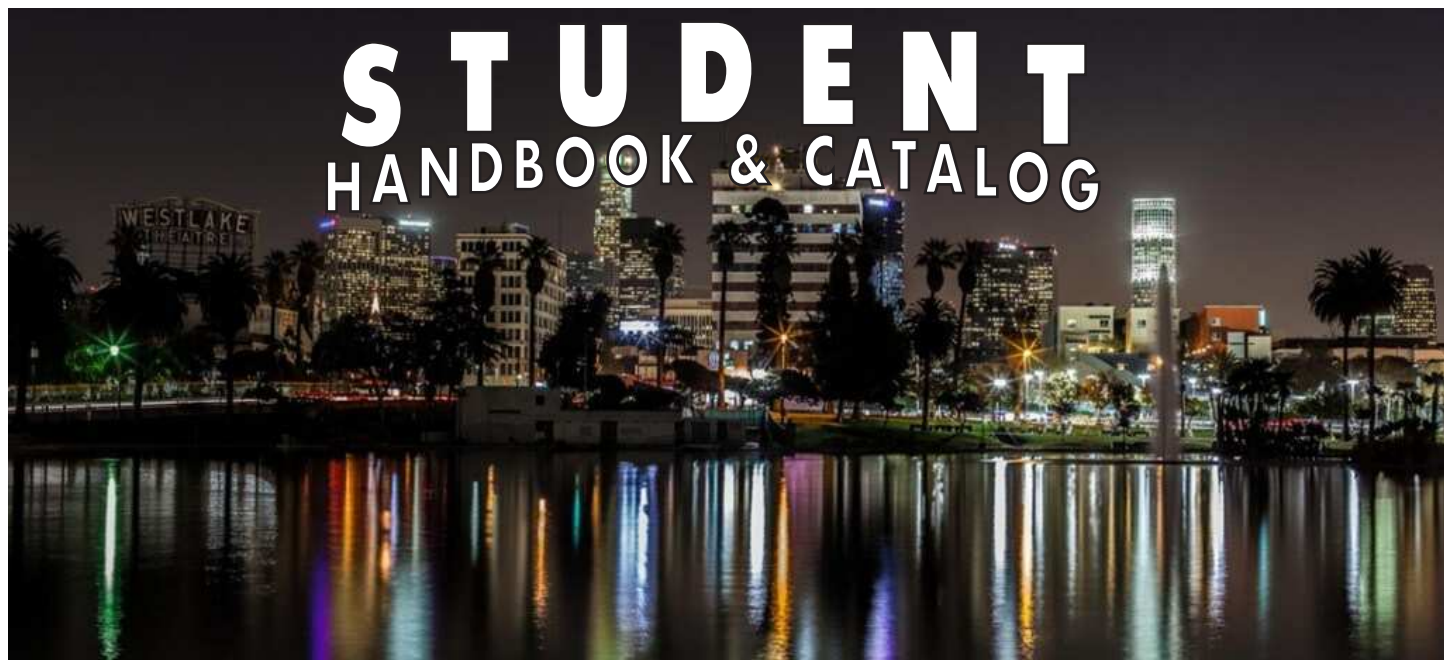
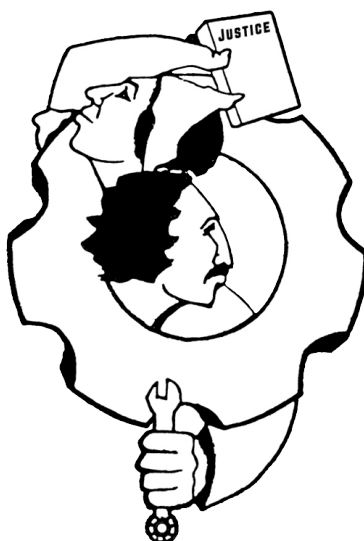


PEOPLES COLLEGE OF LAW



2023 - 2024

UPDATED FOR THE WINTER 2023 QUARTER



PEOPLES COLLEGE OF LAW
HANDBOOK OF RULES AND POLICIES, CATALOG
Adopted by the PCL Community Board 2019, as Amended through
December 2023

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I. INTRODUCTION

Peoples College of Law strives to admit and educate students to become politically and socially progressive attorneys. Admissions standards at many schools tend to result in reduced numbers of people of color, other minorities, women and working people. Those students are the priority at PCL.

Traditional legal education largely teaches the skills required to serve the status quo, to produce corporate or “big firm” lawyers. Peoples College of Law includes courses and approaches to teaching that reflect our progressive views.

PCL was founded by members of the National Lawyers Guild (NLG), La Raza National Law Students Association (LRNLSA), National Conference of Black Lawyers (NCBL), and the Asian Law Collective (ALC), are founding organization of the PCL. The school maintains a strong relationship with the local Los Angeles Chapter of the NLG, which has its office at PCL.

II. SCHOOL ADMINISTRATION AND GOVERNANCE

PCL is governed democratically and administered by the Community Board, various committees, a President, a Dean and an administrator. The ultimate authority is the Community Board. Students serve on both the Board and the committees. The Community Board, the school’s governing body, is elected by students, faculty and alumni. There are five main committees: Faculty and Curriculum; Development and Fundraising; Finance; Admissions and Recruitment; and Building, Library, and Accountability.

There is an Executive Committee, created by vote of the Board. It is composed of all the officers, namely the Chair/President, Vice Chair, Secretary, Treasurer and Dean. The Board also adopted the following rule: The Executive Committee shall advise the Chair in the Chair’s exercise of the role of chief executive officer (the role stated in the first sentence of Section 11.1 of the Bylaws.).

PCL strives to incorporate its alumni, the progressive legal community, and the progressive community at-large into the faculty and the administration and governance of the school. PCL is an independent, private, non-profit 501(c)(3) corporation. Nonprofit corporations have members rather than shareholders. PCL’s members are the current students, faculty and board members, as well as alumni, former faculty members and former board members who, through applications to become members, express their interest in actively participating in the PCL community. There are twice-yearly membership meetings.

III. STUDENT RIGHTS

- A student has the right to request from the FCC, the Dean or the Chair of the Board, a review of the grade(s) received in her/his class. Procedures for such reviews are below.
2. A student has the right to request a timely meeting with the Dean, the Chair of the PCL Board or the Administrator to discuss any concerns or questions regarding PCL.

3. PCL adheres to the principle of Academic Freedom.
- 4.
4. The student has the right to participate in open and honest evaluations of the instructor.
5. PCL does not permit any unlawful discrimination or harassment, or any invidious discrimination or harassment on the basis of including discrimination based on race, color, ethnicity, national origin, ancestry, nationality, immigration status, gender, sex, gender identification, gender expression, sexual orientation, marital status, disability, age, religion, military and veteran status, genetic information, medical condition (as defined by the California Fair Employment and Housing Act), pregnancy, childbirth, breastfeeding or related medical conditions of any female member of the PCL Community.
6. PCL has a Disciplinary Code, set out below.
7. A student should be aware that PCL does not tolerate plagiarism.
8. A student is entitled to receive from PCL, on request, a copy of the student's PCL file, transcript, invoice and records of payments to PCL, the PCL Catalog and Handbooks, Bylaws, Current Disclosure Statements, and Policies and other PCL documents available to the public. PCL charges a \$15 transcript fee per transcript. .
9. The California Educational Debt Collection Practices Act, provides Civil Code sec. 1788.93) as follows:
 - a) Refuse to provide a transcript for a current or former student on the grounds that the student owes a debt.
 - b) Condition the provision of a transcript on the payment of a debt, other than a fee charged to provide the transcript.
 - c) Charge a higher fee for obtaining a transcript, or provide less favorable treatment of a transcript request because a student owes a debt.
 - d) Use transcript issuance as a tool for debt collection."

IV. ACADEMIC FREEDOM

Peoples College of Law is committed to upholding and preserving principles of academic freedom. These principles help promote PCL's fundamental mission, to develop and train lawyers dedicated to social change and serving the legal needs of the poor the oppressed, and people underserved by legal professionals.

PCL's principles of academic freedom protect freedom of inquiry, research, teaching, expression and publication. PCL seeks to foster students with a mature independence of mind, and this purpose will only be achieved if students and faculty are free in the classroom to express a wide range of viewpoints in pursuit of scholarly inquiry

V. PCL's STATUS WITH THE STATE BAR OF CALIFORNIA

PCL is authorized by the State Bar of California to grant the J.D. (juris doctor) degree, and PCL's graduates are eligible to take the California General Bar Examination for admission to practice law in the State of California. PCL is one of approximately nineteen California law schools classified by the State Bar as registered unaccredited law schools.

VI. PCL ADMISSIONS POLICIES

Types of Students Under State Bar Guidelines: The State Bar classifies students as follows:

- Regular Student:** See below under Section 5.32 of the State Bar Guidelines.
Special Student: See below under Section 5.33 of the State Bar Guidelines.

PCL Admissions Criteria

PCL admissions policies are directed toward the recruitment of progressive activists. While no specific political philosophy is required, PCL looks for consciousness of the need to organize for social justice demonstrated by a history of activism and/or life experience.

Undocumented Students and Dreamers

A person is eligible to apply to PCL regardless of their immigration status if they have met the educational requirements above. Still, applicants should check with the State Bar of California regarding the practice of law by undocumented immigrants and Dreamers.

State Bar Admissions Criteria – Pre-Legal Education

Section 4.25 of the State Bar’s Rules for Admission to Practice Law provides:

“Before beginning the study of law, a general applicant must have completed at least two years of college work or demonstrated equivalent intellectual achievement, which must be certified by the law school the applicant, is attending upon request by the Committee.

“(A) Two years of college work” means a minimum of sixty semester or ninety quarter units of college credit

- (1) equivalent to at least half that required for a bachelor’s degree from a college or university that has degree-granting authority from the state in which it is located; and
- (2) completed with a grade average adequate for graduation.

“(B) Demonstrated equivalent intellectual achievement” means achieving acceptable scores on Committee-specified examinations prior to beginning the study of law.”

Applicants Without Bachelor’s Degrees – Evaluation by State Bar: If an applicant does not have a bachelor’s degree from an institute recognized by the State Bar of California for purposes of law school admission, PCL requires the applicant to formally request the State Bar to evaluate the applicant’s pre-legal education to determine if it is sufficient for admission to law school. To find out how to get this evaluation, go to the State Bar’s website or call the State Bar. As of 2019, the phone numbers of those offices are 213-765-1000 (LA) and 415-538-2000 (SF).

The great majority of four-year colleges and universities located in California, if not all, are so recognized by the State Bar. However, if an applicant has a bachelor’s degree but is uncertain whether it is from an institution approved by the State Bar, the applicant should call the State Bar.

Below is the provision in the State Bar’s Guideline concerning State Bar evaluation of undergraduate education:

Evaluation of Student Credentials to Determine Eligibility to take the California Bar Examination.

“A student or law school may submit a request to the Committee [the Committee of Bar Examiners] for an evaluation of law school study completed or contemplated, to determine whether the student's program will satisfy the requirements to take the California Bar Examination. The student and law school must use the Committee's form and pay the required fee.”

Transfer Students – Evaluation by State Bar: As a condition of admission to PCL as a transfer student from another law school, the applicant must have the applicant’s law school education and a proposed course of study formally evaluated by the State Bar, and PCL’s decision on their admission will be based in part on the Bar’s evaluation. It is the applicant’s responsibility to obtain the evaluation. To find out how to get this evaluation, go to the State Bar’s website or call the State Bar. As of 2019, the phone numbers of those offices are 213-765-1000 (LA) and 415-538-2000 (SF). The applicant’s proposed course of study must also be approved by the Dean of the Law School.

A transfer student who has been academically disqualified by their previous law school must submit to PCL a statement explaining the conditions which led to the disqualification and how these conditions have changed so as to enable the student to successfully undergo the rigors of law study.

Students with Studies in Foreign Countries

For evaluation of whether study in a foreign country can be credited toward pre-legal education for purposes of admission to law school, go to the website of the State Bar or call the Bar. As of 2019, the phone numbers of those offices are 213-765-1000 (LA) and 415-538-2000 (SF).

PCL has Policies on Academic Standing. The following policies pertain to admissions:

Students May Enroll Only for Start of Academic Year, Not Later

If a student does not enroll and begin classes for the first quarter of an academic year, the student will not be permitted to enroll or take classes for any later quarter of the same academic year. However, as an exception, students who failed a PCL course and want to repeat the course, can begin repeating the course starting later than the start of an academic year, but this exception does not apply to students who have attended another law school.

Procedures for Former Students Wanting to Return to PCL

a. Procedures for former students wanting to return to PCL after attending another law school

Former PCL students seeking to become PCL students again after attending another law school must reapply to become PCL students, using the standard application process.

b. Procedures for former students wanting to return to PCL after not attending PCL

Former PCL students seeking to become PCL students again after not attending PCL for two years or more must reapply to become PCL students, using the standard application process.

c. Procedure for former students who haven't passed the FYLSX to attend PCL's Baby Bar prep sessions

Former PCL students who have not passed the FYLSX may attend PCL's Baby Bar prep sessions, and PCL will encourage them to pay for the sessions.

VII. STATE BAR OF CALIFORNIA PROVISIONS REGARDING ADMISSIONS

Below are provisions of the State Bar's Guidelines for Unaccredited Law School Rules regarding law school admissions:

5.26 Admissions Policy.

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.

5.27 Standards for Admission and Continuation of Students.

A law school must admit and continue only those applicants who reasonably appear to be qualified to study law and reasonably appear to be likely to succeed in that study. A law school must adopt adequate and appropriate screening procedures to ensure that persons who clearly lack the ability or the educational background to study law are not admitted or allowed to continue as students.

5.28 Review of Pre-Legal Study.

Law schools must evaluate the pre-legal study of applicants to ensure compliance with Rule VII, Section 1 of the Rules Regulating Admission to Practice Law in California, or may elect to obtain a Committee evaluation pursuant to the Committee's procedures.

5.29 Law School Admission Test Results.

Applicants to and students of a registered unaccredited law school are not required to take the Law School Admission Test (LSAT), but it may be of value in assessing an applicant's potential for success. It is recommended for all applicants and especially for those who do not have at least two years of college work and students admitted after a prior disqualification.

5.30 Official Transcripts Required within Forty-Five Days of Beginning of Term.

A law school must not permit a person to enroll or attend classes for more than forty-five (45) days after the beginning of the term, unless the law school has official transcripts showing eligibility for admission under § 6060(c)(1) of the California Business and Professions Code and Rule VII, Section 1 of the Rules Regulating Admission to Practice Law in California or an official certification that the student had passed the equivalency examination required by § 6060(c)(2) of the California and Professions Code and Rule VII, Section 1 of the Rules Regulating Admission to Practice Law in California at the time the student is admitted.

5.31 Applications Must Ask About Prior Law School Attendance.

A law school must, on its application form, ask whether the applicant has ever attended another law school and, if so, whether the applicant was in good standing. A law school should have an

official transcript showing the applicant's status at the prior law school before granting admission.

5.32 Admission as a Regular Student.

An applicant who has a bachelor's degree from an institution approved by the Committee is admissible as a Regular Student. An applicant who does not have a bachelor's degree, but who has completed at least one-half of the work required for a bachelor's degree at a college or university approved by the Committee, is admissible as a Regular Student. If the law school does not receive official transcripts establishing Regular Student status within forty-five (45) days after the term begins, the student must be reclassified as a Special Student, if admissible as a Special Student, or the student must be immediately disqualified as a student in the law school's J.D. degree program.

5.33 Admission as a Special Student.

An applicant whose pre-law studies do not satisfy the requirements of Guideline 5.32 must be classified as a Special Student. Admission of Special Students must be limited. An applicant may not be admitted as a Special Student unless he or she has satisfied the examination requirements (currently the College Level Equivalency Program examination) of § 6060(c)(2) of the California Business and Professions Code and Rule VII, Section 1 of the Rules Regulating Admission to Practice Law in California.

5.34 Admission of Applicants Previously Disqualified for Academic Reasons.

Applicants previously disqualified for academic reasons may be granted admission when there is an affirmative showing by the applicant that he or she possesses the requisite ability for the study of law. Such a showing may be made:

(A) At any time, if the applicant presents credible evidence that the prior disqualification was not caused by the applicant's lack of capacity for the study of law, but resulted from a traumatic event or serious hardship that prohibited the applicant from performing at her or his normal level; or

(B) After at least two (2) years have elapsed since the disqualification, if the applicant demonstrates that work, study, or other experience during the interim has resulted in a stronger potential for law study than the applicant exhibited at the time he or she was previously disqualified for academic reasons.

In each case, the dean or admissions officer must sign and place in the applicant's file a statement of the reasons for admitting the applicant.

5.35 Awarding of Transfer Credit.

The law school may award transfer credit to an applicant, subject to the following limitations:

(A) No credit may be granted unless the requirements of § 6060(h) of the California Business and Professions Code have been met, that is, unless the applicant has passed the First-Year Law Students' Examination or became exempt while attending an accredited law school. To be exempt from the examination, the student must have successfully completed the first year at the accredited law school and have been advanced to the second year by the same law school.

(B) Credit should ordinarily be granted for whole courses completed not more than twenty-seven (27) months prior to the date the applicant begins study at the admitting law school. This time limitation does not apply to students who have passed the First-Year Law Students' Examination. In some instances, such as illness, personal tragedy or military service, it may be appropriate to permit credit for studies completed more than twenty-seven (27) months prior to admission. The dean must approve any exception and an explanation must be placed in the student's file.

(C) For students who were disqualified for academic reasons at the prior law school, credit should be granted only for courses in which the applicant received a grade above passing. For students who were in good standing at the prior law school, credit may be granted for all passing grades. For all applicants who have passed the First-Year Law Students' Examination, credit may be allowed in Torts, Contracts, and Criminal Law, even if the grades at the prior law school were not above passing.

(D) The admitting law school may not grant credit for a course completed at the prior law school in excess of the number of units the admitting law school would award for a course with the same number of classroom or participatory hours.

(E) The law school should be satisfied that the subject matter of, and the quality of the applicant's performance in, the courses for which credit is allowed, were substantially the same as that for like courses and grades in the admitting law school.

(F) A law school is not required to grant any credit allowable under Guideline 5.35(B).
5.36 Admission as Visitor, Auditor or Non-J.D. Degree Candidate.

An individual may be permitted to enroll as a visitor, auditor, or non-J.D. degree candidate in a limited number of courses without complying with the law school's J.D. degree program admissions requirements. The law school must have a written policy to ensure that those admitted have the ability and knowledge to benefit from the course and that they will not interfere with the progress of, or be a detriment to, the regularly enrolled J.D. degree program students. Individuals permitted to enroll in courses under this guideline are not counted as law students, but should be identified as auditors, visitors, or non-J.D. degree candidates on the student certification reports submitted to the Committee.

Applicants with Past Criminal History

PCL generally does not refuse admission based on an applicant's criminal record although in some cases it might. The California Bar does admit some people to the practice of law who have criminal records. However, criminal records are considered by the state bars in California and all other jurisdictions, and could preclude a graduate from admission to practice law.

Admissions Procedure

To apply for admission to PCL, an Applicant must submit to PCL:

- 1) a completed application;
- 2) a \$50 non-refundable application fee (after June 15 the fee is \$70.00);

- 3) three written recommendations;
- 4) two certified transcripts of all college work and law schools attended, or, if applicable, proof of passing the College Level Equivalency Exam (CLEP); and
- 5) one recent photograph.

The applicant will then be required to attend an in-person interview with two or three representatives of PCL. If an applicant lives at a great distance, every effort is made to arrange for interviews via videoconference, but applicants are urged to come to Los Angeles for the interview.

If admission is denied, the applicant can appeal to the PCL Community Board.

Registration as a Law Student with the California Bar

Every first-year law student must register as a student with the State Bar within a required period of time after beginning law school classes... Students should go to the State Bar's website or call the State Bar to find out the deadline. In recent years it has varied between 60 and 90 days. As of 2019, the phone numbers of those offices are 213-765-1000 (LA) and 415-538-2000 (SF).

Students should familiarize themselves with the Bar's requirements, deadlines, and website, which change from time to time.

VIII. TUITION AND FEES

1. A PCL student must have paid charges by PCL in full, or be current in a written payment plan (see para. 5 below) approved in writing by the PCL Executive Committee, in order to do any of the following:
 - a) advance to the next quarter;
 - b) be certified by PCL to take the First Year Law Students' Exam;
 - c) be certified by PCL to take the California Bar Exam;
 - d) graduate from PCL and receive a J.D. degree, or any other degree from PCL;
 - e) attend classes and receive instruction; or

HOWEVER, in compliance with the California Educational Debt Collection Practices Act, PCL will provide transcripts to students and former students regardless of whether they owe a debt to PCL. As permitted by the Act, PCL may charge a fee for the transcript.

2. In order for a student to enroll in and take classes in any academic year, before the academic year the student must sign a new tuition agreement for that academic year.
3. Tuition is \$5,000 per academic year. The academic year consists of three quarters, fall, winter, and spring, and in some years, summer.

Accountability Fee: Students are responsible for an Accountability Fee, which is \$600.00 per year, amounting to \$200.00 per quarter. Except for the Accountability Fee for a First-Year Student's first quarter at PCL, students can either pay the fee, or they may satisfy it by performing activities that benefit PCL, such as participating in a PCL committee, tutoring programs, administering mock exams, fundraising, upkeep of the PCL building, and recruitment of students and faculty, repair and maintenance of the PCL building, and other activities approved by PCL. Accountability work is credited at the rate of \$16.78 per hour. It can be applied to the quarter in which the activity is performed, or to succeeding quarters. **However, students beginning their first semester as a PCL student must pay the first quarter Accountability Fee by the due date for their first tuition payment.** If a first-year student performs sufficient accountability activities thereafter, he or she can obtain a refund of that first \$200.

5. **Payment Plans:** If a student finds that they are unable to pay tuition fees, a student may request an installment payment from a PCL financial officer. The officer will then discuss the installment plan proposed and if it is reasonable, an agreement is written up and signed by the officer and the student. There is no guarantee that the student and the officer will come to an agreement. If the student does not pay pursuant to the written Payment Plan agreement, the student will not be allowed to enter into a second Payment Plan agreement.
6. PCL may raise tuition, but only for students to whom PCL gives at least 90 days' written notice of the increase.
7. All students must pay tuition as follows:
 - a) \$1,866.66 by the first day of the first quarter;
 - b) \$1,866.66 by the first day of the second quarter; and
 - c) \$1,866.66 by the first day of the third quarter.
8. No interest will be charged on tuition or Accountability Fees, but a **Late Fee** of \$25 will be imposed if the payment is not made in full by the third business day after its due date.
9. **Withdrawals, Cancellation and Refunds:** PCL's refund policy is set out in the Agreement for Enrollment and Tuition, as follows
 - (a) At any time beginning with the start of the fall quarter covered by this agreement, the student may cancel this agreement and receive a prorata refund calculated on the basis of a 9 month "refund year," defined as the fall, winter and spring quarters (i.e. excluding summer sessions, if any). There are 11 weeks per quarter (ten weeks plus finals week), three quarters per academic year, and thus 33 weeks per academic year. That is 77 days per quarter, 231 days per academic year. Thus, for example, if a student has paid all amounts for the academic year and cancels this agreement on the 60th day of the fall quarter, there would be 191 days left in the refund year. Thus, the refund will be 171/231 of the amount the student has paid (the student paid all amounts for a full year). But the application fee is not refundable.
 - (b) Also, with the written permission of PCL signed by an officer or the Registrar or the Administrator, a student may withdraw from less than all the student's courses and receive a prorata refund calculated using the same formula as in the preceding paragraph, but modified. The modification is to account for the fact that the student is withdrawing from less than all courses. For example, suppose (a) a student has paid all amounts for a full quarter (11-weeks, 77 days); (b) the student has enrolled for three courses for the quarter, (c) the student withdraws, from one course only, on the 37th day of the quarter (with 40 days left); then (d) the refund of the charges for the quarter would be 40/77 divided by 3. But the application fee is not refundable. **However, California law requires that a student at a school like PCL must have a minimum of 270 hours of classroom attendance per year. Thus, if a student does withdraw from less than all courses, the student will not receive credit for any courses taken during that academic year, even if the student received passing grades in them. That would jeopardize the ability of a student to complete their PCL education within four years and would probably result in increased tuition costs.** (A rare exception would be if the student has 270 classroom hours in the academic year in the courses the student did not withdraw from, which is nearly always impossible at PCL because of the limited number of courses and hours PCL offers each year).

- (c) All cancellations, withdrawals and rests for refunds must be stated in writing, must be signed by the student, and must be delivered to the PCL Administrator, Registrar or Dean, whose signature must appear on the cancellation, withdrawal or request, indicating that it has been delivered.
- (d) No refunds are allowed except those described in the three paragraphs immediately above. Refunds will be paid within 30 days after cancellation.
- (e) All students shall be provided with the most current disclosure statement every quarter. If a student pays tuition prior to signing the disclosure statement, the student may be entitled to a refund of their tuition payment for that quarter.

10. Ineligibility for Government-Related Student Loans

PCL does not participate in any governmental tuition or loan assistance programs. There may be private sources of loans, such as banks. However, it is the responsibility of the individual student secure loans.

IX. ACADEMIC PROGRAM & CURRICULUM

Our academic program and curriculum are designed to prepare students to pass the FYLSX if a First Year Law Student, and ultimately to pass the California General Bar Exam.

A. THE QUARTER SYSTEM

PCL is on the quarter system. All courses are 1, 2 or 3 quarters (not semesters). Each quarter of each course is designated as 3 credits (units). The Fall Quarter begins in late August or early September, the Winter Quarter in December, and the Spring Quarter in March. Each quarter of each course has 10 weeks of instruction, 3 classroom hours per week per course. Thus, if a student has 3 courses in the quarter, the student will have 9 classroom hours in each of the 10 weeks. There is an additional Final Exam week, the 11th week. Some years there may be summer classes. For each classroom hour, students should study two hours in addition

B. COURSES FOR FIRST YEAR STUDENTS

CONTRACTS

An analysis of the circumstances under which the law will enforce a promise and the extent of that enforcement. A particular aim of this class is to teach the student how to analyze concrete economic and social relationships applying relevant contract law.

CRIMINAL LAW

The substantive law of crimes, the elements of the various crimes and defenses to them.

TORTS

The legal duties all people owe to each other, and special duties that arise from special relationships, and legal claims not based on contract, such as negligence, fraud, libel, slander, assault, battery, wrongful death, nuisance, trespass, false imprisonment, conversion (akin to theft), infliction of emotional distress, premises liability, strict liability for dangerous activities, products liability, malicious prosecution, abuse of process, interference with contract and economic interests.

LEGAL WRITING AND ANALYSIS

Several courses throughout the four years of instruction. provides practice in issue spotting, legal analysis, test-taking skills and study techniques, with special emphasis on the First Year Law Students Exam and the Bar Exam.

C. COURSES FOR UPER DIVISION STUDENTS – SECOND, THIRD AND FOURTH YEARS

CIVIL PROCEDURE

A study of how lawsuits proceed in courts, and how best to use those procedures as a people's lawyer.

COMMUNITY PROPERTY

Discussion and analysis of the legal characterization of property acquired during marital relationships and relationships that are similar to marriage.

COMPETENCY AND PERFORMANCE

Practical skills of lawyering, including memoranda to clients, legal memoranda to superiors in a law office, and legal argument to courts.

CONSTITUTIONAL LAW

Study of the Constitution of the United States as interpreted by the U.S. Supreme Court. The course explores the relationships between the federal and state governments, and between government and people as defined primarily by the Bill of Rights, equal protection and due process guarantees.

CORPORATIONS and ORGANIZATIONS

An introduction to the law of corporations and other organizations such as partnerships, limited liability companies and sole proprietorships.

CRIMINAL PROCEDURE

The laws that govern how criminal cases proceed in courts, with particular emphasis on constitutional rights such as protects involving search and seizure, self-incrimination, cruel and unusual punishment, and juries. These are examined through the eyes of the defense attorney, but also training the student to anticipate prosecuting arguments.

EVIDENCE

Examination of federal and state rules of evidence. Subjects include the hearsay rule and its exceptions, privileges, examination of wits, authentication of writings, burdens of proof, and presumptions.

PROFESSIONAL RESPONSIBILITY

This subject is separately tested by the Committee of Bar Examiners. This course educated students about the regulation of the legal profession. Subjects include the duties of honesty with the courts and clients, fiduciary duties to clients, and avoiding conflicts of interest, the attorney-client relationship, limitations on advertising solicitation and

group legal services plans, unauthorized practice of law, and compensation for legal services.

PROPERTY

The basic concepts of real property. and instruction on personal property as well. Topics include the legal categories of interests in land tenant rights and other aspects of landlord-tenant law, rent control, restrictions on land use, recordation, title registration, and conveyance.

REMEDIES

A study of the remedies available through the orders and judgments of courts. Remedies affect personal rights, property rights, the environment and governmental and social policy. Topics include injunctions, rescission, cancellation, reformation, restitution, damages, specific performance, balancing equities, equitable servitudes, equitable and legal defenses and extraordinary relief.

WILLS and TRUSTS

Study of the creation, use and termination of the various types of trusts, and of the responsibilities and potential liabilities of the trustor, trustee and beneficiaries. Also study of the basic principles in planning, creating, modifying, and revoking wills. Discussion of the powers and limitations of a will, intestate succession, and testamentary disposition.

ELECTIVES

These vary from year to year, and are for upper division students, as opposed to first year students. Electives are generally scheduled as part of a student's 270 hour minimum.

LEGAL PRINCIPLES AND ELEMENTS FOR THE MBE - One Quarter CRIMINAL DEFENSE CLINIC - One Quarter

Students enrolled in the Criminal Defense Clinic will assist with representing clients facing misdemeanors and/or felonies charges.

ADVANCED ESSAY WRITING - One Quarter

This course will focus on the 14 core legal subjects tested on the California Bar Exam (CBE).

ELECTIVES AT PCL: Electives are not are taught each year, but are offered from time to time based on student interest and instructor availability.

D. EVALUATION OF FACULTY

State Bar rules require evaluation of faculty members. PCL asks faculty members to submit a periodical Self-Evaluation Form to the Administrator, who will provide a copy to the FCC. A State Bar rule, Guideline 4.7, states: “Faculty members must continually strive to improve their teaching skills and expertise in the subject(s) they teach. Faculty members are expected to keep informed of changes in the law and include in their course(s) a discussion of recent significant statutory changes and case law developments.”

Faculty members are also evaluated by their students at the end of each course on a form provided by the FCC. These forms are maintained by the Administrator, who submits copies to the FCC. Also, the FCC evaluates all faculty members during each course, and the FCC may enlist persons who are not on the FCC to perform evaluations, if they are faculty or former faculty of any law school, alumni of PCL, present or retired members of the judiciary, or practicing or retired attorneys.

Pursuant to State Bar rules: the criteria for evaluation are:

- (A) The faculty member's education, knowledge, and experience in the subject matter;
- (B) The faculty member's competence in the classroom or in other instructional activities;
- (C) The faculty member's teaching skills given the technology and methodology used in instruction, and the quality of participatory experiences employed;
- (D) The faculty member's organization of the course as demonstrated by outlines or syllabi;
- (E) The quality, nature, and type of examinations, and other assignments and the quality of grading;
- (F) The relation between the field of instruction and the area of specialization, if any, of the faculty member in private practice; and
- (G) The years of experience, both in teaching and in practice.

All evaluators must submit their completed evaluations to the Administrator, who must place them in the files of the respective Instructors. Evaluators are requested to submit their completed evaluations to the Administrator on the day they complete them, but no later than the last day of the academic quarter during which the evaluation was done.

The evaluators, other than the student evaluators, must review of the materials used in faculty member’s the course, examinations given, and the extent to which examinations and grading standards provide a reasonably accurate appraisal of each student's ability, and must set out their findings on those subjects in their written evaluations.

PCL must use its Student Information System to generate comparisons of course grades with examination scores in like subjects, to be used by the evaluators as some indication of the quality of instruction, examinations, and grading standards.

E. CHANGES TO ENTRIES IN PCL TRANSCRIPTS

Changes to entries on a PCL transcript may be made only upon a showing of good cause. However, a contention or possibility that a grade given by an instructor was not justified shall not be good cause or an acceptable reason for a transcript change. If a present or former student wishes a change to an entry on the person’s transcript, the following procedures apply:

1. The present or former student must submit a written application to the Dean, specifying the change requested and the reasons for it. The application must include any documentation or evidence supporting the application.
2. The Dean must investigate the facts and circumstances pertinent to the application. In doing so, the Dean must read the entire application and materials submitted with it. The applicant shall have the right to speak with the Dean in support of the application, and to have an attorney or other representative do so as well. If the applicant requests the Dean to listen to any other person with information pertinent to the application, the Dean shall do so, but the Dean need not listen to an excessive number of such persons. The Dean may also communicate any person who may have information pertinent to the application, including but not limited to any present or former faculty member. The Dean may also speak with the Registrar, the Administrator and any other person with information pertinent to the application. The Dean may also consult any person outside PCL who has expertise on the subject of transcripts, but shall maintain the confidentiality of the student's information by not disclosing the identity of the applicant. Before the Dean transmits to the applicant the Dean's decision on the application, the applicant may submit additional materials to the Dean, who must read them if time permits.
3. Within thirty days after receiving the application, the Dean must render a written decision on it and transmit the decision to the applicant. The Dean shall cause the application and decision and any materials the Dean read or considered in connection with the application to be placed in the applicant's student file. If the decision is that a change is to be made, the decision must specify the change, and if the applicant has not requested an appeal within the fourteen days to appeal, Dean shall transmit the decision to the Registrar, who shall make the specified change on the transcript, and place on the transcript a notation of the reason(s) for the change.
4. The applicant may appeal the decision of the Dean to the Community Board, but may do so only by transmitting to the Chair of the Board a request for appeal within fourteen days of receiving the Dean's decision. In the request, the applicant must state whether the applicant consents to participation in the appeal by student members of the Community Board. The Community Board may delegate the appeal to the Executive Committee. Within thirty days after the Chair receives the request for appeal, the Community Board or the Executive Committee, as the case may be, shall render a written decision on the appeal, and transmit it to the applicant. The Chair shall cause the request for appeal and any materials read or considered in connection with the appeal to be placed in the applicant's student file. If the decision on appeal is that a change is to be made, the decision must specify the change, and the Chair shall transmit the decision to the Registrar, who shall make the specified change on the transcript and place on the transcript a notation of the reason(s) for the change..
5. No student member of the Community Board or the Executive Committee shall participate in the appeal unless the applicant consents in writing to participation by students.

X. STUDENT SERVICES – MOCK EXAMS AND TUTORING

Preparation and practice sessions for the Baby Bar are an integral part of the first-year curriculum at PCL. Preparation and practice sessions for the general Bar Exam are an integral part of the entire curriculum, particularly in the fourth year.

Tutorial Program at PCL has two main components. The first is the mock exams, or “mocks.” which provide students with practice in test-taking techniques and the subject on the First Year Law Students Exam. These sessions usually take place on Saturdays. Faculty, alums, upper division students, Board members and the Dean present and monitor the mock exams, and provide written comments to the students on their exam answers.

The second component is individual tutoring. First-year students are encouraged to seek one-on-one tutoring from upper-division students, faculty, alums, Board members and the Dean to develop appropriate study habits necessary and better learn the substantive law.

Mock Exams & Tutorial Program for First-Year Students

There are also practice sessions and mock exams in the fourth year to prepare students for taking the general Bar Exam. They, too are presented and monitored by Faculty, alums, upper division students, Board members and the Dean.

XI. THE FIRST YEAR LAW STUDENTS EXAMINATION ("BABY BAR")

Because PCL, like approximately 19 law schools in California, is classified by the State Bar as a registered unaccredited law school, all PCL students must take the First Year Law Students' Exam, informally called the “Baby Bar” and often abbreviated as FYLSE or FYLSX. There can be an exception for PCL students who have transferred from a law school accredited by the ABA or the State Bar, if the student was not academically disqualified by the previous law school and satisfactorily completed the first year there.

Registration Fee for FYLSX: Students taking the FYLSX are required to pay a registration fee of several hundred dollars to the State Bar a few months before the examination. There are additional fees for using a laptop in the exam. The amounts and due date of the fees can be found on the State Bar website. There is a substantial penalty for late payment.

California State Bar's Mandatory Guidelines Regarding FYLSX:

The following are the **California State Bar's Mandatory Guidelines about the relationship between the FYLSX and whether a student can continue with law school classes and get credit for them.** To make them easier to read, we have added bolding and subdivisions in brackets like this: [A], [B], [C]. Note that 5.20 through 5.22 are largely repetitive of 1.3.

State Bar Guideline 1.3 First Year Law Students' Examination.

The First-Year Law Students' Examination, as referred to in the *Unaccredited Law School Rules*, is the examination specified in California Business and Professions Code §

6060(h) and Rule VIII of the *Rules Regulating Admission to Practice Law in California*. Students attending unaccredited law schools intending to qualify to take the California Bar Examination must take the examination upon successful completion of their first year of law study. **[A] Students who pass the examination within the first three administrations of the examination after first becoming eligible to take it will receive law study credit up to the time of passage of the examination. [B] Students who pass the examination on an attempt following the third administration of the examination after their first becoming eligible to take it will only receive credit for one year of law study toward qualifying to take the California Bar Examination.**

State Bar Guideline 5.20 Evaluation of Students for Advancement and Retention.

A law school must evaluate students for advancement and retention at least as often as the end of each academic year. **[C] Students who have not maintained the grade average required for advancement or graduation or who have failed to pass the First-Year Law Students' Examination within the required time frame must be promptly disqualified from the law school's J.D. degree program.**

State Bar Guideline 5.21 First-Year Law Students' Examination.

[D] An applicant who is required to take the First-Year Law Students' Examination will not receive credit from the Committee for any law study until he or she has passed the examination. [E] Students successfully completing their first year of law study at an unaccredited law school must take and pass the First-Year Law Students' Examination within three (3) administrations after first becoming eligible to take it. [F] Only one year of law study will be granted if the examination is passed on an attempt later than within three (3) administrations of the examination after the student becomes eligible to take it.

State Bar Guideline 5.22 Disqualification of Students for Failure to Pass the First-Year Law Students' Examination.

[G] A student who does not pass the First-Year Law Students' Examination within three (3) administrations after first becoming eligible to take the examination must be promptly disqualified from a law schools J.D. program. [H] A student who passes the First-Year Law Students' Examination within three (3) administrations after first becoming eligible to take it will receive credit for all legal studies completed to the time the examination is passed. [I] A student who does not pass within the three (3) administrations after first becoming eligible to take it, but who subsequently passes, is eligible for re-enrollment in the law school's J.D. program, but will receive credit for only one year of legal study.

XII. RELATIONSHIP BETWEEN THE FIRST YEAR LAW STUDENTS EXAM AND CONTINUING WITH LAW SCHOOL AFTER THE FIRST YEAR

In order for a student to take the First Year Law Students Exam (FYLSX) or the California General Bar Exam, the State Bar must first receive from the law school a certification that as far as the school is concerned, the student is eligible to take the exam. The State Bar has a deadline to receive the certification from the school.

PCL will NOT report that a student is eligible if, by the deadline, the student has NOT paid all amounts due under their tuition contract in full.

A student who is not current in tuition payments or current in payments, pursuant to a written payment plan accepted by PCL, shall not be allowed to attend classes, receive instruction, be certified to take the FYLSX or the general bar exam, or receive any degree from PCL. further, PCL will not confer a J.D. degree on any student who by the end of the last quarter of study as a fourth-year student, the student has not paid all amounts due under this contract in full.

Payment Plans: If a student finds that they are unable to pay tuition fees, a student may request an installment payment from a PCL financial officer. The officer will then discuss the installment plan proposed and if it is reasonable, an agreement is written up and signed by the officer and the student. There is no guarantee that the student and the officer will come to an agreement. If the student does not pay pursuant to the written Payment PPlan agreement, the student will not be allowed to enter into a second Payment Plan agreement.

If you have taken the FYLSX but you didn't pass, and you plan to continue as a PCL student and try to pass the FYLSX another time, **you should think very carefully about it, because it is risky.** The Bar's statistics show that **the chances of passing on a subsequent try are very low, less than 15% (see link below).** Thus, if you pay tuition for the second academic year and you do not pass in October of that year or June of the next year, you will have spent all that tuition money and completed all that difficult coursework for the second year, but **under the Bar's rules you will not receive credit for your classes second academic year** (i.e. no credit towards a J.D. degree, or towards eligibility to take the Bar Exam). If your score on the FYLSX was very, very close to passing, that probably increases your chances of passing on a subsequent try, but still the statistical odds are probably against it.

It is **not** a good idea to take law school classes **and** study for the October FYLSX at the same time. The FYLSX is very difficult to pass, and of course it becomes a great deal harder if you are studying for your classes at the same time. Some PCL students have tried to do these two things at once, but very few have succeeded. PCL is aware of only one in the past six years.

The better alternative is to take this academic year off and then take the FYLSX next June. You will have the 10 months between now and June to prepare for the FYLSX, and you won't be risking your money on this year's tuition. NOTE that if a student does take an academic year off, the next opportunity for the student to enroll at PCL is the following academic year.

Auditing, Repeating First Year Courses

A student may audit a course for half the regular registration fees. However, a first-year student who has not yet passed the FYLSX and wishes to repeat classes from their first year can do so, at no charge. In neither case will credit be awarded.

XIII. POLICIES ON ACADEMIC STANDING – GOOD STANDING, PROBATION, GRADES, GRADUATION, ACADEMIC GRIEVANCES, ETC.

Section 1. Payments To PCL Must Be Current: A student must have paid all amounts owed to PCL in full in order to do any of the following:

- a. advance to the next quarter
- b. be certified by PCL to take the First Year Law Student’s Exam
- c. be certified by PCL to take the California Bar Exam
- d. graduate from PCL and receive a J.D. degree or any other degree from PCL
- e. attend classes and receive instruction

HOWEVER, in compliance with the California Educational Debt Collection Practices Act, PCL will provide transcripts to students and former students regardless of whether they owe a debt to PCL. As permitted by the Act, PCL may charge a fee for the transcript.

Section 2. Failing and Substandard Grades

No credit is given for any quarter in which a failing grade (below 60) has been received, unless the student raises the grade pursuant to Section 6 below.

First Year students who receive grades below 70 for two quarters or semesters, or one failing grade (below 60) for a quarter, shall not be certified to take the First Year Law Student’s Examination (FYLSX) unless the student raises a quarter grade pursuant to Section 6 with the result that the student has no grades below 60 and, for first year students, not more than one grade below 70.

Section 3. Grading

Pass-fail Grading on Non-Bar Exam Subjects Only: The PCL instructor may choose to use the pass/fail standard upon approval by the Dean or FCC. Approval will only be granted for subjects that are not tested on the California Bar Exam or First Year Law Student’s Exam. The Dean/FCC will consider whether the Instructor has established clear criteria for a “pass” or “fail” grade, and whether the criteria is challenging, rigorous, and attainable. The grading component or pass/fail standard must be clearly stated on the syllabus provided by the Instructor. Per PCL policy, the syllabi must be turned in to the Administrator 2 weeks before the first class of the course for review and distribution to the students. Pass/Fail or Credit/No Credit grades must not be used in more than one-third of the courses in the first two-thirds of the curriculum

Grading Standards:

It is of primary importance for PCL students and all of PCL that the students have a realistic picture of a realistic picture of their outlook for passing First Year Law Students Exam (FYLSX) and Bar Exam. The pass rates for both exams have been very low. For example, the pass rate for the July 2019 Bar Exam was 14.4% for California Unaccredited law schools and 18.8% for California-Accredited (non-ABA) law schools. On the FYLSX of June 2019, the pass rate was 23.5% for all takers and 28.1% for California Unaccredited Fixed-Facility law schools (PCL is in that category).

Students’ ideas about their chances on these exams are very likely influenced by their law school grades. If a student receives high grades, that is likely to raise the student’s expectations of passing the FYLSX and the Bar Exam, but because of the low pass rates on the exams, the heightened expectations could well be unrealistic.

In light of these and similar considerations, PCL has adopted these Grading Standards for all examinations and final grades (grades for the full quarter) in all courses that are not graded pass-fail. NOTE that in the grouping of grades in the table below, C- grades are grouped with the D grades. That is because at PCL, in order for a student to advance to the next academic year and graduate, the student must have a grade point average of C or better.

90 - 100 (A+, A and A-)	Grades in this range should be only for very superb, outstanding work, not merely the best work among the students. The best work is often not in the A range. On an essay exam, the student should not only have identified all issues, but should have done a very superb, outstanding job of analyzing the issues. Sometimes there will be no grades in this range on an exam or for a quarter. This range should be under 10% of the grades, occasionally as much as 10%.
80 – 89 (B+ , B and B-)	Grades in this range should be only for excellent work, not merely good work. On an essay exam, the student should have identified all issues, and should have done an excellent job of analyzing the issues. This range should be under 20% of the grades, occasionally as much as 20%.
73 – 79 (C+ and C)	Grades in this range should comprise by far the largest share of the grades, often higher than 50%. But these grades are for good work, not necessarily average work, because the average might be less than good. A PCL student must have a C average or better, not C-, for all quarters, in order to advance to the next academic year and in order to graduate.
60 - 72 (C- to D-)	Grades in this range are for work that is somewhat less than good (C-) to work that is poor (D+ and D) to work that is marginally passing (D-). Unfortunately, this range will often comprise 15% to 20% of the grades, sometimes higher than 20%.
59 and below (F)	Failing. Unfortunately, there will often be multiple failing grades, even in a small class. A failing grade is not just for work that is entirely lacking – it is also for work that shows some grasp of the subject of the exam or course, but very little. On an essay exam, the student might have identified and discussed some issues but still receive an F. In a multiple choice exam, if a student has correctly answered up to 59% of the questions, the grade will still be an F.

Grades must be numerical. In order to facilitate calculation of a grade point average, Instructors must give numerical grades, although they may in addition designate the corresponding letter grade. If a letter grade is give in addition to the numerical grade, the following, the following grade scale must be used.

97-100	A+
93-96	A
90-92	A-
87-89	B+
83-86	B
80-82	B-
77-79	C+
73-76	C
70-72	C-
67-69	D+
63-66	D
60-62	D-
0 - 59	F – failing

Grading to be Anonymous: Grading of examinations in all PCL subjects is to be **anonymous** to the grader.

Written Final Exams Required: Written final examinations are required at PCL for all Bar Exam subjects. If an Instructor wishes to substitute a project or some other assignment in place of a required final exam, the Instructor must make a request to the Faculty-Curriculum Committee (FCC). If the request is denied, the Instructor may request a review of the decision by the Dean. In all courses, the Instructor has the choice whether to give midterms and quizzes, and on non-Bar Exam subjects the Instructor has the choice whether to give final examinations.

Faculty Comment and Advice to Students: Faculty members must give written or oral comments to students on their individual performance on exams, in addition to grades. For example, the comments could be notations on a student's exam answers, or by email to the student, or by a telephone call with the student. Comments should address major shortcomings in the student's performance, if any. Faculty members must provide means for students to communicate with them in addition to the classroom, such as email, chat rooms, telephone or regular office hours.

Student Unable to Take Examination When Scheduled: If a student is unable to take an examination at the time scheduled, the student must notify the Instructor promptly, and must do so before the exam. The student must explain to the Instructor the reason the student cannot take the exam at the scheduled time, and if the Instructor finds the reason acceptable, the student must discuss alternate times with the Instructor and the Instructor must assign the student a different time to take the exam.

Basis of Grades: For each course, the Instructor must provide each student with a written statement (which can be in the syllabus) explaining the extent to which each of the following will be used in determining a final grade for the quarter:

- (1) The final examination;
- (2) Intermediate, midterm, or other examinations and quizzes;
- (3) Class participation
- (4) Evaluation of examinations or other performance by other than the course Instructor; and
- (5) Any other consideration that might affect the grade in any course.

However, class participation must not count for more than three percent (3%) of the final grade in a course, and attendance may not be counted at all towards the grade, inasmuch as minimum 80% attendance is required.

2 weeks before the start of the quarter, the Administrator shall have obtained the syllabi from each Instructor, shall transmit them to the Dean along with a report stating whether all syllabi meet the requirements in the preceding paragraph (including (1) through (5), and pointing out which syllabi do not, if any. If any do not comply, the Dean, through the Administrator or directly, shall communicate with the Instructor to obtain compliance.)

Due Date for Grades from Instructors: For each course, the Instructors, directly or through the PCL Administrator, will notify students of their grades in writing, normally within two weeks after the last week of the quarter, earlier for the spring quarter. For example, a quarter has 10 weeks plus an 11th for a final exam, thus grades are due two weeks after the Friday of the 11th week, but earlier for the spring quarter. If students do not receive their grades within those two weeks, they should notify the Administrator or the Dean.

Students Missing Final Exams: Students who, with prior approval of the Instructor, do not take the final examination will receive a grade of Incomplete. If the student does not take the final exam within one quarter (10 weeks) or semester (15 weeks) after the end of the quarter in which the exam was given to the class, the grade of Incomplete will automatically change to the failing grade of 59, or lower if the Instructor decides it should be lower. **HOWEVER, THIS DOES NOT APPLY TO THE SPRING QUARTER.** If a student misses the final exam in a spring quarter course, the student must take the exam within a few days after missing it, so that the instructor can grade the exam and report the grade to PCL in time for the student receive credit for the course, because by law the student must get credit for the full 270 hours of classroom time in order to get any credit for the academic year.

Withdrawal from Courses: Students may withdraw from a course for any quarter at any time up through the day of the final exam, if they have, before the final exam begins, submitted a written request for that withdrawal to the Administrator. If a course has no final exam, students may withdraw from it up through the last session of the quarter. A grade of “W” will be recorded for all quarters from which a student withdraws following that procedures. No statement from a doctor or other documentation shall be required for withdrawal. If a student withdraws but does not follow the above procedure, the student will receive an failing grade, 59 or below.

Plagiarism: All PCL students are expected to know about and avoid plagiarism and other forms of cheating. All exam answers and assignments must be done solely by the student. Plagiarism and other forms of cheating are subject to discipline under PCL’s Disciplinary Code. The Code can be found in the Student Handbook and normally on the PCL website.

If an Instructor has a reasonable belief that the work was not done solely by the student, or that the student engaged in plagiarism or other cheating, the Instructor must report the belief to the Dean or the Administrator.

Student Inspection of Exams: PCL allows every student to inspect and copy examination questions and the student’s answers to those questions (if the technology makes it feasible) for a reasonable period after grades are recorded, and to compare the student’s answers to the answers for multiple-choice, true-false, and similar tests for a reasonable period of time after grades are transmitted.

Students Showing Inadequate Academic Progress: Faculty members should meet with and counsel students whose grasp of course work reflects insufficient understanding of the course material, and, if appropriate, the Faculty member should refer the student to the Administrator, the Dean, or the Faculty-Curriculum Committee for assistance or counseling of the student.

If a faculty member comes to believe that a student is likely to fail a course or, in the words of State Bar Guideline 5.27, “clearly lacks the ability or the educational background to study law.” the faculty member must report that belief to the Dean.

If, despite efforts by the faculty member and PCL, a student’s performance in a course continues to be poor, it can be necessary to give the student a failing grade. In cases where a student’s prospects for success are very dim, it benefits a student not to pass their courses, so that they do not spend valuable time and money on their studies to no avail.

Subjects Tested on the California Bar Exam Business Associations (formerly called “Corporations”), Civil Procedure, Community Property, Constitutional Law, Contracts, Criminal Law and Criminal Procedure, Evidence, Professional Responsibility, Property, Remedies, Torts, Wills and Trusts. As of December 2023, the State Bar's website posts the scope of the CA Bar Exam (CBX) here: <https://www.calbar.ca.gov/Admissions/Examinations/California-Bar-Examination/California-Bar-Examination-Scope>

Section 4. Advancement in Good Standing

As of the end of every Spring quarter that is earlier student’s fourth year, the student must have satisfied all the following requirements in order to be permitted to advance to the next academic year and be certified to take the FYLSX:

- The student must have complied with the State Bar’s 80% attendance rule in all the student’s courses at PCL (see below).
- The student must have received a passing grade for all quarters of each course the student took, except for courses from which the student withdrew using proper procedures.
- In the student’s first year courses, the student must not have more than one grade lower than 70 (C-) for any course in any quarter.
- The student must have a grade point average of 73 (C) or better for all final grades for the quarter in all the student’s courses combined.
- All the student’s tuition, fees and other financial obligations to PCL must be paid in full (or current pursuant to a Payment Plan signed by an officer of PCL)
- The Student must be in good standing with the PCL Community as prescribed in Section 4.11 of the Bylaws, but Section 4.2 of the Bylaws does not apply.

State Bar 80% Attendance Rule: State Bar Guideline 5.3(A)(1) “requires regular and punctual attendance of not less than eighty (80) percent of the regularly scheduled class hours in each course.” For a course that extends over more than one quarter, for example, two quarters, this Guideline means that the student must attend 80% of the regularly scheduled class hours in each quarter of the course (The Guideline does not mean that the student must attend 80% of the total combined regularly scheduled class time of the two quarters.)

Section 5. Requirements for Graduation and Certification to Take Bar Exam As of the end of the student’s fourth year courses, the student must have satisfied all the following requirements in order to be permitted to advance graduate with a J.D. degree and be certified to take the California Bar Exam :

- The student must have complied with the State Bar’s 80% attendance rule in all the student’s courses at PCL (see below).
- The student must have received a passing grade for all quarters of each course the student took, except for courses from which the student withdrew using proper procedures.
- In the student’s first year courses, the student must not have more than one grade lower than 70 (C-) for any course in any quarter.
- The student must have a grade point average of 73 (C) or better for all final grades for the quarter in all the student’s courses combined.
- All the student’s tuition, fees and other financial obligations to PCL must be paid in full.
- The student must be in good standing with the PCL Community as prescribed in Section 4.11 of the Bylaws, but Section 4.2 of the Bylaws does not apply.
- The student must have passed the First Year Law Students Exam (FYLSX).
- The student must have completed 270 hours (33 units in their 1L year and 27 units in each of their 3 years as upper division students) minimum per year in each of the student’s four years.
- The student must have taken all 14 required Bar Exam subjects.

Section 6. Academic Disqualification

A student will not receive credit for a quarter unless the student has complied with all of the following requirements (unless the student rectifies the non-compliance according to the provisions of this Section 6):

- (A) The student must have complied with the State Bar's 80% attendance rule in all the student's courses at PCL
- (B) The student must have received a passing grade for all quarters of each course the student took, except for courses from which the student withdrew using proper procedures, and
- (C) In the student's first year courses, the student must not have more than one grade lower than 70 (C-) for any course in any quarter.

Any failure to comply with these requirements is referred to as a **Disqualifying Circumstance**.

Within four weeks after the end of each Spring quarter, the Administrator must determine if any student has any Disqualifying Circumstance. If so, for each student who has a Disqualifying Circumstance, the Administrator (a) shall report the name of the student and the Disqualifying Circumstance in writing to Dean and the Registrar and (b) shall notify the respective student in writing of the Disqualifying Circumstance, that the student is in danger of Academic Disqualification and that the student must follow the procedures of this Section below.

Any student who has any Disqualifying Circumstance is considered to be on probation. In order to endeavor to avoid Academic Disqualification, the student must submit a written petition to the Dean and the Instructor to challenge the grounds for the Disqualifying Circumstance or for an exception from disqualification, or both. The student shall state in the petition whether or not the student consents to allow other students to participate in the functions of the FCC and other committees and bodies in connection with the petition. Those functions are described below.. The Dean shall promptly transmit the petition to the FCC, limiting access to the petition by student members of the FCC according to the petitioning student's statement on the subject in the petition. The Instructor and the FCC must promptly approve or disapprove the petition, but they may approve only on a clear showing of special circumstance and good cause and they must properly document the special circumstance and good cause. The documentation shall be placed in the student's files. If they approve the petition, they must decide whether the approval is conditioned on the student successfully performing an assignment, and if so, what the assignment is and a deadline for its completion. In determining the assignment, they shall adhere to the requirement that exceptions from Academic Disqualification may be allowed only on a clear showing of special circumstance and good cause. The assignments may be multiple. These decisions shall be at the reasonable discretion of the Instructor and the FCC. The FCC or the Instructor must promptly inform the student in writing of the decision, the assignment (if any), and the deadline for completion of the assignment (which can be the date of a new exam), and must also inform the Dean in writing.

If the Disqualifying Circumstance is the 80% attendance requirement described in (A) above, the time must be made up in an additional class session with some instructor, if PCL can arrange for some instructor to teach the make-up class. PCL does not require the faculty member who taught the course to conduct the make-up class, although we may ask if the instructor is willing. PCL does at times succeed in arranging for another instructor to conduct a make-up session.

If the Disqualifying Circumstance is something other than the above 80% attendance requirement, the assignment can include taking a new final exam (but not re-taking any exam the student previously took), writing an essay, or some other work. If the Disqualifying Circumstance was caused by a poor grade on an exam or other work, the assignment must be an exam or other work that, in the judgment of the Instructor and the FCC, is at least as difficult as the exam or other work on which the student received the poor grade. **If the reason for the student's petition was missed class(es), the assignment must be a make-up class. Under no circumstances may PCL offer the opportunity to make up absences from regularly scheduled classes with alternative activities.**

If the student performs the required assignment and submits it to the Instructor by the completion date, the Instructor must grade the assignment. (PCL recognizes that if the assignment for missing classes is attending other classes, it is possible the assignment cannot be graded.) The grader must inform the Student, the Administrator or the FCC, and the Dean, in writing, whether the student completed the assignment on time and the student's grade on the assignment. If the grade on the assignment is lower than 70, the student's grade for the course will not be raised. If the grade is 70 or better, the Instructor must raise the student's grade for the course to higher grade, determined in the reasonable discretion of the Instructor.

If the Instructor cannot or will not perform the functions of the Instructor stated in this Section 6, the FCC or the Dean must assign a substitute, i.e. another suitable substitute person to perform them.

The student must rectify the Disqualifying Circumstance(s) during the quarter that follows the one for which the substandard grade(s) were received or the one in which the classes were missed, as the case may be. If a Disqualifying Circumstance arose in the Spring quarter, the student must rectify it during the summer, i.e. the period between the end of the Spring quarter and the start of the Fall quarter. Rectification requires a passing grade on the assignment, if any, given by the Instructor and the FCC under the provisions of this Section.

If the student does not so rectify the Disqualifying Circumstances within the period of time stated in the preceding paragraph, then the student is academically disqualified, except that the student may continue to completion the classes the student is taking in the quarter that follows the one for which the substandard grade(s) were received or in which the classes were missed. (For example, if the student received a failing grade in the Winter quarter, and during the Spring quarter fails to rectify the Disqualifying Circumstances, the student may complete classes in the Spring quarter, but may not take classes after the Spring quarter.)

However, academic disqualification under the above provisions is subject to review by the Community Board, which may, in its reasonable discretion, but only under unusual and special circumstances (which they must document), permit the student to advance to the next quarter under such probationary conditions as the Community Board determines. The conditions may include repeating one or more quarters of one or more courses. The documentation must be placed in the student's file.

Academic disqualification means that the student may not:

- a. advance to the next quarter
- b. be certified by PCL to take the First Year Law Student's Exam
- c. be certified by PCL to take the California Bar Exam
- d. graduate from PCL and receive a J.D. degree or any other degree from PCL
- e. attend classes and receive instruction

All decisions of the Instructor, the substitute (if any) and the FCC under this Section may be appealed to the Community Board. The Community Board may delegate some or all of its functions under this Section to the Executive Committee, and it may receive recommendations for these functions from the Executive Committee or the FCC. In performing their functions under this Section, the Community Board, Executive Committee and FCC should consult with the Dean.

No student (including student members of the FCC, the Community Board and the Executive Committee) shall participate in any of the functions, stated in this section, of the FCC, the Instructor, the substitute, the Community Board or the Executive Committee the Community Board the Executive Committee or any other committee or body, unless, before participation by any student, the student who submitted the petition consents in writing to participation by students in those functions

Section 7. Student Academic Grievance, Including Request for Grade Review

Any Student who is dissatisfied with any decision by PCL administration or faculty affecting the student's enrollment, status as student in good standing or grade, or who is dissatisfied with the conduct, performance or teaching methods of any Instructor, may submit a written grievance. The grievance can dispute a grade based on the student's belief that the an examination or course grade resulted from unfairness, a departure from established grading policy, or a clearly shown mistake, or some other legitimate reason. The student should present credible evidence in support of a grade dispute, if such evidence is reasonably available. The student shall state in the grievance whether or not the student consents to allow other students to participate in the functions of the FCC and other committees and bodies in connection with the grievance. Those functions are described below.

Step 1: If the grievance involves an Instructor, the complaint should first be submitted to the that Instructor, who must have an individual discussion with the student, or if brought by a group of students, with the group, in a good faith effort to resolve the matter.

Step 2: If unresolved in Step 1, student must submit the grievance to the FCC, or if the grievance does not involve an Instructor, to the Dean or the Chair of the Community Board. The FCC, the Dean, or the Chair, as the case may be, must engage in a good faith effort to resolve the matter.

Step 3: If unresolved in Step 2, the FCC, the Dean, or the Chair, as the case may be, must submit the matter to the Community Board for final resolution. The Community Board may delegate this function to the Executive Committee. The Board and the Executive Committee may receive recommendations for this function from the Executive Committee, the FCC the Dean and others.

No student (including student members of the FCC, the Community Board and the Executive Committee) shall participate in any of the functions, stated in this section, of the FCC, the Instructor, the substitute, the Community Board the Executive Committee or any other committee or body, unless, before participation by any student, the student who submitted the grievance consents in writing to participation by students in those functions. In addition, all persons, including students, who participate in those functions must have had one academic year of experience (at least nine months) in teaching or grading examinations in post-secondary education.

Section 8. Faculty Monitoring of Student Performance If a student's Instructor comes to believe that the student is likely to fail a course or, in the words of State Bar Guideline 5.27, "clearly lacks the ability or the educational background to study law." the Instructor must report that belief to the Dean.

Section 9. Students May Enroll Only for Start of Academic Year, Not Later

If a student does not enroll and begin classes for the Fall quarter of an academic year, the student will not be permitted to enroll or take classes for any later quarter of the same academic year. Students shall be notified of this, as well as all other academic policies.

However, as an exception, students who failed a PCL course and want to repeat the course can begin repeating the course starting later than the start of an academic year, but this exception does not apply to students who have attended another law school.

Section 10. Procedures for Former Students Wanting to Return to PCL

a. Procedures for former students wanting to return to PCL after attending another law school
Former PCL students seeking to become PCL students again after attending another law school must reapply to become PCL students, using the standard application process.

b. Procedures for former students wanting to return to PCL after not attending PCL
Former PCL students seeking to become PCL students again after not attending PCL for two years or more must reapply to become PCL students, using the standard application process.

c. Procedure for former students who haven't passed the FYLSX to attend PCL's Baby Bar prep sessions

Former PCL students who have not passed the FYLSX may attend PCL's Baby Bar prep sessions, and PCL will encourage them to pay for the sessions.

Section 11. Repeating Courses and Quarters

No Duplicate Credit: Duplicate credit will not be given for repeating the same or substantially the same course or quarter, whether the courses or quarters are both taken at PCL or at another school, or partly at PCL and partly at another school.

Repeating a Course or Quarter after Failing and Thus Not Completing 270 Hours: If (1) a student fails a course or a quarter of a course, and if (2) as a result of the failure the student does not successfully complete 270 hours in an academic year, then the following applies. Because of State Bar requirements that the required 270 hours per year must all be taken in the same 12 month academic year, the student, in order to be eligible for the J.D. degree and to take the FYLSX and the Bar Exam, cannot make up for the failed course or quarter by repeating only that course or quarter again in a later academic year, but instead must repeat the entire year's courses

(Note that failing a course might not result in failing to successfully complete 270 hours in an academic year, if during the academic year the student completed courses whose total hours exceed 270. As of 2020, PCL normally offers exactly 270 hours of classes for 2L, 3L, and 4L students, but 330 hours for 1L students.)

Section 12. Admission of Transfer Students As a condition of admission to PCL as transfer students, applicants must have their law school education formally evaluated by the State Bar, and PCL's decision on their admission will be based in part on the Bar's evaluation.

Section 13. Externships, Clinical Programs, and Other Non - Classroom Activities Performed For Credit

At its discretion, PCL may permit students to enroll in externships, clinical programs, or other activities that do not involve instruction by a faculty member or involve participation in regularly scheduled course hours or classroom studies.

The time spent involved in these activities and studies may be used to satisfy the 270 hour requirement set by the Bar in Guideline 5.3 if the following criteria are met:

1. PCL's clinical courses will award credit commensurate with the time and effort expended by, and the educational benefits to, the participating student.
2. The studies or activities must be approved in advance by the Dean or the FCC.
3. A member of the faculty or the dean must supervise and periodically review each student's participation to ensure that the educational objectives are achieved.
4. The amount of credit may not exceed forty (40) percent of the hourly requirement for any year or more than ten (10) percent of the total hours required for graduation;
5. PCL must maintain an appropriate record for each student. At PCL, this is done by keeping a timesheet that is regularly submitted to the Dean or Faculty Advisor. The timesheet must be retained in each student's file.

Clinical Program or Externship Record Requirement

The law school must maintain a record for each student participating in the any of the above-mentioned activities. The record must include at least
 the educational objectives,
 the number of hours spent by the student participating in the activity,
 the amount of academic credit authorized,
 the name of the faculty member who conducted or reviewed the activity,
 the name, address, telephone number, and qualifications of each person not on the faculty who directly supervised the student participating in the activity, and
 the methods used to evaluate student performance, and
 all other records as necessary to keep record of the criteria mentioned in point 1-5 above.

Enrollment a Clinical Program or Externship

Periodically, PCL will offer clinical courses or externships as part of its curriculum. These courses generally take place during a summer quarter, but may take place during other periods of time. The criteria for enrollment in these courses will be made available to students at that time. If a student seeks placement in a clinical program or externship that is not offered by PCL as part of its curriculum, that student must submit in writing, to the Dean or FCC, their request to receive academic credit for the program. The written submission must be received as soon as practicable, but no later than 4 weeks before the beginning of a quarter if the student intends to replace classroom study hours with clinical hours. The written request should clearly demonstrate that the placement meets all of the above-mentioned required criteria. The student will only be able to receive academic credit from PCL upon the Dean or FCC's written approval of the student's participation in the program.

Section 14. Exam Authentication and Security Policy

On Campus Exams

All final exams will be proctored and administered live, on campus, by a PCL - approved proctor. A clear set of exam rules and instructions should be provided to the proctor by the instructor prior to the examination in order to ensure a seamless testing experience.

During examinations, students must leave all personal belongings, including books and all papers not provided by the proctor for purposes of the examination, outside of the testing room. Electronic devices, including cell phones, are not permitted in the exam room. Laptops and other electronic devices serving the purpose of typing on an exam are only permitted if the approved exam-testing software described below is utilized. Small clocks are permitted for time-keeping purposes. Cell phones, tablets, and other similar electronic mobile devices may not be used as clocks during the exam. Water and writing implements are permitted in the exam room.

Where the faculty member has elected to allow students to test electronically, students will be permitted to use their laptops only if they utilize approved exam-testing software. As of November 2023, the only approved testing software is TestInvite, though this is subject to change.

All exam papers, including the assessment (exam) itself, notes, and other papers associated with the exam, must be turned into the proctor before leaving the testing room

Remote Examination

All exams performed remotely will be required to utilize testing software. Testing software will record a student's screen and the student's web camera will be turned on during the exam for authentication and security purposes. Students may not opt-out of recording unless they have been approved for testing accommodations that specifically provide for such an accommodation. In such cases where a student has an unavoidable reason not to test on campus, such as in the case of a contagious illness, a student must request permission from the Administrator or Dean to be allowed to test remotely. The Administrator or Dean may request documentation in support of the student's request.

Exam Authentication

Students testing on campus must sign an attendance sheet, which will be made available by the proctor. The proctor must also sign the attendance sheet in attestation that the identity of the student named on the attendance sheet matches the identity of the person who took the exam.

XIV. STUDENT PRIVACY POLICY

Disclosures Generally

In order to ensure the privacy of students, the Administrator, the Registrar, the Dean, and all officers, and members of committees, members of the Community Board, employees and Faculty Members are to exercise adequate caution when speaking about students and student situations at PCL. This includes discussions regarding student financial, academic, and disciplinary records. Students, Registrar, Dean, Officers, members of committees, members of the Community Board, employees, and faculty members will receive the Student Privacy Policy via email or otherwise once per quarter and/or as changes are made. The Student Privacy Policy will always be made available on PCL's website.

PCL will not disclose, without a student's consent, information about the student, including grades, grade average, class schedule, address or telephone number, or other private information, unless:

- (A) Required by law, including administrative subpoena or court order;
- (B) The information is requested by the State Bar of California or a Committee of the State Bar;
- (C) The information is requested by an accrediting agency that has accredited PCL or to which PCL has applied for accreditation; or
- (D) In case of emergency, to the extent the person making the disclosure reasonably believes needed for the emergency.

This policy applies to Peoples College of Law and all its directors, officers, employees, committee members and volunteers.

These policies on Student Privacy are intended to protect students and enhance their ability to openly and honestly discuss issues relating to their experience at PCL.

Student Records

Under PCL policies, PCL students have the following rights:

1. To review their own student records within a reasonable time after the student submits a written request for access. The PCL maintains several types of student records in various locations and may need time to process this request. A notification from the Administrator or Registrar as to additional time that will be needed will be issued within a reasonable time frame.
2. To request amendment of their own student records if they believe the records are inaccurate or misleading. Students should submit a written request to the Administrator or Registrar specifying the portion of the record the student wants changed and why it is believed to be inaccurate or misleading. That office will determine whether the record should be changed and notify the student of the decision, including of the right to a hearing and hearing procedures, in accordance with PCL policies on grievances outlined in the student Handbook.

Non-Disclosure of Status as Current or Former Student or Applicant

PCL will not disclose, without the person's consent, whether the person is or is not a current or former PCL student or applicant, unless:

- (A) Required by law, including administrative subpoena or court order;
- (B) The information is requested by the State Bar of California or a Committee of the State Bar;
- (C) The information is requested by an accrediting agency that has accredited PCL or to which PCL has applied for accreditation;

(D) In case of emergency, to the extent the person making the disclosure reasonably believes needed for the emergency.

A person acting for PCL, if asked for this information, must reply that PCL does not disclose such information.

However, PCL will disclose whether the person is or is not a current or former PCL student or applicant if the person, at the time of disclosure, is a member of the State Bar of California. This policy applies to Peoples College of Law and all its directors, officers, employees, committee members and volunteers.

Procedures for Administration of Student Privacy Policy

If the Administrator, the Registrar, the Dean, or any officer, member of any committee, member of the Community Board, employee or Faculty Member receives any request for document or information that is private or not to be disclosed as provided in this Student Privacy Policy, they are to notify the Administrator, and the Administrator shall act on the request in compliance with this Student Privacy Policy. In acting on this request, the Administrator shall consult with the Dean.

Via email or otherwise, once per quarter and/or as changes are made, the Administrator shall distribute a reminder of this Student Privacy Policy, with its full contents, to the Registrar, the Dean, and all officers, members of committees, members of the Community Board, employees and Faculty Members, by automatically scheduled email or otherwise.

XV. NON-DISCRIMINATION AND FAIRNESS POLICY

PCL is committed to equality of opportunity, academic freedom, and human dignity requiring that all affairs of the school be free, to the fullest extent the law allows, from invidious discrimination and harassment in all its forms, including discrimination based on race, color, ethnicity, national origin, ancestry, nationality, immigration status, gender, sex, gender identification, gender expression, sexual orientation, marital status, disability, age, religion, military and veteran status, genetic information, medical condition (as defined by the California Fair Employment and Housing Act), pregnancy, childbirth, breastfeeding or related medical conditions of any female member of the PCL Community. This applies to admissions, employment, and our Academic programs and extracurricular activities.

XVI. POLICY AGAINST HATE SPEECH

Acts and words, both spoken and written, by PCL students, faculty, administration and employees or any members of the PCL Community which incite violence or foster hatred against any individual or group based on invidious discrimination, including the types of discrimination stated above, are **strictly prohibited** at PCL and at PCL activities, and in public. This applies to students, faculty, administration, employees, and all members of the PCL Community. A student, instructor, member of the administration or Community Member who violates this policy faces possible removal from the classroom, suspension or expulsion from the law school, subject to

PCL's grievance and discipline policies, and as determined by the appropriate PCL disciplinary body.

Homophobic, Transphobic, Misogynist, and Hate Speech

Hate speech is expression that spreads, incites, promotes or justifies hatred, discrimination or hostility towards a specific vulnerable group. It contributes to a general climate of intolerance, which in turn makes attacks more probable against those given groups.

PCL firmly stands against homophobia, transphobia, and misogyny. PCL strives to create a welcome and safe space for members of the transgender and intersex community. Hateful, homophobic, transphobic or misogynist statements made by any Community Member, including students, whether on campus, in school activities, or in public can subject a community member to discipline (Community Members are the Members of the Corporation as defined in the PCL Bylaws.)

XVII. POLICY ON SEXUAL MISCONDUCT, INCLUDING SEXUAL HARASSMENT

Peoples College of Law (PCL) prohibits and does not tolerate sexual abuse or misconduct in the workplace or during any organization-related activity. PCL provides procedures for students, employees, volunteers, board members or any other victims of sexual abuse or misconduct to report such acts. Those reasonably suspected or believed to have committed sexual abuse or misconduct will be appropriately disciplined, up to and including termination of employment or membership, as well as criminally prosecuted. No employee, volunteer, board member or other person, regardless of his or her title or position has the authority to commit or allow sexual abuse or misconduct.

Definitions and Examples

The following definitions or examples of sexual abuse, misconduct or harassment, may apply to any and/or all of the following persons – students, employees, volunteers, PCL Community Members, and other third-parties at PCL. (Community Members are the Members of the Corporation as defined in the PCL Bylaws.)

Sexual abuse or misconduct may include, but is not limited to:

- Physical assaults or violence, such as rape, sexual battery, abuse, molestation or any attempt to commit such acts.
- Unwanted and intentional or grossly negligent physical conduct that is sexual in nature, such as touching, pinching, patting, brushing, massaging someone's neck or shoulders and/or pulling against another's body or clothes.
- Material such as pornographic or sexually explicit images, posters, calendars or objects.
- Unwelcome and inappropriate sexual activities, advances, comments, innuendoes, bullying, jokes, gestures, electronic communications or messages (e.g. email, text, social media, voicemail), exploitation, exposure, leering, stalking or invasion of sexual privacy.

- A sexually hostile environment characterized as comments or conduct that unreasonably interferes with one's work performance or ability to do the job or creates an intimidating, hostile or offensive environment.
- Direct or implied threats that submission to sexual advances will be a condition of employment or affiliation with the organization.
- Child sexual abuse – any sexual activity, involvement or attempt of sexual contact with a person who is a minor (under 18 years old) where consent is not or cannot be given.
- Sexual activity with another who is legally incompetent or otherwise unable to give consent.

Reporting Sexual Misconduct and Harassment Procedure

Immediately report suspected sexual abuse or misconduct to any of the following you choose: any member of the PCL Community Board, the dean, or the administrator. It is not required to directly confront the person who is the source of the report, question or complaint before notifying any of the individuals listed. PCL will take every reasonable measure to ensure that those named in complaint of misconduct, or are too closely associated with those involved in the complaint, will not be part of the investigation.

Anti-Retaliation and False Allegations

PCL prohibits retaliation against any student, employee, volunteer, board member PCL Community Member or other person who lodges a complaint of sexual abuse or misconduct or who participates in any related investigation. Note that making knowingly false or malicious accusations of sexual abuse or misconduct can have serious consequences for those who are wrongly accused. PCL prohibits making false or malicious sexual misconduct allegations, as well as deliberately providing false information during an investigation. Anyone who violates this rule is subject to disciplinary action. (Community Members are the Members of the Corporation as defined in the PCL Bylaws.)

Investigation and Follow-up

PCL will take all allegations of sexual abuse or misconduct seriously and will fairly investigate all such allegations. PCL may investigate itself or use an outside third-party to conduct an investigation of misconduct. PCL will cooperate fully with any investigation conducted by law enforcement or other regulatory/protective services agencies. PCL will make every reasonable effort to keep the matters involved in the allegation as confidential as possible while still allowing for a prompt and thorough investigation. If PCL conducts the investigation itself, it will use the procedures in Article 16 of the PCL Bylaws.

XVIII. AMERICANS WITH DISABILITIES ACT

Whether or not the Americans with Disabilities Act or California laws on disability and disability discrimination apply to PCL, PCL encourages students, faculty, and our entire community to know the California and Federal laws pertaining to the rights of people with disabilities. Per our mission statement, we are training lawyers and advocates to defend and expand the rights of those traditionally underserved, and that includes people with disabilities.

Students, faculty, employees and volunteers who need accommodations for their disabilities should notify the Administrator. Students, faculty, employees and volunteers may consult the Dean for additional assistance in obtaining accommodations. PCL will provide reasonable accommodations in classes, exams and other matters at PCL. PCL will also help students access information and forms to apply to the State Bar for accommodations during examinations the Bar administers.

A student who has a disability, long-term or short-term, may request an accommodation in taking exams or doing other academic work at PCL. The student must submit a written request for accommodation to the PCL Administrator.

The request must state (a) what the disability is, (b) how it substantially limits one or more major life activities as broadly defined in 34 C.F.R. 104.3(j)(2)(ii)*, (c) what accommodations are requested, and (d) how long the student requests the accommodations to be in effect.

The request must be accompanied by a statement from a physician or other qualified professional stating, at a minimum, what the disability is, what accommodations should be given, and should include the professional's assessment of how the student's disability limits one or more major life activities. The student may, in addition, submit other types of support for the request, such as verification of accommodations from undergraduate institutions or on the LSAT, and any other information and documentation the student believes is relevant to the request.

Students must not send original documents but should keep their original documents along with copies of everything they submit. Entering students are urged to apply during the first week of August. Continuing students are urged to apply as soon as they are aware of the need for accommodation. Students should use all reasonable efforts to submit a request and documentation no later than six weeks before an exam. While PCL will make its best effort to process a student's request for accommodation promptly, a request can be denied if there is insufficient time to gather and evaluate the appropriate information.

PCL may determine to request independent evaluations before granting or extending a request for accommodation. The Administrator must send the request and all documents submitted in support of it to the Dean and the Executive Committee. The Dean will make the initial decision on the request and must notify the student and the Executive Committee** of the decision in writing.

The decision must state whether the accommodation is granted, in whole or in part, and if granted, how long the student's accommodation will be in effect. After the expiration of the time the accommodation is in effect, or within 60 days before the end of that time, the student may request renewal of the same or a similar accommodation and must do so according to the same provisions as stated above. The decision, whether denying the accommodation, or granting it in whole or in part, and the time during which it is in effect, is reviewable by the Executive Committee**.

The Executive Committee must review it if the student requests a review within thirty days after receiving the decision from the Dean. The Executive Committee may review the decision even without a request for review if the Executive Committee decides to do so thirty days after receiving the decision from the Dean. The Executive Committee must notify the student and the Dean of its decision on review within sixty days after the student's request for review or the Committee's own decision to review. There is no further right to review in PCL.

However, the student may submit to any member of the Community Board*** a written request that the Community Board review the decision of the Executive Committee, and the Community Board may decide to review or not to review, in whole or in part. Accommodations may consist of additional time to take exams or do other academic work, and may consist of any other reasonable accommodation. However, the maximum additional time for the exam or work may not exceed twice the time allowed to students who do not have accommodations for the exam or work, unless, on review, the Community Board determines that more than twice the time is warranted and reasonable.

School administration will provide express written notice of the accommodations that a student should receive to necessary individuals, such as an instructor or exam proctor. The notice will not disclose any other information. Information shared with an instructor or exam proctor relating to the student's disability should be limited to the contents of the notice and the directives in the notice are to be followed. The instructor/ exam proctor should not share the contents of the notice or divulge the student's status as receiving accommodations with anyone without the accommodated student's express consent.

*Section 504 of the Rehabilitation Act, which predates the ADA, has the most expansive definitions of disability based on the concept of major life activities. While PCL is not subject to Section 504 because it does not receive federal funding, PCL prefers the more inclusive language provided by Section 504, and believes this language is better for students because it removes the burden of the person with a disability from making a legal conclusion about their disability in relation to exams and schoolwork.

**No student (including student members of PCL committees, the Community Board and the Executive Committee) shall participate in any of the functions, deliberations, or votes relating to any accommodations request, unless, before participation by any student, the student who submitted the request consents in writing to participation by students in those functions. If a student's private health information is discussed in any context during a committee meeting or Community Board meeting, meeting minutes shared with student board or committee members will be redacted to protect the student petitioner's privacy.

***Members of committees and the Community Board should recuse themselves from deliberations, functions, or votes relating to any accommodations request where the member's impartiality in the deliberation, function, or vote might be reasonably questioned. Members who recognize a conflict should notify the other members of the committee or Community Board of their intent to recuse themselves of any matter where they believe a conflict may exist, and state their intent to seek recusal on the matter. If a member should choose to recuse themselves, the member should inform the committee or board Chair as soon as practical in a way that would not compromise or jeopardize the student's right to impartial deliberations, functions, or votes.

In general, PCL will try to follow the policies of the State Bar of California for the Bar Exam and the First Year Law Students Exam regarding types of disabilities and types of accommodations in exams.

As of February 2020, the State Bar's website states the following about those policies (at <http://www.calbar.ca.gov/Admissions/Examinations/Requesting-Testing-Accommodations>)

“If you have a disability that could affect your ability to take a test administered by the Committee of Bar Examiners, you may want to file early for testing accommodations. Testing accommodations are available to those with mental or physical disabilities as defined in Title 4, Division 1, Chapter 7, Rule 4.82 of the Rules of the State Bar of California (Admissions Rules). Applicants with temporary medical conditions, such as a pregnancy or broken leg, and mothers who are nursing may also file requests for accommodations.

“Depending on the nature of your disability, accommodations may include things such as: wheelchair access, permission to dictate to a typist or digital recorder, extended testing schedule, separate testing room, customized examination materials (i.e., Braille, large print, etc.), extended testing days, permission to bring and use specific items or medical aids.

“When completing the online testing accommodations application and required forms, you and your physician or specialist should request what you think is necessary to allow you to compete on an equal basis with all other applicants. You must also provide adequate documentation and rationale to support the requested accommodations and their relationship to the effects of your disability.”

Below are links to laws and information on the ADA and related California laws:

Americans with Disabilities Act (ADA): <https://www.ada.gov/pubs/adastatute08.htm> California Fair Employment and Housing Act and Related Laws and Regulations

<https://www.dfeh.ca.gov/legal-records-and-reports/laws-and-regulations/> State Bar Testing Accommodations:

<http://www.calbar.ca.gov/Admissions/Examinations/Testing-Accommodations>

As stated above, all student applications and requests for accommodations, and all decisions on them, must be in writing. All such applications, requests, and decisions shall be placed in the student's PCL file. A hard copy shall be placed in the physical file, which is stored in the locked file cabinets, and the electronic version shall be placed in PCL's Student Information System, which has its own security protections. No such applications, requests, and decisions, and no student health records, are to be stored on any computer outside of PCL's Student Information System.

XIX. FACILITIES

Our Building, 660 South Bonnie Brae Street, Los Angeles

PCL is located just west of Downtown Los Angeles, two blocks east of MacArthur Park. The job of transforming our building into a law school was accomplished with a minimal expenditure of money thanks to a maximum amount of volunteer help from labor unions, friends and students. PCL is the owner of the building and has been for decades. PCL has owned our building for decades.

Security on the Campus

The school has one main entrance and three exits, clearly marked and accessible from all areas of the school. When the front door is locked, entrance can be made by ringing the doorbell, which is answered by staff during school hours. The building has security lighting as well as iron security doors. There are 3 fire extinguishers mounted near the front office, the kitchen area and the Library. The first aid kit is located in the front office, as well as in the Library. There are video surveillance cameras outside the building. The school has good contact with the local police and fire department. There is an L.A. Fire Station located half a block away on Seventh Street at Bonnie Brae, near the northeast corner. All students and faculty should leave the building at night in pairs or groups.

XX. PEOPLES COLLEGE OF LAW

DISCIPLINARY CODE

Adopted by PCL Community Board, September 19, 2019, as Amended

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PEOPLES COLLEGE OF LAW
DISCIPLINARY CODE

SCOPE OF THESE PROVISIONS: The provisions below govern all discipline and grievances at Peoples College of Law (PCL), except (A) discipline regarding a person's status as a Member of the PCL Corporation, which is governed by Section 16 of the PCL Bylaws, and (B) discipline and all other employer-employee matters between PCL and any paid employee of PCL.

1. STANDARDS OF CONDUCT

(Adapted From Student Handbook of Loyola Law School]

1.1. Prohibited Conduct; Applicability: For any of the following causes, a member of the Community Board, an officer, the Dean, a member of any PCL committee, a student, a faculty member, and any other Member of the PCL Corporation may be subject to disciplinary action by Peoples College of Law (PCL). Members of the Corporation are defined in PCL Bylaws. They include all present students, faculty members, members of the Community Board, officers and employees and some former students, faculty members, members of the Community Board and officers.

1.1.1. Intentional or grossly negligent violation of a rule or policy of PCL requiring the person to do or refrain from doing an act connected with or in the course of his/her conduct in connection with PCL. All rules of PCL shall be issued by PCL and distributed or posted in such a manner as to furnish adequate notice of contents to students. Publication of rules or policies on PCL website is an example of adequate notice. All Members of the Corporation have the responsibility to read the rules and policies, and shall be deemed to have actual knowledge of rules and policies so distributed or posted.

1.1.2. Physical interference, or interference by loud sounds, with the orderly conduct of the educational, administrative or governing functions of PCL, with the intent to so interfere; however, there shall be no discipline or disciplinary measures for any conduct under this paragraph that would be protected by the First Amendment of the United States Constitution if PCL were a law school owned or operated by the State of California and therefore subject to the First Amendment.

1.1.3. Intentional or grossly negligent physical abuse or violence, or intentional or grossly negligent threat of such abuse or violence against any Member of the PCL Corporation or any other person on PCL premises or at a PCL sponsored or supervised function.

1.1.4. Theft or intentional or grossly negligent abuse of PCL property, or property of another on PCL premises or at a PCL sponsored or supervised function.

1.1.5. Ingestion, distribution or possession of any drug that is illegal under California law, on PCL premises or at a PCL sponsored or supervised function. Consumption of any alcoholic beverage at PCL, except during a social event at which PCL, its Administrator, the Dean or any Community Board Member has, in writing, authorized the consumption of alcoholic beverages. Any discipline for violation of this paragraph shall take into account whether the person has any addiction or dependency on the drug or on alcohol, as the case may be, unless the Respondent states in writing that they do not want addiction or dependency taken into account.

1.1.6. Intentional or grossly negligent and material misrepresentation or nondisclosure concerning qualifications for admission as a PCL student.

1.1.7. Plagiarism. (See the Plagiarism Policy below.)

1.1.8. Commission of any criminal act, including computer crime or copyright infringement, that reflects adversely on the person's honesty, trustworthiness, or, for students, fitness for admission to the California Bar, whether or not the person has been convicted of a crime. This provision shall not be construed to apply to any conduct that is protected by the Constitution or any law of the United States or the State of California. If the person has been convicted of a crime, the record of conviction shall be conclusive evidence of guilt of the crime of which the person has been convicted. A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to be a conviction within the meaning of this section.

1.1.8.1. With respect to students, engaging in any PCL-related conduct, whether on or off-campus, actual or virtual, whether or not criminal, which reflects negatively upon the student's moral character and fitness as a prospective member of the legal profession, this includes but is not limited to: the following, set out in Rule 4.40 of the Admissions and Educational Standards of the State Bar of California: "qualities of honesty, fairness, candor, trustworthiness, observance of fiduciary responsibility, respect for and obedience to the law, and respect for the rights of others and the judicial process. (As of 2019, the Bar's Admissions and Educational Standards can be found at http://www.calbar.ca.gov/Portals/0/documents/rules/Rules_Title4_Div1-Adm-Prac-Law.pdf.)

1.1.9. Conduct prohibited by the POLICY ON SEXUAL MISCONDUCT, INCLUDING SEXUAL HARASSMENT set out below.

1.1.10. Harassment or hate speech based on race, color, ethnicity, national origin, ancestry, nationality, immigration status, gender, sex, gender identification, gender expression, sexual orientation, marital status, disability, age, religion, military and veteran status, genetic information, medical condition (as defined by the California Fair Employment and Housing Act), pregnancy, childbirth, breastfeeding or related medical conditions of any female member of PCL Community. This applies to conduct in connection any conduct inside or outside PCL, including social media and other online activity, whether or not the conduct pertains to or is directed at PCL or any member of the PCL Corporation, and whether or not the conduct is protected by the First Amendment. (Note that because PCL is a private school and receives no government money, PCL is not subject to the restrictions of the First Amendment.) Hate speech, for purposes of this paragraph, means acts and words, both spoken and written, which incite violence or foster hatred against any individual or group based on any of the factors set out in the first sentence of this paragraph.

1.1.11. Violation of examination instructions, rules or procedures, whether or not such violation was committed with the intent to gain an unfair advantage for the student or anyone else

1.1.12. Sexual Relations With Students: No member of the Community Board, PCL officer, or current faculty member shall have sexual relations with a student who is not the member's or officer's spouse or registered domestic partner, unless a consensual sexual relationship existed between them at the time the student first became a PCL student. Even if students are considered to be enrolled only during the usual nine months of classes each academic year, September through May, this paragraph applies during summers between a student's academic years. This paragraph ceases to apply to a student: (a) when the student graduates from PCL; (b) when, before graduating, the student withdraws as a PCL student; (c) when, without graduating, the student does not enroll as a student for any fall, winter or spring quarter. In addition to the above provisions of this paragraph, no faculty member shall teach a course in which the faculty member's spouse or registered domestic partner is a student.

1.1.13 – Prohibition against bullying or harassment

No person who, at the time of the bullying or harassment, is a Member of the Corporation as defined in the PCL Bylaws shall engage in any bullying or harassment against another person who at the time is a Member of the Corporation as defined in the PCL Bylaws. For purposes of this section, bullying and harassment are defined as:

- a) Making an accusation of criminal or non-criminal wrongdoing without reasonable grounds to believe the accusation is true;
- b) Making a threat to sue or to initiate a governmental administrative proceeding or to make a report or complaint to a governmental body, for the purpose of influencing an official decision, rule or policy of PCL;
- c) Engaging in behavior that, under California law, constitutes defamation or negligent or intentional infliction of emotional distress.

1.1.14 – Prohibition against presenting oneself as a PCL agent to the public without PCL authorization

No person who, at the time of the conduct prohibited by this section, is a Member of the Corporation as defined in the PCL Bylaws, shall falsely state or represent that they are a member of the PCL Community Board, or an officer or agent of PCL, or a member of a PCL committee, or that PCL has authorized them to act or communicate on behalf of PCL.

2. DISCIPLINARY MEASURES (sometimes called “SANCTIONS”)

(Adapted From Student Handbook of Loyola PCL]

The following are among the Disciplinary Measures, sometimes called “sanctions,” authorized for violating the Standards of Conduct.

2.1. Mandatory conference with one or more members of the Community Board, one or more members of the FCC, the Dean, a mediator or other neutral third party, or any

combination of those. The persons and number of persons are to be determined by agreement between the person subject to discipline and the Community Board or its delegatee or, absent agreement, by the Community Board or its delegatee. (The delegatee is the person(s) or body to whom the Board delegates its decision.)

- 2.2. Mandatory counseling** by an appropriate counselor(s). The counselor(s) and the type, frequency, duration and other aspects of the counseling are to be determined by agreement between the person subject to discipline and the Community Board or its delegatee or, absent agreement, by the Community Board or its delegatee.
- 2.3. Mandatory attendance at training, seminar(s), course(s) rehabilitation program or the like.** The training, seminar(s), course(s) rehabilitation program or other similar requirement and the type, frequency, duration and other aspects of it are to be determined by agreement between the person subject to discipline and the Community Board or its delegatee or, absent agreement, by the Community Board or its delegatee.
- 2.4. Probation:** Probation for a specified period of time, usually the remainder of the student's PCL career. Disciplinary probation may be used alone or in conjunction with other Disciplinary Measures.
- 2.5. Academic Penalty:** Whole or partial withdrawal of credit for a course, a course assignment or an examination, or the determination or lowering of a grade for a course, a course assignment or an examination (including the awarding of a failing grade for a course, assignment or examination), or a combination of such measures. An academic penalty may be imposed only with respect to the course, course assignment or examination in which the violation occurred. This paragraph applies to students only.
- 2.6. Suspension Until Specified Date:** Complete termination of an individual's status as a student, with the loss of all rights and privileges appurtenant thereto, until a date specified in the imposition of suspension. This paragraph applies to students only.
- 2.7. Indefinite Suspension:** Complete termination of an individual's status as a student, with the loss of all rights and privileges appurtenant thereto, during the period of suspension. However, suspension may be lifted provided the suspended individual can demonstrate to the disciplinary body that imposed the suspension that the lifting serves the best interests of PCL. In that event, the disciplinary body that imposed the suspension shall have authority to lift the suspension and to impose such conditions on the student's reinstatement as the body deems advisable under the circumstances. In the event that disciplinary body is no longer available, the Community Board may designate a new body to consider lifting the suspension and imposing conditions. This paragraph applies to students only.

- 2.8. Formal Censure:** A letter of censure or reprimand, explaining the reasons for censure.
- 2.9. Oral Censure:** An oral censure or reprimand, explaining the reasons for the censure.
- 2.10. Work or services** for PCL or work or services for any organization, group or person if the rendering of the work or services serves the mission of PCL to bring legal resources to under-represented communities and to train legal advocates dedicated to securing progressive social change and justice in society. This paragraph is not applicable to a person whose only connection with PCL is as a faculty member or former faculty member.
- 2.11. Money penalty** to be paid to PCL or to any organization that serves the mission of PCL to bring legal resources to under-represented communities and to train legal advocates dedicated to securing progressive social change and justice in society. This paragraph is not applicable to a person whose only connection with PCL is as a faculty member or former faculty member.
- 2.12. Expulsion:** Complete and permanent termination of an individual's status as a student, with the loss of all rights and privileges appurtenant thereto. This paragraph applies to students only.
- 2.13. Revocation of Degree:** Revocation of any degree awarded to the student by PCL, but only by action of the Community Board, although other disciplinary bodies may recommend to the Board that the Board revoke the degree.
- 2.14.** In the event of an expulsion or suspension which terminates a student's right to attend class during a term, PCL shall retain only that portion of the total term tuition as the number of weeks of class completed before termination bears to the total number of weeks of class in the term. The balance, if any, paid by or on behalf of the student, shall be returned to the student or lender, or in the case of a scholarship, to the funding source. Where tuition is paid partially by the student and partially by scholarship, refund proceeds shall first be paid to the scholarship funding source, and the balance, if any, shall be paid to the student. The term "scholarship" used herein shall include grants.
- 2.15. General Provisions Regarding Disciplinary Measures**
- 2.15.1.** The foregoing Disciplinary Measures are not mutually exclusive, and may be imposed in combination. Other appropriate Disciplinary Measures may also be imposed
- 2.15.2.** A Disciplinary Measure or any part of a one may be postponed for a specified period, upon conditions imposed at the time that the sanction is determined.

2.15.3. Record of a prior violation of the Standards of Conduct may be considered in determining the appropriate sanction for a subsequent violation.

3. DISCIPLINE PROCEDURES

- 3.1. Discipline and Grievance Procedures are the Same and Not Separate:** The procedures for discipline and grievances are the same; and for any alleged or claimed violation of the Standards of Conduct there shall not be separate proceedings for discipline and for grievances. As provided below, a grievance is simply an alternate name for a Statement of Violation.
- 3.2. Delegatee of Board:** The functions of the Community Board provided for herein may be exercised by the Board or by its delegatee. The delegatee shall be chosen by decision of the Board. The delegatee may be a single person, a group of people, or a standing or ad hoc committee of the Board. The delegatee may be appointed for a disciplinary proceeding, a particular person or persons, for a type or types of alleged violations, for a group of alleged violations, or for violations or disciplinary proceedings in general. The authority of any delegatee may be altered or terminated by decision of the board. Below, the “Community Board” and the “Board” mean the delegatee if the Community Board has chosen an applicable delegatee, unless it is expressly stated that it means only the Board and not the delegatee.
- 3.3. Community Board and Executive Committee Acts, Decisions and Powers:** All acts, decisions, determinations, and powers of the Community Board provided for herein shall be by vote of the Board as provided for in the Bylaws, unless a Delegatee has been appointed to make or carry out the acts, decisions or powers. All acts, decisions, determinations and powers of the Executive Committee provided for herein shall be by majority vote, and the vote may be at a meeting of the Executive Committee or in some other manner. The members of the Executive Committee are specified in the Bylaws.
- 3.3.1. No student (including student members of the Community Board and the Executive Committee and student members of any Delegatee) shall participate in any of the disciplinary functions of the Community Board or the Executive Committee or any Delegatee unless, before participation by any student, the subject of the discipline and the student (if any) who submitted the Grievance consents in writing to participation by students in those functions. No person shall exert any pressure on a student to so consent, nor attempt to persuade a student to so consent.**
- 3.4. Initiation of Disciplinary Procedures by Statement of Violation (sometimes called a grievance):** Any person may initiate discipline procedures by submitting a Statement of Violation to any member of the Community Board, the Dean or the administrator. A Statement of Violation is a written statement to the effect that any member of the Community Board, any member of any PCL committee, any student, faculty member, employee, or other Member of the PCL Corporation engaged in conduct that violated any provision of the Standards of Conduct. The Statement of Violation must describe the conduct in reasonably specific detail, and must include the date(s) or approximate date(s) of the conduct. It need not mention the Standards of Conduct or any provision of them.

A Statement of Violation is sometimes called a grievance, but the two words mean the same thing under these rules.

3.5. Initiation of Disciplinary Procedures by Community Board’s Statement of

Violation: Even if no person has submitted such a Statement of Violation, the Community Board may issue a Statement of Violation, but the Board’s Statement of Violation must specify the provision(s) of the Standards of Conduct the Respondent is suspected of having violated.

3.6. Complainants and Respondents: A person who submits a Statement of Violation is called a Complainant. A person accused in a Statement of Violation is called a Respondent.

3.7. Days: The term “days” means calendar days, unless expressly stated otherwise.

3.8. Provisional Remedies

3.8.1. Types of Provisional Remedies Permitted: Provisional remedies shall be limited the following, but any number or combination of them may be imposed: **(a)** prohibiting the Respondent from being present at PCL or specified places at or adjacent to PCL; **(b)** prohibiting the Respondent or from attending or being present at any PCL class(es) or meeting(s); **(c)** prohibiting the Respondent from being within a specified distance from another person(s) or from communicating with or to a specified person(s).

3.8.2. Provisional Remedies: Imposing, Changing, Eliminating and Reimposing:

The Community Board, in its sole discretion, may impose provisional remedies as set out below. Provisional remedies imposed by the Community Board shall be effective at all times during the disciplinary proceedings provided for herein. However, the Board may, in its discretion, change or eliminate any provisional remedy at any time. Also, after changing or eliminating any or all provisional remedies, the Board may impose the same or any other provisional remedies, and any number or combination of them.

3.8.3. Provisional Remedies Imposed by the Executive Committee: If the Executive

Committee determines, in its sole discretion, that circumstances are dangerous enough that a provisional remedy must be imposed before a quorum of the Community Board can be assembled to consider provisional remedies, the Committee may impose provisional remedies to the same extent the Community Board may do so, but the Executive Committee shall promptly attempt to obtain a quorum of the Community Board, at a meeting permitted by the Bylaws, to consider and/or reconsider provisional remedies. Provisional remedies imposed by the Executive Committee shall be effective only for ten (10) days (or such shorter time as the Executive Committee may decide), but no later than the next meeting of the Community Board, whether it is a regular, special or emergency of meeting.

3.8.4. Notification of Respondent, Request to Alter or Eliminate: The Community Board and the Executive Committee, as the case may be, shall, as soon as practicable, notify the Respondent that it is considering a provisional remedy. If the Community Board or the Executive Committee imposes a provisional remedy, it shall promptly notify the Respondent in writing of the provisions of the provisional

remedy. The Respondent may request the Community Board or the Executive Committee, as the case may be, to alter or eliminate any provisional remedy, and the body so requested shall consider and rule on the request as promptly as practicable.

- 3.8.5 Because of the expedited nature of provisional remedies and the potential difficulty of notifying a student subject to them of the right not to have other students participate in them, no student (including student members of the Community Board and the Executive Committee and student members of any Delegatee) shall participate in any function of the disciplinary of the Community Board or the Executive Committee or any Delegatee regarding any provisional remedy.**

3.9. Initial Determination of Minimal Credibility and Whether a Violation Has Been

Stated: The person to whom the Statement of Violation is submitted shall promptly transmit it to the Chair of the Community Board and the Dean. Within three days after receiving the Statement of Violation, the Dean shall transmit it to the Respondent. Within fifteen (15) days after the Chair receives the Statement of Violation, the Executive Committee shall determine whether the Statement of Violation is at least minimally credible and whether the conduct it describes constitutes a violation of the Standards of Conduct. If the Executive Committee does so determine, then it shall appoint an Investigatory Committee.

- 3.10. Investigatory Committee:** The Investigatory Committee shall be appointed by the Board and shall be composed of the following persons, any of whom may be a member of the Community Board or the Executive Committee or any other PCL committee.
- a. One person who is or has been a faculty member in the current academic year or within the three academic years preceding the current one;
 - b. One person who is or has been a student in the current academic year or within the three academic years preceding the current one, and who has never been a faculty member, but not a current student unless the student who is the subject of the proceeding consents in writing.
 - c. One member of the PCL Corporation who does qualify under a. or b. above.

3.10.1. Changes in Members of Investigatory Committee: The Community Board may remove any member of an Investigatory Committee if it determines that the member has engaged in serious misconduct as a member of the Committee. If so, or if during the investigation, a member of the Investigatory Committee withdraws or otherwise does not continue to participate in the work of the Committee, the Community Board shall appoint a substitute from the same category of persons to which the former member of the Committee belonged.

3.10.2. Investigations: The Investigatory Committee shall investigate in order to determine if there is probable cause to believe that the Respondent did commit the violation(s) of the Standards of Conduct alleged in the Statement of Violation or any other violation(s) of the Standards that are based on the same facts alleged in the Statement of Violation. The investigation must include an interview with the Respondent(s) and the Complainant(s) (if there was a Complainant), unless the

Respondent or Complainant, as the case may be, do not make themselves available for interviews within a reasonable time after the Committee requests them. The investigation should also include review of documentation that may bear on the alleged conduct and interviews with persons who may be witnesses to the alleged conduct.

3.10.3. Restrictions on Communications by Investigatory Committee: The members of the Investigatory Committee shall refrain from communicating with any person about the subject matter of the investigation, except as part of the investigation or as part of other work of the Investigatory Committee. All Committee members shall refrain from discussing the subject matter of the investigation, except as part of the investigation or other work of the Investigatory Committee. However, violation of this paragraph shall not diminish the validity of any act, decision, proceeding, provisional remedy or disciplinary measure, except to the extent the Community Board determines that the violation seriously undermined the fairness of the act, decision, proceeding, provisional remedy or disciplinary measure.

3.11. Transmission of Report of Investigatory Committee: Within thirty (30) days after an Investigatory Committee is appointed, it shall transmit to the Chair of the Board, the Respondent, and the Complainant (if any) a written report stating its determination whether or not there is probable cause to believe that the Respondent did commit the violation(s) of the Standards of Conduct alleged in the Statement of Violation or any other violation(s) of the Standards that are based on the same facts alleged in the Statement of Violation. The report shall also state the evidence and reasons supporting the Investigatory Committee's determination. Along with the report, the Committee shall transmit all products of its investigation, including statements of witnesses, notes and other records of interviews, and documents reviewed during the investigation. The Chair shall cause copies of the report and other products of the investigation to be given to all members of the Board.

3.12. Board's Initial Action on Report of Investigatory Committee: Within thirty five (35) days after the Chair receives the report of the Investigatory Committee, the Community Board shall decide whether or not there shall be an Adjudicatory Hearing, and if so, on what alleged the violations. The decision shall be made after giving the Respondent reasonable opportunity to submit information and documents to the Board and to appear before the Board with regard to what the decision should be. The Board, its sole discretion, may extend the above thirty five day period in order to attempt to give the Respondent reasonable opportunity to appear before the Board. The Board's decisions shall be made only by the Board, not any Delegatee. The Board's decisions shall be based on whether the Board decides there is probable cause to believe that the Respondent did commit the violation(s) of the Standards of Conduct alleged in the Statement of Violation or any other violation(s) of the Standards that are based on the same facts alleged in the Statement of Violation. The decisions shall be based on the report and other materials transmitted by the Investigatory Committee and such other evidence, proceedings, oral and written statements, and other things which are material to the accusations and which the Board in its discretion decides to consider. A written

the decision that states that there shall be an Adjudicatory Hearing and on what alleged the violations is called a Notice of Charges.

3.13. Appointment of Hearing Panel and Prosecuting Attorney, Setting of Adjudicatory Hearing: If the Community Board determines that there shall be an Adjudicatory Hearing, then within the same thirty five (35) days above, the Board shall do the following:

3.13.1. The Board shall appoint a Hearing Panel. The Hearing Panel shall be composed of the following persons, any of whom may be a member of the Community Board or the Executive Committee or any other PCL committee.

- Two people who are or have been faculty members in the current academic year or within the three academic years preceding the current one;
- Two people who are or have been students in the current academic year or within the three academic years preceding the current one, and who have never been faculty members;
- One Member of the PCL Corporation other than a person described in preceding two subparagraphs, or an attorney, retired attorney, judge or retired judge who is not a Member of the PCL Corporation.

3.13.2. The Board shall appoint a Prosecuting Attorney, who must be a graduate of a law school in the U.S. and shall be any of the following: a current or former faculty member, a Member of the PCL Corporation, or any attorney, retired attorney, judicial officer, or retired judicial officer even if not a Member of the PCL Corporation.

3.13.3. The Board shall determine the place for the Adjudicatory Hearing and a date and time for its commencement.

3.14. Bias and Appearance of Bias: No person chosen to be a an Investigatory Committee member, a Hearing Panel member or a Prosecuting Attorney shall have a relationship or history with any Complaint or Respondent that reasonably would indicate bias or the appearance of bias, but the determination of whether such a relationship or history exists shall be in the sole discretion of the Community Board. No decision by the Community Board on bias or the appearance of bias, or on the existence of such a relationship or history, and no selection of an Investigatory Committee member, a Hearing Panel member or a Prosecuting Attorney shall diminish the validity of any act, decision, proceeding, provisional remedy or disciplinary measure, except to the extent the Community Board determines that the decision or selection seriously undermined the fairness of the act, decision, proceeding, provisional remedy or disciplinary measure.

3.15. The Community Board shall serve the Notice of Charges by email and first class United States mail, on the Respondent(s) and the Complainant(s) (if there was a

Complainant) along with any provisional orders made by the Board pending the Adjudicatory Hearing. Service shall be at least thirty (30) days prior to the date set for the commencement of the Adjudicatory Hearing. The Notice of Charges shall state charges as determined by the Board, the place, date and time of the commencement of the Adjudicatory Hearing, and the names, email addresses and telephone numbers of the Hearing Panel Members.

3.16. Adjudicatory Hearing: The Hearing Panel shall conduct the Adjudicatory Hearing as follows:

- 3.16.1.** The Hearing Panel shall conduct the Hearing in accordance with the rules of JAMS (aka Judicial Arbitration and Mediation Service) governing the conduct of arbitration hearings (not expedited hearings), as supplemented by all other provisions herein. In the case of a conflict between said JAMS rule and the provisions herein, the provisions herein prevail. This paragraph does not make any other provision of JAMS rules applicable to PCL proceedings. In 2019 the JAMS rules referred to are Rule 22 of the JAMS Comprehensive Arbitration Rules & Procedures and are found at <https://www.jamsadr.com/rules-comprehensive-arbitration/#Rule-22>, They are set forth in an appendix below
- 3.16.2.** Hearsay evidence will be admissible however; a decision of the Hearing Panel to impose any discipline or penalty shall not be based entirely on hearsay.
- 3.16.3.** The Hearing Panel shall impose restrictions on unruly or offensive conduct during the Hearing, including excluding from the hearing persons who have engaged in such conduct.
- 3.16.4.** The Hearing Panel shall prepare a written statement of facts and findings, along with its decisions with regard to Disciplinary Measures no later than fifteen days (15) after the end of the Hearing.
- 3.16.5. Evidence:** The Hearing Panel may receive any evidence relevant relating to the alleged violation that it deems proper. For this purpose, the Hearing Panel may consider legal authorities on the meaning of “relevant,” but is not required to adhere to such authorities.
- 3.16.6.** Any member of the Hearing Panel shall be entitled to question any witness. The Hearing Panel, on its own motion, may call additional witnesses or order any party or person in attendance to produce additional evidence.

3.16.7. The order of proceeding shall be as follows: 1) evidence in support of the charge; 2) opposition evidence offered by the Respondent; 3) any other evidence requested by the Hearing Panel; and 4) arguments. The Hearing Panel may allow oral arguments, written arguments, or both.

3.16.8. In order to accommodate a need for additional or later times for the presentation of evidence or argument, the Hearing Panel may adjourn the hearing to continue on later dates in its sole discretion.

3.16.9. Following the presentation of evidence and closing arguments, the Hearing Panel shall proceed to render its Adjudicatory Decisions, under the provisions below regarding Adjudicatory Decisions.

3.17. Rights of the Respondent at the Adjudicatory Hearing: The Respondent shall have the following rights at the Adjudicatory Hearing:

3.17.1. To be personally present during the taking of all evidence, provided, however, if the Respondent refuses or fails to appear, the Hearing Panel may nevertheless proceed to hear and determine the matter;

3.17.2. To confront and cross-examine all persons giving evidence at the hearing, in person or in writing;

3.17.3. To testify and present other evidence;

3.17.4. To decline to testify, and such declination shall not be considered by the Hearing Panel as an inference of or evidence of culpability;

3.17.5. To receive a copy of all documents submitted to the Hearing Panel;

3.17.6. To be represented by an attorney or other person, but at the Respondent's own expense.

3.18. Privacy: Attendance at the hearing shall be limited to the following people:

- the Respondent;
- the Complainant
- the persons alleged in the Statement of Violation or by the Community Board to be victims of the alleged violations
- persons who give testimony as witnesses, but the Hearing Panel in its discretion may exclude witnesses when they are not testifying;
- the members of the Hearing Panel
- the attorney or other person assisting the Respondent at the hearing, plus one additional person engaged by the Respondent to observe the hearing;
- the prosecuting attorney;

- any persons engaged by the Hearing Panel or the Community Board or the Respondent or Complainant to make a record of the hearing;
- the persons engaged by the Hearing Panel to assist it in the hearing in the manner of a court clerk or courtroom assistant, but there shall be only one such person for the hearing, unless the person becomes unable to attend, in which case the Hearing Panel may engage a substitute:
 - members of the Community Board who choose to attend
 - the Dean.

3.19. Record of Adjudicatory Hearing: The Hearing Panel shall cause a record of the hearing to be kept, as property of PCL. In the discretion of the Hearing Panel, the record may be by any type of reliable audio recording or by a certified shorthand reporter, but not by video recording. In deciding on the method, the Hearing Panel shall take into account that PCL will bear the cost, and the finances of PCL. If the Hearing Panel chooses an audio recording, it shall provide a copy to the Respondent. If the Hearing Panel chooses a certified shorthand reporter, the Respondent shall be entitled to purchase a copy from the reporter. If the Hearing Panel does not choose to use a certified shorthand reporter, the Respondent may cause a record to be made by certified shorthand reporter, but at the Respondent's sole expense, although PCL shall be entitled to purchase a copy of the reporter's transcript. The Respondent Attorney shall be entitled to request daily copies of the record ("dailies"), but only at the their expense. The Prosecuting Attorney may request dailies at PCL's expense, but only with PCL's prior consent.

3.20. Respondent's Request to Open Adjudicatory Hearing: Notwithstanding the other provisions regarding persons who can attend the Adjudicatory Hearing, the Respondent may send a written request to the Chairperson of the Hearing Panel not later than seven (7) days before the date set for the commencement or the hearing, to have the hearing be open to all Members of the PCL Corporation. The Hearing Panel shall grant or deny the request, in whole or in part, in its sole discretion, within three (3) days before the date set for the commencement of the hearing. However, even if the hearing is open, the Hearing Panel may still exclude witnesses when they are not testifying and may excluding persons who have engaged in unruly or offensive conduct during the Hearing.

3.21. Non-Disclosure and Disclosure: Persons who attend the Adjudicatory Hearing shall not disclose any of the events or statements at the Adjudicatory Hearing, except as provided in these rules, or as required by law or by any rule, guideline, or directive of the State Bar or any committee, subdivision or agent of the State Bar. All persons who attend the hearing shall sign a statement agreeing to abide by this paragraph, and the Hearing Panel shall see to it that they do sign. However, the Respondent shall be permitted not to sign the statement, and thus to disclose any events and statements at the Adjudicatory Hearing, but if the Respondent does chose not to sign, then the Complainant, members of the Hearing Panel, the Prosecuting Attorney, and PCL (by decision of the Community Board) shall be free to disclose any events and statements at the Adjudicatory Hearing.

3.22. Disqualification.

- 3.22.1.** A member of the Hearing Panel shall resign from the panel if that person believes he/she will be unable to render an impartial decision.
- 3.22.2.** Any member of the Hearing Panel shall be subject to challenge for cause, either by the Respondent or the prosecuting attorney, upon a showing of a reasonable probability that he/she will be unable to render an impartial decision in the matter.
- 3.22.3.** Before the presentation of any evidence or argument before the Hearing Panel, the Respondent or the Respondent's representative, and the Prosecuting Attorney shall be given reasonable opportunity to ask questions of the members of the Hearing Panel to determine if grounds for challenge exist.
- 3.22.4.** Removal by challenge shall be decided by majority vote of the Hearing Panel, with the challenged member abstaining. If the vote is tied the challenged member shall not be removed. If a member of the Hearing Panel is removed pursuant to this paragraph, the Executive Committee shall appoint a substitute from the same category of persons to which the former member of the Hearing Panel belonged, and shall appoint the person before any evidence is presented. The Hearing Panel may postpone the hearing if necessary for the appointment and participation of the new member of the Panel.

3.23. Decisions and Determinations by the Hearing Panel

- 3.23.1. Quorum:** A quorum of the Hearing Panel shall consist of at least four (4) members.
- 3.23.2. Chair:** The Hearing Panel shall choose a Chair from its members.
- 3.23.3. Decisions:** All decisions of the Hearing Panel shall be made by a majority of the quorum present for the decision; however, the Panel may decide to have the Chair alone make decisions on admission of evidence or other procedural decisions specified by the Panel. If there is a tie vote of the Panel on any particular decision, the decision shall be the one most favorable to the Respondent. The determination as to which decision is most favorable to the Respondent shall be determined by vote of a majority of the quorum present, but if that vote is tied, it shall be made by the Chair of the Panel. If the chair is absent for the purpose of making that determination, the Hearing Panel shall choose an acting chair from the members of the Panel. If the chair has or resigned, the Hearing Panel shall choose a substitute chair from the members of the Panel. If the vote for an acting chair or substitute chair is tied, the acting chair or the substitute chair shall be chosen from the

members of the Panel by the Chair of the Community Board or by a person chosen by the Chair of the Board for that purpose.

3.24. Adjudicatory Decisions by the Hearing Panel: Decisions by the Hearing Panel on whether any violation(s) of the Standards of Conduct have been committed, and on any Disciplinary Measure are referred to as Adjudicatory Decisions.

3.24.1. Decision Whether Violation Committed: The Hearing Panel shall decide whether or not the Respondent committed the violation(s) of the Standards of Conduct alleged in the Statement of Violation or any other violation(s) of the Standards that are based on the same facts alleged in the Statement, or that are based on the evidence at the Adjudicatory Hearing, but may not decide that any violation was committed that is not based on the facts in the Statement of Violation or the evidence at the Adjudicatory Hearing.

3.24.2. Decision That Violation(s) Committed: Any decision that the Respondent has committed a violation shall be in writing, signed by the Chair of the Panel or an acting or substitute Chair. It must be supported by clear and convincing evidence (as opposed to the weight of the evidence, beyond a reasonable doubt or any other evidentiary standard). The decision must be supported by written findings of fact adopted by the Hearing Panel.

3.24.3. Adjudicatory Decisions on Disciplinary Measure(s), if Any: If the Hearing Panel decides that the Respondent has committed a violation of the Standard of Conduct, the order of the remaining proceeding shall be as follows:

- evidence on the appropriate Disciplinary Measure(s) (sometimes called “sanctions”) by the person prosecuting attorney;
- evidence by the Respondent on the subject of the appropriate Disciplinary Measure(s); and
- arguments on the appropriate Disciplinary Measure(s).

The Hearing Panel shall then decide whether to impose Disciplinary Measure(s), and if so what Disciplinary Measure(s), and that decision shall be in writing, signed by the Chair of the Panel or an acting or substitute Chair.

3.24.4. Deliberations, Vote: The Hearing Panel shall arrive at its Adjudicatory Decisions in private deliberations, with no persons present other than the members of the Hearing Panel. There shall be no audio, video or stenographic recording of the deliberations. The Adjudicatory Decisions shall be by majority vote, according to the rules that apply to all other Adjudicatory Decisions of the Hearing Panel, and based only upon the evidence and argument received at the hearing.

3.24.5. Service of Adjudicatory Decisions: The Hearing Panel shall cause any Adjudicatory Decision to be served by email and first class United States mail on the Respondent, the Prosecuting Attorney and the Complainant (if any) within three (3) days after the decision has been signed. The Hearing Panel shall cause a proof of service to be written and signed, attesting to the service.

3.25. Appeal and Review of Adjudicatory Decisions

- 3.25.1.** A Respondent may appeal any Adjudicatory Decision of the Hearing Panel, or any part of such decision, by transmitting a written request for appeal to the Chair of the Community Board or the Dean within twenty-one (21) days after the date of service of the decision on the Respondent. The request shall be transmitted by email and first class United States mail, to the email address of the PCL Administrator and the mailing addresses of PCL.
- 3.25.2.** If the Respondent timely transmits such a request, the Community Board shall adjudicate the appeal. The Adjudicatory Decision may be overturned only on the grounds of a clear abuse of discretion by the Hearing Panel or an error in its interpretation of the Standards of Conduct. The Board may overturn only those parts of the Adjudicatory Decision which the Respondent has appealed, which can be the entire Adjudicatory Decision or any part of it.
- 3.25.3. Hearing on the Appeal:** The Board shall consider the appeal in closed session. It shall schedule the consideration to commence within thirty (30) days after the request for appeal is received at the email address of the Administrator or by first class mail at PCL. The Board may adjourn the hearing to continue on later dates in its discretion.
- 3.25.4. Argument on Appeal:** The Respondent, the attorney or representative for the Respondent, and the Prosecuting Attorney shall have the right to present written and oral argument on the Appeal to the Board before the Board commences its deliberations on the appeal.
- 3.25.5. Deliberations on the Appeal:** Members of the Community Board may make comments and ask questions during the oral argument on appeal. However, the deliberations of the Board to decide the appeal shall be private, with no persons present other than the members of the Community Board. There shall be no audio, video or stenographic recording of the deliberations. However, in the course of deliberations, the Board may pose written or oral questions to the Respondent, the attorney or representative for the Respondent, or the Prosecuting Attorney, and during such questions and responses to them, the Respondent, the attorney or representative for the Respondent, or the Prosecuting Attorney shall be entitled to be present.
- 3.25.6. Decision on Appeal; Service:** The Board's decision on the appeal shall be in writing and signed by the Chair of the Panel or an acting or substitute Chair. It shall be served by email and first class United States mail on the Respondent, the Prosecuting Attorney and the Complainant (if any) within three (3) days after the

decision has been signed. The Board shall cause a proof of service to be written and signed, attesting to the service on the Respondent.

3.25.7. Decision on Appeal Final; Reconsideration by Community Board: The Community Board's decision on the appeal (and on reconsideration, discussed below) shall be final. There shall be no further appeal to any person, group or body of PCL. (Any appeal or other proceeding before a court shall be governed by applicable law.) However, the Board, in its sole discretion, within thirty days after the decision was signed, may decide to reconsider its decision on appeal and upon reconsideration may issue a different decision on appeal or reaffirm the decision appealed from. A different decision or the reaffirmation of the decision on appeal shall be governed by the same standard as the initial appeal, namely: the Adjudicatory Decision of the Hearing Panel may be overturned only on the grounds of a clear abuse of discretion by the Hearing Panel or an error in its interpretation of the Standards of Conduct.

3.26. Obligation to Testify and Give Evidence. It is the obligation of every Member of the PCL Corporation to give testimony or evidence relevant to the subjects of the Adjudicatory Hearing upon request by the Investigatory Hearing Panel, the Hearing Panel, the Community Board or its Chair, the Respondent or the person's attorney or representative, or the Prosecuting Attorney. A person may, however, refuse to give testimony or other evidence on grounds of the Fifth Amendment or any other privilege not to testify or give evidence in a court of law provided for by California law or the U.S. Constitution.

3.27. Miscellaneous Procedural Provisions

3.27.1. Except as provided above, Notices. Notices required or permitted shall be in writing and may be delivered personally or by United States Postal Service first class mail. Notice given by mail shall be deemed received three (3) business days after deposit in the U.S. mail.

3.27.2. The Respondent shall notify the Community Board, the Hearing Panel and the Prosecuting Attorney in writing of the address where notices should be mailed to the Respondent, and whether to Respondent's address or to the address of the Respondent's attorney or representative. If the Respondent has not done so, notice to the Respondent may be mailed to the address of the Respondent most recently on file with the PCL Administrator.

3.27.3. The Prosecuting Attorney shall notify the Community Board, the Hearing Panel and the Respondent in writing of the address where notices should be mailed to the Prosecuting Attorney. If the Prosecuting Attorney has not done so, notice to the

Prosecuting Attorney may be mailed to the address of the Respondent most recently on file with the PCL Administrator.

- 3.27.4.** All time periods and deadlines in these disciplinary procedures may be extended in the discretion of the Chair of the Community Board. The Chair, in the Chair's discretion, may excuse any failure to satisfy any such time period or deadline. If it is a deadline relating to the Adjudicatory Hearing proceedings, it may be extended in the discretion of the Chair of the Hearing Panel or acting or substitute Chair.
- 3.27.5.** When the term "evidence" is used in these procedures, it does not mean or require that the evidence be admissible in a court of law.
- 3.27.6.** Other than as provided above, all inquiries and complaints about any matter relating to the discipline shall be directed to the Community Board.

APPENDIX A

PLAGIARISM POLICY

[from student handbook of Loyola PCL]

10.1. General Policy

Loyola PCL is dedicated to upholding the highest standards of professionalism in legal education and practice. For this reason PCL considers acts of plagiarism a serious breach of its academic code. Plagiarism in student work for class, journals, moot court, or externships will be subject to severe disciplinary action.

10.2. Plagiarism Defined

10.2.1. For purposes of this policy, plagiarism is defined as: taking the intellectual work of another and representing it as that of the author. There are three major forms of plagiarism.

10.2.1.1. Use of the Published Work of Another Without Attribution:

This is perhaps the most common form of plagiarism, where the author takes the language, the research, or the ideas of another without giving credit to the original author. In law the most commonly plagiarized publications are law review articles and books, but almost any form of formal expression can be the basis for plagiarism. Such sources include, but are not limited to: cases, commercial outlines, magazines, newspapers and other periodicals, on-line sources, commercial law outlines, lectures and speeches, movies, videos, and radio and television programs. Plagiarism may involve direct quotation without attribution, paraphrasing without attribution, or use of the ideas of an author without attribution. A related form of plagiarism involves sources. Footnotes and endnotes may be plagiarized in the same way as any source. It is also unethical practice for an author to take citations from other works without consulting the cited works directly. This represents to the appropriation of the research work of another, without attribution. A student may use the same citations that appear in another work, without attribution to that work, as long as the author has directly consulted the source and determined that the source stands for the proposition for which the student uses it. When the author has personally done the research, the research becomes his/her own. If the cited work is unavailable, but the student still wants to make use of it, he/she may do so as long as he/she indicates that the citation is indirect, i.e., "as cited in" or "as quoted in" the work the student consulted.

10.2.1.2. Using the Unpublished Work of Another Student, Lawyer or Other Person, Without Authorization and Without Attribution: This form of plagiarism involves an author's use of another person's work on a student paper or other PCL work beyond what is authorized by the assignment and without fully acknowledging the other person's contribution. Many PCL assignments permit some degree of collective interchange. Students may be encouraged to discuss the assignment with each other or with instructors. Students may be encouraged to have others read over drafts and give comments. As long as authorized by the instructor, these practices are permissible and

need not be specially noted in the student work. If the student has any doubt about what is authorized, he/she should consult the instructor.

10.2.1.3. Inventing or Misrepresenting Sources:

This form of plagiarism involves giving a citation to a publication that does not exist, or misrepresenting the content of a publication. In law, the source of an idea or a rule often plays an important role in evaluating that idea or rule. Authors who invent sources that do not exist commit a serious act of deception on the reader. Authors who misrepresent what the sources say not only may deceive the reader but may do professional damage to the original author.

10.3. Responsibility for Plagiarism

All authors are responsible for ensuring that their work contains no plagiarism. Plagiarism, especially in the age of on-line research, may be inadvertent, but it is still plagiarism. Students need to be scrupulous in note-taking and in citation to avoid the possibility of plagiarism. Penalties for plagiarism include the most serious that PCL may apply for any disciplinary violation. Although lack of intent will not be a defense to plagiarism, it may be considered in the imposition of a penalty.

10.4. Plagiarism: Why It Matters and How to Avoid It

No one wants to be accused of plagiarism. In the academic world, plagiarism is a fancy word for cheating – and no one likes cheaters. But in PCL, plagiarism is more than just stealing another student's paper and putting one's name on it. Plagiarism implicates the special rules and considerations of citation in legal writing. For that reason, it requires some special attention for the beginning legal writer.

10.4.1. Plagiarism, Quotes, and Citations

There is a simple way to avoid plagiarism. Attribute one's sources. Quotations should be indicated by quotation marks and their source cited. Citations should be given to language that is paraphrased or information or ideas taken from another source. In general, legal discourse is highly derivative - lawyers and courts draw on prior sources a great deal in order to bolster their own persuasiveness. Thus there is nothing wrong with using other people's words or ideas in one's legal writing; indeed an individual must. However, the source must be acknowledged.

10.4.2. "It's Not Like that in Practice"

Those students who have had contact with the practice of law will notice that citation concerns in law offices are somewhat different from those in PCL. In the practice of law, accurate citation of authority is critical, but the rules about overall authorship of work are much looser. It is, for example, accepted practice for a partner to submit papers drafted by an associate who may or may not be formally credited for his/her work. The motion paper may contain writing taken directly from another motion written by another attorney some time ago, again without any attribution. In law practice the identity of the person who drafts the words or comes up with the ideas is not of paramount importance. What counts is that the person signing the document is held accountable for its legal accuracy.

Legal accuracy is also important in PCL writing, but in addition, students must pay close attention to who should be credited with language and ideas. In academics, arguments do not win or lose cases so much as they establish the abilities of their authors. Who comes up with a turn of phrase or a concept in academics can have material consequences - it can affect grades and professional reputation. Thus what in the practice of law might be considered a permissible borrowing of ideas or material, in the academic world may be considered stealing.

10.4.3. Special Considerations with On-Line Research

The advent of on-line computer data services such as Lexis-Nexis, Westlaw, and the daunting resources of the Internet have been a boon to legal researchers, bringing to one location, quickly and cheaply, a variety of legal sources. Never has it been as easy for students to do legal research. But there are downsides to the information revolution. Among them - never has it been as easy to plagiarize. Before on-line services, the copying of text and its use without attribution took deliberate effort. Now copying large amounts of text from other sources into a student's files can be done with the twitch of a wrist and thumb. Inadvertent, but nevertheless quite serious acts of plagiarism can result. How to avoid this dire possibility? The author must take some special precautions with on-line research.

One rule of thumb is never to download text directly from an on-line service to the file containing the author's draft paper. Instead, a student should create a separate file for downloaded text which is then integrated as needed - and with proper attribution - to the text of the paper. Another precaution is for the student to make sure that all work obtained off-line contains information about its source.

10.4.4. Illustrative Examples

The following examples illustrate some basic forms of plagiarism, how to avoid them and provide suggestions on developing careful citation habits. (The law review excerpt and examples that follow are used by permission of the Wake Forest University School of Law. Part of the discussion of the examples comes from a pamphlet produced by the Legal Writing Institute in Tacoma, Washington.)

Assume a student is writing a paper about the law of disabilities and comes across the following law review excerpt which provides information he/she wishes to use in the paper. (The following example uses the outdated term "handicapped" rather than the preferred language, "person with a disability.")

Original Source

“A ‘handicap’ could be defined by listing certain traditionally-recognized handicapping conditions, or a legislature may choose to provide a more comprehensive list of the types of disabilities that will be considered 'handicapping conditions' in that state. These approaches are problematic, however, because they can lead to legislation that does not include certain groups of handicapped people simply because the legislature was not aware of a particular handicap.”
Maureen O'Connor, Note, Defining “Handicap” for Purposes of Employment Discrimination, 30 ARIZ. L. REV. 633, 636 (1988).

10.4.4.1. Direct Use of Another's Language

To avoid plagiarism, any direct use of another author's language must be indicated by quotation marks and citation.

Student Text:

The term “handicap” may be defined in general terms, or a legislature may choose to provide a more comprehensive list of the types of disabilities that will be considered “handicapping conditions” in that state.

Here the student must place quotation marks around the words printed in bold, and a citation at the end of the sentence. Otherwise the passage will be considered plagiarized from the O'Connor law review article.

10.4.4.2. Paraphrasing

Any paraphrasing of another's language must acknowledge the contribution of the original source.

Student Text:

It is problematic to define a handicap by providing a list of the types of disabilities that will be covered because certain groups of handicapped people might be excluded. The legislature might simply be unaware of certain handicaps.

Here the student needs only a citation to avoid plagiarism. The paraphrasing of the O'Connor excerpt is unobjectionable as long as the source of the underlying idea is acknowledged.

10.4.4.3. Use of Another's Ideas

Any use of another's ideas, even if in different language and phrasing, must be acknowledged by citation.

Student Text:

The term “handicap” is difficult to define in a statute. Any attempt to provide a complete list of covered disabilities, however, will be inadequate; some conditions will inevitably be omitted. This passage requires a citation because it expresses the same idea as the O'Connor article. Unlike the first two examples, comparing the two statements side by side might not yield conclusive proof of plagiarism, but if the student took this idea from O'Connor, intellectual honesty requires giving credit where credit is due. If in doubt, the author should cite; in legal writing, citations generally increase persuasiveness.

10.4.4.4. Tips for Good Scholarship

Going beyond concerns with plagiarism, students should learn to be careful scholars and give credit for the more subtle, though still important influences of other authors on their work.

Student Text:

When defining statutory terms, legislators should not attempt to draft a complete list specifying everything the statute is intended to cover. Such lists will inevitably be incomplete; someone will

later make a claim that the legislators did not anticipate. Further, the statutory list may quickly become outdated.

This text should be followed by a “See” citation to the O'Connor law review article. Legal writers often build on other sources to arrive at their own analysis or conclusion. Sometimes a source may trigger a related idea. In these instances, even when there is no inference of plagiarism, citation to the original source, with an appropriate signal should be included.

Student Text:

Arline illustrates that it is possible for the statutory definition included in section 504 of the Rehabilitation Act to be construed in such a way as to bring many handicapped individuals within its reach. *School Board v. Arline*, 480 U.S. 273 (1987).

Here the student should cite not only to the case but also to O'Connor's law review article and page number where she discusses the case. When citing to a case mentioned in a law review article or referenced within another case (even if the writer goes on to read the case as he/she should), the compilation of the case and the idea should be attributed to the author of the article.

APPENDIX B

POLICY ON SEXUAL MISCONDUCT, INCLUDING SEXUAL HARASSMENT

Peoples College of Law (PCL) prohibits and does not tolerate sexual abuse or misconduct in the workplace or during any organization-related activity. PCL provides procedures for students, employees, volunteers, board members or any other victims of sexual abuse or misconduct to report such acts. Those reasonably suspected or believed to have committed sexual abuse or misconduct will be appropriately disciplined, up to and including termination of employment or membership, as well as criminally prosecuted. No employee, volunteer, board member or other person, regardless of his or her title or position has the authority to commit or allow sexual abuse or misconduct.

Definitions and Examples

The following definitions or examples of sexual abuse, misconduct or harassment, may apply to any and/or all of the following persons – students, employees, volunteers, PCL Member of the PCL Corporations, and other third-parties at PCL. (Member of the PCL Corporations are the Members of the Corporation as defined in PCL Bylaws.)

Sexual abuse or misconduct may include, but is not limited to:

- Physical assaults or violence, such as rape, sexual battery, abuse, molestation or any attempt to commit such acts.
- Unwanted and intentional or grossly negligent physical conduct that is sexual in nature, such as touching, pinching, patting, brushing, massaging someone’s neck or shoulders and/or pulling against another’s body or clothes.
- Material such as pornographic or sexually explicit images, posters, calendars or objects.
- Unwelcome and inappropriate sexual activities, advances, comments, innuendoes, bullying, jokes, gestures, electronic communications or messages (e.g. email, text, social media, voicemail), exploitation, exposure, leering, stalking or invasion of sexual privacy.
- A sexually hostile environment characterized as comments or conduct that unreasonably interferes with one’s work performance or ability to do the job or creates an intimidating, hostile or offensive environment.
- Direct or implied threats that submission to sexual advances will be a condition of employment or affiliation with the organization.
- Child sexual abuse – any sexual activity, involvement or attempt of sexual contact with a person who is a minor (under 18 years old) where consent is not or cannot be given.
- Sexual activity with another who is legally incompetent or otherwise unable to give consent.

Reporting Sexual Misconduct and Harassment Procedure

Immediately report suspected sexual abuse or misconduct to any of the following you choose: any member of PCL Community Board, the dean, or the administrator. It is not required to directly confront the person who is the source of the report, question or complaint before notifying any of the individuals listed. PCL will take every reasonable measure to ensure that those named in complaint of misconduct, or are too closely associated with those involved in the complaint, will not be part of the investigation.

Anti-Retaliation and False Allegations

PCL prohibits retaliation against any student, employee, volunteer, board member PCL Member of the PCL Corporation or other person who lodges a complaint of sexual abuse or misconduct or who participates in any related investigation. Note that making knowingly false or malicious accusations of sexual abuse or misconduct can have serious consequences for those who are wrongly accused. PCL prohibits making false or malicious sexual misconduct allegations, as well as deliberately providing false information during an investigation. Anyone who violates this rule is subject to disciplinary action. (Member of the PCL Corporations are the Members of the Corporation as defined in PCL Bylaws.)

Investigation and Follow-up

PCL will take all allegations of sexual abuse or misconduct seriously and will fairly investigate all such allegations. PCL may investigate itself or use an outside third-party to conduct an investigation of misconduct. PCL will cooperate fully with any investigation conducted by law enforcement or other regulatory/protective services agencies. PCL will make every reasonable effort to keep the matters involved in the allegation as confidential as possible while still allowing for a prompt and thorough investigation. If PCL conducts the investigation itself, it will use the procedures in Article 16 of PCL Bylaws.

APPENDIX C

Comprehensive Arbitration Rules & Procedures JAMS Mediation, Arbitration and ADR Services (For applicability, see Section 3.16.1 above)

Rule 22. The Arbitration Hearing

- (a) The Arbitrator will ordinarily conduct the Arbitration Hearing in the manner set forth in these Rules. The Arbitrator may vary these procedures if it is determined to be reasonable and appropriate to do so.
- (b) The Arbitrator shall determine the order of proof, which will generally be similar to that of a court trial.
- (c) The Arbitrator shall require witnesses to testify under oath if requested by any Party, or otherwise at the discretion of the Arbitrator.
- (d) Strict conformity to the rules of evidence is not required, except that the Arbitrator shall apply applicable law relating to privileges and work product. The Arbitrator shall consider evidence that he or she finds relevant and material to the dispute, giving the evidence such weight as is appropriate. The Arbitrator may be guided in that determination by principles contained in the Federal Rules of Evidence or any other applicable rules of evidence. The Arbitrator may limit testimony to exclude evidence that would be immaterial or unduly repetitive, provided that all Parties are afforded the opportunity to present material and relevant evidence.
- (e) The Arbitrator shall receive and consider relevant deposition testimony recorded by transcript or videotape, provided that the other Parties have had the opportunity to attend and cross-examine. The Arbitrator may in his or her discretion consider witness affidavits or other recorded testimony even if the other Parties have not had the opportunity to cross-examine, but will give that evidence only such weight as he or she deems appropriate.
- (f) The Parties will not offer as evidence, and the Arbitrator shall neither admit into the record nor consider, prior settlement offers by the Parties or statements or recommendations made by a mediator or other person in connection with efforts to resolve the dispute being arbitrated, except to the extent that applicable law permits the admission of such evidence.
- (g) The Hearing, or any portion thereof, may be conducted telephonically or videographically with the agreement of the Parties or at the discretion of the Arbitrator.
- (h) When the Arbitrator determines that all relevant and material evidence and arguments have been presented, and any interim or partial Awards have been issued, the Arbitrator shall declare the Hearing closed. The Arbitrator may defer the closing of the Hearing until a date determined by the Arbitrator in order to permit the Parties to submit post-Hearing briefs, which may be in the form of a letter, and/or to make closing arguments. If post-Hearing briefs are to be submitted

or closing arguments are to be made, the Hearing shall be deemed closed upon receipt by the Arbitrator of such briefs or at the conclusion of such closing arguments, whichever is later.

(i) At any time before the Award is rendered, the Arbitrator may, *sua sponte* or on application of a Party for good cause shown, reopen the Hearing. If the Hearing is reopened, the time to render the Award shall be calculated from the date the reopened Hearing is declared closed by the Arbitrator.

(j) The Arbitrator may proceed with the Hearing in the absence of a Party that, after receiving notice of the Hearing pursuant to Rule 19, fails to attend. The Arbitrator may not render an Award solely on the basis of the default or absence of the Party, but shall require any Party seeking relief to submit such evidence as the Arbitrator may require for the rendering of an Award. If the Arbitrator reasonably believes that a Party will not attend the Hearing, the Arbitrator may schedule the Hearing as a telephonic Hearing and may receive the evidence necessary to render an Award by affidavit. The notice of Hearing shall specify if it will be in person or telephonic.

(k) Any Party may arrange for a stenographic or other record to be made of the Hearing and shall inform the other Parties in advance of the Hearing.

(i) The requesting Party shall bear the cost of such stenographic record. If all other Parties agree to share the cost of the stenographic record, it shall be made available to the Arbitrator and may be used in the proceeding.

(ii) If there is no agreement to share the cost of the stenographic record, it may not be provided to the Arbitrator and may not be used in the proceeding, unless the Party arranging for the stenographic record agrees to provide access to the stenographic record either at no charge or on terms that are acceptable to the Parties and the reporting service.

(iii) If the Parties agree to the Optional Arbitration Appeal Procedure (Rule 34), they shall, if possible, ensure that a stenographic or other record is made of the Hearing and shall share the cost of that record.

(iv) The Parties may agree that the cost of the stenographic record shall or shall not be allocated by the Arbitrator in the Award.

Administrative Grade Review Revised Policy – Approve by the PCL Board
September 19, 2021

The Committee of Bar Examiners (CBE) has notified Peoples College of Law (PCL) and many other law schools to guard against grade inflation. This has led to an administrative grade review policy as described below.

1. Before exams are administered, faculty will need to submit their exams and rubrics/issues outlines/model answers to the Faculty and Curriculum Committee (FCC) to review. The FCC will then assign reviewers, which can include the Dean, and other members of the FCC to review the exams and rubrics/issues outlines/model answers. Current faculty or student members of FCC cannot review their own exams and rubrics/issues outlines/model answers. Faculty will be informed of this policy at the orientation, and/or upon coming on board as a PCL faculty member.
2. Faculty will be provided a copy of the grading policy, and will be reminded of the grading policy for exams to be anonymous. Prior to grades being due, the faculty will once again be sent a reminder of the school's grading policies and to be mindful of grade inflation.
3. Once final exams have been conducted and after grades are entered in Populi, but before they are published (Populi calls this "finalizing"), the Administrator will review the grades to ensure they adhere to PCL grading policies, that grades are not inflated, and that there is no wide disparity in the grades among several instructors teaching the same group of students. The Administrator can use the grading matrix below as a general guide when considering grade inflation. The Administrator will notify the Dean and the FCC if there are grades that appear to have been inflated and if there is such a disparity so the committee can review.
4. The reviewers would include members of the FCC, the Dean, and former faculty members, but faculty would not, review their own grades.
5. If an instructor's grades appear to be inflated, the instructor will be sent a courtesy courteous letter asking them to review and reconsider their grades. This courtesy letter should be sent along with the same grade inflation notice that was sent prior to grade submission regarding grade inflation.
6. The instructor will review their grades and notify the FCC of any grade changes following their own review. If the instructor does not find any changes to be made, they will be asked to provide a short narrative explaining why they determined grade inflation is not present, or confer with the FCC and the Dean regarding the revisions. The reviewers will respect the faculty's professional judgment and may not override the grades, unless it is such a substantial departure from accepted academic norms as to demonstrate that the faculty did not actually exercise professional judgment.
7. Once the grades have been decided, they will then be sent to the Administrator to be published/finalized in Populi, and sent to the students.

Faculty must use the grading matrix set out below. The matrix provides considerable flexibility. We are also providing a sample grading rubric for the exams to all faculty as a template.

90 - 100 (A+, A and A-)	Grades in this range should be only for very superb, outstanding work, not merely the best work among the students. The best work is often not in the A range. On an essay exam, the student should not only have identified all issues, but should have done a very superb, outstanding job of analyzing the issues. Sometimes there will be no grades in this range on an exam or for a quarter. This range is usually under 15% of the grades, occasionally as much as 15%, but in classes with a small number of students, it can exceed 15%.
80 – 89 (B+ , B and B-)	Grades in this range should be only for excellent work, not merely good work. On an essay exam, the student should have identified all issues, and should have done an excellent job of analyzing the issues. This range is usually under 25% of the grades, occasionally as much as 25%, but in classes with a small number of students, it can exceed 25%.
73 – 79 (C+ and C)	Grades in this range usually comprise the largest share of the grades, sometimes higher than 50% but sometimes it is not the largest share. In classes with a small number of students, it is often not the largest share. These grades are for good work, not necessarily average work, because the average might be less than good. A PCL student must have a C average or better, not C-, for all quarters, in order to advance to the next academic year and in order to graduate.
60 - 72 (C- to D-)	Grades in this range are for work that is somewhat less than good (C-) to work that is poor (D+ and D) to work that is marginally passing (D-). Unfortunately, this range sometimes comprises 15% to 20% of the grades, sometimes higher than 20%, but sometimes lower than 15%. In classes with a small number of students, it can be less than 15%.
59 and below (F)	Failing. Unfortunately, there will sometimes be multiple failing grades, even in a small class. A failing grade is not just for work that is entirely lacking – it is also for work that shows some grasp of the subject of the exam or course, but very little. On an essay exam, the student might have identified and discussed some issues but still receive an F. In a multiple choice exam, if a student has correctly answered up to 59% of the questions, the grade will still be an F.

XXII.DISCLOSURES REQUIRED BY THE STATE BAR GUIDELINE 2.3(D)(1) FOR UNACCREDITED LAW SCHOOLS

The method of instruction at this law school for the Juris Doctor (J.D.) degree program is principally in physical classroom facilities.

Students enrolled in the J.D. degree program at this law school who successfully complete the first year of law study must pass the First-Year Law Students' Examination required by Business and Professions Code § 6060(h) and Title 4, Division 1, Chapter 1 Rule 4.3(I) of the Rules of the State Bar of California as part of the requirements to qualify to take the California Bar Examination. A student who passes the First-Year Law Students' Examination within three (3) administrations of the examination after first becoming eligible to take it will receive credit for all legal studies completed to the time the examination is passed. A student who does not pass the examination within three (3) administrations of the examination after first becoming eligible to take it must be promptly disqualified from the law school's J.D. degree program. If the dismissed student subsequently passes the examination, the student is eligible for re-enrollment in this law school's J.D. degree program but will receive credit for only one year of legal study.

Study at, or graduation from, this law school may not qualify a student to take the bar examination or to satisfy the requirements for admission to practice in jurisdictions other than California. A student intending to seek admission to practice law in a jurisdiction other than California should contact the admitting authority in that jurisdiction for information regarding the legal education requirements in that jurisdiction for admission to the practice of law.

XXIII. January 2024 Annual Disclosure by California Unaccredited Law Schools Under California Business and Professions Code Section 6061.7(a)

Name of Law School: _____

Primary Address: _____

Law schools that are registered or accredited in the State of California but are not approved by the American Bar Association must file this disclosure at the start of each calendar year pursuant to California Business & Professions Code 6061.7(a). Data in this report is current as of the 52 weeks ending September 15, 2023 unless otherwise noted. The State Bar of California’s website contains a [list](#) of all schools that are registered or accredited in California.

1) Admissions Data:

- a) Total number of first-year applications received: _____
- b) Total number of first-year students admitted: _____
- c) Total number of first-year students enrolled: _____
- d) Undergraduate Grade Point Average (GPA) for all first-year students enrolled:
 - i) 75th Percentile: _____
 - ii) 50th Percentile: _____
 - iii) 25th Percentile: _____
- e) Law School Admissions Test (LSAT) numerical score for all first-year students enrolled (if LSAT is required For admission):
Reported Numerical Score:
 - i) 75th Percentile: _____
 - ii) 50th Percentile: _____
 - iii) 25th Percentile: _____

2) Time and Charges to Earn a JD degree as of September 15, 2023

- Total number of units required to earn a JD degree: _____
- a) Estimated total tuition charged to complete a JD degree: \$ _____
 - b) Estimated total fees charged to complete a JD degree: \$ _____

3) Financial Aid Available to First-Year Students (if qualified):

- Federally Guaranteed Loans
- Private Student Loans
- Loans Veterans Education Benefits
- California Department of Rehabilitation Benefits
- Unrestricted Scholarships/Grants/Discounts:
Total number and dollar amount awarded:
_____ \$ _____
- Conditional Scholarships/Grants:
Total number and dollar amount awarded:
_____ \$ _____

Description of all conditions (e.g., cumulative GPA) required to maintain any such scholarship:

4) Enrollment Data

a) Total number of students enrolled per class in the law school's JD degree program during the 52 weeks ending September 15 of the year indicated below:

	2020	2021	2022	2023
1st Year				
2nd Year				
3rd Year				
4th Year				
Total JD enrollment				

b) Total number of students who transferred to or from the JD program during the 52 weeks ending September 15 of the year indicated below:

	2020	2021	2022	2023
Transfers (to)				
Transfers (from)				

c) Total number of students who did not remain enrolled in the JD program, on either a voluntary or involuntary basis, during the 52 weeks ending September 15 of the year indicated below (includes those who transferred to other schools):

	2020	2021	2022	2023
Total Attrition (#)				

5) Law School Administrators, Faculty, and Librarians as of September 15, 2023:

- a) Number of full-time faculty: _____
- b) Number of part-time faculty: _____
- c) Number of full-time administrators: _____
- d) Number of part-time administrators: _____
- e) Number of trained and degreed librarians (full- or part-time): _____

6) Required Courses and Clinical Courses as of September 15, 2023:

- a) Number of required courses for JD degree: _____
- b) Average class size for required courses: _____
- c) Number of school-sponsored clinical programs offered for credit: _____

7) Employment Outcomes:

The percentage of students graduating in 2020 who were employed in 2021, 2022 or 2023:

a) jobs that require a JD degree; or b) jobs in which holding a JD degree is an advantage:

Total number of 2020 JD graduates: _____ Total number of surveys received: _____
 Total number of 2020 JD graduates surveyed: _____ Survey response rate: _____ %

Employment Status of 2020 Grads in:	2021	2022	2023
JD degree required	%	%	%
JD degree advantage	%	%	%

* Survey conducted between _____ and _____

8) California Bar Examination Cumulative Five-Year Passage Data

- a) Number of JD graduates who took the bar exam at least once from January 1, 2018-December 31, 2022: _____
- b) Number of JD graduates who passed the bar exam during January 1, 2018-December 31, 2022: _____
- c) Cumulative bar exam five-year passage rate: _____%

DISCLOSURES REQUIRED BY RULE 4.241 OF THE RULES FOR UNACCREDITED LAW SCHOOLS OF THE STATE BAR OF CALIFORNIA:

- a. PCL is not accredited by the State Bar of California. It is registered with, and regulated by, the State Bar of California under the category of unaccredited fixed-facility law schools.
- b. PCL has not applied for accreditation by the State Bar in the previous five years.
- c. The number and percentage of students who have taken and passed the First-Year Law Students’ Exam in the previous 5 years is as follows. *Note that for each exam listed, the number of takers includes all PCL students who took that exam, whether they finished their first year just before the exam or up to a year before. Also, if a person takes the exam on, for example, three different occasions, the person is counted as a taker on all three occasions. Thus, the total number of “Takers” in this chart is not equal to the total of all PCL students who took the exam in the past five years – the total number of “Takers” is a larger number because some students took the exam more than once in those five years.*

First Year Law Students’ Exam (FYLSX)			
Exam Year	Takers	Passers	Percentage
June 2023	4	1	25%
October 2022	6	2	33%
June 2022	13	5	38.46%
October 2021	14	0	0%
June 2021	14	1	7.1%
November 2020	0	0	0%
June 2020	0	0	0%
October 2019	0	0	0%
June 2019	14	5	35.7%

- d. The number and percentage of students who have taken and passed the General Bar Examination in the previous 5 years is as follows. Note that for each exam listed, the number of takers includes all graduates of PCL who took that exam no matter what year they graduated, whether very recently before the exam or many years before. Also, if a person takes the exam on, for example, three different occasions, the person is counted as a taker on all three occasions. Thus, the total number “Takers” in this chart is not equal to the total of all PCL graduates who took the exam in the past five years – the total number of “Takers” is a larger number because some graduates took the exam more than once in those five years. Thus, this chart does not show PCL’s Bar Exam pass rate as calculated by the State Bar for purposes of accrediting law schools, which, in July 2022 was 79%. (PCL is NOT an accredited law school.)

California General Bar Examination (CBX)			
Exam Year	Takers	Passers	Percentage
July 2023	4	0	0%
Feb 2023	0	0	0%
July 2022	4	0	0%
Feb 2022	4	1	25%
July 2021	5	2	40%
Feb 2021	6	1	16.7%
Oct 2020	13	2	15%
Feb 2020	4	0	0%
July 2019	14	1	7.1%
Feb 2019	7	1	14%

- e. The approximate number of legal volumes in the PCL Library is 13,500.
- f. The educational background and qualifications of the present faculty, registrar administrator, and the Dean are as follows:

ADMINISTRATION		
Name:	J.D. received from:	Bar Admission
Ana Maria Lobos, Esq. Interim Dean	Peoples College of Law, Los Angeles	CA
Roger Aramayo, Administrator & Registrar	Southwestern Law School, Los Angeles	N/A
FACULTY		
Laura Boudreau, Esq.	Harvard Law School; Cambridge, MA	CA
Michael Blue, Esq.	Northwestern University School of Law; Chicago, IL	CA
Onica Cole, Esq.	Loyola Law School; Los Angeles, CA	CA
John Duane, J.D.	Peoples College of Law; Los Angeles, CA	N/A
Nathan Gordon, Esq.	Peoples College of Law; Los Angeles, CA	CA
Stephen Ilg, Esq.	NYU School of Law; New York, NY	CA
Dan Kapelovitz, Esq.	University of California, Los Angeles; Los Angeles, CA	CA
William Maestas, Esq.	Peoples College of Law; Los Angeles, CA	CA
Hector Peña, J.D.	Peoples College of Law; Los Angeles, CA	N/A
Robert D. Skeels, Esq.	Peoples College of Law; Los Angeles, CA	CA
Pasqual Torres, Esq.	Peoples College of Law; Los Angeles, CA	CA

Sydney Wilberton, Esq.	University of California, College of the Law; San Francisco, CA	CA
Misty Wilks, Esq.	Howard University School of Law; Washington, D.C.	CA, MD

- g. The ratio of faculty to students for the previous 5 years is approximately one instructor to eight students.
- h. The education and degree provided by Peoples College of Law may not satisfy the requirements of other jurisdictions for the practice of law and applicants should contact the jurisdiction in which they may wish to practice for that jurisdiction’s requirements.
- i. The following are attrition rates of enrolled students in subsequent years of law study for the preceding 5 years. In accordance with Guideline 5.22 of the Guidelines for Unaccredited Law School Rules: “A student who does not pass the First-Year Law Students' Examination within three (3) administrations after first becoming eligible to take the examination must be promptly disqualified from a law school's J.D. program.” Other reasons for student attrition vary and include, but are not limited to, students voluntarily withdrawing from law school due to personal, family, business, career or financial issues and students who may have been dismissed by the law school because the students did not maintain academic good standing or who were unable to complete the mandatory curriculum requirements to earn a Juris Doctor degree.

Attrition Rate				
Student Count As Of:	First Year	Second Year	Third Year	Fourth Year
08/08/2019	8	10	2	2
08/24/2020	13	4	2	2
08/30/2021	14	9	5	3
08/30/2022	8	9	2	1
09/05/2023	2	0	4	2

- j. **The School has been issued a Notice of Noncompliance by the Committee of Bar Examiners** (“CBE”; a committee of the State Bar of California).
PCL is taking active steps to achieve compliance and remedy all issues identified by the CBE.
- k. **Peoples College of Law is on probation through May 30, 2024 by order of the Committee of Bar Examiners at its December 2022 meeting.** At this meeting, the CBE moved that the law school must demonstrate that sufficient progress has been made toward compliance, or its registration as an unaccredited law school will be withdrawn, with the law school’s progress to be reviewed at the Committee meeting in October 2023 and April 2024, and agree to submit to annual inspections thereafter until the Committee is satisfied that compliance is likely to be sustained.

PCL is working very hard to make sufficient progress and correct all areas of improvement identified by the CBE.

1. Attached below are notices from the Committee of Bar Examiners to PCL regarding the Notice of Noncompliance and probation since December 2022. These can also be found on PCL's website at www.peoplescollegeoflaw.edu.

NOTICE OF NONCOMPLIANCE
AND
NOTICE PURSUANT TO UNACCREDITED LAW SCHOOL RULE 4.263
TO
PEOPLES COLLEGE OF THE LAW
JULY 1, 2022

NOTICE OF NONCOMPLIANCE

Pursuant to Rule 4.260, of the State Bar of California's Unaccredited Law School Rules ("Rules"), the Committee of Bar Examiners ("Committee" or "CBE") finds that Peoples College of Law ("Peoples College" of "PCL"), a registered unaccredited fixed facility law school, is not in compliance with Rules and the Guidelines for Unaccredited Law School Rules ("Guidelines"):

1. Guideline 1.9 and 2.10: To achieve full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy.
2. Guideline 2.2(B): To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications.
3. Guideline 2.3(B): To bring itself into full compliance, the school should remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years, and inform students in the Catalog that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability.
4. Guideline 2.3(D): To bring itself into full compliance, the school should demonstrate that the disclosure statements required by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7, and Rule 4.241 have been implemented accurately, completely, consistently, and as mandated.
5. Guidelines 2.9(A)-(B) and 5.24: To bring itself into full compliance, the school should demonstrate that the Catalog and other publications set forth the school's academic standards and student assessment policies accurately, clearly, consistently, and as mandated.
6. Guideline 2.9(C): To bring itself into full compliance, the school should adopt, publish, and implement a policy, including oversight provisions, to ensure that students are provided with written statements of the components of course grades.

7. Guideline 2.9(D): To bring itself into full compliance, the school should adopt, publish, and implement a policy on authentication of student work, and discontinue its current practice of allowing students to take in-class exams using devices that are not protected by exam-security software.
8. Guidelines 2.10 and 5.17: To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements.
9. Guidelines 2.11, 7.1, and 9.1: To bring itself into full compliance, the school should adopt policies and procedures that are adequate to protect the school's digital records.
10. Guideline 3.1: To bring itself into full compliance, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE's standards, including written job descriptions for the dean and registrar, and adequate oversight provisions.
11. Guidelines 4.8 and 4.9: To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements.
12. Guidelines 5.3(A)(1) and 5.9: To bring itself into full compliance, the school should adopt, implement, and publish attendance policies and procedures that: require student attendance at no less than 80 percent of the regularly scheduled class hours for each course during a particular term, not a series of courses over two or more terms; provide for accurate and timely maintenance of records; and eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities.
13. Guideline 5.8: To bring itself into full compliance, the school should demonstrate that its clinical courses meet all Guideline 5.8 requirements, including maintenance of records for each student in the course.
14. Guidelines 5.17, 5.18, and 5.25: To bring itself into full compliance, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students receive adequate feedback on their exam performance.
15. Guidelines 5.18–5.20: To bring itself into full compliance, the school should adopt, publish, and implement policies for academic advancement that adhere to the school's academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines.
16. Guideline 5.24: To bring itself into full compliance, the school should revise and republish its course repetition policy to meet all requirements of the guideline.

17. Guidelines 6.2–6.4: To bring itself into full compliance, the school must devise a plan and a timeline to return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement.
18. Guidelines 7.1 and 7.2: To bring itself into full compliance, the school should maintain essential and permanent hard-copy records in fire-safe lockable cabinets, maintain all electrical equipment in working order, and provide digital projection equipment adequate to meet the needs of faculty and students.

APPLICABLE AUTHORITY

A copy of the applicable Rules and Guidelines are enclosed with this notice. Additionally, the Rules and Guidelines may be accessed on the State Bar's website.

The applicable Rules are available on the State Bar's website at:

https://www.calbar.ca.gov/Portals/0/documents/rules/Rules_Title4_Div3-UnAcc-Law-Sch.pdf.

The applicable Guidelines are available on the State Bar's website at:

<https://www.calbar.ca.gov/Portals/0/documents/admissions/GuidelinesforUnaccreditedLawSchoolRules.pdf>

FINDING OF NONCOMPLIANCE

The Committee's finding of noncompliance is supported by the Periodic Inspection Report resulting from the January 14-16, 2020 inspection, Peoples College's July 20, 2020 response to the inspection report, 2020 Progress Update, 2020 Annual Report, Amendment to Annual Report May 2020, December 4, 2021 Progress Report and Annual Report, and the June 2022 Progress Report, as well as additional written submissions made between May 23, 2022 and June 7, 2022.

Pursuant to Rule 4.261, a law school that receives a Notice of Noncompliance must file a written response within fifteen days of the Notice of Noncompliance demonstrating that it is in compliance, or is taking steps to achieve compliance, with the Rules, along with the required deposit of \$924. (Rule 4.261.) Should the law school acknowledge that it is not in compliance, the Committee asks that the law school's response detail the school's intent, capacity, method, and best effort as to timing to return to compliance. Following receipt and review of the law school's response, the Committee must either notify the school within thirty days that the

response is deemed satisfactory, or if the Committee deems the response unsatisfactory, it must schedule an inspection within thirty days. (Rule 4.262.)

If the Committee believes that the inspection report demonstrates that the law school is not or is not likely to be in compliance with the Rules, the Committee will notify the law school that it recommends probation or withdrawal of registration. (Rule 4.263.) The law school may request a hearing before the Committee within fifteen days of being sent a notice that the Committee is recommending probation or withdrawal of registration. (Rule 4.264.) Within sixty days of receiving a timely request for hearing, the Committee will schedule a hearing at a time that is mutually agreeable to the Committee and the law school. (Rule 4.265(A).) Following the hearing, based on the entire record, the Committee will determine whether the law school is in compliance with the Rules. (Rule 4.266(A).) The Committee may take any action affecting the law school's registration that it considers appropriate, including termination of registration. (Rule 4.266(B).) If the Committee determines that the law school is not in compliance or has not taken adequate steps to comply with the Rules but has made "perceptible progress toward compliance," the Committee may place the law school on probation and impose probation conditions on the law school. (Rule 4.267.)

NOTICE PURSUANT TO UNACCREDITED LAW SCHOOL RULE 4.263

On June 17, 2022, the Committee moved to provide notice to Peoples College of the Law that it intends to pursue probation or termination of registration unless the law school can demonstrate compliance in its timely response pursuant to Unaccredited Law School Rule 4.263. Peoples College of the Law is not required to submit a separate response to the notice under Rule 4.263.



The State Bar of California

OFFICE OF ADMISSIONS

180 Howard Street, San Francisco, CA 94105

Natalie.Leonard@calbar.ca.gov
415-538-2118

February 8, 2023

Dean Edith Pomposo
Peoples College of Law
660 S Bonnie Brae
Los Angeles, CA 90057

RE: O-400 Action on Probation – Peoples College of Law

Dear Dean Pomposo:

The Committee of Bar Examiners met on December 2, 2022 and took the following action regarding Peoples College of Law. Please review the motion and the attached Notice of Probation and invoice. The Committee moved as follows:

FURTHER MOVE, that the Committee places the law school on probation through and including May 30, 2024, with the understanding that the law school must demonstrate that sufficient progress has been made toward compliance, or its registration as an unaccredited law school will be withdrawn, with the law school's progress to be reviewed at the Committee meeting in October 2023 and April 2024, and agree to submit to annual inspections thereafter until the Committee is satisfied that compliance is likely to be sustained.

FURTHER MOVE, that the law school be directed to provide monthly progress reports to the State Bar on the first of the month as to each element of probation during the full term of probation, and to provide a self-study and submit to an inspection in 2023.

FURTHER MOVE, that the law school be directed to clearly advise the public, prospective students, and current students of its status on probation affirmatively and clearly, including attaching a copy of the probationary terms to student disclosures, web disclosures, the web home page, and communications shared with prospective students.

FURTHER MOVE, that the Committee reserves the right to terminate this probation prior to its scheduled conclusion if the law school fails to make or sustain adequate progress.

This letter also confirms the receipt of progress reports as requested by the Committee for January 2023 and February 2023. The law school is reminded to include in future reports status as to all items identified in the 2020 inspection, including the law school's steps to affirmatively establish or sustain compliance, as well as the status of all pending staff requests.

Attached in the invoice related to this matter through the date of this letter, which is due within 30 days.

Sincerely,

Natalie Leonard

Natalie Leonard
Principal Program Analyst



The State Bar of California

OFFICE OF ADMISSIONS

Peoples College of Law
O-400 Action on Probation
Date: 2/8/202
Invoice Number: 2023-002

INVOICE

Description	Amount
57.75 Hours Staff Time @ \$275 per hour 10/22-2/8/23 (Includes CBE item preparation, follow-up and monitoring)	\$15,400
Total Deposit:	
Total due if paying by check:	\$15,400
Add 2.5% to the total if paying by credit card	
Total if paying by credit card:	

Make checks payable to The State Bar of California and submit payment with this form to:

The State Bar of California, Educational Standards
180 Howard Street
San Francisco, CA 94105-1639

OR: Fill out credit card information and fax with cover letter to 415-538-2361, but do not email.
Please note: The school will be charged a fee of 2.5% of the total amount for any credit card transactions.

CREDIT CARD INFORMATION

Name on Card / Bank Account:

Billing Address:

Billing City, State, Zip:

Telephone Number:

Email Address:

Credit Card Type: MasterCard Visa Amex Discover

Credit Card Number:

Credit Card Security Code: Expiration Date:

Signature of Card/Account Holder:



The State Bar of California

OFFICE OF ADMISSIONS

180 Howard Street, San Francisco, CA 94105

Natalie.Leonard@calbar.ca.gov
415-538-2118

April 5, 2023

Dean Edith Pomposo
Peoples College of Law
660 S Bonnie Brae
Los Angeles, CA 90057

RE: O-402 Action on Probation – Peoples College of Law

Dear Dean Pomposo:

The Committee of Bar Examiners met on March 24, 2023 and adopted the following motion regarding Peoples College of Law. Please review the motion, the actions and responses included therein, and the attached invoice due within 30 days of this letter. The Committee moved as follows:

MOVE, that the Committee of Bar Examiners receive and file the probationary reports filed by Peoples College of Law in January, February, and March 2023.

FURTHER MOVE, that in response to Peoples College of Law's March 2023 letter seeking information as to its compliance status and required actions, that staff transmit to the law school the annotated summary and restatement of the probationary order set forth in Attachments E (amended to be due, EOD, April 4).

FURTHER MOVE, that Committee direct the law school to take prompt action to establish full compliance and take the actions noted in Attachment E, as well as any other steps necessary to avoid noncompliance with any other Rule or Guideline, and to provide an update and documentation in its April 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.

FURTHER MOVE, that Peoples College of Law must clearly and fully document compliance with Rule 4.241 and California Business and Professions Code section 6061 in its April 2023 progress report by providing evidence that the procedures set forth in California Business and Professions Code 6061 and Rule 4.241 were followed or that refunds were issued. Failure to do so will be taken as evidence of noncompliance and the Committee may move to terminate the law school's registration.

Natalie Leonard
April 5, 2023
Page 2

Staff confirms that the law school filed a partial progress report received on April 3, 2023, and indicated it would provide additional information after on April 5, 2023, after the stated deadline of April 4, 2023. As of the time of the writing of this letter on the afternoon of April 5, 2023, no additional information has been received.

As requested by the Committee, a copy of Attachment E discussed at the meeting is attached for the law school's reference.

Attached in the invoice related to this matter through the date of this letter, which is due within 30 days of the date of this letter.

Sincerely,

Natalie Leonard

Natalie Leonard
Principal Program Analyst



The State Bar of California

OFFICE OF ADMISSIONS

Peoples College of Law
O-402 Action on Probation
Date: 4/5/2023
Invoice Number: 2023-006

INVOICE

Description	Amount
21 Hours Staff Time @ \$275 per hour 2/9/23-4/5/23	\$5,775
Total Deposit:	
Total due if paying by check:	\$5,775
Add 2.5% to the total if paying by credit card	
Total if paying by credit card:	

Make checks payable to The State Bar of California and submit payment with this form to:

The State Bar of California, Educational Standards
180 Howard Street
San Francisco, CA 94105-1639

OR: Fill out credit card information and fax with cover letter to 415-538-2361, but do not email.
Please note: The school will be charged a fee of 2.5% of the total amount for any credit card transactions.

CREDIT CARD INFORMATION

Name on Card / Bank Account:

Billing Address:

Billing City, State, Zip:

Telephone Number:

Email Address:

Credit Card Type: MasterCard Visa Amex Discover

Credit Card Number:

Credit Card Security Code: Expiration Date:

Signature of Card/Account Holder:

**PROPOSED ANNOTATED SUMMARY AND RESTATEMENT OF
PEOPLES COLLEGE OF LAW PROBATIONARY STATUS
EFFECTIVE DECEMBER 2, 2022 – MAY 30, 2024**

RESOLVED, that the Committee of Bar Examiners finds that Peoples College of Law (PCL) is not in compliance with the unaccredited law school rules, but it has made perceptible progress toward compliance.

FURTHER RESOLVED, that the Committee places the law school on probation through and including May 30, 2024, with the understanding that the law school must demonstrate that sufficient progress has been made toward compliance, or its registration as an unaccredited law school will be withdrawn, with the law school's progress to be reviewed at the Committee meetings in October 2023 and April 2024, and the law school must agree to submit to annual inspections thereafter until the Committee is satisfied that compliance is likely to be sustained.

FURTHER RESOLVED, that the law school be directed to provide monthly progress reports to the State Bar on the first of the month as to each element of probation during the full term of probation, and to provide a self-study and submit to an inspection in 2023.

FURTHER RESOLVED, that the law school be directed to clearly advise the public, prospective students, and current students of its status on probation affirmatively and clearly, including attaching a copy of the probationary terms to student disclosures, web disclosures, the web home page, and communications shared with prospective students.

FURTHER RESOLVED, that the Committee reserves the right to terminate this probation prior to its scheduled conclusion if the law school fails to make or sustain adequate progress.

To ensure maximum clarity, the items are numbers to track the recommendation numbers in the original January 2020 inspection report:

Mandatory Actions Adopted August 2020

- 1. Guidelines 1.9 and 2.10:** To demonstrate full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy.

While the law school advised that as of November 2022 it had adopted and posted a compliant policy, later status reports indicate that the policy is in draft stage and is still being finalized as of March 1, 2023.

Since the December 2, 2022 committee meeting, staff has received two complaints from students regarding the policy's availability and application, and State Bar staff requested information related to these complaints. (Student A complaint, January 2023; Student B

complaint, March 2023.)

Outstanding Action: The law school must demonstrate in its April 2023 progress report that it has created and implemented compliant procedures for reasonable accommodations and responded to the compliance issues raised by the student complaints, and resolve the conflict that appears to be present in the law school's prior responses.

- 2. Guideline 2.2(B):** To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications.

The law school appears to have a compliant refund policy regarding those who withdraw. The law school does not appear to have a compliant policy of providing refunds to students when the law school does not comply with Rule 4.241 and California Business and Professions Code section 6061. See item 4 for more detail.

Outstanding Action: The law school must document full compliance with Rule 4.241, including providing any refunds that are required under the rule, and provide evidence of compliance in its April 2023 progress report.

- 3. Guideline 2.3(B):** To bring itself into full compliance, the school should remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years, and inform students in the Catalog that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability. *Subsequent to the inspection, the school adopted a compliant policy and updated the Catalog in this area.*
- 4. Guideline 2.3(D):** To bring itself into full compliance, the school should demonstrate that the disclosure statements required by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7, and Rule 4.241 have been implemented accurately, completely, consistently, and as mandated.

A. Compliance with Business and Professions Code 6061.7(a)

During 2022, the State Bar observed that PCL's Business and Professions Code section 6061.7(a) web disclosures and handbook were found to be out-of-date on the law school's website from January through June 2022. Staff reminded the law school to update the disclosures throughout the first half of 2022. PCL did so in May and June 2022. In November 2022, staff informed the law school via email that outdated disclosures appeared again in November 2022. PCL updated the disclosure and advised that this was due to reliance on volunteer work to update the website and that they would contract with information technology professionals to update the website. Since that time, the law school advises that as of March 1, it had selected a vendor and placed a deposit, but a timeline was not available.

Outstanding Action: In its April 2023 progress report, the law school must demonstrate that it is in compliance with the data and posting requirements of California Business and Professions

Code section 6061.7(a), and document a specific timeline for its updated process, since it advises that the current process is insufficient to ensure sustained compliance.

B. Compliance with Rule 4.241

It appears from data provided by the law school that it is not in full compliance with Rule 4.241. This rule requires the law school to: (1) provide specified comprehensive disclosures to students prior to them making a payment for any term, which would be a quarter in the case of PCL; (2) have each student sign a copy of the disclosure statement; and (3) provide each student with a copy of their signed disclosure statement as a receipt. If the school fails to comply, it must refund all fees for that term, including tuition, to the student. Additionally, noncompliance with this rule is cause for withdrawal of registration.

The data PCL has provided to date indicates that several students are owed refunds for one or more quarters. The law school updated its disclosure statement policy in January 2023, but it does not appear that PCL has been acting in accordance with its policy.

State Bar staff has taken significant action to address this issue:

On December 8, 2022, State Bar staff requested the signed disclosures for one particular student who had completed three years of study. On December 30, the law school advised that it forwarded all disclosures that it had in its possession for the student, delivering one unsigned disclosure for one term, without evidence that it had been distributed to the student. On January 6, State Bar staff advised the law school that the disclosure was unsigned and asked the law school to provide evidence of compliance or provide a refund to the student by January 13 for that term as well as for any other term for which the law school did not comply with the Rule 4.241 process.

The law school did not respond by January 13.

On January 18, State Bar staff repeated its request regarding that student, and expanded the request by asking the law school to demonstrate compliance as to Rule 4.241 for all students enrolled during the 2022-2023 school year or provide refunds as required by the rule.

Later that day, on January 18, PCL's dean advised that the response had been completed but was still lodged in her draft folder. When she sent it, the response only addressed the disclosures for the original student, indicating that some more information had been found, and did not respond to the request as to the other students.

On January 26, PCL provided additional information regarding the first student including a recently located signature page, but still did not provide information regarding the other students enrolled during the 2022-2023 school year.

On February 1, PCL provided additional disclosures for the original student with the subject line "Newly Found – Tuition Enrollment Agreements."

On February 7, State Bar staff was scheduled to meet with PCL to determine why the law school had not demonstrated compliance. The law school postponed the meeting, rescheduling to February 13.

On February 13, 2023, State Bar staff met with the law school. PCL provided a spreadsheet with some, but not all, of the information requested.

Based on the data PCL provided it appears that:

- At least 6 students did not sign disclosures for the Fall 2022 term
- At least 6 students did not sign disclosures for the Winter 2023 term
- Of the students above, 4 students did not sign a disclosure for either the fall 2022 or winter 2023 terms
- At least one student did not sign a disclosure for the spring 2020 term
- For the fall 2022 term, 13 out of 14 students who signed their disclosures did so in December 2022 or January 2023, which was well after the start of the term and likely after the students had paid tuition for the term
- For the spring 2023 term, 12 of 13 students signed the disclosures between September and December 2022. Significantly, in many cases, the documents reflect that students signed the spring 2023 disclosure before they signed the fall 2022 disclosure. Additionally, the spring 2023 term disclosures appear to have been signed during the period when the Committee was considering whether to terminate the school's registration and before a decision had been made, and it is unclear whether students were provided with full information as to the law school's status.

The spreadsheet provided at the meeting was not fully responsive to the State Bar's requests. The law school needs to show for each student, for each term, that the student received a timely and complete disclosure prior to making a payment for that term, signed it, and received a copy of the signed disclosure. For any instance where PCL cannot demonstrate compliance, it must provide a refund to the student for that term.

The law school also indicated that it implemented a new procedure in January 2023 to ensure compliance, but PCL's data indicates that not all students signed the disclosure for the term beginning in January 2023, so that procedure appears to need further modification.

At the meeting, PCL agreed to provide an update demonstrating compliance complete its analysis, but no update has been received. after the exam period and include it in the March progress report. The law school did provide a copy of the disclosure that they indicate was distributed to all students at the start of the fall 2022 term, but no further update has been received since February 13.

Staff provided courtesy reminders on February 21 and March 16.

Outstanding Action: The law school must demonstrate for the original student identified and for each student enrolled during the fall 2022 or spring 2023 term, for , that the student

received a timely and complete disclosure prior to making a payment, signed it, and received a copy of the signed disclosure. For any instance where PCL cannot demonstrate compliance, it must provide a refund to the student for that term. PCL must document compliance in its April 2023 progress report.

- 5. Guidelines 2.9(A)-(B) and 5.24:** To bring itself into full compliance, the school should demonstrate that the Catalog and other publications set forth the school's academic standards and student assessment policies accurately, clearly, consistently, and as mandated.

The law school's catalog was posted on its web site in draft form, including notes, and included noncompliant policies, from January through May 2022. After multiple staff reminders and a directive from the Committee in March 2022, the law school posted an updated document in May 2022.

Many of the law school's website pages appear out of date, potentially confusing prospective or current students as to PCL's current academic policies. Examples include: the law school's homepage indicates that [the admission season for 2021-2022 is open, with the next class starting in fall 2021](#); [recent bar passage data stops with 2019](#); and many pictures on the [virtual tour](#) show the library, which has been unavailable for a number of years after a fire, and the law school is operating under a waiver regarding its library. The law school's progress reports indicate that the law school intends to hire information technology experts to assist with website updates, and to adopt a web platform that can be more easily updated by staff and volunteers, but no timeline is provided for this action.

Outstanding Action: The law school must update its website and publications and provide a timeline as to when this process will be complete, in its April 2023 progress report.

- 6. Guideline 2.9(C):** To bring itself into full compliance, the school should adopt, publish, and implement a policy, including oversight provisions, to ensure that students are provided with written statements of the components of course grades. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*
- 7. Guideline 2.9(D):** To bring itself into full compliance, PCL should adopt, publish, and implement a policy on authentication of student work, and discontinue its current practice of allowing students to take in-class exams using devices that are not protected by exam-security software.

After the inspection in 2020, the law school purchased commercial software that provided exam security. During the fall semester in 2022, the law school had a technical issue with its software and ordered students to come in to take their exams, though another technical solution was found. The law school is again considering changing its vendor to a vendor it previously rejected. It is unclear whether the switching represents a technical issue or an evolving process. In addition, the law school's policy includes significant exceptions that allow

students to take exams unmonitored, limiting the law school's ability to authenticate student work.

Outstanding Action: The law school must document how it ensures exam security and authentication of student work, and document its policies and their implementation, and explain how often the exceptions to the policy are invoked and how exam security and authentication of work is handled in those cases, and document this as part of its April 2023 progress report.

- 8. Guidelines 2.10 and 5.17:** To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements.

A student complaint alleged that forms related to grade review were inaccessible during the first part of 2022. (Student Complaint, March 2023.)

Outstanding Action: The law school must document the grade review process, and establish whether the policy and related forms are available to students, and document this in the law school's April 2023 progress report.

- 9. Guidelines 2.11, 7.1, and 9.1:** To bring itself into full compliance, the school should adopt policies and procedures that are adequate to protect the school's digital records. *Subsequent to the inspection, the school purchased Populi, a commercially available package designed for schools containing the safeguards identified in the law school's inspection report.*

- 10. Guideline 3.1:** To bring itself into full compliance, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE's standards, including written job descriptions for the dean and registrar, and adequate oversight provisions. *Subsequent to the inspection, the school increased the paid hours of the administrator, and secured significant volunteer assistance from the dean, the Board, and alumni, resulting in significant progress seen since the inspection. The school also created compliant job descriptions for both the dean and the registrar.*

A. Impact of Reliance on Volunteer Work

In 2022, the law school advised that it hired additional support staff, but eliminated those roles in 2023 without identifying other sources of volunteer or paid staff. Yet, the law school cited reliance on volunteer labor as the reasons for its noncompliance in a number of areas including: 1) the ability to create courses required for students; 2) the ability to keep the website updated; 3) the ability to issue grades timely. Reliance on volunteers does not excuse compliance.

Outstanding Action: While the law school is not required to have a particular number of staff, it must have sufficient capacity available to maintain compliance. The law school should demonstrate how it estimates its needs and fulfills those needs, explaining changes in support from 2022 to 2023, and document this in its April 2023 progress report.

B. Impact of Reliance on Student Volunteer Work

PCL's current model relies on significant student volunteer work. For example, students must perform volunteer work 15 hours per week or pay an additional fee, and students also serve on the governing board. This impacts the time that students have available, and the law school acknowledges that it feels students are already busy, noting in its March 2023 report that students are too busy to fill out faculty evaluations. There is also the potential for conflict of interest or violation privacy.

Outstanding Action: The law school must evaluate the role of student participation to ensure that students have sufficient time to devote to their studies, and the law school has sufficient resources available to sustain compliance. The State Bar remains concerned at the potential for conflict of interest or violation of student privacy, as was expressed at the January 2020 inspection, and seeks further comment from the law school.

C. Overall Ability to Maintain Compliance

It is unclear whether the law school has sufficient resources to maintain compliance. Examples include:

- a. The law school has not been able to create a fourth-year program of study for a student who was due to begin that study in September 2022.
 - b. The law school has not fully implemented its testing accommodation policy first considered in 2020, but not yet implemented. Two complaints regarding the law school's current process have been received since the Committee's December 2022 meeting.
 - c. When asked to document compliance with Rule 4.241, the law school was challenged to locate the relevant records and has not been able to locate all records after three months of efforts.
 - d. The law school admitted at least one student on the first day of her classes in fall 2022, and no orientation was provided for her after orientation was conducted one week prior for other students. (Student Compliant January 2023; Staff meeting with Peoples College of Law, February 13, 2023.)
 - e. The law school did not respond to several requests from State Bar staff to complete its demographic reporting spreadsheet that is part of the law school's annual report. After first requesting updates on December 6, and reminding the law school in writing on several occasions, the material was ultimately provided on February 16, 2023.
 - f. Outstanding Action: The law school must engage sufficient staff and administrative support to maintain compliance with all Rules and Guidelines including responding to State Bar staff requests and probation requirements in a timely manner, and documenting its process to track status, complete and close requests in its April 2023 progress report.
- 11. Guidelines 4.8 and 4.9:** To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*

Between January 2020 and May 2022 PCL failed to release grades on time for one or more classes. PCL has indicated that the delay is due to the fact that volunteer professors have other time commitments. The law school reports it is working with professors to implement quality control procedures for class and exam creation and grading.

The law school advised that it has created a backup procedure to be implemented if a professor cannot grade exams on time. It also advised that it continues to seek student feedback.

Outstanding Action: The law school must establish a meaningful faculty evaluation process that sets expectations for professors, and holds them accountable, advise whether faculty grades were released on time, and, if not, advise the results of implementing the backup procedures, and document status as to all of these elements in its April 2023 progress report.

12. Guidelines 5.3(A)(1) and 5.9: To bring itself into full compliance, the school should adopt, implement, and publish attendance policies and procedures that: require student attendance at no less than 80 percent of the regularly scheduled class hours for each course during a particular term, not a series of courses over two or more terms; provide for accurate and timely maintenance of records; and eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities.

The law school's current policy does not comply with the guideline because it does not require students to attend 80 percent of regularly scheduled classes. Rather, students can petition to replace regularly scheduled class hours with alternative classes taught by other professors at any time, even after the conclusion of the course or academic term.

Outstanding Action: The law school must update its policy to require a student to attend 80 percent of regularly scheduled class hours for each individual class and address all elements of this guideline, and document the new policy and its implementation in its April 2023 progress report.

13. Guideline 5.8: To bring itself into full compliance, the school should demonstrate that its clinical courses meet all Guideline 5.8 requirements, including maintenance of records for each student in the course. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*

14. Guidelines 5.17, 5.18, and 5.25: To bring itself into full compliance, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students receive adequate feedback on their exam performance.

This policy appears to have changed as staff has changed. Recently, the law school reported that it documented a policy and held faculty trainings on how to implement that policy, focusing on grading standards and providing useful feedback on exams.

The law school also indicated that at times the dean or administrator have reviewed grades before they are released.

Outstanding action: The law school should describe the processes used to meet this recommendation so far in the fall 2022 quarter, what is planned for the spring 2023 quarter, and explain how the law school will continue to determine whether grading results correlate with outcomes on State Bar exams, and document this in the law school's April 2023 progress report.

15. Guidelines 5.18-5.20: To bring itself into full compliance, the school should adopt, publish, and implement policies for academic advancement that adhere to the school's academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines.

The law school allowed a student to take a non-standard schedule but did not ensure that it had a program of study of 270 hours available to the student for their fourth year as required by California Business and Professions Code section 6060. As a result, the student was not able to continue their education at the law school in fall 2022. Currently, the law school advised staff that it has identified four course titles that it plans to create and offer beginning in fall 2023, but it has not discussed the course topics with the student or updated the student since September 2022. The law school must administer a compliant plan of study for all students.

Outstanding action: The law school must demonstrate that it has available a program of 270 hours per year for four years to all students, and document this in its April 2023 progress report.

16. Guideline 5.24: To bring itself into full compliance, the school should revise and republish its course repetition policy to meet all requirements of the guideline. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*

Outstanding Action: The law school should provide an update as to whether any students have utilized this policy, the notice provided by the law school as to the implications of taking the leave, and the proposed plan that the student will be undertaking after the leave, as part of the law school's April 2023 progress report.

17. Guidelines 6.2-6.4: To bring itself into full compliance, the school must devise a plan and a timeline to return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement. *Subsequent to the inspection, the school did confirm that legal research is being taught*

using both hard copy and electronic resources, and the syllabi are being updated appropriately.

The law school advised in its March progress report that it may comply with the guideline or apply to change its educational category to the distance learning category and comply with that library requirement.

Outstanding Action: If the law school plans to change categories, it must file an application to do so as soon as possible to ensure timely consideration, or the law school may not have a determination prior to the start of the law school year. The law school has been advised in 2020, 2021, Summer 2022, and again via this summary that sufficient notice must be provided to allow the Committee to evaluate the law school's request. If the law school plans to implement this transition, it must include its application in full with its April 2023 progress report.

18. Guidelines 7.1 and 7.2: To bring itself into full compliance, the school should maintain essential and permanent hard-copy records in fire-safe lockable cabinets, maintain all electrical equipment in working order, and provide digital projection equipment adequate to meet the needs of faculty and students. *Subsequent to the inspection, the school adopted a compliant policy and provided a copy of that policy to the State Bar.*

Outstanding Action: Given the challenges that the law school experienced locating paper documents related to disclosures, the law school must document in its April 2023 progress report whether files are stored in such a manner that they can be located and produced quickly enough to meet the needs of students, faculty, and the State Bar, and document its implementation and organization in the law school's April 2023 progress report.

19. Guideline 9.1: To bring itself into full compliance, the school should adopt and implement a policy to ensure that records are fully compliant with Guideline 9.1, that the law school has adopted written procedures, including oversight provisions, of record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D) *Subsequent to the inspection, the school adopted compliant policies and provided the State Bar with copies of those policies.*

Outstanding Action: Ensure that all materials identified in the guideline are stored in an organized manner and easily accessible to the law school and readily produced to State Bar staff upon request.

Adopted Suggestions to Enhance Compliance

1. Pursuant to Guidelines 2.9(C) and 5.13, it is suggested that the school requires faculty to use a standard syllabus template to promote consistent communication of course requirements. *Subsequent to the inspection, the school purchased a commercially available software package that includes a standard syllabus template which was adopted.*

Outstanding Action: Please confirm whether this template is being used for all classes, and, if not, which classes use it and what system is in place for the other classes, and document the law school's response in the April 2023 progress report.

2. Pursuant to Guidelines 2.11, 7.1, and 9.1, it is suggested that the school bases its data security policies and procedures upon the recommendations of generally accepted industry standards, consulting with an expert if the expertise is not available within the school. *Subsequent to the inspection, the school purchased commercially available software package with these features included, and purchased the appropriate storage cabinets to protect hard copy files.*

Outstanding action: Please continue to document the law school's status of implementation of the software and secure storage, as part of the April 2023 progress report.

3. Pursuant to Guidelines 5.14 through 5.16 and 5.25, it is suggested that the school adopts and implements a procedure requiring that exam questions, accompanied by issue outlines or model answers, must be reviewed, and approved by the dean or another legal educator before being administered. *Subsequent to the inspection, the school began evaluating this suggestion.*

Outstanding Action: Please advise the status of a policy and implementation of that policy, including which staff or volunteers will carry it out and their qualifications to do so, and document these efforts in the April 2023 progress report.

4. Pursuant to Guidelines 5.17, 5.18, and 5.25, it is suggested that the school adopt and implement a procedure requiring grades and student exams papers to be reviewed and approved by the dean or another legal educator before being posted. *Subsequent to the inspection, the school began evaluating this suggestion.*

Outstanding Action: The law school must continue to evaluate its process for grade and exam review and approval, and document its process as part of its April 2023 progress report.



The State Bar of California

OFFICE OF ADMISSIONS

180 Howard Street, San Francisco, CA 94105

Natalie.Leonard@calbar.ca.gov
415-538-2118

April 26, 2023

Dean Edith Pomposo
Peoples College of Law
660 S Bonnie Brae St
Los Angeles, CA 90057

RE: April 2023 CBE Action – Review of Probationary Progress Report – Peoples College of Law

Dear Dean Pomposo:

The Committee of Bar Examiners met on April 21, 2023 to discuss the law school's compliance status and contents of the probationary progress reports received through the date of the Committee's meeting. After careful consideration, the Committee took the following action:

MOVE, that the Committee of Bar Examiners receive and file Peoples College of Law's probationary progress report filed in part on April 1, 2023 and in part on April 5, 2023.

FURTHER MOVE, that the committee advises that the submission of late, incomplete, or inconsistent progress reports will contribute to the committee's assessment of whether the law school is able to achieve and sustain compliance.

FURTHER MOVE, that the law school be directed to document compliance status as to Rule 4.241 and California Business and Professions Code section 6061 in its May 2023 progress report, including documenting: 1) whether the law school provided the specified law student with a disclosure for the spring 2020 term; 2) whether it has received a signed disclosure from the student who did not sign a disclosures for the fall 2022 term as of the date of the April 2023 progress report; 3) whether that the law school has "clearly advis[ed] the public, prospective students, and current students of its status on probation affirmatively and clearly, including attaching a copy of the probationary terms to student disclosures;" 4) whether it refunded the tuition of the students who made a payment prior to receiving a disclosure, or a full explanation for each of those students as to why the refund was not issued; 5) providing consistent and complete information, including any disclosures omitted from the April 2023 progress report; and 6) explaining discrepancies between the disclosure status charts provided in March 2023 and April 2023.

FURTHER MOVE, that the law school continue to be directed to take prompt action to establish full compliance and take the actions noted in Attachment E from the committee's March 2023 meeting, as well as any other steps necessary to avoid noncompliance with any other Rule or

Guideline, and to provide evidence of this in its May 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.

The invoice related to this matter is attached and due within 30 days of the date of this letter. The law school's prior invoice from March 2023 is due on May 5, 2023.

Regarding the law school's request that all deadlines be in writing, the law school will be responsible for all deadlines adopted by the Committee, whether or not received in writing. The State Bar will strive to forward deadlines in writing, but the Committee did not agree to the law school's request that it only be bound by deadlines in writing. The law school is responsible for following the Committee's directives. It is the Committee's practice, as was done in April, to involve the law school in discussion when setting a deadline, to show the deadline on a screen, and to have a recording of the meeting available where the verbal and written discussion can be accessed. The recordings are available online at <https://board.calbar.ca.gov/Committees.aspx>. The law school may invite any number of staff and volunteers to attend the meetings and review the recordings in order to ensure that the law school is apprised of Committee directives.

Sincerely,

Natalie Leonard

Natalie Leonard
Principal Program Analyst



The State Bar of California

OFFICE OF ADMISSIONS

Peoples College of Law

VD Review of Progress Report – Peoples College of Law – April 2023 CBE Meeting

Invoice Date: 4/27/2023

Invoice Number: 2023-009

INVOICE

Description	Amount
13.75 Hours Staff Time @ \$275 per hour	\$3781.25
* Note: Separate invoice related to March 2023 CBE Meeting due May 5.	
Total Deposit:	
Total due if paying by check:	\$3781.25
Add 2.5% to the total if paying by credit card	
Total if paying by credit card:	

Make checks payable to The State Bar of California and submit payment with this form to:

The State Bar of California, Educational Standards
180 Howard Street
San Francisco, CA 94105-1639

OR: Fill out credit card information and fax with cover letter to 415-538-2361, but do not email.
Please note: The school will be charged a fee of 2.5% of the total amount for any credit card transactions.

CREDIT CARD INFORMATION

Name on Card / Bank Account:

Billing Address:

Billing City, State, Zip:

Telephone Number:

Email Address:

Credit Card Type: MasterCard Visa Amex Discover

Credit Card Number:

Credit Card Security Code: Expiration Date:

Signature of Card/Account Holder:



**OPEN SESSION
AGENDA ITEM IV.B.
JUNE 2023
COMMITTEE OF BAR EXAMINERS**

DATE: June 23, 2023

TO: Members, Committee of Bar Examiners

FROM: Natalie Leonard, Principal Program Analyst, Office of Admissions

SUBJECT: Action on Probation and Progress Report, Request for Waiver to Teach Classes Online Due to COVID, and Major Change – Change of Administrative Headquarters – Peoples College of Law

EXECUTIVE SUMMARY

The Committee of Bar Examiners (committee) placed Peoples College of Law (PCL) on probation effective December 2, 2022 through May 30, 2024, and directed the law school to file monthly progress reports on the first day of each month. Since the last committee meeting, the law school filed a timely, but materially incomplete progress report in May 2023 (Attachment A) and did not update the report when staff identified the missing portions in a communication to the law school (Attachment B). The June 2023 progress report (Attachment C) addressed more of the issues, generally listing future timelines when progress is projected. The law school also requested extension of a waiver to teach classes online due to the pandemic (Attachment C, Att. H), as well as a major change request involving the sale of the law school building and move to a new space not yet identified. (Attachment C, Att. G). Staff and PCL exchanged three emails regarding the June progress report (Attachments D-F).

BACKGROUND

Peoples College of Law is a registered, unaccredited fixed-facility law school founded in 1974 and located in Los Angeles, California. It is a stand-alone law school and solely offers a JD program.

Volunteer faculty teach the students in a building owned by the law school.¹ (PCL 2022 Annual Report). During the fall 2022 term, PCL enrolled 21 students (9 1L; 9 2L; 2 3L; and 1 4L); during the spring 2022 term, PCL enrolled 14 students (4 1L; 7 2L; 2 3L; 1 4L). ([Jan. 2023 Cal. Bus. & Prof. Code section 6061.7\(a\) disclosure; email from Peoples College of Law Administrator, March 24, 2023, 5:45 p.m.](#)).

SUMMARY OF PROBATION CONDITIONS

On December 2, 2022, the committee placed PCL on probation through May 30, 2024. ([Item O-400](#), Committee of Bar Examiners Meeting, Dec. 2, 2022). The probationary order set forth the following conditions of probation:

RESOLVED, that the Committee of Bar Examiners finds that Peoples College of Law is not in compliance with the unaccredited law school rules, but it has made perceptible progress toward compliance.

FURTHER RESOLVED, that the committee places the law school on probation through and including May 30, 2024, with the understanding that the law school must demonstrate that sufficient progress has been made toward compliance, or its registration as an unaccredited law school will be withdrawn, with the law school's progress to be reviewed at the committee meeting in October 2023 and April 2024, and agree to submit to annual inspections thereafter until the committee is satisfied that compliance is likely to be sustained.

FURTHER RESOLVED, that the law school be directed to provide monthly progress reports to the State Bar on the first of the month as to each element of probation during the full term of probation, and to provide a self-study and submit to an inspection in 2023.

FURTHER RESOLVED, that the law school be directed to clearly advise the public, prospective students, and current students of its status on probation affirmatively and clearly, including attaching a copy of the probationary terms to student disclosures, web disclosures, the web home page, and communications shared with prospective students.

FURTHER RESOLVED, that the committee reserves the right to terminate this probation prior to its scheduled conclusion if the law school fails to make or sustain adequate progress.

([Committee of Bar Examiners' Minutes, December 2, 2022 Meeting](#)).

Though the committee's original order contemplated a review in October 2024, PCL requested clarification of the order and review in a letter on March 1, 2023.

At its March 2023 meeting, the committee responded to PCL's letter by confirming that, consistent with its prior directives issued since 2020, PCL's progress reports must include status as to "each element of probation," which is each recommendation noted in its 2020 inspection

¹ Classes have been taking place online since Spring 2020 under an emergency waiver approved by the committee due to the pandemic. This waiver expires in August 2023.

report². The committee also confirmed that in areas where PCL had demonstrated compliance following the 2020 inspection report, PCL must sustain compliance and avoid falling out of compliance with other rules or guidelines. If the law school falls out of compliance, it must include a plan and timeline to come into compliance in that area in the monthly progress report. As a courtesy, the committee provided the law school with another copy of each of the recommendations from the 2020 inspection report and a summary of PCL's compliance or lack thereof for each recommendation (derived generally from their prior submissions). (See [O-402 Attachment E](#), Committee of Bar Examiners Meeting, March 24, 2023).

The committee also reviewed PCL's January, February, and March 2023 progress reports and requested more information to give the law school another opportunity to demonstrate whether its disclosure practices comply with Rule 4.241 and California Business and Professions Code section 6061.

The committee adopted the following motion at its March 2023 meeting, extending the deadline for the April 2023 progress report to April 4 as a one-time courtesy:

MOVE, that the Committee of Bar Examiners receive and file the probationary reports filed by Peoples College of Law in January, February, and March 2023.

FURTHER MOVE, that in response to Peoples College of Law's March 2023 letter seeking information as to its compliance status and required actions, that staff transmit to the law school the annotated summary and restatement of the probationary order set forth in Attachment E (amended to be due, EOD, April 4).

FURTHER MOVE, that committee direct the law school to take prompt action to establish full compliance and take the actions noted in Attachment E, as well as any other steps necessary to avoid noncompliance with any other Rule or Guideline, and to provide an update and documentation in its April 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.

FURTHER MOVE, that Peoples College of Law must clearly and fully document compliance with Rule 4.241 and California Business and Professions Code section 6061 in its April 2023 progress report by providing evidence that the procedures set forth in California Business and Professions Code [section] 6061 and Rule 4.241 were followed or that refunds were issued. Failure to do so will be taken as evidence of noncompliance and the committee may move to terminate the law school's registration.

(Committee of Bar Examiners' Meeting, March 24, 2023, adopted motion posted onscreen, posted via meeting recording).

² Prior to the imposition of probation, PCL was already required to write annual progress reports addressing each recommendation identified in the law school's inspection report. ([Minutes of Meeting of August 20, 2020 Meeting](#), Adopted at Committee of Bar Examiners Meeting, October 16, 2020).

The law school's April progress report included timelines in some areas but not others, and continued to omit topics requested. After reviewing the report, the committee adopted the following motion at its April 2023 meeting, urging the law school to file complete, consistent reports with timelines. The committee also asked a series of specific questions related to disclosures and providing notice to students about the law school's probationary condition and disclosure compliance, and repeated its admonishment to the law school to maintain full compliance with disclosure requirements:

MOVE, that the Committee of Bar Examiners receive, and file Peoples College of Law's probationary progress report filed in part on April 1, 2023 and in part on April 5, 2023.

FURTHER MOVE, that the committee advises that the submission of late, incomplete, or inconsistent progress reports will contribute to the committee's assessment of whether the law school is able to achieve and sustain compliance.

FURTHER MOVE, that the law school be directed to document compliance status as to Rule 4.241 and California Business and Professions Code section 6061 in its May 2023 progress report, including documenting: 1) whether the law school provided the specified law student with a disclosure for the spring 2020 term; 2) whether it has received a signed disclosure from the student who did not sign a disclosures for the fall 2022 term as of the date of the April 2023 progress report; 3) whether that the law school has "clearly advis[ed] the public, prospective students, and current students of its status on probation affirmatively and clearly, including attaching a copy of the probationary terms to student disclosures;" 4) whether it refunded the tuition of the students who made a payment prior to receiving a disclosure, or a full explanation for each of those students as to why the refund was not issued; 5) providing consistent and complete information, including any disclosures omitted from the April 2023 progress report; and 6) explaining discrepancies between the disclosure status charts provided in March 2023 and April 2023.

FURTHER MOVE, that the law school continue to be directed to take prompt action to establish full compliance and take the actions noted in Attachment E from the committee's March 2023 meeting, as well as any other steps necessary to avoid noncompliance with any other Rule or Guideline, and to provide evidence of this in its May 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.

DISCUSSION

This discussion reviews PCL's updates contained in its May and June 2023 Progress report, which include as part of the June 2023 progress report, a request to extend its emergency waiver to teach classes online as a fixed-facility law school due to the COVID pandemic, and a major change request identifying the sale of the building already in progress, with the criteria for a subsequent space yet to be shared.

PCL's MAY AND JUNE 2023 PROGRESS REPORTS

On May 1, 2023, the law school filed a timely but materially incomplete progress report. Staff provided a detailed list of omissions as a courtesy, referencing the committee's original requests. For example, the law school did not address the specific questions asked by the committee in paragraph 3 of its April 2023 motion. The law school did not amend or complete the report.

On June 1, 2023, the law school filed a report that responded to more of the identified issues and contained more timelines than the prior report.

On June 13, 2023, the law school paid its overdue invoices related to the work presented and discussed at the March and April committee meetings.

A summary of key outstanding issues after reviewing the reports is below using the item numbers identified in the original inspection report for clarity and consistency between filings each month.

Item 1 Testing Accommodations

In response to prior inquiries to the State Bar from students who were not able to understand the law school's testing accommodations process, the law school posted a Testing Accommodations request form on its new website which will be helpful to students. The law school should also advise students about what information they must submit from their treating professionals, as this was an issue identified in two student complaints raised to the State Bar this year. One of those complaints has been resolved, and the law school is reviewing the other complaint.

Item 2/4 Disclosures

Issues still exist with the law school's disclosures required to be distributed to students pursuant to Rule 4.241 and those disclosures required to be posted on the law school's website pursuant to Business and Professions Code section 6061.7(a).

Under Rule 4.241 and Business and Professions Code section 6061, unaccredited law schools must provide a specific disclosure statement to students prior to each term before the student makes a payment for that term. The student must sign the statement and receive a copy of the signed disclosure. This disclosure informs law students of the responsibilities and possible limitations of attending an unaccredited law school, the resources available at the law school, as well as the law school's performance and compliance status. The remedy for failure to comply or to issue refunds in the event of noncompliance warrants a result of termination of registration under Rule 4.241 (E).

Staff has been requesting compliance since December 2022 and the committee has been requesting compliance since January 2023. At this point, the law school has determined the

status of its distributed disclosures, and needs to file the necessary refunds. It must also present a compliant plan for the fall 2023 term since its new process set in place for the winter 2023 term did not result in full compliance.

Each month, so far until June, the law school indicated that it was researching the status of its distributed and signed disclosures. In the May 2023 Progress report, PCL stated that “PCL is working with CBE staff on the analysis of the Fall [2022] and Winter [2023] disclosures. Data to be provided to the CBE.” No data was provided following the submission of the May Progress Report. As a result, State Bar staff used the data already provided to create a list of those who did not appear to receive a disclosure or a signed disclosure. (Attachment B). It also directed the law school to respond to the questions enumerated in the Committee’s April motion, which were not included in the May progress report.

In its June 2023 progress report, the law school created a list of missing disclosure documents and students entitled to refunds, and indicated that it will provide the refunds in twelve weeks, so long as PCL’s governing board approves when it meets on June 18. Staff has asked for an update after PCL’s governing board meets. The timeline seems generous, allowing twelve additional weeks to process the refunds.

In June 2023, after a direct Committee order and a follow-up from staff, PCL responded to the majority of the questions posed in the committee’s April motion, though it did not respond to the final question asking why there were discrepancies in the data provided from month to month.

Because the law school will not be issuing refunds until the end of August, it should plan ahead to include the status in its September 1 progress report.

The law school does not appear to be solving this issue accurately or expeditiously, and appears despite the repeated direction from the committee.

In addition, on June 8, 2023, State Bar staff discovered that the law school’s web disclosure required under California Business and Professions Code section 6061.7(a) contains an error as to the amount of tuition and fees charged to earn a JD degree, appearing to overstate it. The law school was advised to correct and repost this disclosure as soon as possible.

Item 7 Secure Testing

The law school now uses security software and proctoring for exams. The June progress report references a procedure in which an instructor may delay exams at their discretion for one or more students, and the law school does not appear to have limitations related to timing, fairness, or examination security as to that policy. The policy should be evaluated and studied during the inspection if the law school does not revise it.

Item 10 Staffing

The law school admits noncompliance in the area of staffing. While the May 2023 progress report did not directly address the committee's question as to why the exam coach position was not continued, when the law school previously identified that position as important to maintaining a sound program of education, after a further reminder from staff, the law school did respond. (Attachment C, p. 63). They advised that "PCL has integrated curriculum alignment faculty meetings with the 1L faculty this year. The purpose of these meetings was to support first-year exam preparation efforts taking place on Saturdays with the resource coordinator and academic preparation in the classroom." (Attachment C, p. 82).

The June 2023 progress report also indicates that additional full-time hires are expected by mid-August 2023.

Item 11 Faculty Evaluation

The law school described a more robust faculty evaluation process, but in May was nonresponsive to the State Bar's request to understand whether and to what extent the policy has been implemented, and whether it has helped the law school to deliver grades on time. In June, PCL advised that fall grades were delivered on time, and in spring grades for one class are delayed. (Attachment C, p. 69). The law school previously indicated that it had created a backup plan to provide course grades on time if a professor was unable to do so. The law school does not advise why that policy was not used here, or whether that policy has been effective.

A supplement later in the report describes the process in more detail, and indicates the dates that student feedback was sent. To date, the law school does not provide any evidence that it has issued evaluations to instructors, though it suggests that evaluations may issue at the end of this school year, and that satisfactory evaluation will be a factor in determining whether an instructor will be invited back to teach in future terms. (Attachment C, p. 110-111).

Item 13 Clinical Courses

The law school was asked to identify who was overseeing students' clinical work currently, since PCL's policy describes a temporary procedure implemented by a prior dean, but does not describe what is being done now. The law school's May report was nonresponsive, as noted by staff. In the June 2023 report, the law school advised that the policy related to clinical course oversight is not compliant, but a compliant policy will be created later this summer.

Item 14 Grade Review

The law school has posted a policy for administrative grade appeal. The policy for reviewing grades prior to issuing them to students does not state who will be reviewing or what their qualifications are, noting that students may be part of the grading team. The law school has been asked to advise who is conducting the reviews currently. While the May 2023 report was nonresponsive, the June report advises in that "[t]he revision [to the school's current policy] adds the requirement that student examinations papers, as well as grades, must be reviewed and approved by the Dean or other legal educator before grades are posted. Adoption of a revision

is scheduled to be considered at the next meeting of our board of directors,” but does not list the date, the qualification of the reviewers, or the methods used.

Item 16 Course Repetition

The law school updated its course repetition policy to ensure compliance. However, it mentions a policy in which a student that earned a failing grade could raise the grade by doing extra credit or repeating the final, so further revision is needed. Guideline 2.9(B) provides that “[a] law school must adopt written policies on examinations and grading that are fair and . . . [g]rades should indicate . . . the student’s level of achievement.” Here, the law school has had an issue with grade inflation that has spanned several inspections, resulting in grades that did not realistically help students assess their progress, and this practice may contribute to that issue.

Item 18 Library

The law school is not in compliance with the library requirement. It indicates that it will be in compliance by the end of August by securing a line of credit on its property, but also indicated that it is in the process of selling its property and will use part of the proceeds to purchase the library volumes. It is unclear which course of action the law school is taking. (Attachment C, p. 113-114). It is also concerning that they were advised of this need in January 2020, and are planning the volumes needed just now.

Item 19 Record Storage

The law school indicates that it must enhance its recordkeeping to comply with guideline 9.1 and proposes to do so by September 1. (Attachment C, p. 114-115).

PCL Describes Improvement

PCL filed timely progress reports in May 2023 and June 2023.

The law school's technical website migration is complete, and the law school indicates that the website technical architecture and content have been fully updated and should be easier for PCL staff and volunteers to update in the future versus the prior website.

By the time of the committee meeting, the law school may also be able to document a more complete plan for compliance with Rule 4.241, first requested in January, since PCL’s Board will meet on June 18 to discuss that matter, though it still estimates that compliance is several months away.

It will also have posted the job descriptions for additional full-time employees, and they may be available to share with the committee.

The law school indicates that it has completed the fourth-year JD course curriculum required for a student who lacked courses to take in fall 2022 and is in the process of reaching out to the student through the registrar.

REQUEST FOR WAIVER TO TEACH CLASSES ONLINE

The law school's June 2023 progress report included a request to extend its waiver to teach classes online due to the pandemic emergency.

Since March 2020, registered, unaccredited fixed-facility law schools have been allowed to teach via distance learning under emergency waivers due to the pandemic. A blanket waiver applying to all schools was in place initially. Then schools were asked to apply individually and advised that they should make permanent decisions appropriate for their schools and file any major changes needed to operate in the law school's preferred format beginning in fall 2023.

This decision has further implications for Peoples College of Law because the school's library is out of compliance, and PCL must know whether to meet the requirements for a fixed-facility law school or a distance learning law school.

Staff has been periodically reminding the law school of the need to make a permanent election since 2021, noting that absent the filing of a major change, the law school is expected to return to fixed-facility teaching in fall 2023. PCL previously indicated it would be returning to fixed-facility teaching and purchasing the required library volumes.

Consistent with the practice applied to other schools, the law school has had sufficient time to file a major change to adjust its category, and there is still time for the law school to make an application to be considered at the committee's August 2023 meeting if the law school acts quickly and files a complete request early in July 2023. Staff has already sent the law school a courtesy notice of the past reminders. (Attachment D).

Under Rule 4.208, "[a] law school may request that the Committee waive any rule or guideline. The request must clearly show that the law school otherwise complies with the rules. (B) The Committee will allow a law school a reasonable time to comply with the rule or guideline for which it has granted a waiver, but a waiver is temporary."

On June 13, 2023, the law school sent an email advising that they would be ready to teach classes in-person in fall 2023, presumably withdrawing this waiver request. (Attachment E).

It is recommended that the committee deny this emergency waiver for clarity, and require the law school to file a major change requesting a change of category if it wishes to offer a distance learning program.

REQUEST FOR MAJOR CHANGE OF ADMINISTRATIVE HEADQUARTERS

Under Rule 4.246, a law school must file a request for major change if it plans to “chang[e] the location of the law school’s administrative office.”

At several committee meetings, PCL advised that it planned to sell its building. The law school was advised to file a major change request to request the required approval.

Instead, the law school listed its building for sale, and placed it into escrow, ignoring repeated verbal and written requests to file a major change.

As part of the June 2023 progress report, the law school included a major change request advising that it would be selling the building and was planning to move, but has not yet located a space. It is unclear what type of space the law school is seeking. The law school indicates that it is open to renting a space if it has not found a permanent space in time to operate for the fall 2023 term.

It is recommended that the committee seek more information before deciding whether to approve this major change. PCL should be asked to confirm: 1) its category and provide a major change request if that category is distance or correspondence instead of the current fixed-facility; 2) its plans to fulfill the library required by its category choice; 3) the contingency plan if a space is not found; 4) the criteria being used to seek a permanent location; and 5) how those criteria are appropriate for the category selected, whether fixed-facility or distance learning.

COMPLIANCE CONCERNS REMAIN

In March 2023, the committee directed the law school “to take prompt action to establish full compliance and take the actions noted in Attachment E, as well as any other steps necessary to avoid noncompliance with any other Rule or Guideline, and to provide an update and documentation in its April 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.”

The committee and staff have spent a significant amount of time describing and repeating compliance concerns. The law school frequently ignores these requests until multiple reminders have been issued, including committee motions. The June 2023 progress report captures some progress during the past five months, but does not project additional significant progress until the end of the summer. It is also unclear where the law school will operate in the fall, what category of instruction it plans to use, or whether the library will come into compliance.

Given the amount of progress made or sustained over the last three years, there is a serious question as to whether the law school will be able to fulfill its compliance responsibilities.

RECOMMENDATIONS

It is recommended that the Committee of Bar Examiners receive and file Peoples’ College of Law’s May 2023 progress report, the June 2023 progress report, the Request for Waiver to Teach Classes Online due to the Pandemic Emergency, and the Major Change to the Administrative office filed along with the June 2023 progress report.

It is also recommended that the committee again remind PCL that the submission of late, incomplete, or inconsistent progress reports will contribute to the committee's assessment of whether PCL is able to achieve and sustain compliance.

It is further recommended that the law school update the committee as to its compliance in general, but in particular with the student disclosures required by rule 4.241 and California Business and Professions Code section 6061.7(a), requested by the committee since January 2023, for which failure to comply can result in termination of registration.

It is further recommended that the law school file as soon as possible and no later than its July 1, 2023 progress report a motion for permanent change to the distance learning category if it intends to teach classes online in fall 2023, or alternatively affirm in its July 1, 2023 progress report that it will be teaching classes in-person in a fixed-facility category in fall 2023.

It is further recommended that the law school supplement its major change request to change its administrative office as soon as possible and no later than its July 1, 2023 progress report to confirm: 1) its category and provide a major change request if that category is distance or correspondence instead of the current fixed-facility; 2) its plans to fulfill the library required by its category choice; 3) the contingency plan if a space is not found; 4) the criteria being used to seek a permanent location; and 5) how those criteria are appropriate for the category selected, whether fixed-facility or distance learning.

In addition, consistent with the committee's guidance in March 2023, PCL should be reminded of its responsibility to take prompt action to establish full compliance, as well as any other steps necessary to avoid noncompliance with any other rule or guideline, and to provide evidence of this in its July 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.

PROPOSED MOTION

Should the Committee of Bar Examiners agree with the staff recommendation, the following motion should be made:

MOVE, that the Committee of Bar Examiners receive and file the following documents from Peoples College of Law: May 2023 progress report, June 2023 progress report, including Attachment H Request for Waiver to Teach Classes Online due to the Pandemic Emergency, and Attachment G Major Change to the Administrative Office.

FURTHER MOVE, that the committee again remind PCL that the submission of late, incomplete, or inconsistent progress reports will contribute to the committee's assessment of whether PCL is able to achieve and sustain compliance.

FURTHER MOVE, that the law school update the committee as to its compliance in general, but in particular with Rule 4.241 and California Business and Professions Code 6061.7(a), requested since January, for which failure to comply can result in termination of registration.

FURTHER MOVE, that the law school be directed to file, as soon as possible and no later than its July 1, 2023 progress report, a motion for permanent change to the distance learning category if it intends teach classes online in fall 2023, or alternatively affirm in its July 1, 2023 progress report that it will be teaching classes in-person in a fixed-facility in fall 2023.

FURTHER MOVE, that the law school supplement its major change request to change its administrative office as soon as possible and no later than its July 1, 2023 progress report 1) confirm its category and provide a major change request if that category is distance or correspondence instead of the current fixed-facility; 2) its plans to fulfill the library required by its category choice; 3) the contingency plan if a space is not found; 4) the criteria being used to seek a permanent location; and 5) how those criteria are appropriate for the category selected, whether fixed-facility or distance learning.

FURTHER MOVE, that consistent with the committee's guidance in March 2023, PCL should be reminded of its responsibility to take prompt action to establish full compliance, as well as any other steps necessary to avoid noncompliance with any other rule or guideline, and to provide evidence of this in its July 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.

ATTACHMENTS LIST

- A. May 1, 2023 Peoples College of Law Progress Report
- B. Staff Response to May 1, 2023 Peoples College of Law Progress Report
- C. June 1, 2023 Peoples College of Law Progress Report
- D. Staff Preliminary Response to June 1, 2023 Progress Report
- E. PCL Response to Staff Preliminary Response to June 1, 2023 Progress Report
- F. Staff Second Response to June 1, 2023 Progress Report



The State Bar of California

OFFICE OF ADMISSIONS

180 Howard Street, San Francisco, CA 94105

Natalie.Leonard@calbar.ca.gov
415-538-2118

June 28, 2023

Dean Edith Pomposo
Peoples College of Law
660 S Bonnie Brae St
Los Angeles, CA 90057

RE: June 2023 CBE Action – Review of Probationary Progress Report – Peoples College of Law

Dear Dean Pomposo:

The Committee of Bar Examiners met on June 23, 2023 to discuss the law school's compliance status and contents of the probationary progress reports received through the date of the Committee's meeting. After careful consideration, the Committee took the following action.

Please note that in several instances, the Committee rejected the law school's proposed timelines. Please be sure to adhere to the Committee's directions in its motions.

The motion as adopted at the June 23, 2023 meeting is as follows:

MOVE, that the Committee of Bar Examiners receive and file the following documents from Peoples College of Law: May 2023 progress report, June 2023 progress report, including Attachment H Request for Waiver to Teach Classes Online due to the Pandemic Emergency, and Attachment G Major Change to the Administrative Office.

FURTHER MOVE, that the committee again remind PCL that the submission of late, incomplete, or inconsistent progress reports will contribute to the committee's assessment of whether PCL is able to achieve and sustain compliance.

FURTHER MOVE, that the law school update the committee as to its compliance in general, but in particular with Rule 4.241 and California Business and Professions Code 6061.7(a), requested since January, for which failure to comply can result in termination of registration.

FURTHER MOVE, that the law school be directed to file, as soon as possible and no later than its July 1, 2023 progress report, a motion for permanent change to the distance learning category if it intends teach classes online in fall 2023, or

alternatively affirm in its July 1, 2023 progress report that it will be teaching classes in-person in a fixed-facility in fall 2023, with the understanding that the law school will not be permitted to change to the distance learning category until a proper motion has been reviewed and approved by this committee.

FURTHER MOVE, the law school is directed to supplement its major change request to change its administrative office as soon as possible and no later than its July 1, 2023 progress report with sufficient detail for the committee to evaluate the proposal including: 1) confirming its category and providing a separate major change request if that category is distance or correspondence instead of the current fixed-facility; 2) documenting its plans to fulfill the library required by its category choice; 3) describing the contingency plan if a space is not found; 4) documenting the criteria being used to seek a permanent location and the location in which classes will be taught in fall 2023; and 5) documenting how those criteria are appropriate for the category selected, whether fixed-facility or distance learning. The law school will not be permitted to change its administrative headquarters until a proper motion has been reviewed and approved by the committee.

FURTHER MOVE, that consistent with the committee's guidance in March 2023, PCL should be reminded of its responsibility to take prompt action to establish full compliance, as well as any other steps necessary to avoid noncompliance with any other rule or guideline, and to provide evidence of this in its July 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.

FURTHER MOVE, that the law school be required to provide a copy of this order to all current and prospective students until further notice, and post this motion prominently on its website home page along with the original probationary order, and attach this motion to student disclosures.

FURTHER MOVE, that all outstanding requests and compliance actions, except as noted, must be completed and documented by the law school in the August 1, 2023 progress report.

The invoice related to this matter is attached and due within 30 days of the date of this letter.

As a reminder, as stated in prior committee meetings and in the law school's last summarization letter, that:

“The law school will be responsible for all deadlines adopted by the Committee, whether or not received in writing. The State Bar will strive to forward deadlines in writing, but the Committee did not agree to the law school’s request that it only be bound by deadlines in writing. The law school is responsible for following the Committee’s directives. It is the Committee’s practice . . . to involve the law school in discussion when setting a deadline, to show the deadline on a screen, and to have a recording of the meeting available where the verbal and written discussion can be accessed. The recordings are available online at <https://board.calbar.ca.gov/Committees.aspx>. The law school may invite any number of staff and volunteers to attend the meetings and review the recordings in order to ensure that the law school is apprised of Committee directives.”

Thank you for your prompt attention to this matter.

Sincerely,

Natalie Leonard

Natalie Leonard
Principal Program Analyst



The State Bar of California

OFFICE OF ADMISSIONS

Peoples College of Law

June 2023 Review of Progress Report – Peoples College of Law – June 2023 CBE Meeting

Invoice Date: 6/28/2023

Invoice Number: 2023-011

INVOICE

Description	Amount
22.75 Hours Staff Time @ \$275 per hour	\$6256.25
* Note: Separate invoice related to March 2023 CBE Meeting due May 5.	
Total Deposit:	
Total due if paying by check:	\$6256.25
Add 2.5% to the total if paying by credit card	
Total if paying by credit card:	

Make checks payable to The State Bar of California and submit payment with this form to:

The State Bar of California, Educational Standards
180 Howard Street
San Francisco, CA 94105-1639

OR: Fill out credit card information and fax with cover letter to 415-538-2361, but do not email.
Please note: The school will be charged a fee of 2.5% of the total amount for any credit card transactions.

CREDIT CARD INFORMATION

Name on Card / Bank Account:

Billing Address:

Billing City, State, Zip:

Telephone Number:

Email Address:

Credit Card Type: MasterCard Visa Amex Discover

Credit Card Number:

Credit Card Security Code: Expiration Date:

Signature of Card/Account Holder:



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June 28, 2023

Dean Edith Pomposo
Peoples College of Law
660 S Bonnie Brae St
Los Angeles, CA 90057

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FURTHER MOVE, that the committee again remind PCL that the submission of late, incomplete, or inconsistent progress reports will contribute to the committee's assessment of whether PCL is able to achieve and sustain compliance.

FURTHER MOVE, that the law school update the committee as to its compliance in general, but in particular with Rule 4.241 and California Business and Professions Code 6061.7(a), requested since January, for which failure to comply can result in termination of registration.

FURTHER MOVE, that the law school be directed to file, as soon as possible and no later than its July 1, 2023 progress report, a motion for permanent change to the distance learning category if it intends teach classes online in fall 2023, or

alternatively affirm in its July 1, 2023 progress report that it will be teaching classes in-person in a fixed-facility in fall 2023, with the understanding that the law school will not be permitted to change to the distance learning category until a proper motion has been reviewed and approved by this committee.

FURTHER MOVE, the law school is directed to supplement its major change request to change its administrative office as soon as possible and no later than its July 1, 2023 progress report with sufficient detail for the committee to evaluate the proposal including: 1) confirming its category and providing a separate major change request if that category is distance or correspondence instead of the current fixed-facility; 2) documenting its plans to fulfill the library required by its category choice; 3) describing the contingency plan if a space is not found; 4) documenting the criteria being used to seek a permanent location and the location in which classes will be taught in fall 2023; and 5) documenting how those criteria are appropriate for the category selected, whether fixed-facility or distance learning. The law school will not be permitted to change its administrative headquarters until a proper motion has been reviewed and approved by the committee.

FURTHER MOVE, that consistent with the committee's guidance in March 2023, PCL should be reminded of its responsibility to take prompt action to establish full compliance, as well as any other steps necessary to avoid noncompliance with any other rule or guideline, and to provide evidence of this in its July 2023 progress report. If the law school cannot document compliance in a particular area, the law school must provide an explanation and detailed, documented timeline and action plan as to when compliance is expected to be achieved.

FURTHER MOVE, that the law school be required to provide a copy of this order to all current and prospective students until further notice, and post this motion prominently on its website home page along with the original probationary order, and attach this motion to student disclosures.

FURTHER MOVE, that all outstanding requests and compliance actions, except as noted, must be completed and documented by the law school in the August 1, 2023 progress report.

The invoice related to this matter is attached and due within 30 days of the date of this letter.

As a reminder, as stated in prior committee meetings and in the law school's last summarization letter, that:

“The law school will be responsible for all deadlines adopted by the Committee, whether or not received in writing. The State Bar will strive to forward deadlines in writing, but the Committee did not agree to the law school’s request that it only be bound by deadlines in writing. The law school is responsible for following the Committee’s directives. It is the Committee’s practice . . . to involve the law school in discussion when setting a deadline, to show the deadline on a screen, and to have a recording of the meeting available where the verbal and written discussion can be accessed. The recordings are available online at <https://board.calbar.ca.gov/Committees.aspx>. The law school may invite any number of staff and volunteers to attend the meetings and review the recordings in order to ensure that the law school is apprised of Committee directives.”

Thank you for your prompt attention to this matter.

Sincerely,

Natalie Leonard

Natalie Leonard
Principal Program Analyst



The State Bar of California

OFFICE OF ADMISSIONS

Peoples College of Law

June 2023 Review of Progress Report – Peoples College of Law – June 2023 CBE Meeting

Invoice Date: 6/28/2023

Invoice Number: 2023-011

INVOICE

Description	Amount
22.75 Hours Staff Time @ \$275 per hour	\$6256.25
* Note: Separate invoice related to March 2023 CBE Meeting due May 5.	
Total Deposit:	
Total due if paying by check:	\$6256.25
Add 2.5% to the total if paying by credit card	
Total if paying by credit card:	

Make checks payable to The State Bar of California and submit payment with this form to:

The State Bar of California, Educational Standards
180 Howard Street
San Francisco, CA 94105-1639

OR: Fill out credit card information and fax with cover letter to 415-538-2361, but do not email.
Please note: The school will be charged a fee of 2.5% of the total amount for any credit card transactions.

CREDIT CARD INFORMATION

Name on Card / Bank Account:

Billing Address:

Billing City, State, Zip:

Telephone Number:

Email Address:

Credit Card Type: MasterCard Visa Amex Discover

Credit Card Number:

Credit Card Security Code: Expiration Date:

Signature of Card/Account Holder:



The State Bar of California

OFFICE OF ADMISSIONS

180 Howard Street, San Francisco, CA 94105

Natalie.Leonard@calbar.ca.gov
415-538-2118

August 28, 2023

Dean Edith Pomposo
660 S. Bonnie Brae Street
Los Angeles, CA 90057

RE: Month 2023 CBE Action – Action on Probation Progress Report

Dear Dean Pomposo:

The Committee of Bar Examiners met on August 18, 2023 to discuss the law school's probation progress report. After careful consideration, the committee took the following action:

MOVE, that the Committee of Bar Examiners receive and file Peoples College of Law's July 2023 and August 2023 progress reports, reminding PCL that submission of late, incomplete, or inconsistent progress reports will contribute to the committee's assessment of whether PCL is able to achieve and sustain compliance.

FURTHER MOVE, that the committee direct PCL to update the committee as to its compliance in general, and as to each aspect noted above, including confirming whether any additional refunds are due pursuant to rule 4.241, and explaining why at least one student was not included on its original refund list when the law school was aware that a refund was due for that student.

FURTHER MOVE, that the committee direct the law school to conduct an immediate analysis to determine whether the transcripts are correct and complete for each student who has attended the law school for any period of time since summer 2020, offering each student or former student the chance to review their transcript for accuracy, and providing results of the analysis to the committee in the September 1, 2023 progress report, advising whether each student's transcript is now correct, or identifying the changes that are still under review and the timeline for completion of the review.

FURTHER MOVE, the committee direct the law school update the committee no later than the September progress report progress report as to its space plans and provide documentation of its right to access the space, filing a timely major change as soon as practicable.

FURTHER MOVE, the committee the committee direct the law school to be prepared to undergo the inspection contemplated by its probation terms, to be conducted as soon as staff can assemble the inspection team, relying upon the law school's progress reports, newly redesigned website, and updated catalog in lieu of a traditional self-study, as these documents should fully describe the law school's best efforts to sustain compliance in full detail.

Attached is the invoice for work completed to date related to monitoring of probation. The invoice is due within 30 days from the date of this letter.

Sincerely,

Natalie Leonard

Natalie Leonard
Principal Program Analyst



The State Bar of California

OFFICE OF ADMISSIONS

People's College of Law
Action on Probation Progress Report – August 2023 CBE Meeting
Invoice Date: 8/28/2023
Invoice Number: 2023-015

INVOICE

Description	Amount
33 Hours Staff Time @ \$275 per hour	\$9,075.00
Total Deposit:	\$0
Total due if paying by check:	\$9,075.00
Add 2.5% to the total if paying by credit card	
Total if paying by credit card:	\$9,301.88

Make checks payable to The State Bar of California and submit payment with this form to:

The State Bar of California, Educational Standards
180 Howard Street
San Francisco, CA 94105-1639

OR: Fill out credit card information and fax with cover letter to 415-538-2361, but do not email.
Please note: The school will be charged a fee of 2.5% of the total amount for any credit card transactions.

CREDIT CARD INFORMATION

Name on Card / Bank Account:

Billing Address:

Billing City, State, Zip:

Telephone Number:

Email Address:

Credit Card Type: MasterCard Visa Amex Discover

Credit Card Number:

Credit Card Security Code: Expiration Date:

Signature of Card/Account Holder:



The State Bar of California

OFFICE OF ADMISSIONS

180 Howard Street, San Francisco, CA 94105

Natalie.Leonard@calbar.ca.gov
415-538-2118

October 20, 2023

Interim Dean Ana Maria Lobos
660 S. Bonnie Brae Street
Los Angeles, CA 90057-3700

RE: October 2023 CBE Action on Progress Report – Peoples College of Law

Dear Dean Lobos:

The Committee of Bar Examiners met on October 13, 2023, to discuss the law school's September and October progress reports and the law school's probationary status. After careful consideration, the Committee took the following action:

MOVE, that the Committee of Bar Examiners receive and file Peoples College of Law's September 2023 and October 2023 progress reports, reminding PCL that submission of late, incomplete, or inconsistent progress reports will contribute to the committee's assessment of whether PCL is able to achieve and sustain compliance.

FURTHER MOVE, that the committee direct PCL to update the committee as to its compliance in general, and as to each open issue noted in the staff report, as part of the law school's November progress report.

FURTHER MOVE, that the committee direct the law school to continue its analysis of transcripts to determine whether the transcripts are correct and complete for each student who has attended the law school for any period of time since summer 2020, offering each student or former student the chance to review their transcript. This includes contacting alumni who have not yet responded, and determining which students completed summer clinics. The results should be included in the law school's November 1, 2023 progress report, identifying status, the transcripts that are still under review, and the timeline for completion of the review.

FURTHER MOVE, that the committee direct the law school to continue to update the committee as soon as practicable on its plan to locate new space and to file the required major change, since the building is already in escrow for sale.

FURTHER MOVE, that the committee direct the law school to continue to cooperate with the inspection team, providing information in a forthright manner that will assist the team to evaluate the law school's compliance status throughout the probation period.

Natalie Leonard
April 5, 2023
Page 2

Attached is the invoice for work completed to date related to the review of the law school's progress reports and probationary status. The invoice is due within 30 days from the date of this letter.

Sincerely,

Natalie Leonard

Natalie Leonard
Principal Program Analyst



The State Bar of California

OFFICE OF ADMISSIONS

People's College of Law
Action on Progress Report – October 2023 CBE Meeting
Invoice Date: 10/20/2023
Invoice Number: 2023-019

INVOICE

Description	Amount
55.5 Hours Staff Time @ \$275 per hour for Action on September and October 2023 Progress Reports	
Total due if paying by check:	\$15,262.50
Add 2.5% Convenience Fee to the total if paying by credit card	
Total if paying by credit card:	\$15,644.06

Make checks payable to The State Bar of California and submit payment with this form to:

The State Bar of California, Educational Standards
180 Howard Street
San Francisco, CA 94105-1639

OR: Fill out credit card information and fax with cover letter to 415-538-2361, but do not email.
Please note: The school will be charged a fee of 2.5% of the total amount for any credit card transactions.

CREDIT CARD INFORMATION

Name on Card / Bank Account:

Billing Address:

Billing City, State, Zip:

Telephone Number:

Email Address:

Credit Card Type: MasterCard Visa Amex Discover

Credit Card Number:

Credit Card Security Code: Expiration Date:

Signature of Card/Account Holder: