

# **WESTERN SIERRA LAW SCHOOL**

## **PERIODIC INSPECTION REPORT**

Inspection conducted on February 9-10, 2016  
Pursuant to *Rule 4.244* of the  
*Unaccredited Law School Rules*

John Trunick, Educational Standards Consultant  
Office of Admissions, The State Bar of California

**WESTERN SIERRA LAW SCHOOL**  
8575 Gibbs Drive, Suite 150  
San Diego, California 92123

**A Registered, Unaccredited Fixed-Facility Law School**

**EXECUTIVE SUMMARY AND RECOMMENDATIONS**

An inspection of Western Sierra Law School (WSLS) was conducted on February 9-10, 2016 by John Trunick, Educational Standards Consultant to the Office of Admissions (Consultant). It was the law school's second, five-year periodic inspection conducted on behalf of the Committee of Bar Examiners (Committee) under Rule 4.244(A) of the *Unaccredited Law School Rules* (Rules). Its first periodic inspection, conducted in 2009, found numerous issues of noncompliance, which prompted the Committee to conduct an interim inspection in the summer of 2011. That inspection, completed in July 2011, confirmed that WSLS had taken sufficient action to correct the issues of its noncompliance and was then found to be operating compliantly.

WSLS was founded in 1979 as a "community-based school" that has operated in the San Diego metropolitan area since its formation. It has been registered with the Committee since 1980. It is operated as the sole proprietorship of its owner Ms. Angela Saldarriaga. The law school is not affiliated with any other institution nor has it ever sought accreditation from the Committee or any other accrediting entity. At the time of the inspection, the WSLS program of legal education consisted of a Juris Doctor (J.D.) degree earned through four years of part-time evening study. Its current enrollment is comprised of 32 students and the total tuition to earn a J.D. degree is currently \$36,000.

**Recommended, Mandatory Actions:**

1. To comply with Guidelines 2.3(B), (C), (D), and (E), the law school must review and revise its Rule 4.241 Disclosure Statement so that, as found in its catalog and on its website, it will contain all mandatory text and accurate and updated statistical data regarding the pass rates of its student and graduates on the First-Year Law Students' Examination (FYLSE) and California Bar Exam (CBX).
2. To comply with Guidelines 2.3(B) and (C), the law school must clearly indicate to its students whether its quarterly registration fee is non-refundable, provide an accurate estimate of the cost of the four-year curriculum and offer a refund example that is complete and realistic for its own tuition expense and fees.
3. To comply with the express prohibitions of who may carry out the responsibilities of a dean or an administrator, as set forth in Guidelines 4.1 and 4.2, the law school must refrain from referring to Mr. John Meyers as the "Dean of Students" or in exercising any administrative responsibilities related to the law school's program of legal education or operations.

4. To comply with Guidelines 4.7, 4.8 and 4.9, the law school must adopt and implement a compliant program of faculty evaluations to assess competence.
5. To comply with Guidelines 5.3(A)(2), 5.17 and 5.18, the law school must formulate and implement improve examination quality and faculty grading accuracy and consistency to achieve better correlation between students' grade averages and their chances of passing the FYLSX and CBX.
6. To comply with Guideline 6.6, the law school must create and maintain a list of all hard copy and electronic library material available to students, and must maintain a record of expenditures made to acquire hardcopy or electronic library resources.
7. To comply with Guidelines 9.1(D)(7) and 9.1(D)(10) the law school must adopt a policy regarding changes made to its transcripts and to record the date on which each student took the FYLSX and whether the student passed or failed.
8. To comply with Guidelines 9.1(A) through 9.1(H), the law school conduct an audit of all files relating to all applicants, students, faculty members and administrative personnel files to ensure each is compliant and contains all required information, records and transcripts and to them maintain all on a regular basis to assure continuing compliance, with the requirements of the Guidelines.

**Recommended, Suggested Actions:**

1. In accordance with Guidelines 2.9(C) and 5.2(C), the law school should develop and use a standardized course syllabus to provide students with notice of all factors used to compute final grades.
2. In accordance with Guidelines 4.3 and 4.7, the law school should hold an annual meeting of faculty to assist in the formulation, implementation and administration of its academic policies and programs and to discuss means to improve grading consistency and accuracy and offer relevant professional development.
3. In accordance with Guideline 5.2(G) and 5.14, the school should assure that all examinations are reviewed by someone other than the instructor, to assess the exam's effectiveness in testing the course content and the student abilities, as well as for clerical or content errors.

**Recommendation:**

It is recommended that the Recommended, Mandatory Actions and Recommended, Suggested Actions as indicated in this report be adopted; that registration of WSLS be continued; that the law school be required to discuss all efforts that it has taken to become compliant with each of the recommendations contained in this report in its 2016

Annual Compliance Report; that its next periodic inspection take place during the spring 2021 unless the Committee determines that an earlier inspection is required to assess its compliance with the Rules.

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**A Registered, Unaccredited Fixed-Facility Law School**

**Findings regarding Compliance with the Committee's Rules and Guidelines**

WSLS is an unaccredited, fixed-facility law school that, since its founding in 1979, has operated in the La Mesa/San Diego metropolitan area, nine miles from downtown San Diego, the local Courts and the San Diego County Law Library. It has not applied for accreditation from the Committee and is not affiliated with any other institution.

The stated mission of WSLS is to: "to provide a superior legal educational program to meet the needs of the part-time student ... that is staffed by qualified faculty personnel and ... that is constantly seeking to grow and expand to meet the student's needs."

WSLS offers only a part-time, four-year evening program leading to the award of a Juris Doctor (J.D.) degree. At the time of the visit, it had an enrollment of 32 students, with eight in their first year of law study. Those enrolled generally live in the San Diego area, but a few students reported driving from the northern most areas of San Diego County.

To prepare for the inspection, the law school submitted a relatively well-drafted self-study augmented with relevant documentation and information. During the inspection, the Consultant met extensively with the owner and registrar of WSLS, Angela Saldarriaga, and the Dean of Students John Meyers. The Consultant also met with Administrative Dean Michael Herrin, Professors Robert Schneider and Dan Powell.

Meetings with students were held prior to class sessions on the evenings of February 8<sup>th</sup> and 9<sup>th</sup>, while actual class sessions were observed on three evenings, February 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>. The Consultant inspected the facilities and confirmed the contents of the law library. A review of student and faculty files, a sample review of final examinations, student answers and grading tally sheets was also conducted. Ms. Saldarriga, the Dean and faculty were all very helpful and cooperative throughout the inspection and all additional documents and files requested were promptly made available to review.

**(A) Lawful Operation. The law school must operate in compliance with all applicable federal, state, and local laws and regulations. *Guideline 1.9***

WSLS was founded in 1979. Since 2000, it has been owned and operated as a sole proprietorship by Ms. Angela Saldarriaga. She is not an attorney but her husband, John Meyers, earned a J.D. degree at the University of San Francisco School of Law and, until 2004, was a licensed California attorney. The law school operates with a current business license and has paid all business taxes through calendar 2016.

The law school's facilities appear compliant with the standards of the Americans with Disability Act (ADA) to provide accessibility to the physically disabled. The WSLS catalog offers an explanation of how students may request reasonable accommodations based upon a diagnosis of a disability by an appropriate professional. However, the school noted that requests for accommodations are rare.

All records and files are maintained on site with ready access to all stored information upon request. All computer-based records have appropriate on-site and off-site back-up safeguards. The school's offices are generally open from 1:00 to 7:00 P.M. Monday through Thursday when classes are in session, while the school is closed on Fridays and weekends although there are some Saturday classes. Typical class sessions are conducted on Monday through Thursday evenings from 6:30 to 9:30 or 10:30 P.M.

Applicants and students are appropriately advised of the requirements regarding the First-Year Law Students' Examination (FYLSX). The law school strictly complies with the legislative mandate and Committee policy requiring students to pass the FYLSX within the first three administration they are eligible to take the examination to receive credit for study up to the point of passage and, then, to be entitled to graduate and become eligible to take the California Bar Examination (CBX).

**(B) Honesty and Integrity. Pursuant to Guideline 2.1, the law school must be honest and forthright in all of its activities and must demonstrate such honesty and integrity in its financial affairs, communications, and operations.**

WSLS publishes its academic and operational policies on its website and in both a hardcopy catalog and student and faculty handbooks. As described therein, WSLS has adopted compliant policies concerning its admissions standards, including those admitted after a prior academic dismissal, graduation requirements, class attendance, academic good standing, academic and grading standards, course repetition, probation and academic dismissal. The law school's procedures regarding student privacy, records retention and student discipline were also found compliant.

The sum of tuition and all fees students pay to attend the law school, including a deferred tuition payment program, are described in the WSLS catalog. The law school's tuition refund policy is fair and reasonable in offering students refunds based upon the percentage of class sessions attended and requires payment within 30 days. However, the refund example described in the catalog is incomplete and unrealistic and should be revised. The catalog, moreover, fails to explain to students that the registration fee charged each quarter a student enrolls is non-refundable and the catalog, therefore, must be revised.

No evidence was found that students are permitted to remain enrolled if and when their academic exclusion is appropriate, and the law school's academic standards appear to be implemented without regard to financial considerations. The school does not pay anyone an excessive salary or on a commission basis. Its publications do not mislead

either applicants or students about their prospect of earning a J.D. degree or being found eligible to be admitted to practice law in California.

The WSLS Disclosure Statement, as found in the catalog and on its website, contains the disclosures mandated by Rule 4.241 regarding the law school's method of instruction, a student's need to pass the FYLSX to remain enrolled, graduate and then be qualified to take the CBX and the limitation of being admitted to practice law in states other than California. However, the content of a portion of the Disclosure Statement posted the website was found to be outdated and should therefore be revised to conform to the precise text required by Guideline 2.3(D). Moreover, the Disclosure Statement found in the self-study (dated 02-09-2016) and the copy provided during the inspection were both found to contain discrepancies in the pass/fail statistics relating to at least two FYLSX administrations (06/13, 10/11) and three CBX administrations (07/15, 02/13, 07/12). It is recommended that the law school review the contents of each of its Disclosure Statements so that all data reported therein are accurate and match with the pass/fail statistics found on the State Bar's website.

The 2016 WSLS Annual Compliance Report confirms that enrollment over the past five reporting years averaged only nine students per class in 2010, 13 per class in 2011, 9 per class in 2012, 10 per class in 2013 and back to nine in 2014. The law school anticipates that its enrollment will remain small and is expected to decline in the future.

The catalog contains a statement notifying students that they are to adhere to the same professional standards of responsibility, integrity and honesty that govern the legal profession. The policy on student discipline requires a written notice of any violation of student misconduct, and for a hearing before a disinterested panel, that makes the final decision and issues written findings and final decision. Legal counsel is permitted at the student's expense. Disciplinary sanctions may include cancellation of an examination grade, a student's suspension or expulsion from the law school.

The law school has adopted compliant grade review procedures to address claims of any unfairness in examination grading, which includes a review by a faculty committee. Students may review their examination bluebooks after grading. Most students, however, reported they seldom reviewed their bluebooks after grades were issued.

WSLS does not use a standardized course syllabus. Rather, faculty members prepare their own and the syllabi reviewed ranged from offering only reading assignments to a thorough statement of course objectives, assignments and supplemental reading, along with a description of final grade components and weights. Midterm examinations are given varying significance (typically 25%) in course grades, and some instructors use class participation to compute their final grades, but offer no description of how it is objectively assessed. It is recommended that the law school implement a standardized syllabus, and that students be informed as to the degree that class participation is used to compute the final grades given in each class offered.

WSLS maintains a compliant policy designed to protect the privacy of its student information, files and records. Its computerized record-keeping systems have both proper on-site and off-site backup processes. All critical paper documents are filed and maintained in fireproof storage cabinets. The anonymity and authenticity of students' work product and examinations answers is protected through use of randomly generated identification numbers on examinations and other graded submissions.

The student handbook indicates that there are no student activities such as a student bar association, bar review, student clubs or alumni association. There is a bulletin board at the school for the posting of pertinent employment notices, but the catalog clearly indicates that the school does not offer employment assistance. The Administrative Dean and Dean of Students provide academic counseling upon request.

**(C) Governance. A law school must be governed, organized, and administered so as to maintain a sound program of legal education. *Guideline 3.1***

The law school is organized and operates as a for-profit, sole proprietorship; as such, it has neither a board of directors nor a board of visitors. However, Ms. Saldarriaga confirmed that she regularly relies on several faculty members (who are licensed attorneys) to offer guidance in the operation of the law school. Additionally, if and when a new operational or academic policy is being considered, Ms. Saldarriaga will hold a meeting of the faculty to discuss the proposal. Administrative Dean Michael Herrin is also reported to be the decision maker regarding all final academic decisions.

**(D) Administrator, Dean, and Faculty. A law school must have a competent dean and a competent faculty devoting adequate time to administration, instruction, and student counseling. *Guideline 4.2***

With an enrollment below 100 students, WSLS operates compliantly with a part-time administrator who also acts as its Dean. Michael Herrin serves in both capacities under the title of Administrative Dean. Dean Herrin is a graduate of WSLS and has been a licensed California attorney since 2003. While he is employed full-time as a San Diego Deputy City Attorney, Dean Herrin confirmed that he is able to devote an adequate amount of time to carry out his administrative duties at the law school, including being responsible for making all final, academic decisions. Dean Herrin also teaches courses in Legal Writing and Jurisprudence, and he is present at the law school on a regular, although not nightly, basis whether or not he is currently teaching a course.

The inspection confirmed that WSLS is also administered, in part, by John Meyers (the husband of Ms. Saldarriaga) who holds the title of the Dean of Students. As such, Mr. Meyers interviews applicants, provides academic counseling, assists in curriculum planning and reviews student evaluations of the faculty. Mr. Meyers is also a member of the faculty and regularly teaches Torts and Legal Research. Mr. Meyers earned his J.D. degree at the University of San Diego School of Law and, until 2004, was a licensed California attorney. Since that time, his law license has been suspended and has never been reactivated.

Although he is neither the Dean nor designated administrator of WSLs, Mr. Meyers's current title and the administrative responsibilities he carries out combine to raise an issue of whether the suspended status of his law license prevents him from working at the law school under the title of "Dean of Students," and whether he is qualified to carry out any administrative responsibilities at the law school. Under Guidelines 4.1 and 4.2, any attorney "under suspension from the practice of law, disbarred, or who resigned with charges pending in any jurisdiction may not serve" as either a law school's administrator or its dean.

Due to this express prohibition in who may carry out any of the administrative duties of either a dean or an administrator of a registered law school, it is recommended that WSLs remove all administrative responsibilities from Mr. Meyers and that it refrain from referring to him as the Dean of Students in any and all law school publications until and unless his license to practice law in California is reinstated and he is once again a member in good standing of the State Bar.

Ms. Saldarriaga acts as the WSLs registrar and staffs the law school's offices during the four days of each week it is open. She has years of experience working as a paralegal and, as its owner, she is responsible for the law school's day-to-day operation and has carried out her duties as its registrar compliantly for many years.

The WSLs faculty is not actively involved, through a standing committee, in the development of or changes to its scholastic standards or policies. Instead, the law school relies on a few members of the faculty to consider whether a new academic or scholastic proposal should be adopted, with Administrative Dean Herrin making a final decision. Thus, while a major academic or policy change might be discussed with some members of the faculty, it is recommended that the law school engage the entire faculty by creating a faculty committee to consider such changes or, at a minimum, to initiate and begin holding at least one annual faculty meeting to discuss its academic policies, methods to improve student academic performance, promote better grading consistency and to provide some education to allow faculty members to improve their teaching.

The composition of the law school's faculty has remained stable over the past several years, even though its enrollment has declined. At the time of the inspection WSLs had eight, part-time instructors. Each, other than Mr. Meyers, is licensed attorney, with six members of the faculty licensed to practice in California. Most instructors have been teaching at WSLs for several years, with six teaching over ten years and two for more than 25 years. Members also have varied educational and professional backgrounds, with six having graduated from ABA-approved law schools; two are alumni of WSLs.

Both the students and individual professors confirmed that members of the faculty are accessible and available to students for academic advisement through both telephone and email and, with an appointment, in meetings on campus before or after class sessions. Students complete faculty evaluations at the end of each quarter that are reviewed by both the Administrative Dean and the registrar.

The faculty handbook includes both an academic freedom statement and a policy that instructors are subject to being evaluated. However, as confirmed during the inspection, the evaluations being conducted are not done so on a regular basis and there is no stated schedule of when or how they are to be performed. Instead, it was reported that faculty members are occasionally asked to observe a class being taught by another faculty member to evaluate and make suggestions regarding their teaching practices. Moreover, a review of the files maintained on each faculty member confirmed that none contained any peer evaluations nor an evaluation performed by the Dean, although there some of the files contained student evaluations received at the end of a class.

Although there is an express faculty evaluation policy, the policy stated has not been implemented and it does not contain the written procedures to conduct meaningful evaluation as required by Guidelines 4.8 and 4.9. Therefore, it is recommended that the Dean and the law school's faculty adopt and publish a faculty evaluation process and schedule that is compliant with each of these Guidelines.

During the visit, the Consultant observed three class sessions and found that the quality of teaching and instruction being offered to WSLs students was generally compliant; students appeared prepared and engaged in class activities. The course materials and level of presentation were appropriate for law school studies, and included topics of current public interest adding to the relevance of the course materials. The Consultant did note that several students appeared to be using commercially prepared case briefs.

**(E) Educational Program. A law school must maintain a qualitatively and quantitatively sound program of legal education. *Guideline 5.1.***

The content and scope of the law school's J.D. degree program is compliant with the Committee's minimum requirement of offering students no less than 270 hours of classroom attendance a year for four years. As described below, the WSLs curriculum is only offered on a part time basis.

The law school uses a quarter system, with 10-week fall, winter and spring quarters and a 10-week summer quarter taught for the first three summers a student is enrolled. Some courses (legal writing and practice-oriented courses) are pass/fail, but each course covering a subject tested on the CBX is graded. Students earn credit in quarter units (1 unit per 10 class hours). Class sessions for a typical three-unit course are taught from 6:30 to 9:30 p.m. and to 10:30 p.m. for a four-unit course. Class sessions are held on Monday through Thursday evenings, with occasional classes on Saturdays. The Legal Research course, however, meets on Saturdays, at the law library of the University of San Diego School of law, a nearby ABA-Approved law school.

Students who enroll at WSLs may start the J.D. program at any quarter. In the first-year of study, students enroll in Contracts, Torts and Criminal Law with each class taught separately over an entire quarter (four hours per class, twice per week, for 10

weeks = 80 hours = 8 qtr. units), followed by a two week period when the Legal Analysis course meets 5 times, for 4 hours each (20 hours = 2 qtr. units). In the fall, winter and spring terms of the first year, a student completes 30 units of study, followed in the summer quarter taking at least Legal Research (3 units). A student enrolling in the summer starts with Legal Research and then starts their core classes in the fall quarter.

With its small enrollment, the law school's second- and third-year course curricula (each consisting of 27 units) are offered in alternating years so students starting their second year enroll in classes then being offered. All electives and some required classes are offered over the summer quarter and second- and third-year students take two subjects concurrently, while fourth-year students take three. Students must successfully complete 87 units over their last later three years, completing at least 27 units each year to meet both graduation and the CBX eligibility requirements. The course sequencing and units per topic were found to be compliant. Graduation requirements include earning 120 quarter units, completing all required courses and achieving a GPA of at least 70 for all courses in addition to having passed the FYLSX or to found to be exempt from taking the examination. While there are brief breaks between quarters and for the Christmas holidays, the program cannot be completed in less than four academic years of at least 48 weeks each.

WSLS is compliant with the statutory and Guideline mandate that all non-exempt students take and pass the FYLSX within the first three administrations after they first become eligible to take the examination. Students who fail to meet this requirement are, as required, promptly dismissed. The law school's attendance policy requires attendance at 80 percent of the class sessions for a course, and there is no provision for make-up of missed classes. The catalog indicates that excessive absences may result in dismissal from the course. The law school also offers legal externships for credit, although it does not offer students either a moot court program or law review.

The WSLS curriculum offers classes covering each subject tested on the CBX, including California Evidence and California Civil Procedure. Additional courses in Legal Analysis, Legal Research, Civil Litigation Skills and Criminal Litigation Skills provide instruction in important professional skills such as drafting legal documents and trial advocacy. There is little deviation in the curriculum and electives are offered, in part, upon the degree of expressed student interest but primarily upon instructor availability.

Both students and faculty reported regular student-faculty interaction and counseling during informal conferences before or after classes and by communicating over the telephone and by email.

Essay examinations are required for all courses except practice-oriented subjects. Some instructors also use multiple-choice questions that they individually drafted, in subject matter tested on the CBX. Most examinations reviewed were found to contain two essays and a set of multiple-choice questions. Students reported that they get little or no individualized feedback on examinations, consistent with the Consultant's finding that there were few comments on the examination answers reviewed. Examination

questions are not reviewed, before or after an examination, other than by the instructor to assess their scope, content and complexity. Given their importance to maintain a qualitatively compliant program of legal education under Guidelines 5.1, 5.2(G) and 5.25, it is recommended that the Administrative Dean review each final examination before it is given to students to ensure that it is a fair test of the subject matter covered in class, consistent with other examinations given to the same cohort of students and to assure there are no typographical or content errors. The faculty should develop and adhere to a policy intended to provide students with written comments and individualized feedback on final examination answers so that examinations improve as an educational tool to provide students a better perspective through the process of analysis and exposition.

WSLS students are permitted to participate and earn academic credit for work performed in approved clinical externships. Given that Administrative Dean Herrin and other members of the WSLS faculty practice law in the San Diego City Attorney's Office or in the San Diego Public Defenders' Office, WSLS students have, over the years, been given the opportunity to work in each of these offices. To do so, students must make a request to be approved to be an extern and, if accepted, a faculty member is assigned to oversee and confirm the students' compliance with the clinical education requirements. One unit of credit is awarded for the successful completion of 30 hours of work as an student intern, and each agency involved provides written verification of the number of hours of work completed. In compliance with Guideline 5.8(D), WSLS limits the amount of credit granted such that a student may not earn more than 40% of their annual classroom attendance requirement in any academic year, nor more than 10% of the total number of classroom hours required for graduation in an externship.

To provide its students with academic support, the law school has an arrangement with a professional tutor who assists students to better understand course material and in preparing for examinations. WSLS does not, however, provide any special review program in preparation for the FYLSX or the CBX. Students are, of course, permitted to enroll in and attend any FYLSX or CBX preparation program at their own expense.

**(F) Scholastic Standards. A law school must adopt sound written scholastic standards and must as soon as possible identify and disqualify those students who have demonstrated they are not qualified to continue under these standards. Guideline 5.18.**

The law school has adopted and maintains compliant written policies to inform students as to what constitutes academic good standing, academic probation and dismissal and the minimum requirements to graduate. Individual professors grade their own final examinations, with most allowing students to use laptop computers with ExamSoft's software installed.

WSLS uses a numerical grading system: a grade of 70 out of 100 is needed to achieve minimum academic good standing and a cumulative grade point average (GPA) of 70 is needed to graduate. Grades range from: 95-99 (A); 84-85 (B); 74-75 (C); 64-65 (D) and

below 59 is an F. Classes offering practical skills and Legal Analysis are graded pass/fail. Students who complete the first year with an average of less than 64 are dismissed. Students who finish their first year with GPA of between 64 and 69, and who then pass the FYLSX, are permitted to advance on probation. If, after their first year, a student's GPA is below 70, they are placed on probation and any student who remains on probation for three consecutive quarters is academically dismissed, while a student who fails two classes is automatically dismissed.

Each student's academic progress is assessed at the end of each quarter and any student academically dismissed may apply for readmission. However, while the law school dismisses students who fail to pass the FYLSX within the "three-administration" rule, the school has a history of very few, if any academic dismissals. As confirmed by its last two Annual Compliance Reports (2014 and 2015), only two students were dismissed in their first years of study and none were dismissed after their second year.

As noted in its self-study, the first-year curriculum at WSLS has been taught by the same instructors for many years so their final grades are generally consistent from year to year and from instructor to instructor. Given this consistency, there is a positive correlation between those who complete their first year with a weighted grade average of 74/C or higher and then pass the FYLSX. As confirmed from the pass/fail results of WSLS students on four administrations of the FYLSX from October 2013 through June 2015, 25% (8/32) of those with a 74/C or better grade average passed, with only 12% with a GPA of 70-73 did so, while those with the overall best GPAs (79-80, C+/B-) had a slightly better pass rate of 33% (4/12).

A review of all grades issued during the past two academic years, 2014-2015 and 2013-2014, confirmed that there is relatively little grade inflation, with 44% (170/381) of all grades given over these two year fell within the C+/C- grade range, while, only 20% of all grades issued were at or above at or above a B (79/381) and 17% (65/381) were in the D+/D- range. It should be noted, however, that only two Fs, out of a total of 381 grades issued (0.5%), have been issued during the past two academic years. Finally, over the past five years, the overall grade point average of all students was 76.43 (C+).

The law school reported that since its last inspection it has made a concerted and successful effort to improve its students' success on the FYLSX. As confirmed by the pass/fail statistics found on the State Bar's website the cumulative pass rate of WSLS students on the FYLSX over the last five years (10 administrations) is 64%, with 34 of 53 students taking the examination over this period of time eventually passed.

The reported pass rates for WSLS students on the ten most recent administrations of the FYLSX are as follows:

Date	All Takers	All Passers	% Passing	First-time Takers	First-time Passers	% Passing
Jun. 2015	15	3	20.0	6	2	33.3
Oct. 2014	12	2	16.7	0	0	0.0

Jun. 2014	17	5	29.4	8	1	12.5
Oct. 2013	13	2	15.4	1	0	0.0
Jun. 2013	18	3	16.7	8	3	37.5
Oct. 2012	14	2	14.3	3	0	0.0
Jun. 2012	22	6	27.3	11	3	27.3
Oct. 2011	16	2	12.5	3	0	0.0
Jun. 2011	21	4	19.0	12	4	33.3
Oct. 2010	13	5	38.5	1	1	100.0
<b>Five-Year Totals</b>		<b>34</b>	<b>21.0%</b>	<b>53</b>	<b>14</b>	<b>26.42%</b>

The pass rates for WSLs graduates on the ten most recent administrations of the CBX are as follows:

Date	First-time Takers	First-time Passers	% Passing	Repeat Takers	Repeat Passers	% Passing
Jul. 2015	3	0	0.0	11	0	0.0
Feb. 2015	4	1	25.0	10	3	30.0
Jul. 2014	5	0	0.0	10	0	0.0
Feb. 2014	2	1	50.0	10	1	10.0
Jul. 2013	3	1	33.0	7	1	14.0
Feb. 2013	2	0	0.0	9	2	22.0
Jul. 2012	2	0	0.0	11	0	0.0
Feb. 2012	1	0	0.0	11	0	0.0
Jul. 2011	3	1	33.0	11	1	9.0
Feb. 2011	2	0	0.0	12	1	8.0
<b>Five-Year Totals</b>	<b>27</b>	<b>5</b>	<b>18.5%</b>	<b>102</b>	<b>9</b>	<b>8.8%</b>

Based upon these results, the 18.5% overall first-time pass rate for WSLs graduates is slightly higher than the 14.4% overall average for the graduates of all registered fixed-facility law schools over the same administrations of the CBX. Moreover, the best evidence of the law school's improved pass rates since its last inspection is found in the fact that its overall, cumulative pass rate for the past five years is approximately 50%, a rate that is substantially higher than the 40% minimum, cumulative bar examination pass rate required of California-accredited law schools.

**(G) Admissions. A law school must adopt and maintain a sound written admissions policy. A law school must not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the degree program. *Guideline 5.26.***

WSLS publishes its admission policy in its catalog. As provided therein, the law school admits applicants with either a bachelor's degree or the minimum amount (60 units) of acceptable college credit as regular students, those transferring from another law school and eligible special students. It does not require nor use the Law School Admissions Test (LSAT) in its admission decisions since it believes that, for those it admits, there appears to be little, if any, correlation between an applicant's pre-law GPA or their LSAT score in predicting their future success on the FYLSX or CBX.

The law school also regularly admits those with prior law school attendance. As reported in its last two Annual Reports, WSLS admitted six students who attended ABA-approved law schools, including at least two who had been academically dismissed. For those applicants admitted who previously attended accredited law schools (either ABA-approved or California accredited), but were not passed into their second year of study, the law school reports that it requires that they timely take and pass the FYLSX. For those who transfer in from another registered law school, no credit for their prior law study is given unless they were either advanced to the second-year at the prior law school or passed the FYLSX.

As reported in its last two Annual Compliance Reports, the law school maintains an extremely liberal admission policy. As reported therein, the law school rejected not a single completed, application submitted by a qualified applicant, giving it an effective acceptance rate of 100%.

Despite a significant drop in its enrollment, falling 37% from 51 students during the 2012-2013 academic year to 32 students at the time of the inspection, the law school continues to apply compliant admission standards. Over the last five years, the school has admitted 92 students with 67 of those admitted (73%) holding a bachelor's degree, eight (8.5%) had at the required two years of college credit, another eight (8.5%) were transfers who had not been academically dismissed and nine (10%) were previously dismissed from another law school. No special student has been admitted in the last five years, but the law school has a history of occasionally admitting a qualified special student and noted that over the last ten years three of its class valedictorians have been special students and that each passed the CBX on the first attempt.

**(H) Library. Registered unaccredited law schools must comply with the library content requirements in California Rule of Court 9.30 and *Guideline 6.2.***

WSLS maintains a compliant hardcopy law library. It is located on shelves along the facility's hallways and in one small conference room/classroom. The collection is accessible to users whenever the school's facilities are open, generally from 1:00 to 9:30 PM, Monday through Thursday and Saturdays from 9:00 A.M. to 3:00 P.M. The

hard-copy authorities and resources include required California cases found in *California Reports*, 1<sup>st</sup> through 4th, with current advance sheets and Shepard's citators. *Deering's California Codes Annotated* is available in hard copy. There are also appropriate dictionaries, sets of *Witkin* law summaries, local court rules, hornbooks and all casebooks or other treatises covering the subjects of all classes offered.

In addition to the hard copy materials, the school provides on-line access to LexisNexis for each student, with individual passwords (at no additional cost to the student). In addition, the school provides Wi-Fi internet access on campus, allowing access to other internet-based resources. In addition to these school-based resources, the San Diego County Law Library, and three ABA-Approved law schools are each less than nine miles from the WSLs campus. This level of access to library resources provided by WSLs exceeds the requirements of the Guidelines, as provided in Guidelines 6.1 and 6.4.

First-year students take the required course in Legal Research, which (with permission) is taught at the law library of the University of San Diego School of Law.

The inspection confirmed that the law school has not created nor maintain any of the library records required by Guidelines 6.6(A) and (B), an up-to-date list of all expenditures made to acquire and update all required hard copy and electronic legal authorities and materials found in the law library, along with a list of all such authorities and materials. It is recommended that the law school be required to comply with each of these mandatory requirements.

**(I) Physical Resources. A law school must have physical resources and an infrastructure adequate for its programs and operations. *Guideline 7.1***

Other than the legal research course taught at the University of San Diego School of Law, all educational activities take place at the WSLs facilities. They are housed on the ground floor of a modern two-story commercial office building. The building has one other major tenant, the University of California San Diego that conducts hospital billing operations at the site. The law school facilities are leased through December 2019, and include two main classrooms, one seating 24 students, the other 12 students, with space for expansion. There is another conference room/classroom that seats eight students and also contains much of the law library and two legal research computer workstations. There is office space for the Administrative Dean and registrar, a small student lounge and appropriate storage space (including fire-protected file cabinets for records). Restroom facilities are located elsewhere on the same floor of the building.

There is an adjoining parking lot, with free parking in the evening when students are attending classes, and there is reasonable parking access during daytime hours. The facilities appear to be ADA compliant as to offering disabled access and signage. All classrooms are appropriately furnished with a sufficient number of tables and chairs, adequate electric outlets for in-class computer use by students, and there is a television and other equipment for computerized presentations. The facilities are considered adequate and can easily accommodate more than 75 students.

**(J) Finances. A law school must have adequate present and anticipated financial resources to support its programs and operations. *Guideline 8.1***

WSLS appears to be managed in a fiscally sound and compliant manner in light of its reported income and expenses. Its current tuition is charged at the rate of \$300 per quarter unit, and with 120 units required for graduation, the total expense of the program is modest at \$36,000, plus registration and similar fees. The law school is not approved for federal or state financial aid or grant programs. There is a written refund policy providing for a prorated refund to be repaid within 30 days after a written request.

A review of the WSLS financial reports and annual budget shows that its current and anticipated income should continue to support its academic programs and, when requested, enable it to make all students refunds when warranted. Due to its declining enrollment, however, the law school's income has been decreasing. While there is no current indication of financial stress, the most recent profit and loss statement made available during the inspection confirmed that the sole proprietorship reported a very small net loss (\$760) at the end of 2014. However, it must also be noted that its reported income for that year was \$247,000, with most of that sum being used for salaries. Given that WSLS operates and is managed as a sole proprietorship, it is assumed that Ms. Saldarriaga receives most of the revenue paid out in salary.

**(K) Records. A law school must maintain complete and accurate records of its programs and operations. *Guideline 9.1***

A sample review of the law school's files and records confirmed that many, if not most, are incomplete and fail to contain some essential documentation and, therefore, are not being maintained compliantly. A number of student files reviewed did contain all required, signed copies of each currently enrolled student's Disclosure Statement, while some did not contain all required official transcripts, while some transcripts note only the most recent FYLSX taken, rather than showing all such examinations taken by each student.

The law school lacks a written policy regarding changes to its transcripts, which is required by Guideline 9.1(D). Grade calculation records are incomplete and inconsistent. Grade distribution records by course and by instructor are absent and there are no files regarding administrative personnel. Most of the faculty files did not all contain a current faculty statement, or any evaluations, current employment contracts, or official law school transcripts. Guideline 9.1(H). There are no minutes of any faculty meetings.

The law school's Admission Certifications were found have been properly submitted and appeared to provide the Committee with the appropriate information and classifications. Student files did contain pertinent copies of the required Disclosure Statement. Transcripts show only the most recent FYLSX taken, rather than showing all such examinations taken by the student. The school lacks a written policy regarding changes

to transcripts. However, not all student files contained all of the required official transcripts. Grade calculation records are incomplete and inconsistent and, even when read in connection with the syllabus or statement as to basis for the final grade [Guideline 2.9(C)], the information may not allow confirmation of the course grade computation. Grade distribution records by course and by instructor are absent.

All hardcopy records the law school does have are maintained in fireproof file cabinets held in a storage area at the school. Electronic records are maintained in the school's on-site computers with back-up copies in both on-campus and off-campus storage.

Based upon this comprehensive lack of compliance with the individual requirements of Guideline 9.1, it is recommended that the law school be required to perform a comprehensive audit of all applicant, student, faculty and administrative files and records to confirm that each is updated and contains all records, transcripts and information required by Guidelines 9.1(A), 9.1(B), 9.1(C), 9.1(D), 9.1(E), 9.1 (F), 9.1(G) and 9.1(H).

**(L) Equal Opportunity. Consistent with sound educational policy, and the *Unaccredited Law School Rules*, a law school should demonstrate a commitment to providing equal opportunity to study law and in the hiring, retention, and promotion of faculty without regard to sex, race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, political affiliation, sexual orientation, or veteran status.**

The faculty handbook confirms that the law school is committed to operating in a manner that provides equal opportunity to both students and its faculty and that it does not unlawfully discriminate in who it admits, hires, retains without regard to sex, race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, political affiliation, sexual orientation or veteran status. However, a similar express statement is not found in either the WSLS catalog, in its student handbook or website. As a result, all should be revised to include a written policy that complies with Guideline 10.1.

The law school reported that over the past five years, 40% of its enrollment has been female, while 54% of its students self-identified with a non-white ethnic group, with the largest number being of Hispanic origin. The WSLS faculty has been very stable over the last four years with very little turnover. Currently the law school has only one female professor, comprising only 13% of the faculty and no member of the faculty is a member of an ethnic minority group. Given the diverse nature of its enrollment, the issue of offering students a more diverse faculty was discussed with Dean Herring and Ms. Saldarriaga and each recognized the need to do so. Thus, when a new faculty member is to be retained, the law school will be expected to make a good faith effort to recruit and retain a qualified faculty member from a minority community.