



OPEN SESSION
AGENDA ITEM O-406
MARCH 2022
COMMITTEE OF BAR EXAMINERS

DATE: March 18, 2022

TO: Members, Committee of Bar Examiners

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

SUBJECT: Report on Progress Regarding Recommendations from the Inspection Report of Peoples College of Law

EXECUTIVE SUMMARY

This agenda item presents Peoples College of Law's progress report, documenting its progress completing the recommendations adopted by the Committee of Bar Examiners (Committee) after considering the law school's most recent inspection report. (Attachment A). Staff requests the assistance of the Committee to obtain the follow up information needed to complete the analysis of the progress report.

BACKGROUND

Peoples College of Law is a registered, unaccredited fixed facility law school founded in 1973 and located in Los Angeles, California. The law school prepares students to practice public interest law.

The law school was last inspected by the State Bar on January 14-16, 2020. Registered, unaccredited law schools undergo inspection every five years to confirm continuing compliance with the Rules for Unaccredited Law Schools and their guidelines.

After the Committee reviewed the resulting inspection report and response from the law school, it renewed the law school's registration with the following contingencies. First, the law school was directed to file a progress report each year along with its Periodic Compliance

Report due by November 15, 2022 each year, establishing sustained compliance. (See [Item O-406, Committee of Bar Examiners Meeting, Aug. 21, 2020](#)). Next, the Committee further indicated that failure to maintain full compliance would result in the issuance of a Notice of Noncompliance.

In 2020, PCL provided a timely progress update submitted with its 2020 Annual Report, further amended in May 2020, addressing compliance as to each recommendation. The Committee also granted the law school a waiver of time to complete the purchase of required library books, since students were attending class remotely due to the pandemic.

In 2021, PCL required extensions to turn in its Annual Report and progress report, originally due on November 15, 2021, but ultimately submitted both documents in December 2021. The law school's progress report related to the inspection is attached. (Attachment A). Staff has requested follow up information after reviewing the report and other correspondence related to the report, but the law school has not responded in some cases and has provided incomplete responses in other cases.

Staff requests the assistance of the Committee to seek a response to its informational requests in order to help the Committee fully evaluate the law school's compliance status.

DISCUSSION

After reviewing the inspection report, the Committee required PCL to address the following recommendations. The original recommendations are listed first, followed by a summary of law school's current status in italic font below each recommendation. The law school's most recent full progress report is attached. (Attachment A).

Overall, the law school asserts that it has maintained or enhanced compliance the areas listed below. After reviewing the evidence provided by the school and other feedback received regarding the school, staff has outstanding questions, but the law school not yet responded. For example, the catalog provided as evidence of progress and posted online for students and the public appears to be out-of-date and in draft format, including notes about policies to be adjusted. The law school was advised in writing to adjust the catalog, but as of the time of this memorandum has not done so. Therefore, it is unclear whether this is a clerical mistake or some other factor is involved.

RECOMMENDED MANDATORY ACTIONS

- 1. Guidelines 1.9 and 2.10:** To achieve full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy.

Subsequent to the inspection, the law school adopted a compliant policy, provided the State Bar with a copy of that policy, and described how the policy has been implemented to date.

2. **Guideline 2.2(B):** To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications.

Subsequent to the inspection, the school published a consolidated policy, provided a copy of that policy to the State Bar, and implemented that policy. The most recent report described continued consistent implementation of that policy. The law school must confirm that it is documented correctly in the most updated version of its catalog, and be sure that law students understand both payment plans and refund requirements, and that students can write to a law school email to find out more, rather than a personal email.

3. **Guideline 2.3(B):** To bring itself into full compliance, the school should remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years, and inform students in the Catalog that electives are not taught each year, but are offered from time to time based on student interest and instructor availability.

Subsequent to the inspection, the school updated the course list, deleting two courses that were not being offered, and adding the language regarding the frequency with which the remaining courses are offered. The law school advises that this list is updated and compliance has been maintained. Two electives were offered this past summer, Criminal Defense and Eviction Defense.

4. **Guideline 2.3(D):** To bring itself into full compliance, the school should demonstrate that the disclosure statements required by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7, and Rule 4.241 have been implemented accurately, completely, consistently, and as mandated.

Subsequent to the inspection, these disclosures were corrected and completed and posted. The law school described continued implementation in its most recent progress report.

5. **Guidelines 2.9(A)-(B) and 5.24:** To bring itself into full compliance, the school should demonstrate that the Catalog and other publications set forth the school's academic standards and student assessment policies accurately, clearly, consistently, and as mandated.

Subsequent to the inspection, the school provided a version of its Catalog which appears to be a draft. The draft is also posted online. The draft contains notes, as well as additional policies that need to be amended. The State Bar notified the law school of this and asked the law school to update or replace the catalog or confirm if it was an administrative error. The law school has not yet responded, so compliance cannot be confirmed.

6. **Guideline 2.9(C):** To bring itself into full compliance, the school should adopt, publish, and implement a policy, including oversight provisions, to ensure that students are provided with written statements of the components of course grades.

Subsequent to the inspection, the school adopted a compliant policy, provided the State Bar

with a copy of that policy, and implemented the policy by loading syllabi into the school's learning management system where students can access them. The law school must still implement the components for three courses, and the law school is encouraged to require completion of this step before offering a course.

- 7. Guideline 2.9(D):** To bring itself into full compliance, the school should adopt, publish, and implement a policy on authentication of student work, and discontinue its current practice of allowing students to take in-class exams using devices that are not protected by exam-security software.

Subsequent to the inspection, the school advised that it adopted a secure testing policy that requires exams to be proctored in person or proctored remotely through Microsoft Teams.

- 8. Guidelines 2.10 and 5.17:** To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements.

Subsequent to the inspection, the school adopted a compliant policy, and provided the State Bar with a copy of that policy. The law school's information system has been updated to hold grades until the administrative review is complete and the grade review Committee has begun meeting. The law school must advise when the Committee has fully undertaken its work, how the work is measured, and whether any changes are made as a result.

- 9. Guidelines 2.11, 7.1, and 9.1:** To bring itself into full compliance, the school should adopt policies and procedures that are adequate to protect the school's digital records.

Subsequent to the inspection, the school purchased Populi, a commercially available package designed for schools and containing the recommended safeguards. The school will complete phase one of its data loading plan by August 2021, and the full data loading is nearly complete as of the time of the filing of the progress report.

- 10. Guideline 3.1:** To bring itself into full compliance, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE's standards, including written job descriptions for the dean and registrar, and adequate oversight provisions.

Subsequent to the inspection, in 2020, the school increased the paid hours of the administrator from part-time to full time, and secured volunteer assistance from the dean, the Board, and alumni. The school has created job descriptions for its key administrators, and formed a development committee that meets weekly.

In 2021, however, it appears there was a reduction in administrative support. The prior dean was retired and spent significant time operating the law school. The current dean has another full-time job.

Since this change, the law school's inspection report and progress report were delivered late. In addition, the law school has not timely responded, or has not responded at all to staff requests regarding the catalog, clarification of credit calculation, updating an outdated

catalog, or responding to general informational requests. It also appears that there are instances in which the volunteer staff (only the administrator is paid) have used their personal email accounts to communicate with students, potentially creating a recordkeeping issue, and the need to determine whether or not the law school is following its own internal policies.

Staff recommends that the Committee consider further inquiry into this item to determine the law school's level of compliance.

- 11. Guidelines 4.8 and 4.9:** To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements.

Subsequent to the inspection, the school adopted a compliant policy and provided a copy of the policy to the State Bar. The policy has been implemented. In 2020, the law school completed 30 faculty evaluations. This policy continues and staff are evaluated using a consistent form.

- 12. Guidelines 5.3(A)(1) and 5.9:** To bring itself into full compliance, the school should adopt, implement, and publish attendance policies and procedures that: require student attendance at no less than 80 percent of the regularly scheduled class hours for each course during a particular term, not a series of courses over two or more terms; provide for accurate and timely maintenance of records; and eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities.

Subsequent to the inspection, the school adopted a compliant policy, provided a copy to the State Bar, and implemented the policy. Attendance is tracked by instructors or the registrar and recorded in Populi.

- 13. Guideline 5.8:** To bring itself into full compliance, the school should demonstrate that its clinical courses meet all Guideline 5.8 requirements, including maintenance of records for each student in the course.

Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy. The law school now requires students to fill out and submit timesheets as a mandatory requirement for all clinical courses, and the registrar reviews the timesheets to confirm the required hours. The law school has created an instructional sheet to document the proper way for students to fill out their timesheets.

- 14. Guidelines 5.17, 5.18, and 5.25:** To bring itself into full compliance, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students receive adequate feedback on their exam performance.

Subsequent to the inspection, the law school has adopted a responsive policy that limits the contribution of class participation points and has guidelines and procedures to limit grade inflation. The law school has also implemented a policy requiring professors to provide

constructive feedback as to each student's exam performance.

- 15. Guidelines 5.18-5.20:** To bring itself into full compliance, the school should adopt, publish, and implement policies for academic advancement that adhere to the school's academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines.

All identified policies were reviewed and updated in a compliant manner or deleted according to the law school, but the posted catalog suggests that further review is required.

- 16. Guideline 5.24:** To bring itself into full compliance, the school should revise and republish its course repetition policy to meet all requirements of the guideline.

Subsequent to the inspection, the school adopted a compliant policy, provided a copy of the policy to the State Bar, and implemented that policy. The law school's new policy still allows for retaking of the course examination multiple times, which must be revisited in order to achieve full compliance.

- 17. Guidelines 6.2-6.4:** To bring itself into full compliance, the school must devise a plan and a timeline to return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement.

Subsequent to the inspection, the school did confirm that legal research is being taught using both hard copy and electronic resources, and the syllabi were updated appropriately. In the progress report, the law school advises that it has renovated the library space that had previously been destroyed by fire, but recently learned that additional fire damage remains. As a result, the law school must divert funds received from a bequest to fix the roof rather than to purchase library books. The law school therefore requests an extension of its waiver to August 2022 to purchase the required volumes when students return to campus.

- 18. Guidelines 7.1 and 7.2:** To bring itself into full compliance, the school should maintain essential and permanent hard-copy records in fire-safe lockable cabinets, maintain all electrical equipment in working order, and provide digital projection equipment adequate to meet the needs of faculty and students.

Subsequent to the inspection, the school transferred files to lockable, fire-safe cabinets. Projectors were replaced with other technology options.

- 19. Guideline 9.1:** To bring itself into full compliance, the school should adopt and implement a policy to ensure that records are fully compliant with Guideline 9.1, that the law school has

adopted written procedures, including oversight provisions, of record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D).

Subsequent to the inspection, the school adopted compliant policies, and provided copies to the State Bar. The law school will use Populi to store the required files going forward with backups in hard copy. In cases where the correct materials were not retained, copies are being requested where possible and policies are in place to ensure collection and retention of the proper files going forward. It is important for the law school to evaluate the practice in which volunteer administrators can use their personal emails, perhaps limiting the law school's recordkeeping ability.

SUGGESTIONS FOR MAINTAINING CONTINUED COMPLIANCE ADOPTED BY THE COMMITTEE

1. Pursuant to Guidelines 2.9(C) and 5.13, it is suggested that the school require faculty to use a standard syllabus template to promote consistent communication of course requirements.

Subsequent to the inspection, the school purchased a commercially available software package that includes a standard syllabus template used in all courses. Three courses must still transition to using this system.

2. Pursuant to Guidelines 2.11, 7.1, and 9.1, it is suggested that the school base its data security policies and procedures on generally accepted industry standards, consulting with an expert if the expertise is not available within the school.

Subsequent to the inspection, the school purchased commercially available software package with these features. All data is now stored in the system on a forward basis and a significant amount of history is also being loaded. The law school also purchased the appropriate storage containers for files held only in hard copy, such as data more than ten years old.

3. Pursuant to Guidelines 5.14 through 5.16 and 5.25, it is suggested that the school adopt and implement a procedure requiring that exam questions, accompanied by issue outlines or model answers, be reviewed, and approved by the dean or another legal educator before being administered.

Subsequent to the inspection, the law school created a proposed policy, provided a copy of that policy to the State Bar, and formally adopted the policy in September 2021.

4. Pursuant to Guidelines 5.17, 5.18, and 5.25, it is suggested that the school adopt and implement a procedure requiring grades and student exams papers to be reviewed and approved by the dean or another legal educator before being posted.

Subsequent to the inspection, the law school implemented a pilot policy, adjusted the policy based on the results of the pilot, provided a copy of the amended policy to the State Bar,

and scheduled the amended policy for further discussion by the school's board this past summer, and the policy is still under discussion.

The law school has maintained its prior progress related to a number of the recommendations, but more information is needed to fully evaluate the progress report, especially as to items 2, 5, 6, 8, 10, 15, 16, and 19. It is recommended that the Committee direct the law school to amend and refile its progress report within 30 days, to be reviewed by the Committee at a future meeting.

RECOMMENDATIONS

It is recommended that the Peoples College of Law December 2021 Progress Report on Compliance with Recommendations in its State Bar Inspection Report of 2020, be received and filed. It is further recommended that the law school's request to extend its waiver of time to August 2022 to come into compliance with the library requirements be granted.

It is also recommended that the law school be directed to amend its progress report to fully address all items, with special emphasis on items 2, 5, 6, 8, 10, 15, 16, and 19.

The requirement for the law school to file an additional progress report along with the Periodic Compliance report each December should remain unchanged.

PROPOSED MOTION

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

MOVE, that the Committee receive and file the Peoples College of Law Updated December 2021 Progress Report on Compliance with Recommendations in its State Bar Inspection Report of 2020, as set forth in Attachment A.

FURTHER MOVE, that the law school's request to extend its waiver of time to fulfill the library requirements to August 2022 be granted.

FURTHER MOVE, that the law school be directed to file an updated progress report within 30 days. If the law school does not provide a timely response, the Committee may issue a Notice of Noncompliance to seek the information needed to carry out its regulatory duties and gather the necessary information. The law school will still be required to file a progress report with its 2022 Periodic Compliance Report and each compliance report until the law school is inspected again, as previously directed by the Committee.

ATTACHMENT LIST

- A.** Peoples College of Law November 2021 Progress Report Regarding Compliance with Recommendations in State Bar Inspection Report of 2020

PEOPLE'S COLLEGE OF LAW

UPDATED NOVEMBER 2021 PROGRESS REPORT

ON COMPLIANCE WITH RECOMMENDATIONS

IN STATE BAR INSPECTION REPORT OF 2020

Updated December 4, 2021

RECOMMENDED MANDATORY ACTIONS IN 2020 INSPECTION REPORT 1.

Guidelines 1.9 and 2.10:

Bar's Inspection Report

“To achieve full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*”

PCL'S Progress Report

As noted in the Inspection Report, PCL adopted a compliant policy some months ago. One provision of the policy is: “Once each calendar month, the Administrator shall distribute a reminder of this Student Privacy Policy, with its full contents, to the Registrar, the Dean, and all officers, members of committees, members of the Community Board, employees and Faculty Members, by automatically scheduled email or otherwise.” Starting at the beginning of this academic year, we have complied by distributing the policy by email every month to the required recipients. Our Student Information System, Populi, has been distributing it automatically on the first of every month to every student by sending them an individual email and copying the Administrator.

2. Guideline 2.2(B)

Bar's Inspection Report

“To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications. *Subsequent to the inspection, the school published a single clear policy, and provided a copy of that policy to the State Bar.*”

PCL'S Progress Report

As noted in the Inspection Report, PCL adopted a compliant policy some months ago. This new policy appears in our Tuition and Enrollment Agreement and our Student Handbook & Catalog. In late August and early September 2020, the students signed their Tuition and Enrollment Agreements, with the refund policy prominently displayed. At the beginning of every quarter and

before they can enroll in classes, each student has to read and sign the Tuition and Enrollment Agreement, which they have again done for the Fall and Winter Quarters of 2021 (2021-2022 Academic Year). The Student Handbook & Catalog, with the new refund policy, is posted on our website.

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3. Guideline 2.3(B) Bar's Inspection Report

“To bring itself into full compliance, the school should remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years, and inform students in the Catalog that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability. *Subsequent to the inspection, the school updated the course list, deleting two courses that did not meet these criteria, and added the language regarding frequency.*

PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by deleting from the Student Handbook & Catalog the courses required to be deleted. Also, this past summer (2020) we had two elective courses, clinical courses on Criminal Defense and Eviction Defense. It was the second year in which the clinical course on Criminal Defense was given, the first year for Eviction Defense.

4. Guideline 2.3(D)

Bar's Inspection Report

“To bring itself into full compliance, the school should demonstrate that the disclosure statements required by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7, and Rule 4.241 have been implemented accurately, completely, consistently, and as mandated. *These disclosures have been corrected and implemented.*”

PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by correcting, revising and implementing the disclosures. Since then, the required disclosures were made in the Tuition and Enrollment Agreements signed by each student at the start of the Fall and Winter quarter. The Rule 2.3(D) disclosure has been updated to reflect the change in the principal method of instruction, a change caused by COVID-19, from physical classroom instruction to online interactive instruction. On October 18, 2020, well before the deadline in Rule 4.241, our prior Dean Ira Spiro signed and sent to the State Bar the certification of compliance required by the rule. In connection with preparation of the Annual Compliance Report, the Business and Professions Code section 6061.7 disclosure is being updated.

5. Guidelines 2.9(A)-(B) and 5.24

Bar's Inspection Report

“To bring itself into full compliance, the school should demonstrate that the Catalog and other publications set forth the school’s academic standards and student assessment policies accurately, clearly, consistently, and as mandated. *Subsequent to the inspection, the school provided evidence of the updates as required.*”

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PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by revising these policies as required. One of the changes in our policies has to do with student privacy. Specifically, our Student Handbook & Catalog now prohibits students from participating in proceedings involving possible academic disqualification of other students without consent of the student in jeopardy of disqualification. Likewise, it prohibits students from participating in academic grievance proceedings without the consent of the student who made the grievance.

6. Guideline 2.9(C) Bar's Inspection Report

“To bring itself into full compliance, the school should adopt, publish, and implement a policy, including oversight provisions, to ensure that students are provided with written statements of the components of course grades. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*”

PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by revising the policies as required. The Dean has reviewed the syllabi that have been entered into Populi, our electronic information system, and finds that all but three professors have included, in their syllabi, written statements of the components of course grades, but two of those are pass-fail courses.

Attachment 1 to this report is examples of the statements of the components of course grades, contained in faculty members' syllabi.

7. Guideline 2.9(D)

Bar's Inspection Report

“To bring itself into full compliance, the school should adopt, publish, and implement a policy on authentication of student work, and discontinue its current practice of allowing students to take in-class exams using devices that are not protected by exam-security software. *Subsequent*

to the inspection, the school advised that it is actively evaluating options to implement secure testing.”

PCL’S Progress Report

During the Fall Quarter of 2020, PCL adopted the following policy and procedures on authentication of student work:

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POLICY/PROCEDURES TO AUTHENTICATE STUDENT WORK

A. Exams: All exams must be given using Microsoft Teams. If the exam is given remotely, the monitoring function of Teams must be used. If the exam is given in the classroom, the instructor or a non-student substituting for the instructor must be present during the entire exam to monitor the students. Students who handwrite exam answers must have all their electronic devices turned off. Students who answer the exams by Teams on a computer must have all their other electronic devices turned off. If the exam is given remotely, all students must have their video activated during the entire exam, but exceptions are allowed for student who encounter technical problems that result in the student not being able to have their video activated.

(The Faculty-Curriculum Committee notes that exams are given with Microsoft Teams. Teams requires students to register for each exam. The students' exam answers are sent to the Microsoft Teams account and only accessible through Teams. When taking the exams, the students' computer screens are locked upon being opened by the student, and thus the students cannot access other materials while the test is being taken. While taking the exam, the student is observed by the exam proctor through the webcam. The students' exam answers are submitted to the proctor through the students' Microsoft Teams account.)

B. Remote Class Participation: In all classes given remotely every student should have their video activated during the entire class, unless the student has hardware or software issues related to their computer or internet service provider or an extraordinary circumstance.

(The Faculty-Curriculum Committee notes that online classes are given via Zoom only. The students attend class via Zoom. The students’ names are shown during the class. The students are on camera during the class. Students speak during the classes, and their voices also identify them.)

8. Guidelines 2.10 and 5.17

Bar’s Inspection Report

“To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*”

PCL'S Progress Report

We have begun implementing our new administrative grade review policy. Our committee in charge of it, the Faculty-Curriculum Committee, has met to formulate plans for the first implementation.

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Registrar/Administrator has adjusted our Student Information System to hold the grades for administrative review before the grades are issued to students and entered in their transcripts.

9. Guidelines 2.11, 7.1, and 9.1

Bar's Inspection Report

“To bring itself into full compliance, the school should adopt policies and procedures that are adequate to protect the school's digital records. **Subsequent to the inspection, the school purchased Populi, a commercially available package designed for schools containing the safeguards identified in this report.** Populi is the main database the school is currently using.

PCL'S Progress Report

Our Registrar/Administrator has largely completed the very substantial job of entering the digital records into Populi.

10. Guideline 3.1

Bar's Inspection Report

“To bring itself into full compliance, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE's standards, including written job descriptions for the dean and registrar, and adequate oversight provisions. ***Subsequent to the inspection, the school hired a paid full-time administrator, and secured significant volunteer assistance from the dean, the Board, and alumni. The school will monitor the adequacy of its administrative capacity. The school also created compliant job descriptions for both the dean and the registrar.***”

PCL'S Progress Report

Our Registrar/Administrator continues working full-time. During this Fall and Winter quarters, others have greatly contributed to the school's administrative work. Following are some examples. Our current President, who was previously the Board Treasurer, pitched in when our Administrator had a medical emergency and had to take sick days until she was able to return to work. Our current Dean has also pitched in to assist when we were short-handed. Our current President, when he was the Treasurer also organized faculty, alumni and together with our Registrar, conducted our student orientation and our fall faculty meeting at the start of the 2021-

2022 Academic Year in late August 2021. It should be noted that People's College of Law is a nonprofit corporation. This type of corporation has members rather than shareholders, and PCL's members are students, faculty, alumni and former board members and officers. Our Development and Fundraising Committee, whose members are alumni, has weekly meetings with our professional fundraiser, and has begun planning an online fundraising event, which will be termed "PCL Alumni Reunion" We hope to attract alumnae by showcasing pictures of their graduating class and furthering our school's mission to get licensed attorneys who are social justice advocates into the communities that need them the most.

11. Guidelines 4.8 and 4.9 Bar's Inspection Report

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"To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

PCL'S Progress Report

We use a standard evaluation form.

12. Guidelines 5.3(A)(1) and 5.9

Bar's Inspection Report

"To bring itself into full compliance, the school should adopt, implement, and publish attendance policies and procedures that: require student attendance at no less than 80 percent of the regularly scheduled class hours for each course during a particular term, not a series of courses over two or more terms; provide for accurate and timely maintenance of records; and eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

PCL'S Progress Report

As noted in the Inspection Report, some months ago we adopted the required policy. Our instructors have been the ones to take attendance, and then report it to the Registrar/Administrator, who enters it in Populi.

13. Guideline 5.8

Bar's Inspection Report

"To bring itself into full compliance, the school should demonstrate that its clinical courses meet all Guideline 5.8 requirements, including maintenance of records for each student in the course.

Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.”

PCL’S Progress Report

As noted in the Inspection Report, some months ago we adopted the required policy. Below is an instructional message sent to the students which explains how to fill out timesheets.

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From: Ira Spiro

Sent: Monday, June 29, 2020 6:49 PM

[names of recipients omitted from this report]

Subject: TIMESHEETS for CLINICAL CLASSES - MUST BE FILLED OUT BY STUDENTS TO GET CREDIT

Importance: High

Dear PCL SUMMER Students

Because of State Bar requirements, **you have to fill out timesheets in order to get credit for our clinical courses.** A form timesheet is attached, an Excel spreadsheet. It's very easy to use. I filled them out every day, all through the day,

when I was practicing law. Here’s what to do:

Download the attachment to your computer.

Type your name and the course name at the top.

If you’re taking both clinical courses, you’ll have to have two separate timesheets, so save it twice, each with a different name for use by your computer.

Fill them out every day when you’re done with work for the day. Way too hard to wait, say, a week, and try to remember your time at the end of the week. This is very good practice for when you become a lawyer, because most all lawyers have to fill out timesheets

“Date” column: When you start typing the date, e.g. 6/29, the year gets filled in automatically.

“Hours” column: You can round to the nearest quarter hour, for example .45, 1.75, 2.25. (But when you practice law, you should round to nearest tenth.)

“Task” column: What you fill in can be very short. For example, “attend Zoom” or “draft letter” or “draft memorandum” or “phone call to prof”. You can use abbreviations if you’re sure you’ll remember what they stand for. For example TC for telephone call, dft for draft, memo is fine for memorandum.

Email them to me every Friday when you’re done with your work that day.

State Bar requires someone on faculty to monitor the students, and it's going to be me.

If you have any questions about this, give me a call (310-235-2350), or send me an email.

Remember, my phone doesn’t receive texts.

14. Guidelines 5.17, 5.18, and 5.25

Bar's Inspection Report

“To bring itself into full compliance, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students receive adequate feedback on their exam performance. *Subsequent to the inspection, the school began addressing this issue and it continues to discuss further options with priority.*”

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PCL'S Progress Report

The Inspection Report does not reflect a number of very important improvements PCL made between the time the report was first published by State Bar staff and the time it was adopted by the Committee of Bar Examiners. Therefore, we discuss those changes below, although we did report them during the summer of 2020.

In addition, recently the Dean formulated a policy to require that students receive adequate and substantial feedback on their exam performance. It was furnished to State Bar staff. Adoption of a policy on this subject is scheduled to be considered at the next meeting of our board of directors.

Policies to Eliminate Grade Inflation

The Inspection Report, on page 15, referring to the 2014 inspection, states:

“To address grade inflation, PCL adjusted its grading scale and urged instructors not to inflate grades. PCL did not, however, adopt other policies to control inflation, such as administrative review of grades prior to their release, or reasonable limits on the extent to which grades may be based on class participation, including attendance. As concluded in 2014, a sound grading program would limit participation points to no more than three [of 100], and the award of points based on attendance is “clearly inappropriate” in light of Guideline 5.3(A)(1) minimum attendance requirement. PCL’s policy allows up to thirty percent of a course grade to be based on participation.”

In the summer of 2020 we did adopt the policies recommended in that paragraph. They are now in the Student Handbook & Catalog and the Faculty Handbook, as follows:

Grading Standards:

It is of primary importance for PCL students and all of PCL that the students have a realistic picture of a realistic picture of their outlook for passing First Year Law Students Exam (FYLSX) and Bar Exam. The pass rates for both exams have been very low. For example, the pass rate for the July 2019 Bar Exam was 14.4% for California Unaccredited law schools and 18.8% for California-Accredited (non-ABA) law schools.

On the FYLSX of June 2019, the pass rate was 23.5% for all takers and 28.1% for California Unaccredited Fixed-Facility law schools (PCL is in that category). Students' ideas about their chances on these exams are very likely influenced by their law school grades. If a student receives high grades, that is likely to raise the student's expectations of passing the FYLSX and the Bar Exam, but because of the low pass rates on the exams, the heightened expectations could well be unrealistic. In light of these and similar considerations, PCL has adopted these Grading Standards for all examinations and final grades (grades for the full quarter) in all courses that are not graded pass-fail. NOTE that in the grouping of grades in the table below, C- grades are grouped with the D grades. That is because at PCL, in order for a student to advance to the next academic year and graduate, the student must have a grade point average of C or better.

90 - 100 (A+, A and A-)	Grades in this range should be only for very superb, outstanding work, not merely the best work among the students. The best work is often not in the A range. On an essay exam, the student should not only have identified all issues, but should have done a very superb, outstanding job of analyzing the issues. Sometimes there will be no grades in this range on an exam or for a quarter. This range should be under 10% of the grades, occasionally as much as 10%.
80 – 89 (B+ , B and B-)	Grades in this range should be only for excellent work, not merely good work. On an essay exam, the student should have identified all issues, and should have done an excellent job of analyzing the issues. This range should be under 20% of the grades, occasionally as much as 20%.
73 – 79 (C+ and C)	Grades in this range should comprise by far the largest share of the grades, often higher than 50%. But these grades are for good work, not necessarily average work, because the average might be less than good. A PCL student must have a C average or better, not C-, for all quarters, in order to advance to the next academic year and in order to graduate.
60 – 72 (C- to D-)	Grades in this range are for work that is somewhat less than good (C-) to work that is poor (D+ and D) to work that is marginally passing (D-). Unfortunately, this range will often comprise 15% to 20% of the grades, sometimes higher than 20%.
59 and below (F)	Failing. Unfortunately, there will often be multiple failing grades, even in a small class. A failing grade is not just for work that is entirely lacking – it is also for work that shows some grasp of the subject of the exam or course, but very little. On an essay exam, the student might have identified and discussed some issues but still receive an F. In a multiple-choice exam, if a student has correctly answered up to 59% of the questions, the grade will still be an F.

... class participation must not count for more than three percent (3%) of the final grade in a course, and attendance may not be counted at all towards the grade, inasmuch as minimum 80% attendance is required.

Administrative Review of Grades

In September, 2021, our Board adopted the following Administrative Review policy:
The Committee of Bar Examiners (CBE) has notified Peoples College of Law (PCL)

and many other law schools to guard against grade inflation. This has led to an administrative grade review policy as described below.

1. Before exams are administered, faculty will need to submit their exams and rubrics/issues outlines/model answers to the Faculty and Curriculum Committee (FCC) to review. The FCC will then assign reviewers, which can include the Dean, and other members of the FCC to review the exams and rubrics/issues outlines/model answers. Current faculty or student members of FCC cannot review their own exams and rubrics/issues outlines/model answers. Faculty will be informed of this policy at the orientation, and/or upon coming on board as a PCL faculty member.

2. Faculty will be provided a copy of the grading policy, and will be reminded of the grading policy for exams to be anonymous. Prior to grades being due, the faculty will once again be sent a reminder of the school's grading policies and to be mindful of grade inflation.

3. Once final exams have been conducted and after grades are entered in Populi, but before they are published (Populi calls this "finalizing"), the Administrator will review the grades to ensure they adhere to PCL grading policies, that grades are not inflated, and that there is no wide disparity in the grades among several instructors teaching the same group of students. The Administrator can use the grading matrix below as a general guide when considering grade inflation. The Administrator will notify the Dean and the FCC if there are grades that appear to have been inflated and if there is such a disparity so the committee can review.

4. The reviewers would include members of the FCC, the Dean, and former faculty members, but faculty would not, review their own grades.

5. If an instructor's grades appear to be inflated, the instructor will be sent a courtesy courteous letter asking them to review and reconsider their grades. This courtesy letter should be sent along with the same grade inflation notice that was sent prior to grade submission regarding grade inflation.

6. The instructor will review their grades and notify the FCC of any grade changes following their own review. If the instructor does not find any changes to be made, they will be asked to provide a short narrative explaining why they determined grade inflation is not present, or confer with the FCC and the Dean regarding the revisions. The reviewers will respect the faculty's professional judgment and may not override the grades, unless it is such a substantial departure from accepted academic norms as to demonstrate that the faculty did not actually exercise professional judgment.

7. Once the grades have been decided, they will then be sent to the Administrator to be published/finalized in Populi, and sent to the students. Faculty must use the grading matrix set out below. The matrix provides considerable flexibility. We are also providing a sample grading rubric for the exams to all faculty as a template.

The reviewers would study the grades for adherence to PCL grading policies. If the grade reviewers find deficiencies, they would communicate with the faculty member about curing the deficiencies and changing the grades. The Dean or the Faculty- Curriculum Committee or both would participate in those discussions and decisions on changing grades. When the decisions are made, the grades would then be sent to the Administrator for release to students.

Improvements in Eliminating Faculty Turnover

The 2014 Inspection Report observed (p. 9):

“PCL operates with an all-volunteer, adjunct faculty and has someone so since its founding [it remains true in 2020]; a clear testament to the faculty’s dedication to PCL’s mission of public service. One negative aspect of a volunteer faculty, however, is that PCL experiences a higher rate of faculty turnover than most law schools where faculty members are paid even a modest stipend or salary. ... on average, 20% of PCL’s faculty appears to be new each academic year.”

That turnover situation has been reversed. In the last academic year, 2020-2021, all faculty members except three taught at PCL the previous year, 2019-2020. Faculty turnover in the current 2021-2022 Academic Year had been on the decline previously as well.

15. Guidelines 5.18–5.20

Bar’s Inspection Report

“To bring itself into full compliance, the school should adopt, publish, and implement policies for academic advancement that adhere to the school’s academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines. *All identified policies were updated, and non-compliant policies deleted.*”

PCL’S Progress Report

The problem was some inappropriate policies. PCL has eliminated them, so by the very nature of this item 15, no further progress is needed or possible.

16. Guideline 5.24

Bar’s Inspection Report

“To bring itself into full compliance, the school should revise and republish its course repetition policy to meet all requirements of the guideline. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*”

PCL’S Progress Report

As the Inspection Report notes, some months ago we adopted the required policy. The policy concerns limitations on repeating courses. As stated above, last fall a student had petitioned for permission to attempt to raise a failing grade. In order to raise the grade, the student had to take a new exam or complete some other assignment to be determined by the instructor and the Faculty-Curriculum Committee working together. It is possible for students to choose instead to convert the petition to one for repetition of the course pursuant to the new policy.

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17. Guideline 6.2–6.4

Bar’s Inspection Report

“To bring itself into full compliance, the school must devise a plan and a timeline to return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement. *Subsequent to the inspection, the school did confirm that legal research is being taught using both hard copy and electronic resources, and the syllabi are being updated appropriately.*”

PCL’S Progress Report

PCL has devised the requested plan regarding the library. It was set out in our 2020 Annual Report. It reads as follows:

PLAN TO RETURN TO COMPLIANCE: The brother of PCL founder, attorney Hank di Suvero, who died this year, had offered to donate funds for the library. Our plan is to use the money to restore the library to usable condition and purchase the books needed to bring the required hardbound books up to date, all to be completed by August 31, 2022. Our Board of Directors approved this plan on October 18, 2020.

The damage to the library was the destruction of part of its unique domed roof. The roof has now been repaired, which involved reconstruction of part of the domed roof. However, we recently discovered that there is further damage to the roof. At their last monthly meeting, in November 2021, the board approved another bid for another roof repair. Since our school still is conducting classes remotely, and has been since March of 2020, no students have been on campus to use the library. Thus, the library has not been opened for use. Some clean-up of the library is still needed before it opens for use. The donation was only enough for the repair and reconstruction, not for the purchase of books. We do have the very large majority of the specified hardbound books, but not all of them or our book subscriptions. Currently our plan is to request an extension of time to comply with the hardbound library provisions, to August 2022, the same time to which the

waiver of the requirement for in-person instruction was extended by the Committee of Bar Examiners.

We do still believe that the hardbound library requirement, which does not apply to other categories of California law schools, should not be applied to our category, as we have explained previously. Further, given the ongoing SARS-Cov-2 Pandemic, we believe we should further assess whether we should restore the library, given that students have been using the Los Angeles County Law Library, whenever they've needed access to hard copy law books.

18. Guidelines 7.1 and 7.2

Bar's Inspection Report

“To bring itself into full compliance, the school should maintain essential and permanent hard-copy records in fire-safe lockable cabinets, maintain all electrical equipment in working order, and provide digital projection equipment adequate to meet the needs of faculty and students.

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Subsequent to the inspection, the school transferred files to lockable, fire-safe cabinets; projectors were replaced with other options. Also, the only person who has keys to the records room is the Administrator. Not even the janitor has keys to that room, where the fire-safe cabinets are.

PCL'S Progress Report

PCL purchased four matching, locking, letter-size FireKing fireproof file cabinets. We took delivery of them at our building and locked our paper files in them.

19. Guideline 9.1

Bar's Inspection Report

“To bring itself into full compliance, the school should adopt and implement a policy to ensure that records are fully compliant with Guideline 9.1, that the law school has adopted written procedures, including oversight provisions, of record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D). *Subsequent to the inspection, the school adopted compliant policies and provided the State Bar with copies of those policies.*”

PCL'S Progress Report

Last year, our Registrar/Administrator reported as follows to the Bar and the Committee:

New Student Information System

To streamline and organize student records, faculty records, and other required organizational documentation, Peoples College of Law has fully transitioned to Populi, a web- based Student Information System (SIS) to electronically maintain and store school records in a secure and confidential environment.]

Our system manages and stores student transcripts, student attendance (for online and in- class instruction) & participation records, academic programs & courses, course mapping for students and course rosters as well as provides reporting analytics to give perspectives on student data through particular data sets. The SIS also tracks a prospective student's application process and generates applicant reports for accepted and rejected applications. Once a student is enrolled, student agreements, billing (including invoices, payments, transactions, deposits, and tax forms) are also stored electronically. Faculty, the Administrator, and Registrar currently have detailed information on students' grades and attendance in courses, with student course summaries and reports.

Our SIS system also has group sections that will accommodate our committees and store committee documents including minutes & agendas.

In addition to the SIS, the administrator maintains hardcopy files for students, administrative personnel, and faculty in fireproof, securely locked file cabinets.

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PCL Files and Records

In preparation for the 2020 State Bar of California inspection, the administrator completed a thorough assessment of the school's files and records that fall under Rule 9.1 in the Guidelines for Unaccredited Law School Rules. Much of the reason that the school's records and files were out of compliance at that time was because there has not been a systematic uniform process set for each administrator who has worked at the school over the past several years. Files and records that were not compliant post inspection, the prior administrator continued to reconcile the deficiencies to complete the records.

There are only a few remaining noncompliant files under the Unaccredited Law School Rules Division 9.1 requirements are: faculty files, administrative personnel, and the file of all examinations given in the last (5) years.

Faculty Files: To prevent noncompliance within the faculty records, our Faculty & Curriculum Committee are developing policy to request transcripts prior to hiring interviews or requiring them during new faculty onboarding.

Administrative Personnel Files: Several administrative personnel files are missing all or part of the required personal histories giving undergraduate education, graduate education, and law school education (if any) listing years attended, degrees conferred and summaries of professional

careers and qualifications for being administrative personnel. The administrator is currently going through archived materials for older administrative personnel files. The administrator has requested information from current administrative personnel who have files missing the required information and will continue to follow up with those persons who are still missing some of their personal history.

File of Examinations: As required under 9.1(F), all examinations given in the last five years are to be kept in a file for inspection by the Committee. The prior administrator had been making best efforts to compile administered midterm and final exams for the past five years. For exams given in the 2019-2020 academic year, administrator has created a hard copy file and had actively been adding exams as they are administered. Our current Administrator only works remotely for the time being, so this project/task has been postponed until community infection conditions abate. Our student information system (which has already been implemented for faculty this 2021 Academic Year) facilitates the creation of tests by instructor which are saved electronically per course as well as permits uploading of exams created outside of the SIS. Further, our current administrator is developing protocols to collect the hard copies of the exams as part of the administrator's checklist re: maintenance of required records.

Record Retention and Disposal Policy:

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The school is also developing a policy for record retention and disposal and a retention schedule to ensure we keep records according to the State Bar Rules and Guidelines.

New Policy on Changes to Entries in Transcripts

PCL has adopted the following new policy on changes to entries in transcripts:

Changes to entries on a PCL transcript may be made only upon a showing of good cause. However, a contention or possibility that a grade given by an instructor was not justified shall not be good cause or an acceptable reason for a transcript change. If a present or former student wishes a change to an entry on the person's transcript, the following procedures apply

1. The present or former student must submit a written application to the Dean, specifying the change requested and the reasons for it. The application must include any documentation or evidence supporting the application.
2. The Dean must investigate the facts and circumstances pertinent to the application. In doing so, the Dean must read the entire application and materials submitted with it. The applicant shall have the right to speak with the Dean in support of the application, and to have an attorney or other representative do so as well. If the applicant requests the Dean to listen to any other person with information pertinent to the application, the Dean shall do so, but the Dean need not listen to an excessive number of such persons. The Dean may also communicate any person who may have information pertinent to the application, including but not limited to any present or former faculty member. The Dean may also speak with the Registrar, the Administrator and any other

person with information pertinent to the application. The Dean may also consult any person outside PCL who has expertise on the subject of transcripts, but shall maintain the confidentiality of the student's information by not disclosing the identity of the applicant. Before the Dean transmits to the applicant the Dean's decision on the application, the applicant may submit additional materials to the Dean, who must read them if time permits.

3. Within thirty days after receiving the application, the Dean must render a written decision on it and transmit the decision to the applicant. The Dean shall cause the application and decision and any materials the Dean read or considered in connection with the application to be placed in the applicant's student file. If the decision is that a change is to be made, the decision must specify the change, and if the applicant has not requested an appeal within the fourteen days to appeal, Dean shall transmit the decision to the Registrar, who shall make the specified change on the transcript, and place on the transcript a notation of the reason(s) for the change.

4. The applicant may appeal the decision of the Dean to the Community Board, but may do so only by transmitting to the Chair of the Board a request for appeal within fourteen days of receiving the Dean's decision. In the request, the applicant must state whether the applicant consents to participation in the appeal by student members of the Community Board. The Community Board may delegate the appeal to the Executive Committee. Within thirty days after the Chair receives the request for appeal, the Community Board or the Executive Committee, as the case may be, shall render a written decision on the appeal, and transmit it to the applicant. The Chair shall cause the request for appeal and any materials read or considered in connection with the appeal to be placed in the applicant's student file. If the decision on appeal is that a change is to be made, the decision must specify the change, and the Chair shall transmit the decision to the Registrar, who shall make the specified change on the transcript, and place on the transcript a notation of the reason(s) for the change.

5. No student member of the Community Board or the Executive Committee shall participate in the appeal unless the applicant consents in writing to participation by students.

RECOMMENDED SUGGESTIONS IN 2020 INSPECTION REPORT 1. Bar's Inspection Report

"Pursuant to Guideline 2.9(C) and 5.13, it is suggested that the school require faculty to use a standard syllabus template to promote consistent communication of course requirements."

PCL'S Progress Report

As we have said, PCL's new Student Information System has electronic features that enable the school to create global rubrics for use in any or all the courses. Those features can also be used to create a standard syllabus template.

2. Bar's Inspection Report

“Pursuant to Guidelines 2.11, 7.1, and 9.1, it is suggested that the school base its data security policies and procedures upon the recommendations of generally accepted industry standards, consulting with an expert if the expertise is not available within the school.”

PCL’S Progress Report

As we report above, our data security is provided by the security protections of our new Student Information System, Populi. Populi’s website states the following, among other things, concerning its security protections:

*“Populi’s servers are stored in an SSAE 16 Type II compliant data center that is physically secured behind a battery of compartmentalized security zones with biometric access controls. Numerous security, power supply, and infrastructure redundancies layer on additional safeguards. ****

“We built Populi on the open-source ‘LAMP’ stack (Linux, Apache, MySQL, PHP), availing you of the same powerful, secure technology undergirding web companies like Google, Vimeo, Facebook, and Amazon.”

3. Bar’s Inspection Report

“Pursuant to Guidelines 5.14 through 5.16 and 5.25, it is suggested that the school adopt and implement a procedure requiring that examination questions, accompanied by issue outlines or model answers, must be reviewed and approved by the Dean or other legal educator before being administered.”

PCL’S Progress Report

Our Faculty-Curriculum Committee and our former Dean formulated a procedure as stated above, requiring that examination questions, accompanied by issue outlines or model answers, must be reviewed and approved by the Dean or other legal educator before being administered. It was furnished to State Bar staff. Adopted of a grade review policy on and was approved by the PCL Board of Directors on September 19, 2021, see supporting documentation in attachment 38.

4. Bar’s Inspection Report

“Pursuant to Guidelines 5.17, 5.18, and 5.25, it suggested that the school adopt and implement a procedure requiring that grades and student examinations papers must be reviewed and approved by the Dean or other legal educator before being posted.

PCL'S Progress Report

In the Fall of 2021, we adopted a procedure requiring that grades and must be reviewed and approved by the Dean or other legal educator before being posted. After implementing it in the fall quarter, we have been evaluating and revising it. Our Faculty-Curriculum Committee and Dean formulated a revision and furnished it to State Bar staff. The revision adds the requirement that student examinations papers, as well as grades, must be reviewed and approved by the Dean or other legal educator before grades are posted. Adoption of a revision is scheduled to be considered at the next meeting of our board of directors.