



OPEN SESSION
AGENDA ITEM O-402
AUGUST 2022
COMMITTEE OF BAR EXAMINERS

DATE: August 19, 2022

TO: Members, Committee of Bar Examiners

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

SUBJECT: Action on Extension of Waiver to Teach Classes Online Due to COVID – Peoples College of Law

EXECUTIVE SUMMARY

Peoples College of Law is a registered, unaccredited fixed-facility law school that has filed a request to the Committee of Bar Examiners' (Committee) to extend its waiver to teach classes online temporarily due to COVID from the current deadline of August 31, 2022 to August 31, 2023. (Attachment A).

BACKGROUND

Peoples College of Law is an unaccredited, fixed-facility law school located in Los Angeles California. The law school was last inspected in January 2021, with its progress report being reviewed today in a separate agenda item.

According to its 2022 Annual Disclosure, the law school enrolled 23 students in its JD program as of September 15, 2021. Its most recent cumulative, five-year bar exam pass rate according to its 2021 disclosure pursuant to California Business and Professions Code 6061.7(a) is 29 percent.

Under Rule 4.208, "[a] law school may request that the Committee waive any rule or guideline [though] . . . a waiver is temporary."

The Committee of Bar Examiners instituted a waiver that allowed all fixed-facility schools to teach classes online from March 30, 2020 through December 31, 2021. Fixed-facility law schools that wished to continue to operate under a pandemic-related need to teach classes online beyond that date were directed to file individual waiver requests.

The law school would like to extend its waiver currently set to expire at the end of the month through August 31, 2023 as set forth in Attachment A.

DISCUSSION

Peoples College of Law has been temporarily teaching its classes online due to COVID since March 2020, first under a general waiver granted by the Committee to request a waiver to teach online during the pandemic ([O-400, Committee of Bar Examiners Meeting, Mar. 30, 2020](#)), and later via a waiver provided directly to the law school through August 31, 2022. ([Item O-412, Committee of Bar Examiners Meeting, Dec. 3, 2021](#)). The law school seeks to extend this waiver for an additional school year through August 31, 2023.

The law school intends to return eventually to full-time in-person teaching and planned to do so this fall. Recently, however, several students and faculty strongly requested that classes continue to be offered online due to concerns related to COVID. Several faculty members indicated that they will not teach in the fall if classes are in-person.

Because the law school is small, and because it installed a new computer system recently, the law school has been able to transition to delivering classes online.

Public health data show spikes in positivity rates during the holidays last year as well as over the summer (See e.g. California Department of Public Health Dashboard <https://covid19.ca.gov/state-dashboard/>).

RECOMMENDATION

It is recommended that the Committee of Bar Examiners receive, file and grant Peoples College of Law's request for waiver to teach classes online temporarily through August 31, 2023.

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 receive, file and grant Peoples College of Law's request for waiver to teach classes online through August 31, 2023.

ATTACHMENT LIST

- A.** Peoples College of Law – Request for Waiver



PEOPLES COLLEGE OF LAW

660 South Bonnie Brae St., Los Angeles, CA 90057

Telephone 213-483-0083

Training Peoples Lawyers Since 1974

July 29, 2022

Committee of Bar Examiners
The State Bar of California
180 Howard St.
San Francisco, CA 94105
By Email

Re: Request for Further Extension of Permission for Online Classes

Dear Committee of Bar Examiners:

The People's College of Law requests that the Committee of Bar Examiners extend its permission for online classes for fixed-facility law schools into the next academic year, 2022-2023. We ask that the extension be at least until the end of calendar year 2023, that is, through August 2023.

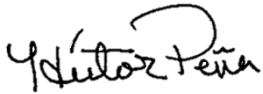
By and large our students, faculty, administration and staff favor and greatly value in-person classes, in large part because they obviously are more suited to building a law school community, an important part of education at our school. However, we defer to the health and safety of our people, and we are most concerned about that. For example:

- One of our most prominent faculty members an attorney in his 50's died in March of this year. He became ill with COVID-19 and shortly thereafter passed away of complications related to that illness.
- In 2020, one of our students, a social worker in his 50s, died in December 2020. We don't know if it was because of COVID-19, but he was disabled and his health appeared tenuous. We are grateful, at least, that our school did not expose him to COVID-19.
- In early 2021 one of our faculty members, a lawyer approximately 60 years old, became very ill with COVID-19 for some weeks. He told us he would not continue teaching in the future if classes are in person.

The PCL Administrator and the PCL President have had conversations with students who expressed fears about returning in the fall if classes are in person. With COVID-19 rates on the rise many of our students are still concerned about the spread of the virus in small classrooms. Since some PCL classrooms are small this is a legitimate concern. At a small school like ours, each student's personality, views, and class participation assume large proportions, and each student's tuition is a significant part of our revenue. As for faculty, all are unpaid volunteers, and we expect some faculty members, in addition to the one above, simply will not teach in the fall if classes are in person.

Still, we do not wish to maintain online classes indefinitely. However, we believe it vital to the health and safety of our people, and to the success of our 2022-2023 academic year, that our classes be online for the remainder of the 2023 calendar year.

Sincerely,

A handwritten signature in black ink, appearing to read "Hector C. Pena Ramirez". The signature is stylized with a large, looping initial "H" and a distinct "Pena" followed by "Ramirez".

Hector C. Pena Ramirez
President, Peoples College of Law