

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM NUMBER: December 2016 – O-406

DATE: November 22, 2016

TO: Subcommittee on Educational Standards

FROM: George Leal, Director for Educational Standards

SUBJECT: **St. Francis School of Law - Periodic Inspection Report**

BACKGROUND

Attachment A is the Report of the Periodic Inspection of the St. Francis School of Law (SFSOL) conducted on September 7-8, 2016 by Educational Standards Consultant Sally Perring. Attachment B is correspondence dated November 21, 2016 received from Dean Carole Buckner accepting the Report and its recommended mandatory and suggested actions.

SFSOL is a registered, distance-learning law school that operates as an independent, nonprofit entity owned by Baker College, a regionally-accredited academic institution in Flint, Michigan. It operates from administrative offices in Newport Beach, California and was founded in 2011 and had an enrollment of 49 students at the time of the inspection. This was its first, five-year periodic inspection, although an interim inspection in 2013 was conducted and the law school was then found to be operating compliantly.

As a distance-learning law school, SFSOL offers its online Juris Doctor (J.D.) degree program through a combination of synchronous, interactive classes and asynchronous written work assignments. It is ably administered by Dean Buckner and its faculty is comprised entirely of licensed attorneys who earned their J.D. degrees at a number of different ABA-approved law schools. Since its founding and acquisition by Baker College in 2013, SFSOL has taken efforts to raise both its admissions and academic standards and now admits only applicants with a bachelor's degree from an accredited college or university. The program currently costs students a total of \$36,000.

SFSOL's efforts to improve the overall quality of its J.D. program can be seen in the pass rates of its students on the First-Year Law Students' Examination (FYLX) and the California Bar Examination (CBX). Since its founding, SFSOL students have passed the FYLX at the overall rate of 65.38%. As now reported by Dean Buckner, the law school's first class of graduates had an overall pass rate 66.66% on the July, 2016 CBX administration.

The inspection confirmed that SFSOL is operating compliantly. As described in the Report, its admissions standards, curriculum, academic standards and all operational policies and procedures are sound and compliant. The law school has a dedicated dean in Dean Buckner and an experienced administrative staff, and its students are taught by a motivated experienced faculty using current, online technology.

The inspection found very few issues of non-compliance requiring recommended mandatory actions by the law school, and only two issues under the *Guidelines for Unaccredited Law School Rules* where the law school should seek to achieve better, overall compliance. The Report recommends the following:

Recommended Mandatory Actions:

- 1) To comply with Guideline 2.9(B)(2), the law school must adopt and publish a Pass/Fail grading policy in order to provide students proper notice as to when a course will be offered and then graded on a pass/fail basis;
- 2) To comply with Guidelines 2.9(B)(6), 2.9(B)(7) and 5.19, the law school must revise its academic policy to provide students with proper notice of when they are subject to academic disqualification or academic probation and, if placed on probation, when they will be allowed to remain enrolled while on probation; and
- 3) To comply with Guidelines 2.9(G) and 2.9(H), the law school must adopt and then publish a compliant grade review policy that provides students the right to have all such appeals heard and decided by a compliant committee of faculty.

Recommended Suggested Actions:

- 1) To achieve better compliance with Guidelines 2.9(B), 5.17, and 5.25, the law school should review and revise its current grading standards to provide students with better defined distinctions between grade averages at minimum good standing, above-average and superior academic performance so that both students and faculty are better able to differentiate each such performance and to offers students a more clear distinction between class performance and success on the FYLSX and, eventually, CBX;
- 2) To achieve better compliance with Guidelines 5.26, and 5.27, the law school should review and reconsider continuing its current admissions policy, which grants the Dean discretionary authority to rescind the admission of and dismiss any student without cause, within ten weeks of starting classes.

DISCUSSION

Dean Buckner's letter confirms that SFSOL accepts the Report and the law school has taken appropriate actions to address, revise and adopt all necessary changes in its academic standards and operational policies to resolve each of compliance issues described above in regard to the mandatory and suggested recommendations.

RECOMMENDATION:

It is recommended that the Inspection Report be received and filed; that the response of Dean Buckner be received and filed; that the recommended, suggested actions contained in the Report be adopted; that notice be taken that the school has reported that all of the recommendations contained in the Report have been adequately addressed and resolved; and that the law school's next periodic inspection take place in the fall of 2021, unless an earlier inspection is found necessary by the Committee.

PROPOSED MOTION:

If the Subcommittee agrees with this recommendation, the following motion is suggested:

Move that the Periodic Inspection Report of the St. Francis School of Law of the inspection conducted on September 7-8, 2016 by Educational Standards Consultant Sally Perring be received and filed; that the response of Dean Carole Buckner submitted on behalf of the law school be received and filed; that the recommended, suggested actions contained in the report be adopted; that notice be taken that the school has reported that all of the recommendations contained in the Report have been adequately addressed and resolved; and that the law school's next periodic inspection take place in the fall of 2021, unless an earlier inspection is found necessary by the Committee.