



**OPEN SESSION
AGENDA ITEM IV.B.
JANUARY 2024
COMMITTEE OF BAR EXAMINERS**

DATE: January 26, 2024

TO: Members, Committee of Bar Examiners

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

SUBJECT: Action on Major Change – Voluntary Termination of Registration – Irvine College of Law

EXECUTIVE SUMMARY

Irvine College of Law (ICOL) seeks approval of its plan to voluntarily terminate its registration and degree granting authority effective June 30, 2024. Staff recommends that the plan be provisionally approved, pending receipt of the law school's plans to identify a custodian of records, a list of current students, and the law school's planned administrative headquarters after the expiration of its lease in March 2024.

BACKGROUND

Under Unaccredited Law School Rule 4.246 “[a] registered law school contemplating a major change must notify the Committee and obtain its prior approval before making the change. The notice must explain in detail any effect the change might have on the law school’s compliance.” Major changes include the law school’s current request to change the location of the law school’s administrative office as well as voluntary termination of registration.

ICOL is a registered, unaccredited, distance learning category law school that was determined to be operating in full compliance at its last inspection.

DISCUSSION

Though ICOL is operating compliantly, it has made the voluntary decision to terminate its registration and requests that its registration as an unaccredited law school and its degree granting authority end on June 30, 2024.

The decision appears recent. The law school's current lease on its unaccredited headquarters expires on March 31, 2024. The Committee had directed the law school to advise as to their plans after the lease concluded by January 1, 2024.

On December 29, 2023, ICOL's dean advised via letter that "[b]ased upon a recent decision by ICOL's ownership, the law school will not renew its lease for another full year and, instead, has made a request to its landlord to continuing occupying its office on a month-to-month basis. The reason for this decision is to provide the law school flexibility in moving its files and related matters to a more permanent location in the third quarter of 2024."

On January 5, 2024, ICOL advised its students that the law school planned to close at the end of this term. The following week, on January 9, 2024, the law school telephoned the State Bar to advise staff of the law school's plan to close. On January 16, 2024, it sent the attached Notice of Voluntary Termination of Registration to the State Bar.

ICOL advised in its letter that it "has made the difficult but necessary decision to close the law school and cease its educational operations at the end of its current Winter/Spring semester, which ends on June 30th" because "the size of the last three entering classes of students have been smaller and contained fewer strong applicants." The law school advised that it "remains committed to its students' welfare and future educational goals."

Proposed Closure Plan Offers Students Opportunity to Preserve their Credits

ICOL's proposed closure timing will allow all current students to complete their full Spring 2024 as originally planned. The law school did not enroll any new students in January 2024.

ICOL advises that they have several additional steps to effectuate an orderly closure, and additional information is needed as described below.

ICOL's dean met with each student to assess their individual status and options for transfer. An unspecified number of students "have applied and been admitted to acceptable distance learning programs or are in the process of applying to other schools for later admission depending on the next start date in their academic year." The remaining students will be able to continue at ICOL through the end of the term, and "all ICOL student and administrative services (including academic support and a fully functioning registrars' office) will continue through June 30." The law school advises that they have reminded their students of the

obligation to comply with the state bar's schedule and hours requirements for law study, and staff is awaiting a list of remaining students to reinforce this key message.

Administrative Headquarters and Custodian of Records to Be Identified

ICOL is aware of its responsibility to submit a major change regarding the locations of its headquarters after its current lease expires, as well as its need to identify a custodian of records, and it intends to do so by the end of January 2024. A list of current students is also expected.

Staff notes that the ICOL's ownership is also associated with both Westcliff University and Western State College of Law, which may increase the options available to ICOL on these matters.

The list of students requested above is also needed.

RECOMMENDATION

It is recommended that the committee receive and file ICOL's letter of Notice of Voluntary Termination of Registration and terminate the law school's registration and degree-granting authority effective June 30, 2024.

It is also recommended that the committee directs the law school to file a Major Change of Administrative Headquarters and identify a custodian of records as soon as possible, and no later than its self-identified deadline of January 31, 2024, so that it may be considered at the committee's March 2024 meeting.

Finally, the law school is requested to provide a list of current students no later than its self-identified deadline of January 31, 2024.

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 Irvine College of Law's letter of Notice of Voluntary Termination of Registration and terminate the law school's registration and degree-granting authority effective June 30, 2024.

FURTHER MOVE, that the committee directs the law school to file a Major Change of Administrative Headquarters and identify a custodian of records by its self-identified deadline of January 31, 2024, so that it may be considered at the committee's March 2024 meeting.

FURTHER MOVE, that the law school provide a list of the current students who remain enrolled at the law school as soon as possible, no later than its self-identified deadline of January 31, 2024.

ATTACHMENT LIST

- A.** Irvine College of Law Notice of Closure of ICOL and Voluntary Resignation of its Registration June 30, 2024, letter dated January 16, 2024



Via Email

January 16, 2024

Natalie Leonard, Esq.
Principal Program Analyst
Office of Admissions, Educational Standards
State Bar of California
180 Howard Street
San Francisco, CA 94105

Re: Notice of Closure of ICOL and Voluntary Resignation of its Registration

Dear Ms. Leonard:

I write to inform you and the Committee of Bar Examiners that, after much careful deliberation, the ownership of Irvine College of Law (ICOL) has made the difficult but necessary decision to close the law school and cease its educational operations at the end of its current Winter/Spring semester, which ends on June 30th.

The decision to close an institution after 40+ years of continuous and successful operation came after our best efforts to rebrand and reinvent ICOL as a distance learning law school, following decades of running as a fixed-facility law school. As you know, this process started over two years ago with the major change request to redesignate and rename the school and continued through the expensive and time-consuming process of revising ICOL's entire J.D. curriculum to meet the academic and operational requirements of a distance learning program.

With the start of its new program in July of 2022, the expectations for ICOL's success with its newly implemented program were high based upon competitive market conditions at that time. However, very soon after admitting our first cohort of students to a distance learning program, we found that attracting and enrolling qualified applicants (a key motivation to transform ICOL) became increasingly difficult, despite the expenditure of significant resources on marketing.

This trend impacted on our last four admission cycles with the size of the cohorts of new students growing smaller, instead of larger, as we had hoped and anticipated. Making the situation worse, for the first time, ICOL experienced the loss of several strong and worthy applicants after they were admitted to other competing distance learning law schools. As a result, the size of the last three entering classes of students have been smaller and contained fewer strong applicants.

The impact of starting with fewer first-year students, when combined with normal attrition, made our projections for ICOL's future 2L – 4L enrollment unsustainable given the financial implications of its new and more costly curriculum, along with a much higher marketing spend.

After conducting a market survey of the number of California accredited and registered law schools that now offer an online J.D. curriculum (more than double from two years ago) the decision to close ICOL unfortunately became inevitable.

However, based upon such market realities, ICOL remains committed to its students' welfare and future educational goals. To meet their needs, ICOL has started the process of developing and carrying out a "teach out" plan that we know will be in the best interests of every currently enrolled student that will allow each to move forward with their legal education.

To achieve this, the following events have already taken place:

ICOL has stopped accepting applications for new students. Additionally, those who did apply for admission to the current Winter/Spring semester were informed they will not be admitted nor enrolled, with full refunds for all sums paid by each applicant having already been processed.

All students were notified of ICOL's closure on Friday, January 5th. Both before and after informing the students, I have been in regular contact with the deans of two registered law schools and one of the CALS to discuss their school's ability to offer our students a pathway to transfer when it is in their best interests to do so. I have personally met with (via Zoom) or spoken by telephone with every enrolled student to discuss their personal situation as to their status in completing their J.D. courses and as to their status in terms of their eligibility to take the FYSX or, if they have already passed that examination, the California bar exam.

Based upon those discussions, as of today's date some students have applied and been admitted to acceptable distance learning programs or are in the process of applying to other schools for later admission depending on the next start date in their academic year. A portion of ICOL's currently enrolled students (primarily 1Ls and a few 3Ls and 4Ls) will remain enrolled at ICOL since doing so is in their best interest given their current academic status.

To facilitate their efforts to transfer, all ICOL students have also been informed of the critical issue regarding the start and end dates of their personal eligibility credit years so that they know not to start attending classes at their new law school before the start of their next eligibility year.

Students have also been informed that all ICOL student and administrative services (including academic support and a fully functioning registrar's office) will continue through June 30th.

As for ICOL's administrative office, given that its current lease expires on March 30th, arrangements will be made to relocate all hard copy and electronically stored files and transcripts to be maintained and administered at a repository location to be determined.

After June 30th a repository employee will be designated as the contact individual for future requests from former students and graduates seeking copies of transcripts and student files.

ICOL's website will be modified so that no new applications can be submitted, while an appropriate webpage will be created and posted confirming its closure, its last day of operation, and all information regarding the location of ICOL records, transcripts, and student files. There will also be current contact information for the individual available to assist those seeking assistance with their records, such as former students and graduates.

Finally, given the very fluid nature of the situation and ongoing efforts to provide as much support to our students as possible as they seek to transfer, I will prepare and submit a major change request for the approval by the Committee of Bar Examiners for ICOL to voluntarily resign its registration, relinquish its degree-granting authority and cease operating as of June 30th.

As discussed, I intend to submit ICOL's request by the end of the month with the hope and expectation that the Committee will review and approve it soon, preferably at its meeting in March. Thank you for your recent email setting out the key issues that ICOL's request needs to address and provide specific information about its efforts to close with a minimum disruption to the students who will remain enrolled and then graduate or transfer by the end of the semester.

Again, we appreciate the assistance already provided, along with that offered over the next few months as this difficult but necessary process moves forward. Please contact me with any questions, concerns, or comments regarding any of the issues discussed above.

Sincerely yours,



George C. Leal, Dean
Irvine College of Law

GCL/

cc: