



# The State Bar *of California*

OFFICE OF ADMISSIONS

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## **OPEN SESSION AGENDA ITEM V.D. APRIL 2023 COMMITTEE OF BAR EXAMINERS**

**DATE:** April 21, 2023

**TO:** Members, Committee of Bar Examiners

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

**SUBJECT:** Action on Review of Probationary Progress Report – Peoples College of Law

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### **EXECUTIVE SUMMARY**

The Committee of Bar Examiners (committee) placed Peoples College of Law (PCL) on probation effective December 2, 2022 through May 30, 2024 and directed the law school to file monthly progress reports on the first day of each month. The committee extended the deadline for the April 2023 report from April 1 to April 4 to ensure that the law school would provide a complete report including status, timelines to achieve compliance where compliance was not achieved, and, in particular, evidence as to whether the law school is complying with Rule 4.241 and California Business and Professions Code section 6061. The law school filed part of its progress report on April 1, and the remainder in the evening on April 5. The report is partially responsive, providing more timelines for areas of noncompliance, and a new spreadsheet related to its distribution of disclosures. (See Attachments A and B).

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### **BACKGROUND**

Peoples College of Law a registered, unaccredited fixed-facility law school founded in 1974 and located in Los Angeles, California. It is a stand-alone law school and solely offers a JD program.

Volunteer faculty teach the students in a building owned by the law school.<sup>1</sup> (PCL 2022 Annual Report). During the fall 2022 term, PCL enrolled 21 students (8 1L; 9 2L; 2 3L; and 1 4L); during the spring 2022 term, PCL enrolled 14 students (4 1L; 7 2L; 2 3L; 1 4L). ([Jan. 2023 Cal. Bus. & Prof. Code section 6061.7\(a\) disclosure; email from Peoples College of Law Administrator, March 24, 2023, 5:45 p.m.](#)).

## **SUMMARY OF PROBATION CONDITIONS**

On December 2, 2022, the committee placed PCL on probation through May 30, 2024. ([Item O-400](#), Committee of Bar Examiners Meeting, Dec. 2, 2022). The probationary order set forth the following conditions of probation:

RESOLVED, that the Committee of Bar Examiners finds that Peoples College of Law is not in compliance with the unaccredited law school rules, but it has made perceptible progress toward compliance.

FURTHER RESOLVED, that the Committee places the law school on probation through and including May 30, 2024, with the understanding that the law school must demonstrate that sufficient progress has been made toward compliance, or its registration as an unaccredited law school will be withdrawn, with the law school's progress to be reviewed at the Committee meeting in October 2023 and April 2024, and agree to submit to annual inspections thereafter until the Committee is satisfied that compliance is likely to be sustained.

FURTHER RESOLVED, that the law school be directed to provide monthly progress reports to the State Bar on the first of the month as to each element of probation during the full term of probation, and to provide a self-study and submit to an inspection in 2023.

FURTHER RESOLVED, that the law school be directed to clearly advise the public, prospective students, and current students of its status on probation affirmatively and clearly, including attaching a copy of the probationary terms to student disclosures, web disclosures, the web home page, and communications shared with prospective students.

FURTHER RESOLVED, that the Committee reserves the right to terminate this probation prior to its scheduled conclusion if the law school fails to make or sustain adequate progress.

([Committee of Bar Examiners' Minutes, December 2, 2022 Meeting](#)).

Though the committee's original order contemplated a review in October 2024, PCL requested clarification of the order and review in a letter on March 1, 2023.

At its March 2023 meeting, the committee responded to PCL's letter by confirming that, consistent with its prior directives issued since 2020, PCL's progress reports must include status as to "each element of probation," which is each recommendation noted in its 2020 inspection

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<sup>1</sup> Classes have been taking place online since Spring 2020 under an emergency waiver approved by the committee due to the pandemic. This waiver expires in August 2023.

report<sup>2</sup>. The committee also confirmed that in areas where PCL had demonstrated compliance following the 2020 inspection report, PCL must continue to demonstrate sustained compliance and avoid falling out of compliance with other rules or guidelines. If the law school falls out of compliance, it must include a plan and timeline to come into compliance in that area in the monthly progress report. As a courtesy, the committee provided the law school with another copy of each of the recommendations from the 2020 inspection report and a summary of PCL's compliance or lack thereof for each recommendation (derived generally from their prior submissions). (See [O-402 Attachment E](#), Committee of Bar Examiners Meeting, March 24, 2023).

The committee also reviewed PCL's January, February and March 2023 progress reports and requested more information to give the law school another opportunity to demonstrate whether its disclosure practices comply with Rule 4.241 and California Business and Professions Code section 6061.

The committee adopted the following motion at its March 2023 meeting, extending the deadline for the April 2023 progress report to April 4 as a one-time courtesy:

MOVE, that the Committee of Bar Examiners receive and file the probationary reports filed by Peoples College of Law in January, February, and March 2023.

FURTHER MOVE, that in response to Peoples College of Law's March 2023 letter seeking information as to its compliance status and required actions, that staff transmit to the law school the annotated summary and restatement of the probationary order set forth in Attachment E (amended to be due, EOD, April 4).

FURTHER MOVE, that Committee direct the law school to take prompt action to establish full compliance and take the actions noted in Attachment E, as well as any other steps necessary to avoid noncompliance with any other Rule or Guideline, and to provide an update and documentation in its April 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.

FURTHER MOVE, that Peoples College of Law must clearly and fully document compliance with Rule 4.241 and California Business and Professions Code section 6061 in its April 2023 progress report by providing evidence that the procedures set forth in California Business and Professions Code [section] 6061 and Rule 4.241 were followed or that refunds were issued. Failure to do so will be taken as evidence of noncompliance and the Committee may move to terminate the law school's registration.

(Committee of Bar Examiners' Meeting, March 24, 2023, adopted motion posted onscreen, posted via meeting recording).

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<sup>2</sup> Prior to the imposition of probation, PCL was already required to write annual progress reports addressing each recommendation identified in the law school's inspection report. ([Minutes of Meeting of August 20, 2020 Meeting](#), Adopted at Committee of Bar Examiners Meeting, October 16, 2020).

## **DISCUSSION**

### **PCL COMPLETES FILING OF APRIL 2023 PROGRESS REPORT ON APRIL 5**

PCL's April 2023 Progress Report was due on April 4, 2023, due to a courtesy extension of three days that was discussed at the committee's March 2023 meeting while PCL was present and participating. PCL provided a portion of the report on the evening of April 1, 2023, and the remainder of the report on the evening of April 5, 2023.

On April 13, 2023, PCL sent a letter to the State Bar disputing the due date, which had been selected during a committee discussion when the law school was present. (Committee of Bar Examiners' Meeting Discussion, March 24, 2023; onscreen projection of motion; meeting recording available on State Bar website; Attachment C).

### **PCL'S DISCLOSURES**

Under Rule 4.241 and Business and Professions Code section 6061, unaccredited law schools must provide a specific disclosure to students prior to each term before the student makes a payment for that term. The student must sign the document and then receive a signed copy. This disclosure informs law students of the responsibilities and possible limitations of attending an unaccredited law school, the resources available at the law school, as well as the law school's performance and compliance status.

PCL's 2020 inspection report adopted by the committee required PCL to review its Rule 4.241 disclosure procedures, update them as necessary, and ensure continued compliance. In its 2020-2022 Annual Reports, the law school submitted statements indicating that they were in compliance. When verifying these statements, staff had questions as to whether PCL was providing students with appropriate disclosures as required. At its March 2023 meeting, the committee asked the law school include in its April 2023 progress report evidence demonstrating compliance with Rule 4.241 in general and with respect to three specific situations: 1) demonstrate compliance as to one specified student for the spring 2020 term; 2) demonstrate compliance as to the students enrolled in the fall 2022 term; and 3) demonstrate compliance as to students enrolled in the spring 2023 term.

PCL's April 5 response did not address the first situation. PCL did provide a chart summarizing disclosure status for students enrolled during remaining two situations, the fall 2022 term and the spring 2023 term, as well as copies of the most of disclosures signed by the students, if a student signed a disclosure.

According to PCL's evidence, during the 2022-2023 school year, one student did not sign a disclosure, and one to three students paid tuition prior to receiving a disclosure, though the law school is required to provide a disclosure prior to accepting payment.

PCL did not provide evidence to establish that the disclosures were actually distributed on the date listed on the chart it provided. In addition, the data on this chart was significantly different

from a similar chart provided in the March 2023 progress report, but the law school did not explain the discrepancies. Last month, more students were listed as failing to sign the disclosures, different signature dates were provided in some cases, and the winter 2023 disclosures were listed as being distributed on December 2, 2022, which is a material difference, as will be discussed below.

PCL also indicated that it has not provided any refunds to students who paid prior to receiving a signed copy of the disclosure, despite the language of the statute and State Bar rule. PCL did not indicate whether it believes it is obligated to provide such refunds or plans to do so.

### **Student Enrolled During Fall 2020**

PCL's response did not address the situation in which at least one student, of whom the State Bar is aware, did not sign a disclosure for the spring 2020 term. PCL has confirmed previously that they do not have a signed disclosure from this student, and it has not provided evidence that a disclosure was provided to this student prior to the student making a payment for the term. Consistent with the Committee's directive issued in March 2023, "failure to do so will be taken as evidence of noncompliance."

### **Students Enrolled During Fall 2022 Term**

PCL asserts that it distributed 21 disclosures at the start of the fall 2022 term prior to any of the students making a payment. All but one of the students signed a disclosure according to the April 2023 submission. In March 2023, the law school listed one student as signing a disclosure on August 30, 2022, prior to receiving it on September 5, 2022, but this appears to be updated without explanation in the April 2023 submission.

Regarding signature, according to the law school's April 2023 submission: one student did not sign a disclosure; four students signed disclosures during September 2022; and the remaining students signed their disclosures well after the term began, between October 4, 2022 and January 7, 2023. One student received their copy in February 2023.

PCL submitted copies of disclosures for most of the students, but not for three of the students on the list. Staff has requested copies of those additional disclosures. The disclosures provided appear complete and reference the issuance of a notice of compliance to the law school.

### **Student Enrolled During Winter 2023 Term**

In March 2023, PCL advised that it distributed fall 2022 disclosures on December 2, 2022, but the April 2023 filing indicates that the disclosures were distributed on November 30, 2022. Depending upon the which date is correct, either one student paid prior to receiving a disclosure, or three students paid prior to receiving a disclosure.

The law school is not required to distribute the disclosures on any particular date, except that they be distributed prior to the first payment for an academic term. Here, however, it is important to know whether the disclosures were distributed on November 30, 2022

or December 2, 2022 for another reason as well. Here, if the winter 2023 term disclosures were distributed on November 30, 2022, this was two days prior to the date the committee was scheduled to decide whether to place the law school on probation or terminate its registration. On December 2, 2022, the committee placed the law school on probation and ordered that the law school “clearly advise the public, prospective students, and current students of its status on probation affirmatively and clearly, including attaching a copy of the probationary terms to student disclosures.” Therefore, it is appropriate for the committee to ask PCL to demonstrate whether and how it subsequently notified students of its status on probation, and whether it attached the probationary order if distributed after the committee acted on December 2, 2022. Six of sixteen students signed and returned the disclosure on or before December 2, 2022.

PCL provided copies of signed disclosures for most of the law students, and staff requested disclosures for two additional students.

While most students received the disclosure prior to making a payment for the winter 2023, one to three students made payments prior to receiving it, depending upon when the disclosures were distributed, which is inconsistent with the requirements of the statute and rule.

## **OTHER COMPLIANCE CONCERNS**

In March 2023, the committee directed the law school “to take prompt action to establish full compliance and take the actions noted in Attachment E, as well as any other steps necessary to avoid noncompliance with any other Rule or Guideline, and to provide an update and documentation in its April 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.”

PCL has made progress in some areas; however, compliance concerns remain as described below. PCL provided more timelines, but they are often vague, lacking in evidentiary support, or omitting status as to previously identified compliance issues. PCL also repeats questions that have been previously answered by the committee and staff, raising concerns about the law school’s ability to understand its responsibilities as a registered, unaccredited law school.

### **PCL Describes Improvement**

PCL has filed a progress report at the start of every month since probation was imposed. While part of this month’s report was late, it was provided one day after the due date.

PCL’s April 2023 progress report includes more updates and timelines. For example, though the law school has discussed updating its website since November 2022, It has now executed a contract and estimated that the work would be completed in April 2023.

## **Compliance Concerns Remain**

PCL continues to experience challenges in several areas in addition to the concerns with the disclosure process noted above. A partial list of key challenges includes the following:

PCL faces challenges in staffing. In 2022, PCL hired certain staff in 2022 for paid positions and expressed a need to hire more staff, but has not rehired those positions in 2023 and has not explained why they are no longer needed when PCL previously identified this addition as important to maintaining compliance. The law school must fully address its staffing plan and administrative choices, including the availability and effectiveness of volunteers if the school continues to use volunteer staff, and clearly demonstrate its plan to sustain compliance in future progress reports.

It is also unclear whether the law school has the financial resources to continue operating, though the law school has been engaging with a fundraising professional. The law school has indicated that it is depending upon student tuition and enrollment is down; while the law school's building is listed for sale, it has not sold yet, and the law school will still need a place to operate classes.

Complaints about the law school are notable as to their number as a percentage of total students. Since the imposition of probation, the State Bar has received complaints from a former employee, two students, and continued complaints from a third student.

PCL's administrative choices may contribute to the high percentage of complaints received, and PCL should be including discussions of these factors that affect compliance in its progress report, and this request was reinforced by the committee in March 2023. For example, historically, one or more professors have turned in grades very late each semester, and the law school should provide an update as to whether grades were on time this semester, whether and how it is holding professors accountable, and whether the backup grading process created for fall 2022 exams was effective.

Regarding testing accommodations, at least one student informed the State Bar they were required to ask each professor whether or not they could receive their approved accommodation, and in one instance it was revoked on the night before an exam. It is unclear whether this practice continues.

The State Bar also received a complaint from a student who was accepted on the first day of class but was never provided orientation support. The school advises they will record orientations in the future, but the law school must demonstrate whether it has a sound admissions process and whether other steps should be considered if the law school retains that admissions practice.

Regarding recordkeeping, the law school identifies that it is out of compliance, in part, due to the need for the administrator to work remotely due to COVID, but with the termination of the

COVID-19 State of Emergency, the law school must describe how it will come into compliance and provide a timeline as directed by the committee.

According to the April 2023 progress report, the law school has made significant progress this month toward creating courses for one student for whom it did not have a fourth-year program available. Syllabi were created for a range of electives and provided to staff, and PCL is working on a final course. The law school's report repeats a question about the approved delivery format that was previously addressed by staff. The law school does not appear to be informing the student as to the courses it is creating or the progress of the proposed solution. The student has been unable to continue their education since fall 2022.

It is also unclear whether the law school has the resources to meet the library requirements by the time it is required to do so in fall 2023. The law school has been on notice as to this requirement since 2020, and has received several courtesy waiver extensions, but was advised that the law school must demonstrate compliance by the time the waiver to continue remotely is scheduled to end. PCL previously advised that it had sufficient resources to update its library from a bequest, but advised in its April 2023 report that it was estimating the cost of the books that it is required to purchase.

## **NEXT STEPS**

The committee should determine whether PCL has sufficiently demonstrated compliance with Rule 4.241 and California Business and Professions Code section 6061, whether more information is needed for evaluation, or whether further corrective action is necessary. The school was placed on notice through its inspection report in 2020 and again through the committee's order in March 2023 that this would be a particular area of focus when the committee moved that "Peoples College of Law must clearly and fully document compliance with Rule 4.241 and California Business and Professions Code section 6061 in its April 2023 progress report by providing evidence that the procedures set forth in California Business and Professions Code section 6061 and Rule 4.241 were followed or that refunds were issued. Failure to do so will be taken as evidence of noncompliance and the Committee may move to terminate the law school's registration."

If the law school continues to operate, it will continue to have the burden to demonstrate its compliance. The continued monthly progress reports will provide one avenue for the law school to do so. In addition, consistent with the Committee's probationary order, the law school will soon undergo another inspection which will allow it to demonstrate compliance.

The law school should also be sure to fully describe its compliance status, providing timelines where further action is still needed.

## **RECOMMENDATIONS**

It is recommended that the Committee of Bar Examiners receive and file the probationary progress report provided by Peoples College of Law in part on April 1 and in part on April 5.



It is also recommended that the committee remind PCL that the submission of late, incomplete, or inconsistent progress reports will contribute to the committee's assessment of whether PCL is able to achieve and sustain compliance.

It is further recommended that the committee evaluate whether PCL has demonstrated sufficient compliance as to rule 4.241 and California Business and Professions Code section 6061, or if not, what next steps are appropriate and request any other clarifications needed. If the law school is provided with additional time to demonstrate compliance or more clearly establish its status, the following information may assist the Committee in doing so and should be included in the law school's May 2023 progress report: 1) whether the law school provided the specified law student with a disclosure for the spring 2020 term; 2) whether it has received a signed disclosure from the student who did not sign a disclosures for the fall 2022 term as of the date of the April 2023 progress report; 3) whether that the law school has "clearly advis[ed] the public, prospective students, and current students of its status on probation affirmatively and clearly, including attaching a copy of the probationary terms to student disclosures;" 4) whether it refunded the tuition of the student(s) who paid prior to receiving a disclosure, or a full explanation for each of those students as to why the refund was not issued; 5) providing consistent and complete information, including any disclosures omitted from the April 2023 progress report; and 6) explaining discrepancies between the disclosure status charts provided in March 2023 and April 2023.

In addition, consistent with the committee's guidance in March 2023, PCL should be reminded of its responsibility to take prompt action to establish full compliance and take the actions noted in Attachment E, as well as any other steps necessary to avoid noncompliance with any other Rule or Guideline, and to provide evidence of this in its May 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.

## **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 and file Peoples College of Law's probationary progress report filed in part on April 1, 2023 and in part on April 5, 2023.

**FURTHER MOVE**, that the committee advises that the submission of late, incomplete, or inconsistent progress reports will contribute to the committee's assessment of whether the law school is able to achieve and sustain compliance.

**FURTHER MOVE**, that the law school be directed to document compliance status as to Rule 4.241 and California Business and Professions Code section 6061 in its May 2023 progress report, including documenting: 1) whether the law school provided the specified law student with a disclosure for the spring 2020 term; 2) whether it has received a signed disclosure from the student who did not sign a disclosures for the fall 2022 term as of the date of the April 2023

progress report; 3) whether that the law school has “clearly advis[ed] the public, prospective students, and current students of its status on probation affirmatively and clearly, including attaching a copy of the probationary terms to student disclosures;” 4) whether it refunded the tuition of the student(s) who paid prior to receiving a disclosure, or a full explanation for each of those students as to why the refund was not issued; 5) providing consistent and complete information, including any disclosures omitted from the April 2023 progress report; and 6) explaining discrepancies between the disclosure status charts provided in March 2023 and April 2023.

**FURTHER MOVE**, that the law school continue to be directed to take prompt action to establish full compliance and take the actions noted in Attachment E from the committee’s March 2023 meeting, as well as any other steps necessary to avoid noncompliance with any other Rule or Guideline, and to provide evidence of this in its May 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.

#### **ATTACHMENTS LIST**

- A. April 1, 2023 Peoples College of Law Partial Progress Report
- B. April 5, 2023 Peoples College of Law Progress Report Continued
- C. April 13, 2023 Letter from Peoples College of Law Seeking Clarification of April 4, 2023 Deadline



# People's College of Law

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*"Over 48 Years of Educating People's Lawyers"*

Hector C. Peña, J.D. – President

Edith Pomposo, J.D., LL.M – Dean

April 1, 2023

Dear Natalie,

Enclosed Please find the monthly progress report. I emailed you last week to determine if this is the correct report you were referencing, however, I received a message you were out of the office. Please let me know if this is not the correct version so that I can edit it for you.

Part of my work at PCL includes organizing PCL's internal administrative documents (i.e., reports, etc), creating an intranet, and memorializing our process and procedures to be utilized by future administrative staff.

I have also enclosed the nine courses for XXXXXX and have updated the progress at the end of the report.

Furthermore, the data you requested will be sent by email as agreed by April 5, 2023. We are working hard to deliver the data in a format that is suitable to your satisfaction.

Lastly, thank you for your guidance while we work to sustain compliance.

Sincerely,

Edith Pomposo, J.D., LL.M

Dean

Peoples College of Law

Student Name redacted by State Bar staff

PEOPLE'S COLLEGE OF LAW

(ORIGINAL) NOVEMBER 2021 PROGRESS REPORT

ON COMPLIANCE WITH RECOMMENDATIONS

IN STATE BAR INSPECTION REPORT OF 2020

Updated April 1, 2023

**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.

PCL'S Updated progress report as of 3/1/23:

PCL is waiting to be scheduled with the outsourced IT company for March 2023. We have tendered a deposit and we are waiting for a proposed project completion date from the IT company. Since the project was delayed in the winter, I am now requesting an expected completion date from the company and will also oversee this project.

The technology upgrade to Squarespace will remedy many of the process problems the organization has had in the past. Once Squarespace is upgraded members of our organization will be able to edit the website without the need for programming experience, or delays of waiting for programmers to update the website. Squarespace is user-friendly and designed as a do-it-yourself platform.

Once Squarespace is implemented, we plan to have a student services page where students can obtain information on how to access peer-to-peer tutoring, applying for disability accommodations (with timelines, forms required, data protection policies, etc), baby bar preparation program, enrolling for classes, etc.

Improving the delivery of information via Squarespace will be tremendously impactful for our organizational process improvement. This will eliminate the time spent on answering emails about the process, where the information can be easily made accessible on the website.

Given that PCL has had problems with the information to students not being readily accessible. The plan is to integrate a secured electronic form on the website in which students can apply for accommodations. Upon submitting the form, the students can expect an automated email that will have the expected timeline from which they can receive a determination.

A well-implemented technology plan will help maintain an orderly and more efficient working environment.

### **PCL'S Updated progress report as of 4/1/23:**

PCL is in the process of implementing the technology plan. The technology plan implementation is about 50% completed. The outsourced contractor has successfully migrated the emails belonging to PCL administration from the Ipower host to Gsuite. The accessibility of Gsuite products will allow the school to run more effectively. Gsuite products will be quite useful in memorializing day-to-day office procedures in google drive. Google collaborative tools will allow PCL staff to run the office seamlessly. Google forms and Google docs will be quite useful in data collection.

The remaining 50% of the technology plan is currently in progress, which includes migrating the website to Squarespace as mentioned above. The student services page which will address the procedure to obtain accommodations will be created shortly after the migration. The estimated completion time frame of migrating the website from WordPress to Squarespace is seven to ten days.

## **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.

PCL's Updated progress report as of 3/1/23:

PCL's revised warning remains in the refund policy, Section VIII, paragraph 9 (b) of the handbook.

#### **PCL'S Updated progress report as of 4/1/23:**

PCL's revised warning remains in the refund policy, Section VIII, paragraph 9 (b) of the handbook. PCL is working with CBE staff on the analysis of the Fall and Winter disclosures. Data to be provided to the CBE on April 5.

### **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.

PCL's updated progress report as of 3/1/23:

PCL has remained in compliance with item #3.

#### **PCL'S Updated progress report as of 4/1/23:**

The policy remains intact and there have not been any further changes.

### **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.

PCL's updated progress report as of 3/1/23

In addition to the above efforts, Jostle, a technology tool is also being utilized to memorialize school operations and procedures, important deadlines, and important events.

## **PCL's updated progress report as of 4/1/23**

A report is being prepared with the requested information by the CBE and will be received no later than April 5.

## **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.*”

### **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.

PCL's Updated progress report as of 3/1/23:

The policy changes remain in effect and are being followed.

**PCL'S Updated progress report as of 4/1/23:**

The policy revisions remain in effect. There is no change to report.

**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.

PCL's Updated progress report as of 3/1/23:

The Dean continues to work with an active FCC (Faculty Curriculum Committee). The meetings are scheduled monthly as an oversight measure for continuous curriculum improvement.

Additionally, this year PCL is integrating curriculum alignment faculty meetings with the 1L faculty. The purpose of the meeting was to support the first-year exam preparation efforts taking place on Saturday, with our resource coordinator, and the academic preparation in the classroom. In the meeting held on February 24, 2023, academic pacing plans were discussed, as instructional methodologies and feedback support.

**PCL'S Updated progress report as of 4/1/23:**

Students are provided with written statements of components of those grades. Those statements can be found in the student handbook. The student handbook is accessible online 24 hours a day. The written statements of the components of course grades are also found in the course syllabus.



## 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:

#### **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.)

PCL's Updated progress report as of 3/1/23:

The Dean continues to work with an active FCC (Faculty Curriculum Committee). The meetings are scheduled on a monthly basis as an oversight measure for continuous curriculum improvement.

Additionally, this year Pcl is integrating curriculum alignment faculty meetings with the 1L faculty. The purpose of the meeting was to support the first-year exam preparation efforts taking place on Saturday, with our resource coordinator, and the academic preparation in the classroom. In the meeting held on February 24, 2023, academic pacing plans were discussed, as instructional methodologies and feedback support.

PCL'S Updated progress report as of 4/1/23:

## **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.

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.

PCL's Updated progress report as of 3/1/23:

PCL continues to utilize the grade review policy in the student handbook. With the transfer of the website to Squarespace, the grade view process for students will be easily accessible under the student section of the website.

The technology plan includes a section for students to find readily available information such as the grade review policies, forms for such procedures, timelines that include automated confirmation of submission.

### **PCL'S Updated progress report as of 4/1/23:**

The technology plan is in the implementation stage with the outsourced contractor. Within the next seven to ten days the website will be migrated to Squarespace. Subsequently, a student

services page that includes the procedure for grade review will be developed to help navigate the process more clearly.

## 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.

PCL's Updated progress report as of 3/1//23:

PCL continues to utilize the above-listed security measures.

### **PCL'S Updated progress report as of 4/1/23:**

PCL continues to utilize the above-listed student information system, Populi. As such, Populi has built-in features that are adequate to protect the school's digital records.

## 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.

PCL's Updated progress report as of 3/1/23:

PCL continues to search for a permanent administrator/registrar. Currently, the position is being filled by John Duane, our resource coordinator. We have listed the position in [higheredjobs.com](https://www.higheredjobs.com) and the Idealist.

#### **PCL'S Updated progress report as of 4/1/23:**

The administrator/registrar position continues to be filled by John Duane, the interim administrator. The open position has also been listed on Zip recruiter since the last report.

### **11. Guidelines 4.8 and 4.9 Bar's Inspection Report**

“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.

PCL's Updated progress report as of 3/1/23:

With the end of the winter quarter, the school will send out the winter faculty evaluations this week before the beginning of the next quarter. In order to consider a policy that requires students to submit faculty evaluations before they can register the following quarter, it must be submitted to the Board. This issue will be set for the April board meeting.

#### **PCL'S Updated progress report as of 4/1/23:**

The school continues to utilize a faculty evaluation policy that meets the guideline requirements.

## **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.

PCL's updated Items of non-compliance 3/1/23:

The same policy is in place this month.

### **PCL'S Updated progress report as of 4/1/23:**

There has been no change and the same policy is in place.

## **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.

**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.

PCL's updated Items of non-compliance 3/1/23:

PCL continues its practice as listed above in PCL's response.

**PCL'S Updated progress report as of 4/1/23:**

PCL continues its practice as listed above in PCL's response.

#### **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.*”

## **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 August, 2020, our Board adopted the following Administrative Review policy:

When faculty members have determined what grades they intend to give, the next step would not be to release the grades to the students, but instead to send the grades to reviewers. The reviewers very likely would include the Dean. Others could be members of the Faculty-Curriculum Committee and current or former faculty members, but faculty would not, of course, review their own grades, and students would not participate without consent of the student between reviewed.



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.

PCL’s updated Items of non-compliance 3/1/23:

The policy remains the same.

#### **PCL’S Updated progress report as of 4/1/23:**

The policy remains the same.

### **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.

PCL's updated Items of non-compliance 3/1/23:

PCL's revised policies have remained in effect to the present.

**PCL'S Updated progress report as of 4/1/23:**

PCL's revised policies have remained in effect to the present.

## **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.

PCL's updated Items of non-compliance 3/1/23:

PCL has continually maintained the policy as stated in the previous months.

**PCL'S Updated progress report as of 4/1/23:**

PCL has continually maintained the policy as stated in the previous months.

## **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.

PCL's updated Items of non-compliance 3/1/23:

PCL has continually maintained the policy as stated in the previous months.

**PCL'S Updated progress report as of 4/1/23:**

PCL is going to start working on an estimate to determine the cost of purchasing the library books needed to come into compliance.

## **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.

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.

PCL's updated Items of non-compliance 3/1/23:

The school continues to maintain its security procedures as described above.

### **PCL's updated Items of non-compliance 4/1/23:**

The school continues to maintain its security procedures as in previous months.

## **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.

### **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:**

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.

## **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 summer of 2020, 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.

**PCL'S Updated progress report as of 4/1/23:**



PCL retains the same policy and no change has been made.

### **ADDITIONAL UPDATES**

#### **XXXXXX Student Courses-**

PCL has finished creating nine of the electives necessary for XXXXXX to complete THEIR fourth year. There is an additional course that is not included- Administrative Law. This course is still in development with a faculty member that has committed to teach next year. The next step is to attain faculty commitment for each of these classes in the Fall. PCL would like some guidance/feedback in regard to allowing instructors to teach XXXXXX's courses remotely being that he lives more than 120 miles round-trip from PCL. Furthermore, as a fixed-facility school what percentage of the classes can be taught remotely? This information will allow PCL to adequately staff the courses for XXXXXX for the Fall.

The proposed curriculum is attached to this email.

#### **Update on Disclosures**

PCL will deliver the data requested by the CBE regarding the Fall and Winter disclosures. That will be sent via email by April 5, 2023.

Note: Student name above redacted by State Bar staff.



# People's College of Law

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*"Over 49 Years of Educating People's Lawyers"*

Hector C. Peña, J.D. – President

Edith Pomposo, J.D., LL.M – Dean

April 5, 2023

Dear Natalie,

Enclosed please find the requested information. Please note that refunds have not been issued for any students, thus far. Please let me know if you need any clarification or if I can be of further assistance.

Thank you.

Edith Pomposo, J.D., LL.M

Dean

Peoples College of Law

## Enrollment Record and Rule 4.241 Disclosures for Fall 2022 Term

The following table presents a comprehensive list of all students who have enrolled at any point, along with important details related to their enrollment. Specifically, it includes information on when each student received a Rule 4.241 disclosure, when they signed the disclosure, when they made their first payment, and when a copy of the signed disclosure was returned to them. This data has been compiled in the table below for easy reference and analysis.

Student Names	Date disclosure was received By the Students	Date disclosure was signed By the students	Date First Payment was made	Date the copy of signed disclosure was returned to them
Student A	9/5/2022	11/1/2022	10/5/2022	11/1/2022
Student B	9/5/2022	11/15/2022	11/20/2022	11/15/2022
Student C	9/5/2022	12/8/2022	No payment-Academically Dismissed	12/8/2022
Student D	9/5/2022	10/4/2022	9/15/2022	2/29/2022
Student E	9/5/2022	11/1/2022	9/30/2022	11/1/2022
Student F	9/5/2022	11/4/2022	11/17/2022	11/4/2022
<b>Student G</b>	9/5/2022	9/7/2022	9/6/2022	9/12/2022
Student H	9/5/2022	9/9/2022	No payment	9/16/2022
Student I	9/5/2022	9/9/2022	9/13/2022	9/16/2022
Student J	9/5/2022	12/1/2022	1/5/2023	11/30/2022
Student K	9/5/2022	Voluntarily Withdrew	No Payment made	n/a
<b>Student L</b>	9/5/2022	11/1/2022	Work Sponsorship-end of year	11/1/2022
<b>Student M</b>	9/5/2022	1/7/2023	12/26/2022	1/7/2023
Student N	9/5/2022	11/1/2022	9/20/2022	11/1/2022
<b>Student O</b>	9/5/2022		12/20/2022	

<b>Student P</b>	9/5/2022	Academically Disqualified	Not Paid	
Student Q	9/5/2022	Voluntarily Withdrew	9/8/2022	
Student R	9/5/2022	12/31/2022	9/27/2022	11/30/2022
Student S	9/5/2022	Disqualified By the Bar	9/16/2022	
<b>Student T</b>	9/5/2022	11/12/2022	9/16/2022	11/12/2022
Student U	9/5/2022	9/5/2022	9/20/2022	9/5/2022

In addition to the information presented in the table above, it should be noted that all of the students received a Rule 4.241 disclosure prior to making their first payment for this term.

As a further point of clarification, copies of these signed disclosures will be included as attachments to this document.

This information is critical for ensuring that all students are aware of their rights and responsibilities related to their enrollment, and that they have agreed to abide by the terms outlined in the disclosure.

## **Enrollment Record and Rule 4.241 Disclosures for Winter 2022/2023 Term**

The following table presents a comprehensive list of all students who have enrolled at any point, along with important details related to their enrollment.

Specifically, it includes information on when each student received a Rule 4.241 disclosure, when they signed the disclosure, when they made their first payment, and when a copy of the signed disclosure was returned to them. This data has been compiled in the table below for easy reference and analysis.

Student Names	Date disclosure was received	Date disclosure was signed	Date Payment was made	Date the copy of signed disclosure was returned to them
Student A	11/30/2022	12/1/2022	12/14/22	12/1/2022
Student B	11/30/2022	1/10/2023	11/28/22	1/10/2023
Student C	11/30/2022	12/3/2022	12/3/22	12/3/2022
Student D	11/30/2022	12/1/2022	1/4/23	12/1/2022
Student E	11/30/2022	12/2/2022	2/17/2023	12/2/2022
Student F	11/30/2022	11/30/22	11/30/22	11/30/22
Student G*	11/30/2022	12/14/202	Acad. Disq	12/14/202
Student H*	11/30/2022	12/2/2022	Acad. Disq	12/2/2022
Student I	11/30/2022	12/1/2022	No payment	12/1/2022
Student J	11/30/2022	12/18/2022	No payment	12/18/2022
Student K	11/30/2022	12/17/2022	12/20/22	12/17/2022
Student L	11/30/2022	1/7/2023	2/5/23	1/7/2023
Student M	11/30/2022	1/9/2023	11/30/23	1/9/2023
Student N	11/30/2022	12/31/2022	12/29/22	12/31/2022
Student O	11/30/2022	12/17/2022	12/12/22	12/17/2022
Student P	11/30/2022	1/12/2023	1/6/23	1/12/2023

\* No payment made by either Robin nor Michelle Henning for the Winter Quarter.

In addition to the information presented in the table above, it should be noted that all of the students listed received a Rule 4.241 disclosure prior to making their first payment for this term.

As a further point of clarification, copies of these signed disclosures will be included as attachments to this document.

This information is critical for ensuring that all students are aware of their rights and responsibilities related to their enrollment, and that they have agreed to abide by the terms outlined in the disclosure.

Student names redacted by State Bar Staff





# People's College of Law

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*"Over 49 Years of Educating People's Lawyers"*

Hector C. Peña, J.D. – President

Edith Pomposo, J.D., LL.M – Dean

April 13, 2023

Dear Natalie,

I am seeking clarification in regard to the letter dated April 5, 2023- **RE: 0-402 Action on Probation-Peoples College of Law**. The letter's second page states the staff confirms that the law school filed a partial progress report received on April 3, 2023.

Could you please clarify why the report is classified as a partial progress report? The CBE meeting was on March 24, 2023, and I emailed your office on March 28<sup>th</sup> as I worked on the progress report to ensure we properly complied with the request. I received an away message stating that you would not be in the office until April 3<sup>rd</sup>. Subsequently, on April 5<sup>th</sup> I received a letter that notes several items of outstanding action, marked as Attachment E.

Did you want PCL to utilize Attachment E when responding to the progress report, instead of the CBE-recommended actions in the inspection report, as you had instructed previously?

Furthermore, the progress report is due on the first of every month and was emailed to your office in a timely manner. The progress report was emailed on April 1<sup>st</sup> 9:58pm. I did not receive a confirmation email from your office, as has been customary.

At the CBE meeting on March 24<sup>th</sup>, it was my understanding that the deadline was April 5<sup>th</sup> at midnight to submit the rest of the data pertaining to the disclosures. I have the deadline written down in my notebook from the day of the CBE meeting.

On April 5<sup>th</sup> by the stated deadline PCL emailed your office the data requested by the CBE at 11:03 pm. I have not received a receipt confirmation from your office, as has been customary.

To avoid these misunderstandings in the future, I would like to request that the CBE please place all of their requests and deadlines in writing. Thank you.

Sincerely,

Edith Pomposo, J.D., LL.M  
Dean