



The State Bar *of California*

OFFICE OF ADMISSIONS

OPEN SESSION
AGENDA ITEM O-400
DECEMBER 2021
COMMITTEE OF BAR EXAMINERS

DATE: December 3, 2021

TO: Members, Committee of Bar Examiners

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

SUBJECT: Action on Inspection of San Francisco International University College of Law

EXECUTIVE SUMMARY

San Francisco International University College of Law was inspected on December 1, 2020, and the resulting inspection report is set forth in Attachment A. Due to the number of issues identified during the inspection, it is recommended that the Committee of Bar Examiners (Committee) issue a warning letter to the law school pursuant to 4.244(G)(4) requesting a response within 30 days directing the law school to establish compliance or the Committee may seek probation or termination of registration.

BACKGROUND

San Francisco International University College of Law is a for-profit registered, unaccredited correspondence law school that was first registered with the Committee of Bar Examiners in April 2017.

As a condition of the initial registration, the Committee required that the law school undergo an inspection within two years of the start of operation in order to confirm the law school's compliance with the Rules for Unaccredited Law Schools. Staff contacted the law school in fall 2019 in order to conduct that inspection. The law school requested several extensions, until the

inspection team was ultimately able to conduct a part of the inspection on December 1, 2020. Educational Standards consultant Heather Georgakis conducted the inspection. The inspection was ended early due to the law school's technical issues, and staff followed up with the law school over a period of months in an attempt to gather the standard information required during the inspection. It appears that there are serious concerns regarding the law school's compliance, as described below and detailed further in the inspection report.

If the Committee has reason to believe a registered, unaccredited law school may not be in compliance, the Committee may issue a warning to take immediate action to correct the deficiencies noted in the inspection report and document compliance to the State Bar. (Rule 4.244(G)(4).) It is recommended that the law school respond to the notice within 30 days after the State Bar issues the warning. The warning letter should also provide notice pursuant to Rule 4.263 that the Committee intends to pursue probation or termination of registration unless the law school can demonstrate evidence of compliance in a response provided to the State Bar within 30 days after the State Bar issues the warning letter.

DISCUSSION

An Inspection Report summarizing the observations regarding the inspection visit is provided as Attachment A. The report summarizes the conditions that existed at the time of the inspection and through the follow-up period through and including July 2021.

The issues observed begin with the law school's location. The law school's approved administrative headquarters is in Oyster Point in South San Francisco. Shortly after the inspection, it appears that the law school relocated to a coworking space in San Francisco, but did not file the required paperwork to receive approval for the move.

To date, none of the law school's students has passed the First-Year Law Students' Examination or properly been awarded a JD degree. Though the law school has enrolled few students, a high percentage of the students have had issues with the law school's processes that required them to contact the State Bar for resolution, and they identified the law school as non-responsive.

The State Bar provided the school with an advance copy of the inspection report, and confirmed delivery. The law school did not provide an optional response during the time period set forth in the rules or thereafter.

It is possible that the law school has already closed. In recent weeks, the law school's website was taken down, the phone was disconnected, and messages to the dean's law firm have not been returned. The phone number listed on the dean's New York State Bar license record is out of service. He is not licensed to practice law in California. An email to the law school went unanswered, and the law school did not file its 2021 Annual Compliance report due on November 15, 2021.

Below is a summary of the report's recommendations. Each is discussed in detail in the report.

Recommended Mandatory Actions

1. Guideline 1.9, Rule 4.246: The law school must bring itself into compliance with business licensing requirements of the City of South San Francisco, or, potentially, San Francisco in light of the school's unauthorized move of its headquarters. SF International must file the required major change request with the Committee due to the change of location.
2. Guidelines 1.9, 2.11, and 9.1: The law school must secure its digital and hard copy records against loss, destruction, corruption, or improper disclosure.
3. Guideline 1.9: The law school must adopt, publish, and implement written policies and procedures for handling requests for disability accommodations, including informing students that accommodations granted by SF International may differ from those granted by the State Bar.
4. Guideline 1.9: The law school must review and, as necessary, revise its payment practices to comply with California law, take steps necessary to rectify errors, if any, and provide the Committee with a report as to its findings and actions.
5. Guideline 2.2(B): The law school must revise its refund policy to clearly define the periods within which a full or partial refund will be made and the formula for calculating partial refunds.
6. Guidelines 2.3 and 2.12: The law school must review and, as necessary, revise its publications to ensure that all communications are clear, accurate, current, and include the description of academic opportunities available to students in the JD program. Communication with the Committee must be forthright and timely.
7. Rule 4.241 and Guideline 2.3(D)(1): The law school must adopt and implement written procedures to ensure that each student receives and signs an accurate Disclosure Statement before paying an initial registration fee and again upon paying tuition for each subsequent term. Each original, signed Statement must be properly filed and retained by the law school and a copy must be provided promptly to the student. Lack of compliance as to this element alone is grounds for withdrawal of the law school's registration.
8. Guidelines 2.7 and Guideline 4.11(A)-(B): The law school must promptly report changes in compliance or contact information to the Committee in writing as required.
9. Guideline 2.8: The law school must revise its student discipline policy to make clear that sanctions will not be imposed before a student is given an opportunity for a hearing and that the law school will provide a written final determination that meets guideline requirements.

10. Guideline 2.9(B)(2): The law school must revise its grading policy to clearly define which courses may be taken on a pass/fail basis.
11. Guidelines 2.9(B)(3) and 5.24: The law school must revise its course repetition policy to eliminate a discrepancy as to whether the original grade will, or will not, be used to calculate the student's GPA.
12. Guideline 2.9(B)(5): The law school must follow its policy on anonymous grading or implement a new policy that conforms to its actual practice in which it appears the identity of each student is known.
13. Guideline 2.9(B)(6): The law school must revise its policy on probation to resolve a discrepancy as to the deadline by which students on probation must raise their GPA to 2.0 to advance in the JD program.
14. Guideline 2.9(C): The law school must provide students in each course with a written statement explaining the extent to which the final course grade will be based on each graded component.
15. Guideline 2.9(D): The law school must maintain records to show that it adheres to its policy on authentication of student work.
16. Guideline 2.9(F): The law school must adopt, publish, and implement a policy allowing students to review exams and their answers as required by the guideline.
17. Guideline 3.2: The law school must clarify whether it has a governing board and, if it has a board, vest that board with authority, as required.
18. Guideline 3.1: The law school must establish administrative processes and sufficient staffing levels to ensure compliance with Committee standards, including recordkeeping requirements.
19. Guidelines 4.5 and 4.7: The law school must create a faculty handbook and otherwise engage in faculty development efforts to meet its duty to offer a sound JD program, including competent faculty and adequate student counseling.
20. Guidelines 4.8 and 4.9: The law school must adopt, publish, and implement procedures for the regular and comprehensive evaluation of faculty consistent with guideline requirements.
21. Guideline 4.11(A)-(B): The law school must ensure that the dean and registrar are qualified and available to perform their duties, that faculty are adequately trained, that students are adequately counseled, and that institutional and staff changes are promptly reported to the Committee as required by the guideline.
22. Guideline 5.3(B)(1): The law school must clearly define the number of weeks in an academic term within guideline limits and issue credit only for study completed within those limits.

23. Guidelines 5.3(B) and 5.9: The law school must make immediate changes to revise its curriculum to offer a four-year JD program that requires students to complete courses with an expected academic workload equal to or greater than 864 hours of study.
24. Guideline 5.3(B)(1): The law school must implement procedures to ensure that students submit timely, detailed, accurate, signed hours logs, and that the law school verifies the accuracy of the logs and maintains them in student files.
25. Guideline 5.12: The law school must revise the curriculum to include opportunities for practical skills instruction as required by the guideline.
26. Guidelines 5.2, 5.14-5.17, and 5.25: The law school must evaluate and, as necessary, amend its examination policies and procedures to ensure their effectiveness and compliance with the guidelines.
27. Guideline 5.1 and 5.2: The law school must revise its course materials, examinations, and methods of instruction to create a sound educational program.
28. Guideline 5.23: The law school must adopt written procedures and ensure compliance with the guideline prohibiting the award of duplicate credit.
29. Guideline 5.30: The law school must adopt and implement effective procedures to ensure compliance with this guideline and must dismiss current students for whom official transcripts are not on file within the prescribed time limit.
30. Guideline 5.34: The law school must establish processes and ensure compliance with requirements for the admission of students previously disqualified from law study.
31. Guidelines 2.3, 5.35, and 9.1(D)(5): The law school must adopt, implement, and publish a transfer credit policy with procedures that comply with all guideline requirements. The school must also review and, as necessary, correct, the transcripts of current transfer students.
32. Guideline 5.36: The law school must not admit individuals who received their first degree in law from an institution outside the United States, as study at an unaccredited law school will not satisfy the legal education requirements to establish eligibility to take the bar exam.
33. Guidelines 6.1, 6.3, and 6.6: The law school must provide notice in the library that its collection is not updated, provide instruction in print-based and electronic legal research, and maintain a list of expenditures as required by the guidelines.
34. Guideline 9.1: The law school must revise its procedures and bring itself into compliance with guideline requirements as to:
 - A. records of applicants, admitted applicants, and students (Guideline (9.1(A)-(C))),
 - B. permanent student transcripts (Guideline 9.1(D)),

- C. permanent class records (Guideline 9.1(E)),
- D. records of examinations and grade tabulations (Guideline 9.1(F)), and
- E. required reports Guideline 9.1(O)

Further, the law school must review, and as needed, correct, the records, including transcripts, of current students.

While it appears that the law school may have closed, it has not formally advised State Bar staff or the Committee. Therefore staff recommends that the Committee proceeds to the next step in the process, providing the law school a time to respond, as noted below.

FISCAL/PERSONNEL IMPACT

None

RECOMMENDATION

It is recommended that the Committee receives and files the Inspection Report of San Francisco International University College of Law and adopts all recommendations made in the Report.

It is also recommended that the Committee directs staff to issue a warning letter pursuant to Rule 4.244 (G)(4) to the law school to take immediate action to correct the deficiencies noted as Recommended Mandatory Actions in the inspection report and to provide notice to the State Bar of the correction within 30 days after the State Bar issues the warning.

It is further recommended that the law school be provided notice pursuant to Rule 4.263 that the Committee believes that the inspection report demonstrates that the law school is likely to be out of compliance with the Unaccredited Law School Rules and, therefore, the Committee intends to pursue probation or termination of registration unless the law school can provide evidence to demonstrate compliance as part of its timely response to the Committee's warning letter.

PROPOSED MOTION

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

MOVE, that the **Committee of Bar Examiners** receives and files the report of the inspection conducted of San Francisco International University College of Law on December 1, 2020 and adopts its recommendations in full.

FURTHER MOVE, that the Committee directs staff to issue a warning pursuant to Rule 4.244 (G)(4) to the law school to take immediate action to correct the deficiencies noted as Recommended Mandatory Actions in the inspection report and to provide notice to the State Bar of the correction within 30 days after the State Bar issues the warning letter.

FURTHER MOVE, that the law school be provided notice pursuant to Rule 4.263 that the Committee believes that the inspection report demonstrates that the law school is likely to be out of compliance with the Unaccredited Law School Rules and, therefore, the Committee recommends and intends to pursue probation or termination of registration unless the law school can provide evidence to demonstrate compliance as part of its timely response to the Committee's warning letter.

ATTACHMENT LIST

- A.** Inspection Report Regarding San Francisco International University College of Law



The State Bar of California

San Francisco International University College of Law Periodic Inspection Report

December 1, 2020

REPORT ON THE PERIODIC INSPECTION OF SAN FRANCISCO INTERNATIONAL UNIVERSITY COLLEGE OF LAW

**400 Oyster Point Boulevard, Suite 422
South San Francisco, CA 94080**

-or-

**One Sansome Street, Suite 3554
San Francisco, CA 94104**

EXECUTIVE SUMMARY AND RECOMMENDATIONS

Introduction

In April 2017, the Committee registered San Francisco International University College of Law (SF International) as an unaccredited law school for two years. This registration was subject to the Rules (Rules) and Guidelines (Guidelines) for Unaccredited Law Schools and required an inspection within two years of the start of operation in order to confirm the law school's compliance as a condition of continued operation. The State Bar contacted the law school in fall 2019 in order to conduct this inspection. SF International eventually provided sufficient materials to conduct the inspection in December 2020.

Heather Georgakis, Educational Standards Consultant to the Committee of Bar Examiners (Committee) conducted a remote inspection of SF International on December 1, 2020. SF International is a for-profit S-corporation headquartered, at the time of the inspection, in a South San Francisco, California office building. The law school's institutional mission is "to provide highly qualified students with a superior legal education at an affordable cost."

Subsequent to the inspection, without seeking the required Committee approval through the major change process required under Rule 4.246, the law school moved its headquarters to an office suite in San Francisco that appears to be a coworking space. The current facilities and resources at this new site are unknown, and the law school has not filed the required paperwork or provided more than a few sentences in response to questions from the State Bar.

Owner and founding Dean Matus Varga is a graduate of Comenius University School of Law in Slovakia and a licensee of the New York State Bar. He works part-time as Dean while maintaining a residence and immigration law practice in Florida. In July 2021, an individual contacted the State Bar to report that the dean, also the law school's owner, had sold 50 percent of the law school to a JD graduate who was not yet licensed to practice law. The dean has not responded to questions regarding this topic.

Dean Varga is assisted by Registrar James Gipson, a member of the Florida Bar who recently moved from Florida to Texas, where he now resides and works. The faculty consists of Dean Varga, Registrar Gipson and Hassan Mirza, a McGeorge School of Law graduate who is not licensed to practice law.

According to the law school's most recent annual compliance report, SF International enrolled three JD students and three non-JD students, despite the law school's lack of Committee approval for

non-JD programs. One student took, but did not pass, the First-Year Law Students' exam (FYLSX) and is no longer enrolled. Another student was awarded a JD though they did not meet the requirements of California Business and Professions Code section 6060 and were, therefore, unable to establish eligibility to take the bar exam without engaging in further study.

Students enrolled in SF International's JD program are required to complete seventy-eight semester units, including three elective units, over four years. Instruction is delivered asynchronously online except that instructors conduct occasional one-hour class sessions via videoconference technology. Current total tuition is \$48,000, based on per-year tuition of \$12,000, and total program fees are \$1,100.

After review of the curriculum, learning platform, admissions, scholastic standards, legal research resources, facilities, records, Dean, administrators, and faculty, the law school was found to be minimally compliant with some rules, but out of compliance in significant ways with many of the rules. Further, the law school's practices suggest that it does not have the intent or capacity to comply with the Committee's requirements. This noncompliance has created issues for those who study at the law school, ultimately limiting their options and ability to take State Bar exams.

Recommended Action by the Committee

The educational consultant recommends that this Periodic Inspection Report be received and filed and that the Committee issue a warning to the law school pursuant to Rules 4.244(G)(4) and 4.263 to take immediate action within 30 days as to these recommendations below. Based on the level of noncompliance observed, and the school's lack of progress in addressing the issues, it is unclear that the law school will be willing or able to establish the compliance required to continue to operate.

Recommended Mandatory Actions

1. Guideline 1.9, Rule 4.246: The law school must bring itself into compliance with business licensing requirements of the City of South San Francisco, or, potentially, San Francisco in light of the school's unauthorized move of its headquarters. SF International must file the required major change request with the Committee due to the change of location.
2. Guidelines 1.9, 2.11, and 9.1: The law school must secure its digital and hard copy records against loss, destruction, corruption, or improper disclosure.
3. Guideline 1.9: The law school must adopt, publish, and implement written policies and procedures for handling requests for disability accommodations, including informing students that accommodations granted by SF International may differ from those granted by the State Bar.
4. Guideline 1.9: The law school must review and, as necessary, revise its payment practices to comply with California law, take steps necessary to rectify errors, if any, and provide the Committee with a report as to its findings and actions.

5. Guideline 2.2(B): The law school must revise its refund policy to clearly define the periods within which a full or partial refund will be made and the formula for calculating partial refunds.
6. Guidelines 2.3 and 2.12: The law school must review and, as necessary, revise its publications to ensure that all communications are clear, accurate, current, and include the description of academic opportunities available to students in the JD program. Communication with the Committee must be forthright and timely.
7. Rule 4.241 and Guideline 2.3(D)(1): The law school must adopt and implement written procedures to ensure that each student receives and signs an accurate Disclosure Statement before paying an initial registration fee and again upon paying tuition for each subsequent term. Each original, signed Statement must be properly filed and retained by the law school and a copy must be provided promptly to the student. Lack of compliance as to this element alone is grounds for withdrawal of the law school's registration.
8. Guidelines 2.7 and Guideline 4.11(A)-(B): The law school must promptly report changes in compliance or contact information to the Committee in writing as required.
9. Guideline 2.8: The law school must revise its student discipline policy to make clear that sanctions will not be imposed before a student is given an opportunity for a hearing and that the law school will provide a written final determination that meets guideline requirements.
10. Guideline 2.9(B)(2): The law school must revise its grading policy to clearly define which courses may be taken on a pass/fail basis.
11. Guidelines 2.9(B)(3) and 5.24: The law school must revise its course repetition policy to eliminate a discrepancy as to whether the original grade will, or will not, be used to calculate the student's GPA.
12. Guideline 2.9(B)(5): The law school must follow its policy on anonymous grading or implement a new policy that conforms to its actual practice in which it appears the identity of each student is known.
13. Guideline 2.9(B)(6): The law school must revise its policy on probation to resolve a discrepancy as to the deadline by which students on probation must raise their GPA to 2.0 to advance in the JD program.
14. Guideline 2.9(C): The law school must provide students in each course with a written statement explaining the extent to which the final course grade will be based on each graded component.
15. Guideline 2.9(D): The law school must maintain records to show that it adheres to its policy on authentication of student work.
16. Guideline 2.9(F): The law school must adopt, publish, and implement a policy allowing students to review exams and their answers as required by the guideline.

17. Guideline 3.2: The law school must clarify whether it has a governing board and, if it has a board, vest that board with authority, as required.
18. Guideline 3.1: The law school must establish administrative processes and sufficient staffing levels to ensure compliance with Committee standards, including recordkeeping requirements.
19. Guidelines 4.5 and 4.7: The law school must create a faculty handbook and otherwise engage in faculty development efforts to meet its duty to offer a sound JD program, including competent faculty and adequate student counseling.
20. Guidelines 4.8 and 4.9: The law school must adopt, publish, and implement procedures for the regular and comprehensive evaluation of faculty consistent with guideline requirements.
21. Guideline 4.11(A)-(B): The law school must ensure that the dean and registrar are qualified and available to perform their duties, that faculty are adequately trained, that students are adequately counseled, and that institutional and staff changes are promptly reported to the Committee as required by the guideline.
22. Guideline 5.3(B)(1): The law school must clearly define the number of weeks in an academic term within guideline limits and issue credit only for study completed within those limits.
23. Guidelines 5.3(B) and 5.9: The law school must make immediate changes to revise its curriculum to offer a four-year JD program that requires students to complete courses with an expected academic workload equal to or greater than 864 hours of study.
24. Guideline 5.3(B)(1): The law school must implement procedures to ensure that students submit timely, detailed, accurate, signed hours logs, and that the law school verifies the accuracy of the logs and maintains them in student files.
25. Guideline 5.12: The law school must revise the curriculum to include opportunities for practical skills instruction as required by the guideline.
26. Guidelines 5.2, 5.14-5.17, and 5.25: The law school must evaluate and, as necessary, amend its examination policies and procedures to ensure their effectiveness and compliance with the guidelines.
27. Guideline 5.1 and 5.2: The law school must revise its course materials, examinations, and methods of instruction to create a sound educational program.
28. Guideline 5.23: The law school must adopt written procedures and ensure compliance with the guideline prohibiting the award of duplicate credit.
29. Guideline 5.30: The law school must adopt and implement effective procedures to ensure compliance with this guideline and must dismiss current students for whom official transcripts are not on file within the prescribed time limit.

30. Guideline 5.34: The law school must establish processes and ensure compliance with requirements for the admission of students previously disqualified from law study.
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32. Guideline 5.36: The law school must not admit individuals who received their first degree in law from an institution outside the United States, as study at an unaccredited law school will not satisfy the legal education requirements to establish eligibility to take the bar exam.
33. Guidelines 6.1, 6.3, and 6.6: The law school must provide notice in the library that its collection is not updated, provide instruction in print-based and electronic legal research, and maintain a list of expenditures as required by the guidelines.
34. Guideline 9.1: The law school must revise its procedures and bring itself into compliance with guideline requirements as to:
 - A. records of applicants, admitted applicants, and students (Guideline (9.1(A)-(C)),
 - B. permanent student transcripts (Guideline 9.1(D)),
 - C. permanent class records (Guideline 9.1(E)),
 - D. records of examinations and grade tabulations (Guideline 9.1(F)), and
 - E. required reports Guideline 9.1(O)

Further, the law school must review, and as needed, correct, the records, including transcripts, of current students.

Submission of Self-study

When SF International submitted a Self-study in preparation for this inspection, it was not sufficient to support an inspection. The initial Self-study consisted largely of conclusory statements, and the requested update was not more informative. The law school's dean responded to some, but not all, requests for follow-up information. The information provided by the dean was considered when drafting this report.

Conduct of Site Visit

A site visit was initially set for late February 2020 but was postponed several times at SF International's request, because the school was unable to compile information or remit payments while the dean was out of the country. SF International was given the option to undergo a remote visit based on the same standards as an in-person visit, and the law school agreed. Before the visit, the consultant reviewed SF International's Self-study and attachments, the institutional website, and the 2019 and 2020 Annual Compliance Reports.

On December 1, 2020, the consultant met by videoconference with the dean and registrar to conduct the inspection. The visit was cut short due to technology problems and a second meeting was held with the dean on December 4, 2020.

The consultant observed an online interactive class session and reviewed materials and records. The reviewed materials included a sample of administrative and student files, course syllabi, audiofiles, class records, and examinations and answers. At the consultant's request, the law school invited students to email the consultant with comments about the law school but no comments were received.

SPECIFIC FINDINGS AS TO THE COMMITTEE'S RULES AND GUIDELINES

Below are the consultant's findings, conclusions, and recommendations, supplemented by staff research, as to the law school's compliance with the Rules and Guidelines.

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

On the date of the inspection, SF International maintained its headquarters in an office suite in South San Francisco, California. The law school was in good standing with California's Secretary of State, but it lacked a City of South San Francisco business license. The license issued in November 2019, after payment of late penalties, expired on December 31, 2019, but it does not appear that the license was renewed. In spring 2021, shortly after the inspection, the law school advised StateBar staff that it had already moved its offices to San Francisco, but the law school has not provided a current business license for this new, unauthorized location. The law school must bring itself into compliance with business licensing requirements and file the required major change request regarding change of administrative office and establish that the new administrative office is compliant. The law school is required to seek advance permission to move its administrative headquarters and advise of any effects on compliance related to the move or the new location as required under Rule 4.246.

SF International has been registered with the Committee as an unaccredited correspondence law school since 2016 and derives its authority to offer the JD degree from the Committee. SF International is not accredited or otherwise affiliated with any other accrediting agency. Students are not eligible to participate in federal financial aid programs or to receive veterans' benefits. Additionally, the law school enrolls foreign attorneys as non-JD students to take limited courses in preparation for the bar exam but has not sought the required Committee acquiescence that should be secured in order to be able to enroll such students.

In response to the consultant's inquiry, the law school provided its policies to protect the confidentiality of student records, demonstrating compliance with the federal Family Educational Rights Privacy Act (FERPA) and similar laws. However, the law school's practices for maintaining digital and hard-copy records appear to be inadequate and out of compliance. Digital records are not stored with standard security features such as firewalls or password protocols. Instead, records

are stored on the dean's personal computer which he asserts that he periodically backs up to two hard drives stored in two locations. These drives are not password-protected, placing the law school's data in jeopardy of disclosure. In fact, he alleges that he has experienced data breaches. There is currently a complaint pending against the law school under FERPA. Additionally, the dean has been unavailable for weeks or months at a time without anyone serving in a substitute capacity. This leaves students unable to access their records, preventing them from transferring to other law schools or taking State Bar exams.

Hard-copy files, stored in the library at the law school's office, also appear to be at risk. The office in Oyster Point was unstaffed and unsupervised. Students were permitted to enter and use the library by contacting the building's security staff. The site had not been visited by staff since 2019, except to be present for the inspection. When the law school was being created, it was represented that the office would be staffed, and the dean would be in attendance several days each week. To bring itself into compliance with Guidelines 1.9 and 2.11, the law school must secure its digital and hard copy records against unauthorized access and disclosure.

SF International's Oyster Point facility appeared accessible to persons with disabilities, as required by the Americans with Disabilities Act (ADA) and similar laws, but the status of its new facility is unknown. The law school has no policy on testing accommodations or similar matters. To bring itself into compliance with Guideline 1.9, the law school must adopt, publish, and implement written policies and procedures for handling requests for accommodations, such as testing accommodations. Students should be informed that any accommodations made by the law school may differ from those granted by the State Bar. A policy on equal opportunity and non-discrimination, detailed below, appears in the Catalog.

Financial records indicate that persons providing services to SF International, including instructors, have been paid as subcontractors rather than as employees, raising concerns that California employment law has not been followed. The law school should review and, as necessary, revise its payment practices to comply California law. SF International will need to correct errors, if any, and report its findings and actions to the Committee (Guideline 1.9).

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

Guidelines 2.1 through 2.3 require the law school to be honest and forthright in conducting its affairs, including communications with the Committee, prospective and current students, and others. SF International must revise publications that do not meet this standard and must provide forthright and timely communication to the Committee.

Over a long period of time, communication with this law school has been challenging. The law school's initial Self-study provided conclusory answers that lacked detail. A follow-up addendum appeared to simply make a copy of the requirements of the Unaccredited Law School Rules. The law school has been consistently unresponsive over an extended period of time. Its data and student files are incomplete and inconsistent, despite the small size of the student body. SF

International's website uses stock photos that suggest facilities far beyond what are available at the law school, and also makes claims that do not appear to be substantiated regarding bar exam passage rates.

A refund policy, found in the Student Catalog (Catalog) and enrollment agreement, fulfills the Guideline 2.2(B) mandate that refunds be made within 30 days after a student withdraws from a course or program. The law school gives refunds if the period of enrollment does not exceed "50% of planned instructions," but this term is not defined or illustrated. To be fully compliant, the refund policy must be revised for clarity. According to the law school, no refunds have been requested.

Some safeguards appear to be in place to protect the integrity of financial operations, except to the extent data is not securely stored. The dean states that he reviews financial reports regularly and unaudited financial statements are prepared annually by an outside firm (Guideline 2.2(C)).

The JD program is promoted primarily through the website and the dean's personal contacts. The Catalog, Policy Catalog, and other documents may be downloaded from the website, though it appears these documents may have been added in anticipation of the inspection. The consultant recommends that the law school consolidate the Catalog and Policy Catalog to eliminate the potential for confusion and inconsistency posed by two catalogs. At minimum, both catalogs must be revised to include accurate, current, and consistent information. If the school retains the Policy Manual, a table of contents must be added to alert readers to the policies covered.

SF International's publications must be revised to accurately describe the academic opportunities available in the JD program. The Catalog indicates that students are offered a wide variety of experiences, including online forums, correspondence, discussions, postings, assignments, and both midterm and final examinations. However, the JD program does not consistently provide these opportunities.

Numerous inaccurate and outdated statements must be revised or removed from the law school's communications. For example, incorrect information appears in the Information Report Form (Business and Professions Code section 6061.7(a)) (disclosure form) and Attrition Form (website); descriptions of the bar exam and First-Year Law Students' Examination (FYLSE) preparation material (website and Blackboard); and faculty resumes (Policy Manual and Enrollment Agreement). Finally, the school makes references to the Distance Education Training Council, an accrediting entity with which SF International has no relationship, and which has since changed its name (website and Enrollment Agreement).

References to fees charged by the State Bar should be reviewed annually and updated or omitted (website and Catalog). Statements that James Gipson is employed as an asylum officer must be removed (Catalog and Enrollment Agreement). No graduates have passed the bar exam so references touting a "100 percent pass rate on the October bar exam" must be removed from the law school's website.

SF International must bring itself into compliance with the disclosure requirements of Rule 4.241 and Guideline 2.3. Rule 4.241 requires a school to obtain each student's signature on an accurate Disclosure Statement. This must occur once before an initial registration fee is paid and again, for each subsequent term the student pays tuition. Each original, signed, Statement must be held in the student's file, and a copy must be provided to the student. Under Rule 4.241.(E), a law school that does not comply with this rule must refund all tuition and fees paid by the student. Non-compliance with this rule is cause for the Committee to withdraw the school's registration. A significant proportion of SF International's files lacked the required statement(s) or contained incomplete or inaccurately prepared statements. The date of execution of documents provided did not appear to coincide with the students' enrollment, but instead were signed well after.

Because Rule 4.241 has not been followed, SF International cannot show full compliance with Guideline 2.3(D)(1). To fully comply with Guideline 2.3(D)(2-3) the law school must publish an accurate, updated Business and Professions Code section 6061.7(a) Information Report via a properly placed active link on its website and in its Rule 4.241 Statements. As of mid-February 2021, a website link was provided to the January 2020 form, which was incomplete, outdated by over one year, and inaccurate in some respects beyond its age. Subsequent to the inspection, the State Bar has also encountered at least one instance in which the law school did not verify that a student met the pre-legal education requirements. SF International now affirmatively states that it will not certify the student, yet the student was enrolled for one year and paid tuition. As a result, the student is not eligible to register with the State Bar or take the First-Year Law Students' Examination.

SF International does not appear to compensate its staff based on enrollment of applicants or students (Guidelines 2.5 and 2.6).

The law school has not met its obligations to notify the Committee of changes to its operations, or to seek advanced permission for major changes, or to provide timely notification of personnel changes. The law school did not advise the Committee of three changes in registrar over the course of a year, until directed to do so during the inspection. The first replacement registrar was a business partner in the dean's law firm who indicated that she did not know she had been named registrar until a student contacted her because her name appeared on the law school's website. The current registrar had held the position for several months by the time of the inspection. However, he did not appear to know what the duties of the registrar position were; he previously served as a faculty member.

The law school must take steps to ensure prompt notification of any change to its compliance with the rules and guidelines, court rules, or applicable statutes as required by Guideline 2.7. This does not appear to be happening in a wide range of instances.

As noted above, subsequent to a clear reminder at the inspection, the law school received further reminders that it was required to file a major change request seeking review of its plan to change its headquarters. Despite the reminders, at the time of the writing of this report, no requests had been received from the school.

A policy on student discipline, stated in the Policy Catalog, provides for all sanctions required by Guideline 2.8, but does not contain the due process protections required by the guideline. To fully satisfy Guideline 2.8, the policy must be revised to make clear that sanctions will not be imposed before a student is given an opportunity for a hearing and that the student will be provided a written final determination that includes a statement of the facts, conclusions, and sanctions, if any.

Academic standards as written satisfy Guideline 2.9 except as noted. The Catalog conveys policies on exams and grading (Guideline 2.9(B)(1)). With minor exception, required courses are letter graded on a 4.0 scale from A to F, with C as the lowest passing grade and step increments of A-, B+, and B-. The grading policy must be revised to clearly state which courses may be taken on a Pass/Fail basis. The Catalog states that students may take courses "other than core courses" on that basis but does not define "core courses." Any pass-fail courses must be offered in accordance with stated limits (Guideline 2.9(B)(2)). The consultant could not tell whether or how these policies were applied, as exam materials did not appear to contain comments. In practice, a limited sample of grading shows grade inflation.

A course repetition policy, set forth in the Catalog, requires a student to repeat any failed course. The policy must be revised to eliminate a conflict as to whether the original grade will, or will not, be used to calculate the student's GPA (Guideline 2.9(B)(3)).

To graduate, students must complete the required program, pass the First-Year Law Students' Examination, earn a minimum GPA of 2.0, and meet financial obligations (Guideline 2.9(B)(4)). The consultant warned the law school that student transcripts cannot be withheld based on debt owed (California Civil Code section 1788.93).

While the Catalog states that anonymous grading is used to protect against bias, the exam answers presented included student names, so SF International does not appear to follow its own policy to protect against bias in grading. The law school must follow its policy or establish a new one. At least one student advised that he received his grades via voicemail from the dean, and the dean would not return his exam materials. It was unclear whether the exam materials that SF International provided to the Consultant were completed by students, as they were typed on letterhead from the dean's law firm (Guideline 2.9(B)(5)).

Students must maintain a cumulative GPA of 2.0 to advance in good standing and those who fail to do so are placed on academic probation. The Catalog must be revised to resolve a conflict between two provisions contained in the document, with an earlier provision stating that students on probation must raise their GPA to 2.0 by the "subsequent semester" to advance, and a later provision stating that they will be evaluated for advancement at the end of each academic year (Guideline 2.9(B)(6)).

Students must be given a written statement on the relative weight of each component in the final course grade (Guideline 2.9(C)). A sample review of course syllabi found that very few explained

how the course grade would be calculated. Further, the syllabi did not clearly describe course content other than a general reading list, which is exceedingly unusual when the course is taught by correspondence from the syllabus. The law school must provide the required statement in each course, as well as sound educational content.

SF International does not appear to require students to submit work other than final examinations. A written policy on authentication of student work provides that final examinations must be taken under the supervision of an approved proctor (Guideline 2.9(D)). However, it cannot be confirmed that the policy is followed because only a single proctor approval form was found in a single student file. The evidence provided suggests that SF International does not adhere to its policy to authenticate student work. The law school must maintain records to show that it adheres to its authentication policy.

SF International's policy of returning grades to students within 30 days fulfills Guideline 2.9(E). The exam materials provided during the inspection were on the letterhead of the Dean's law firm. Based on this, it was unclear whether the material provided actually represented student work. The law school must adopt, publish, and implement a policy allowing students to inspect, and in most cases copy, exam questions and their answers, as required by Guideline 2.9(F). SF International's policy on grade review requirements complies with Guideline 2.9(G).

The law school's materials contain a policy that appears designed to protect student records against disclosure except as permitted by Guideline 2.10. As noted earlier, the consultant has concerns over the security of digital records maintained on an unsecured laptop and backup drives, and hard copy records kept in an unstaffed office visited by unsupervised students.

In the Catalog, Self-study, and website, SF International represents that it offers academic opportunities and student services that it does not actually appear to provide. Students can contact their instructors by email for academic support, but no evidence was found that students have access to student organizations, a Mentor Program, or "ample resources to assist Students (sic) with resume preparation, interviewing, mock trials, and workshops" as described in the law school's materials. The experienced faculty included in the law school's application do not appear to be associated with the law school any longer. Pictures on the website showing a large library and other campus sites do not accurately describe the unlabeled coworking space that now houses the law school's headquarters in a location that was not approved by the Committee. Publications must be revised to honestly describe opportunities available through the law school in a forthright manner (Guideline 2.12).

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

The law school is operated as a for-profit S-corporation owned by the law school's dean, Matus Varga. Guideline 1.10 requires maintenance of reasonable office hours so administrative staff is available to students and the Committee. SF International's suite had been unstaffed since sometime in 2019, a year or more before the inspection and well before the pandemic. Dean Varga,

who resides and works in Florida, visited the office almost monthly in 2018 and 2019 but his first visit in 2020 was to participate in the inspection. The law school has been unresponsive to State Bar communications, despite having an answering service that receives all calls.

An unaccredited law school is not required to have a governing board, but if a board exists, it is required to make major non-academic policy decisions and assume responsibility for compliance with Committee standards (Guideline 3.2). It does not appear that SF International has a board. No board members or board activities were identified in the Self-study. Statements of Information filed with the Secretary of State list Dean Varga as the Chief Executive Officer but identify no board members or board vacancies.

Despite the apparent lack of a governing board, four sets of annual board meeting minutes were submitted with the Self-study. The educational consultant suspects that they may have been prepared for the visit without connection to any past board meeting. The minutes indicated that the discussion involved the registrar attesting to compliance with Committee standards and the dean reporting on registration status, enrollment, and recruitment. No discussions were reported on policies, finances, or other topics, and no actions were taken by motion or resolution. Listed as directors were former registrar and attorney from the dean's law firm Daniel Ricciulli, now deceased, former instructor James Levine, and current registrar James Gipson, also an attorney from the dean's law firm and former asylum officer. During the inspection visit, Mr. Gipson said he did not know whether he was a board member. To be fully compliant with Guideline 3.2, the law school should clarify whether it has a governing board. If a board exists, it must be vested with the required authority. SF International does not have a Board of Visitors (Guideline 3.3).

The dean and registrar are the school's only administrators. Both roles were described as full-time but have been handled on, at best, a part-time basis. Dean Varga lives in Florida, where he has an immigration law practice and teaches occasionally at another law school. For several years, SF International's registrar was the late Daniel Ricciulli, an attorney licensed in Florida who worked full-time for the dean's law firm in Florida. According to Dean Varga, Registrar Ricciulli suffered from a significant issue prior to and during his term as registrar. This issue would have impaired his ability to perform his duties, and yet he was appointed to the position. This casts doubt on the administrative capacity of SF International.

Subsequent to the passing of the registrar, a new registrar was named. However, she was not aware she had been named the registrar until a student contacted her. Apparently, she was listed on the website as the registrar without her knowledge.

At the visit, faculty member James Gipson stated that he had agreed to serve as registrar about two months prior to the December 2020 inspection. He stated that he had read the rules and guidelines for unaccredited law schools but did not know the scope of his duties. He did not have access to law school records and had not undertaken any actions as registrar or administrator. Notice of Mr. Gipson's appointment was received by the Office of Admissions in February 2021, only after the Consultant reminded the law school that it was obligated to provide notice of the change. Recently,

Mr. Gipson has moved from Florida to Texas and it is unclear what availability he may have to carry out his duties.

As noted, the law school's records have not been maintained securely. Dean Varga asserts that he does not trust the security of cloud storage. All records are held on his laptop computer, which he personally backs up on two hard drives which are stored in different locations. The law school does not use records management tools to organize its materials. When the dean needs documents or information, he searches through emails and files until he finds what he needs. A transcript provided to the State Bar was handwritten and created on an ad hoc basis, raising concerns about accuracy and quality control. The consultant requested other transcripts and records, but the law school did not provide them.

These records management strategies are inadequate to support a compliant JD program. They appear to be even less sustainable now that the dean and registrar work in different locations. To comply more fully with Guideline 3.1 and 3.2, the law school must establish administrative processes and sufficient staffing levels to effectively manage SF International's records to ensure compliance with the Committee's standards and recordkeeping requirements.

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

The dean is SF International's founder, owner, and chief executive officer. He resides in Florida and maintains an immigration practice with four offices, including two in Florida, one in New York, and one at the law school's Bay Area office. The Dean is a graduate of Comenius University School of Law in Slovakia and a member of the New York State Bar. He holds a diploma from the University of Cambridge in United Kingdom in European Union Law and a Master of Laws from Florida State University College of Law, where he has taught Immigration Law and Procedures.

The dean teaches courses in Introduction to Law, Civil Procedure, and Constitutional Law for SF International. The dean did not demonstrate that he devotes adequate time to the law school and sufficiently limits other professional activities, so they do not interfere with his duties as dean (Guideline 4.2).

SF International must have an administrator who works at least part-time and is a graduate of a law school approved by the American Bar Association (ABA) or regulated by the Committee (Guideline 4.1). That position is now held by Registrar James Gipson, a graduate of the ABA-approved St. Thomas School of Law and a Florida State Bar member. Mr. Gipson serves as Of Counsel to Dean Varga's law firm and lives and works in Texas. Mr. Gipson has taught courses at SF International. At the time of the inspection, he advised that was developing audio files for a course under the dean's direction.

Professor Hassan Mirza teaches Contracts. Professor Mirza holds a JD from McGeorge School of Law and an MBA and a PhD in Healthcare Law and Public Policy. He is an adjunct professor in Golden

Gate University's business school but is not licensed to practice law and has not otherwise taught in a law classroom. Mirza's public professional profile does not list any association with SF International though he is the sole permanent faculty member beyond the administrators.

The composition of the three-member faculty satisfies the requirements of Guidelines 4.1 and 4.6 to the extent that all three instructors have graduated from an ABA-approved JD program or are licensed to practice law in at least one jurisdiction, though none are licensed in California. All instructors have the proper credentials and represent diverse educational backgrounds.

As permitted by Guideline 4.3, the faculty has limited involvement in governance. Policy matters are handled by the dean, who has also created almost all course materials. The primary role of instructors is to grade and provide verbal comments on exam papers.

Class sizes and teaching loads give instructors adequate time for effective preparation, teaching, and student counseling (Guidelines 4.4-4.5). The student-faculty ratio has ranged from about 1:1 to 2:1 and teaching loads are within guideline limits.

Faculty development consists of the dean counseling new instructors. No information was provided to indicate that faculty are informed of their duties to counsel students and to improve their teaching skills and subject matter expertise (Guidelines 4.5 and 4.7). Typically, these topics are conveyed in a faculty handbook together with matters of academic integrity, grading, and resources for improving teaching skills. The consultant recommends that SF International create a faculty handbook and otherwise engage in faculty development efforts to meet its duty to ensure that faculty are competent to teach a sound JD program (Guideline 4.2 and 4.7).

The law school must also provide sufficient staff to counsel law students. SF International students have lodged a number of complaints against the law school for the law school's lack of available counselors. The lack of counseling has caused significant issues for students and calls into question whether there is adequate support for student counseling as required by Committee rules.

The dean acknowledged that the law school does not comply with Guidelines 4.8 and 4.9 and no faculty evaluations were performed. To bring itself into compliance with Guidelines 4.8 and 4.9, the law school must adopt, publish, and implement procedures for faculty evaluation. A report of each evaluation must be held in the instructor's file. The law school has adopted a Faculty Academic Freedom Policy (Guideline 4.10).

As noted, the law school must ensure that institutional changes, such as replacement of the registrar, are promptly reported to the Committee (Guideline 4.11(A)-(B)). After receiving this counseling in December, the law school ignored it, by completing an unauthorized move shortly thereafter and failing to respond to multiple requests to file the required paperwork. In addition, the State Bar has received contact from both a broker inquiring as part of research into the sale of some or all of the law school, as well as an individual who claims to have purchased some part of the law school in the spring. The dean did not respond to requests regarding these contacts.

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

SF International's JD program does not appear to meet the quantitative or qualitative requirements set by the Committee (Guideline 5.1). The Committee requires JD students in unaccredited, correspondence programs to complete 864 hours of law study each year for four years to earn the JD (Guidelines 5.3(B) and 5.9). Each year of preparation and study must occur in not less than forty-eight weeks or more than fifty-two weeks (Guideline 5.3(B)(1)).

The law school has not clearly defined the length of its academic year or complied with the weeks requirement of Guideline 5.3(B)(1). Only two student files were provided with academic records, and neither showed compliance. One student received credit for a year of study for work done over 55 weeks and the other received a year of credit for work done over only 32 weeks. A third student was awarded a JD that did not meet the requirements because duplicate course credit had been awarded. These errors are significant because they render students ineligible to take State Bar exams.

As for the student who was erroneously awarded a JD, after the student was notified of the invalid degree in writing by the State Bar, the dean characterized this situation as "in the [State] Bar's hands," as to whether the State Bar would "compromise" as to the interpretation of the applicable rule and statute.

SF International must clearly define an academic term within the guideline's limits as to minimum and maximum weeks of study and issue credit only for study completed within both limits. The school must only issue JD degrees to those who meet the legal education requirements to take the California bar exam.

To graduate, SF International students must complete seventy-eight units. According to Dean Varga, courses have been designed based on the Carnegie standard that one unit of credit requires forty-five hours of academic work. Thus, a six-unit Contracts course is designed to require 270 hours of work (6 units x 45 hours). Students finishing seventy-eight units would be expected to complete an average of 877.5 hours of work each year ($78 \text{ units} \times 45 \text{ hours} = 3,510 \text{ hours} \div 4 \text{ years}$).

The guidelines do not permit hours to be averaged; students must complete 864 hours of study during each of four years. SF International's curriculum does not meet that requirement. Students complete 21 units of coursework in each of the first three years, an expected annual workload of 945 hours ($21 \text{ units} \times 45 \text{ hours}$). In the fourth year, they complete 15 units, a workload of 675 hours ($15 \text{ units} \times 45 \text{ hours}$).

The law school must change its curriculum so students so that each year students are required to complete courses with an expected academic workload equal to or greater than 864 hours of study. This will establish their eligibility to take the bar exam. A curriculum requiring 80 total units and 20 units each year would allow completion of at least 864 hours each year for four years (Guidelines 5.3(B) and 5.9). As an educational benefit, students completing 864 hours of study would receive

academic credit commensurate with their actual study hours, not more in the first three years and less in the fourth year, as they do now. The current curriculum is not in compliance with statute or guideline.

Under Guideline 5.3(B), SF International is required to establish procedures for verifying the number of hours students spend in study and preparation, and to maintain accurate records of those hours. The law school has not complied with either requirement. By policy, students must keep a weekly contemporaneous hours log and submit a summary form, signed under penalty of perjury, stating the total hours spent on each course. The form advises that hours reported should equal at least 864.

A review of all student files located only one hours log, a form auto-signed a week before the visit and one year after the student left the school. This late-filed form demonstrates that the hours verification process does not fulfill guideline mandates for accurate verification and recordkeeping.

On the hours log in question, the student reported spending 865 hours to complete courses designed to require 945 hours of work. He claimed to have spent 173 hours in each of five first-year courses. As an educational matter, the school awarded more academic credit than justified by the student's study hours. This procedure did the student a disservice by setting a low hours bar for the work required in fundamental subjects.

The dean indicated that the law school intends to monitor time students spend in the learning platform, but the school's courses offer no activities requiring students to spend substantial time in the platform. To meet its obligations under Guideline 5.3(B)(1), the law school must establish and implement procedures that ensure that students submit timely, detailed, accurate, and signed hours logs, and that the school verifies the accuracy of the logs and maintains them in student files.

Exceptions to the unit and hours requirements may be made under limited circumstances, with the approval of the Office of Admissions and subject to proper documentation of the exception in the student's file. Student files show that SF International has not followed this exception process.

A JD program must be qualitatively sound (Guideline 5.1). The SF International curriculum is logically sequenced and includes required courses in all subjects tested on the bar exam, including Professional Responsibility, and one elective course. However, the law school's courses do not appear, in the syllabi, to be more than a list of books (Guidelines 5.2(A), 5.10-5.11). Materials state that students may choose from ten electives, but none of these courses has been offered (Guideline 5.11). Pursuant to Guideline 5.12, SF International must revise its curriculum to include the required opportunities for practical skills instruction in subjects such as appellate advocacy, law office management, counseling, and negotiation.

In evaluating a JD program's quality, course materials must be considered; this includes the required and recommended texts, outlines, and syllabi (Guideline 5.2(C)). According to the dean, all course materials were made available for review on the Blackboard learning platform. The

materials provided did not demonstrate that the law school offers a sound program of legal education, based on their substance, consistency, organization, or educational value.

For most SF International courses, study materials consisted of a short syllabus with a lengthy course description and a topic outline like the main headings in a casebook. Course readings, if mentioned, were listed as “to be posted.” Features required by Guideline 2.9(C), including the basis for assignment of grades, were generally excluded or provided inconsistently. Some syllabi detailed a formula for case briefing, but there was no evidence that students were required to submit briefs or assignments, or to participate in discussion boards.

Two courses offered additional materials. Introduction to Law included a 137-page outline entitled “Chapter 1” while Torts had a 37-page study guide with black letter principles and examples, and a set of seven audio files with mini-lectures totaling two hours of listening time. Overall, the audio lectures were of uneven quality; often, legal principles were stated without concrete examples. In both courses, these materials covered only a small portion of course content.

Each syllabus listed a text, sometimes, but not always, a standard casebook. Dean Varga candidly stated that SF International urges students to study primarily from outlines issued by BarBri, a provider of bar examination preparation courses. A course text, he said, is viewed as “a supplement” or “secondary source” for students needing an explanation beyond the BarBri outline. He acknowledged that students were not assigned to read specific pages of BarBri outlines or texts.

This outline-focused approach, taken together with the other deficiencies noted, casts doubt that the law school provides a sound program of legal education. The syllabus for Legal Analysis and Writing, for example, mentions writing assignments but the school provided no evidence of such assignments; the final exam for that class was an 18-question, short-answer test on legal research.

Students appear to have limited opportunities to interact with and receive guidance from instructors (Guideline 5.13). Unlike many distance programs, the curriculum does not include regular written assignments based on readings and archived lectures, opportunities to participate in discussion boards, or assessment activities such as quizzes or midterm exams.

As a correspondence school, SF International is not required to offer interactive sessions. Dean Varga said that sessions are offered on occasion, although their nature, number, and timing was not documented. One session was scheduled during the visit, apparently for the consultant’s benefit.

The interactive session, an introduction to Contracts, was held over Skype with a first-year student. Despite the foundational nature of the material, the presentation did not include visual aids and although the instructor attempted to share his screen at one point, he was not able to do so. Though the class session was being taught near the end of the semester, the topics covered appeared appropriate for the first week of class. The class was also attended briefly by the student mentioned above as having been erroneously awarded a JD degree, who announced that she had graduated, and then left without further explanation from the dean or the student.

The quality of exams and the reliability of grades is a “critical factor” in assessing a law school’s performance (Guideline 5.25). Final exams are administered in every course (Guideline 5.14). Past FLSX and bar exam questions are not used (Guideline 5.15). Policy requires students to take exams under the supervision of an approved proctor, but proctor records were missing from most student files and adherence to the policy could not be confirmed.

The law school has not adopted a standard exam format. Most exams consist of one to three essay questions, although short-answer questions are sometimes used. Multiple-choice questions are not used (Guideline 5.16). Exam questions for several courses were reviewed, together with student answers for some exams. Questions were not routinely labeled as to the date administered, course, professor, and time limit, if any. Grades for student answers were requested but not provided, so it was impossible to evaluate compliance as to the quality of exam grading, and therefore, the law school should be considered out of compliance (Guideline 5.2(H)).

Some questions appeared to be a fair test of student knowledge. Other questions included long and confusing fact patterns or lacked rigor, raising too few issues or revealing answers within the text of the question. Several exams could have been improved by naming all parties, using multiple paragraphs, proofreading carefully, and eliminating insensitive references such as “welfare mom.” Student answers did not include any feedback from professors, and it does not appear that students are given model answers, issue outlines, or grading rubrics to help them assess and improve their exam performance. Model answers are, however, available to instructors.

A law school is required to evaluate its exams and grading standards to ensure that student performance is evaluated properly. The law school must evaluate and, as necessary, amend its examination policies and procedures to ensure their compliance with the guidelines, including their effectiveness (Guidelines 5.2, 5.14-5.17, and 5.25).

The evidence is limited with respect to how the success of the law school’s students reflects the soundness of the JD program. No student who completed their first year at SF International has passed the First-Year Law Students’ Examination. No graduates have taken the bar exam, though one attorney who took several courses at the school did pass the bar exam (Guideline 5.2(G)).

The law school does not appear to provide a qualitatively sound program of legal education. The law school must revise its course materials, examinations, and methods of instruction to ensure that it offers a sound educational program (Guidelines 5.1 and 5.2).

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

SF International asserts that it meets the minimum requirement for practical skills and competency training under Rule 4.240(F) stating in its written materials that it requires JD students to complete a six-unit course entitled Professional Responsibility to graduate. According to paperwork submitted, as described above, and based on the evidence provided by the law school, it is unclear whether the course is implemented in a manner that includes the required practical skills training.

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

A law school must adopt realistic grading standards (Guideline 5.17) and promptly identify and disqualify unqualified students (Guideline 5.18). During the 2018-2019 academic year, the school issued twelve grades, including A's (58 percent), B's (33 percent), and C's (8 percent); no grades were reported for 2019-2020. In a larger program, these percentages would clearly signal grade inflation. At this time, it cannot be determined whether the school retains unqualified students.

Except as discussed above, policies governing advancement, probation, and disqualification are consistent with Guidelines 5.19 and 5.20. Generally, required courses are letter graded on a 4.0 scale from A to F, with C as the lowest passing grade. Students must maintain a cumulative GPA of 2.0 to advance in good standing and those who fail to do so are placed on academic probation. Dismissal follows failure to raise the GPA to 2.0. To date, students who leave the law school have done so for reasons other than academic disqualification.

SF International's policy states that students are properly informed of the rules related to taking and passing the First-Year Law Students' Examination and are promptly dismissed or not permitted to re-enroll if they do not pass within three administrations of becoming eligible to take that exam. Pursuant to policy, upon passing the exam, a student would be given credit only for the first year of study. No student who has started study at the law school has yet passed the exam, and those who did not pass withdrew from the law school prior to the third administration of the exam (Guidelines 5.21 and 5.22).

An Academic Standards Committee has been formed to decide grade appeals, advancement on probation, and application of academic policies by instructors. Members included Dean Varga, one instructor, and, on occasion, a student member. The Academic Standards Committee has yet to make any substantive decisions.

Guideline 5.23 prohibits the award of duplicate academic credit for repetition of "the same or substantially the same course, whether at the same law school or different law schools." In at least one instance, SF International granted duplicate credit to a transfer student and certified the student to take the bar exam on that basis, which is not allowed under the statute or State Bar authority. The law school must adopt written procedures and implement those procedures to ensure that Guideline 5.23 is followed. Guidelines 5.24 and 5.25 have been addressed above.

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

Admissions requirements are described on the website and in the Catalog. SF International admits students in all categories permitted by the Guidelines. In the past two years, all admitted JD students have been regular students with a Bachelor's degree or at least sixty acceptable college credits. No special students, those selected based on test scores alone, have been admitted.

Applicants must submit an application and fee, statement of purpose, two references, and original transcripts. Law School Admissions Test (LSAT) scores are not required (Guideline 5.29). The application asks about prior law school attendance and exit status (Guideline 5.31). Annual Compliance Reports for the past two years show that the law school has accepted all applicants whose files have not been deemed incomplete or withdrawn (Guidelines 5.26 and 5.27).

On multiple occasions during and after the inspection, the consultant asked SF International to provide all student files, including transcripts. However, the files provided were disorganized and incomplete, and files were not provided for all students as requested. The file review did not demonstrate that the law school evaluates the pre-legal study of applicants to ensure compliance with the admissions rules (Guideline 5.28). Recently, a law student from SF International was unable to take the FYLSX because the school indicated that it would not certify that the law student had met the pre-legal education requirements, though the student was already enrolled at the law school.

The law school does not appear to have effective processes in place to ensure that official transcripts, showing qualification for law study, are on file within 45 days of a student's first term (Guideline 5.30), or that all transcripts are maintained on file as required (Guideline 9.1(B)-(C)). The percentile of undergraduate GPAs for students entering in 2020 could not be determined at the time of the inspection because the California Business and Professions Code section 6061.7 form had not been updated for 2021. It was eventually posted, but the numbers do not match the figures discussed at the law school inspection, and the law school has not explained the discrepancies. The law school must adopt and implement effective procedures to ensure compliance with these guidelines. It must dismiss current students for whom official transcripts are not on file pursuant to Guideline 5.30.

SF International has enrolled transfer students from other law schools, some of whom were previously on probation or disqualified. Previously disqualified students may be admitted if they affirmatively show the ability to study of law. However the Dean, or admitting officer, must place a signed statement in the applicant's file setting forth the reasons for admission. The files reviewed by the consultant did not contain the required statements. The law school must establish processes to bring itself into compliance with Rule 5.34.

The policy for transfer credit parallels Guideline 5.35. The law school has not stated a limit on the transfer units it will accept. One student was granted 55.5 units toward the seventy-eight units

required. The consultant could not confirm that transfer credit has been given only to students who are exempt from or have passed the FYLSX (Guideline 5.35(A)), and only for courses completed within twenty-seven months of admission (Guideline 5.35(B)). As noted, in at least one case, a transfer student was granted duplicate credit contrary to Guideline 5.23. This error resulted in a situation in which the student was unable to qualify to take the bar exam.

Under Guideline 9.1(D)(5), when a law school prepares transcripts for transfer students, the transcripts must set forth the “course or courses taken, when taken, unit credit allowed, and grades received.” SF International did not follow this policy according to the documents it provided during the inspection.

To satisfy Guidelines 2.3, 5.35, and 9.1(D)(5), the law school must adopt, implement, and publish a transfer credit policy and procedures to ensure that all guideline requirements are followed with respect to the granting of transfer credit and preparation of transfer students’ transcripts and students have notice of the school’s transfer credit limit. Further, transcripts of current transfer students must be reviewed and as needed, corrected.

SF International has a policy that allows individuals to enroll as visitors, auditors, or non-JD degree candidates without complying with regular admissions requirements (Guideline 5.36.). The law school allows attorneys admitted to practice and in good standing in foreign jurisdictions to attend the law school as non-JD degree candidates to take courses tested on the Multi-state Bar Examination, but this is not permitted under the rules or guidelines. It should be noted that the school’s purpose for allowing non-JD attendance is called in to question based on the statement of the dean, who is also the owner of an immigration law firm. The dean was disappointed to learn that registration as an unaccredited law school did not qualify the law school for eligibility for visator financial aid and he wanted the law school to become accredited to access those options.

The law school also indicated that it enrolled students with an unclear educational and licensure status, advising that they had already earned foreign first degrees in law, and they were taking refresher courses. It was not clear to the consultant whether the law school clearly advised the students that, if they are not licensed in another jurisdiction, the coursework required to establish eligibility must take place at a law school accredited by the Committee, not at a registered law school such as SF International. SF International should not enroll such individuals except as students in the four-year JD program, pursuant to a fully executed Enrollment Agreement stating that study at SF International does not meet the requirements of Rule 4.30 of the admissions rules.

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

According to the Self-study, students are provided with access to LexisNexis, an electronic database that provides users with access to all Committee-mandated resources except hard copies of current textbooks for SF International courses. Access to the database is available without time restriction except for brief periods of site maintenance. Students pay an annual technology fee of \$275 for this service (Guidelines 6.1, 6.2, and 6.5).

Based on a virtual review, the Oyster Point office housed hard copies of texts for courses in the curriculum (Guideline 6.2). The law school has not advised what library materials are available in the shared coworking space it now occupies. Other library resources are not required by the Committee and are therefore, not updated. Notice that the collection is not updated should be posted in the library. The law school must demonstrate that it provides instruction in both print and electronic-based legal research (Guideline 6.3). To comply with Guideline 6.6, the law school must document expenditures for library and legal research resources.

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

Since late 2017, the law school had leased a 745-square-foot suite in an ADA-compliant office building in South San Francisco's Oyster Point (Guideline 7.1). The lease was renegotiated in 2020 and extended through February 2021. The suite consists of a small office and a library. Each room was equipped with a computer, Wi-Fi access, and desk seating. The office was accessible to the dean and faculty it housed a printer and small textbook collection. The library included large bookcases with case reporters, two locking file cabinets for school records, and seating for several people.

The suite was staffed about twenty hours per week by an assistant during parts of 2018 and 2019 but was not staffed in 2020. The dean asserted that staffing would resume when the pandemic abates. By arrangement, building security guards admitted students to the unstaffed library on request. As noted above, a more secure form of record storage is required.

The physical resources of the school's new location in the coworking space are unknown, as discussed above. State Bar staff paid a visit to One Sansome St., suite 3554, the location where the law school admitted it moved without seeking the required Committee approval. The new location appears to be a shared office space, on a single floor of a downtown San Francisco building, where a wide range of companies appear to share unlabeled spaces. Staff at the location indicated that the personnel at SF International and the dean's law firm work remotely.

SF International uses limited information technology resources and appears to have limited technical support available for students. The Blackboard learning management system is used by instructors to post course syllabi and, in one course, audio files. Dean Varga indicated that students submit assignments through Blackboard but the Dean could not demonstrate that it was used in that manner. The website and Blackboard are managed by a firm located in Slovakia. It does not appear that IT staff are available to assist students or faculty with their technology needs. The lack of records management tools and security is an issue as noted above.

Instructors meet with students occasionally by videoconference. Each instructor uses their choice of preferred application, typically Skype or WhatsApp, rather than a standardized platform. The law school's technology limitations hampered both the inspection visit and the class session observed

by the consultant. As noted, the instructor of the interactive session was unable to share his screen, and a basic Contracts lecture was delivered without use of any visual aids. Based on available information, the law school has not demonstrated that adequate instructional infrastructure has been provided to support a sound educational program (Guideline 7.2).

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

As a law school first registered with the Committee in 2017, SF International has a short financial history. As part of the Self-study, the law school submitted balance sheets, profit and loss statements for three years (2017, 2018, 2019), as well as tax returns for 2018 and 2019. After two years of substantial negative net income, the law school had net income in 2019 of \$14,000. As noted, SF International's financial records indicate that faculty members have been paid as subcontractors, raising an issue as to compliance with California law. Significant salary and faculty payments are budgeted, though the law school is lightly staffed and the law school's headquarters has not been staffed since 2019, and many staff appear to have been employed by the dean's law firm as well. It is unclear that the law school has sufficient financial resources to remain solvent.

The law school's dean expressed optimism about the school's ability to attract future students but did not provide a corresponding strategy or plan. In 2020, the law school reported enrollment of three JD students and three non-JD students; by the December 2020 inspection only two JD students and one non-JD student were enrolled. Moreover, at least three students have contacted the State Bar to complain of administrative issues with the law school. While this is a low number, it is a high percentage of the students that have enrolled. The complaints are consistent with staff experience, as the law school often does not meet deadlines and does not respond timely, or sometimes at all, even when contacted multiple times on a single issue.

Current total tuition for the JD program is \$48,000, based on per-year tuition of \$12,000, and total program fees are \$1,100. The school's overall tuition costs place it higher in the range compared with other correspondence and distance education law schools registered by the Committee. Attorneys enrolled in the non-JD program attend a limited number of courses and pay the equivalent of one year's tuition, though it is unclear that their enrollment is appropriate.

SF International likely will need additional resources to address the compliance issues noted in this report. Whether the law school will have those resources appears to depend on the school's ability to recruit additional students as well as the dean/owner's willingness to make a further financial commitment.

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

SF International did not demonstrate that it has maintained complete and accurate records of its programs and operations. The few records that the school has kept are not sufficiently protected against loss, destruction, or corruption. The Catalog mentions recordkeeping policies but adequate

and reasonable procedures have not been established to allow prompt production of records upon the Committee's request (Guideline 9.1). As noted above, due in part to inadequate recordkeeping, the law school cannot demonstrate compliance with many of the rules and guidelines governing admissions and academic standards.

Guideline 9.1 (A)-(C) requires a law school to maintain student-related records with at least 20 categories of information. Official transcripts showing prelaw studies must be received within a specific timeframe (Guideline 5.30). Without exception, student files lacked required data and documents (Guideline 9.1 (A)-(C)). Most files, for example, did not contain receipt-dated official undergraduate transcripts; some had only unofficial transcripts and others had no transcripts at all. The law school must revise its student-related recordkeeping procedures, to bring itself into compliance with Guideline 9.1(A)-(C), and review and as necessary revise, the records of current students.

The law school provided a blank copy of a permanent student transcript form but did not respond to requests for students' transcripts. The transcript template omits required elements such as a student's admission status as a Regular or Special student, information about whether the law student has passed the First-Year Law Students' Examination, and termination status (Guideline 9.1(D)). For transfer students, the form states the total credit hours transferred and prior law school, but omits the "course or courses taken, when taken, unit credit allowed, and grades received." Perhaps this explains how the law school awarded duplicate credit to a law student in a manner that prevented her from taking the bar exam. SF International's policy on transcript changes is adequate, however, the law school must revise its transcript preparation procedures and bring itself into compliance with Guideline 9.1(D). Finally, it must review, and as needed, correct, the transcripts of current students.

Guideline 9.1(E) requires maintenance of a permanent class record to document all aspects of each course as taught. Class records were not provided for the 2018-2019 academic year. Records for 2019-2020 failed to include required information including the instructor's name, term, dates of regularly scheduled meetings, and dates of attendance for each student. Lack of detail suggests that records were not prepared contemporaneously as required. In lieu of an attendance record listing event dates and attendance or non-attendance of the two enrolled students, several records stated, "Student [X] attended each class" and ignored the other students. The law school must revise its procedures for maintaining class records and bring itself into compliance with Guideline 9.1(E).

The law school provided examination questions and some student answers but did not provide examination grades or grade tabulations as requested. The law school did not demonstrate that it complies with the requirement to maintain permanent records of examinations and other grades as required by Guideline 9.1(F). At least one student advised that they received their grades by text and email only. The law school must revise its procedures for maintaining permanent records of grades and bring itself into compliance with Guideline 9.1 recordkeeping requirements.

Under Guideline 9.1(O)(1)-(2), the law school is required to file an Annual Compliance Report and Admission Certifications for each academic period when new students were admitted. The 2020 Annual Compliance Report was inaccurate and incomplete, and there were data quality issues with the law school's Admissions Certifications. The law school must revise its procedures for submitting reports and bring itself into compliance with Guideline 9.1(O).

Rule 4.240(M) Equal Opportunity and Non-Discrimination. Consistent with sound educational policy and these rules, the law school should demonstrate a commitment to providing equal opportunity to study law and in the hiring, retention and promotion of faculty without regard to sex, race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, political affiliation, sexual orientation, or veteran status (Guideline 10.1).

SF International has adopted a written policy on equal opportunity and non-discrimination as required by Guideline 10.1. The policy applies to the study of law, hiring, retention, and promotion without regard to "sex, race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, political affiliation, sexual orientation, or veteran status."

The law school has enrolled both men and women, including individuals from several countries and various backgrounds. The faculty is, and has been, comprised only of men. Given the importance of diverse viewpoints in educational and legal environments, the law school is encouraged take steps make efforts to recruit widely as vacancies arise.

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

It is not clear that the law school has the administrative intent or capacity to meet its compliance obligations to the Committee. Annual Compliance Reports have been submitted, often after reminders, but these reports have not been complete (Guideline 9.1(O)(1)). Prompt notice of personnel or other major changes has not been given to the Committee (Rule 4.246; Guideline 2.7). The law school responded to some, but not all, information requests related to the inspection. The law school is often unresponsive to State Bar staff for weeks or months at a time. The law school has not complied with the rules and guidelines despite significant support and follow up on behalf of the State Bar.

CONCLUSION AND RECOMMENDATION

It is recommended that this Periodic Inspection Report be received and filed and that the Committee adopt each of the recommended actions listed above. Given the serious nature of the compliance gaps observed, the long-term unresponsiveness of the law school, and the significant issues that affected the eligibility of its students and graduates to take exams administered by the State Bar, the consultant recommends that the Committee issue a Warning Letter pursuant to Rule 4.244(G)(4). The letter should direct the law school to take immediate action to correct the deficiencies noted in this report and provide notice to the Committee of such correction or other

status within 30 days of the date when the letter is sent. It is further recommended that if the Committee believes that the inspection report demonstrates that the law school is not or is not likely to be in compliance with these rules, the Committee will notify the law school via the warning letter that it recommends probation or withdrawal of registration, pursuant to Rule 4.263.