

From: [Edith Pomposo](#)
To: [Leonard, Natalie](#)
Cc: [administrator](#); [hector pena](#)
Subject: Response to CBE emails
Date: Wednesday, March 22, 2023 2:52:17 PM
Attachments: [3-21-23 Excel Sheet.xlsx](#)
[GUIDELINES FOR DOCUMENTATION.docx](#)
[Response To CBE 3-22-23.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Natalie,

Enclosed please find the outstanding responses owed to your office. If you have any further questions please do not hesitate to contact me.

Thank you.

Edith

--

Edith Pomposo, J.D., LL.M

Dean

People's College of Law

660 South Bonnie Brae Street

Los Angeles, CA 90057

dean@peoplescollegeoflaw.edu

www.Peoplescollegeoflaw.edu

To the leadership team at Peoples College of Law:

Thank you for meeting with me and Audrey last week to discuss the law school's compliance with Rule 4.241 and other outstanding requests. Since we last met:

1. **The law school agreed to address its status as to all recommendations made in the law school's inspection report when filing monthly progress reports.**
2. **The law school was reminded of its obligation to communicate with all students in an affirmative and forthright manner, including those for whom the law school failed to timely make available a 4L course of study containing at least 270 classroom credit hours, and to work with the student to create a reasonable outcome. The law school filed several follow up questions as to a proposed course of action for a single student and the State Bar will respond under separate cover. The law school was also asked to consider what reasonable remedies were appropriate since the courses were not timely available to the student. The law school advised via counsel that it believed it was operating ahead of schedule because it did not plan to offer the courses until fall 2023, but also agreed that it knew that the student's year typically would have started in fall 2022.**
3. **The law school advised that it accepted student(s) on the first night of class and after orientation and did not provide orientation services to student(s) so accepted. The law school must demonstrate that it has the capacity to provide services to all students and should properly orient any late-admitted students and re-evaluate its admissions policy considering these events.**

The law school acknowledges that it did not provide orientation services to an admitted student and the law school has taken the appropriate measures to remedy that situation. The law school will meet with the student and provide an orientation to familiarize the student with PCL's policies and procedures.

The law school has re-evaluated its policy considering these events and has decided to take preventive measures. To avoid this situation in the future, the Fall orientation will be recorded to be able to accommodate students that cannot attend the orientation.

The school has now established a procedure to address this problem, which will prevent it from happening in the future.

4. **The law school's 2020 inspection report advised it to ensure that there was a compliant policy published to students. Recently, the law school advised that its policy was, in fact, still under development. The law school must show that it has taken steps to create and publicize to students a legally compliant policy. At least two students have contacted the State Bar in 2023 with frustration regarding the law school's policy in this area, and at least one student has filed a complaint with the EEOC.**

While the law school's current policy remains in effect, PCL is continuously assessing how to improve its organizational processes and operations. An effective organization should always

seek growth and process improvement. Best practices in business require that the process is continually assessed for improvement. The addendum to the policy is a step-by-step process to secure accommodations. It provides greater clarity. The new addendum to the policy will appear on the new website and the students will be notified of the improved procedure to request accommodations. That sample step-by-step addendum is attached. If the CBE frowned upon continuous development to improve the process, it would deter other schools from improving their processes.

PCL is aware of only one student that has complained and that student, has already been approved for accommodations. Her complaint was without merit as her accommodations were provided well within the time period specified on the accommodations request form. This was the same student that did not receive an orientation. A separate explanation has already been provided to the CBE.

5. The law school provided a response to the State Bar's 3rd request to complete its 2022 Demographic disclosures included with the Annual report.

PCL has complied and responded to each of those three times. It took three times for the State Bar to explain the information it was seeking from the school. This was due to an ambiguous excel sample sheet and instructions provided to schools in the annual report.

In a recent meeting, the State Bar recognized and is aware that schools have been having challenges in completing the information. PCL is not the only school that has required clarification. An improved delivery of instruction in various modalities to reach all recipients' modalities (video tutorials, step-by-step written instructions, live workshop sessions) could help address this issue in the future. While drop-in hours were available, inaccurate information was provided to the law school in completing the excel spreadsheet. However, the last meeting with Carolina Almarante was useful in that all the minor issues with the excel sheet were finally remedied.

6. The law school provided notice of its new interim administrator and contact information, after being reminded that it was a regulatory requirement.

While we appreciate the reminder, we are aware of providing the contact information to the State Bar and did so in a timely manner.

7. The State Bar provided the citation of authority for fee assessment.

In addition to ensuring the creating of a 4L program for all students, a key purpose of the meeting was to provide the law school with an opportunity to demonstrate its compliance status with Rule 4.241 in a clear and transparent manner, and to ensure that the law school provides refunds to all students for whom it does not return a copy of a signed and complete disclosure. The law

school asked for a request in writing, set forth here, and advised that this week the law school is preparing for finals. Therefore, it was agreed that a response is not expected until the law school's March 1 progress report, even though the information requested is the sort that is expected to be filed an easily accessible by the law school.

CBE staff informed PCL that as a courtesy, since PCL was preparing for finals, CBE staff would not expect a response during finals week. However, PCL does not recall the expectation was to provide an updated excel sheet in its monthly progress report. The information is easily accessible by the law school, however, it is not in an excel format that the CBE requires PCL to provide such information. That excel sheet is not attached and updated.

- 1. Please confirm whether the law school is conducting classes in quarters or semesters. The law school previously advised that it was conducting law school in quarters, but the posted schedule labels the terms in semesters as noted here: <https://willamette.edu/law/internal/students/osa/academic-calendar/2022/index.html>.**

The law school is conducting classes in quarters. This schedule is for Willamette law school, not Peoples College of Law, and our schedule of classes is easily accessible and readily available on our website, www.Peoplescollegeoflaw.edu.

- a. What is the length of each term. And is this calendar applicable to all four years, or are different years on different calendars?**

The length of each term is 10 weeks. The calendar is applicable to all four years.

- b. Will the law school be offering a summer term? If so, what are the dates? And will there be a charge for the summer classes?**

There will be no summer classes for this academic year.

- 2. Fall Term 2022: Provide a list of all students enrolled at any time, the data on which each received a Rule 4.241 disclosure, the date on which they signed the disclosure, the date on which they made their first payment, and the date on which a copy of the signed disclosure was returned to them. Provide copies of the signed, dated disclosures. Provide a list of those students who did not return a signed disclosure prior to their first payment for this term. Provide a list of those students who have not yet provided a signed disclosure for this term at all. For those students who have not signed and received copies of disclosures for this term, please include in the monthly report a status of securing the signed forms. For each student that has not received a copy of a signed disclosure, please confirm that a refund has been issued, when it will be issued, or why the law school does not intend to issue a refund.**

This information has already been provided to the State Bar and the process of collecting this information has been fragmented.

When the first request was issued, the State Bar was provided the actual enrollment forms and electronic payment ledgers, as the State Bar had requested.

Subsequently, upon the second request the State Bar called for the same information to be delivered in a different format via an excel spreadsheet. PCL spent numerous hours and resources creating a sophisticated excel sheet to meet all the specifications of the request. The excel sheet that was provided included charts and graphs exceeding the CBE's expectations.

At the third request made by the CBE, a week before PCL final exam administration, it was apparent the information to be provided to the CBE was redundant. However, to show PCL's good faith, attached is an updated excel sheet, to demonstrate when the Fall and Winter disclosures were sent to each student. As PCL counsel addressed in the last meeting with Natalie Leonard, the rules state disclosures are required to be sent. However, the rules are silent as to whether the disclosures must be signed and returned before collecting payment.

In conclusion, the school is exhausting its resources on satisfying the duplicity of requests by the State Bar that have now become fragmented. While PCL is happy to comply with all requests, we are at the point of unreasonableness in satisfying the requests made by the State Bar.

- 3. Winter Term 2023: Provide a list of all students enrolled at any time during that term, the data on which each received a Rule 4.241 disclosure, the date on which they signed the disclosure, the date on which they made their first payment, and the date on which a copy of the signed disclosure was returned to them. Provide copies of the signed, dated disclosures. Provide a list of those students who did not return a signed disclosure prior to their first payment for this term. Provide a list of those students who have not yet provided a signed disclosure for this term at all. For those students who have not signed and received copies of disclosures for this term, please include in the monthly report a status of securing the signed forms. For each student that has not received a copy of a signed disclosure, please confirm that a refund has been issued, when it will be issued, or why the law school does not intend to issue a refund.**

Same as the answer for question 2.

- 4. Please provide any other explanation or information needed for the law school to demonstrate its level of compliance with Rule 4.241.**

GUIDELINES FOR DOCUMENTATION

Peoples College of Law seeks to accommodate students with documented disabilities to allow equal standing in educational endeavors.

The Americans with Disabilities Act (ADA), along with Section 504 of the Rehabilitation Act, were enacted to provide a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities.

In compliance with these laws, Peoples College of Law is dedicated to maintaining an environment that guarantees students with disabilities full access to its educational programs, activities, and facilities. Accommodations are designed to level the playing field for students with disabilities, while maintaining the integrity and standards of the College's academic programs.

Accommodations take time to implement. The student must complete the registration and approval process at least three weeks prior to the start of classes in order to best facilitate the logistics of any academic accommodation. If the approval process is completed with less than three weeks prior to the start of classes we will not be able to guarantee access to the class.

ADA Compliance

Peoples College of Law complies with the Americans with Disabilities Act, section 504 of the Rehabilitation Act, and state and local regulations regarding students and applicants with disabilities. Pursuant to these laws, no qualified individual with a disability, or

those regarded as having a disability, shall unlawfully be denied access to or participation in any services, programs, or activities of Peoples College of Law.

In carrying out this policy, we recognize that disabilities include mobility, sensory, health, psychological, and learning disabilities. It is our intent to provide reasonable accommodations to qualified individuals with disabilities. We are unable, however, to make accommodations that are unduly burdensome or that fundamentally alter the nature of the service, program, or activity.

I. Disability Defined

A disability is a physical or mental impairment that substantially limits one or more of the major life activities of the individual.

Major life activities: normal functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, eating, standing, bending, reading, concentrating, thinking, communicating, learning, and working. It also includes operation of major bodily function, such as the immune system, normal cell growth, digestive, bowel, bladder, brain, respiratory, circulatory, endocrine and reproductive functions.

Physical impairment: any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory and speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine.

Mental impairment: any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Learning disabilities: a generic term that refers to a heterogeneous group of disorders manifested by significant difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical abilities.

II. Admission of Students with Disabilities

The College will make admission decisions using criteria that do not consider an individual's disability, but rather the student's individual qualifications to meet the essential elements of the program, service, or activity being offered, assuming incorporation or use of the proper academic adjustment and/or auxiliary aids, if necessary. The College believes that this carries out the intent of the Americans with Disabilities Act and section 504 of the Rehabilitation Act.

Students with disabilities desiring to enroll in any program, service, or activity of Peoples College of Law must be able to meet the minimal standards of the college.

PCL does not engage in any affirmative action programs for students with disabilities, nor does it consider a student's disability in evaluating admission criteria. It is, of course, within the student's discretion to inform the respective school's Admissions Committee of a disability if they wish. If this choice is made, the College will not discriminate against the student on the basis of the disability and will make reasonable accommodations, when necessary.

III. Students Requesting Accommodations

Students with disabilities may request accommodations at any time. However, the College must have time to review and approve the request before making accommodations. In addition, some accommodations take more time to provide than others. Therefore, students are encouraged to contact Peoples College of Law as soon as possible after they have filed their intent to enroll with the College.

A staff member will assist the student in understanding the process for putting together a disability related documentation packet for review (see Guidelines for Documentation of a Disability) and will set up an intake interview for the student with an administrator or dean in order to assess the student's needs. The documentation should be sent to Peoples College of Law as soon as possible before the student's first day of enrollment at Peoples College of Law. Students should not assume that the Peoples College of Law knows any information about his or her disability because it was included in the student's application for admission. If the student does not have documentation, or if the documentation is insufficient, a staff member can refer the student to an appropriate professional for evaluation.

Students requesting accommodations must provide documentation from a qualified professional verifying their disability. The opinions and recommendations of a qualified professional will be considered in developing a suitable accommodation plan. A temporary impairment (e.g., a broken bone) is a disability only if its severity is such that it results in a substantial limitation of one or more major life activities for an extended period of time. Whether a temporary

impairment is substantial enough to be a disability must be determined on a case-by-case basis, taking into consideration the duration (or expected duration) of the impairment, the extent to which it actually limits a major life activity, and the assessment of a qualified professional.

Physical and mental disabilities: a student with a physical disability must provide verification certified by a licensed physician, audiologist, speech pathologist, physical therapist, rehabilitation counselor, or other professional healthcare provider who is qualified in the diagnosis of the disability. The verification must reflect the student's present level of functioning of the major life activity affected by the impairment. The cost of obtaining the professional verification shall be incurred by the student.

If the initial verification is incomplete or inadequate to determine the present extent of the disability and necessary accommodations, the College shall have the discretion to require a supplemental assessment of the disability.

Learning disabilities: a student with a learning disability must provide professional testing and evaluation results which reflect the individual's present level of processing information and present achievement level. Documentation verifying the learning disability must be prepared by a professional qualified to diagnose a learning disability including, but not limited to, a licensed physician or learning disability specialist. This documentation should be no more than three years old.

IV. Implementation of Approved Accommodations

A staff member has the responsibility to review each student's documentation conscientiously and diligently in carefully considering the student's request for accommodation. When the administrator or dean has completed the evaluation and has determined that the student's disability has a current functional impact on his or her academic work or ability to participate in Peoples College of law programs, the administrator or dean will work with the student to determine what accommodations are reasonable and appropriate.

Peoples College of Law will consider the student's disability-related needs, the nature of the approved accommodation, the basis for the faculty member's objection, whether the accommodation would alter or waive essential academic requirements or constitute a fundamental alteration, and whether an effective alternative accommodation is available. No faculty member may unilaterally usurp the duties and obligations of the staff including, but not limited to, making determinations as to whether a student has a disability, the extent of a student's disability, or the appropriateness of an approved accommodation.

V. Disability Accommodation Complaint and Appeal Procedure

In the event that there is a disagreement between the student and the College regarding the outcome of the administrator and dean's evaluation of the student's request for disability accommodation(s) (including whether the student is a qualified individual with a disability, the adequacy of the student's documentation regarding the student's disability, and decisions regarding the student's academic adjustment or auxiliary aid, including denial of requested and/or approved services) and the student is not able to

successfully resolve the disagreement informally with the PCL administrator, the student may submit a written complaint to the Office of the Dean. This written complaint should be submitted as soon as possible after the student knows of the subject problem. The complaint should specify the Peoples College of Law policy, procedure, or norm violated and specifically set forth all relevant factual details (including relevant supporting documentation). A student may elect to withdraw a complaint at any time; however, Peoples College of Law reserves the right to investigate all complaints where necessary to protect the interests of the PCL community.

Within ten (10) business days of a receipt of the written complaint, the grievance officer shall make a decision by a preponderance of the evidence based on the written complaint and any other information the grievance officer determines is relevant. The decision shall be in writing and consist of factual findings, conclusions, and a remedy if one is appropriate. The grievance officer will provide a copy of the decision to the student and the PCL administrator

VI. Students Desiring Additional Information

Students and applicants who desire information beyond what is written in College publications may contact the Office of Student Accessibility. If after contacting this office there remains a desire for additional information, students may contact the University's Equal Opportunity Officer.

VII. Authority

This policy was adopted from Title III of the Americans with Disabilities Act, 42 U.S.C.A. § 12181 et seq. (1993), 28 C.F.R. § 36.101 et seq. The National Joint Committee on Learning Disabilities, Journal of Learning Disabilities, Volume 22, Number 2, February 1987, Pages 109-112; and The University of Houston Law Center Handbook For Students And Applicants With Disabilities, August, 1993.

Notice of Updated Privacy Practices

Peoples College of Law respects that the privacy of your Personal Health Information ("PHI") is important to you. Therefore, effective October 22, 2022 we have updated our Notice of Privacy Practices ("NPP"). This NPP describes the collection, maintenance, and use of your PHI in the course of our business operations. (Hippa policy to be attached).

Peoples College of Law Status of Rule 4.241 Disclosures, Fall 2022 Quarter Term and Winter 2023 Quarter Term

Data provided by Peoples College of Law, 03-22-23

Cells Q3:U26 from spreadsheet provided by Peoples College of Law

Names redacted but records listed in the order in which Peoples College of Law provided them.

Name	Signed Fall disclosure	Signed Winter disclosure	Sent fall disclosure	Sent winter disclosure
Student 1	12/8/2022		9/5/2022	12/2/2022
Student 2	12/18/2022	11/1/2022	9/5/2022	12/2/2022
Student 3	12/1/2022	11/1/2022	9/5/2022	12/2/2022
Student 4			9/5/2022	12/2/2022
Student 5	12/1/2022	11/1/2022	9/5/2022	12/2/2022
Student 6			9/5/2022	12/2/2022
Student 7	12/17/2022	11/12/2022	9/5/2022	12/2/2022
Student 8		1/7/2023	9/5/2022	12/2/2022
Student 9	1/12/2023		9/5/2022	12/2/2022
Student 10	1/10/2023	11/12/2022	9/5/2022	12/2/2022
Student 11			9/5/2022	12/2/2022
Student 12	12/2/2022	11/4/2022	9/5/2022	12/2/2022
Student 13	12/3/2022	10/4/2022	9/5/2022	12/2/2022
Student 14	12/31/2022	12/31/2022	9/5/2022	12/2/2022
Student 15	12/14/2022	9/9/2022	9/5/2022	12/2/2022
Student 16		12/1/2022	9/5/2022	12/2/2022
Student 17	12/2/2022	9/9/2022	9/5/2022	12/2/2022
Student 18	8/30/2022	9/12/2022	9/5/2022	12/2/2022
Student 19			9/5/2022	12/2/2022
Student 20	1/9/2023	11/1/2022	9/5/2022	12/2/2022

The students signed via DocuSign and each student received a copy immediately upon signing.

