

**SAN FRANCISCO INTERNATIONAL UNIVERSITY
COLLEGE OF LAW**

REPORT OF INSPECTION IN REGARD
TO PENDING APPLICATION FOR REGISTRATION
AS A CORRESPONDENCE LAW SCHOOL

**Inspection conducted on March 22, 2017
Pursuant to Rule 4.223(C) of the
*Unaccredited Law School Rules***

George Leal, Director for Educational Standards
Office of Admissions
The State Bar of California

Rule 4.243(C) Inspection Report of

San Francisco International University College of Law

400 Oyster Point Blvd., Suite 422
South San Francisco, California 94080

INTRODUCTION

San Francisco International University College of Law (SFIUCOL) has applied to become a registered, unaccredited, correspondence law school with administrative offices in South San Francisco, California. After consideration of SFIUCOL's application for registration during its March 17, 2017 meeting, the Committee of Bar Examiners (Committee) directed that an inspection of the law school take place to determine whether it is compliant with the registration standards found in Rule 4.240 of the *Unaccredited Law School Rules* (Rules).

A one-day inspection was conducted by George Leal, Director for Educational Standards, Office of Admissions of the State Bar of California, on March 22, 2017. The inspection took place at the SFIUCOL administrative offices. Those attending included: Dean and Professor Matus Varga; Dean of Administration and Professor Robert LeVine; Professor and Registrar Daniel Ricciulli; and Professor James Gipson. The inspection included a review and discussion of the law school's proposed Juris Doctor Degree curriculum, its online platform, admissions standards, academic policies and all written materials it will use once it begins to enroll and instruct students. Throughout the inspection, Dean Varga and all of those in attendance were cooperative and helpful.

The inspection confirmed that SFIUCOL is now operationally compliant with all pertinent registration standards found in the Rules and their associated Guidelines and, as such, it is recommended that the Committee approve the law school's application for registration.

FINDINGS REGARDING SPECIFIC RULES AND GUIDELINES¹

Rule 4.240(A); Rule 4.240(B): Lawful Operation - Integrity: A registered law school must operate in a lawful, honest and forthright manner as to its financial affairs, its operations, in all print and electronic communications and as to its academic standards and policies relating to student assessment and discipline. (Guidelines 2.2 – 2.12)

As required by Guideline 2.2, SFIUCOL has been organized to operate and conduct its financial affairs in an honest and forthright manner. SFIUCOL has adopted financial controls that are designed to protect it from financial fraud by an employee, administrator, faculty member, contractor or student. The law school's catalog provides notice that that students have the right to a tuition refund and, upon their withdrawal

¹ All references set forth herein are to the *Unaccredited Law School Rules* and the *Guidelines for Unaccredited Law School Rules*, effective January 1, 2008.

within three days of being given access to course content, they are entitled to a full refund of all pre-paid tuition, except for their application fee. Refunds will be provided within thirty days after students cancel their enrollment, or within thirty days after the law school cancels a course or its educational program. If a student withdraws four or more days after starting classes, they are then entitled to a *pro rata* refund of tuition paid, up to the eleventh week of any academic term in which they are enrolled.

SFIUCOL's website, catalog, application form and enrollment agreement are compliant with the law school's obligation to communicate with the public, applicants and students in an honest and forthright manner. The SFIUCOL website and all of its written materials were found to contain the mandatory disclosures required by Guideline 2.3(D). Its Rule 4.241 Student Disclosure Statement is compliant in both form and content, while the law school's website displays each of the disclosures now required by *Business & Professions Code* sections 6061.7(a) and 6061.7(c).

The law school's student discipline policy is compliant with Guideline 2.8. SFIUCOL students will be subject to a code of conduct that provides that they will be disciplined if they engage in any activity involving moral turpitude (such as an act of fraud, deceit, and misrepresentation) or academic dishonesty, such as plagiarism or cheating. Upon recommendation from the Dean, further sanctions may apply, including cancellation of an examination result, suspension or dismissal.

Under Guideline 2.9, the law school has adopted and will use written academic standards that will compliantly assess its students in a fair and accurate manner. As described in the catalog, students are informed that final course grades will be based upon the following factors:

- A. Final examinations;
- B. Quizzes and midterm examinations,
- C. Performance and participation in online forums discussions and postings;
- D. Evaluation of performance faculty other than a course instructor, and
- E. Any other consideration a Professor deems as appropriate in the evaluation of a student's performance for the given course.

To achieve good standing, students must maintain a minimum, cumulative GPA of 2.0. At the end of each academic year, if a student's GPA is at or below good standing, they will be placed on academic probation. Enrolled students will be evaluated at the end of each academic year to determine their eligibility to advance to the next year of study. Those not in good standing, or who fail to pass the First-Year Law Students' Examination (FYSLX) within three administrations will be academically disqualified from the J.D. program. If a dismissed first-year student later passes the examination, the student is eligible to re-enroll but will receive credit for only his/her first year classes.

Student examination answers will be graded anonymously to ensure confidentiality. Final examinations will also be proctored and any proctor selected by a student must be approved by the law school.

SFIUCOL has adopted compliant grading policies in how its faculty will grade students' final examinations. Each course will use a syllabus that contains a detailed explanation of the factors to determine an individual student's grade. SFIUCOL will also use appropriate practices (such as encryption technology) to authenticate both the identity and protect the privacy of student communications with the administration and staff.

Rule 4.240(C) Governance; Rule 4.240(D) Dean Administrator and Faculty: A registered law school must be governed, organized and administered so as to maintain a sound program of legal education. A registered law school must also have a competent dean or other administrative head and a competent faculty that devotes adequate time to administration, instruction and student counseling. (Guidelines 3.1 – 4.11)

The law school operates as a registered, for-profit California corporation, in good standing with the California Secretary of State; it is governed by a Board of Trustees comprised of: Matus Varga, Chair and Dean; Branislav Hruz, Jr. Vice-Chair, Attorney at Law, Law Offices of Branislav Hruz; Monika Koisoova, Vice-Chair, Vice-Consul, Consulate General of Slovakia.

The law school will be governed by a compliant and competent Dean and administrator. Dean Matus Varga earned his first degree of law in Slovakia and then, after earning an LL.M degree at an ABA-approved law school, became a licensed attorney in New York. He has past experience as a legal educator and he now practices immigration law in Miami and will now travel to SFIUCOL's offices in South San Francisco on a regular basis. During the inspection Dean Varga appeared fully committed, both professionally and financially, to be committed to the success of SFIUCOL.

The SFIUCOL faculty is also compliant with Guideline 4.6 since each member holds a Juris Doctor degree and is a licensed attorney. One faculty member, Professor Robert LeVine, has many years of experience as a legal educator at various ABA-approved law schools. The other members of the faculty are experienced, practicing attorneys.

They faculty of SFIUCOL will consist of the following individuals:

Dean Matus Varga:

- Juris Doctor Equivalent, Comenius University, School of Law, Slovakia.
- Diploma in Introduction to UK and EU Law, University of Cambridge.
- Master of Law, Florida State University, College of Law.
- Member of the Bar – State of New York. License number NY 5012018.
- Adjunct Professor of Law, Florida State University College of Law

Robert LeVine, Dean of Administration

- Juris Doctor, University of Chicago School of Law.
- University of Miami School of Law: Adjunct, Assistant and Associate Professor of Law 1975-1982.
- Adjunct Professor of Law, Stetson University College of Law 2002- 2014.
- Author, *The Uniform Commercial Code: An Operational Translation*, 1980 (Browning Publications, Atlanta, GA).
- Author, *The Uniform Commercial Code Made Easy* (Empowerment Publications, Bradenton Florida 2011).
- Author of series of articles on the Uniform Commercial Code, Los Angeles *Daily Journal*, 1996-1997

Daniel Ricciulli, Professor, Registrar

- Juris Doctor, Nova Southeastern University, School of Law.
- Member of the State Bar of Florida 2015-2017, license number 116056

James Gipson, Professor

- Juris Doctor, St. Thomas School of Law.
- Linguist, Department of Homeland Security, 2005-2006.
- Linguist, Drug and Enforcement Administration, 2006-2008.
- Member of the State Bar of Florida, license number 102373.

As required by Guideline 4.8, each faculty member will be periodically evaluated. The Dean and the Dean of Administration will conduct annual evaluations to assess the competence of each professor. Students will also be requested to submit evaluation forms in each class they complete, which will ask them to comment on the quality of instruction and how each course could be improved.

Student evaluations will also be collected and used to evaluate each professor's teaching ability and students will have an opportunity to include written comments regarding the quality of teaching they experience in each course they complete.

Rule 4.240(E) Academic Program: A registered law school must maintain a qualitatively and quantitatively sound program of legal education. (Guidelines 5.1 – 5.16)

SFIUCOL is expected to offer a sound program of online, correspondence legal education at a relatively affordable expense. As currently planned, its students will pay approximately \$20,000 to earn a Juris Doctor (J.D.) Degree. The program will consist of a four-year curriculum using synchronous and asynchronous distance-learning technology. As discussed during the inspection, Dean Varga intends to seek enrollment of foreign-educated attorneys who, after earning a J.D. degree from a registered California law school, intend to qualify for and then take the California Bar Examination

(CBX). To meet the needs of its future students, the SFIUCO curriculum will emphasize traditional academic principles, taught by practicing attorneys. They will have 24/7 access to the law school's curriculum through Digital Blackboard, where they will be able access the pre-recorded video lectures and comprehensive study materials for each course.

The law school's J.D. curriculum will exceed the minimum quantitative requirements of Guideline 5.3(B) by requiring students to complete a 48-52-week academic year that will require that they complete no less than 864 hours of preparation and study over four years. To receive credit for one-half year, a student must have 432 hours of preparation and study in not less than twenty-four or more than twenty-six consecutive weeks. Reasonable final examination time will be included in the total hourly requirement.

The curriculum will include all traditional first-year classes: Torts, Contracts, Criminal Law, along with an Introduction to Law and Legal Analysis and Writing. As its first-year enrollment progresses toward a second year of study, the law school's faculty will eventually develop and add all additional classes to cover all subjects tested on the California Bar Examination. Electives and practical skill classes will be also developed later to offer students in their third and fourth year of study a complete J.D. curriculum.

SFIUCOL will use various means to teach its curriculum. Students will be instructed through weekly reading assignments of class casebooks, viewing recorded video lectures, additional study materials and the submission of written work assignments quizzes. Students will interact with their professors through email and by participating in chat sessions with other SFIUCOL students. Faculty members will be expected to prepare and post additional reading assignments of study materials and will be required to respond to all student inquiries sent by email within 48 hours or through a scheduled chat session between the student and the faculty member. All video lectures will be posted at SFIUCOL's digital blackboard and available for repeated viewings.

Rule 4.240(F) Scholastic Standards: A registered law school must adopt sound scholastic standards must as soon as possible identify and then disqualify those students who have demonstrated they are not qualified to continue. (Guidelines 5.17 – 5.25)

SFIUCOL will use a traditional numerical grading system and will require that all students must maintain a C (2.0) average. Students will be graded as follows: A = 4.0; A- = 3.67; B+ = 3.33; B = 3.0; B- = 2.67; C = 2.0; D = 1.0; F = 0; Incomplete = 0 pts. As noted above, students who fail to attain good standing at the end of any and each academic year will be academically dismissed.

As required by Guidelines 5.21 and 5.22, the law school has adopted a compliant policy that requires that all students who advance into their second year of legal study, but then fail to pass the FYLSX by the third administration of the examination after they first become eligible, will also be dismissed from the school.

Rule 4.240(G) Admissions: A registered law school must adopt a sound written admissions policy and 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)

SFIUCOL has adopted and will apply compliant admission standards to admit only those applicants with the required undergraduate education who appear able to complete law school and then pass both the FLSX and the California Bar Examination. As planned, the law school's admissions committee intends to admit the following applicants: Regular Students, applicants who hold a bachelor's degree from an institution approved by the Committee and those applicants who, while they have not earned a bachelor's degree, have completed a minimum of 60 units of college credit at a college or university approved by the Committee.

The law school may also, as permitted, admit both Special Students (Guideline 5.33), those applicants who have met the College Level Equivalency Program (CLEP) examination requirements of § 6060(c)(2) of the California *Business and Professions Code* and transfer students who qualify for admission under Guideline 5.34

Rule 4.240(H) Library Requirements: A registered law school must maintain a library consistent with the minimum requirements of the Committee (Guidelines 6.1 – 6.6)

SFIUCOL will be compliant with all library requirements set out in Guidelines 6.1 - 6.5 through use of an acceptable form of online legal research. As a law school designed to offer its curriculum through distance-learning technology, all SFIUCOL students will have an account with LexisNexis Advanced so that each will have full access to all mandatory library materials for their legal research and writing classes. They will also have access to the Digital Blackboard system for feedback and study materials.

SFIUCOL maintains a hardcopy law library in its administrative offices that contains, required by Guideline 6.2, each textbook and treatise used in each course in its curriculum. Local SFIUCOL students will be granted access to SFIUCOL's library during normal business hours.

Rule 4.240(I) Physical Resources: A registered law school must have physical resources and an infrastructure adequate for its programs and operations. (Guidelines 7.1 – 7.2)

SFIUCOL maintains its administrative offices in a modern, commercial office park located in South San Francisco at Oyster Point Marina Plaza. All required hardcopy files will be stored, and all administrative functions will take place at that location. The law school has a lease for such space that runs through February 28, 2018.

As to all other necessary hardware and infrastructure, SFIUCOL has acquired all necessary computer equipment, data storage capacity, backup capabilities and communication links to handle all data to be generated and stored relating to the law school's operations, including its receipt of applications, admission decisions, student files, transcripts, student/faculty communications and the school's online, interactive curriculum. As a result, the school is well equipped to operate as a correspondence institution and exceeds the physical resources and infrastructure requirements of Guidelines 7.1 - 7.2.

Rule 4.240(J) Financial Resources: A registered law school must have adequate present and anticipated financial resources to support its programs and operations. (Guidelines 8.1 – 8.3)

SFIUCOL has stated assets of \$100,000.00 in cash resources and, other than its current lease, no other financial liabilities. Since it was started and until it begins to enroll students and generate tuition revenues, the law school will operate with a very low overhead. Only when it has enrolled students will both the Dean and the faculty begin to be paid relatively modest salaries. Faculty members will be paid only \$5,999.00 for each academic year that they teach.

Given its low overhead, expected revenue from its future enrollment and cash reserves, it appears SFIUCOL will have sufficient resources to open and then operate for the initial years of its operations. Monthly salaries for the Deans and faculty are expected to total \$13,333 per month.

As represented during the inspection and as confirmed in financial information submitted with its application, SFIUCOL appears compliant with Guidelines 8.1-8.2 since it appears able to meet each foreseeable operating expenditures and liabilities.

Rule 4.240(K) Records and Reports: A registered law school must maintain adequate records of its programs and operations. (Guidelines 9.1(A) – 9.1(O))

SFIUCOL will create and maintain all operational records and files mandated by Rule 4.240(K) and Guideline 9.1. It will create and maintain accurate records for its students, courses and operations. These records will be maintained both in hardcopy and electronic formats. Paper format records will be stored at its administrative offices. It electronic data will be stored both at administrative offices and at off-site secure server. All records originally created on paper will be scanned and physically stored in a locked, fire-safe mechanism at the SFIUCOL administrative offices. All scanned items will be backed up remotely on a daily basis.

All applications and related materials will be scanned within a week of their receipt and then kept in the student's electronic file for the prescribed time as noted below:

All other mandatory records will also be scanned and then maintained electronically for all required time periods. All electronic files will be backed up on a daily basis.

Rule 4.240(L) Equal Opportunity and Non-Discrimination: 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. (Guideline 10.1)

SFIUCOL is committed to operating in a manner compliant with Rule 4.240(L). Its Dean and faculty are committed to operating in non-discriminatory manner. They are also committed to enrolling maintaining a diverse student enrollment and to provide equality of opportunity in the admission and retention of students and in hiring, retention and promotion of faculty.

Rule 4.240(M) Compliance with Committee Requirements: A registered law school must demonstrate its compliance with *Unaccredited Law School Rules* by submitting the required annual reports an otherwise complying with the rules.

Throughout the application and inspection process, SFIUCOL's Dean has been diligent in his efforts to comply with each of the requirements of the registration process provided in the *Unaccredited Law School Rules*. Both before, during and after the inspection Dean Varga has been prompt in responding to all follow-up inquires for information and data and he has make a commitment to continue complying with all future reporting requirements as mandated by both the Guidelines and California law.

Accordingly, it appears that SFIUCOL will be compliant with the Committee's reporting requirements as set forth above.

RECOMMENDATION – CONDITIONS OF REGISTRATION

Based upon the foregoing, it is recommended that, pursuant to Rule 4.223(C), the application of San Francisco International University College of Law to be registered as an unaccredited, correspondence law school be approved and that, subject to an interim inspection of the law school within two years of the date that it first enrolls and begins instructing students, it be registered by the Committee.