

# **AMERICAN INTERNATIONAL SCHOOL OF LAW**

**A Registered, Correspondence Law School.**

## **PERIODIC INSPECTION REPORT**

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

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Office of Admissions, The State Bar of California

**Report on the Periodic Inspection of**  
**AMERICAN INTERNATIONAL SCHOOL OF LAW**  
16491 Scientific Way  
Irvine, CA 92618

**EXECUTIVE SUMMARY AND RECOMMENDATIONS**

An inspection of American International School of Law (AISOL) was conducted on June 9-10, 2016 by Sally Perring, Educational Standards Consultant (Consultant). The inspection was the law school's first, five-year periodic inspection pursuant to Rule 4.244(A) of the *Unaccredited Law School Rules* (Rules). AISOL was registered by the Committee of Bar Examiners (Committee) in March 2011. After its first two years of enrolling students, in May 2013, an interim inspection of the law school was conducted and it was found to be operating compliantly at that time.

AISOL operates from its administrative offices located in Irvine, California. Mr. Nitesh Patel is AISOL's founder and acts as its administrator and registrar. He holds a J.D. degree from Abraham Lincoln University of Law, a Committee-registered distance-learning-law school, and an LL.M. degree in taxation from Thomas Jefferson School of Law, an ABA-approved law school. Dean Andy Szeto is a California attorney; he is a graduate of Chapman University School of Law, also an ABA-approved law school.

AISOL offers a four-year, part-time Juris Doctor degree program taught exclusively through online, asynchronous curriculum; in 2015 its enrollment consisted of 32 first-year students and four upper division students. The law school utilizes a proprietary on-line system to track student participation and provide interaction with the faculty. Total tuition to earn a degree is currently near \$12,000.

Students are required to view video-taped lectures that augment reading assignments from standard J.D. casebooks and commercially-prepared supplemental materials. They may also interact with their professors through online "chat rooms," although such communications are voluntary. Students are required to keep weekly online study logs of all time spent engaged in their coursework and they must turn in regular assignments and take midterm examinations to receive their grades and feedback from their professors. All interactions with faculty online are voluntary. The year culminates in the taking of final exams, the grade on which represents at least 90% of their course grade.

Since it opened, AISOL's greatest challenge has been to retain the students it admits into its program since, on average, fewer than 10% of its enrolled students matriculate beyond the first year. Most first-year students withdraw or simply quit participating before the end of the year. In light of this history, the law school has developed a new curriculum that it believes will better engage the students who enroll. It is made up of smaller study modules for each course, each covering more discrete sections of the course material being taught with more frequent feedback being provided.

Despite its inability to retain students, those that complete their first year have had above average success in passing the First-Year Law Students' Examination (FYLSX). Since its first students started taking the FYLSX in February 2013, four out of a total of seven have passed the FYSLX for an initial, cumulative pass rate of 57%.

Since it is a relatively new law school, AISOL has had only two graduates take the CBX; one, a transfer student, passed on his/her third attempt, while another took the CBX for the first time in February 2016 but failed to pass. A third student is set to graduate and should be taking the July 2016 CBX.

AISOL was found to be operating compliantly. The school offers its students a sound program of legal education leading to the award of a J.D. degree, it has a well-qualified faculty and experienced administrators and its online technology offers students compliant administrative assistance.

### **Recommendation:**

It is recommended that this Periodic Inspection Report be received and filed by the Committee; that the recommended, mandatory and suggested actions listed below be adopted; that subject to confirmation within sixty days after this Report is received by the Committee that the law school has taken sufficient efforts to address and correct the mandatory actions listed, registration of the American International School of Law be continued; and that its next periodic inspection be scheduled for the spring of 2021, unless the Committee determines an earlier inspection is required.

### **Recommended Mandatory Actions:**

- 1) To comply with Guideline 1.9, the law school must publish its policy governing student privacy and its policy regarding compliance with the American with Disabilities Act (ADA) in a manner that is accessible to students;
- 2) To comply with Guideline 2.8, the law school must amend and republish its student honor code to provide sufficient notice to students regarding the consequences of a violation and that incorporates all due process protections required by this Guideline.
- 3) To comply with Guidelines 4.8 and 4.9, the law school must revise its faculty evaluation policy to include all processes required by these Guidelines;
- 4) To comply with Guideline 4.10, the law school must adopt an express policy that confirms that members of the faculty enjoy compliant academic freedom;
- 5) To comply with Guideline 5.31, the law school application form must be revised to inquire as to an applicant's prior attendance at any prior law school;
- 6) To comply with Guideline 9.1(C), all student files must contain a copy of all registration agreements signed by each enrolled student.

7) To comply with Guideline 9.1 (D), the law school must revise its format for student transcripts to include: the date(s) of each administration of the FYLSX taken by the student, and whether the student passed or failed and the date of the student's withdrawal or dismissal if the student failed to pass the examination in a timely manner;

8) To comply with Guideline 9.1 (H), faculty files must contain copies of all faculty evaluations, law school transcripts of faculty members and proof of admission to practice in each jurisdiction in which they are admitted.

#### **Recommended Suggested Actions:**

1) Pursuant to Guideline 2.9(C), the law school should clarify the basis for student course grades appearing in the catalog.

2) Pursuant to Guideline 5.25(A), the law school should track as much as possible the performance of its students on the FYLSX and CBX and correlate results to the law school's grading practices.

3) Pursuant to Guidelines 5.30 and 9.1(C), the law school should date stamp the copy of the student's pre-legal transcripts when received to validate readily its compliance.

4) Pursuant to Guideline 5.3(B)(1), the law school should file and confirm that the hard copy study log(s) signed and submitted by students is in their respective files.

5) Pursuant to Guideline 5.17, the law school's Dean and faculty should conduct a comprehensive survey of all grades issued in all classes graded in the J.D. degree program to judge whether they are consistent and fair and whether there is any meaningful evidence of grade inflation in the number of top grades issued;

6) Pursuant to Guidelines 9.1(C) and (D), the law school should maintain a copy of student's transcripts of course credit earned in their respective file.

#### **Findings of Compliance with the Committee's Standards and Guidelines**

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

AISOL operates as a California corporation that is in good standing and registered with the California Secretary of State; it also operates under a current business license from the City of Irvine. While the law school provided appropriate privacy and accommodation policies, such policies did not appear to be published and available to students. AISOL must ensure that students have access to copies of such policies. [Subsequent to the visit, the law school provided a copy of its updated catalog, which included compliant policies.]

**(B) Integrity. The law school must demonstrate integrity in all of its programs, operations, and other affairs. (Guidelines 2.1, 2.2, 2.3, 2.8 - 2.12)**

As required by Rule 4.241, the AISOL Disclosure Statement is compliant as to both format and content. Moreover, its catalog, application for admission and enrollment agreement each contain the mandatory notice set forth in Guideline 2.3(D). AISOL has a compliant refund policy and a review of student files confirmed that students receive timely tuition refunds. Each of its academic policies was found compliant. They include those governing its academic standards, examination and grading policies, grading system, pass/fail policy, course repetition procedures, good standing requirements, and its policy relating to academic dismissal and probation.

AISOL uses a 0.0-4.0 grading system, with 2.0 considered the minimum for a good standing GPA. Student progress is reviewed annually. The school ensures anonymous grading procedures by assigning a new number to a student for each examination. The Grade Review Policy is compliant, though it has yet to be utilized.

The current Catalog provides the basis for the final grade in each course. As provided with the self-study this statement was problematic. It provided that 95% of the course grade was based on the final, 5% on the midterm, and 5% on other assignments. This statement of the basis for the final grade should be clarified. [The catalog, which was revised subsequent to the visit, has remedied the problem.]

AISOL has an honor code that sets forth expectations of the conduct of students at the school. However, as written, it sets forth no consequences if a student violates the Code, nor how such violation might be determined. When asked how the law school has dealt with apparent violations in the past, it was explained that the student was contacted and informed of the law school's concern about a violation. The student had an opportunity to respond. Subsequent corrective action was then taken by the administration. While the law school dealt appropriately with the violation, it must memorialize both the potential consequences of violation and set forth a procedure which complies with Guideline 2.8, minimally providing notice to the student and an opportunity to be heard before any penalty attaches, in its Honor Code policy.

AISOL appears to have both adequate financial safeguards and appropriate protection for its on line operation. Authenticity of student work is insured by limiting the IP addresses a student can use.

**(C) Governance. The law school must be governed, organized, and administered so as to provide a sound educational program. (Guidelines 3.1)**

AISOL is well served by its dedicated administrator and capable deans. Mr. Nitesh Patel holds a J.D. degree and an LL.M. from Thomas Jefferson School of Law. He serves as Administrator and Registrar for the school. He is the CEO and primary shareholder in the corporation and has other businesses with which he is involved. He works closely with both the Interim Dean and Professor of Law, Andy Szeto, and

Academic Dean and Professor of Law, Adrian Ibarra. Mr. Szeto has both his J.D. and LL.M. degrees from Chapman School of Law, as well as an MBA from Chapman. Mr. Ibarra earned both his J.D. and LL.M. degrees from Chapman School of Law as well. Mr. Szeto and Mr. Ibarra are also partners in a law firm housed in the same building as the administrative offices of the law school.

The deans and administrator are all dedicated to providing a sound education to the students. Innumerable hours have gone into the preparation of materials for the new module system and they remain enthusiastic about the potential for the new approach.

**(D) Dean and Faculty. The law school must have a competent dean or other administrative head and a competent faculty that devotes adequate time to administration, instruction, and student counseling.** (Guidelines 4.1- 4.10)

AISOL is substantially compliant in all aspects of its administration and faculty. Other than Mr. Patel and Deans Szeto and Ibarra, the students are taught by a small group of faculty. Two members of the faculty are bench officers and the remainder of the faculty hold teaching positions at other schools (most at Thomas Jefferson School of Law) in addition to their work for AISOL. All faculty members are members of the bench or bar.

Student interaction is mainly initiated by the students. They may request, with one or two days' notice, a chat session. While ostensibly such sessions focus on course work, it is also the case that personal counseling occurs as well. All faculty members participate in chat sessions as part of their teaching duties. However, there are very few formal meetings among the faculty since many do not reside near Irvine, there appears to be little, if any active engagement beyond the core group of professors.

AISOL does maintain a compliant program of faculty evaluations, Faculty evaluation forms and current evaluations were found for all current faculty members. However, these forms do not contain all the requirements of Guidelines 4.8 and 4.9. The law school must expand upon the form or create other documentation for the faculty evaluation. Also, the forms should contain not only the name of the faculty member being evaluated, but also the name of the person doing the evaluation.

At the time of the visit the law school had no Academic Freedom policy. [Since the visit, the revised Catalog now has such a policy.]

**(E) Educational Program. The law school must maintain a sound program of legal education** (Guidelines 5.1-5.16)

AISOL's program of legal education leading to a J.D. degree is both quantitatively and qualitatively compliant.

As currently structured, students must undertake a minimum of 864 hours of study per year, completing all required courses in four years. Students take four to five classes per year, all classes being yearlong. Students desiring to take one of the elective

classes would need to add an additional class in a year or extend their studies beyond 4 years. Once the law school institutes the new module system it should review the length and/or unit value of some of its courses to allow students to fit in more readily some elective courses. (See Guidelines 5.11 and 5.12.) The law school has no clinical or experiential program for credit.

Students keep track of their hours on the online system and must, at the end of each year, print out that year's entire study log, sign and attest to the accuracy of such study log and mail it to the law school. Of the few students who have graduated or are about to graduate from the law school, their files demonstrate compliance with the policies.

While students have the ability to interact extensively with faculty through the use of chat rooms, such interaction is student initiated and most interaction is not required.

**(F) Scholastic Standards. The law school must maintain sound scholastic standards and must as soon as possible identify and exclude those students who have demonstrated they are not qualified to continue.** (Guidelines 5.17-5.25)

All of AISOL's scholastic policies appear compliant. After a review of the examinations given and the graded student answers, it appears the law school adheres to strict scholastic standards. All final exams are graded by two faculty members and the grade received is the average of the two grades. Over the last five years approximately one-half of those who took the exams received good standing grades. Professors continue to identify substandard performance in upper division classes as well. AISOL is to be commended upon adhering to high scholastic standards.

As confirmed by the grades reported in its 2015 Annual Compliance Report, while the law school's grading standards are compliant, the faculty appears to grade too leniently and a material degree of grade inflation appears to be present in the AISOL program. As reported for the 2014-2015 academic year, a 24.6% (15/61) of all grades given in all AISOL classes (almost all issued in first-year classes) were either B+ or A, while only 16.4% (12/61) were C or C+, while only 9.8% of grades given were a D. There were, however, a 21% of all grades given were F.

Based upon these figures, while the AISOL faculty issues a significant number of failing grades, it also grants a disproportionately high number of grades (B+ and A) at the upper end of the grading scale. The presence of too many above-average grades, considerably more than the number of average grades given, may confirm that AISOL students, most importantly those in their first year, are not being graded realistically in light of the rigors of the FYLSX. Accordingly, it is suggested that the Deans and faculty meet to discuss this issue to judge and determine whether better and more consistent grade correlation would increase their students' chances of passing the FYLSX.

The initial performance of AISOL students on the FYLSX has been encouraging. In the last five years, while nine students have qualified for the examination, two chose not to. As to the seven who did, four passed on their first attempt while no student who failed the first time has chosen to retake the examination. Based upon these figures, the law

school's students who have taken the FYLSX have passed at the cumulative rate of 57%

Year	Take	Pass	Percentage
Oct-15	1	0	0%
Jun-15	1	1	100%
Jun-13	4	3	75%
Oct-12	1	0	0%

In an effort to maintain and even increase its pass rate, AISOL now offers a free, voluntary FYLSX prep course to all successful first-year students. It reports that those who were successful on the exam took the course while those failed, did not. The law school should consider making the course a required part of the first-year curriculum.

While it is difficult to do a grade correlation with such few numbers, the law school should undertake to quantify its grading practices, perhaps course by course, with performance on the FYLSX. As reported, students on average with a slightly higher GPA failed the exam (3.00 average GPA) while those who passed had a slightly lower GPA (2.80).

AISOL has had only two graduates take the CBX; one, a transfer student, passed on his third attempt. Another graduate took the CBX for the first time in February 2016 but the student did not pass. A third student is set to graduate and should be taking the July 2016 CBX. Given such few students it is not possible to do any meaningful statistical analysis.

**(G) Admissions. The law school must maintain a sound admissions policy. The 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. (Guidelines 5.26-5.35)**

AISOL is in substantial compliance with all Guideline requirements regarding admissions. The admission process for both new and transfer students is clearly set forth in the Catalog. With just a single transfer student file to look at, policies and procedures appeared to be followed. The first-year admitted law students comprised an eclectic mix of backgrounds, with a majority holding at least a bachelor's degree. Admission decisions are made by the administrator alone or in conjunction with the Deans. All student files contained a copy of the enrollment application, signed registration agreement, and pre-law transcripts.

Under the admissions policy, all law students must have submitted their transcripts prior to admission. All files examined had copies of pre-law transcripts and any relevant CLEP score. However, the pre-law transcripts were not date stamped upon receipt and

it was not possible to validate that all were received within 45 days of commencement of study. AISOL should date stamp the transcript to demonstrate compliance with Guideline 5.30. Further, the enrollment application does not specifically ask if the student has previously attended law school. The enrollment application must be amended to include such query. Given AISOL's difficulty in retaining students during the first-year, the law school might consider delving more deeply into an applicant's background to look for indicators of success. The law school may find such things as military service, age, prior correspondence schooling, etc. correlate to success. The law school might consider having applicants submit an essay on what their motivation is for seeking a legal education or why they believe they can be successful.

**(H) Library. The law school must maintain a library consistent with the minimum requirements set by the Committee. (Guidelines 6.1, 6.2, 6.3, 6.5)**

AISOL is compliant with all library holding requirements, providing access to Westlaw to all its students for an annual \$75.00 fee. The law school also has a copy of all required casebooks, available to faculty. Law students gain experience in the use of the electronic library in the yearlong Research and Writing course required in their first-year of study. It does not appear that students receive the opportunity to do physical research given the nature of correspondence instruction.

**(I) Physical Resources. The law school must have physical resources and an infrastructure adequate for its programs and operations. The law school must, at a minimum, maintain its primary administrative office in the State of California. (Guidelines 7.1, 7.2)**

AISOL offices are housed in a business complex in Irvine, California, and are adequate for the needs of the correspondence program. Much of the program, especially once the new curriculum is instituted, is heavily dependent upon technology. The Administrator and the Deans appeared technologically sophisticated. The program depends upon servers housed at the Irvine facility and utilizes cloud based technology. Adequate backups exist in case of failure.

**(J) Financial Resources. The law school must have adequate present and anticipated financial resources to support its programs and operations. (Guidelines 8.1, 8.2, 8.3)**

AISOL financial resources appear adequate for current and future operations. The law school operates at a very modest profit. AISOL projects an increase in enrollment and income from the new module system.

**(K) Records and Reports. The law school must maintain adequate records of its programs and operations. (Guidelines 9.1)**

AISOL is in substantial compliance with all record-keeping requirements of the Rules and Guidelines. The law school has an excellent cover sheet for all student files, indicating the receipt of the various documents and documentation required by the

Guidelines. The law school might consider also indicating on the sheet, the date received of the various documents.

Although most law student files inspected were complete, whether seeking admission, accepted, or enrolled, some practices could be improved. While each file contained the most recently signed enrollment agreement, it was not clear whether past agreements were also in the file. The file should contain all signed enrollment agreements. Also, pursuant to Guideline 9.1 (D) the student transcripts should reflect the date(s) the student took the FYLSX, and whether the student passed or failed. In addition, pursuant to Guideline 5.3(B)(1) and the school's own policy, the school should put the signed hard copy of the annual study logs in the law student's file. Finally, for law student files, pursuant to Guidelines 9.1(C) and (D) and its own procedures, it is a better practice to keep a copy of the law student's AISOL transcript in the file.

All course records, exams, and grades were readily available. Relevant meeting minutes were available. Faculty files were not in compliance and should contain a transcript of legal studies and if the faculty member has been admitted to any state bar. Finally, a copy of all faculty evaluations should be kept in the faculty file as well.

**(L) Equal Opportunity and Non-Discrimination. Consistent with sound educational policy and these rules, the 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. (Guidelines 10.1)**

AISOL has adopted and operates with compliant equal opportunity and non-discrimination policies. There was no indication that any of the law school's actions, with regard to faculty or students, violated such policies.