



# The State Bar *of California*

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OFFICE OF ADMISSIONS

**OPEN SESSION  
AGENDA ITEM O-401  
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 Report for American Heritage University School of Law

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## EXECUTIVE SUMMARY

American Heritage University School of Law was inspected on December 18, 2020, with significant follow up required over the following next six months, with the report of the inspection set forth in Attachment A, and the law school's response set forth in Attachment B. Due to the number of compliance issues identified, it is recommended that a warning letter be issued to the law school pursuant to 4.244(G)(4) requesting a response within 30 days.

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## BACKGROUND

American Heritage University School of Law is a for-profit registered, unaccredited distance law school located in Rancho Cucamonga, California.

According to its 2020 Annual Report, the law school enrolls 18 students in its JD program. The law school's most recent pass rates on the First-Year Law Students' Examination were 0 percent in October 2020 and 0 percent in June 2021. Its most recent cumulative five-year bar exam pass rate according to its 2021 disclosure pursuant to California Business and Professions Code 6061.7(a) is 12.5 percent.

The State Bar contacted the law school in early 2020 to begin preparation for its most recent inspection. The law school requested several extensions, and required multiple attempts to submit a Self-study.

Based on the number of compliance issues observed, the Committee may have reason to believe the law school may be out of compliance with the Rules for Unaccredited Law Schools. When a registered law school may not be in compliance, the Committee may 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. 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 attached. (Attachment A.) The law school provided a timely response noting completion of some of the recommendations, as noted below. The law school listed action plans for some, but not all, of the other requests.

The report's recommendations are summarized below. Each recommendation is discussed in detail in the attached report.

## **RECOMMENDED MANDATORY ACTIONS**

1. Guideline 1.2: The law school must clearly state the entity status of the law school and any shareholders or partners in the ownership entity, and provide copies of all required paperwork, such as registration with the Secretary of State, local business license, and evidence of taxes paid, if any. The law school must also provide a fictitious business name certificate for the law school and list its agent for service of process. In addition, the law school must clearly state and document the status of its now-cancelled purchase agreement with Richard Dabney, as well as whether any funds paid as part of that purchase must be reimbursed and how any such reimbursement will affect the law school. The law school must also file a major change request to clarify the ownership in light of the change from the law school's prior approved plan.
2. Guideline 1.9: The law school must cease admitting students into the non-bar qualifying JD program and delete references to that program in its publications. The law school must advise whether it has any partnerships, agreements, or collaborations with any other institution either directly or through American Heritage University and whether the law school or University provides course content in law to other schools, locally or

internationally. As this report was being finalized, the law school submitted an application that will be reviewed.

3. Guideline 1.9: The law school must adopt, publish, and implement lawful policies and procedures for handling requests for accommodations, and give notice to students that accommodations given by the law school may differ from those given by the State Bar.
4. Guideline 1.9: The law school must correct the data on the disclosure form required by California Business and Professions Code section 6061.7(a), including correcting the calculation of the bar exam pass rates of its graduates, and properly noting the undergraduate GPAs for entering students. It must also post that disclosure on its website on its Admissions page as required by the statute.
5. Guideline 1.9: The law school must revise its policy on payments and release of student records to conform to California Civil Code section 1788.9 et seq.
6. Guideline 2.1: The law school must be forthright and complete in its communications with the State Bar, including providing accurate financial information, providing access to the finance staff, and providing this information timely.
7. Guideline 2.1-2.3: The law school must review and, as necessary, revise its publications, disclosures, financial statements, and other submissions to the State Bar to ensure that all information provided is accurate, consistent, current, and complete; the current materials require extensive updates.
8. Guideline 2.2(B): The law school must revise its refund policy to provide clear and consistent examples, state that a refund or refund accounting will be provided within thirty days, and provide a working link to the refund form.
9. Guideline 2.8: The law school must revise the student discipline policy for clarity and to conform to all guideline requirements.
10. Guideline 2.9(B)(2): The law school must revise the Catalog to give notice of the circumstances in which Pass/Fail grading is used.
11. Guideline 2.9(B)-(D): To bring itself into compliance, the law school must establish a written policy on authentication of student work and adequately authenticate student work.
12. Guideline 2.9(F): The law school must adopt, publish, and implement procedures to allow students to inspect and copy examination materials as required by the guideline.
13. Guideline 2.9(H): The law school must revise its grade review policy to incorporate the allowable grounds and evidentiary standards required by the guideline.

14. Guideline 3.1: The law school must identify the financial staff including the CFO, make that staff available to answer questions, and make all required financial information available including past results, projections, resources available, and financial relationship to American Heritage University and other parties. The law school must provide a timely, complete, and audited financial statement annually.
15. Guideline 3.3: AHSL's governance and administrative structure must be clearly, fully, and accurately described to the Committee in order to demonstrate to the Committee whether or not the structure appears adequate to support the JD program.
16. Guideline 4.7: The law school must advise instructors of their duty to continually strive to improve their teaching skills.
17. Guidelines 4.8 and 4.9: The law school must adopt, publish, and implement a policy and procedures for the regular evaluation of instructors as required by the guidelines, document a timeline for implementation, and present evidence that the policy has been fully implemented.
18. Guideline 5.3(C)(1): The law school must revise its attendance policy to correctly state that 80 percent attendance is required per course, along with all other course requirements, in order for a student to earn credit for a class. While students may watch archived courses in certain instances, the law school must ensure and document that each student's course instruction includes at least 135 interactive hours per year, rather than taped instruction.
19. Guidelines 5.3(C)(2), 5.19, and 2.9(B)(4): The law school must revise its Catalog to state its academic standards clearly, consistently, and as required by the guidelines, with respect to academic standing, advancement, advancement on probation, dismissal, and graduation. Further, AHSL must set a GPA for graduation that meets the guideline's "reasonable basis" standard, and in doing so should consider the success of its students and graduates on Committee-administered exams.
20. Guideline 5.6: The law school must adopt and implement procedures to ensure that guideline requirements are followed with respect to special circumstance exemptions.
21. Guidelines 5.11 and 2.3: The law school must revise its curriculum to make elective opportunities available, revise its Catalog course descriptions to indicate that not all courses are given each year, and eliminate descriptions for courses the law school does not plan to offer in the next two years.
22. Guideline 5.12: The law school must revise its curriculum to provide instruction in the practical skills enumerated in the guideline as well as Rule 4.240 (F).
23. Guidelines 5.17 and 5.18: The law school must review and, as necessary, revise its grading practices to improve the validity, consistency, and reliability of its grades. This revision will give students a more realistic assessment of their likely success on Committee-administered

exams. Further, the law school must take steps to verify the identity of test takers so it can verify whether the work turned in represents the student's own work. This ensures that any grade awarded represents the accurate, valid, reliable, and consistent evaluation required by Guideline 5.17. Additionally, this addresses the need to quickly identify and disqualify those students who have demonstrated they are not qualified to continue under Guideline 5.18.

24. Guidelines 5.35 and 2.3: The law school must adopt, implement, and publish transfer credit policies and procedures. This ensures students have notice of the transfer credit limit, and that all guideline requirements are followed with respect to the granting of transfer credit.
25. Guideline 6.3: The law school must provide legal research instruction in both electronic and hardcopy publications.
26. Guidelines 8.1-8.3: It is strongly recommended that this school be required to provide audited financial statements for the foreseeable future. Also, the law school must describe the sources of its other revenue and explain how it will improve financial performance and finance its operations as it reduces expenses in line with its resources.
27. Guideline 9.1: The law school must review and revise its record-keeping processes to ensure that all required records are prepared and maintained as required by guideline.
28. Guideline 9.1(D): The law school must adopt, publish, and implement a compliant policy on changes to transcript entries. The school must adopt and implement procedures to ensure that transcripts of transfer students contain all required information. Lastly, the law school must correct the transcripts of all current transfer students to conform to guideline requirements.
29. Rule 4.240(K): Overall, the law school must affirmatively provide accurate and complete financial information, for both past and future projections, and grant access to those responsible for financial matters. The law school must provide the State Bar with complete and clear audited financial statements annually and respond promptly, fully and clearly. The law school must also demonstrate how it intends to remain solvent to provide the services it represents.

## **FISCAL/PERSONNEL IMPACT**

None

## **RECOMMENDATION**

It is recommended that the Committee receive and file the Inspection Report of American Heritage University School of Law and adopt all recommendations made in the report.

It is also recommended that the Committee directs staff to issue a warning letter to the law school pursuant to Rule 4.244 (G)(4) to the law school to take immediate action to correct the deficiencies noted 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.

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 Rules for Unaccredited Law Schools and, therefore, the Committee recommends and intends to pursue probation or termination of registration unless the law school can provide evidence to demonstrate compliance through its timely response to the 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 inspection report of American Heritage University School of Law conducted on December 18, 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 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.

## **ATTACHMENTS LIST**

- A.** Inspection Report Regarding American Heritage University School of Law
- B.** Response of American Heritage University School of Law to the Inspection Report



# The State Bar of California

## **American Heritage School of Law Periodic Inspection**

**December 18, 2020**

**REPORT ON THE PERIODIC INSPECTION OF  
AMERICAN HERITAGE UNIVERSITY OF SOUTHERN CALIFORNIA SCHOOL OF LAW  
9227 Haven Avenue, Suite 210, Rancho Cucamonga, California 92704**

**EXECUTIVE SUMMARY AND RECOMMENDATIONS**

**Introduction**

A virtual periodic inspection of the American Heritage School of Law (AHSL) was conducted pursuant to Rule 4.244(A) of the Unaccredited Law School Rules (Rules) on December 18, 2020 by Heather Georgakis, Educational Standards Consultant to the Committee of Bar Examiners (Committee).

In 2013, the law school was last fully inspected and found to be compliant. Shortly thereafter, key staff departed the law school, creating administrative challenges. On June 24, 2015, the Committee issued a Notice of Noncompliance to the law school and scheduled a further inspection. That inspection took place in December 2015. The observations at the inspection confirmed reports that the law school had been having a number of administrative issues related to the departure of prior leadership.

On January 30, 2016, the Committee reviewed the inspection report created after the December 2015 inspection. As a result of the findings in that report, the Committee placed the law school on a one-year period of probation during which it was required to: 1) timely pay staff; 2) provide audited financial statements to the Committee; 3) execute teaching contracts in compliance with the Committee's rules and without regard to class size; 4) conduct a student survey regarding technology as part of ensuring its technology implementation was effective; 5) have a further interim inspection; and 6) provide notice to students.

In December 2016, just prior to the conclusion of probation, the law school requested permission from the Committee to sell to new owners. In March 2017, the Committee concluded the law school's probation, approved the separation of the law school into a standalone entity, and approved the sale of the law school to Richard Dabney. Shortly thereafter, a new entity was registered to Richard Dabney with the Secretary of State.

In July 2018, the law school was visited on an informal basis to evaluate the law school's progress under the leadership of the new owner. During that visit, the law school advised for the first time that the purchase was still in process and was being paid on an installment plan. Additionally, a number of the issues noted in the 2016 Notice of Noncompliance persisted and a number of new issues were observed. The conditions observed included: incomplete financial reporting; faculty contracts containing clauses linking pay to class size; incomplete student and faculty records; and failure to dismiss students when they did not pass the First-Year Law Students' Examination within



three administrations. Finally, the law school could not clearly articulate who the current owner was or how the school was being governed, pointing to the need to complete the sale imminently.

In response to the informal visit in 2018, AHSL asked for more time to complete the sale of the law school and for the dean to complete a political campaign and indicated they would make required changes. The law school began applying the rules related to the First-Year Law Students' Examination by correctly and dismissing students if they did not pass the exam within three administrations of becoming eligible, creating a proper student list, hiring additional faculty, improving retention of current faculty, and reviewing student and faculty files to ensure that they contained the necessary components. While they provided some financial information, however, to date they have not fully responded to requests for financial information.

Ultimately, the purchase was not completed in 2019 as expected, and the status of the law school needed to be clarified. AHSL advised that the sale had been cancelled because the buyer never tendered full payment. The law school indicated that any future sale would need prior Committee approval.

In early 2020, the State Bar scheduled a standard inspection of AHSL. Law schools are to be inspected every five years and AHSL was last inspected in 2015. The law school was asked to create a Self-study in preparation for the inspection in early 2020. AHSL asked for several extensions, ultimately forwarding the Self-study conducted in 2018. The document provided was large in volume, but was not organized and lacked material components, including the required financial information. State Bar staff asked the law school to resubmit because its submission was insufficient to prepare for an inspection. The law school submitted a further Self-study that was improved, but still lacked key required financial information and other topics and contained conflicting information about ownership of the law school. Though the Self-study remained incomplete, the State Bar proceeded with an inspection in December 2020, since it appeared that further delay would not have resulted in further improvement to the Self-study, and the law school had already been provided with more time than was afforded to any other law school.

This report summarizes the findings of the 2020 periodic inspection.

AHSL is a registered, unaccredited, distance-learning law school headquartered in Rancho Cucamonga, California. The law school is a standalone entity that shares space with American Heritage University of Southern California (AHU or the University), a separate for-profit distance learning entity founded in 2003 as Heritage University. The University's founder and president, Tony B.E. Ogiemien, is the primary shareholder of the University.

The law school was added in 2006 pursuant to a grant of authority by the Bureau for Private Postsecondary and Vocational Education, but since 2008, its authority to grant the Juris Doctor (JD) degree has been derived from the Committee. The mission of the law school is "to provide quality, affordable, legal education to qualified individuals, wherever located, using the most effective educational technology available."

Enrollment in fall 2020 included twenty-seven students in a JD program and two students in an unauthorized non-bar qualifying JD program. The non-bar qualifying JD program has not been authorized by the Committee; and despite numerous requests and multiple reminders from the State Bar, the law school has not ceased enrolling students. As this report was being finalized in October 2021, the law school submitted an application.

At the time of the inspection, the law school was led by Dean Ronda Baldwin-Kennedy. During the time that she was leading the law school, she was also running for elected office and managing her own private practice. Given the significance of the compliance gaps observed at the law school during the inspection, the consultant underscored the need for leadership to devote sufficient time to ensure compliance. A few weeks after the inspection, the law school announced that the dean had resigned and been replaced with former faculty member Rosa Mosley.

The faculty appeared to consist of 10 part-time instructors, an increase over what was observed at the 2018 interim visit. All instructors are graduates of law schools approved by the American Bar Association or accredited by or registered with the Committee. All but two instructors are State Bar licensees or members of the judiciary.

In 2020, total tuition for the JD program was \$17,000 based on per-year tuition of \$4,250. Total fees are \$1,720 based on per-year charges of \$430. The JD program requires students to complete 103 units of required courses within four years of continuous study; the law school calculates its units in a manner different than other law schools, as described below. All instruction is delivered online. Students complete one course at a time and must participate in interactive sessions which are generally held twice weekly for two hours each session.

About 45 percent of the law school's students are women and about 60 percent self-identify with racial or ethnic groups other than Caucasian. All current students were admitted after earning at least sixty academic credits from a qualified institution. During the five years ending July 31, 2020, the law school appears to have graduated six students.

Of the 65 graduates who took the bar exam between January 1, 2015 and December 31, 2019, nine passed, for an overall pass rate of just under 14 percent, as reported in AHSL's January 2021 Student Disclosure Form. Most of those law students graduated during the first year of that period under prior leadership that has since left the law school. Looking ahead to this year's cumulative pass rate it appears that 3 of 7 students passed the bar exam during the period from August 1, 2015 through July 31, 2021, the period used by accredited law schools to track their Minimum, Cumulative Five-Year Bar Passage rate. The law school's most recent bar exam results were a 33 percent pass rate on the October 2020 bar exam based on small sample size and a zero percent pass rate for the six takers of the February 2021 bar exam. On the June and November 2020 First-Year Law Students' Exam, the law school has achieved pass rates of 29 percent and 33 percent, respectively, based on

a very small sample size, resulting in what could otherwise look like a significant increase in the performance of students. For the most recent June 2021 exam, the law school's pass rate was zero.

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

It is recommended that this Periodic Inspection Report be received and filed. It is also recommended that the Committee adopt each of the recommended actions listed below and issue a warning to AHSL pursuant to Rules 4.244(G)(4) and 4.263. While the law school's tuition is affordable, and the students interviewed were enthusiastic, this must be balanced against the significant noncompliance observed. It is further recommended that if the Committee believes that the inspection report demonstrates that the law school is not in compliance or will not likely be in compliance with these rules, the Committee should notify the law school via the warning letter that it recommends probation or withdrawal of registration, pursuant to Rule 4.263.

### **Recommended Mandatory Actions**

1. Guideline 1.2: The law school must clearly state the entity status of the law school and any shareholders or partners in the ownership entity, and provide copies of all required paperwork, such as registration with the Secretary of State, local business license, and evidence of taxes paid, if any. The law school must also provide a fictitious business name certificate for the law school and list its agent for service of process. In addition, the law school must clearly state and document the status of its now-cancelled purchase agreement with Richard Dabney, as well as whether any funds paid as part of that purchase must be reimbursed and how any such reimbursement will affect the law school. The law school must also file a major change request to clarify the ownership in light of the change from the law school's prior approved plan.
2. Guideline 1.9: The law school must cease admitting students into the non-bar qualifying JD program and delete references to that program in its publications. The law school must advise whether it has any partnerships, agreements, or collaborations with any other institution either directly or through American Heritage University and whether the law school or University provides course content in law to other schools, locally or internationally. As this report was being finalized, the law school submitted an application that will be reviewed.
3. Guideline 1.9: The law school must adopt, publish, and implement lawful policies and procedures for handling requests for accommodations, and give notice to students that accommodations given by the law school may differ from those given by the State Bar.
4. Guideline 1.9: The law school must correct the data on the disclosure form required by California Business and Professions Code section 6061.7(a), including correcting the calculation of the bar exam pass rates of its graduates, and properly noting the undergraduate GPAs for entering students. It must also post that disclosure on its website on its Admissions page as required by the statute.

5. Guideline 1.9: The law school must revise its policy on payments and release of student records to conform to California Civil Code section 1788.9 et seq.
6. Guideline 2.1: The law school must be forthright and complete in its communications with the State Bar, including providing accurate financial information, providing access to the finance staff, and providing this information timely.
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8. Guideline 2.2(B): The law school must revise its refund policy to provide clear and consistent examples, state that a refund or refund accounting will be provided within thirty days, and provide a working link to the refund form.
9. Guideline 2.8: The law school must revise the student discipline policy for clarity and to conform to all guideline requirements.
10. Guideline 2.9(B)(2): The law school must revise the Catalog to give notice of the circumstances in which Pass/Fail grading is used.
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12. Guideline 2.9(F): The law school must adopt, publish, and implement procedures to allow students to inspect and copy examination materials as required by the guideline.
13. Guideline 2.9(H): The law school must revise its grade review policy to incorporate the allowable grounds and evidentiary standards required by the guideline.
14. Guideline 3.1: The law school must identify the financial staff including the CFO, make that staff available to answer questions, and make all required financial information available including past results, projections, resources available, and financial relationship to American Heritage University and other parties. The law school must provide a timely, complete, and audited financial statement annually.
15. Guideline 3.3: AHSL's governance and administrative structure must be clearly, fully, and accurately described to the Committee in order to demonstrate to the Committee whether or not the structure appears adequate to support the JD program.
16. Guideline 4.7: The law school must advise instructors of their duty to continually strive to improve their teaching skills.

17. Guidelines 4.8 and 4.9: The law school must adopt, publish, and implement a policy and procedures for the regular evaluation of instructors as required by the guidelines, document a timeline for implementation, and present evidence that the policy has been fully implemented.
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19. Guidelines 5.3(C)(2), 5.19, and 2.9(B)(4): The law school must revise its Catalog to state its academic standards clearly, consistently, and as required by the guidelines, with respect to academic standing, advancement, advancement on probation, dismissal, and graduation. Further, AHSL must set a GPA for graduation that meets the guideline's "reasonable basis" standard, and in doing so should consider the success of its students and graduates on Committee-administered exams.
20. Guideline 5.6: The law school must adopt and implement procedures to ensure that guideline requirements are followed with respect to special circumstance exemptions.
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22. Guideline 5.12: The law school must revise its curriculum to provide instruction in the practical skills enumerated in the guideline as well as Rule 4.240 (F).
23. Guidelines 5.17 and 5.18: The law school must review and, as necessary, revise its grading practices to improve the validity, consistency, and reliability of its grades. This revision will give students a more realistic assessment of their likely success on Committee-administered exams. Further, the law school must take steps to verify the identity of test takers so it can verify whether the work turned in represents the student's own work. This ensures that any grade awarded represents the accurate, valid, reliable, and consistent evaluation required by Guideline 5.17. Additionally, this addresses the need to quickly identify and disqualify those students who have demonstrated they are not qualified to continue under Guideline 5.18.
24. Guidelines 5.35 and 2.3: The law school must adopt, implement, and publish transfer credit policies and procedures. This ensures students have notice of the transfer credit limit, and that all guideline requirements are followed with respect to the granting of transfer credit.
25. Guideline 6.3: The law school must provide legal research instruction in both electronic and hardcopy publications.

26. Guidelines 8.1-8.3: It is strongly recommended that this school be required to provide audited financial statements for the foreseeable future. Also, the law school must describe the sources of its other revenue and explain how it will improve financial performance and finance its operations as it reduces expenses in line with its resources.
27. Guideline 9.1: The law school must review and revise its record-keeping processes to ensure that all required records are prepared and maintained as required by guideline.
28. Guideline 9.1(D): The law school must adopt, publish, and implement a compliant policy on changes to transcript entries. The school must adopt and implement procedures to ensure that transcripts of transfer students contain all required information. Lastly, the law school must correct the transcripts of all current transfer students to conform to guideline requirements.
29. Rule 4.240(K): Overall, the law school must affirmatively provide accurate and complete financial information, for both past and future projections, and grant access to those responsible for financial matters. The law school must provide the State Bar with complete and clear audited financial statements annually and respond promptly, fully and clearly. The law school must also demonstrate how it intends to remain solvent to provide the services it represents.

### **Recommended Suggestions to Enhance Compliance**

1. Pursuant to Guidelines 3.1 and 3.2, the law school should bring the Board of Directors to full membership with actively engaged members, file an updated Statement of Information with the Secretary of State, and provide a list of the members and their qualifications to the Committee. It is required that the Board of Directors of the law school, rather than the University or any other unrelated entity, be provided.
2. Pursuant to Guideline 4.7, the law school should consider expanding opportunities for faculty development, particularly for teaching skills.
3. Pursuant to Guideline 5.3(C)(1), the law school should ensure that students receive advance warning before their absences reach the 20 percent limit in any course.

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

The law school submitted a Self-study to assist the educational standards consultant in her assessment of compliance with the Rules and Guidelines. As described above, though the law school was provided with extensive preparation time and documentation as to what is required and received a number of extensions to prepare the materials, the Self-study provided was not complete. Law school administrators responded to requests for follow-up information in at least some instances, and that information was considered when drafting this report. Some information, financial information in particular, was not provided in full after multiple requests, and other information was incomplete or lacked clear organization or reference that would allow for an

effective evaluation. After several attempts to clarify, the State Bar pressed ahead with the visit, under the assumption that the law school lacked either the willingness or ability to provide the required materials, since they were not provided despite the extended period of time granted.

### **Conduct of Site Visit**

Due to the COVID-19 pandemic, the law school consented to conduct the one-day inspection visit by videoconference in December 2020. The educational consultant met with President Tony B.E. Ogamien, Dean Ronda Baldwin-Kennedy, Assistant Dean Rosa Mosley, Registrar and Director of Operations Pat Ogamien, Admissions Coordinator Aitua Ogamien, outside accountant Frank Weisner, and a group of students and graduates. The consultant took a virtual tour of the Rancho Cucamonga facility then concluded the visit with an exit interview with President Ogamien.

During the virtual visit in December 2020, the consultant observed real-time and recorded class sessions. She reviewed materials, including the law school's Self-study and attachments, the school website, the 2020 Annual Compliance Report, and examined a representative sample of records. At the consultant's request, the law school invited students to email her with their confidential comments and she reviewed comments received.

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

Below are the educational standards consultant's findings, conclusions, and recommendations 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.) Guideline 1.2: The law school must clearly describe its ownership entity and shareholders, and provide copies of its business license, corporate statement of information and, if applicable, its fictitious business name certificate for the law school, as well as its agent for service of process.**

The law school shares leased office space with the University in an office building located at 9227 Haven Street, Suite 210, Rancho Cucamonga, California. The University is in good standing with the California Secretary of State as a for-profit corporation and has a current Statement of Information on file.

The Bureau for Private Postsecondary Education has given AHU authority to operate Bachelor and Master's degree programs in business administration through October 2023. The University has a business license from the City of Rancho Cucamonga.

The law school's current ownership and business paperwork is unclear and the law school must clarify the status and history with candor as soon as possible.

The law school was previously part of American Heritage University, and later separated as an individual entity registered with the Secretary of State under the ownership of Richard Dabney, though the registration is not current. In early 2020, the law school advised that the sale did not close because he did not tender the full sale price. It is unclear whether the law school is owned by Mr. Dabney, Mr. Ogiamien, or AHU. The law school should clarify the ownership status, file the required paperwork with the Secretary of State, and file the required major change documents confirming that ownership under Rule 4.246(I) now that the law school cancelled the prior approved sale.

Documents filed with the Secretary of State show Mr. Dabney as the law school's owner, however, Mr. Ogiamien has also been represented as the owner, as has AHU. The law school's 2020 Annual Report included business paperwork for American Heritage Corporation but did not show any relationship between that entity and the law school. The law school advised that it had been separated from AHU in preparation for the purchase and the Director of Operations confirmed that even after the purchase was cancelled, the law school remained separate. Consistent with this assertion, at the time of the inspection, the law school's outside accountant said he could not provide comment as to university financials because that was separate and outside the scope of his assignment. More recently, the Chancellor indicated that the law school had not ever been a separate entity, and the law school was not aware of the filings by Mr. Dabney. The law school has refused to respond to requests to explain its own prior conflicting statements or provide proper documentation of ownership over time.

The law school must immediately clarify the ownership status of AHSL and produce evidence of proper registration, business licenses, and agent of service with the Secretary of State. It must also explain and document the inconsistency with prior statements. In addition, the law school must file a major change with the Committee confirming that the purchase has been cancelled and documenting ownership status. The law school must also advise whether any funds paid by Dabney must be reimbursed and the impact this will have on the law school.

AHSL derives its degree-granting authority from the Committee for its bar-qualifying JD program. The law school is also operating an unauthorized non-bar qualifying executive JD program that should not have been offered without prior approval from the Committee. The law school was advised in 2013 as part of the inspection report that it would need to seek Committee approval before offering such a degree in the future. The law school is aware of this requirement and indicated that paperwork would be filed, but none was received.

For the time being, the law school must cease the non-bar qualifying JD program, cease admitting students into that program, and delete references to that program in its publications. In October 2021, as this report was being finalized, after many requests, the law school submitted the application that should be filed to secure advance approval to implement a non-bar qualifying JD program. The application will be evaluated under separate cover.



Policies and procedures appear adequate to protect the privacy of student records, as required by the federal Family Educational Records Privacy Act (FERPA) and similar laws. Students are informed in the Catalog of their rights under FERPA.

The Rancho Cucamonga facility is a commercial office building that appears to be accessible. Students should be informed in the Catalog of the law school's process for handling requests for testing and other accommodations. The catalog should also discuss the fact that accommodations given by the law school may differ from those given by the State Bar.

The AHSL admissions webpage states that applicants must disclose their disabilities during the application process, but this procedure must be reviewed, and adjusted as needed to ensure full compliance with the law. AHSL must adopt, publish, and implement lawful policies and procedures for handling requests for disability accommodations.

A policy addressing discrimination appears in the Catalog, as detailed below.

The law school must revise its policy on payments and release of records to conform to the requirements of the Educational Debt Collection Practices Act (Civil Code secs. 1788.90 - 1788.93). As of January 1, 2020, student records cannot be withheld based on nonpayment.

**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).**

AHSL is obligated to be honest and forthright in its communications with prospective students and students (Guideline 2.3(A)-(C)). Required disclosures must be made on a disclosure form mandated by Business & Professions Code section 6061.7, an enrollment agreement required by Rule 4.241, and in the Catalog and on the website pursuant to Guideline 2.3(D).

Although the law school has improved its publications since the 2013 inspection, significant additional work is required to bring the law school into full compliance with the guidelines and other mandates. AHSL must review and, as necessary, revise its publications, disclosures, financial statements, and other submissions to the State Bar. This will ensure that provided information is accurate, consistent, current, and complete; extensive updates are required in this regard.

For example, though the law school refreshed its website after the inspection, required disclosure data is several years out of date, without update since winter 2019 exams. Pass rate charts and statements lack the labels and dates that would allow prospective students to understand the statistics properly. Information about the length and cost of the JD program must be accurately presented on the website. Law School publications contain inconsistent statements about academic standards, such as the units required for graduation, minimum cumulative GPA required for good standing, and limits on probation. Other information is also out of date. For example, the prior dean is still listed as leading the law school, though she departed in January 2021. Website

links to digital materials must be tested and fixed if broken, which appears to have happened subsequent to the inspection. Publications must be edited for appropriate word choice and syntax, to increase clarity.

A tuition refund policy is stated in the Catalog and Enrollment Agreement. According to that policy, a student who withdraws during the first half of a course will receive a pro rata refund based on weeks attended; no refund is payable after the course halfway point. To comply more fully with Guideline 2.2(B), the law school must revise the refund policy to provide clear and consistent examples, state that a refund or refund accounting will be provided within thirty days and include a working link to the refund form on the website or other means to access the refund process.

With regard to the school's financial records, Dr. Ogiemien asserted that the bookkeeper, previously identified as the Chief Financial Officer, Omorogiuwa Ogiemien, reviews the general ledger monthly. Additionally, an independent certified public accountant, Frank Weisner, conducts an annual review of the law school's financial statements. Historically, the school has not allowed the State Bar to speak with the financial contact, despite the State Bar's requests to do so during the 2018 visit and 2020 visit. In 2020, the State Bar specifically requested access to bookkeeper Ogiemien and the meeting was confirmed, but on the day of the visit the bookkeeper was unavailable. When questions were asked of the auditor, he advised that he could only answer questions about the law school and not the university because the law school was separate from the University and the University was not part of his assignment. This further underscores the confusion regarding the ownership of the law school discussed above.

In 2017, 2018, and 2019, Mr. Weisner performed audits. The law school advised that financial and other records are backed up on a regular basis (Guideline 2.2(C)). However, the information provided to the State Bar was incomplete and inconsistent. In addition, the auditor's notes were not provided in full and the auditor claims to have no knowledge of the finances of the university.

Normally, financial information is provided before the inspection. Here, the law school did not provide the information prior or have it available at the inspection. The State Bar followed up with the law school for months after the inspection in an attempt to secure the required financial documents. In late May 2021, the law school advised that the bookkeeper/CFO had made serious errors since 2018 that were only recently discovered. The school provided an updated set of incomplete financial documents in June 2021. The records cover the period from 2018 to the present. The law school did not discuss the nature or extent of the errors, the reasons for the errors, or any plan to prevent future errors. Additionally, the law school did not discuss why errors were not uncovered in the prior audits, or why the same auditor was used to review these updated statements when the original errors were not discovered by that auditor during the prior years. A further unsolicited update with different information was provided in July 2021. The new report was issued by the same auditor and covered the full university, though at the inspection, this auditor had stated that the university was outside the scope of his assignment and he could not answer questions about it.

Inconsistencies and incomplete statements are frequent in the newly submitted financial report. For example, the report describes the law school as “primarily” a law school but shows that 50 percent of revenue was derived from unnamed sources in 2018, without providing further detail. There is not enough information in subsequent years to make a similar evaluation. During the 2020 inspection, the school mentioned a partnership with a school in India. For the partnership, AHU provides the coursework, but does not confer a degree. Subsequently, AHU stated it does provide degrees to students at that school, but details were limited and the role of the law school was unclear. Most recently, the law school now asserts that it has no role in that partnership.

Pursuant to Rule 4.241, AHSL has prepared disclosure statements, but they do not appear to contain the required current information, with State Bar exam data stopping in 2019 or 2020. AHSL has also made disclosures for the bar-qualifying JD program pursuant to Guideline 2.3(D), including references to the school’s registration with the Committee.

The 2021 disclosure required under the California Business and Professions code is distributed to prospective students and a link to the report is provided from the website homepage. However, the link must be placed in the location required by the statute (California Business and Professions Code section 6061.7). As described above, many of the figures on the website lack the labels required to interpret the data. Posted bar exam pass rate figures were current only through 2018 at the time of the inspection and have been updated only through 2019. Website information must be made clear and current.

The University is incorporated as a for-profit California corporation. However, the law school’s ownership must be clarified, and it must demonstrate that the proper filings and agent of service of process are identified immediately (Guideline 2.4).

Recruitment is not commission-based; unless salaried, staff are paid hourly and faculty are paid per course. These changes address compliance issues noted at prior inspections (Guidelines 2.5 and 2.6). The Committee has been informed of changes regarding staffing, including a new dean, and two changes of location over the past year (Guideline 2.7).

Under the student discipline policy, matters such as cheating are investigated and decided by the Academic Standards committee. To comply with Guideline 2.8 more fully, the law school must revise the discipline policy for clarity. The policy must also include cancellation of an examination and denial of course credit as potential sanctions and must provide for a written final determination that includes a statement of the facts, conclusions, and any sanctions.

Guideline 2.9(A) requires the law school to have written academic standards that are fair. As discussed below, the law school must state several of its academic standards more clearly, including those related to academic good standing, advancement on probation, and graduation.

Most courses are letter-graded on a scale from A+ (4.33) to F (below 60 to 0.00), with levels of achievement from Outstanding (A+) to Fail (F). The Catalog states that anonymous grading is not used. The Catalog must be revised to inform students of the circumstances in which Pass/Fail grading is used (Guideline 2.9(B)(2)).

The syllabus for each course states the basis for assigning course grades and policies governing grade review, probation, disqualification, and course repetition are stated in the Catalog. Authentication of student work is accomplished through the Populi learning management system and adherence to the Honor Code.

The law school tracks IP addresses associated with a student's work and reserves the right to use them to confirm a student's identity if cheating is suspected, but this method does not provide confirmation of identity, as another could be using that computer (Guideline 2.9(B)-(D)). In addition, some exams take place during an exam window, without procedures to prevent sharing of exam content. To bring itself into compliance, the law school should take further steps to adequately monitor student identity pursuant to Guidelines 2.9(B)-(D).

Grades are issued in a timely manner (Guideline 2.9(E)). To bring itself into compliance with Guideline 2.9(B) and (F), the law school must adopt, publish, and implement procedures to allow students to inspect and copy examination materials to the extent provided in Guideline 2.9(F).

Grade review is conducted by the Academic Standards Committee; the policy must be revised to include the allowable grounds and evidentiary standards set by Guideline 2.9(H).

AHSL meets its obligations under Guidelines 2.10 through 2.12 with respect to confidential handling of student records, security and backup of data, and academic support for students.

**Rule 4.24(C): Governance. The law school must be governed, organized, and administered so as to provide a sound educational program. (Guideline 3.1).**

AHSL's founder and president, Tony B.E. Ogiemien, asserts that he is the primary shareholder of the University, though ownership of the law school is unclear as noted above. Dr. Ogiemien holds a PhD from the University of Essex in Great Britain and a JD from Western State University College of Law. By virtue of his law degree, he is qualified to serve as the law school's part-time administrator (Guideline 4.1).

The law school must clearly identify its corporate officers. During the visit, the educational standards consultant was advised that the corporate officers are Dr. Ogiemien, Chief Executive Officer, Pat Ogiemien, Chief Operating Officer, and Aitua Ogiemien, Chief Financial Officer (CFO). It is unclear, however, which corporation was referenced, the University or the law school, although this is an improvement over the 2018 interim visit when the law school could not confirm whether there was a governing board or, if so, who was serving on it.

Uncertainty also remains as to who serves as the law school's CFO, and whether that individual is qualified. Aitua Ogiamien, who was identified during the visit as the CFO, has a Master of Business Administration Degree from American Heritage University but has many other duties and does not appear to oversee financial matters. He was previously described as in charge of Admissions and Marketing and is currently identified as staffing Admissions and Marketing according to the law school's website. In the 2020 Self-study, Omorogiuwa Ogiamien was listed as the law school's CFO and the bookkeeper, positions he had reportedly held for several years. He holds a Master of Science Degree in Electrical Engineering. He has not been available at either inspection, despite express requests from the Committee to be available, confirmed in advance and in writing. Omorogiuwa Ogiamien's qualifications as CFO are in doubt based on recent statements that suggest he has made material mistakes over the years which were only recently noticed.

The law school must make the required financial documents available, and credibly identify the financial staff including the CFO. This is important because the law school's audit materials provide only limited information. In the past, the Committee has requested annual audited financial statements and it is recommended that this practice be continued.

AHU's Board of Directors consists of Dr. Ogiamien and four board members who were not available during the inspection. According to Dr. Ogiamien, two members are no longer active and will be replaced; those who will remain have expertise in higher education and business. As reflected in Board minutes, the directors meet annually and contribute to decision-making in appropriate, but limited, ways. The Board needs to be brought to full membership with actively engaged members and an updated Statement of Information should be filed with the Secretary of State. The law school must keep the State Bar apprised of the Board membership and any vacancies.

American Heritage University and law school share an eight-member staff. Registrar Pat Ogiamien maintains law school records. Aitua Ogiamien oversees admissions, marketing, development, and information technology, and he indicated that he is the CFO. Omorogiuwa Ogiamien is the bookkeeper. Ronda Baldwin-Kennedy was the Dean at the time of the inspection, subsequently replaced by Professor Rosa Mosley. David Carrasco and Jasmine Pennate are the administrative assistants. (Guideline 3.3.)

AHSL's governance and administrative structure must be clarified to demonstrate whether it is adequate to support the JD program.

**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).**

Former Dean Baldwin-Kennedy is a 2014 AHSL graduate and State Bar licensee who had served as Dean for several years while operating a law practice and seeking election to public office. At the

time of the inspection, Dean Baldwin-Kennedy was working part-time to implement the educational objectives of the law school. During the inspection, the educational consultant addressed with law school representatives the requirement, under Guidelines 4.1 and 4.2, that the Dean devote adequate time to administration of the law school and limit outside professional activities so they do not interfere with performance of the dean's regular duties.

In January 2021, a few weeks after the inspection, Assistant Dean Rosa Mosley was promoted to the position of Dean. Dean Mosley graduated from Western State University College of Law and she is a State Bar licensee. She joined the AHSL faculty in 2017, and she has taught several courses at the law school.

Dean Mosley began her career as deputy district attorney and worked as a Deputy Attorney General III for the California Department of Justice. She has handled more than 130 criminal jury trials. In her law practice, located in Ontario, California, Dean Mosley represents clients in criminal, family, and immigration matters. She appears qualified for her position, though it will be important to confirm that she can devote sufficient time to the position (Guidelines 4.1 and 4.2). Dean Mosley oversees the budget and finances, admissions policies, adjunct faculty, law library, and technology resources. Though she attended the inspection in December 2020 in her prior role, it would be helpful to speak with her further and evaluate policies under her leadership as she becomes more familiar with her role.

Guideline 4.3 permits a law school to determine the degree of faculty involvement in policymaking and administration. AHSL instructors serve with administrators on the Academic Standards, Investigative, and Grade Review committees. Instructors also offer their suggestions to the president and dean on various policy issues. Faculty meetings are held twice per year and allow new faculty members to learn about governance-related issues.

The composition of the ten-member, all-adjunct, faculty satisfies the requirements of Guidelines 4.1 and 4.6. All instructors are graduates of California law schools approved by the American Bar Association or accredited or registered by the Committee. Eighty percent of the instructors are State Bar licensees or members of the judiciary.

Class sizes and faculty teaching loads allow instructors adequate time to adequately prepare, teach, and provide prompt feedback to students (Guidelines 4.4 and 4.5). Class sizes average about five students, although recently first-year courses have ranged between twelve and eighteen students. Instructors typically teach one course at a time, but never teach more than three (Guideline 4.5).

Instructors are expected to provide extra support for students who need it and to schedule consultation times for student questions. Student surveys showed that they are receiving this support. Syllabi contain instructor contact information and the Populi platform allows students to communicate easily with their instructors and classmates (Guideline 4.5).

AHSL provides Westlaw access and requires instructors to keep up to date with advancements in the legal field and to integrate new knowledge into their courses. The President and Dean now orient instructors to their duties, a change suggested after the prior visit in 2018 when instructors were oriented by the business manager. To comply with Guideline 4.7 more fully, the law school must advise instructors of their duty to continually strive to improve their teaching skills and should consider expanding faculty development opportunities.

The Self-study described a process by which faculty are regularly reviewed by the Dean, and course and instructor evaluations are completed by students. However, the law school did not provide evidence that this policy has been followed. To comply with Guideline 4.8 more fully, the law school must adopt, publish in the Faculty Handbook, and implement procedures for the regular evaluation of instructors as required by Guidelines 4.8 and 4.9. The school must then present evidence of implementation and any feedback from this policy.

The law school has adopted an Academic Freedom Policy as mandated by Guideline 4.10 and met its obligations to inform the Committee of changes, pursuant to Guideline 4.11.

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

Students at a registered, unaccredited distance-learning law school must complete, each year for four years, a minimum of 864 hours of “preparation and study,” including at least 135 hours of interactive classes (Guideline 5.9(C)). AHSL students who complete the curriculum meet these requirements.

The academic year spans fifty-two weeks (Guideline 5.9(C)). To graduate, students must earn 103 educational units at AHSL. Each unit represents forty hours of work, five hours less than a standard semester unit. While allowable, this may make the courses difficult to compare for transfer students. When asked the reason for the change, the school advised that the semester unit was not flexible enough for a year-round program but did not specify the reason for the lack of flexibility. All unaccredited distance law schools use the 48 to 52 week calendar, and lack of flexibility has not previously been mentioned as an obstacle.

AHSL’s curriculum consists of 25 units and 1,000 hours in the first year and 26 units and 1,040 hours each year in the second through fourth years. Each year also includes at least 135 hours of interactive class sessions (Guideline 5.9(C)). Students enter AHSL in fall, winter, or spring, then take one course at a time. Courses are from two to eighteen weeks in length and range in unit value from one to nine units.

All courses are taught online and include asynchronous and synchronous elements. Students complete assignments and examinations through the Populi platform and attend interactive class sessions on Zoom. Generally, class sessions are held for two hours, twice weekly, and are recorded

and archived for later viewing. AHSL verifies student hours of “preparation and study” through study logs submitted by students through Populi and tracking attendance in class sessions (Guideline 5.3(C)(1)).

Under Guideline 5.6, a law school may exempt a student from the unit or hourly requirement where unusual circumstances warrant special consideration but must maintain accurate records of all exemption requests. In at least one instance in the sample set, AHSL failed to do so. Although that decision was not unsupported, the law school must adopt and implement procedures to ensure that guideline requirements are followed with respect to special circumstance exemptions.

The law school must revise its Catalog to state its academic standards clearly and consistently with respect to academic standing, advancement, advancement on probation, dismissal, and graduation, to comply more fully with Guidelines 5.3(C)(2), 5.19, and 2.9(B)(4). Students must be clearly informed as to when their academic standing will be calculated. Catalog discrepancies must be resolved to clearly define whether the minimum cumulative GPA for good academic standing is 1.67 or 2.0. The Catalog must also state whether a student on probationary status must achieve good standing “by the end of the next course” or “by the end of the next year” to avoid dismissal.

Under Guideline 5.3(C)(2), a law school may award a JD only to students “who have earned a cumulative GPA set by the law school that provides students a reasonable basis upon which to pass the bar examination.” The Catalog states that students may graduate if they have “successfully passed all courses,” which could mean a GPA as low as 0.67, and elsewhere states that “good standing” is required for graduation, which could mean either 1.67 or 2.0 GPA. However, the First-Year Law Students’ results submitted with the 2019 and 2020 Annual Compliance Reports show that the only AHSL students who passed the exam had cumulative GPAs of at least 3.0, or B. AHSL must set a GPA for graduation that meets the guideline’s “reasonable basis” standard, and in doing so should consider the success of its students and graduates on Committee-administered exams.

Pursuant to Guideline 5.3(C)(1), a law school may issue the JD degree only to students who have met the minimum hours requirements, including the mandate that students must participate in at least 80 percent of all interactive class sessions for each course. AHSL must revise its attendance policy to accurately state that 80 percent or greater attendance is required to earn credit. The law school should also amend its procedures to ensure that students receive advance warning of attendance issues before their absences reach the 20 percent limit in any course. While students may watch archived courses in certain instances, the law school must be sure that the student’s course instruction includes at least 135 interactive hours per year.

The 103-unit curriculum consists entirely of required courses, including all subjects tested on the bar exam and practical skills courses. Students also take Introduction to Law, Legal Research & Writing, First-Year Review, and Advanced Legal Research & Writing (Guideline 5.10). The Catalog lists two fourth-year elective courses, but the law school does not offer these or any other electives. As discussed with Dr. Ogiamien during the inspection, the law school must revise its curriculum to



make elective opportunities available as required by Guideline 5.11, revise its Catalog course descriptions to indicate that not all courses are given each year, and eliminate descriptions for courses the law school does not plan to offer in the next two years (Guideline 2.3).

AHSL advised that it has strengthened its emphasis on legal writing and analysis in recent years, while teaching professional responsibility. The law school must expand opportunities for skills instruction in other areas enumerated in Guideline 5.12. Interactions between students and their instructors and classmates are made possible by the law school's student portal, Populi learning management system, and Zoom platform (Guideline 5.13).

Policies on examinations and grading follow Guidelines 5.14 through 5.16. Instructors draft their own exams and submit them for review by the President and Dean. Midterms are given in most courses and final exams must be given in all courses, except those requiring substantial written work. Typically, final exams consist of two essay questions and 30 multiple-choice questions. Grading rubrics are used to promote consistent scoring of essay exams. Although IP addresses of exam-takers are monitored through Populi, exams are not otherwise proctored. At the 2018 visit, the educational consultant advised the law school to take steps to end this practice and authenticate student work, but it has yet to do so. The law school must take steps to verify the identity of those taking tests so the law school can verify whether the work turned in represents the student's own work. This improved practice would allow confirmation that any grade awarded represents the accurate, valid, reliable consistent evaluation required by Guideline 5.17 and permit the school to identify and disqualify, as soon as possible, students who have demonstrated they are not qualified to continue, as required by Guideline 5.18.

**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)).**

As mandated, AHSL requires each student to complete at least six semester units, or the equivalent in practical skills training. (Rule 4.240(F).) Six semester units represent 270 hours of training, because each standard semester unit equates to 45 hours of academic work (6 units x 45 hours/semester unit = 270 hours).

AHSL students must take three courses of practical skills training, for a total of 10 AHSL units of credit. These training courses include Legal Research & Writing (two units), Professional Responsibility (four units), and Advanced Legal Research & Writing (four units). Each AHSL unit equals 40 hours of work, five hours less than the standard semester unit, so these units represent 400 hours of training (10 AHSL units x 40 hours/unit = 400 hours). Thus, AHSL students complete more than eight semester hours of training (400 hours ÷ 45 hours/semester unit = 8.88 semester units), two units more than Rule 4.240(F) requires.

The law school must adopt, publish, and implement a written policy to ensure that any transfer student will also complete the equivalent of at least six semester units of competency training prior to graduation (Rule 4.240(F)).

**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 grading standards that ensure accuracy, validity, consistency, and reliability in grading. Students must be realistically assessed and those who are not qualified must be promptly dismissed (Guidelines 5.17 and 5.18).

AHSL uses an A-to-F letter grading scale with plus/minus increments. Each increment from “A+” to “F” corresponds to a range of percentage points and a specific number of grade points. For example, an “A+” is awarded for percentage points from 100 to 97 and earns 4.33 grade points. The mid-point of each grade range defines an achievement level, from “A+” (Outstanding) to “D+” (Below Average). A “D-” earns one grade point and is the lowest passing level. Four courses are graded on a Pass/Fail basis, including Introduction to Law, First-Year Review, and the two Legal Research & Writing courses. The Catalog explains the grading scale but must also be amended to indicate when Pass/Fail grading is used, as noted above.

The educational consultant reviewed a sample of AHSL exam questions and student answers. Many questions were well-drafted and presented a fair test of the issues being examined. Overall, the rank order of exam grades was accurate. In first-year courses, grade distribution was reasonable with a fair proportion of grades in or below the “C” range. However, on upper-level papers most grades were in the A and B ranges and many grades appeared to be higher than warranted. Many A+ grades were awarded.

In a review of FYLSX results over four exams (June and October 2018, and October 2019 and June 2019), as provided by the law school, exam success was compared with students’ weighted average grades on the three FYLSX subjects. Grade averages for the fourteen takers ranged from 66.08 to 89.94, with 57 percent in the “B” range and 36 percent in the “C” range. The two students who passed the FYLSX had GPAs of “B” and “B+”. First-year grades showed limited correlation, even considering reasonable differences among subjects. Generally, grades in two subjects were much higher than in the third.

Grade inflation was not found in the 2013 Inspection Report but is now a concern. As reported in 2013, 42 percent of grades fell below 1.67, the good standing level. As reported in 2020, only 13 percent of grades fell below 1.67 while 64 percent of grades were in the “A” or “B” ranges. Only 24 percent of grades were in the “C” range. These observations suggest the need for greater grade

correlation efforts among instructors teaching the same students, and a reexamination of AHSL's grading standards, especially considering student performance on State Bar exams (Guideline 5.25).

The law school must review its grading practices to determine what changes are needed to improve the accuracy, validity, consistency, and reliability of grades, and to give students a more realistic assessment of their likely success on the FYLSX and bar exam (Guideline 5.17-5.18). As part of this process, the law school must take steps to authenticate student work on exams and otherwise, as discussed above.

As noted above, policies with respect to academic good standing, probation, and graduation must be clarified, because conflicting and unclear statements appear in the Catalog (Guideline 5.19). AHSL calculates academic standing at least once during each student's academic year (Guideline 5.20), but students must be clearly informed as to when standing will be calculated. The Catalog must clearly state the cumulative GPA required for academic good standing and for graduation and resolve the conflict as to whether probationary students must achieve good standing by the end of the next course or the next academic year.

AHSL dismisses or does not allow re-entry to students who have not passed the FYLSX within three administrations and observes FYLSX-related limits on the award of credit (Guidelines 5.21-5.22). This is an improvement from the visit in July 2018, in which it was observed that students were not dismissed after they did not pass the FYLSX within three administrations. Attrition from the law school appears to be based entirely on failure to pass the FYLSX exam, voluntary attrition, and administrative withdrawal for non-payment. In the past three years, no AHSL students have been advanced on probation or academically dismissed.

Course repetition policies comply with Guidelines 2.9(3), 5.23 and 5.24. A student who earns a course grade below 60 has failed, will not earn course credit, and must repeat the course. The student's transcript will include the original and repeated course grade. Duplicate course credit is not given for taking the same, or substantially the same, course.

Since 2016, the school's graduates have had challenges with State Bar exams. On the First-Year Law Students' Examination, out of 55 non-unique attempts since 2017, only one student passed the First-year Law Students' Examination. AHSL's individual bar passage rate was zero percent for most bar exams offered between 2016 and 2020, with these exceptions: July 2018, 14 percent, February 2019, 20 percent, October 2020, 33 percent, and February 2020, 25 percent. All of these results were with very small sample sizes. The cumulative five-year pass rate on the bar exam is just under 14 percent.

**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, including the application process, are described on the website and in the Catalog. AHSL admits students in all categories permitted by the Guidelines. In the past two years, 80 percent of admitted students have been regular students with a Bachelor's degree; the remainder have had at least sixty acceptable college credits. No special student applicants, those admitted based on test scores alone, have been admitted in the last three years.

As required, the online application asks applicants if they have ever attended law school. If so, applicants must state their exit status as good standing, probation, or dismissed (Guideline 5.31). Applicants must submit the following: an application, fee, personal statement, professional resume, government-issued photo identification, and original transcripts from all institutions attended. AHSL does not require applicants to take the Law School Admissions Test (LSAT) but considers submitted scores.

Effective processes are in place, through the Populi platform, to ensure compliance with the mandate that official transcripts, showing qualification for law study based on pre-legal education, must be on file within forty-five days of the start of a student's first term, or the student must be dismissed (Guideline 5.30). A sample file review also confirmed that official transcripts are maintained on file as required by Guideline 9.1(B) and (C).

Admissions Director Aitua Ogamien is responsible for interviewing applicants and confirming that applicant files are complete before the files are given to the Dean for an admissions decision. AHSL does not accept applicants who lack the required pre-law education credentials, such as those with an undergraduate GPA of less than 2.0. Other grounds for denial of admission include lack of academic rigor in the applicant's undergraduate studies and other evidence suggesting the applicant does not have a reasonable prospect of completing the JD program (Guidelines 5.26 and 5.27).

In fall 2020, AHSL admitted about 58 percent of applicants with completed files, based on data in the 2020 Annual Compliance Report. The percentile of undergraduate GPAs for entering students cannot be determined from data provided in the disclosure form required under California Business & Professions Code section 6061.7, and it should be corrected.

AHSL admits as transfer students some applicants who attended law school elsewhere but were not academically disqualified. In fall 2020, nine percent of admitted students fell into this category. In the past two years, no students have been admitted after being disqualified from prior law study. AHSL allows transfer credit for up to ninety units of the 103 units required to graduate, but that limit must be published (Guideline 2.3). As required, transfer credit is given only to students who are exempt from, or have passed, the FYLSX (Guideline 5.35(A)).

The law school must revise certain transfer credit policies and practices. Ordinarily, transfer credit should be granted only for courses completed not more than 27 months before admission, except as to students who have passed the FYLSX and seek credit for those underlying courses (Guideline 5.35(B)). The Dean may approve credit for earlier-completed courses in exceptional circumstances, but the Dean's approval and its rationale must be documented in the student's file. However, in two sample files, lower-level administrators granted transfer credit for courses completed beyond the 27-month limit, and the required approvals and rationales were not documented in student files.

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." This has not been AHSL's practice. To satisfy Guidelines 2.3, 5.35, and 9.1(D)(5), AHSL must adopt, implement, and publish a transfer credit policy and procedures to ensure students have notice of the transfer credit limit. All guideline requirements must be followed with respect to the granting of transfer credit and the inclusion of all required information on transfer students' transcripts. Further, transcripts of current transfer students must be reviewed and as needed, corrected.

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

AHSL meets the Committee's library requirements. The law school provides access to most resources mandated by Guideline 6.2 through a subscription to Westlaw. As required, hard copies of current texts for all courses in the curriculum are housed at the law school's Rancho Cucamonga facility, where they are available to administrators and instructors.

Students pay an annual fee of \$150 for Westlaw. They receive unique passwords upon enrollment and have continuous access to Westlaw services, including tutorials and reference assistance, while enrolled. Westlaw passwords are also issued to instructors. Westlaw may be used only for academic purposes and access is available except between 10:00 a.m. and 3:00 p.m. on weekdays (Guideline 6.5).

To bring itself into compliance with Guideline 6.3, the law school must provide legal research instruction in both electronic and hard copy publications. The Self-study states that instruction in both kinds of research is given in the first- and fourth-year legal research and writing courses, but the law school did not demonstrate that this was the practice in its relevant lectures, readings, or assignments.

Library records are maintained as required (Guideline 6.6).

**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).

The law school shares administrative offices with the University. In June 2020, AHU relocated from its former leased facility in Ontario, California to a smaller, less expensive leased space in a modern office complex at 9227 Haven Avenue in Rancho Cucamonga, California. AHU now occupies Suite 210, a space of 1,922 square feet, pursuant to a three-year lease that runs through May of 2023.

The suite features four private offices where AHU personnel perform their day-to-day functions, as well as a reception area, conference space, network room, and library area. Dean Mosley, who works part-time and remotely, maintains her law offices about six miles from the suite. Private space is available for her when she needs to work at the facility.

Space is available for storage of active records in lockable, fireproof file cabinets controlled by the registrar. Committee-required textbooks are shelved in a common area and convenient parking is provided in an adjacent lot. As a distance-learning law school, AHSL has no classroom facilities and does not provide space for student activities. Although the facility is rarely visited by faculty or students, the building and suite are accessible to individuals with disabilities (Guideline 7.1).

The technology infrastructure is secure and provides adequate support for the JD program. All digital law school records are maintained on a cloud-based server with security protocols and access limits based on job function. Communications with students are securely handled through a third-party system with access-level restrictions (Guidelines 7.1 and 7.2).

AHU has adopted a commonly used internet-based educational software application, Populi, to manage two vital functions. The College Management System (CMS) allows control of records and data while the Learning Management System (LMS) is used to deliver online course activities such as assignments and discussion boards. Populi offers safeguards such as a highly secure data center, encryption, daily backups, and proactive monitoring, and operates at 99.99% functionality and stability.

The Zoom videoconference platform is used for interactive classroom activities. According to faculty and students, Zoom is reliable and easy to use, and provides all necessary functions. Interactive class sessions are recorded and archived through Wistia software.

Adequate resources have been allocated to address technology-related problems promptly and effectively. Two staff members share technology support responsibilities, and they monitor all interactive class sessions to troubleshoot any problems that may arise.

**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).**

American Heritage University depends on tuition for revenue, as reflected in documents submitted with the Self-study. These documents include audited financial statements for fiscal years 2017 through 2019, prepared by Certified Public Accountant Frank M. Weisner, and budgets for 2020 and 2021. In addition to tuition income from the law school, the University earns revenue by providing courses to the students of overseas affiliates.

Enrollment has fluctuated significantly in the last decade. Between 2010 and 2013, the law school grew rapidly from seven to ninety students, in part due to transfers from another law school. Administrators expected the student body to number 200 students by 2016, but enrollment began to decline in 2014 when the Dean at the time left to start another law school and some students transferred out. By 2018, AHSL enrolled 15 bar-qualifying JD students, and the law school was not able to produce a student list when the inspection team visited onsite in July 2018.

In 2019, enrollment ticked up slightly when the law school once again began admitting students into a non-bar qualifying JD program without advising the State Bar. By fall 2020, the law school reported having 27 students in the bar-qualifying JD program and 2 students in the non-bar qualifying JD program. To sustain enrollment, AHSL dropped its annual tuition rate several years ago to \$4,250, only \$250 more than the 2013 rate. Total tuition for the JD program is \$17,000, while total fees are \$1,720 based on per-year charges of \$430. Students do not have access to federal financial aid programs.

Over the three years prior to the inspection, revenues increased from \$88,000 in 2017 to \$223,000 in 2019. However, losses from operations ranged from \$306,000 in 2017 to \$22,000 in 2019, primarily because expenses exceeded revenues by as much as 349 percent. As a result of cost-cutting measures, expenses were reduced from \$395,000 in 2017 to \$245,000 in 2019. Further savings will be realized in fiscal year 2020 with the University's relocation to a less expensive leasehold. Cuts to the academic program included a one-year elimination of contractor instructor expenses in 2018, and a 75 percent reduction in expenses for academic support in 2019.

During the same three-year period, net income was supported by the sale of assets. In 2017, the University entered an agreement to sell the law school and received a payment of \$540,000 which contributed to a net income of \$232,000. In 2018, a payment of \$147,000 contributed to a net income of \$5,900 and in 2019 the sale of assets generated \$20,000, reducing a net loss to \$2,300. At the end of fiscal year 2019, cash assets totaled less than \$20,000. The sale of the law school has been cancelled and additional payments are not expected.

The University's budgets for 2020 and 2021 did not address projected income, despite repeated requests for this information over a period of months. Similarly, the law school's Annual Reports lacked this requested information. Projected expenses came close to the 2017 level, with expenses

of \$383,000 in 2020 and \$369,000 in 2021. Because the budgets do not include a category for academic costs, the impact of any increased spending on the JD program could not be determined. The financial data must also further clarify the current relationship between the law school and the University as well as any other entities. While some information was provided after many months of follow up, complete, credible, clear responses are still needed.

The University's financial position is not strong or consistent and it cannot be said with confidence that the school has adequate present and anticipated financial resources to support its programs and operations. Over a long period of time, the law school has not been forthcoming or cooperative in providing access to its finance professionals, projections, or the resources available to students. It is unclear that the school possesses the resources to provide the services that are enumerated. It is further unclear whether the school will be required to repay any of the funds already delivered to the school based on the now-cancelled sale to Richard Dabney.

In addition, at times the law school has incorrectly indicated that if its registration is renewed, it can sell the school with the five-year registration period to be expected. This is not the case, as any new purchaser will need to undergo an inspection and demonstrate compliance in order to continue to operate the law school.

The law school must immediately provide accurate, complete financial information, both past and projections, and access to those responsible for financial matters. This law school should provide audited financial statements for the foreseeable future. The law school must more clearly explain its non-law school revenue, how it will improve performance as it reduces expenses, and discuss how it intends to remain solvent to provide the services it represents (Guideline 8.1-8.3).

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

The law school was found to maintain records as mandated by Guideline 9.1 except as noted. Registrar Pat Ogiamien oversees all records and is responsible for updating records and transcripts and producing paper copies when requested. Most student records are held electronically in Populi, a recognized student information system, and in local data storage hosted on AHU's private network. The University has established internal security controls to allow data access only to users with predefined security levels. Data is password-protected and backed up regularly and held offsite. Physical files are maintained in fire-safe cabinets in the administrative offices under the registrar's exclusive control. Records are retained for the periods specified by Guideline 9.1 and, except as noted, can be produced in hard copy upon request at the Rancho Cucamonga facility.

The educational standards consultant reviewed a representative sample of the school's student-related records, including applicant files and admissions records (Guidelines 9.1(A)-(B)); student files and transcripts (Guidelines 9.1(C)-(D)); class records, examinations, and grade tabulations (Guidelines 9.1(E)-(F)); and faculty files (Guideline 9.1(H)). General administrative records were also



reviewed for compliance with Guidelines 9.1(I) through 9.1(Q). The administrative records included faculty meeting minutes, Board minutes, faculty files, annual compliance reports, and promotional materials.

The consultant found that key documents lacked required information. To fully comply with guideline requirements, the law school must maintain, and be able to produce as required by Guideline 9.1(E), class records that include all listed details, including faculty information, attendance records for each student, and regularly scheduled meeting times. Grade rosters, for example, should accurately reflect the number and weight of graded assignments and show entries for all assignments. Attendance rosters should show the dates and times of interactive class sessions and the names of students in attendance at each.

A permanent file of all correspondence to and from the Committee must be maintained, as required by Guideline 9.1(M). Although the law school has filed Annual Compliance Reports as required by Guideline 9.1(O)(1), such reports must be accurate and complete. To bring itself into compliance more fully with Guideline 9.1, the law school must review and revise its record-keeping processes to ensure that all required records are maintained accurately and at the level of detail required.

As required by Guideline 9.1(D) AHSL must adopt, publish, and implement a policy on changes to transcript entries and adopt and implement procedures to ensure that transcripts of transfer students contain all required information. Further, the law school must correct the transcripts of all current transfer students to conform to guideline requirements.

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

AHSL has adopted and implemented a broad non-discrimination policy. As stated on the website:

American Heritage University School of Law is committed to encouraging and sustaining a learning and work community that is free from prohibited discrimination and harassment. The university prohibits discrimination on the basis of race, color, religion, national origin, disability, veteran status, sexual orientation, gender identity, sex, genetic information, or age in the administration of its educational policies, admission policies, employment, or any other university program or activity. The university also makes good faith efforts to recruit, employ and promote qualified minorities, women, individuals with disabilities, and veterans. It admits qualified students to all the rights, privileges, programs, and activities generally accorded or made available to students.

As reported in fall 2020, 45 percent of AHSL's students are women. The student body includes students who self-identify as White (41 percent), Latinx (23 percent), Black or African American (23 percent), Native American or Alaskan Native (9 percent), and Asian (4 percent). All enrolled students are regular students with at least sixty academic credits from a qualified institution; none are special students admitted based on test scores alone. Of the law school's instructors, 50 percent identify as Black or African American, 40 percent identify as White, and 10 percent identify as Latinx. Forty percent are women.

**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)).**

The law school has submitted Annual Compliance Reports and other documents as mandated by the Rules and Guidelines. Further, it has responded to requests by the Committee, including information requests from the Consultant. However, over a long period of time, multiple requests or clarifications have often been required. Despite months of extensions, the initial Self-study provided in connection with this inspection was not usable and a new version had to be requested, causing further delay. The law school is requested to provide complete, timely information as required and some information requested related to the inspection remains outstanding. Further, the law school must affirmatively demonstrate and maintain its compliance in order to continue as a registered, unaccredited law school.

## **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 educational consultant recommends that the Committee issue a Warning Letter pursuant to Rule 4.244(G)(4). The Warning 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 corrections 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 in compliance or will not likely be in compliance with these rules, the Committee should notify the law school via the warning letter that it recommends probation or withdrawal of registration, pursuant to Rule 4.263.

# Response of American Heritage University to Inspection Report

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## Recommended Mandatory Actions

## **Guideline 1.2 & 1.9**

*The law school must clearly state the entity status of the law school and any shareholders or partners in the ownership entity, and provide copies of all required paperwork, such as registration with the Secretary of State, local business license, and evidence of taxes paid, if any. The law school must also provide a fictitious business name certificate for the law school and list its agent for service of process. In addition, the law school must clearly state and document the status of its now-cancelled purchase agreement with Richard Dabney, as well as whether any funds paid as part of that purchase must be reimbursed and how any such reimbursement will affect the law school. The law school must also file a major change request to clarify the ownership in light of the change from the law school's prior approved plan.*

### **Guideline Requirements**

1. Law school status including shareholders, partners, ownership entity such as secretary of state, business licenses
2. Documentation of cancelled sale between the Dabneys
3. File major change request to restore ownership

## **Guideline 1.9**

*The law school must cease admitting students into the non-bar qualifying JD program and delete references to that program in its publications. The law school must advise whether it has any partnerships, agreements, or collaborations with any other institution either directly or through American Heritage University and whether the law school or University provides course content in law to other schools, locally or internationally. As this report was being finalized, the law school submitted an application that will be reviewed.*

### **Guideline Requirements**

1. Remove all references of the Non-Bar JD from the catalog and website: *This has since been removed from the website and the school catalog.*
2. AHUSC will provide a letter that all MOUS with schools locally and internationally do not offer any law courses and has nothing to do with the JD program

## **Guideline 1.9**

*The law school must adopt, publish, and implement lawful policies and procedures for handling requests for accommodations, and give notice to students those accommodations given by the law school may differ from those given by the State Bar.*

### **Guideline Requirements**

1. Verify all publications have the following:
  - a. Policies and procedures for handling accommodations AHUSOL provides that may be different from the State Bar

*The law school must correct the data on the disclosure form required by California Business and Professions Code section 6061.7(a), including correcting the calculation of the bar exam pass rates of its graduates, and properly noting the undergraduate GPAs for entering students. It must also post that disclosure on its website on its Admissions page as required by the statute*

### **Guideline Requirements**

1. California Business and Professions Code section 6061.7(a) form is currently located on our website: <https://ahulaw.com/important-disclosures/>. The State bar is requesting that we place it on the "Admissions" page. This updated has been made and can be viewed at: <https://ahulaw.com/admissions/>. The form has also been placed on the drop-down menu of the "Admissions" tab.
2. The passage rates of the graduates and GPAs need to be revised and correction

**Guideline 1.9:** *The law school must revise its policy on payments and release of student records to conform to California Civil Code section 1788.9 et seq.*

### **Guideline Requirements**

1. The policy has been revised and updated on 10/20/2021. It now reads as follows: *"In compliance with California Civil Code section 1788.9 et seq, as of July 1, 2020, the university will grant releases transcripts to all students regardless of their financial obligations to the university. Students are advised to pay their tuition and fees in a timely manner to avoid interruption of studies in the JD program."*

## Guideline 2.1 – 2.9

*The law school must be forthright and complete in its communications with the State Bar, including providing accurate financial information, providing access to the finance staff, and providing this information timely.*

### Guideline Requirements

1. Employ a new financial staff
2. Gather all communication with the State Bar

**Guideline 2.1-2.3:** *The law school must review and, as necessary, revise its publications, disclosures, financial statements, and other submissions to the State Bar to ensure that all information provided is accurate, consistent, current, and complete; the current materials require extensive updates.*

### Guideline Requirements

1. Revise the following for consistency and accuracy:
  - a. Website: Disclosure pages, faculty and all policies including admissions, academic, and dates
  - b. Disclosures: Faculty, policies, links
  - c. Financial statements: Includes budget forecast and actuals

**Guideline 2.2(B):** *The law school must revise its refund policy to provide clear and consistent examples, state that a refund or refund accounting will be provided within thirty days, and provide a working link to the refund form.*

### Guideline Requirements

1. Revise the refund policy.
  - a. Current refund policy:

#### **Tuition Refund Policy**

*Student refunds will be prorated based on the weeks the student attended our institution and the progress made each class. After 50% of course completion, the student is responsible for the cost of the course. RP-1002 ([https://ahulaw.com/forms/RP\\_1002.pdf](https://ahulaw.com/forms/RP_1002.pdf)) illustrates the amount of refund a student is entitled to according to the date the withdrawal Form is received in our office.*

**Term Fees Refund Policy** \$30 of the Student Technology Fee will be refunded in the event of a withdrawal. The registration fee is non-refundable. WestLaw is not refundable after 30 days.

**Example I:** *On a standard 8-week course, if a student were to withdraw on week two, the refund will be calculated as follows: \$85 (Cost per week) X 2 (Weeks) = \$170; Total Tuition Paid (\$4250) + Term Fees (\$150 WestLaw + \$30 Student Technology Fee) – \$170(Student's Financial Responsibility) = Refund to Student*

**Example II:** *On a 14-week course, if a student decides to withdraw on week 11, because the student has passed the 50% mark which will be week 7, the student will be responsible for the total cost of the course which will be: \$85 (Cost per week) X 14 (Weeks) = \$1,190;*

*The period of given instruction is counted on a weekly basis, regardless of the actual day that a particular course begins. Each week starts every Sunday at 12:00am and ends on Saturday at 11:59pm (Pacific Time zone). If notice is received after a particular week starts, then, that week is counted as a week of given instruction.*

*If the school cancels a course, the student will receive a **full refund of all charges**.*

Updated Refund Policy:

#### **Tuition Refund Policy**

*Student refunds will be prorated based on the weeks the student attended our institution and the progress made each class. After 50% of course completion, the student is responsible for the cost of the course. Use the charts below to determine the amount of refund you will be entitled to according to the date the withdrawal form is received in our office.*

#### **Term Fees Refund Policy**

*If the student pays the \$430 down-payment which includes registration fee of \$100, technology fee of \$180, and WestLaw fee of \$150 and withdraws from the JD program within the first 7 days of the start of the program, then the **full amount** of \$430 will be refunded. The student will need to complete the Enrollment Agreement Cancellation form ([Form AD\\_1012](#)).*

*If the school cancels a course at any time, the student will receive a **full refund of all charges** including down-payment and any tuition paid towards that course only.*

Broken link: [https://ahulaw.com/forms/RP\\_1002.pdf](https://ahulaw.com/forms/RP_1002.pdf) has fixed

**Guideline 2.8:** *The law school must revise the student discipline policy for clarity and to conform to all guideline requirements.*

**Guideline Requirements**

1. *The current discipline policy has been updated in the catalog.*

**Guideline 2.9(B)(2):** *The law school must revise the Catalog to give notice of the circumstances in which Pass/Fail grading is used.*

**Guideline Requirements**

1. *Revise the following for consistency and accuracy: Updates have been made to the catalog. All other publications will be updated after revision of ASC*

**Guideline 2.9(B)-(D):** *To bring itself into compliance, the law school must establish a written policy on authentication of student work and adequately authenticate student work.*

**Guideline Requirements**

1. (A) Academic Standards Policy *Updated in the academic catalog*
2. (B) Examinations and Grading Policy *Updated in the academic catalog*
3. (C) Written Statement on Basis for Final Grade *Updated in the academic catalog*
4. (D) Authenticity of Student Work *Updated in the academic catalog. Proctoring will be implemented on all examinations moving forward*

**Guideline 2.9(F):** *The law school must adopt, publish, and implement procedures to allow students to inspect and copy examination materials as required by the guideline.*

**Guideline Requirements**

1. *The law school has used a bank of essay questions spanning over 7 years. Upon revision of this guideline requirement, the Academic Standards Committee is in the process of implementing all new questions with model answers to meet this requirement. Questions with model answers are now available upon faculty or student request*

**Guideline 2.9(H):** *The law school must revise its grade review policy to incorporate the allowable grounds and evidentiary standards required by the guideline.*

**Guideline Requirements**

1. *Grade Review Procedures have been revised and adopted*

**Guideline 3.1**

The law school must identify the financial staff including the CFO, make that staff available to answer questions, and make all required financial information available including past results, projections, resources available, and financial relationship to American Heritage University and other parties. The law school must provide a timely, complete, and audited financial statement annually.

*Pending*

**Guideline 3.3**

AHSL's governance and administrative structure must be clearly, fully, and accurately described to the Committee in order to demonstrate to the Committee whether or not the structure appears adequate to support the JD program.

*Pending*



**Guideline 4.7**

The law school must advise instructors of their duty to continually strive to improve their teaching skills.

**Guideline Requirements**

1. Revise the teaching agreement to include the requirement for Professional Development
2. Create Professional Development courses and links and document participation in their files

## **Guidelines 4.8 and 4.9**

The law school must adopt, publish, and implement a policy and procedures for the regular evaluation of instructors as required by the guidelines, document a timeline for implementation, and present evidence that the policy has been fully implemented.

### **Guideline Requirements**

1. Provide faculty evaluation form to the Dean
2. Dean Mosley will perform a faculty evaluation
3. Adopt a statement for the faculty agreement suggesting the review of materials used in the course, examinations given, and the extent to which examinations and grading standards provide a reasonably accurate appraisal of each student's ability.

### **Guideline 5.3(C)(1)**

The law school must revise its attendance policy to correctly state that 80 percent attendance is required per course, along with all other course requirements, in order for a student to earn credit for a class. While students may watch archived courses in certain instances, the law school must ensure and document that each student's course instruction includes at least 135 interactive hours per year, rather than taped instruction.

#### **Guideline Requirements**

1. Revise attendance policy to correctly state that 80 percent attendance is required per course, along with all other course requirements, in order for a student to earn credit for a class.
2. Ensure course instruction includes at least 135 interactive hours per year, rather than taped instruction.
3. Declare our definition of interaction (Discussion questions and videos)

### **Guidelines 5.3(C)(2), 5.19, and 2.9(B)(4)**

The law school must revise its Catalog to state its academic standards clearly, consistently, and as required by the guidelines, with respect to academic standing, advancement, advancement on probation, dismissal, and graduation. Further, AHSL must set a GPA for graduation that meets the guideline's "reasonable basis" standard, and in doing so should consider the success of its students and graduates on Committee-administered exams.

#### **Guideline Requirements**

1. Revise Catalog to update the following headings in the Academic standards section:
  - a. Advancement
  - b. Good Standing
  - c. Probation
  - d. Dismissal
  - e. Graduation

## **Guideline 5.6**

The law school must adopt and implement procedures to ensure that guideline requirements are followed with respect to special circumstance exemptions.

### **Guideline Requirements**

1. Revise and define "special circumstances" Contact Dean

### **Guidelines 5.11 and 2.3**

The law school must revise its curriculum to make elective opportunities available, revise its Catalog course descriptions to indicate that not all courses are given each year, and eliminate descriptions for courses the law school does not plan to offer in the next two years.

#### **Guideline Requirements**

1. Revise Course descriptions (Business Association I & Business Association II to replace Agency & Partnership/Corporation)
2. State in the Catalog whether or not any of the courses will be offered in the next two years (Refer to Academic Calendar)

## **Guideline 5.12**

The law school must revise its curriculum to provide instruction in the practical skills enumerated in the guideline as well as Rule 4.240 (F).

### **Guideline Requirements**

1. Revise Course descriptions (Business Association I & Business Association II to replace Agency & Partnership/Corporation)

5.12 Practical Skills Instruction should be available in the practical skills of legal research, drafting legal documents, trial and appellate advocacy, and in professional skills such as law office management, counseling, and negotiation. (Question the State Bar)

## **Guidelines 5.17 and 5.18**

The law school must review and, as necessary, revise its grading practices to improve the validity, consistency, and reliability of its grades. This revision will give students a more realistic assessment of their likely success on Committee-administered exams. Further, the law school must take steps to verify the identity of test takers so it can verify whether the work turned in represents the student's own work. This ensures that any grade awarded represents the accurate, valid, reliable, and consistent evaluation required by Guideline 5.17. Additionally, this addresses the need to quickly identify and disqualify those students who have demonstrated they are not qualified to continue under Guideline 5.18.

### **Guideline Requirements**

1. Check if Populi can keep the grade of what the student has turned in instead of an F until all grades are entered
2. Revise grading policies
- 3.



## **Guidelines 5.35 and 2.3**

The law school must adopt, implement, and publish transfer credit policies and procedures. This ensures students have notice of the transfer credit limit, and that all guideline requirements are followed with respect to the granting of transfer credit.

### **Guideline Requirements**

1. Revise policy to adhere to: (B) Credit should ordinarily be granted for whole courses completed not more than twenty-seven (27) months prior to the date the applicant begins study at the admitting law school. This time limitation does not apply to students who have passed the First-Year Law Students' Examination. In some instances, such as illness, personal tragedy or military service, it may be appropriate to permit credit for studies completed more than twenty-seven (27) months prior to admission. The dean must approve any exception and an explanation must be placed in the student's file. (C) For students who were disqualified for academic reasons at the prior law school, credit should be granted only for courses in which the applicant received a grade above passing. For students who were in good standing at the prior law school, credit may be granted for all passing grades. For all applicants who have passed the First-Year Law Students' Examination, credit may be allowed in Torts, Contracts, and Criminal Law, even if the grades at the prior law school were not above passing.
2. Revise in catalog, website, and proposed course of study (DONE)

### **Guideline 6.3**

The law school must provide legal research instruction in both electronic and hardcopy publications.

#### **Guideline Requirements**

1. Request "hardcopy" policies to be waived

### **Guidelines 8.1-8.3**

It is strongly recommended that this school be required to provide audited financial statements for the foreseeable future. Also, the law school must describe the sources of its other revenue and explain how it will improve financial performance and finance its operations as it reduces expenses in line with its resources.

### **Guideline 9.1**

The law school must review and revise its record-keeping processes to ensure that all required records are prepared and maintained as required by guideline.

#### **Guideline 9.1(D)**

The law school must adopt, publish, and implement a compliant policy on changes to transcript entries. The school must adopt and implement procedures to ensure that transcripts of transfer students contain all required information. Lastly, the law school must correct the transcripts of all current transfer students to conform to guideline requirements.

### **Guideline Requirements**

1. Request clarity

**Rule 4.240(K)**

Overall, the law school must affirmatively provide accurate and complete financial information, for both past and future projections, and grant access to those responsible for financial matters. The law school must provide the State Bar with complete and clear audited financial statements annually and respond promptly, fully and clearly. The law school must also demonstrate how it intends to remain solvent to provide the services it represents.