of Trustees.

Representatives of both Boards serve on an ad hoc SFLS Committee formed in 2017 to support SFLS in meeting several goals, including the hiring of a permanent dean. AIU’s Executive Leadership Team now meets quarterly with SFLS leaders to review the school’s operations and send progress reports to the ad hoc SFLS Committee for transmission to the trustees.

Based on a meeting with the Board of Trustees and a review of several years of meeting minutes, the team found that the Board is actively engaged in decision-making for SFLS, and is informed about the school’s progress toward the goals established by the ad hoc SFLS Committee.

The school's governance infrastructure satisfies Guideline 3.1. As noted below, however, to establish full compliance, SFLS must show that it has adequate administrative capacity to support full and sustained compliance with the Rules and Guidelines as further described below.

Rule 4.160(D): Dean and Faculty. The law school must have at each campus, including any approved branch campus, a competent dean, a qualified administrator, an adequate administrative staff and a competent faculty that devote adequate time to administration, instruction and student counseling. (Guidelines 4.1–4.9)

In May 2018, the current dean was hired as registrar and professor. In March 2019, when the prior dean left on short notice, Dean Weimer continued in his original roles and also assumed the roles of Interim Dean and SFLS Emeryville Administrator. In February 2020, he was named permanent Dean. He teaches several courses and visits the SFLS San Diego campus quarterly.

Dean Weimer graduated with a JD from the University of Akron in 2015 and is licensed to practice law in Ohio. His law career has included work as a litigation analyst and in a general law practice. Before law school, the dean was employed in the finance industry; he holds an MBA from Capella University. He was selected as dean after a wider recruitment based on his qualifications as well as his experience at the school. (Guidelines 4.1(A) and (B))

The SFLS San Diego campus had been administered by a full-time associate dean until December 2018, when the most recent associate dean departed. During the inspection, AIU and SFLS leadership indicated that the position had been held open pending the appointment of a new dean and was expected to be filled quickly, but a pandemic-related hiring freeze has since put the position on hold once again.

In the meantime, Scott Pearce, Associate Professor of Law, has been serving as Administrator of the San Diego branch campus as required by the guidelines. Professor Pearce is a 1984 graduate of the USC Law School. He previously worked as a Deputy Public Defender and in private practice. He became an SFLS San Diego Adjunct Instructor in 2014 and an Associate Professor in 2018, after years of teaching law and developing bar review-related services. He plays a leadership role in several AIU and SFLS faculty bodies and is qualified for his role.

Guideline 4.1(C) allows a school with two branches to have a single, full-time registrar if students at both locations must have access to all registrar services. At the time of the inspection, registrar functions were split between the AIU Registrar's Office in San Diego and the SFLS Registrar, who was also the dean. According to the job description, the duties of the SFLS Registrar are full-time, and include campus-centered tasks such as student program advisement, exam oversight, maintenance of records, and report preparation.

Between October 2017 and May 2018, SFLS operated without a registrar. Since then, until recently, Dean Weimer has served as SFLS Registrar, supported by an Assistant Registrar who had previously served as AIU's Academic Programs Coordinator. After the inspection, a full-time registrar started work on June 15, 2020 and is based at SFLS San Diego.

AIU's University Registrar, Paul Welch, was found to be knowledgeable about the CBE's rules and guidelines. Further, the partnership between his office and SFLS has been valuable; for example, a recent suggestion by Mr. Welch resulted in improvement of the SFLS transfer credit process, and he helped to address and correct an issue related to a degree awarded prematurely. He is not specifically assigned solely to the law school, however, and it appears that more focus is needed in this area. The team was not able to determine that campus-centered registrar functions have been similarly managed. CBE-required documents and reports were not available for review during the inspection, and activities such as student advisement did not appear to have been performed or documented consistently. This may be partially due to the fact that both academic and student advising were being done by Dean Weimer and Dean Pearce in addition to their significant duties, and without clerical support. Moreover, there have been several incidents over the past year in which administrative issues affected a student's graduation date or opportunity to participate in practical skills training. In addition, as discussed in this report, the school must take steps to ensure that policies comply with the guidelines and are described consistently in school materials, with the most updated information posted timely.

To demonstrate full compliance with Guidelines 3.1 and 4.1(A) through (C), the school should evaluate its administrative structure and ensure adequate capacity at each campus to support full and sustained compliance with the rules and guidelines overall.

As reported in fall 2019, the faculty includes one full-time instructor and 27 adjunct instructors. All faculty graduated from law schools that were either accredited by the CBE or approved by the Council of the Section on Legal Education and Admissions to the Bar of the American Bar Association (ABA); approximately 15 percent are SFLS graduates. Instructors contribute to curricular development, academic policies, and program effectiveness through the Faculty Council, which meets several times per year. The entire faculty meets at least twice per year by videoconference. Other faculty bodies include an Academic Standards Committee, Admissions Committee, Curriculum Committee, and as necessary, ad hoc disciplinary panels.

The team met with groups of faculty members at each campus. Their dedication to SFLS and its students was evident. The faculty were knowledgeable about the school's academic standards, including plans to develop a new program to assess student learning outcomes. All felt they had the opportunity to influence decisions about the academic program. At both campuses, instructors expressed the hope that administrative stability would increase with the permanent appointment of Dean Weimer.

Faculty credentials, workloads, and student-faculty ratios comply with requirements. (Guidelines 4.3-4.5) Most instructors teach one course per term, leaving adequate time for student counseling. The student-to-faculty ratio is 6.3:1 in Emeryville, and 6.1:1 in San Diego. Instructors are expected to improve their teaching skills and maintain subject matter expertise. (Guideline 4.6) According to the self-study, teaching enhancements and pedagogy are addressed at faculty meetings. It is suggested that the school considers expanding the faculty development opportunities it provides to extend beyond the internal faculty meetings.

To bring itself into full compliance, SFLS should adopt, publish, and implement a faculty evaluation process that meets all requirements of Guidelines 4.7 and 4.8. The current process includes only some of the mandated considerations; further, evaluations have not been conducted within required timeframes or routinely documented in faculty files, again perhaps as a result of staffing levels.

Finally, SFLS fulfills Guideline 4.9, having adopted an academic freedom policy, and Guideline 4.10, having given notice of certain administrative changes.

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

The law school appears to offer a sound program of legal education, except as noted.

The JD program consists of a part-time curriculum taught mainly through on-campus evening classes over two 15-week semesters and one 10-week summer session each year. Students may begin the part-time program in fall, spring, or summer. To graduate, students must earn at least 87 semester units, complete all required courses, and have a minimum grade point average (GPA) of 2.0, both cumulatively and in the current year. The quantitative requirements of Guideline 6.5(A) are satisfied, but the Student Handbook should inform students that the JD must be completed within the time limits set by Guideline 6.5(A).

SFLS offers most elective courses online and offers some of its required classes online as well. The school primarily uses synchronous, “real time” classes. Some courses are conducted at one campus and broadcast to the other, while others are offered online to students at both campuses.

Students must successfully complete courses in all subjects tested on the bar exam, including Professional Responsibility, as required by Guideline 6.7. Mandated courses also include Success Skills, Legal Writing or Foundations of Legal Analysis, Legal Research, Moot Court, Trial Practice, Advanced Legal Reasoning, Advanced Legal Writing, and several bar skills topics. Seven elective units are also required; the AIU Catalog lists 13 elective courses, including E-Discovery and Disability Law.

SFLS recently revised its externship program, adopting policies and procedures that satisfy most mandates of Guideline 6.6(A)-(D) and Guideline 6.9(D)-(E). To earn one unit of credit, students must perform 60 hours of work at an approved site and complete an externship class. The school should revise its externship policy to state the maximum number of externship units that may be earned. (Guideline 6.6(D))

As permitted by Guideline 1.8, SFLS requires students to take several bar exam-related courses, including two MBE-skills courses; Advanced Legal Writing, addressing the Performance Exam; and Advanced Legal Reasoning, focusing on essay writing. The school also contracts with BARBRI to give students access to BARBRI materials throughout their law studies, and a bar review course prior to taking the bar exam.

According to the AIU Catalog, midterm and final exams are given in all graded courses, while papers are required in some elective courses, as permitted by Guideline 6.11.

Over four evenings, team members observed scheduled evening lecture classes. Core subjects were taught primarily through lecture or modified Socratic inquiry. The team observed engaged teaching in most classes; professors were prepared and in command of their material. Several professors used technology; a few distributed handouts. The team was impressed to see polished presentation skills among several newer instructors. In the most dynamic classrooms, professors communicated their teaching goals for the evening, kept class lively by challenging students to participate, and used their physical presence to convey emphasis.

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

The team reviewed a sample of final exams in core subjects, which primarily consisted of essay questions. Most were appropriate in length and difficulty, and appeared to fairly test student ability and fundamental knowledge of course topics, although few issue sheets or topics outlines were available for review. The team was unable to fully assess whether the school's grading standards are compliant with Guideline 6.14 because exam papers and data were not available, though this is required. The school must demonstrate that its grading standards meet the requirements of Guideline 6.14, including the requirement that there be a reasonable correlation among the grades of instructors teaching the same group of students.

Rule 4.160(F): Competency Training. The law school must require that each student enrolled in its Juris Doctor Degree program satisfactorily complete a minimum of six semester units (or their equivalent) of course work designed to teach practice-based skills and competency training. Such competency training must teach and develop those skills needed by a licensed attorney to practice law in an ethical and competent manner. A law school must provide the opportunity for students in the JD degree program to complete a minimum of fifteen units of practice-based skills and competency training. (Guideline 6.9)

A school can fulfill the competency training requirement by including practical skills training in the standard required courses, or by offering clinics or legal experiences. SFLS incorporates a total of 12 competency training credits into the required curriculum, including Legal Research (four units), Moot Court (two units), Trial Practice (three units) and Advanced Legal Writing (three units). Students can earn additional units of practice-based skills and competency training by enrolling in the Externship Program described above, or other skills-based elective courses, bringing the total available up to 19 credits.

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

For the most part, SFLS maintains scholastic standards designed to ensure that it retains only those students who appear to have the ability to succeed in the JD program, but the grading

standards call these policies' effectiveness into question, and possibly allow students who are academically unqualified to continue. Policies stated in the Student Handbook and AIU Catalog clearly define academic standing, academic disqualification, advancement in good standing and on probation, and retention and graduation requirements.

Grading policies are detailed in the AIU Catalog and Student Handbook. Except in Pass/Fail courses, instructors assign numeric scores on a scale of 0-100. These scores are converted to letter grades on a typical A-F scale, with corresponding "quality points," e.g., 100–90 percent = A (4 quality points), 89–87 percent = A- (3.7 quality points), and so forth. A student with a score below 55 receives no academic credit for the course and must retake it.

SFLS does not have a mandatory grade curve. However, the school recently adjusted its grading expectations to raise median grades from C+ to B-. The team as advised that this change was intended to make it easier for SFLS students to compete for judicial clerkships and jobs against students from other schools that award higher grades. However, data included with the self-study shows that the school has not analyzed the relationship between graduation GPAs and bar exam pass rates since 2016, and recent bar exam results for graduates do not suggest that SFLS grading standards have given the students a fair assessment of their progress.

To show full compliance with Guideline 7.1, the school should carefully track the relationship between student GPA at graduation and performance on the bar exam, to understand whether students are being graded realistically, and are not being misled about their level of academic achievement and likely success on the bar exam.

Students are evaluated for advancement and retention at the end of each academic year. To remain in good standing, students must maintain both a total cumulative and annual grade point average of 70/2.0 or higher. Those who fail to maintain the minimum GPA are subject to academic disqualification, unless upon petition to the Academic Standards Committee (ASC) based on clear and documented circumstances, they are allowed to advance on probation.

SFLS policies on grade repetition are compliant with Guidelines 7.7 and 7.8.

To show compliance with Guideline 7.9, the school should provide the data and exam papers necessary to demonstrate the quality and reliability of its grades. According to the self-study, grades for both campuses are reviewed in tandem by the dean before being approved, and instructors teaching different sections of the same course are encouraged to pre-calibrate their grades. Data submitted with the self-study indicate that grading standards were applied fairly consistently over four years, with a marked increase in higher grades in 2018-2019.

In first-year courses, much higher grades have been given in one of the three core courses, according to data submitted with Annual Compliance Reports. At all levels, grades below C- are given only rarely and very few students are academically disqualified from SFLS. In relaxing grading standards, the school should exercise caution not to retain unqualified students.

SFLS now offers a number of required courses and most elective courses online in a synchronous, “real time” format. To show full compliance, SFLS must demonstrate that it documents completion of the minimum number of hours of required academic engagement for courses delivered by any form of distance-learning technology, as required by Guideline 7.11.

The school has not admitted any auditors in the past five years but has a compliant policy on auditors, as required by Guideline 7.12.

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

The admissions process is informed by the school’s commitment to diversity and opportunity. SFLS admits students in all categories permitted under the guidelines, “regular,” “special,” and “transfer” students, including students disqualified from other schools. The admissions webpage states the pre-law education requirements for “regular” applicants; additional admissions details are available in the AIU Catalog.

Admissions decisions are made by the Admissions Committee, composed of five faculty members. Documents are gathered by the AIU Admissions office, reviewed for compliance with pre-law education requirements, and forwarded to the Admissions Committee.

Applicants must submit an essay, two letters of recommendation, an application fee, original transcripts, and an LSAT score. Recently, the Admissions Committee raised the minimum LSAT score for admissions to 135, about the fifth percentile, with the goal of increasing the median LSAT score from roughly 144 to 147. Applicants with LSAT scores below the 20th percentile and thus deemed by SFLS to be at higher risk of failure, may be admitted through the Gradual Start Program, which allows students to enter SFLS with a lighter initial course load. The school should ensure that it provide the type and frequency of support required for the students it admits to succeed.

SFLS did not demonstrate that is compliant with the “45-day rule” of Guideline 5.3 and Business and Professions Code section 6060(c)(1). Under the rule, SFLS must not allow a student to enroll or attend classes if the student’s official transcripts are not on file within 45 days after the start of the student’s first term. Admissions Department personnel indicated that they follow an SFLS policy, under which the registrar must audit files no later than the 45th day of the term, but then has 14 days to “find or replace the missing items” from student files, in possible contravention of the 45-day rule.

The team also noted that the digital transcript copies on file did not reflect whether—and when—original copies of the transcripts had been received. Thus, SFLS could not demonstrate compliance with Guideline 5.3, or with Guideline 11.1(B) and (C), which requires that original transcripts of undergraduate, graduate, and prior law school education be kept on file for every admitted and enrolled student. The school should adopt, publish, and implement a policy that complies with Guideline 5.3 and Guideline 11.1(B) and (C) with respect to the filing of official transcripts, and

includes a procedure that will permit validation that all requirements have been met.

As mandated by Guideline 5.4, the SFLS online application form asks whether an applicant has ever studied at another law school, and if so, whether the applicant left in good standing.

No special students have been admitted to SFLS since the last inspection, although admissions materials required of special students are detailed in the AIU Catalog. (Guideline 5.5)

About 20 percent of applicants admitted to SFLS in the past two years had been academically disqualified from a prior law school or had otherwise departed without good standing. Such applicants may petition the Academic Standards Committee for admission or readmission upon a showing of good cause, including a showing of changed circumstances and a plan for remediation.

According to the self-study, the current administration adheres to Guideline 5.6 in granting admission or readmission to previously disqualified students, and adheres to Guideline 5.7 in granting such students academic credit for prior law study. The team could not confirm compliance with these guidelines because some audited files lacked required documentation. The school must demonstrate compliance and should adopt, publish, and implement policies that incorporate the guideline standards, including a process to ensure that decisions are documented as required.

Total enrollment has been constant over the past three years, at about 60 students, and SFLS admission standards had remained consistent until imposition of a higher minimum LSAT score. However, the number of entering first year students has significantly dropped each of the past two years, with a decline of 50 percent between 2017–2018 and 2018–2019, and 33 percent last year. Admissions for the upcoming year have increased significantly and are expected to lead to higher enrollment in fall 2020.

Rule 4.160(I): Multiple Locations. Accreditation is granted to a law school as an institution. If a law school receives approval to open a branch campus or a satellite campus, the branch or satellite campus must be operated in compliance with the Standards and Guidelines, subject to all site specific operational requirements and any waivers approved by the CBE. The new campus must be in substantial compliance with the Standards and all operational requirements no less than one month prior to the start of classes, and in full compliance within two years. The Dean of the law school will certify the substantial compliance of each new branch or satellite campus, by a letter to the CBE, no later than 30 days prior to the start of classes. If a law school conducts seminars or classes other than at its principal facility, satellite or branch campuses, the seminars and classes must be conducted in compliance with the Standards, except the Library Standard. (Guidelines 15.1-15.4)

SFLS is a single institution with two campuses, each operating with policies in place to comply with applicable federal, state, and local laws and regulations. All facilities are in California. The Emeryville campus is the primary administrative office. Since 2014, SFLS has operated a branch campus located on the AIU campus in the Scripps Ranch area of San Diego.

Some SFLS physical records are held in SFLS Emeryville, while others are in departments of AIU, in SFLS San Diego. Most records are held in digital form and are equally accessible from both locations.

Governance of both locations is unified, and, as described above, carried out by the Board of Directors and Board of Trustees. Dean Weimer directs day-to-day operations at both SFLS campuses. He maintains an office at SFLS Emeryville but visits the SFLS San Diego campus periodically; in San Diego, he has the ongoing assistance of campus administrator, Associate Professor Scott Pearce. Registrar services are jointly delivered by the AIU Registrar's Office and SFLS. At the time of the inspection, student-facing registrar services were delivered at SFLS Emeryville by Dean Weimer and Assistant Registrar Tony Cravotto, and in some cases, in San Diego by Professor Pearce. As of June 15, 2020, the new Registrar Karen McCray, who brings 10 years of experience as a registrar, will provide administrative advice for students.

Each campus provides a similar array of administrative and educational services for its students. A professional librarian oversees the law library at each location, while online library resources are coordinated by the head librarian in San Diego. Services such as financial aid, disability services, computer support, and library reference services are available through AIU offices. Finance, human resources, information technology, and marketing functions are handled by AIU departments located at the San Diego campus.

The associate dean position has been open for well more than one year, is currently on hold due to issues related to the coronavirus, and it appears that no clerical support is dedicated to the law school, calling into question the capacity for administrative support at the San Diego campus in light of several administrative issues related to inaccuracies in records.

Rule 4.160(J): Library. The law school must maintain a library consistent with the minimum requirements set by the CBE. (Guidelines 8.1–8.6)

SFLS provides compliant law library resources at both campuses.

Each location has a library that is shared by students and professors from various AIU schools, including SFLS. The libraries are quiet, well-lit, and furnished with enough tables, chairs, computers, printers, and copiers for research and study. Both facilities are open every weekday and during the evening when SFLS is in session; weekend schedules vary by campus. Qualified librarians with degrees in law or library science oversee the libraries. Students may meet with librarians by appointment, through a website chat function, or on a walk-in basis, for assistance with hard copy or online resources.

SFLS now provides access to all required library resources through a subscription to the Westlaw database, rather than through hard copy materials. Individual passwords are issued to students, faculty, and staff to provide continuous access via the internet. Internet access is available campus-wide via Wi-Fi or through the library computers. As of March 2020, updates will no longer be purchased for the hard copy collection and it is suggested that SFLS clearly label materials that are not being updated. Guideline 8.2 and 8.7 requirements for electronic access are met.

Students receive instruction in both hard copy and electronic legal research in two first-year courses, Legal Research I and Legal Research II. SFLS records are maintained properly and expenditures are tracked as part of the AIU library budget.

Rule 4.160(K): Physical Resources. The law school must have physical resources and an infrastructure adequate for its programs and operations offered at each campus. (Guidelines 9.1–9.3)

The physical resources and technological infrastructure located at each campus are sufficient to support the school's program and operations.

In January 2020, SFLS moved its main campus from San Francisco to AIU's new Emeryville campus. The new location, a leasehold of about 21,700 square feet in a commercial building was reconstructed to meet the needs of AIU's programs. AIU also leases a separate suite of approximately 2,800 square feet, with a conference room and office space for other programs; SFLS does not use this suite.

The Emeryville campus offers many of the same features as the San Francisco location. The dean and assistant registrar have private offices in an administrative suite that offers room for an administrative assistant, despite being substantially smaller. Common spaces include a reception area, a kitchen and lounge with vending machines, and a library.

The school shares nine well-appointed classrooms with other AIU programs. AIU assigns classes centrally, giving SFLS access to the classrooms it needs. Other shared spaces include a small conference room and two offices for adjunct professors. Wireless internet access is available throughout the complex and all classrooms have up-to-date instructional technology; an onsite AIU employee is available to oversee the functionality of such equipment.

Ample free parking is available, both on the street and in the facility's gated garage. The nearest BART station is two miles away, with limited connections by bus and a free local shuttle. Instructors and students who prefer to use public transportation find the new facility somewhat less convenient than the former campus, particularly those who commute from the San Francisco side of the Bay.

In San Diego, SFLS occupies space on two floors of the main library building on AIU's campus. Associate Professor Scott Pearce currently occupies a private ground-floor office located near an administrative bay and a conference room that is also used for classes. The head librarian's office, the law library, and an adjunct-faculty office are located on the second floor. Shared facilities include a kitchen, vending machines, lounges, and print/copying equipment. Parking is plentiful and close to SFLS.

SFLS shares five classrooms with AIU programs. All are appropriately appointed, although some professors noted that support is not available during evening classes to assist with instructional

technology issues. It is suggested that the school review its procedures for promptly addressing technology-related problems to determine what changes are needed, if any. (Guideline 9.3)

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

SFLS is a part of the AIU system that has changed form, ownership, and ownership positions several times in recent years, including several transactions that took place over the last year. Due to the complexity of the situation, it is difficult to evaluate the status of the school, or the resources available to the school over the long term.

The school's parent company showed a net loss for the most recent year reported in June 30, 2018 of just under 11 million dollars that it hopes to address through a comprehensive strategy of cost control, improved retention, and increased enrollment across the system.

SFLS's budget for last year shows a profit at the school level. It is challenging, however, to understand the resources allocated to the school and available to the school.

First, scholarships have been traditionally set aside in The Alliant Educational Foundation, an entity that was renamed and repurposed, and as part of that package of transactions, is no longer an owner of SFLS. The Foundation indicates that it holds \$965,000 in scholarship monies that it plans to manage and use for the benefit of the school in perpetuity based on its governing documents, but little information was provided as to how these funds were utilized.

Second, a restricted account contains funds from the sale of the building that SFLS previously owned in San Francisco, and a restriction that those funds are to be used for the benefit of the school. AIU indicated that the larger university has been funding the school's operation since 2015, and at some point, will seek an accounting of fees to be reimbursed to the school from that account. It is unclear when this accounting will take place, what the standards will be for reimbursement, or why reimbursements have not been settled annually or at any time in the past five years.

It is worthy to note that when budgeting for the school, it will be important to allocate enough resources to provide the services offered to students, and to maintain compliant administrative services and records. Some of the administrative issues experienced by the school may have been due to the large staff turnover and long term open positions at the school, and it should be considered how staff, procedures, and systems can be altered to ensure continued compliance, as discussed in other portions of this report.

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

Most SFLS records are now generated electronically by SFLS and AIU personnel, and maintained in databases managed by AIU departments, including the office of the provost, the registrar, human resources, and admissions. The AIU Information Technology Department secures such digital documents against loss or corruption through adequate policies and procedures, including

firewalls, data encryption, unique user identification, passwords, and cloud-hosted and replicated storage and backups.

Although the school has digitized all hard-copy student records for the most recent 10-year period, earlier files have been archived at a secure, climate-controlled location with DataSafe, a service that, upon request, delivers records to SFLS within 24 hours.

A few documents are maintained in hard copy at the Emeryville campus, under the control of the registrar and assistant registrar. SFLS should use fire-safe cabinets, or other similarly secure options, for on-site storage of records of hard copy applicants, admitted applicants, and students that have not been digitized or stored at DataSafe.

Student applications, admitted student records, enrolled student records, and transcripts are now maintained digitally. At the team's request, the school created a significant number of hard copy files for review during the inspection visit. However, the team was not able to confirm compliance with Guideline 11.1(A) through (D), because some of the audited files lacked materials required by the guideline, such as official transcripts, admission records, and documentation of academic actions.

Similarly, compliance with other aspects of Guideline 11.1 could not be confirmed, because records were unavailable for review or files did not include required documents. SFLS must demonstrate compliance with the requirements of 11.1, including subparagraphs (A) through (D) on applicant and student files, (E) on course records, (F) on student exam papers, and (H) on faculty personnel files.

The school was found to be compliant with certain record-keeping requirements, including those applicable to faculty minutes, board minutes, operating records, promotional materials and handbooks, CBE correspondence, other agency reports, and Annual Compliance and other reports. (Guideline 11.1(I)-(O))

Rule 4.160(N): Minimum, Cumulative Bar Pass Rate. The law school must maintain a minimum, cumulative bar exam pass rate as determined and used by the CBE in the evaluation of the qualitative soundness of a law school's program of legal education. The minimum, cumulative bar exam pass rate for a law school with one or more branch campus is to be calculated and reported as the combined rate of all such campuses. (Guidelines 12.1–12.2)

Accredited Law Schools must maintain a minimum cumulative five-year bar exam passage rate (MPR) of at least 40 percent amongst its graduates who choose to take the bar exam. While the school reported compliant MPRs of 46.2 in 2018 and 41.7 in 2019, the school's 2020 MPR is 36.0 percent, which is less than the required value of 40 percent.

To improve bar exam passage rates, the school has launched several initiatives. Numerous curricular changes have been made to strengthen legal analysis skills and to expand opportunities to take practice exams. The Academic Support Program has been restructured to provide more personalized support to students. Finally, through a contract with BARBRI, SFLS students have

access to BARBRI materials throughout all years of schooling, and their tuition payments include a traditional bar review program.

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

SFLS has policies and procedures in place to comply with the constitution and applicable laws. A policy prohibiting unlawful discrimination appears in the AIU Catalog and the SFLS Student Handbook reflects the school's long-standing commitment to nondiscrimination, diversity, and equal opportunity.

During fall 2019, 47 percent of the school's student body identified as female, and roughly 56 percent identified as Hispanic, Black/African American, or Asian. Five-year data shows that although the total number of students declined between 2015 and 2019, the student body became proportionally more diverse. Approximately 33 percent of faculty members identify as female, while 14 percent identify as Hispanic, Black/African American, Asian, or Pacific Islander/Filipino. Recruitment efforts were found to include targeted efforts to attract applicants from underrepresented groups for faculty and administrative positions.

Rule 4.160(P): Compliance with CBE Requirements. The law school must demonstrate its compliance with these rules by submitting required reports and otherwise complying with the rules. (Guideline 11.1 (O))

The school has timely submitted all documents during the inspection period and in conjunction with the inspection, though not all documents required are being maintained or provided. The school must show that it has taken steps to ensure full compliance with the Rules and Guidelines for Accredited Law Schools.

CONCLUSION AND RECOMMENDATION

The team identified a significant number of mandatory and suggested recommendations. The number and nature of the recommendations suggest long term lack of comprehension of the requirements of the Accredited Rules or lack of sufficient staffing capacity to take the steps necessary to maintain compliance.

The nature and quantity of the recommendations suggest that further CBE action may be appropriate, unless the school's response to this inspection report provides significant documented evidence of progress.

At the inspection, and since that time, the school has expressed an intent to make swift progress as to the recommendations. Therefore, it is recommended that this inspection report be considered along with the school's response, so the Committee may fully evaluate the school's current level of compliance.

Subsequent to the inspection, it was further observed that the school's 2020 Minimum Cumulative Five-Year Bar Passage Rate had fallen below the 40 percent mandate. The MPRs for all schools will be discussed at length at the CBE meeting in August, and any school with an MPR below 40 percent will be able to submit a response to be reviewed in October, and any compliance issues addressed will be discussed under separate cover.



SAN FRANCISCO LAW SCHOOL
ALLIANT INTERNATIONAL UNIVERSITY
1475 66th Street, Suite 104, Emeryville, CA 94608
415-955-2162

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

Dear Committee Members,

A periodic inspection of the San Francisco Law School (SFLS) was conducted on February 9-11, 2020 at San Francisco Law School's branch campus in San Diego, and on March 3-5, 2020 at the main SFLS campus in Emeryville, California. The Periodic Inspection Report was issued on July 10, 2020.

In its report, the Inspection team made several recommendations for action in the executive summary, as well as 19 recommended mandatory actions and three (3) suggestions for enhanced compliance.

San Francisco Law School's response to the onsite inspections is attached.

Pursuant to Rule 4.145, SFLS is requesting a 60 day extension in order to provide supporting, documentary evidence of its compliance.

SFLS' response to the report demonstrates SFLS and its parent, Alliant International University, are committed to the success of our students and to being fully compliant with the State Bar Guidelines.

One benefit of meeting with the inspection team in early spring was that SFLS administrators gained a refreshed understanding of the guidelines, more specifically an understanding of what information the inspectors and the CBE wanted to see. From that point forward SFLS has taken a systematic approach to ensuring compliance with the guidelines.

In the short time since the visit San Francisco Law School has also taken multiple targeted actions to bring it into full compliance with the Guidelines.

For instance, in June 2020 SFLS hired a new Registrar, Karen McCray. Ms. McCray has over 12 years Registrar experience with various educational institutions. This has allowed

SFLS to refocus record keeping. Ms. McCray has also been tasked with ensuring that all student and faculty records are in compliance with the CBE guidelines.

SFLS has also hired a new faculty member, Katherine Alfieri. Prof. Alfieri came to SFLS as an adjunct professor over a year ago. In her new role as core faculty, Professor Alfieri will be located in Emeryville teaching 2-3 classes each semester along with advising students.

These recent hires have enhanced SFLS' capacity to meet the administrative needs of the law school. By upgrading and modernizing the Registrar position and hiring another faculty position, the resources that were not available to SFLS are now available. Also, these changes will allow SFLS to better leverage the clerical support through AIU's San Diego headquarters.

SFLS has also initiated greater improvements in giving feedback to our students including requiring professors to include more mid-term exams followed by timely feedback, weekly MBE type quizzes and additional writing assignments. Professors are also required to include a grading rubrics, along with a grading matrix that they use when grading exams. These documents are made available to students to allow focused feedback in a timelier manner. This ensures students are getting more continued help as they progress through law school.

Other targeted actions for compliance include updating policies and procedures and publishing the updates in the catalog and on the website, updating and publishing the required language in the Student and Faculty Handbooks, implementing professional development and training for faculty members, enhancing the student information system with a new system, improving IT support and resolving many IT related challenges, as well as resolving many of the challenges previously faced by decentralization of record keeping.

San Francisco Law School and its parent, Alliant International University, are committed to the success of our students and to being fully compliant with the State Bar Guidelines.

We look forward to working closely with the State Bar of California to ensure the continued compliance and success of San Francisco Law School.

Sincerely,

Timothy P. Weimer

Timothy P. Weimer, Dean
San Francisco Law School

(415) 955-2162
timothy.weimer@alliant.edu

SFLS Response to State Bar of California Periodic Inspection Report

Documentary Evidence

Introduction

This document is a supplementary to San Francisco Law School's (SFLS) response to the periodic inspection conducted on February 9–11, 2020 at San Francisco Law School's branch campus in San Diego, and on March 3–5, 2020 at the main SFLS campus in Emeryville, California.

In its report, the Inspection team made several recommendations for action in the executive summary, as well as 19 recommended mandatory actions and three (3) suggestions for enhanced compliance. San Francisco Law School responded to these recommendations on July 27, 2020.

Below you will find the description of the documentary evidence of SFLS's compliance, or evidence of SFLS's work to become compliant as soon as possible.

Attached are several other documents. The responses below will refer to specific sections and/or pages within these attached documents as evidence of compliance. In some cases, the changes/updates requested were made on the AIU or SFLS websites. These will be evidenced by a weblink to the information.

Evidence for Response to Recommended Mandatory Actions

The following mandatory actions were recommended to establish full compliance.

1. **Guideline 2.3(B)-(C):** *It is recommended that the school revises the publications of AIU and SFLS to accurately and consistently state its academic and operational policies, and with respect to electives, to delete electives not offered in the past three years or expected to be offered in the next two years, and to inform students that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability.*

Documentary Evidence: See AIU Catalog p. 26 'Electives.'

2. **Guideline 2.3(D)(1)-(3):** *It is recommended that the school publishes all disclosures required by the guideline on a separate page of its website that is entitled Accreditation and readily accessible to the public by that title, correctly labeled and in their most current version.*

Documentary Evidence: The information is included on the AIU/SFLS website under the subtitle 'Accreditation' (see <https://www.alliant.edu/schools/sfls>). See Screenshot below.

alliant.edu/schools/sfls

YouTube CrossFit | Home Custom LEGO Sets... how do I register to...

Portal Campus Safety / COVID-19 Updates Faculty Request Info Apply (866) 679-3032

ACADEMICS | ADMISSIONS | ABOUT | NEWS & EVENTS | STUDENT RESOURCES

career in law open to more people. Along with our academic focus on preparation for the California Bar exam, field experience and career services, SFLS has a proud history of being the launching pad for many prestigious legal minds.

Accreditation

San Francisco Law School is a part of Alliant International University, an institution accredited by the WASC Senior College and University Commission (WSCUC) and is approved by the U.S. Department of Education for financial aid.

San Francisco Law School is accredited by the Committee of Bar Examiners of the State Bar of California and has been continuously accredited since California accreditation began in 1937. Students who graduate from one of our law programs are eligible to practice law in the State of California upon passage of the California Bar Exam.

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

For information related to the school's bar examination passing rates, visit the [CalBar website](#).

Business & Professions Code Section 6061.7(a) Information Report for All Locations, Reporting Year 2020

[VIEW REPORT](#)

3. **Business and Professions Code section 6061.7:** *It is recommended that the school includes the required link to the current version of the disclosure form on the Admissions page of its website.*

Documentary Evidence:

- Please see the attached email string entitled 'Email from IT Indicating Webpage Forms and Links Updated, August 6, 2020.'
- The requested information is also contained on the AIU/SFLS website, <https://p.widencdn.net/n0mrdx/SFLS-Information-Report>.

4. **Guideline 2.3(E)(2):** *It is recommended that the school revises all published statements referring to WASC accreditation to indicate that the school's degree-granting authority is based on accreditation by the Committee of Bar Examiners, as it pertains to qualification to take the California Bar Exam and become a licensee of the State Bar of California.*

Documentary Evidence: AIU Catalog p. 261, 'Programmatic Accreditation.'

5. **Guideline 2.3(E)(2):** *It is recommended that the school revises all published statements, in the AIU Catalog and otherwise, that students who graduate from SFLS are eligible to practice law in California after passing the bar exam, by adding “and successfully fulfilling all other licensing requirements.”*

Documentary Evidence: AIU Catalog p. 285, ‘Accreditation Information.’

6. **Guideline 2.7(C):** *It is recommended that the school adopts, publishes, and implements a written policy on the authentication of student work. As required by Guideline 2.7(C), SFLS should adopt, publish, and implement a written policy on authentication of student work.*

Documentary Evidence:

- See Student Handbook sections 6.9 & 6.9.1 (p. 19)
- See Faculty Handbook section 3.0 (p. 7)

7. **Guideline 2.7(E):** *It is recommended that the school amends and republishes its policy on the review of exam answers to permit students to inspect and copy exam questions as provided.*

Documentary Evidence:

- See Student Handbook section 6.9.2 (p. 19)
- See Faculty Handbook section 2.2.4 (pp. 6-7)

8. **Guideline 2.10(A):** *It is recommended that the school amends its publications, including the SFLS website, to accurately describe the services, activities, and experiences currently available to students, by campus.*

Documentary Evidence:

- See AIU Catalog pp. 28-30
- See also website at <https://studentservices.alliant.edu/>.
- See also attachment entitled ‘AIU New Student Orientation 8_18_2020 SFLS Version.’

9. **Guidelines 3.1 and 4.1(A)-(C):** *It is recommended that the school evaluates its administrative structure and make such changes as necessary to ensure full and sustained compliance with the CBE’s guidelines, including all administrative requirements. Since the inspection, the school has added a full-time registrar effective June 15, 2020, though hiring of any other positions has been frozen due to the pandemic... to establish full compliance, SFLS must show that it has adequate administrative capacity to support full and sustained compliance with the Rules and Guidelines as further described below¹... To demonstrate full compliance with Guidelines 3.1 and 4.1(A) through (C), the school should evaluate its administrative structure and ensure adequate capacity at each campus to support full and sustained compliance with the rules and guidelines overall.²*

Documentary Evidence: See SFLS Official Response (i.e. New Registrar and new Fulltime Faculty).

¹ Periodic Inspection Report pg. 10

² Ibid. pg. 11

10. **Guidelines 4.7 and 4.8:** *It is recommended that the school adopts, publishes, and implements a compliant faculty evaluation process... To bring itself into full compliance, SFLS should adopt, publish, and implement a faculty evaluation process that meets all requirements of Guidelines 4.7 and 4.8. The current process includes only some of the mandated considerations; further, evaluations have not been conducted within required timeframes or routinely documented in faculty files, again perhaps as a result of staffing levels.*³

Documentary Evidence:

- See Faculty Handbook sections 1.7 – 1.9 (pp. 3-4) and Appendices A-C.
- See attached Faculty Assessment and Evaluation Forms

11. **Guidelines 5.3 and 11.1(B)-(C):** *It is recommended that the school adopts, publishes, and implements a policy that meets guideline requirements with respect to the filing of official transcripts, and includes a procedure that will permit validation that all requirements have been met and official transcripts are received within CBE time limits.*

Documentary Evidence: See SFLS Official Response.

Guidelines 5.3 and 11.1(B)-(C) continued:

According to the findings related to guidelines 5.3 and 11.1 on page 15 of the Periodic Inspection Report, *SFLS did not demonstrate that is compliant with the “45-day rule” of Guideline 5.3 and Business and Professions Code section 6060(c)(1). Under the rule, SFLS must not allow a student to enroll or attend classes if the student’s official transcripts are not on file within 45 days after the start of the student’s first term. Admissions Department personnel indicated that they follow an SFLS policy, under which the registrar must audit files no later than the 45th day of the term, but then has 14 days to “find or replace the missing items” from student files, in possible contravention of the 45-day rule... The school should adopt, publish, and implement a policy that complies with Guideline 5.3 and Guideline 11.1(B) and (C) with respect to the filing of official transcripts, and includes a procedure that will permit validation that all requirements have been met.*

Documentary Evidence: See Student Handbook section 3.1.1 (p. 11)

³ Ibid. pg 12

12. **Guidelines 5.6 and 5.7:** *It is recommended that the school adopts, publishes, and implements policies that incorporate guideline standards, including a process to ensure that decisions are documented as required... The school must demonstrate compliance and should adopt, publish, and implement policies that incorporate the guideline standards, including a process to ensure that decisions are documented as required.*⁴

UPDATED Evidence: SFLS has incorporated the guideline standards in its daily business practices. For example, all admission decisions are documented in the student's file. Also, all decisions related to disqualification and dismissal are documented and maintained in the student's file.

While communications between CBE and the law school have always been maintained, the new Registrar has been assigned the task of collecting these documents and compiling them into a centralized location for easy access and retrieval.

Due to the ongoing business disruptions caused by COVID-19 this task has an updated target completion date of October 30, 2020.

13. **Guideline 6.5(A):** *It is recommended that the school states in the Student Handbook the requirement that the JD must be completed within the time limits specified in the relevant guideline.*

Documentary Evidence: See Student Handbook section 2.4 (p. 8)

14. **Guidelines 6.6(A)-(D) and 6.9(D)-(E):** *It is recommended that the school revises its externship policy to state the maximum number of externship units that may be earned... The school should revise its externship policy to state the maximum number of externship units that may be earned. (Guideline 6.6(D))*

Documentary Evidence: See Student Handbook section 2.6 (p. 9, second paragraph)

⁴ Ibid pg. 16

15. **Guideline 6.14:** *It is recommended that the school shows compliance with the guideline... the team encourages the school to ensure that all instructors are aware of and utilizing the best practices for fostering student engagement... The team was unable to fully assess whether the school's grading standards are compliant with Guideline 6.14 because exam papers and data were not available, though this is required. The school must demonstrate that its grading standards meet the requirements of Guideline 6.14, including the requirement that there be a reasonable correlation among the grades of instructors teaching the same group of students.*⁵

UPDATED Evidence: While SFLS has had a sound policy since 2018, the new Registrar has been assigned the task of formally documenting these policies and including them in a 'Registrar' binder for easy access. **Due to the ongoing business disruptions caused by COVID-19 this task has an updated target completion date of October 30, 2020.**

16. **Guideline 7.1:** *It is recommended that the school carefully tracks the relationship between students' GPAs at graduation and their performances on the bar exam to demonstrate that students are being graded in a manner that will inform them of their level of academic achievement and likely success on the bar exam... To show full compliance with Guideline 7.1, the school should carefully track the relationship between student GPA at graduation and performance on the bar exam, to understand whether students are being graded realistically, and are not being misled about their level of academic achievement and likely success on the bar exam.*⁶

Documentary Evidence: See SFLS Official Response.

17. **Guideline 7.9:** *It is recommended that the school provides the data and exam papers necessary to demonstrate the quality and reliability of its grades... To show compliance with Guideline 7.9, the school should provide the data and exam papers necessary to demonstrate the quality and reliability of its grades⁷... In relaxing grading standards, the school should exercise caution not to retain unqualified students.*⁸

UPDATED Evidence: From fall 2018 through fall 2019 all exam questions and student answers have been stored digitally and as hardcopies at the Emeryville campus. The documents requested were available to the inspection team during their visit to Emeryville. Due to time constraints, the inspection of these particular documents did not take place. Starting in spring 2020 all exams and student's answers have been stored electronically on the University's secured cloud servers. Since June 2018 a sound policy has been in place to comply with guideline 7.9. The new Registrar, Karen McCray has been assigned the task of formally documenting these policies. **Due to the ongoing business disruptions caused by COVID-19 this task has an updated target completion date of October 30, 2020.**

Additional Documentary Evidence: See Student Handbook sections 8.0 - 8.7 (pp. 25 – 27)

⁵ Ibid. pg. 13

⁶ Ibid. pg. 14

⁷ Ibid.

⁸ Ibid.

18. **Guideline 7.11:** *It is recommended that the school demonstrates that it documents completion of the minimum number of hours of actual academic engagement for courses delivered by any form of distance-learning technology as required... To show full compliance, SFLS must demonstrate that it documents completion of the minimum number of hours of required academic engagement for courses delivered by any form of distance-learning technology, as required by Guideline 7.11.*⁹

Documentary Evidence: See SFLS Official Response.

19. **Guideline 11.1 (A)-(F) and (H):** *It is recommended that the school takes steps to comply with all administrative guideline requirements in this section and documents that compliance to the CBE... SFLS should use fire-safe cabinets, or other similarly secure options, for on-site storage of records of hard copy applicants, admitted applicants, and students that have not been digitized or stored at DataSafe¹⁰... the team was not able to confirm compliance with Guideline 11.1(A) through (D), because some of the audited files lacked materials required by the guideline, such as official transcripts, admission records, and documentation of academic actions.*¹¹

Documentary Evidence: See SFLS Official Response.

Guideline 11.1 (A)-(F) and (H) continued: *Similarly, compliance with other aspects of Guideline 11.1 could not be confirmed, because records were unavailable for review or files did not include required documents. SFLS must demonstrate compliance with the requirements of 11.1, including subparagraphs (A) through (D) on applicant and student files, (E) on course records, (F) on student exam papers, and (H) on faculty personnel files.*¹²

SFLS Response: Accept in part. SFLS was, and is now, in full compliance with Guideline 11.1 (A)-(F) and (H).

Documentary Evidence: See SFLS Official Response.

Compliance with subparagraphs (A) & (B) Applications and Record of Admissions:

Documentary Evidence: See SFLS Official Response.

Compliance with subparagraph (C) Student Records:

Documentary Evidence: See SFLS Official Response.

⁹ Ibid. pg. 15

¹⁰ Ibid. pg. 20

¹¹ Ibid.

¹² Ibid.

Compliance with subparagraph (D) Transcripts:

Documentary Evidence: See SFLS Official Response.

Compliance with subparagraph (E) Class Records:

Documentary Evidence: See SFLS Official Response.

Compliance with subparagraph (F) Examination and Grade Tabulations:

Documentary Evidence: See SFLS Official Response.

Compliance with subparagraph (H) Faculty Personnel:

UPDATED Evidence:

SFLS was out of compliance for this guideline at the time of the inspection. The new Registrar, Karen McCray will be serving as a liaison with the University Human Resources department to ensure that all future faculty personnel files comply with Guideline 11.1(H). She has also been assigned the task to review current faculty files to ensure compliance. **Due to the ongoing business disruptions caused by COVID-19 this task has an updated target completion date of November 30, 2020.**

Response to Suggestions for Enhanced Compliance

The team suggests that the school takes the following actions to further enhance compliance:

1. ***Pursuant to Guideline 4.6, it is suggested that the school considers expanding the faculty development opportunities it provides.***

Documentary Evidence: See SFLS Official Response.

2. ***Pursuant to Guideline 8.2, it is suggested that the school clearly labels hard copy library materials that are not being updated.***

Documentary Evidence: See SFLS Official Response.

3. ***Pursuant to Guideline 9.3, it is suggested that the school reviews its procedures for promptly addressing technology-related problems to determine what changes are needed, if any... It is suggested that the school review its procedures for promptly addressing technology-related problems to determine what changes are needed, if any.***¹³

Documentary Evidence: See SFLS Official Response.

¹³ Ibid. pg. 19

Response to Other Recommendations

Pursuant to Guideline 10.1 – 10.3, It is worthy to note that when budgeting for the school, it will be important to allocate enough resources to provide the services offered to students, and to maintain compliant administrative services and records. Some of the administrative issues experienced by the school may have been due to the large staff turnover and long term open positions at the school, and it should be considered how staff, procedures, and systems can be altered to ensure continued compliance.

Documentary Evidence: See SFLS Official Response.

SFLS Response to State Bar of California Periodic Inspection Report

Prepared by Timothy P. Weimer, Dean

July 2020

Introduction

A periodic inspection of the San Francisco Law School (SFLS) was conducted on February 9–11, 2020 at San Francisco Law School's branch campus in San Diego, and on March 3–5, 2020 at the main SFLS campus in Emeryville, California. The Visitation Team consisted of: Alex Chan (SFLS Emeryville), member of the Committee of Bar Examiners (CBE) and Chair, Operations and Management; Dean Robert Humphreys of Humphreys University, Drivon School of Law (SFLS San Diego); Dean Mitchel Winick, Monterey College of Law (SFLS Emeryville); and Heather Georgakis, Educational Standards Consultant to the CBE. The Periodic Inspection Report was issued on July 10, 2020.

As mentioned in the report, SFLS was founded in 1909 and accredited in 1937. In 1941, the school became a nonprofit entity and moved to its Haight Street campus in San Francisco. In 2010, SFLS began a merger with Alliant International University (for the purposes of this response AIU is used). As a school within AIU, an institution regionally accredited by the WASC Senior College and University Commission SFLS became eligible to participate in federal financial aid programs. In 2014, SFLS received CBE approval to open a branch campus at an AIU campus in the Scripps Ranch area of San Diego.

The CBE began a partial inspection of the school in 2017, but the inspection was not completed before significant internal change occurred. The full inspection of both campuses was conducted in early 2020 and was summarized in the report submitted to SFLS on July 10, 2020.

In its report, the Inspection team made several recommendations for action in the executive summary, as well as 19 recommended mandatory actions and three (3) suggestions for enhanced compliance. Below is San Francisco Law School's response to these recommendations.

Action Recommended in the CBE Executive Summary

SFLS agrees with the inspection team that San Francisco Law School (SFLS) "has demonstrated compliance with significant portions of the Rules and Guidelines."

The team also stated, "it appears that the school must make focused, efficient efforts to address a number of compliance in a number of key areas."

SFLS has already resolved all specific issues related to admissions and reviewed and updated the school's record keeping policies and procedures. It has also updated its disclosures online and in the Student and Faculty Handbooks. SFLS has also updated the information contained in the AIU Catalog and online to ensure that the school's publications and communications are

accurate, consistent and clear. With the hiring of a fulltime Registrar, SFLS will be creating a calendar of yearly events to ensure the timely update of disclosures and other required information.

SFLS has enhanced its capacity to support its compliance efforts by hiring additional personnel. This includes the appointment of a new Dean in January 2020, a new Registrar in June 2020, and a new Core Faculty member at the Emeryville campus in August 2020.

In the responses below, SFLS documents and demonstrates timely actions taken and issues resolved through the significant progress towards compliance in all recommendations made by the inspection team.

Any action required related to the school's minimum, cumulative bar passage rate will be discussed under separate cover.

Response to Recommended Mandatory Actions

The following mandatory actions were recommended to establish full compliance.

1. ***Guideline 2.3(B)-(C):*** *It is recommended that the school revises the publications of AIU and SFLS to accurately and consistently state its academic and operational policies, and with respect to electives, to delete electives not offered in the past three years or expected to be offered in the next two years, and to inform students that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability.*

SFLS Response: Accept in part. SFLS is now in full compliance.

Evidence: The language has been updated and included in the AIU Catalog for the 2020-2021 Academic Year. That Catalog was published in July 2020.

2. ***Guideline 2.3(D)(1)-(3):*** *It is recommended that the school publishes all disclosures required by the guideline on a separate page of its website that is entitled Accreditation and readily accessible to the public by that title, correctly labeled and in their most current version.*

SFLS Response: Reject. SFLS was in full compliance as of the date of the inspection.

Evidence: The information is included on the AIU/SFLS website under the subtitle Accreditation (see <https://www.alliant.edu/schools/sfls>).

3. ***Business and Professions Code section 6061.7:*** *It is recommended that the school includes the required link to the current version of the disclosure form on the Admissions page of its website.*

SFLS Response: Accept in Part. SFLS has made significant progress towards full compliance.

Evidence: The requested information is contained on the AIU/SFLS website, <https://p.widencdn.net/n0mrdx/SFLS-Information-Report>. A request has been made to the Admissions Department and Web development team to add a link to this information on the admissions page as well. The target date is August 24, 2020.

4. **Guideline 2.3(E)(2):** *It is recommended that the school revises all published statements referring to WASC accreditation to indicate that the school's degree-granting authority is based on accreditation by the Committee of Bar Examiners, as it pertains to qualification to take the California Bar Exam and become a licensee of the State Bar of California.*

SFLS Response: Accept in Part. SFLS is now in full compliance.

Evidence: The AIU Catalog and other publications have been amended to include this language. The Catalog for 2020-2021 has been published.

5. **Guideline 2.3(E)(2):** *It is recommended that the school revises all published statements, in the AIU Catalog and otherwise, that students who graduate from SFLS are eligible to practice law in California after passing the bar exam, by adding "and successfully fulfilling all other licensing requirements."*

SFLS Response: Accept in Part. SFLS is now in full compliance.

Evidence: The AIU Catalog and other publications have been amended to include this language. The Catalog for 2020-2021 has been published.

6. **Guideline 2.7(C):** *It is recommended that the school adopts, publishes, and implements a written policy on the authentication of student work. As required by Guideline 2.7(C), SFLS should adopt, publish, and implement a written policy on authentication of student work.*

SFLS Response: Accept in Part. SFLS is now in full compliance.

Evidence: SFLS has had a policy in place for the authentication of student work since fall 2018, the policy was not formally documented. The policy can now be found in both the SFLS Student and Faculty Handbooks.

7. **Guideline 2.7(E):** *It is recommended that the school amends and republishes its policy on the review of exam answers to permit students to inspect and copy exam questions as provided.*

SFLS Response: Accept in Part. SFLS is now in full compliance.

Evidence: SFLS has amended its policies regarding the review of exam questions and answers as required by Guideline 2.7(e). These policies now appear in the revised Student and Faculty Handbooks.

8. **Guideline 2.10(A):** *It is recommended that the school amends its publications, including the SFLS website, to accurately describe the services, activities, and experiences currently available to students, by campus.*

SFLS Response: Reject. SFLS is in full compliance.

Evidence: The AIU catalog and website provides information about services, activities, and experiences available to all students. All services are available to all students at either campus. The information for services available to students can be found at <https://studentservices.alliant.edu/>.

In addition to information provided to students in the catalog and online, during Orientation all new students are walked through how to access this information online.

9. Guidelines 3.1 and 4.1(A)-(C): *It is recommended that the school evaluates its administrative structure and make such changes as necessary to ensure full and sustained compliance with the CBE's guidelines, including all administrative requirements. Since the inspection, the school has added a full-time registrar effective June 15, 2020, though hiring of any other positions has been frozen due to the pandemic... to establish full compliance, SFLS must show that it has adequate administrative capacity to support full and sustained compliance with the Rules and Guidelines as further described below¹... To demonstrate full compliance with Guidelines 3.1 and 4.1(A) through (C), the school should evaluate its administrative structure and ensure adequate capacity at each campus to support full and sustained compliance with the rules and guidelines overall.²*

SFLS Response: Accept in part. SFLS is now in full compliance.

Evidence: SFLS has hired a fulltime Registrar, Karen McCray, who will be located at the San Diego branch campus. The SFLS Registrar was moved to the San Diego branch campus so she would be closer to AIU's main Registrar and Human Resources offices. This will ensure greater efficiency in record keeping and allow the SFLS Registrar to monitor AIU record keeping ensuring compliance with the Guidelines.

Evidence: SFLS has also hired a new faculty member Katherine Alfieri for the 2020-2021 academic year. Professor Alfieri will be located at the Emeryville office to ensure greater academic and student advisory support for the day and evening program students. This will free Dean Weimer from those responsibilities allowing him to focus more time on Administrative management of SFLS.

¹ Periodic Inspection Report pg. 10

² Ibid. pg. 11

10. **Guidelines 4.7 and 4.8:** *It is recommended that the school adopts, publishes, and implements a compliant faculty evaluation process... To bring itself into full compliance, SFLS should adopt, publish, and implement a faculty evaluation process that meets all requirements of Guidelines 4.7 and 4.8. The current process includes only some of the mandated considerations; further, evaluations have not been conducted within required timeframes or routinely documented in faculty files, again perhaps as a result of staffing levels.*³

SFLS Response: Accept in part. SFLS is in full compliance.

Evidence: AIU policy requires the SFLS Dean to review and evaluate faculty performance on an ongoing schedule. New faculty members will be observed and evaluated by Administration during their first term teaching and every three years thereafter. These evaluations are sent electronically to AIU and stored on secured servers for compliance purposes. These evaluations are available for inspection upon request. Faculty members also receive a copy of these evaluations.

Evidence: Student end-of-course and professor evaluations are conducted 100% electronically each semester. Faculty provide students enough time to complete the evaluations. Evaluations are released to both Administration and faculty following posting of grades. These are kept on file by the University's Provost Office. These are used as part of the administrator's evaluation of faculty.

Evidence: New policies and procedures for faculty evaluations have been created and included in the updated SFLS Faculty Handbook. These reviews/evaluations meet the requirements of Guidelines 4.7 & 4.8.

11. **Guidelines 5.3 and 11.1(B)-(C):** *It is recommended that the school adopts, publishes, and implements a policy that meets guideline requirements with respect to the filing of official transcripts, and includes a procedure that will permit validation that all requirements have been met and official transcripts are received within CBE time limits.*

SFLS Response: Accept in part. SFLS is in full compliance.

Evidence: All transcripts received from LSAC are considered official.

Evidence: AIU has an Academic Processing Center (APC) that receives all official documents, including official transcripts. As confirmed by Jennifer Ruments, the APC Director, the following policies are in place to ensure authentication of official documents received by the center.

In particular, transcripts received/stamped in by LSAC are considered official. Transcripts which are sent electronically to Alliant International University must be received directly by an Alliant staff member from the school or transcript service in order to be considered as official.

Transcripts mailed to Alliant must be received in a sealed envelope from the school in order to be

³ Ibid. pg 12

considered as official.

Further, official transcripts received by the Admissions Processing Center are stamped in at APC, coded as Final/Official or Partial/Official (if in progress) and initialed by the staff member who processed the official transcript. These official transcripts are entered and scanned to our Student Information System and the original is retained for 5 years.

The policy was also updated after the inspection. Personnel processing incoming documents will be attaching the envelope, in which the transcript was received, to the original transcript. This will allow verification of postmarked and received date.

Unfortunately, the inspection team was unable to meet with the APC Director at the time of their inspection to confirm these policies and procedures.

Guidelines 5.3 and 11.1(B)-(C) continued:

According to the findings related to guidelines 5.3 and 11.1 on page 15 of the Periodic Inspection Report, SFLS did not demonstrate that is compliant with the “45-day rule” of Guideline 5.3 and Business and Professions Code section 6060(c)(1). Under the rule, SFLS must not allow a student to enroll or attend classes if the student’s official transcripts are not on file within 45 days after the start of the student’s first term. Admissions Department personnel indicated that they follow an SFLS policy, under which the registrar must audit files no later than the 45th day of the term, but then has 14 days to “find or replace the missing items” from student files, in possible contravention of the 45-day rule... The school should adopt, publish, and implement a policy that complies with Guideline 5.3 and Guideline 11.1(B) and (C) with respect to the filing of official transcripts, and includes a procedure that will permit validation that all requirements have been met.

SFLS Response: Accept in part. SFLS is now in full compliance.

Evidence: The language in the SFLS Student Handbook has been updated and states that all official documents must be received within 45 days of the start of the student’s first term. If documents are not received within the 45 days, the student is administratively withdrawn from classes.

Evidence: SFLS was deemed to be out of compliance because of the lack of a fulltime Registrar to audit student records. In response, SFLS hired a new fulltime Registrar, Karen McCray, who started on June 15, 2020. Ms. McCray’s vast experience as a Registrar has already benefited SFLS and its students. She has established new procedures to ensure timely review of student records and the administrative withdrawal of students who have not meet the 45-day requirement.

Evidence: These new policies and procedures are now included in the updated Student Handbook.

12. **Guidelines 5.6 and 5.7:** *It is recommended that the school adopts, publishes, and implements policies that incorporate guideline standards, including a process to ensure that decisions are documented as required... The school must demonstrate compliance and should adopt, publish, and implement policies that incorporate the guideline standards, including a process to ensure that decisions are documented as required.*⁴

SFLS Response: Accept in Part. SFLS is now in full compliance.

Evidence: SFLS has incorporated the guideline standards in its daily business practices. For example, all admission decisions are documented in the student's file. Also, all decisions related to disqualification and dismissal are documented and maintained in the student's file.

While communications between CBE and the law school have always been maintained, the new Registrar has been assigned the task of collecting these documents and compiling them into a centralized location for easy access and retrieval. This task has a target completion date of September 30, 2020.

13. **Guideline 6.5(A):** *It is recommended that the school states in the Student Handbook the requirement that the JD must be completed within the time limits specified in the relevant guideline.*

SFLS Response: Accept in Part. SFLS is now in full compliance.

Evidence: SFLS has amended the language in the updated SFLS Student Handbook.

14. **Guidelines 6.6(A)-(D) and 6.9(D)-(E):** *It is recommended that the school revises its externship policy to state the maximum number of externship units that may be earned... The school should revise its externship policy to state the maximum number of externship units that may be earned. (Guideline 6.6(D))*

SFLS Response: Accept in Part. SFLS is now in full compliance.

Evidence: SFLS has amended the language in the updated SFLS Student Handbook.

15. **Guideline 6.14:** *It is recommended that the school shows compliance with the guideline... the team encourages the school to ensure that all instructors are aware of and utilizing the best practices for fostering student engagement... The team was unable to fully assess whether the school's grading standards are compliant with Guideline 6.14 because exam papers and data were not available, though this is required. The school must demonstrate that its grading standards meet the requirements of Guideline 6.14, including the requirement that there be a reasonable correlation among the grades of instructors teaching the same group of students.*⁵

⁴ Ibid pg. 16

⁵ Ibid. pg. 13

SFLS Response: Accept in Part. SFLS is now in full compliance.

Evidence: While SFLS has had a sound policy since 2018, the new Registrar has been assigned the task of formally documenting these policies and including them in a 'Registrar' binder for easy access. Target completion date for this task is September 30, 2020.

16. **Guideline 7.1:** *It is recommended that the school carefully tracks the relationship between students' GPAs at graduation and their performances on the bar exam to demonstrate that students are being graded in a manner that will inform them of their level of academic achievement and likely success on the bar exam... To show full compliance with Guideline 7.1, the school should carefully track the relationship between student GPA at graduation and performance on the bar exam, to understand whether students are being graded realistically, and are not being misled about their level of academic achievement and likely success on the bar exam.*⁶

SFLS Response: Accept in Part. SFLS is progressing towards full compliance.

Evidence: The new Registrar, Karen McCray has been assigned the task of creating these reports effective September 2020. The first report will be available following the October 2020 bar exam results. Moving forward, SFLS will utilize the report to assess grading and academic achievement (GPA), as well as the likelihood of success on the California Bar Exam. The results of the analysis will be used to further guide curriculum development and academic support programs.

17. **Guideline 7.9:** *It is recommended that the school provides the data and exam papers necessary to demonstrate the quality and reliability of its grades... To show compliance with Guideline 7.9, the school should provide the data and exam papers necessary to demonstrate the quality and reliability of its grades⁷... In relaxing grading standards, the school should exercise caution not to retain unqualified students.*⁸

SFLS Response: Reject. SFLS is in full compliance with Guideline 7.9

Evidence: From fall 2018 through fall 2019 all exam questions and student answers have been stored digitally and as hardcopies at the Emeryville campus. The documents requested were available to the inspection team during their visit to Emeryville. Due to time constraints, the inspection of these particular documents did not take place. Starting in spring 2020 all exams and student's answers have been stored electronically on the University's secured cloud servers.

Since former Dean Van Tassel and Registrar Tim Weimer arrived in June 2018 a sound policy has been in place to comply with guideline 7.9. The new Registrar, Karen McCray has been assigned the task of formally documenting these policies. This task is targeted for completion by September 30, 2020.

⁶ Ibid. pg. 14

⁷ Ibid.

⁸ Ibid.

Sections 8.0, 8.4 - 8.8 found on pages 20-22 of the SFLS Student Handbook SFLS serve as evidence the policy is intended to ensure that SFLS is not retaining any unqualified students. The policy requires any student whose cumulative GPA drops below 2.0 be Academically Disqualified. A student who wishes to continue at SFLS must submit a Petition for Readmission to SFLS' Academic Standards Committee (ASC). This process allows a group of professors to determine if the student can be successful in the future, avoiding readmission of unqualified students. The grading standards implemented under former Dean Van Tassel were reversed in fall of 2019. This supports our efforts to maintain high standards and prevent the retention of unqualified students.

In the prior two years all students readmitted have been readmitted with conditions. The conditions have included retaking classes, creating a success plan with their student advisor, and mandatory monthly meetings with student advisors and professors. This process is in place to ensure that all students are given a fair opportunity to succeed.

18. **Guideline 7.11:** *It is recommended that the school demonstrates that it documents completion of the minimum number of hours of actual academic engagement for courses delivered by any form of distance-learning technology as required... To show full compliance, SFLS must demonstrate that it documents completion of the minimum number of hours of required academic engagement for courses delivered by any form of distance-learning technology, as required by Guideline 7.11.*⁹

SFLS Response: Accept in Part. SFLS is now in full compliance.

Evidence: While SFLS does offer up to twelve credits via distance learning, all courses are delivered using synchronous instruction and student engagement and continue to utilize the Socratic method. This teaching method requires students to attend class during specified hours, be prepared and regularly participate in the class discussions. Attendance is recorded according to State Bar Guideline 6.5 to ensure required academic engagement. Further, all SFLS courses that are taught using a distance learning method clearly outline attendance requirements for the course along with any assignments, quizzes and exams that will be given during the semester.

SFLS uses Zoom as its main distance learning platform. To verify actual student academic engagement, a report is available to show when each individual student logged into and out of any class. This allows SFLS to monitor and ensure compliance with Guideline 7.11.

19. **Guideline 11.1 (A)-(F) and (H):** *It is recommended that the school takes steps to comply with all administrative guideline requirements in this section and documents that compliance to the CBE... SFLS should use fire-safe cabinets, or other similarly secure options, for on-site storage of records of hard copy applicants, admitted applicants, and students that have not been digitized or stored at DataSafe¹⁰ ... the team was not able to confirm compliance with Guideline 11.1(A)*

⁹ Ibid. pg. 15

¹⁰ Ibid. pg. 20

through (D), because some of the audited files lacked materials required by the guideline, such as official transcripts, admission records, and documentation of academic actions.¹¹

SFLS Response: Reject. SFLS was, and is, in full compliance with Guideline 11.1.

Evidence: All records pertaining to SFLS students created by SFLS since 2018 are maintained digitally. All records created by AIU, relating to SFLS faculty and staff have been maintained digitally since 2016. All student records since 2014 have been maintained digitally by AIU in the SIS, and either the Feith or SchoolDocs document systems. The team inspected the hardcopy files of current student records at the Emeryville office. While these campus hardcopy files were not in fire proof cabinets, SFLS was in full compliance because all official records are stored on a secured server, or stored offsite at secured, environmentally controlled storage facilities such as DataSafe.

Guideline 11.1 (A)-(F) and (H) continued: *Similarly, compliance with other aspects of Guideline 11.1 could not be confirmed, because records were unavailable for review or files did not include required documents. SFLS must demonstrate compliance with the requirements of 11.1, including subparagraphs (A) through (D) on applicant and student files, (E) on course records, (F) on student exam papers, and (H) on faculty personnel files.¹²*

SFLS Response: Accept in part. SFLS was, and is now, in full compliance with Guideline 11.1 (A)-(F) and (H).

Evidence: All student records are maintained digitally in a secure student information system. This ensures that records are protected from theft, destruction, corruption or other types of loss. Hardcopies of records are available at any time upon request.

During the visit the team did not have an opportunity to confirm compliance with Guideline 11.1 due in part to the challenges associated with decentralization as discussed earlier. Since the visit, all documents are maintained in a centralized fashion with direct oversight by the new Registrar who was hired in June 2020.

Compliance with subparagraphs (A) & (B) Applications and Record of Admissions:

All application and admissions records are maintained digitally in a secure student information system for a minimum of one year. Application materials for enrolling students become student records and are maintained per subparagraph (C).

Compliance with subparagraph (C) Student Records:

All student records required under subparagraph (C) are permanently maintained in a secure student information system (CNS and SchoolDocs) or secure storage facility (records prior to 2016).

¹¹ Ibid.

¹² Ibid.

Compliance with subparagraph (D) Transcripts:

Student Transcripts are maintained permanently in a secure student information system (CNS and SchoolDocs) or secure storage facility (records prior to 2016). Transcripts contain all required information including but not limited to student identity, date of admission, whether the student is or is not a J.D. degree candidate, course attempted and completed, and cumulative GPA, etc.

Compliance with subparagraph (E) Class Records:

Class records, including course information, student rosters, and grades are maintained permanently in a secure student information system (CNS) or secure storage facility (records prior to 2016).

Compliance with subparagraph (F) Examination and Grade Tabulations:

All examinations (both midterm and final exams) administered from fall 2016 through spring 2018 are maintained as hardcopy files. Hardcopies of midterm exams are scheduled to be destroyed after two years (one year after the guideline requirements). Hardcopies of final examinations are scheduled to be destroyed after six years (one year after the guideline requirements). Effective summer semester 2018 all examinations have been maintained digitally and are currently stored on AIU's secure servers. All records for grades on examinations, for courses, and distribution by course/professor have been saved digitally since 2016. All hardcopy records have been stored at secured, environmental controlled storage facilities such as DataSafe.

Compliance with subparagraph (H) Faculty Personnel:

SFLS was out of compliance for this guideline at the time of the inspection. The new Registrar, Karen McCray will be serving as a liaison with the University Human Resources department to ensure that all future faculty personnel files comply with Guideline 11.1(H). She has also been assigned the task to review current faculty files to ensure compliance with an anticipated completion date of October 31, 2020.

Response to Suggestions for Enhanced Compliance

The team suggests that the school takes the following actions to further enhance compliance:

1. ***Pursuant to Guideline 4.6, it is suggested that the school considers expanding the faculty development opportunities it provides.***

SFLS Response: Accept in Part. SFLS is progressing towards full compliance.

Evidence: With the hiring of a new Registrar and a new core Faculty member at the Emeryville campus SFLS has enhanced its capacity to address this issue. Plans are in place beginning fall 2020 to assist faculty members with professional development opportunities. These plans include; reinitiating Peer Review and Evaluations, and Peer to Peer Mentorship. AIU is also in the

process of expanding its faculty development program with numerous resources that SFLS professors will be able to access effective fall 2020. AIU has in place a training curriculum for all faculty and staff that includes topics such as FERPA, harassment, managing bias and code of conduct.

2. ***Pursuant to Guideline 8.2, it is suggested that the school clearly labels hard copy library materials that are not being updated.***

SFLS Response: Accept in Part. SFLS is progressing towards full compliance.

Evidence: Scott Zimmer the University Librarian in San Diego, and Dean Jones the Librarian in Emeryville have confirmed that compliance will be achieved as soon as campuses reopen and library staff return to campus upon lifting of COVID-19 related restrictions.

3. ***Pursuant to Guideline 9.3, it is suggested that the school reviews its procedures for promptly addressing technology-related problems to determine what changes are needed, if any... It is suggested that the school review its procedures for promptly addressing technology-related problems to determine what changes are needed, if any.***¹³

SFLS Response: Accept in Part. SFLS is now in full compliance.

Evidence: In December 2019 AIU implemented a new Student Information System called CampusNexus Student. In March of 2020 AIU President Andy Vaughn approved resources to be reallocated to address IT related needs and resolve issues promptly. To ensure that technology related issues are addressed promptly, University CIO Josh Blazer instituted a prioritization system accompanied by weekly updates as necessary.

Response to Other Recommendations

Pursuant to Guideline 10.1 – 10.3, It is worthy to note that when budgeting for the school, it will be important to allocate enough resources to provide the services offered to students, and to maintain compliant administrative services and records. Some of the administrative issues experienced by the school may have been due to the large staff turnover and long term open positions at the school, and it should be considered how staff, procedures, and systems can be altered to ensure continued compliance.

SFLS Response: Accept in Part. SFLS is progressing towards full compliance of Guidelines 10.1-10.3.

Evidence: Since the visit SFLS has engaged in revising and updating of its policies and procedures to align with requirements set forth by the Rules and Guidelines.

¹³ Ibid. pg. 19

Since the inspection team's visit SFLS has hired a fulltime Registrar, Karen McCray, who will be located at the San Diego branch campus. The SFLS Registrar was moved to the San Diego branch campus to be closer to AIU's Registrar and Human Resources offices. This will ensure greater efficiency in record keeping and allow for more focused compliance activity.

SFLS has also hired another core faculty member, Katherine Alfieri to start August 2020. Professor Alfieri will be located at the Emeryville office and will be providing greater academic and student advisory support for the day and evening program students. This will free Dean Weimer from those responsibilities so that he can focus more time on Administrative and compliance management of SFLS.

The recently upgraded student information system and SchoolDocs document management system will allow for greater efficiency in maintaining, organizing and accessing student records. It also enhances SFLS's capacity and ability to serve students and meet compliance requirements.

Conclusion

San Francisco Law School and its parent, Alliant International University, are committed to the success of our students and to being fully compliant with the State Bar Guidelines.

In the short time since the visit San Francisco Law School has taken multiple targeted actions to bring it into full compliance with the Guidelines. These include hiring a new Registrar, hiring another faculty member, updating policies and procedures and publishing the updates in the catalog and on the website, updating and publishing the required language in the Student and Faculty Handbooks, implementing professional development and training for faculty members, enhancing the student information system with a new system, improving IT support and resolving many IT related challenges, as well as resolving many of the challenges previously faced by decentralization of record keeping.

We look forward to working closely with the State Bar of California to ensure the continued compliance and success of San Francisco Law School.

SFLS Update to Ongoing Improvements after Onsite Inspection

Updated 11/13/20

1. **Guidelines 5.6 and 5.7:** *It is recommended that the school adopts, publishes, and implements policies that incorporate guideline standards, including a process to ensure that decisions are documented as required... The school must demonstrate compliance and should adopt, publish, and implement policies that incorporate the guideline standards, including a process to ensure that decisions are documented as required.*

SFLS Response: Accept in Part.

SFLS has, in its daily business practices followed these guidelines. However, there are different committees and staff members assigned the different tasks as outlined under the guidelines. Communications between CBE and each of these committees or staff members have been kept. However, they have not been compiled into one binder or digital file for easy reference. The new Registrar, Karen McCray has been assigned the task of collecting these documents and compiling them into one location for easy access and retrieval.

Update: Due to the ongoing disruptions to business caused by COVID 19, this task has been delayed. Karen began working on this task in September, with a goal to complete it by the end of October 2020. However, due to many of the documents being stored in files on closed campuses, it will be the end of January 2021 or later before this task will be completed. Completion of this task is dependent on local government and health official regulations changes.

2. **Guideline 6.14:** *It is recommended that the school shows compliance with the guideline... the team encourages the school to ensure that all instructors are aware of and utilizing the best practices for fostering student engagement... The team was unable to fully assess whether the school's grading standards are compliant with Guideline 6.14 because exam papers and data were not available, though this is required. The school must demonstrate that its grading standards meet the requirements of Guideline 6.14, including the requirement that there be a reasonable correlation among the grades of instructors teaching the same group of students.*

SFLS Response: Accept in Part.

SFLS has had a sound policy since 2018 that puts it in compliance with Guideline 6.14. However, these policies were not written down in any formal manner. The new Registrar, Karen McCray has been assigned the task of writing these policies and including them in a 'Registrar Handbook' for easy access.

Update: This task is completed but will be an ongoing project. Dean Weimer and SFLS Registrar Karen McCray began working on this task in September. New policies and procedures have been included in the new Registrar's Handbook Folder. The Registrar's Handbook Folder is saved in Alliant SharePoint and accessible by SFLS Administration. This

folder will be a living document that will be updated over time, as policy and procedure updates are needed.

Additionally, many of the updated policies and procedures were included in the most recent updated Student and Faculty Handbooks provided to the State Bar over the summer.

Finally, Professors are now required to provide the following documents when they submit their final exams and final grades; A model answer and or issue outline for the final exam, grading matrix used on the final exam, grading comments for each student's exam answer, and a final grading sheet showing the calculation for each student's final grade. These documents will be required and submitted at the end of fall 2020 semester. All documents will be maintained on Alliant's secure servers.

3. **Guideline 7.1:** It is recommended that the school carefully tracks the relationship between students' GPAs at graduation and their performances on the bar exam to demonstrate that students are being graded in a manner that will inform them of their level of academic achievement and likely success on the bar exam... *To show full compliance with Guideline 7.1, the school should carefully track the relationship between student GPA at graduation and performance on the bar exam, to understand whether students are being graded realistically, and are not being misled about their level of academic achievement and likely success on the bar exam.*

SFLS Response: Accept in Part.

Update: This task is ongoing. However, SFLS has not been in compliance with Guideline 6.14 because there was no fulltime Registrar from March 2019 – June 2020. This made it impossible for these types of detailed reports to be tracked and reported. However, the new Registrar, Karen McCray has been assigned the task of creating these reports. Karen can create a report of the May 2020 graduates cGPA. We will take the Fall Bar Exam results and compare the cGPA to bar passage by individual student. We will have our first report once fall 2020 bar exam results are published. Since the October Bar Exam results will not be published until early December 2020. This report will not be reviewed and analyzed until January and February 2021.

Going forward, SFLS will continue to produce and analyze this report after the results of each administration of the bar exam are published.

4. **Guideline 7.9:** *It is recommended that the school provides the data and exam papers necessary to demonstrate the quality and reliability of its grades... To show compliance with Guideline 7.9, the school should provide the data and exam papers necessary to demonstrate the quality and reliability of its grades... In relaxing grading standards, the school should exercise caution not to retain unqualified students.*

SFLS Response: Reject. SFLS is in compliance with Guideline 7.9

The documents requested were available to the inspection team during their visit to Emeryville. From fall 2018 through fall 2019 all exam questions and student answers have been stored digitally and as hardcopies at the SFBY/Emeryville campus. Starting in spring 2020 all exams and student answers have been stored electronically on the University's secured cloud servers.

However, due to time constraints, the inspection of these particular documents did not take place.

Since Dean Van Tassel and Registrar Tim Weimer arrived in June 2018 a sound policy has been in place to ensure guideline 7.9 has been followed. However, these policies were not written down in any formal manner. The new Registrar, Karen McCray has been assigned the task of writing these policies and including them in a 'Registrar' binder for easy access.

Update: This task is completed but will be ongoing. SFLS Registrar Karen McCray began working on this task in September. New policies and procedures have been included in the Registrar's Handbook Folder. The Registrar's Handbook Folder is saved in Alliant SharePoint and accessible by SFLS Administration. This folder will be a living document that will be updated over time, as policy and procedure updates are needed.

Additionally, as mentioned above, Professors are now required to provide the following documents when they submit their final exams and final grades; A model answer and or issue outline for the final exam, grading matrix used on the final exam, grading comments for each student's exam answer, a final grading sheet showing the calculation for each student's final grade. These documents will be required and submitted at the end of fall 2020 semester. All documents are maintained on Alliant's secure servers.

5. **Guideline 11.1 (H))** Faculty Personnel. SFLS was out of compliance for this guideline at the time of the inspection. Going forward, SFLS will continue to produce and analyze this report after bar exam results are posted. SFLS was not in compliance with Guideline 6.14 because there was no fulltime Registrar from March 2019 – June 2020. Since AIU Human Resources took over faculty records in 2018, it became nearly impossible for communication with HR to ensure this guideline was being followed. However, the new Registrar, Karen McCray has been assigned the task of creating these reports. Since Karen did not start until mid-June and has just completed onboard training, this task will be address beginning fall 2020 semester. The goal is to have all faculty records brought into compliance by the end of October 2020.

6. Compliance with subparagraph (F) Examination and Grade Tabulations

All examinations (both midterm and final exams) administered from fall 2016 through spring 2018 are maintained as hardcopy files. Hardcopies of midterm exams are scheduled to be destroyed after two years (one year after the guideline requirements). Hardcopies of final examinations are scheduled to be destroyed after six years (one year after the guideline requirements). All examinations administered from fall 2018 are maintained on Alliant's secure servers.

Updated: A review and clearing of all examination records has been added to the Registrar's yearly calendar.

7. Compliance with subparagraph (H) Faculty Personnel

SFLS was out of compliance for this guideline at the time of the inspection.

Update: The new Registrar, Karen McCray is serving as a liaison with the University HR department to ensure that all future faculty personnel files comply with Guideline 11.1(H). All current faculty files have been reviewed and any missing required documents identified. HR and Karen have begun the task of requesting the missing required documents from all faculty members. The response by faculty has been good. However, the issue of receiving an official transcript from the law school where the professor received his/her J.D. has been delayed by the disruptions to normal business by COVID19. Based on the time it is taking professors to request, and for SFLS to receive, Official transcripts from law schools, we estimate that faculty files will not be completely in compliance until January 31, 2021.