

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM: April 2017 – O- 403

DATE: April 25, 2017

TO: Subcommittee on Educational Standards

FROM: George Leal, Director for Educational Standards

SUBJECT: Pacific Coast University School of Law - Inspection Report

BACKGROUND

Attachment A is the Five-Year Periodic Inspection Report (Report) of the inspection of Pacific Coast University College of Law (PCU) conducted in April 2016 by an Inspection Team (Team) comprised of Committee of Bar Examiners (Committee) member Traci Belmore, Dean, Dean Barbieri of the John F. Kennedy University College of Law and George Leal, Director for Educational Standards. Attachment B is email correspondence received from PCU Dean Andrea Lua confirming that the law school accepts the Report and each of its mandatory recommendations. PCU has operated continuously in Long Beach since 1927. It operates as a non-profit, public benefit corporation and, since 2010, it has been accredited by the Committee. As such, this was the law school's first five-year periodic as an accredited law school.

Based upon the inspection and with the exception of four issues of noncompliance, the Team found PCU compliantly operating with the accreditation standards set forth in the *Accredited Law School Rules* (Rules) and the operational requirements found in the *Guidelines for Accredited Law School Rules* (Guidelines). PCU communicates and operates with honesty and integrity and is well governed by its Board of Regents. The law school has a strong financial foundation that will allow it to improve, both academically and operationally. Through the efforts of its new Dean and Academic Dean and with a faculty comprised entirely of experienced, practicing attorneys, PCU is able to offer its students a sound program of legal education. Taken together, the law school succeeds in providing it diverse student enrollment an affordable opportunity to earn a Juris Doctor degree.

As also noted in the Report, since receiving its accreditation in 2010, PCU has been challenged by a number of unforeseen and unfortunate circumstances. They include the unexpected and untimely loss of its long-serving Dean and the more-recent resignation of his successor. Moreover, PCU was unable to report a compliant cumulative pass rate for its graduates on the California Bar Examination, which may be due in part to its recent history as an unaccredited law school. As noted in the Report,

however, since a majority of the graduates used to report its pass rate did not attend PCU as an accredited institution and, given the current suspension of Committee's bar examination pass rate accreditation standard, the Team recommends only that that the law school continue to do all that it is able to improve its graduates' rate of success on the bar examination.

Based upon its inspection, the Team recommends that the following mandatory recommendations be adopted by the Committee and that, within 30 days of the date the Committee receives and files this Report, that the law school be required to prepare and submit a report that discusses and confirms all efforts and actions it has taken to address and correct each of the following issues of its noncompliance:

1. Guideline 2.7(C): The law school must adopt and publish to its students a written policy and associated procedures to authenticate the identity of each student's work product and examination answers.
2. Guideline 2.7(E): The law school must adopt a policy that allows students to both inspect and copy their examination questions and answers within a reason period of time after grades are recorded.
3. Guidelines 2.7(F) and 2.7(G): The law school must adopt a policy that establishes: (a) a committee consisting of faculty, and one or more member of the administration or students if it chooses; and (b) procedures the committee is to follow to resolve student requests for a review and reconsideration of grades issued.
4. Guidelines 6.2(I), 6.14, 7.9(A), 7.9(C): The law school must conduct a comprehensive review of all grades given in all classes offered over the past three academic years to assist in the revision and adoption of better grading standards to ensure that all grades issued are accurate, valid, reliable and consistent in their evaluation of student performance, and that the law school adopt procedures to provide students better grading consistency by all members of the faculty.

To comply better with the following Guidelines, the Team also suggests that the law school take, and report, all of its recent efforts to address the following issues:

1. Guideline 2.8 – It is recommended that that the law school review the scope and effectiveness of its policy intended to protect student privacy and the confidentiality of student communications.
2. Guidelines 6.2(H) 7.9(B) – It is recommended that the law school make additional efforts to improve both the quality and consistency in the format and content of final examinations.

3. Guideline 6.8 – It is recommended that the law school develop and then offer new elective courses to provide students a balanced curriculum designed to provide knowledge and expertise in areas of law and practice other than civil litigation or trial work.
4. Guideline 12.1 – It is recommended that the law school take further efforts to improve its overall curriculum, academic standards and support, including course work offered as bar preparation and review, to enhance the rate at which its graduates pass the California Bar Examination.

DISCUSSION

In her email of April 24th, Dean Lua accepted the Report and the mandatory and suggested recommendations contained in the Report. As noted, since the inspection, PCU has taken efforts to address the recommendations and Dean Lua welcomes the opportunity to report on the progress the law school has made to improve and achieve compliance.

RECOMMENDATION:

It is recommended that the Inspection Report be received and filed; that the Report's mandatory and suggested recommendations be adopted; that the law school be required to report on all actions taken to address all such recommendations within 30 days of the date of the Committee's action on this Report; that the accreditation of PCU be continued; and that the law school's next periodic inspection be scheduled for the fall of 2021, unless an earlier visit is found needed by the Committee.

PROPOSED MOTION:

Should the Subcommittee agree with this recommendation, the following motion is suggested:

Move that the Periodic Inspection Report of the Pacific Coast University School of Law, conducted in April, 2016 by an Inspection Team composed of Committee of Bar Examiners member Traci Belmore, Dean Barbieri, Dean of the John F. Kennedy University College of Law and George Leal, Director for Educational Standards, be received and filed; that the response submitted by Dean Andrea Lua on behalf of the law school be received and filed; that the mandatory and suggested recommended actions made in the Report be adopted; that the law school be required to report on its efforts taken to address all such recommendations within 30 days of the date of this action by the Committee; that accreditation of the law school be continued; and that the next periodic accreditation inspection of the law school be scheduled for the spring of 2021, unless earlier visitation is found to be necessary by the Committee of Bar Examiners.