



# The State Bar *of California*

---

OFFICE OF ADMISSIONS

**OPEN SESSION**  
**AGENDA ITEM O-409**  
**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 Waiver – Lincoln Law School of Sacramento – Teach Classes Online Temporarily

---

## EXECUTIVE SUMMARY

Lincoln Law School of Sacramento seeks the Committee of Bar Examiners' (Committee) approval to teach blended online/classroom classes through August 2022. After that point, the law school will teach in this format permanently, as approved by the Committee at its August 2021 meeting. (Attachment A.)

---

## BACKGROUND

Lincoln Law School of Sacramento is an accredited law school located in Sacramento.

The law school was last inspected in 2017 and found to be compliant. According to its 2021 Annual Report, the law school enrolls 226 students in its JD program. Its Minimum, Cumulative, Five Year Bar Exam Pass Rate (MPR) trend for the most recent four years is: 2018 MPR 66.7 percent; 2019 PR 60.8 percent, 2020 MPR 60.1 percent; and 2021 MPR 66.3 percent.

In August 2021, the Committee approved Lincoln Law School of Sacramento's request to permanently change its program to offer all classes synchronously online and in the classroom, effective fall 2022, which was the date requested by the law school. In the meantime, the law school planned to teach classes in person. With the emergence of the Delta variant of COVID-19, however, the law school saw significant demand to continue online class delivery. As a result, it has been delivering each class in a blended format, utilizing simultaneous synchronous online

delivery and classroom delivery for each class. About 30 percent of students are currently attending remotely.

The law school seeks permission to continue to deliver JD classes in this manner from January 2022 through August 2022 as well. After that, the law school's permanent program will be in place.

The Committee's general waiver for fixed-facility law schools to teach classes online that has been in place since March 30, 2020 will expire on December 31, 2021. The Committee requested that fixed-facility schools who saw a pandemic-related need to teach classes online beyond that date should file individual waiver requests, as the law school has done here.

Under Rule 4.109, "[a] law school may request that the Committee waive any rule. The request must clearly show that the law school otherwise complies with these rules . . . and a waiver is temporary."

Here, the law school is making a temporary request through August 31, 2022.

## **DISCUSSION**

Recently, the Committee closely evaluated the law school's plan to teach simultaneous blended classes and granted that request. Here, the law school is already providing that type of class delivery under the Committee's general waiver, and seeks to continue it during the spring semester until the format is permanently approved as of fall 2022.

The Committee recently determined that the law school's proposal to deliver classes in this manner was compliant. Since that time, the law school has invested in additional improved screens and microphones to further improve the delivery as stated, further strengthening its educational program.

## **FISCAL/PERSONNEL IMPACT**

None

## **RECOMMENDATION**

It is recommended that the Committee of Bar Examiners receives, files and grants Lincoln Law School of Sacramento's request for waiver as set forth in Attachment A to teach classes using blended instruction teaching classes sessions synchronously online and in-person August 31, 2022.

## **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, files and grants Lincoln Law School of Sacramento's request for waiver to teach JD classes using blended instruction teaching classes sessions synchronously online and in-person through August 31, 2022.

## **ATTACHMENT LIST**

- A.** Lincoln Law School of Sacramento – Request for Waiver and Major Change

**Lincoln Law School of Sacramento**

Major Change Request

October 20, 2021

**Request:**

Lincoln Law School of Sacramento (LLS) is requesting to temporarily continue synchronous remote instruction, (as needed), as currently offered in the on-site program, to students through July 31, 2022. This request does not pertain to the approved hybrid JD program tentatively scheduled (Pending WSCUC approval) to be offered in early 2022.

**Background:**

Due to the pandemic, in March 2020 LLS transitioned to synchronous remote instruction via Zoom. For the duration of 2020 through August 2021 all classes were delivered in a synchronous remote format through the Zoom platform and examinations were delivered remotely through ExamSoft, and utilized the Exam Monitor features.

In fall 2021, LLS had planned on resuming all in-person instruction, however with the emergence of the COVID-19 Delta Variant, and concern from some of LLS student body, LLS opted to provide students with the option of attending in-person or remote synchronous format. LLS provided this option through December 31, 2021, as permitted by the Committee of Bar Examiners of the State Bar of California (Bar) and the Western Association of Schools and Colleges (WSCUC).

Shortly before the fall 2021 semester began, LLS communicated with current and enrolled students regarding the law school's remote synchronous format course offering and option for in-person instruction. The documents provided to students included COVID-19 School FAQ and a petition for remote instruction. In August 2021 LLS submitted a COVID waiver progress report to the Bar, which included this documentation and other communication provided to students.

LLS had a portion of the student body petition for remote instruction. Many of the petitions cited health or personal concerns, the inability to be vaccinated due to medical reasons, or caring for/living with at-risk family members.

As done in fall 2021, the school encouraged all students to attend onsite, and anticipates that in the spring and summer semesters, all faculty and the majority of students will be attending in-person. However, LLS anticipates that some students will be unable or unwilling to attend courses in-person depending on the state of the pandemic at the time the semesters are scheduled.

Currently, LLS has approximately 70% of students attending fully on-site and 30% remote synchronous format. LLS's class administration is all done synchronously, with all professors teaching on-site at the school and some students attending in-person and some attending remotely via Zoom. Professors are informed in-advance of those students attending remotely and in-person to better facilitate and engage their class. Each classroom contains a laptop, microphone, camera, speakers, projector and screens to facilitate classroom instruction for in-person and remote students, who are taught simultaneously. LLS also recently purchased new microphones to allow for students attending remotely to better hear their professor and classmates attending in-person. The classroom projectors include a shared Zoom screen for students attending in-person the ability to see their classmates remotely. Those attending

remotely can see their professor and when the camera is turned, can see their classmates attending in-person. All students have the opportunity to see material, such as PowerPoint presentations or videos shared by the professor in real-time. Students attending remotely and in-person have the opportunity to ask questions and engage in classroom discussion. LLS is continuing to explore additional options to further enhance the classroom audio and visual components for students attending remotely.

All student mid-term and final examinations are done on-site at LLS, with remote and in-person students in separate classrooms to provide for social distancing. Examinations will be done through ExamSoft (not including ExamMonitor since all exams will be held at the school), which is the software currently and previously used by the school.

LLS has also benefited from the technology utilized in the remote classroom over the last 18 months. Since the pandemic, LLS has made a number of changes to its students support services, include the additional of West Academic Study Aids Collection, and the hiring of a full time Student Resource Center (SRC) Director, who is a licensed attorney to support with tutoring and study skills, etc. Since early October, the SRC has been delivering small group tutoring sessions and workshops remotely. Student orientation, student organization meetings, and communication with the school's administrative staff has been done remotely (via phone and/or zoom), in-person or a combination of the two since March 2020. LLS will continue to provide students with the same access to all services and resources through the temporary authorization for remote instruction.

In addition, on October 8, 2021 LLS's other accreditor, WSCUC, provided all accredited institutions the option for temporary authorization for remote instruction for the Spring and Summer 2022 semesters (through July 31, 2022).

LLS has complied and will continue to comply with all State Bar and WSCUC requirements regarding temporary remote instruction.