



**OPEN SESSION**  
**AGENDA ITEM O-403**  
**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 Major Change – Irvine University College of Law – Change Unaccredited Category from Fixed-Facility Learning to Distance Learning

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**EXECUTIVE SUMMARY**

Irvine University College of Law requests a Major Change from the Committee of Bar Examiners (Committee) to change its registered, unaccredited category from fixed-facility learning to distance learning effective July 1, 2022. (Attachment A.)

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**BACKGROUND**

Irvine University College of Law is an unaccredited, fixed-facility law school located in Cerritos, California. The law school was last inspected in 2018 and found to be compliant.

According to its 2021 Annual Report, the law school enrolls 58 students in its JD program. The law school's most recent pass rates on the First-Year Law Students' Examination were 5.9 percent in October 2020 and 16.7 percent in June 2021. Its most recent cumulative five-year bar pass rate according to its 2021 disclosure pursuant to California Business and Professions Code 6061.7(a) is 30.4 percent.

Under rule for unaccredited law schools 4.246 "[a] registered law school contemplating a major change must notify the Committee and obtain its prior approval before making the change. The notice must explain in detail any effect the change might have on the law school's compliance with." This includes a change of category from fixed facility learning to distance learning. A law

school may only change its category on application to and approval by the Committee pursuant to unaccredited law school rule 4.245, as further described in guideline for unaccredited law schools 1.3.

## **DISCUSSION**

Irvine University College of Law requests permission to implement a major change that will permanently adjust its category as a registered, unaccredited law school from fixed-facility learning to distance learning. The law school decided to request this change based on positive feedback received from both students and faculty regarding teaching online during the pandemic.

As a distance learning law school, the law school will be required to create a JD curriculum requiring the following under guideline 5.3:

- (1) Satisfactory completion of a course of study requiring a minimum of 864 hours preparation and study a year for four (4) years. The year of preparation and study must occur in not less than forty-eight (48) of more than fifty-two (52) consecutive weeks.

In order to exceed this requirement, the law school will create a new schedule consisting of two 24-week semesters comprising a total of 872 hours of total study per year for each of four years. Students will take a class load of eight credits per semester

While at least 135 of these hours must be interactive, the law school plans to required 180-190 interactive hours of synchronous instruction per year.

The curriculum will be redesigned with its current three-unit courses replaced by a series of two- and four-unit courses, including all bar tested subjects and at least three electives. These courses will be designed with the help of online course designers from Westcliff University. Faculty will receive focused training designed to help them maximize their effectiveness in teaching online.

Students will meet the requirement to take at least six units of practical skills training by taking a series of new courses that will be created for this purpose. Externships will also continue to be available.

The law school will be adding two three-unit courses designed to prepare students to take the First-Year Law Students' Examination and the California bar exam, pursuant to the Committee's prior waiver of unaccredited guideline 1.11 that would otherwise prohibit such classes. The law school has been advised that this waiver will be reviewed by the Committee in the new year to be considered for renewal or revision, so the law school must be prepared to adjust if needed.

Each law student's study will be tracked weekly to ensure compliance or address issues promptly as they arise. Professors will take attendance at synchronous classes while students will self-report study hours in the law school's learning management system. They may also be

asked to provide proof of completion for assignments. The law school will proactively advise students if they are in danger of failing to meet the required hours for a particular class or semester.

The law school is already successfully using a commercial online management system, and it plans to purchase an upgraded version as part of the transition to full distance learning.

The law school has also adjusted its academic support offerings to work with the online platform and has been able to increase the total support and career counseling offered. The law school's library will be available online and the required volumes can be verified at its next inspection.

As part of ensuring a successful transition, the law school will be verifying the hours of each student, whether completed under the distance format or the fixed-facility format, to ensure that, in total, they meet the hours requirement to satisfy the legal education eligibility requirements to take the California Bar Exam.

The law school would formally announce the transition to students upon approval by the Committee. Students are already attending classes online, so the modality will not change.

Because the law school will be taking key steps after approval, it may be appropriate to verify completion of these steps prior to the launch of the distance program, as well as to challenge the law school to describe the methods and metrics it will use to establish the effectiveness of the new courses.

The law school is next scheduled to be inspected in 2023, which will allow the Committee timely opportunity to evaluate its progress.

## **FISCAL/PERSONNEL IMPACT**

None

## **RECOMMENDATION**

It is recommended that the Committee of Bar Examiners receives and files Irvine University College of Law's Request for Major Change to transition from the fixed-facility learning category to the distance learning category, still as a registered, unaccredited law school and provisionally grants the request subject to the condition that the law school provides evidence to the State Bar of completion of the key elements described in its proposal no later than March 15, 2022 for presentation to the Committee at its April 2022 meeting.

The materials to be shown to the Committee would be: 1) the redesigned curriculum and credit content, noting the courses qualifying for practical skills training; 2) all class syllabi; 3) verification that communication to students will indicate that some classes will only be offered in-person and establishing whether in-person attendance is required; 4) a copy of the policy

that establishes procedures for verifying each student's preparation and study; and 5) the law school's methods and metrics it will use to establish the effectiveness of the new courses.

## **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 Irvine University College of Law's Request for Major Change to transition to the distance learning category of teaching as a registered, unaccredited law school, and provisionally grants the request effective July 1, 2022, subject to the requirements that the law school provides evidence to the State Bar of the following by March 15, 2022, to be submitted to the Committee for final approval of the transition at its April 2022 meeting: 1) the redesigned curriculum and credit content, noting the courses qualifying for practical skills training; 2) all class syllabi; 3) verification that communication to students will indicate that some classes will only be offered in-person and establishing whether in-person attendance is required; 4) a copy of the policy that establishes procedures for verifying each student's preparation and study; and 5) the law school's methods and metrics it will use to establish the effectiveness of the new courses.

## **ATTACHMENT LIST**

- A. Irvine University College of Law – Request for Major Change to Transition from Fixed-Facility Learning to Distance Learning

## **MAJOR CHANGE REQUEST OF IRVINE UNIVERSITY COLLEGE OF LAW**

### **Conversion of IUCOL into a Distance-Learning Law School**

Pursuant to Rule 4.245 of the *Unaccredited Law School Rules* and Guideline 1.5 of the *Guidelines for Unaccredited Law School Rules*, Irvine University College of Law (IUCOL) respectfully requests approval by the Committee of Bar Examiners (CBE) to make the following major change:

**To convert IUCOL's current designation as a registered, fixed-facility law school to that of a registered, distance-learning law school, effective July 1, 2022.**

As described below, and in support of its major change request, IUCOL's proposed distance-learning program of legal education will comply with each of the following guidelines:

#### **A. Guideline 5.3 - Minimum Requirements for Award of Juris Doctor (J.D.) Degree**

As required by Guideline 5.3(C) of the *Guidelines for Unaccredited Law School Rules*, for students earning a J.D. degree at a registered, distance-learning law school, its program of synchronous, online legal education must require the following:

- (2) Satisfactory completion of a course of study requiring a minimum of 864 hours preparation and study a year for four (4) years. The year of preparation and study must occur in not less than forty-eight (48) or more than fifty-two (52) consecutive weeks. To receive credit for one-half year, a student must have 432 hours of preparation and study in not less than twenty-four (24) or more than twenty-six (26) consecutive weeks.
- (3) Obtaining a cumulative grade point average set by the law school that provides the student a reasonable basis upon which to pass the California Bar Examination; and
- (4) Satisfaction of the legal education requirements to take the California Bar Examination, including passage of the First-Year Law Students' Examination unless exempt from that examination, although the law school is not a guarantor of the student's eligibility to take the California Bar Examination.

To meet the requirements of Guideline 5.3(C) and *California Business Code* § 6060(D), IUCOL's proposed distance-learning J.D. degree program will require students complete a total of 872 hours of "preparation and study" each year (eight hours above the annual statutory minimum of 864 hours) for an additional 32 hours over four years, 3,488 hours versus 3,456. To achieve this goal, IUCOL students will complete a course of study that will combine synchronous, online class attendance, offline study, completion of various course assignments and testing,

To meet its proposed 872-hour annual requirement, IUCOL will adopt a new academic year comprised of two, twenty-four (24) week semesters of continuous preparation and study:

Winter/Spring Semester: January 3–June 20; Summer/Fall, July 5–December 20.

During each such semester, IUCOL students will be required to enroll and complete eight semester units of academic credit (16 units per year) with each unit consisting of 54.5 hours of synchronous online class attendance, offline study, completion of various assignments and testing. By earning eight such units each semester, IUCOL students will complete 436 hours of verified “study and preparation” within 24 continuous weeks to earn a half year of academic credit. Upon completion of two consecutive semesters each academic year, IUCOL student will complete all 872 hours within a 50-week academic year as provided by Guideline 5.3(D).

**B. Guideline 5.9 (C) - Quantitative Academic Requirements: Distance-Learning Schools**

To meet its proposed annual 872 hours requirement, IUCOL will redesign and “build out” each required and elective course it currently offers in its fixed-facility curriculum. As distance-learning courses, each will be reconfigured and taught in either a four-unit or two-unit format.

In each four-unit course students will complete 218 hours of “study and preparation” consisting of 45 hours of synchronous online class sessions (each 2.5 hours/session) taught over 18 sessions, 155 hours of verified individual offline study, completion of 12 hours of assigned homework tasks (CALI<sup>1</sup> podcasts and lessons, CasebookPlus<sup>2</sup> self-testing, written or research assignments), and six hours of testing by means a midterm and final examination.

During each 24-week semester, students in a four-unit course will be required to attend 18 synchronous, online classes taught by IUCOL’s faculty. Fifteen will be online (Zoom) class sessions covering a weekly reading assignment; three other synchronous sessions (one every eight weeks) will consist of a review/tutorial session during which professors will discuss the subject matter taught over the previous eight classes. For four weeks each semester, instead of attending class, students will be required to spend three hours working on various assigned homework tasks which, when complete, will, complete the 12 hours of assigned, offline study. Finally, two, three-hour class sessions will be devoted to a midterm and final examination.

Each two-unit course (taught over 12 consecutive weeks) will require 109 hours of study and preparation to include: 25 hours of synchronous classes over 10 sessions (2.5 hours/session); 75 hours of verified offline study; six hours of homework tasks and written assignments; and three hours of testing. Two classes will consist of review and tutorial sessions.

To complete 436 hours of preparation and study each semester, IUCOL students will be required to enroll in either two, four-unit courses (218 hours each) or a four-unit course and

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<sup>1</sup> IUCOL is a member of the Center for Computer Assisted Legal Instruction (CALI), a consortium of 200+ law schools (almost exclusively ABA and CALS) that offers a wide array of online audio lectures, lessons and e-casebooks covering every subject in a J.D. curriculum, in addition to academic support resources for first-year students

<sup>2</sup> CasebookPlus is an online academic support service offered by the West Publishing Company consisting of essay and multiple-choice questions and electronic access to West hornbooks and study aides that are all linked to West’s newest editions of its casebooks. All IUCOL students will be required to purchase access to CasebookPlus.

two, two-unit courses (109 hours each). As provided by Guideline 5.9(C), with their completion of 436 required hours of preparation and study within each 24-week semester, IUCOL student will earn a half year of credit toward their eligibility to take the First Year Law Students' Examination (FYLSE) and, once passed, a half year of eligibility credit to take the California Bar Examination (CBX). Thus, under its proposed new semester configuration, IUCOL students who earn 16 units of credit over two consecutive, 24-week semesters will, as also provided by Guideline 5.9(C), compliantly earn a full year of credit within each 50-week academic year. In doing so over four years, they will be statutorily eligible to register for and take the CBX.

Finally, in further compliance with Guideline 5.9(C), during each academic year IUCOL students will be required to attend a total of 180-190 hours of synchronous "interactive" class sessions, depending on the number of four-unit and two-unit courses they complete. As such, they will significantly exceed the 135-hour minimum mandated by Guideline 5.9 (C).

### **C. Guideline 5.10 - Content of Curriculum**

As provided by Guideline 5.10:

A law school is not required to follow a specific curriculum and is free to set the number of units of study allocated to individual courses. A law school must design its curriculum offerings, units per class or course, and requirements for graduation in a manner consistent with Unaccredited Law School Rule 4.240(E) and its own goals. The curriculum must include the subjects tested in the California Bar Examination, but the only subject students are required by the Committee to take a course in is Professional Responsibility.

In converting to two longer semesters (24 weeks versus 16 weeks), and by redesigning its curriculum into four-unit and two-unit courses, IUCOL's distance-learning curriculum will both comply with Guideline 5.10 and allow it to strengthen its J.D. degree program. Currently, all courses in its fixed-facility curriculum are taught in three-unit increments, with several key courses (Contracts, Torts, Constitutional Law, Civil Procedure, Evidence) taught in two, three-unit increments (Contracts I & II, Torts I & II, Constitution Law I & II) for a total of six units.

Upon receiving permission to operate as a distance-learning law school, all courses IUCOL's current curriculum will be redesigned and taught in two and four-unit semester increments. For each required course, including all covering subjects tested by the CBX, IUCOL students will continue to be required to earn six units by completing a four-unit course in one semester and a two unit in the next. For example, during their first year, IUCOL students will be required to take four-unit courses in Contracts I, Torts I and Criminal Law (currently only a three-unit course) and enroll in a two-unit Torts II and Contracts II course in the following semester.

Several other courses taught in the second through fourth years of the proposed curriculum, including several tested on the CBX (Constitutional Law, Civil Procedure, Real Property, Evidence) will similarly be taught in four-unit and two-unit course configurations instead of the current two, three-unit configurations. Other required courses (Business Associations, Will/Trusts) will be taught as four-unit courses, while a few required courses (Community Property, Criminal Procedure, Remedies) will be taught as two-unit courses. Students will also

be required to enroll in three elective courses (e.g., Employment Law, Elder Law, Bankruptcy, Law Office Management) each of which will be taught as a two-unit course.

As mandated by Rule 240(F) (competency training), IUCOL students will be required to enroll in at least six-units in courses that teach “practice-based skills and competency training.” To meet this requirement IUCOL will develop and offer new courses (e.g., electronic discovery, mediations, arbitrations) to be taught in two-unit increments. In doing so, IUCOL students will be required to enroll in three, instead of only two courses, to meet this requirement.

Designing and teaching each such practice-based/competency skills course online will be done compliantly. Given the current reality and prevalence of online, remotely administered mediations and arbitrations, along with some court hearings for the foreseeable future, competent and ethical attorneys are now adept in the use of such technology in their litigation and mediation practices. Teaching such skills to future attorneys online will only enhance their future effectiveness as litigators in the years to come.

As provided by Guideline 1.5, if approved as a distance-learning law school, IUCOL may exercise its right to provide a few of its redesigned or new courses (both covering substantive subjects and practice skills) in an on-site mode where the 45 or 25 hours (depending whether a four or two-unit course) of synchronous class sessions) would be taught on IUCOL’s campus in Cerritos. Such new courses as mediations or arbitrations could be developed and then taught as online hybrids to help student learn the relevant practice skills now being used by those practicing.

As provided by Guideline 5.8 (Externship, Clinical, Law Review and Similar Programs), IUCOL will continue to offer students the opportunity to earn academic credit by means of participating in a supervised externship. Over the past two years, during the pandemic, several IUCOL students have successfully completed externships working for practicing attorneys. Each did so remotely, and all reported that their externship was an excellent educational experience that offered real-world practical experience. Meeting with their supervising attorney online proved to enhance both the quality and quantity of time students spent with their attorney during their internship, while a few were even able to attend remotely conducted court proceedings during the day they would have otherwise not been able to attend due to their work schedule.

Finally, to help improve its students’ success rate on the FLSX and its graduates’ pass rates on the CBX, and as permitted by the CBE’s temporary waiver of the credit prohibitions found in Guideline 1.11, IUCOL students will also be offered three-unit courses designed to help them prepare them for the FLSX and, upon passing that examination, to help them pass the CBX.

To comply with Rule 420(E) and Guideline 5.10, IUCOL’s distance learning J.D. curriculum will be based upon completion of 64 units earned through 24 courses (21 required/three electives) teaching all subjects tested on the California Bar Examination, including Professional Responsibility and six units of practice-based skills and competency training as required by Rule 4.240 of the *Unaccredited Law School Rules*. All, as described above will be taught using Zoom given its ease of use, affordability and the excellent quality of its audio and video functions.

#### **D. Compliance with Guideline (C) - Verification of Students’ Study and Preparation**



Currently under Guideline 5.3(A), in attending a fixed-facility law school, IUCOL's students must attend a minimum of 270 hours of in-class attendance. All such attendance is taken and verified each week of the semester in each class by the professor teaching. Attendance rosters are maintained and monitored by IUCOL's registrar and assistant registrar to identify those students who have been marked absent and, by additional absences, are in danger of not attending at least 80% of all class sessions. After each absence, a student is informed of the minimum attendance requirement in each course and alerted that they will not be granted credit should their absences exceed the minimum required by Guideline 5.3(A).

Under its proposed distance learning program, responsibility for tracking and recording each student's hours of "study and preparation" over the course of each semester will be shared by the student, the professors teaching and IUCOL's administrative staff. Together, each enrolled student will be tracked on a weekly basis to confirm the number of hours of study and preparation each is entitled to claim compliantly toward their course requirements.

As required by 5.3(C), IUCOL will develop and adopt a sound "written policy that establishes procedures for verifying each student's preparation and study." IUCOL's policy will rely on both electronic and written means to verify a student's completion of all hours each course requires, including all hours of synchronous class attendance, the number of hours of offline study they complete, and their completion of all hours of mandatory offline homework.

The means to track and verify all such hours will include the following: As is done currently, student attendance in each synchronous class session (45 hours total for a four-unit course, 25 for a two-unit course) will be recorded in class rosters by professors in each course and then electronically reported to and electronically recorded by IUCOL administrators.

Using Moodle (IUCOL's online learning management system) students will be required to verify that they completed each mandatory "homework" assignment as each is specified in each course syllabus to claim credit for the hours assigned to each task. Depending on the course, students will verify completion of 12 hours in a four-unit course or six in a two-unit course of all assignments listed in each course syllabus as assigned by each professor. Such assignments will include a set number of hours to complete assigned podcasts or lessons on CALI, self-testing using the banks of multiple choice or essay question found in CasebookPlus for each course using a West Publishing casebook, or any other assigned reading or written tasks as required in each course syllabus.

To record and verify the total of hours of offline study as required in each course, IUCOL students will be required to submit computer screen shots from CALI or CasebookPlus confirming completion of each assigned tasks to IUCOL administrators, along with a weekly written course study log signed and verified confirming that they have completed the minimum number of hours completing all offline assigned reading, study, and review. Finally, the hours attributed to testing (six in a four-unit course, three in a two-unit course) will be verified upon each students' submission of each examination given in each course.

On a weekly basis, all hours of class attendance and verified hours of offline study and those devoted to completing “homework” by each IUCOL student will be recorded in an electronic spreadsheet by an IUCOL administrator who will be assigned (as they are now) to track each student’s progress as they complete all hours assigned in each course in which they are enrolled. Thus, as now, an IUCOL administrator will track and then notify each student on a weekly basis of their total number of hours as the semester progresses. Whenever a student’s reported hours fail to meet the 80% threshold for their synchronous class attendance, or if their hours are below the hours assigned each week for offline preparation and study and homework completion, an IUCOL administrator will notify them that they are at risk of not earning credit in any course in which their attendance in class sessions or completion of all additional hours falls below the minimum required for the semester.

**E. IUCOL’s Use of Current and New Online Resources in a Distance Learning Program**

To support its proposed distance learning program, IUCOL will rely upon its current online learning management system (LMS) known as Moodle. The law school’s faculty and students currently use Moodle to post course content, syllabi, and access Zoom. An upgraded version of Moodle will be acquired to track and verify students’ hours spent outside of class as they study and complete all course requirements. Moodle will also be used as a means for professors to post additional course reading and work assignments and as a forum for students to post their responses for review and grading.

In each future course syllabus, Moodle will be used to enhanced and incorporate online links to various academic support resources such as to assigned CALI podcasts and lessons, essay and/or multiple-choice questions found in the CasebookPlus site for each of the West casebooks now used in all IUCOL courses. Overtime, use of Moodle will be expanded to support and enhance the content of each course as it is redesigned and revised.

A new and better designed Moodle page will be created to be used by the law schools as central repository of announcements, community news and issues of interests, as posted by IUCOL’s dean, administrators, and faculty. Students will be encouraged to contribute and, when necessary to post questions or comments or points of interests to the IUCOL dean, administrators, and faculty. Using Moodle in such a fashion is expected to increase and enhance the amount and degree of communications throughout the IUCOL community.

IUCOL will continue (as it has under its pandemic waiver) to use Zoom to allow its students, faculty, and staff to communicate more effectively, and more often. As required by Guideline 5.13, Zoom has provided IUCOL students with a far more effective means to meet with their professors and, as they are encouraged to do so, with each other through course study groups. Free from the need to meet only on campus, always for brief periods of time before or after class, IUCOL students and faculty members will be encouraged to meet online at different dates and times (including weekends) for purposes of added review or whenever a class session has been or needs to be rescheduled. As a result, student interaction with their professors will be increased and enhanced, permanently, once IUCOL becomes an approved distance-learning law school.

To support its current and future use of all the technology required to teach its proposed distance-learning program, IUCOL is fortunate to benefit from the technology and staff provided by its affiliated educational entity, Westcliff University. As a WASC accredited institution, Westcliff University has designed and offers numerous online programs offering both undergraduate and graduate degrees. Through its shared ownership with IUCOL, Westcliff's senior management has long maintained a policy to offer IUCOL with technological support as needed. This policy includes providing a full-time Westcliff employee to provide tech support to IUCOL students, faculty members and administrators as needed.

With the very able assistance of this dedicated technology support employee and the technological expertise of its administrative staff, since the onset of the COVID-19 health crisis, IUCOL has already begun its transition to an entirely electronic system of record keeping, including all student and faculty files, student transcripts and all other records and reports as required by Guideline 9.1. All such records are maintained on both an internal computer data base, temporary storage and use of Google Documents and then permanent and secure storage (compliant with Guideline 2.11) in a computer backup device. As it transitions to a remotely operated law school permanently, use of all such technology will continue to be enhanced and used exclusively to make the storage and use of all information, records, and transcripts as or even more secure than when stored in hardcopy.

#### **F. Providing Student Services in IUCOL's Proposed Distance Learning Program**

If approved, IUCOL proposed program will continue to provide students with the same administrative and academic services online as were once were offered on campus. Through email, the telephone and Zoom conferences, IUCOL students now greater access to IUCOL's dean and administrators than ever before. In no longer having to wait until they were on campus to in have an in-person meeting to discuss an issue, IUCOL students will be able (as they have during the pandemic) to schedule and attend meetings with the law school's dean, registrar, or director of student services anytime during regular business hours.

Similarly, use of Zoom conferencing has and will continue to enhance and improve IUCOL's ability to provide students with academic support. Weekly academic support sessions are offered to all first-year students free of tuition. When offered on campus, there were limited to 50-60 minutes but now, as offered online, sessions are often 90-120 minutes in length. As to offering better career services, using Zoom, IUCOL is planning to hold an annual, online conference and Q&A session where IUCOL graduates practicing law (throughout Southern California) will be invited to meet with IUCOL students to discuss career opportunities, the nature of their respective practices and means to build a law practice. Before having access to Zoom, it was difficult to schedule such a meeting or to find IUCOL alums willing to commute to campus. Eliminating the need to commute or travel will make such sessions both better attended and therefore more helpful to IUCOL' current students.

#### **G. IUCOL's Compliance with Library Requirements as a Distance Learning Law School**

As required by Guidelines 6.2, 6.5 and California Rule of Court 9.30 of the *Rules Regulating Admission to the Practice of Law in California*, IUCOL will continue to offer students 24/7

access to an online library throughout their enrollment in its J.D. degree program. As required, all IUCOL students will continue to have access to LexisNexis from their first day in the IUCOL program to their last. Moreover, as required by Guideline 6.3, IUCOL students are provided instruction in electronic-based legal research and the functionality of an online law library. They first receive such instruction during their first year of law study and, again, after passing the FYLSX, by completing the required course of Advanced Legal Writing.

As required by Guideline 6.2, IUCOL currently maintains and will continue to maintain all current casebooks and texts used in each course offered in its curriculum. Accordingly, IUCOL will be fully compliant with all electronic and hardcopy library requirements required of a distance learning curriculum.

#### **H. IUCOL's Continued Compliance with the *Guidelines for Unaccredited Law School Rules***

Since its last periodic inspection, conducted in April of 2018, IUCOL has been operating compliantly with all academic and scholastic standard and all operational policies and procedures mandated by the *Guidelines for Unaccredited Law School Rules*. Based upon the completion of all remedial efforts needed to correct each point of noncompliance found during the inspection, at its meeting of January 31, 2020, the Committee of Bar Examiners IUCOL found that all mandatory and suggested recommendations adopted from the periodic inspection report had been fully completed and carried out. See, Attachment A.

Moreover, since the onset of the COVID-19 health emergency and its operation under the Committee's class attendance waiver, IUCOL has continued to operate compliantly to enroll new students, conduct and teach each course in its curriculum and operate as it has for decades while using Zoom to provide synchronous, online class attendance. As noted in its quarterly reports, its successful use of Zoom over the past 18 months, along with the many benefits and the positive response from its students and faculty that motivated IUCOL's ownership to seek approval for IUCOL to operate permanently as an online, distance learning law school. Operating as such for over 18 months has provided IUCOLs administrative staff, its dean and entire faculty an excellent tutorial on how to operate and teach in a purely online environment which will provide valuable insight once approval is received and the work of revising and redesigning its program can begin.

Thus, based upon its prior efforts to correct and remedy all issues of non-compliance as previously reported, along with its ongoing success over the past 18 months to transition and operate as a fully, online law school through its use of various online resources (Zoom and Google Drive), IUCOL should be viewed as both now experienced and well qualified to take the proposed step of redesigning its curriculum to operate compliantly with all of the Committee's *Rules* and *Guidelines* that will govern it as a distance learning law school.

Upon receiving approval, IUCOL ownership, dean and administrators are fully committed to make all necessary changes and revisions to its policies, procedures, and academic standards such that it expects to be found, during its next periodic inspection (due in 2023), to be operating compliantly under the *Guideline* as they apply to a distance learning law school.

## **I. Proposed Transition and Implementation of IUCOL's Distance Learning Program**

Upon receiving Committee approval to change its designation at its meeting in December, IUCOL will immediately begin planning to offer its distance learning J.D. degree program to a new cohort students expected to enroll in July 2022. As proposed, in converting to an academic year with two semesters, IUCOL will continue to operate with two admissions start dates, July for the summer/fall semester and January for the winter/spring semester.

To meet this proposed goal of admitting new students into its approved distance learning program, IUCOL will have over six full months (December 2021 through June 2022) to carry out all that will be needed to offer all its students (both new and currently enrolled) courses designed to meet the academic and eligibility requirements discussed.

To accomplish that goal, IUCOL will offer additional compensation to its current faculty members to work with online course designers from Westcliff University to revise and redesign each course syllabus so that each course is structured to be taught over 24 weeks or 12 weeks (depending on whether the course is four or two units) and to incorporate the required hours of assigned homework tasks. Being able to “build out” each course that is expected to be offered in the 2022 summer/fall semester will be relatively easy since all such courses have been in the IUCOL curriculum for years and that the educational content needed to add 12 or six hours of assigned tasks from online sources (CALI, CasebookPlus) are already available and currently being used by students and professors in IUCOL's current curriculum.

To meet a July 2022 deadline to become fully operational in offering a distance learning program, IUCOL's ownership is willing to commit all necessary resources to see that all courses planned for the summer/fall semester will be ready to be taught. Such resources will include financial expenditures to create a new website, increase faculty salaries and to provide the technological and pedagogical resources of Westcliff University to see the program and courses described above, once approved, become fully operational.

As an example of the expenditure of such resources, and to strengthen the educational experience for all who choose to enroll in IUCOL's distance learning program, IUCOL professors who will teach each of the newly designed courses will be offered the opportunity to attend training sessions (taught by Westcliff faculty who train its own online professors) to help them improve both their online teaching skills and course pedagogy.

As for IUCOL's currently enrolled students, including fourth-year students expecting to graduate in 2022, completion of their remaining year(s) of law study in a distance learning program should pose no discernable issue or problems. As described above, IUCOL will plan to offer all newly revised and redesigned second through fourth year courses during the 2022 summer/fall semester. Other than requiring all such students to complete more hours of offline study (including assigned “homework” for the first time), all currently enrolled students will continue to be able to complete the courses they need to earn their J.D. degree and, if they are a fourth year student, to earn the last half year of their eligibility credit to be able to take the CBX in February 2023.

The same will be true for all IUCOL's current first year students, both those who are now enrolled and those who are expected to enroll in what is expected to be IUCOL's final semester as a fixed-facility law school. As they have for decades, and as confirmed by the Eligibility Department of the Office of Admissions, all IUCOL first year students who enroll in at least three first-year courses during the 2022 spring semester (which will run from January 3, 2022, through May 14, 2022) will earn a half year of FYLX eligibility credit.

For those who have already earned a half year of such credit, as planned, they should be found eligible to take the June 2022 administration of the FYLSX. For those who enroll in January 2022, they too will be able to earn a half year of credit during the spring 2022 semester and then, assuming it is approved, to earn their second half year of credit enrolled in the new summer/fall semester set to start on July 5, 2022, and end in December. If they do, they would then be eligible to take the next FYLSX administration in June of 2023.

To provide as much advance notice to its entire current enrollment, if Committee approval is received in early December, a formal announcement will immediately be sent to all currently enrolled students to inform them that IUCOL has been given approval to begin operating as a distance learning law school in July 2022. In this announcement (followed up with an online "townhall" meeting of students, faculty, and administrators), the details of the new IUCOL academic year, how all J.D. courses will be revised and redesigned and the new (and significantly higher) "preparation and study" hours will be discussed thoroughly.

Such good news, however, will not come surprise to any currently or newly enrolled IUCOL students since, for the past year, students have been informally apprised of IUCOL's intent to seek approval to become a distance learning law school. Given that its entire program has for over 18 months been offered exclusively online, virtually all IUCOL students who have continued their enrollment since the start of the COVID-19 health crisis, and all who have been admitted enrolled since August of 2020, have been aware that the law school would almost certainly never return to campus and offer courses taught in on-site classrooms.

However, once the details of the new program are made know, should any currently enrolled students not wish to continue their law studies at IUCOL and choose to transfer to a law school that is now or will then be taught by means of a fixed-facility program, IUCOL will do all that is needed to facilitate their transfer to any such law school as soon as possible.

## **J. Conclusion**

Based upon the details of its proposed program of distance learning education, IUCOL respectfully requests the approval of the Committee of Bar Examiners, pursuant to Rule 4.245 and Guideline 1.5, to grant its major change request to change its designation as a registered fixed-facility law school to that of a distance learning law school, effective as of July 1, 2022.