



# The State Bar *of California*

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**OPEN SESSION  
AGENDA ITEM O-402  
APRIL 2021  
COMMITTEE OF BAR EXAMINERS**

**DATE:** April 23, 2021

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

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

**SUBJECT:** Periodic Inspection Report of Thomas Jefferson School of Law

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## **EXECUTIVE SUMMARY**

This agenda item presents the attached report of the periodic inspection of Thomas Jefferson School of Law (Jefferson) conducted on November 18-20, 2020, as well as the law school's acceptance of the report and its findings, and recommends that the law school's accreditation be continued, with its next inspection to be set for fall 2025. (Attachments A, B)

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## **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)

Here, however, Jefferson is undergoing its confirming inspection as part of its transition to exclusive accreditation by the Committee of Bar Examiners (Committee) after previously being approved by the Council to the Section of Legal Education and Admissions to the Bar of the American Bar Association (ABA).

In November 2018, in an abundance of caution, after the ABA raised concerns regarding the law school's compliance with ABA standards, Jefferson filed with the Committee a comprehensive Self-study from the law school in which it demonstrated either current compliance with the accredited law school rules, or in a few cases where compliance could not be achieved until after full transition due to conflicting requirements between ABA standards and the accredited

rules, a plan to operate in compliance with those aspects upon transition to exclusive accredited status rather than ABA approval.

In response, the Committee recognized the law school's compliance and acquiescence as to five non-JD programs. As a condition of continued accreditation, the Committee also ordered that the law school undergo an inspection to confirm its compliance as detailed in the Self-study.

In December 2019, the ABA withdrew its approval because the law school did not comply with the ABA's Ultimate Pass Rate standard, though it remains in compliance with the Committee's Minimum, Cumulative Bar Pass Rate standard. An accredited law school must maintain a minimum cumulative pass rate (MPR) on the bar exam of at least 40 percent amongst its graduates who take the examination. (Guideline 12.1) Jefferson's MPR's have been compliant and above 40 percent: 70.5 percent (2018), 67.4 percent (2019), and 61.7 percent (2020).

Since that time, the law school has been teaching out students in its ABA-approved program and it enrolled its first accredited law school class in fall 2020 of 126 first-year students into the California accredited JD program, while 97 students continue in its ABA teach-out plan program, for a total JD enrollment of 223 students in the JD program. Thirty students are also enrolled in Jefferson's non-JD programs. Only the JD program qualifies graduates to take the California Bar Examination (bar exam) and this report addresses only the Committee-accredited JD program, except as noted.

The mission of the law school is "to provide an outstanding legal education for a nationally-based, diverse student body in a collegial and supportive environment with attention to newly emerging areas of law, particularly those related to technological development, globalization and the quest for social justice."

The law school is led by Dean Linda Keller, a graduate of Yale Law School and full-time tenured faculty member. The faculty includes 22 full-time and 69 part-time professors. All but one instructor graduated from a law school approved by the ABA or a law school accredited by the State Bar. All but three faculty members are licensed to practice law; about 75 percent are State Bar licensees. Though the law school generally teaches courses in a fixed-facility format, it has been teaching classes online via Zoom during the pandemic pursuant to the Committee's waiver on this issue.

JD students must complete eighty semester units, including sixty-seven units of required courses. Total program tuition is about \$88,000 based on current per-unit tuition of \$1,100; in addition, total program fees are about \$5,300.

## **DISCUSSION**

The law school was well-prepared for this inspection and was able to address all questions posed by the team. The law school submitted a detailed Self-study in advance of the inspection.

The inspection was conducted by the team of Heather Georgakis, educational consultant to the State Bar along with Committee member Dolores Heisinger.

After a review of the curriculum, learning platform, admissions, scholastic standards, faculty, legal research resources, facilities, records, Dean, administrators, and faculty,

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

1. **Guideline 2.3(E)(2):** The law school should revise published references to its accreditation by the Western Association of Schools and Colleges to indicate that the school's degree-granting authority is based on its accreditation through the Committee of Bar Examiners, as specified in the guideline.
2. **Guideline 2.6:** The law school should revise the student discipline policy to require disciplinary matters to be heard by an impartial panel and to require a written final decision that meets all guideline requirements.
3. **Guideline 2.7(C):** The law school should adopt, publish, and implement a written policy on authentication of student work.
4. **Guidelines 4.7 and 4.8:** The law school should report on the implementation of the faculty evaluation process in compliance with the guidelines in the next Annual Compliance Report.
5. **Guidelines 6.5(A) and (C):** The law school should revise its policy to conform with Guideline 6.5(C)'s requirement of at least 80 percent attendance.
6. **Guideline 7.3:** The law school should revise the probation policy to state a timeframe of one year or less within which a student on probation must achieve a good standing GPA or be dismissed.

## **Additional Recommendations to Enhance Compliance**

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

1. **Pursuant to Guidelines 6.8 and 2.3**, the law school should publish elective course descriptions indicating the number of units offered for each course and give notice that not all elective courses are offered each year.
2. **Pursuant to Rule 4.160(F) and Guidelines 6.9 and 2.3**, the law school should publish course descriptions indicating which courses qualify as practical skills training and how many units of academic credit and, as applicable, practical skills training credit that each course offers.
3. The law school is encouraged to foster diversity and inclusion in recruitment, development, and retention of faculty.

Subsequent to the inspection, Dean Keller provided a formal response on behalf of the law school in which she affirmed the findings in the inspection report and accepted the inspection team's recommendations.

## **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 receive and file the Periodic Inspection Report of Thomas Jefferson School of Law and the law school's formal response dated April 5, 2021, accepting the Report; adopt the recommendations in the report; and advise the law school to document completion of those recommendations in its 2021 Annual Report. It is further recommended that the law school's accreditation be continued, and its next inspection be set for fall 2025, unless an earlier inspection is deemed necessary by the Committee.

## **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 Thomas Jefferson School of Law, and the response from the law school accepting the report, be received and filed; that the report's recommendations be approved; that the law school be directed to implement the recommendations and to provide documentation of their completion as part of the law school's 2021 Annual Report; that the accreditation of Thomas Jefferson School of Law be continued; and that its next periodic inspection be scheduled for fall 2025, unless an earlier visitation is deemed necessary by the Committee.

## **ATTACHMENTS LIST**

- A.** 2020 Periodic Inspection Report for Thomas Jefferson School of Law
- B.** Formal Response from Thomas Jefferson School of Law Accepting its Periodic Report



# The State Bar of California

## THOMAS JEFFERSON SCHOOL OF LAW

### Periodic Inspection

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

**November 18-20, 2020**

#### ***Visitation Team:***

Dolores Heisinger, Member, Committee of Bar Examiners  
Heather Georgakis, Educational Consultant

# **REPORT ON PERIODIC INSPECTION OF THOMAS JEFFERSON SCHOOL OF LAW**

**701 B Street, Suite 110, San Diego, California 92101**

## **EXECUTIVE SUMMARY AND RECOMMENDATIONS**

### **Introduction**

A periodic inspection of the Thomas Jefferson School of Law (Jefferson) was conducted from November 18-20, 2020 by an inspection team (team) consisting of Dolores Heisinger, Member, Committee of Bar Examiners (Committee) and Heather Georgakis, Educational Consultant and Team Leader.

Jefferson was established in 1969 to offer the Juris Doctor degree as the San Diego branch campus of Western State University College of Law (Western State), which was, at that time, a for-profit law school in Fullerton, California that operated under California Accreditation by the State Bar. In the mid-1990's, Jefferson separated from Western State, adopted its current name, obtained ABA approval, and converted to non-profit status. Western State also eventually earned ABA approval and continues to operate as Western State College of Law at Westcliff University after a recent purchase by Westcliff University, but this school has no connection with Jefferson today.

Since that time, Jefferson operated under ABA approval until recently.

In November 2018, out of an abundance of caution, Jefferson sought and received from the Committee "deemed accredited" status, together with acquiescence as to five non-JD programs, and permission to undergo an expedited confirmation of its continued California accreditation in the event the ABA should withdraw its approval. The Committee made this decision after reviewing a comprehensive Self-study from the law school in which it demonstrated either current compliance, or in a few cases where compliance could not be achieved until after transition due to conflicting requirements, a plan to operate in compliance with those aspects upon transition. The Committee also ordered that, as a condition of approval, the law school undergo an inspection within one year of transition to confirm its compliance as detailed in the Self-study.

The ABA withdrew its approval in December 2019 but authorized a teach-out plan under which students who entered Jefferson before the withdrawal date and who complete their JD degree by Spring 2023 will be deemed graduates of an ABA-approved JD program.

Jefferson has been recognized since 2016 as a candidate for accreditation by the Western Association of Schools and Colleges Senior Colleges and University Commission (WASC). By virtue of the school's candidacy, Jefferson students are eligible to apply for federal financial aid.

The mission of the school is "to provide an outstanding legal education for a nationally-based, diverse student body in a collegial and supportive environment with attention to newly emerging areas of law, particularly those related to technological development, globalization and the quest for social justice."

In fall 2020, Jefferson admitted its first class of 126 first-year students into the California accredited JD program and enrolled ninety-seven continuing students in the ABA Teach-Out Plan for a total JD enrollment of 223 students in the JD program. Total Jefferson enrollment was 253, including thirty students in non-JD programs. Only the JD program qualifies graduates to take the California Bar Examination (bar exam) and this report addresses only the Committee-accredited JD program, except as noted.

Dean Linda Keller, a graduate of Yale Law School and full-time tenured faculty member, oversees academic programs. The faculty includes twenty-two full-time and sixty-nine part-time professors for the fifty-two weeks ending September 15, 2020. All but one instructor graduated from a law school approved by the ABA or a law school accredited by the State Bar. All but three faculty members are licensed to practice law; about 75 percent are State Bar licensees.

The academic year includes two seventeen-week semesters; an eight-week summer session is also offered. JD students must complete eighty semester units, including sixty-seven units of required courses. The required curriculum includes all subjects tested on the bar exam and practical skills courses. Clinical and internship opportunities are provided.

Prior to the pandemic, most courses were taught on campus, although some were offered synchronously online. Due to the COVID-19 pandemic, all on-campus classes have been held synchronously through Zoom videoconference since spring 2020.

Of the JD students at Jefferson, the largest ethnic or racial groups are Latinx (30 percent), White (30 percent), Black (21 percent), and Asian (12 percent). About 58 percent are women.

Total program tuition is about \$88,000 based on current per-unit tuition of \$1,100; in addition, total program fees are about \$6,000, including \$2,700 for the BarBri Integrated Agreement focusing on bar exam success.

An accredited law school must maintain a minimum cumulative pass rate (MPR) on the bar exam of at least 40 percent amongst its graduates who take the examination. (Guideline 12.1) Jefferson's MPR's have been compliant and above 40 percent: 70.5 (2018), 67.4 (2019), and 61.7 (2020).

The inspection team recommends that Thomas Jefferson School of Law be found to be in compliance with the Accredited Law School Rules and Guidelines for Accredited Law School Rules after a review of the curriculum, learning platform, admissions, scholastic standards, faculty, legal research resources, facilities, records, Dean, administrators, and faculty.

### **Recommended Action by the Committee**

The team recommends that the Committee receive and file this Periodic Inspection Report, approve all recommended and suggested actions, continue the accreditation of Thomas Jefferson School of Law, and schedule the next periodic inspection for fall 2025 unless an earlier visitation is deemed necessary.



### **Recommended, Mandatory Actions**

1. Guideline 2.3(E)(2): The law school should revise published references to its accreditation by the Western Association of Schools and Colleges to indicate that the school's degree-granting authority is based on its accreditation through the Committee of Bar Examiners, as specified in the guideline.
2. Guideline 2.6: The law school should revise the student discipline policy to require disciplinary matters to be heard by an impartial panel and to require a written final decision that meets all guideline requirements.
3. Guideline 2.7(C): The law school should adopt, publish, and implement a written policy on authentication of student work.
4. Guidelines 4.7 and 4.8: The law school should report on the implementation of the faculty evaluation process, in compliance with the guidelines, in the next Annual Compliance Report.
5. Guidelines 6.5(A) and (C): The law school should revise its policy to conform with Guideline 6.5(C)'s requirement of at least 80 percent attendance.
6. Guideline 7.3: The law school should revise the probation policy to state a timeframe of one year or less within which a student on probation must achieve a good standing GPA or be dismissed.

### **Suggestions for Enhanced Compliance**

1. Pursuant to Guidelines 6.8 and 2.3, the law school should publish elective course descriptions indicating the number of units offered for each course and give notice that not all elective courses are offered each year.
2. Pursuant to Rule 4.160(F) and Guidelines 6.9 and 2.3, the school should publish course descriptions indicating which courses qualify as practical skills training and how many units of academic credit and, as applicable, practical skills training credit that each course offers.
3. The law school is encouraged to foster diversity and inclusion in recruitment, development, and retention of faculty.

### **Submission of Self-study**

Jefferson submitted a self-study to assist the team in its assessment of the school's compliance with the Rules and Guidelines. Dean Keller responded to requests for additional information, and the information she provided was considered when drafting this report.

## Conduct of Site Visit

The inspection occurred during the COVID-19 pandemic, during a period when authorities warned that travel and face-to-face meetings should be limited. Jefferson was given the choice to undergo a remote visit based on the same standards as an in-person visit, and the law school agreed.

Videoconference meetings were held with the Jefferson community, including President Karin Sherr, Dean Keller, Associate Dean Anders Kaye and other staff members, Board members, professors, and students. The team concluded the videoconference portion of the visit by discussing their observations in an exit interview with President Sherr, Dean Keller, and Associate Dean Kaye.

The team also took a virtual campus tour, viewed a presentation about the learning management platform, and observed a sample of online class sessions. A sample of digital records was inspected, including applicant and student files; course materials and attendance records; examinations, assignments, and responses; and administrative files. At the Consultant's request, the law school invited students to send her comments about the school but no comments were received.

## SPECIFIC FINDINGS AS TO THE COMMITTEE'S RULES AND GUIDELINES

Below are the team's findings, conclusions, and recommendations as to the school's compliance with the Rules for Accredited Law Schools and Guidelines for Accredited Law School Rules.

### **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)**

Jefferson is a non-profit, public benefit corporation incorporated in California and is in good standing with the California Secretary of State. The school is tax-exempt under United States Internal Revenue Code section 501(c)(3) and California Revenue and Taxation Code section 23701(d) and has met the legal requirements to do business in the City of San Diego.

Jefferson maintains a low student loan default rate of 2.1 percent and appears to comply with federal financial aid regulations.

The Jefferson campus meets the requirements of the Americans with Disabilities Act (ADA) and California Building Code and provides reasonable access to persons with physical disabilities. Sound policies governing requests for accommodations are published in the Student Handbook (Handbook), and disability-related matters are handled in accordance with a comprehensive policy. Students are advised that testing accommodations granted by the law school may differ from those granted by the State Bar.

Students are informed of their rights under the Family Educational Rights and Privacy Act (FERPA). Disclosure of information to third parties is properly restricted and the school employs adequate measures to secure digital student records. Policies addressing discrimination and substance abuse are also published in the Handbook.

Finally, Jefferson is compliant with California Business and Professions Code section 6061.7 requiring schools overseen by the Committee to post a specific list of statistics about the school's programs. The report was updated for 2021 as required by the statute and posted properly on the law school's website.

**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))**

Current, consistent information about accreditation, academic programs, faculty, and services appears on Jefferson's website and in publications. The Handbook, linked on the website, states policies clearly. Enough personnel are employed by Jefferson to deliver programs and services as promised.

Financial affairs are conducted with integrity. Tuition and fees are accurately described on the website. As a school eligible to offer federal financial aid, Jefferson provides appropriately staffed financial aid services. Financial assets are effectively managed and adequate controls are in place to protect against fraud and other improprieties.

The refund policy satisfies Guideline 2.2(B). Pro rata refunds are made through the seventh week of the term and refunds will be paid within thirty days after a triggering event. Students are advised as to how refunds will be applied to their financial aid accounts.

Jefferson has made the disclosures required by Business and Professions Code section 6061.7 and Guideline 2.3, except that statements about WASC accreditation, on the website and elsewhere, should indicate that Jefferson's degree-granting authority is based on its accreditation by the Committee. (Guideline 2.3(E)(2)) With respect to its non-JD programs, Jefferson timely provides the required disclosure and referral. (Guidelines 13.3 and 13.4)

Jefferson operates as a non-profit California corporation and is tax-exempt under federal and state law. (Guideline 2.4(A))

The school does not compensate individuals based on the number of persons enrolled, applying for admission, or registering. (Guideline 2.5)

The non-academic discipline policy fulfills most Guideline 2.6 mandates. Discipline may be imposed for ethics violations and disruptions of the educational process. Sanctions range from reprimand to dismissal. Students charged with misconduct are given written notice and an opportunity for a hearing.

To comply more fully, Jefferson should revise the policy to require that disciplinary matters be heard by an impartial panel, just as ethics violations are, and to require a written final decision that includes a statement of facts, conclusions, and, if applicable, sanctions.

Academic standards are clearly stated. (Guideline 2.7) Most required courses, including bar-tested subjects, are graded on a numerical scale of 0.0 to 4.3. In most elective courses, non-numerical grades are given, from Honors to No Credit. Separate first-year and upper-level grade curves are applied in most required courses.

Students are informed that anonymous grading is used for most exams and assignments; if non-anonymous grading will be used, students are advised in advance. (Guideline 2.7(A)(5))

Course repetition policies comply with Guideline 2.7(A)(3), as detailed below.

The Handbook effectively communicates requirements for good standing, probation, dismissal, and graduation. To graduate, students must complete eighty units; achieve a cumulative grade point average (GPA) of at least 2.0; complete all but two required courses, including skills training courses; and satisfy financial obligations to the school. Jefferson has set a maximum time frame to graduate of five years for full-time students and six years for part-time students.

Probation and dismissal conditions are discussed below. The Dismissal Review Committee may permit students to advance on probation. Generally, students with GPAs below 1.3 are dismissed early in their first year. Later, dismissal is triggered by varying circumstances but generally students must avoid a cumulative GPA or two-semester GPA below 2.0.

All course syllabi state the basis for the final course grade. (Guideline 2.7(B))

The school prohibits plagiarism, but it should have a written policy for the authentication of the identity of students submitting work and participating in educational and other activities, as required by Guideline 2.7(C).

Students are informed of their grades promptly. After grades are released, students may review their examinations and papers. (Guideline 2.7(D)-(E)) A written grade review policy has been adopted in compliance with Guideline 2.7(F).

The school has implemented appropriate policies and procedures to protect the confidentiality of student information, records, and communication, including disability records. Reasonable security and backup protocols are in place to protect the school's computer systems, communications systems, and records against corruption, destruction, or loss. (Guidelines 2.8 and 2.9)

Finally, Jefferson students are provided with services, experiences, and activities appropriate for a school with a full-time JD program. Opportunities include academic counseling, clinical and externship experience, directed study, competition team participation, law review, and Fellowship Programs in Criminal Law, and Intellectual Property, Entertainment, and Sports Law. (Guideline 2.10)

**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)**

Jefferson is governed by Board of Trustees that meets at least quarterly. The nine current Board members have expertise in law, financial services, and real estate appraisal. Those with legal expertise include State Bar licensees, members of judiciary, current or former administrators of other law schools, and Jefferson alumni. Randy M. Grossman, an attorney and sports agent, is the current Board Chair.

The Board is actively engaged in strategic planning and oversight of Jefferson's finances, governance policy, and employment policies. With respect to faculty promotion, security of position, and tenure, the Board makes final decisions on these matters after receiving recommendations from the faculty and Dean. (Guideline 3.2)

In 2018, with the resignation of President and Dean Joan Bullock, her position was split between Karin Sherr as Interim President and Linda Keller as Interim Dean. Their interim status was removed in June 2020.

President Sherr oversees Jefferson operations and finances and continues in her role as General Counsel, a position she has held since joining Jefferson in 2013. A graduate of Washington & Lee University School of Law, she is a State Bar of California licensee. Dean Keller is responsible for academic programs. Together, they have been given the authority needed to manage Jefferson's affairs.

The school does not have an advisory board. (Guideline 3.3)

**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)**

Dean Linda Keller qualifies as Jefferson's administrator under Guideline 4.1(B). A graduate of Yale Law School, Dean Keller joined the faculty in 2003 and is a full-time tenured faculty member. She served as Associate Dean and Vice Dean between 2013 and 2018, became Interim Dean in October 2018, and was appointed Dean in June 2020. She is admitted to practice law in Connecticut and New York.

After law school Dean Keller worked in the Legal Research Office of the Connecticut Judicial Department and taught law at the University of Miami. She is a scholar of international criminal law and human rights and was a Visiting Professor at the International Criminal Court during the 2011-2012 academic year. Her curriculum vitae is extensive and includes scholarly publications and presentations.

Based upon Dean Keller's professional and academic credentials, she is well-qualified for her role. (Guidelines 4.1(A)-(B))

Anders Kaye, Associate Dean for Academic Affairs, oversees implementation of academic policies and procedures. He holds a JD from the University of Chicago.

The school employs about twenty-six regular staff members. Functions are well-defined and lines of authority are clearly drawn. Registrar Carrie Kazyaka maintains the school's student records and is responsible for recording grades and issuing transcripts. (Guideline 4.1(C))

All staff members interviewed during the visit appeared to be knowledgeable about the Committee's requirements and to be effective in their roles.

As of fall 2020, the faculty included twenty-two full-time professors and sixty-nine part-time professors for the fifty-two weeks ending September 15, 2020. With one exception, all instructors graduated from a law school approved by the ABA or accredited by the Committee. All but three faculty members are licensed to practice law and about 76 percent are State Bar licensees.

Instructors have successful teaching and/or relevant professional experience in the subjects they are assigned to teach. As the school completes the teach-out of ABA students, the number of full-time faculty members will decrease, primarily if not completely by attrition, and additional adjunct professors will be hired. Several full-time faculty members were on leave at the time of the site visit. (Guideline 4.5)

The faculty participates actively in governance. The full-time faculty meets regularly; separate meetings and workshops are held for the adjunct faculty. Nine faculty committees, consisting of professors elected by their peers or appointed by the dean, are charged with policy formulation and oversight. Professors also direct academic centers in criminal law, intellectual property, and sports law. (Guideline 4.2)

Jefferson has enough teachers to maintain a sound program and will continue to do so even with anticipated attrition. The ratio of full-time equivalent JD students to full-time instructors is 13.8 to 1, a number that would be lower if adjunct instructors were counted. In required courses, the average class size is forty-five while in first-year doctrinal courses it is about sixty students. First-year writing sections average about twenty-five students. (Guideline 4.3)

Teaching loads do not exceed class time of ten hours per week, allowing professors enough time to fulfill teaching, scholarship, and other duties. Full-time faculty members usually teach two to three courses each fall and spring, ranging from one to five units each, with a maximum of ten hours of class time per week per the Guidelines. Adjunct professors teach one course per term.

Instructors are available to counsel students and appear to return students' papers promptly. Students expressed satisfaction with faculty support they receive. (Guideline 4.4)

Professors are expected to stay current in their subject areas and to strive for improvement in their teaching. To support faculty development, Jefferson arranges for new teachers to be mentored by

more experienced colleagues and academic success faculty meet with doctrinal faculty to ensure that courses are conducive to student success. On occasion, the Assessment and Outcomes Task Force also recommends new teaching approaches when reviewing student achievement. (Guideline 4.6)

Faculty evaluation processes have focused on the early progress of tenure-track and new long-term contract instructors. Following the visit, the school adopted a policy and schedule for a faculty evaluation process that is compliant with Guidelines 4.7 and 4.8. The law school should report on the implementation of this process in the next Annual Compliance Report.

A policy protecting Faculty Academic Freedom is found in the Faculty Handbook. (Guideline 4.10)

**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 curriculum requires completion of eighty semester units and is designed to be completed in three or four academic years, depending on whether a student attends full- or part-time. An academic year consists of two seventeen-week semesters, including fourteen class weeks, one study week, and two exam weeks. An optional summer session, of seven class weeks and an exam week, is also offered.

Jefferson admitted its first group of students into the Committee-accredited JD program in fall 2020. Most students will begin their studies in fall or spring, but some may join the summer Early Start Program. Generally, full-time students attend class during the day while part-time students attend in the evening. Students advance through the required courses with a class-year cohort but take electives with students at other class levels. (Guideline 6.5(D))

Until the pandemic, most courses were taught on campus, although a few courses were offered online via GoToMeeting or TWEN. Since mid-March 2020, all on-campus courses have been held online through synchronous Zoom sessions.

To earn the JD, students at an accredited school must complete at least 1,200 hours of tracked, or “verified” academic engagement (VAE) over no fewer than 80 semester units. (Guideline 6.5(A)) Jefferson students who complete the program earn exactly 1,200 hours of VAE. Each unit of credit represents fifteen hours of verified engagement ( $80 \times 15 = 1,200$ ) and thirty hours of untracked homework and preparation.

VAE may be earned by attendance in a physical classroom, participation in distance learning, or a combination of those modalities. (Guideline 6.5(B)) For in-person and synchronous online courses, Jefferson tracks each student’s VAE by taking attendance in each class session.

Guideline 6.5(C) mandates that Jefferson must require students to complete “not less than eighty percent of the academic engagement in regularly class scheduled class hours or not less than eighty percent of the minimum hours of other types of academic engagement....” Under Jefferson’s policy,

a student who fails to meet the 80 percent attendance rule will receive an “Auto F” or be withdrawn from the course, unless good cause is shown and “the total number of absences accrued is not excessive.” To comply with Guideline 6.5(A) and 6.5(C), the school should require 80 percent attendance as specified in the guideline.

Semester course loads may vary from eleven and fifteen units for full-time students and from six to ten units for part-time students. Full-time students must complete the program in five years while part-time students must do so in six years. (Guideline 6.5(F) and (J))

Course materials, and a sample review of class sessions, reflect the use of recognized texts, informative syllabi, and appropriate instructional formats. Class sizes are reasonable. (Guideline 6.5(K)-(N))

Jefferson offers experiential learning such as externships and clinics. Advanced students may earn up to eight units, combined, for such activities. Each unit requires at least fifty hours of work. The faculty supervises several clinics, including a Veterans Legal Assistance Clinic, and competition teams for mock trial, moot court, and alternative dispute resolution events. Recently, Jefferson hosted its tenth annual National Sports Law Negotiation Competition. (Guidelines 6.6 and 6.9)

The curriculum includes sixty-seven units of required courses. These courses are offered each year, and include all subjects tested on the bar exam and six other courses: Bar Exam Fundamentals; Learning Skills; Legal Writing I and II; MBE Mastery; and Structure, Process, and Equality. Students must also satisfy a six-unit professional skills requirement and complete thirteen elective units. (Guidelines 6.7 and 6.9)

Jefferson offers a wide range of elective courses, from advanced study in bar-tested subjects to innovative topics such as Professional Sports Law & Use of Analytics. Summer study abroad options in France and China emphasize international law subjects. In describing the elective curriculum, the school should list the number of units offered for each course and give notice that not all elective courses are offered each year. (Guidelines 2.3 and 6.8)

Students expressed satisfaction with their opportunities to interact with faculty members and one another. Instructors provide their contact information, meet with students during and outside of office hours, and engage with students during school events. (Guideline 6.10)

Exam and grading policies are addressed in the Handbook. Final exams are given in all courses except those demanding substantial written or oral work; midterm exams are required in bar-tested subjects. Most final exams are three hours long and include essay questions and, in some cases, MBE-style questions. Elective courses typically use other forms of assessment, such as papers, practical skills assignments, and performance events such as trial proceedings.

Instructors are expected to draft original exam questions and to submit them to another instructor for review prior to use; previously circulated questions are not reused. In reviewing a sample of



exams and assignments, the team found the materials to be well drafted and to fairly test the subjects at hand.

Jefferson was evaluating computer proctoring software at the time of the visit. Due to the pandemic, students had taken open-book exams from home since mid-March 2020. (Guidelines 6.11-6.14)

Guideline 6.14 requires grading standards that ensure “accuracy, validity, reliability, and consistency.” The Faculty Handbook provides guidance about how students should be tested and graded. To promote consistency, first-year faculty participate in grade correlation meetings and all instructors submit their grades on a standardized spreadsheet.

Grades are regularly reviewed by the Associate Dean for Academic Affairs before being posted to ensure that grading criteria are applied uniformly and fairly by all instructors.

Jefferson applies mandatory grade curves in numerically graded required courses, imposing a high degree of grading consistency from instructor to instructor and by the same instructors over time. The school periodically reviews these curves for validity, at times engaging the assistance of an institutional researcher to do so. Rarely and to avoid unfairness, the Associate Dean will grant exceptions to the curve at an instructor’s request.

The first-year grade curve is more stringent and requires that 28 percent of grades must be in categories below 1.9, where 2.0 or above is good standing. In upper-level courses, only 8 percent of grades must fall below 2.2. Thus, in upper-level courses, grades at the good standing level may be given to all students, a result that may warrant consideration within the new Committee-accredited program.

Neither of Jefferson’s grade curves requires the award of patently unrealistic high grades. In the Committee-accredited JD program, Jefferson is required to track and submit specific grade data with each Annual Compliance Report. This data will provide additional information about whether the school’s current grade curves are properly calibrated. (Guideline 6.14)

For students in the ABA-JD program, retention rates have been higher than typically seen at Committee-accredited law schools. For the five years from fall 2015 to fall 2019, the school reported retention rates ranging from 63% to 89%, and above 83% for three of those years.

**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 and have the opportunity to take up to fifteen semester units. Such competency training must teach and develop those skills needed by a licensed attorney to practice law in an ethical and competent manner. (Guideline 6.9)**

As mandated, Jefferson requires its students to complete at least six semester units of practical skills training and gives them the opportunity to complete a total of fifteen units of such training. (Rule 4.160(F) and Guideline 6.9)

All students must take two, three-unit Legal Writing courses in the first year, for a total of six required units of practical skills training. Students who wish to pursue more training may do so while completing the thirteen elective units they need to graduate.

The school offers a range of skills training electives in simulation and experiential-related seminars. Examples include Advanced Legal Research, Advanced Mediation, Civil Motion Practice, Criminal Motion Practice, Contracts Drafting, Introduction to Mediation, Trial Practice, Trial Team (Mock Trial), and seminars related to the school's numerous clinics.

It is suggested that the school expand published course descriptions to indicate which courses include content that qualifies as practical skills training and how many units of academic credit and training credit each course offers. (Guideline 2.3, 6.9, and Rule 4.160(F))

**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)**

Jefferson has sound written scholastic standards defining academic standing, disqualification, advancement in good standing and on probation, retention, and the requirements for graduation. (Guidelines 7.1 and 7.2)

Academic good standing is defined as "when a student is not on probation." Standing is calculated after each regular fall and spring semester. (Guideline 7.4) A cumulative GPA of at least 2.0 is required to graduate and, in most cases, to advance in the program.

Students are subject to academic dismissal under circumstances set forth in clear detail in the Handbook. Whether a student's GPA is grounds for dismissal depends on whether the student attends full or part-time, how many semesters have been completed, what courses are considered (curved subjects or all subjects), and whether the GPA at issue is the cumulative GPA or the two-consecutive-semesters GPA.

Generally, first-year students are dismissed after one or two semesters if they have a cumulative GPA below 1.3 in curved courses. After students have completed all courses in a traditional first-

year curriculum, they are dismissed if they have a GPA below 2.0 under any one of several formulas. Dismissal also follows when a student on probation fails to satisfy a condition of probation.

A student who is dismissed may petition the Dismissal Review Committee for permission to continue in school, pursuant to a sound petition process described in the Handbook. If the committee grants the petition, the student is placed on probation for the next fall or spring semester, subject to any conditions the committee imposes.

Probation is also triggered when a student's GPA falls below 2.0 in the preceding fall or spring semester, and when a first-year student has a cumulative GPA of 1.3 or above but below 2.0 after one full-time or two part-time semesters.

Guideline 7.3 requires that a student advanced to their next year of study on probation must be academically disqualified if the student does not meet the school's requirement for advancement in good standing by the end of that year. Jefferson's probation policy should state a timeframe of one year or less within which a student on probation must achieve a good standing GPA or be dismissed.

Jefferson integrates academic support for all students, not just those on probation, within the curriculum. Learning Skills, a required first-semester course, teaches foundational skills such as self-assessment and case briefing. Academic success workshops focus on legal analysis, essay writing, and multiple-choice test-taking.

Before midterms and finals, "testing labs" allow students to take practice exams under timed, proctored conditions. Finally, professors counsel students on an individual basis. (Guideline 7.3)

Academic standing is determined after each fall and spring semester. As noted above, retention in the ABA-approved JD program has been higher than that typically seen at Committee-accredited schools. (Guideline 7.4)

Jefferson does not admit special students, and the school has not admitted students pursuant to the Committee's Starting First-Year Law Studies Over. (Guideline 7.5 and 7.6)

Course repetition policies comply with Guidelines 7.7 and 7.8. The school does not award duplicate credit for the same or substantially the same course, whether taken at Jefferson or another school. Students may repeat any course but are not required to repeat any specific course; to graduate, students must pass all but two of the required courses. On the transcript, the original course grade will be replaced by the grade in the repeated class.

Jefferson adheres to sound grading policies and practices. The school uses a numerical scale as described above. Mandatory grade curves are used in most required courses, with separate curves for first-year and upper-level subjects. Generally, the school's assessments and examinations were found to be well designed. Examination and grading practices are addressed in the Faculty

Handbook and reviewed as part of the school's program for assessment of student learning. (Guideline 7.9)

The law school has complied with the record-keeping requirements of Guideline 7.10.

Under Guideline 7.11, a school offering distance learning must verify the minimum required academic engagement for the JD degree. At Jefferson, the use of distance learning has been limited to courses taught through synchronous class sessions and the hours of academic engagement by each student have been verified by the school's attendance records, as permitted by Guideline 7.11(B)(2).

Auditors and visitors have been allowed to enroll in TJSL courses, although none were enrolled at the time of the inspection. The admissions webpage sets forth a compliant written policy on visitors and, following the inspection, the law school submitted a compliant policy on auditing students, which will be added to the admissions webpage. (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)**

Admissions policies and procedures are detailed on the website. Applicants are considered only if their credentials satisfy the pre-legal education requirements of Business and Professions Code section 6060(c) and they hold an associate degree or higher from an accredited institution. Students with prior law school history are considered for admission, whether or not they have been disqualified at a prior school. (Guidelines 5.1 and 5.2)

Applicants must submit an application, LSAT score, personal statement, resume, letter of recommendation, and transcripts. As required by Guideline 5.4, the application asks whether applicants have attended another law school and, if so, whether or not they left in good standing.

Processes are in place to ensure that each applicant's official transcripts are held in the school's files, and that official transcripts showing fulfillment of pre-legal education requirements are on file within forty-five days of the start of a student's first term. A sample file review confirmed that student files contain official transcripts of all prior education. (Guidelines 5.3 and 11.1(B) and (C))

Admissions policies are designed with the help of an institutional researcher, to ensure that JD students have a reasonable prospect of completing the program. Policies are set and reviewed annually by a three-member faculty Admissions, Retention, and Dismissal Committee; the Associate Deans for Academic Affairs and Enrollment Management participate as ex officio members. Assistant Dean Michelle Allison-Slaughter manages the admissions process.

In part, admissions decisions are based on numerical indicators, including undergraduate GPAs, LSAT scores, and First Year Predicted Averages as provided by the Law School Admissions Council.

Applicants with GPAs of at least 2.8 and LSAT scores of at least 141 are admitted without Committee review absent ethical or criminal concerns.

The Admissions Committee reviews all other applicants based on criteria such as writing skills, professional credentials, leadership ability and maturity and, in some cases, interviews. Data from admissions interviews will be analyzed as part of Jefferson's ongoing research into the relationship between pre-admission factors and academic and bar exam success.

In fall 2020, about 80 percent of first-year applicants were admitted. About 20 percent of admitted applicants enrolled at Jefferson and their 75th, 50th, and 25th percentile LSAT scores were 145, 142, and 139, respectively; their 75th, 50th, and 25th percentile undergraduate GPAs were 3.08, 2.82, and 2.57, respectively.

Jefferson has compliant policies and practices for the admission of applicants with prior law school history. A small number of such students were admitted in fall 2020. As required, the Admissions Committee documents its reasons for admitting students previously dismissed from Jefferson or another school.

In appropriate circumstances, transfer credit is awarded pursuant to a Transfer Credit Policy set forth in the Handbook. Prior courses are evaluated and the amount of transfer credit to be granted is decided by the Associate Dean. Transfer credit is limited to forty units and is never awarded for experiential courses. (Guidelines 5.6-5.8)

**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 Committee. 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 Committee, 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)**

This section is inapplicable to Jefferson, which operates only one location in San Diego, California.

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

Director Robert Wickman, a graduate of Howard University School of Law, oversees the library. The library is located on the basement level of Jefferson's downtown San Diego campus, in a space of about 16,400 square feet. In addition to a reference desk and reserve book area with workspace for library staff, two study rooms provide seating for 181 persons at large tables. Patrons also have access to two computer terminals. (Guideline 8.1)

The library is open regularly from 8:00 am to 12:00 am daily for use by students, faculty members, alumni, and other members of the legal community. Hours have varied during the pandemic.

Library materials support the school's educational mission, fulfill faculty research needs, and meet accreditation and other external standards. The 150,000-item collection includes 92,000 hard-copy volumes as well as microform, audio CD, DVD, and online digital resources. To conserve space, hard copy materials are housed in 13,500 linear feet of compact shelving.

Most resources required by Guideline 8.2 are provided online through Lexis and Westlaw and, in some cases, also in print. Dictionaries are provided in print. Individual passwords to Lexis and Westlaw are issued to faculty and to students upon enrollment. Jefferson users also have access to other digital resources such as HeinOnline and CALI. The library provides on-campus IP authentication for online resources that do not have individual logins. (Guidelines 8.1 and 8.5)

As required by Guideline 8.3, students receive legal research instruction in both online and hard-copy research. Librarians teach research tutorials, individual class sessions, and full courses such as Advanced Legal Research. They also issue periodic bulletins to promote information literacy.

Records of library expenditures are properly maintained. (Guideline 8.6)

**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)**

In late 2018, Jefferson moved from a campus in eastern San Diego to a Class A building at 701 B Street in downtown San Diego. The new facility is a 56,000-square-foot, designed-to-suit space leased pursuant to a multi-year agreement with renewal options through 2031. It is located adjacent to courthouses, law offices, and public agencies and is accessible by public transportation.

Jefferson has a separate ground-floor entrance and reception area. The school also fully occupies the building's basement, mezzanine, and second floor. A private staircase and elevator connect the four levels. The facility is ADA-compliant and safety protocols are in place. (Guideline 9.1)

The library and clinical program are housed in the basement level, while offices, classrooms, and conference rooms are located on the higher floors. Adequate space is provided for staff and faculty, including private offices, cubicles, desks, work areas, and file storage. Private rooms are available for student counseling and other purposes. (Guideline 9.2)

Classes are held primarily in six classrooms and two seminar rooms. The classrooms range in size, seating as many as sixty-nine students. One classroom is designed to serve as a moot courtroom and mock trial team practice area. Three traditional conference rooms provide additional classroom space.

Classrooms are equipped with podiums, seating, and state-of-the-art classroom technology. Resources include ceiling-mounted laser projectors; lecture-capture devices that record audio, video, and media as displayed through the projectors; and in-podium touch panels that allow presenters to operate the technology with ease. Wireless internet access is available throughout the campus.

Parking is ample and convenient in the building lot.

Jefferson's information technology infrastructure appears to be up-to-date, secure, and adequate to institutional needs. Several software platforms are used for record-keeping and academic operations and access to these platforms is appropriately controlled. As required by Guideline 9.1, authorized personnel can produce all school data at the San Diego campus.

An enterprise resource planning (ERP) application, Ellucian PowerCampus, is used to manage vital functions related to enrollment, academic records, and academic planning. Active Campaign, a customer relationship management tool (CRM) is used to manage student personal information and student communications. Cloud-based software provided by the Law School Admissions Council, ACES2, is used to maintain applications.

For courses, instructors use TWEN, The West Education Network, to exchange materials and communicate with students. Most online synchronous class sessions are held through the Zoom videoconference platform, although a few early courses adopted GoToMeeting.

Reasonable steps have been taken to protect Jefferson's computer systems, communication systems, and written and electronic records against corruption, misuse, or destruction. A detailed IT Disaster Recovery Policy describes measures for restoring electronic records in case of an emergency and a Password Policy ensures appropriate access control to systems and records.

The school employs competent information technology personnel. Sufficient resources have been allocated to maintain the school's technology infrastructure and to effectively address any service issues that may arise. Service outages are rare but are carefully tracked and resolved.

**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)**

The law school has taken realistic steps to address the financial challenges posed by the loss of ABA approval. As a Committee-accredited school, Jefferson expects to enroll fewer students at lower tuition levels. To align budgets with current enrollment and financial projections, the school has pursued asset management, cost reductions, and revenue diversification. Current and anticipated financial resources, including reserves, are adequate to support the JD program.

Jefferson's financial statements are audited annually by independent certified public accountants, most recently by RSM US LLP. These certified audits have been unqualified for at least five years.

The school is debt-free. Over \$40 million in debt has been eliminated since 2018, largely because the school negotiated its release from a lease on its former campus. The new downtown facility is much less costly and includes substantial renovations financed by the school's current landlord.

Other cost-cutting measures have been taken, including staff and faculty reductions. Operating revenues have remained a net positive over the past three fiscal years and, when necessary, to avoid a deficit, additional expense cuts will be made in fiscal year 2021.

A budget surplus has been achieved every year since 2014 and substantial surpluses are projected over the next three fiscal years. These projections appear to be based on reasonable enrollment projections, although the long-range enrollment impacts of the pandemic and the school's new accreditation status are unknown. Enrollment in fall 2020 exceeded expectations.

Total JD tuition in the Committee-accredited program, set in 2020, is at about \$88,000 based on per-unit tuition of \$1,100; in addition, total program fees are about \$6,000, including \$2,700 for the BarBri Integrated Agreement focusing on bar exam success.

Plans to diversify sources of revenue center on the five non-JD programs and fundraising. Both strategies appear to have long-range potential. Although revenue from the non-JD programs has grown substantially since 2017, their contribution to Jefferson's financial position remains small relative to the JD program. A tradition of alumni support will need to be developed among the school's seven thousand graduates.

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

Jefferson has established compliant recordkeeping practices for its Committee-accredited JD program. Responsibility for the maintenance of records is distributed by department. The school maintains most required records electronically and has established adequate security and backup protocols to protect them against unauthorized use, corruption, and destruction. (Guideline 11.1)

Admissions files are held for at least one year for all applicants. These are maintained by the admissions staff in a cloud-based application provided by the Law School Admission Council. Permanent student files are maintained by the Registrar's Office and include matriculants' applications and other required records; disability documents are secured in the Student Affairs Office.

Transcripts include all required information, including grade information for transfer students, and transcript changes are governed by a written policy. (Guideline 11.1(A-D))

Following the inspection visit, the school adopted a policy that the Human Resources Office will ensure that files of faculty members contain all information required by Guideline 11.1(H), including official transcripts of their legal education. Further, that office will verify each faculty member's bar licensure status annually and report any disciplinary measures or negative actions to the Dean.



Based upon a sample review of electronic documents, the team found that Jefferson has complied with the recordkeeping requirements of Guideline 11.1. Among the records reviewed were applicant files and admissions records (Guidelines 11.1(A)-(B)); student files and transcripts (Guidelines 11.1(C)-(D)); class records, examinations, student responses, and grade tabulations (Guidelines 11.1(E)-(F)); and administrative and faculty files. (Guideline 11.1(G) and (H))

The team also reviewed, and found to be in order, a sample of other records required by Guidelines 11.1(I) through 11.1(O), including faculty meeting minutes, Board minutes, the 2020 Annual Compliance Report, and correspondence between the school and the Committee.

**Rule 4.160(N): Minimum, Cumulative Bar Pass Rate. The law school must maintain a minimum, cumulative bar examination pass rate as determined and used by the Committee in the evaluation of the qualitative soundness of a law school's program of legal education. The minimum, cumulative bar examination 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)**

An accredited school must maintain a minimum cumulative five-year bar exam pass rate (MPR) of at least 40 percent among its graduates who take the examination, and Jefferson has done so, having achieved an MPR of 70.5 percent in 2018 and of 67.4 percent in 2019, and 61.7 percent in 2020.

**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)**

Jefferson operates pursuant to policies and practices that comply with federal and state laws with respect to equal opportunity and non-discrimination. (Guideline 14.1)

An Anti-Discrimination Policy, found in the Handbook, provides for broad protection:

It is the policy of Thomas Jefferson School of Law to afford equal opportunity to all individuals regardless of race (including hair texture and protective hairstyles), creed, color, religion, sex (including transgender, gender, gender identity and expression), national origin, ancestry, age, marital status, military or veteran status, physical and mental disability, medical condition, genetic information, sexual orientation, or other characteristic protected by law. Our students, as well as our applicant, employees, and others with whom we do business, will not be subjected to sexual, racial, religious, ethnic, or any other form of unlawful discrimination or harassment.

Similarly, the school has a Policy Against Harassment that begins as follows:

Thomas Jefferson School of Law is committed to maintaining an academic environment that is free of harassment. The school's policy prohibits not only actions which are severe enough to violate state or federal law, but which are still inappropriate in the educational environment.

Within the JD student body at Jefferson, the largest ethnic or racial groups are Latinx (30 percent), White (30 percent), Black (21 percent), and Asian (12 percent), as reported in the 2020 Annual Compliance Report. About 58 percent are women.

The Jefferson faculty is less diverse. The largest ethnic or racial groups are White (78 percent), Asian American (7 percent), and Latinx (5 percent). Forty-two percent are women. The law school is encouraged to foster diversity and inclusion in recruitment, development, and retention of faculty.

**Rule 4.160(P): Compliance with Committee 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))**

Jefferson timely submitted an Annual Compliance Report and all other required submissions and responses to requests by the State Bar have been timely addressed by the school.

As the school moves forward with the Committee-accredited JD program, it will be required to submit all requested data in its Annual Compliance Report, such as grading data in Attachment 7 (Grading Summary) and Attachment 8 (Grade Distribution Chart).

## **CONCLUSION AND RECOMMENDATION**

The team recommends that the Committee receive and file this Periodic Inspection Report, approve the team's recommended and suggested actions, continue the accreditation of the Thomas Jefferson School of Law, and schedule its next periodic inspection in the fall of 2025, unless an earlier visitation is deemed necessary by the Committee. The school should provide an update on its progress toward the recommendations noted as part of its 2021 Annual Report.

April 5, 2021

Natalie Leonard  
Principle Program Analyst, Educational Standards  
State Bar of California  
Via email: [Natalie.Leonard@calbar.ca.gov](mailto:Natalie.Leonard@calbar.ca.gov)

Dear Ms. Leonard,

I am writing to accept the Report memorializing the findings of the inspection of Thomas Jefferson School of Law conducted on November 18-20, 2020. Attached please find the Law School's responses to the Recommended, Mandatory Actions and Suggestions for Enhanced Compliance. I am happy to provide further documentation upon request, by mid-May, after the faculty meeting at which changes to Student Handbook policies will be considered.

Please let me know if you have any questions or concerns. I can be reached at [lkeller@tjssl.edu](mailto:lkeller@tjssl.edu) or 619-961-4282.

Sincerely,



Linda M. Keller  
Dean  
Professor of Law

## Responses to Recommended, Mandatory Actions

### 1. Guideline 2.3(E)(2) !

The Law School has revised references to Western Association of Schools and Colleges to indicate that the school's degree-granting authority is based on its accreditation by the CBE.

See, e.g., <https://www.tjsl.edu/california-accreditation>: !

Thomas Jefferson School of Law's degree-granting authority, in connection with its J.D. and ALS students' qualifications to take the California Bar Examination and obtain admission to practice law in California, is based upon its accreditation by the Committee of Bar Examiners.

### 2. Guideline 2.6

The Law School's policy and practices already provide for all disciplinary matters to be heard by an impartial panel and for a written final decision that meets all guideline requirements. The policy contained in the Student Handbook will be revised to state this more clearly and explicitly. The faculty will consider this change at the May, 2021 faculty meeting.

### 3. Guideline 2.7(C)

The Law School has integrated the practices and procedures on authentication of student work into one Authentication of Student Work policy, for dissemination to the faculty and staff (attached). The Student Handbook will continue to include requirements for students such as ID Cards, use of unique identifiers, and compliance with the Student Code of Conduct, which prohibits plagiarism and unauthorized assistance, deliberate breach of exam number anonymity, and provision of false information of any kind.

### 4. Guidelines 4.7 and 4.8

The Law School has adopted a new faculty evaluation process for all faculty members (including full-time, tenured faculty) that complies with the guidelines and will report on its implementation in the 2021 Annual Compliance Report.

### 5. Guidelines 6.5(A) and (C)

The Law School's policy requires students to attend at least eighty percent of classes, except on very rare occasions when medical or similar issues require accommodations. The Law School will ensure compliance with the guidelines. The faculty will consider necessary changes at the May, 2021 faculty meeting.

### 6. Guideline 7.3

The Law School's current policy regarding probation and academic dismissal has the practical effect of limiting the probationary period to one year, but the Law School will revise the probation policy to clearly state a one-year time frame. The faculty will consider this issue at the May, 2021 faculty meeting.

### **Suggestions for Enhanced Compliance**

1. The Law School provides information on Elective Courses on its website. The website page now specifies that not all elective courses are offered every year. The Law School is currently fixing communication problems between the website and the information management system that contains the course descriptions to be linked from the website.
2. The Law School publishes course descriptions of courses on the website (see above) and on MyVillage, a student portal. For each term, registration materials indicate which courses qualify as practical skills training. The Law School will consider whether catalogue descriptions linked on the website may include practical skills designations.
3. The Law School is committed to fostering diversity and inclusion in the recruitment, development, and retention of faculty as well as students and staff. The Law School will continue to recruit from diverse lawyer affinity groups and mentor new faculty members with the goal of enhancing diversity and inclusion.

## **Authenticating Student Work**

### **Policy for Staff & Faculty**

**(March 2021)**

As you know, the Law School must authenticate the identity of a student participating in law school activities and submitting work to ensure that work submitted is the student's own.

Please keep this principle and the following procedures in mind in your classes and your activities with students:

#### **1. Participation in Classes and Other Activities**

Students are required to display their ID badges (with name and photo) when on campus. Without an ID badge, visitors are not allowed on campus except for certain approved and limited access (such as alumni studying in the library). For in-person classes, attendance can be taken based on sign-in sheets or other methods. For online classes, students are provided confidential access codes for Zoom and other classes. Professors should use video or other means to identify students, including reports from Zoom identifying student devices.

#### **2. Submissions of Assignments Other than Exams**

Students are assigned an examination number each term. This number is to be used on the vast majority of graded assignments. Note that students are required to keep this information confidential, and their deliberate breach of confidentiality is a violation of the Student Code of Conduct.

If use of anonymous exam numbers is impracticable, professors may use non-anonymous methods with the approval of the Associate Dean for Academic Affairs. For example, student work in a small seminar course where each student chooses an individual topic for a research project should be turned in by name rather than exam number.

Students turning in other assignments should typically do so either in class or via TWEN. Students submitting assignments via TWEN need to first sign in using their unique login information from Westlaw. In this way, student identity is authenticated via the process of submission.

Students turning in papers by methods other than TWEN or in-person (such as physical drop box) should include a signed statement affirming that it is their work.

All Legal Writing I professors must require that all J.D. students review and sign a plagiarism pledge, acknowledging what constitutes plagiarism and unauthorized assistance, and that it is a violation of the Student Code of Conduct.

In addition to prohibiting plagiarism and unauthorized collaboration, the Student Code of Conduct prohibits providing false information of any kind, including on attendance rosters.

### 3. Midterm, Final or Other Exams

Students taking exams on campus must display their Student ID to access campus and must sign in for their exam. They must use their unique exam number, which they must keep confidential, on their exam submission. Compromising their exam number is a violation of the Student Code of Conduct.

Students using ExamSoft software to take in-person exams must log in using unique identifiers.

For online exams, students must log in to TWEN using unique identifiers and sign an honor pledge in order to take the test. They must also use their unique exam number.

*For your convenience, relevant excerpts from the Student Handbook are below.*

Student Handbook Part IX:

#### B. ID Cards

All students are required to carry a current Thomas Jefferson ID card while on campus. Student ID cards can be obtained free of charge from the IT Department. Students must keep their ID cards with them while on campus. Students must present their ID cards in order to check out library materials or reserve study rooms. Lost ID cards may be replaced for a \$5.00 fee. Payment should be made to the Business Office. The receipt should then be taken to the IT Department.

Student Handbook Part III:

### III. EXAMINATION POLICIES

#### A. Anonymous Grading

1. In order to preserve anonymity in examination grading, every student is assigned a different exam number each semester or session. The exam number is to be used on every graded examination or assignment in lieu of the student's name unless the syllabus or instructor indicates that non-anonymous grading applies.
2. A student's exam number may be viewed on MyVillage. With appropriate ID, the Registrar's Office can provide a student with the student's assigned exam number.
3. Students who do not use their assigned exam number may experience a delay in the posting of their grades.
4. With the prior approval of the Associate Dean for Academic Affairs, an instructor may grade a course on a non-anonymous basis. Instructors are expected to announce the grading policy for the course in their syllabi and on the first day of class. If there is any doubt, the student should ask the instructor.

\* \* \*

#### E. Examination Rules

##### 1. Time Allotment

- a. Examination sessions will begin promptly at the scheduled times. Students arriving late will *not* be given additional time. A student arriving up to 30 minutes late may take the examination in the scheduled room.

- b. Students arriving more than 30 minutes late must immediately report to the Academics Office.
- c. Students may not leave an exam room until time is called and students are excused.
- d. Students may sign-out of the exam room to use the restroom; however, no student may leave an exam room during the last ten minutes of an exam.

Students must refrain from discussing the examination or otherwise talking at any time while the examination is in session.

**2. Labeling Bluebooks**

Each bluebook used during an examination should be appropriately labeled before the examination begins with your current exam number and other requested information. Do not put your name on the bluebook.

**3. Multiple Choice Testing**

Multiple Choice answers are graded by machine and only answers marked in #2 pencil on the scantron form can be scored. Students must bring a #2 pencil to all such examinations. Students must carefully complete the identification portion of the scantron form. This information includes your name, course and instructor. Your examination number for the current semester or session should be written and bubbled in where indicated.

**4. Students Writing Exams**

Writers should have several pens, either in blue or black ink, to use in their bluebooks. No other color will be permitted. Pencils are never permitted on essay examinations. Writing on only one side of the page and double spacing is recommended.

**5. Students Using Laptop Computers**

Students wishing to take examinations on a computer must furnish their own laptop computer. Laptop computers must have the necessary software and exam template installed on their computer. In the event of a computer hardware malfunction and/or testing software malfunction:

- a. before an examination begins, the student should notify the proctor and report to the IT Help Desk; if the problem cannot be fixed before the start of the exam, the student must return to the exam room for the start of the exam and write answers in a bluebook; or
- b. during an examination, the student must finish the examination using a bluebook. Additional time is *not* allowed for equipment or software malfunction or power failure that occurs during an exam. Although electrical outlets are provided, students are encouraged to bring their own extension cords and/or battery pack.

For more information, please visit [www.examsoft.com](http://www.examsoft.com). Students must download the necessary software and templates from [www.examsoft.com/tjsl](http://www.examsoft.com/tjsl) and must be certain to update the software as needed. Students may check <http://support.examsoft.com> to ensure they have the current software release and to check for the current minimum



system requirements.

Student Handbook

## APPENDIX G – Student Code of Conduct

The School’s Student Code of Conduct (“Code”) will govern the conduct of all students. It is established to preserve the academic integrity of the school and facilitate an enriched learning environment. Accordingly, the Code presupposes the cooperation and vigilance of all members of the law school community. The following acts are prohibited by students:

\* \* \*

### III. Compromising Anonymous Work and Grading

Students will not intentionally reveal their examination numbers or identities to a professor when submitting anonymous course work. Also, students will not intentionally reveal the examination number or identity of another student. This rule may be modified for specific classes by individual classroom professors who will announce any modification at the beginning of the semester.

\* \* \*

### VI. Providing False Information

No student will knowingly provide false information in any form to the School or any authorized representative thereof in connection with any matter in which the School has an interest. Examples of acts that constitute providing false information include, but are not limited to:

- A. Using inaccurate information in connection with the law school admission, dismissal, or readmission process;
- B. Misstating a fact in connection with any request or petition submitted to any law school employee;
- C. Misstating a fact in reporting any alleged violation of this Code;
- D. Giving a false statement to an individual or entity investigating any alleged violation of this Code; and
- E. Signing in for another student or otherwise providing false information, on a class attendance roster.