

**REPORT OF THE WSCUC VISITING TEAM**

**SEEKING ACCREDITATION VISIT 1**

THOMAS JEFFERSON SCHOOL OF LAW

April 12-14, 2016

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The team evaluated the institution under the WSCUC Standards of Accreditation and prepared this report containing its collective judgment for consideration and action by the institution and by the WASC Senior College and University Commission. The formal action concerning the institution's status is taken by the Commission and is described in a letter from the Commission to the institution. Once an institution achieves either candidacy or initial accreditation, the team report and Commission Action Letter associated with the review that resulted in the granting of either candidacy or initial accreditation and the team reports and Commission Action Letters of any subsequent reviews will be made available to the public by publication on the WSCUC website.

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## SECTION I – OVERVIEW AND CONTEXT

### I.A. Description of Institution and Visit

Thomas Jefferson School of Law (TJSL) was founded in 1969 and accredited by the Committee of Bar Examiners of the State Bar of California in 1972. TJSL was accredited by WSCUC (WASC Senior Commission at the time) from 1976 to 2006 when it withdrew voluntarily from regional accreditation by WSCUC.

TJSL was formerly the Western State University (WSU) College of Law San Diego. It separated from WSU Orange County in 1995 and was reorganized as a non-profit educational institution and changed its name to Thomas Jefferson School of Law. It was granted provisional American Bar Association (ABA) accreditation in August 1996 and full ABA accreditation in August 2001. In 2008, it became a member of the American Association of Law Schools (AALS).

TJSL has been in continuous operation in San Diego since its inception, and now has more than seven thousand graduates. (TJSL’s graduates are eligible to sit for the California bar exam and since 1996 have been eligible to sit for any bar exam in the United States.) The school’s alumni can be found in private practice, in government practice, and in non-profit public interest law groups throughout the U.S. and in many foreign countries. Many alumni remain in San Diego County in all sectors of the legal profession, among them a member of the U.S. Congress, the current District Attorney and Public Defender, the first Filipina-American judge in the United States, and several prominent federal and state court judges and lawyers.

TJSL’s mission is “to provide an outstanding legal education for a nationally based, diverse student body in a collegial and supportive environment with attention to newly emerging areas of law, particularly those related to technological development, globalization and the quest for social justice.” It seeks to achieve this mission primarily through the offering of the Juris

Doctor (J.D.) degree program. It also offers the five additional non-J.D. law programs, described in detail in this report. Finally, TJS defense offers a joint J.D.-M.B.A. program with the San Diego State University College of Business Administration.

The J.D. degree is offered on both full-time and part-time schedules, with day and evening classes and some distance education courses. New students are admitted in August and January. As of November 11, 2015, there were 663 students enrolled in the J.D. program, including 485 in the full-time program and 178 in the part-time program. The student body is racially diverse: Hispanic – 23.4%; Native American – 2.4%; Asian & Pacific Islander – 13.0%; African-American – 12.1%; Total Minority – 50.8%; White – 48.1%. The LL.M., J.S.M., and J.S.D. programs included another 30 students, for a total of 691 students.

TJS defense has a fairly open admission policy, providing an opportunity for a legal education to students who hold a Bachelor's degree, but may not have high LSAT scores and undergraduate grade point averages. J.D. students take 89 semester credits and most graduates sit for the California bar examination.

TJS defense has been affected profoundly by the decline in law school enrollments over the last five years, the impact of which will be addressed throughout this report. The decline has resulted in a drop in enrollment of nearly 50 percent, restructuring of debt, and reducing and containing expenses. As TJS defense recovers from this crisis and seeks to rebuild, it has plans to diversify offerings in additional law-related areas, which has driven its decision to seek WSCUC accreditation again.

TJS defense is located in exceptionally beautiful modern facilities in the heart of downtown San Diego. It has an administrative staff of 54 full-time employees, organized into six departments. The School has 37 full-time faculty members, including the President and Dean, the Vice Dean and the Library Director.

TJSL was found eligible to apply for accreditation in April 2015. This is its first Seeking Accreditation Visit.

### **I.B. The Institution’s Seeking Accreditation Report:**

#### **Quality and Rigor of the Review and Report**

The Seeking Accreditation Institutional Report (Report), submitted by TJSL on February 1, 2016 was organized by Standards and CFRs and included 102 pages with 139 supporting documents. The Report was mostly narrative and descriptive and, in keeping with the Commission’s expectations, could have been more self-reflective and included identification of challenges and plans for improvement. It described most of the J.D. program thoroughly, but lacked both clarity and needed details on the non-J.D. programs. The Report could have also included more supporting data and evidence upon which decisions were based. As a result, the team made a request for additional extensive documentation in 47 areas of inquiry, including disaggregated data on student performance, bar exam results, and employment; admissions policies and procedures; student, faculty and staff complaints and grievances; demographic data of faculty; course syllabi, exams, and evaluations; information on non-J.D. programs; ABA and AALS reports and correspondence; minutes of faculty and Board of Trustee meetings; a current Strategic Plan; and numerous financial reports and budgets. Multiple digital folders and files of documents were provided to the team one week before the visit. Overall, the Report was helpful, but required substantial supplementary evidence and extensive work for the team to link the narrative to the evidence and available data.

### **C. Response to Issues Raised in the Eligibility Review Committee Letter**

The April 28, 2015 letter informing TJSL of its eligibility contains six major areas for special attention under the Standards of Accreditation. Each of these is stated below with a brief

description of the steps taken to address it and a reference to the section of this report where the matter is addressed in detail.

*1. Continue to create financial sustainability through careful monitoring of budgets and enrollment (CFR 3.4)*

In describing the steps taken by TJSU to address its financial situation, the Eligibility Review Committee (ERC) panel found, “While the panel expressed its appreciation for this new realism and the negotiations that (Dean) Guernsey led to reduce annual, obligations, they also caution that if national law school trends continue a downward trend, these anticipated enrollment declines may be worse than expected. … The panel was also encouraged to hear about other possible revenue generating areas .... The institution’s finances and enrollment will need to be monitored carefully by teams to assess financial sustainability ....”

At the time of the visit, TJSU was adjusting to the major restructuring of the large debt incurred to build the school’s campus in San Diego, which was finalized in late 2014, and to reductions in staffing and other expenses, including pay cuts and increases in teaching and workloads. The team found that addressing TJSU’s financial challenges and bringing it back to financial health were the most important priorities in 2014 and 2015, and that the leadership had done a highly effective job of leading these changes. TJSU projects balanced budgets going forward, but continues to be in a fragile financial position. This matter is discussed in depth under Standard 3, especially CFRs 3.4, 3.5, 4.6 and 4.7, and is the subject of one of the team’s major recommendations at the end of this report.

*2. Complete the revision of strategic plan demonstrating usage of data taking into consideration new realities of TJSU (CFRs 4.2, 4.6, 4.7)*

The ERC noted that the plan provided with the Eligibility application was adopted in 2010 before the dramatic changes in TJSU’s financial and enrollment picture and acknowledged that

the plan would soon be revised, with the faculty leading this effort. The panel also noted the importance of adopting an evidence-based plan, stating, “The first accreditation visit team will want to review the revised strategic plan and find evidence that data and institutional research have provided important information in the process.”

The team found that the strategic plan prepared by the faculty was still in the process of being developed and had not yet been adopted by the board. The team also had some concerns that the plan was not as evidence-based, strategic and useful as it needs to be in view of the challenges that TJS defense faces. The plan would be more effective if it included much more extensive data analysis in several areas, if the many objectives were prioritized, and if accountability was built into the plan (e.g., specific timelines, measurable objectives, assignments to individuals and groups, and methods for monitoring and accountability). This area is covered in more detail under Standard 4, in particular CFRs 4.2, 4.6 and 4.7 on institutional research and planning. This area is also part of a major recommendation at the end of this report.

*3. Complete implementation of educational effectiveness measures including student learning outcomes and assessment (CFRs 2.3, 2.4, 4.1)*

In identifying this area for attention, the ERC stated, “The accreditation team visiting the institution will want to see fully developed SLOs throughout the institution bolstering the assessment processes already in place. Evidence will need to be seen that the results of this assessment are being used to make changes in the program in a complete educational effectiveness effort as expected by WSCUC.”

TJS defense has recently adopted student learning outcomes for its J.D. program and its LL.M./J.S.M. in Taxation. It does not have specific outcomes for its ongoing J.S.D. and other LL.M. programs nor outcomes for its LL.M. in Law Practice, planned for launch in fall 2017.

Outcomes are evident on some but not all syllabi. A first attempt at a curriculum map for the J.D. program was made in preparation for the visit. The TJS defense faculty continues to rely heavily on the traditional methods of assessing student learning, using midterms and end-of-term tests in core doctrinal courses and papers in research courses. The team found that TJS defense was in the emerging stages of assessment of student learning in the J.D. and other programs. See the discussion in Standard 2, CFRs 2.3-2.4, and in Standard 4, CFR 4.1. This area is the subject of a recommendation at the end of this report.

*4. Develop and implement a program review process in addition to ABA (CFRs 2.7, 4.1)*

The ERC panel acknowledged that TJS defense had relied on ABA approval to fulfill the purposes of program review for the J.D. program and recommended that the school compare the content of ABA standards and reports with those that would be expected in a conventional program review, referring to WASC resources.

The team found that no progress had been made in this area, probably because traditional methods of formal programs review are not generally in use at law schools, which rely on ABA approval to serve the purposes of program review. The team had discussions with the academic leadership to explain WSCUC expectations about program review and how ABA approval could be integrated with and leveraged into program review. The team also noted that TJS defense does not have a policy or procedure equivalent to program review that would cover the other non-J.D. programs; these programs are not reviewed in depth by the ABA, which does not approve these programs. Please see Standards 2 (CFR 2.7) and 4 (CFR 4.1) for additional discussion. Program review is covered in one of the major recommendations at the end of this report.

*5. Bring further clarity to faculty governance processes (CFR 3.10)*

The ERC panel called for clear policies on governance.

The team found that faculty governance was clear and that the faculty exercised oversight of the J.D. program through an extensive committee structure and monthly all-faculty meetings. Meetings are well attended and discussions covered important matters requiring attention. However, faculty oversight has not been extended in the same way to the non-J.D. programs, which have not been designed and operated with the same degree of faculty care and oversight. Instead, oversight has been delegated to a few interested administrators and faculty members. This matter is addressed in more depth under Standard 3, especially CFR 3.10, and noted in the major recommendations.

*6. Continue to focus on bar passage rates (CFRs 2.6, 2.10, 2.13)*

The ERC panel lauded TJSU's emphasis on providing opportunity for students who are diverse and underrepresented in the legal profession, but called on the law school to provide the support that students need in order to be successful in completing the program and passing the bar examination.

The team found that this area needs continued attention, in particular, for TJSU to use evidence to make appropriate admissions and retention policies and decisions and to inform and maintain strong and effective academic support services for students. The team also had concerns about the high level of attrition and disqualification and the practice of allowing disqualified students to remain in school. The team noted that the faculty has acknowledged and accepted their responsibility and role in improving student learning and bar passage. But, TJSU's lack of a robust institutional research function impedes its ability to make evidence-based decisions and plans in this critical cluster of issues. This matter was explored comprehensively by the team, is addressed under Standard 2 (CFRs 2.2b, 2.6, 2.10-2.13) and Standard 4 (CFR 4.1-4.3), and is noted in the major recommendations.

## **SECTION II – EVALUATION OF INSTITUTIONAL COMPLIANCE WITH WSCUC’S STANDARDS**

### ***Standard 1: Designing Institutional Purposes and Ensuring Educational Objectives***

TJSL has a clear mission, noted above, which is published and well understood within the community including students. TJSL emphasizes the opportunity it provides to students from diverse and underrepresented backgrounds and the supportive environment it creates for its students. It notes that enhancing the diversity of the legal profession is one of its contributions to the public good. TJSL is also proud its five centers of academic excellence, which allow J.D. students to earn a certificate in a specific area (Center for Global Legal Studies, Center for Law and Intellectual Property, Center for Criminal Law and Policy, Center for Law and Social Justice and Center for Sports Law and Policy). Also, not addressed in its report, TJSL has two legal clinics that provide free legal services and eight additional clinics, for which academic credit is awarded. These clinics serve as a training ground for students. (CFR 1.1)

TJSL has the clear objective for its J.D. program of educating students to become lawyers. On October 21, 2015, the school adopted student learning outcomes for its J.D. and some of its other non-J.D. programs. The J.D. outcomes are published on the TJSL website and on some syllabi. Extensive data about the J.D. degree are published on a required annual disclosure form (called the ABA Standard 509 Information Report). Data on the number of full- and part-time faculty and administrators, curriculum, enrollment and demographics, transfer students, costs, grade point average and LSAT, grants and scholarships, library, attrition, and bar pass are provided on this form. Required alumni employment data by year are also posted.

The team recommends that TJSL publish the student learning outcomes for the non-J.D. programs and provide evidence of achievement of those outcomes as it gathers that kind of

learning data through its emerging assessment processes. The team further recommends that data on student achievement be posted for the non-J.D. programs, e.g., enrollment, completion and professional career outcomes. The team found that data on these programs are not collected in a systematic way or published, and also found the website pages describing the non-JD programs to be incomplete and confusing. (CFR 1.2)

TJSL has explicit statements supporting diversity and lives out these statements by admitting and supporting students of color and other under-represented groups. Scholarships, support for student organizations and activities, and academic support programs are evidence that TJSL honors this aspect of its mission, as is the enrollment itself, which is about half students of color. (CFR 1.4)

As an established institution, TJSL has an extensive array of policies and procedures for faculty, students and staff, including an academic freedom policy; admissions, academic progress and graduation requirements; disability policies and processes; grading policies; and procedures for handling matters such as discrimination and sexual assault and harassment. The only student complaint policy and procedure relates to matters where an ABA Standard is implicated. Given that there are non-J.D. programs and that student may have complaints concerning the J.D. program on matters not covered by ABA Standards, the team recommends that TJSL adopt a general student complaint policy and create a system for responding to and maintaining records of these complaints. (CFRs 1.3, 1.6)

TJSL has complete and accessible student, employee and faculty handbooks that are regularly updated and appears to be transparent in its operations. It has annual audits by an independent auditor. The team observed that the TJSL community appreciated the transparency of the current dean and board concerning the seriousness of TJSL's financial situation. Sharing

details about the challenges and what was being done to address them helped to pull the community together during these difficult times of the last few years. (CFR 1.7)

The team found the community to be open and honest in discussions, whether about its strengths and accomplishments or areas needing improvement. For example, it acknowledged in its report the need for greater attention to assessment and institutional research. The leadership and board discussed openly the work on financial sustainability that it is undertaking. (CFR 1.8)

**The WSCUC team finds that TJSL meets this Standard at a level sufficient for initial accreditation, understanding that only the Commission is authorized to make the final determination as to whether or not an institution is in compliance with the Standards.**

***Standard 2: Achieving Educational Objectives Through Core Functions***

TJSL has achieved a clear and significant commitment to effective teaching and learning and a growing commitment to assessment practices appropriate to the student body in its existing J.D. program. The school and its faculty also have a strong record of high-quality scholarship and educational innovation. Its non-J.D. programs remain very small or are in the developmental stages. Given the law school's overall commitment to excellent teaching and learning, and its appreciation for the value to be gained through the WSCUC accreditation process, it appears likely that it could progress quite rapidly toward eligibility for initial accreditation, including not only the J.D. program, but other degree and certificate offerings that it hopes to establish soon.

**Teaching and Learning**

TJSL has demonstrated clear compliance with many of the CFRs. Areas in which continuing attention are needed include attention to admissions and retention standards, full implementation of student learning outcomes at all levels, including co-curricular and non-J.D.

programs, and completion of program reviews sufficient to satisfy WSCUC standards, not just standards imposed by the ABA. (CFRs 2.1, 2.2, 2.3, 2.7)

Academic Programs: TJSL has a relatively complex J.D. program that incorporates full-time programs that can be completed within three years, with fall and spring admission periods, and a part-time evening program that can be completed in four years. (CFR 2.1)

TJSL has a traditional curriculum. At present, most of its first-year courses run across two semesters for a total of six units (three units in the fall and three in the spring). The first-year curriculum includes Civil Procedure I & II, Contracts I & II, Criminal Law, Legal Writing I & II, Lawyering Skills, and Torts I & II. Many additional courses, corresponding to subjects tested on the California bar exam, are required during subsequent years, i.e. Business Associations, Constitutional Law I & II, Criminal Procedure, Evidence, Professional Responsibility, Professional Skills Course Requirement, Property I & II, Remedies. In addition, the school has an Upper-Level Writing Requirement. The California bar exam may soon require applicants to complete fifteen hours of experiential education before joining the bar. If that proposal is adopted, additional units of academic credit will likely be devoted to bar-mandated coverage, leaving fewer electives out of the 89 credits required for graduation. (CFR 2.1)

Electives are available across a range of courses. As noted above, TJSL also has five “centers” (Global Legal Studies, Law and Intellectual Property, Criminal Law and Policy, Law and Social Justice, and Sports Law and Policy) that provide students with an opportunity to enroll in a sequence of courses, possibly receive support as student fellows, and earn a certificate of recognition for completing all associated requirements. (CFR 2.1)

Experiential education is also important to the school and its students. A Director of Clinical Externship & Pro Bono Programs is responsible for overseeing externships and non-credit pro bono programs, while faculty and administrators oversees the clinical programs.

Faculty members reported that students have asked for supervision in order to offer “self-help” walk-in clinics for members of the community in such areas as labor/employment law, immigration, and family law. (CFR 2.1)

TJS defense J.D. students with ample information about degree requirements in the Student Handbook. The school also engages in a degree audit for students in their third year in order to assure those students that they are in a position to graduate. (CFR 2.2)

TJS defense currently has five non-JD degrees: an LL.M. program in International Taxation and Financial Services, a related J.S.M. degree for tax and financial services professionals; an LL.M. in International Trade & Investment; an LL.M. in American Legal Studies (ALS) for foreign lawyers who want to practice in the U.S.; and a J.S.D. degree for lawyers pursuing academic careers. These programs were started in 2007 and 2008. An LL.M. in Practice Skills will begin in fall 2017. The plan for this program was submitted to the ABA, which “acquiesced” to the offering of this program in 2015. (ABA acquiescence means that the law school is permitted to offer the program, but the program is not accredited by the ABA, as the ABA’s scope of accreditation is only for the J.D. degree.)

The LL.M. and J.S.M. in International Taxation & Financial Services are offered on-line and courses are taught by adjunct faculty located around the world. The programs utilize the Blackboard platform to facilitate class engagement and assignments. These programs, along with the J.S.D., are overseen by the Assistant Dean for Program Development & Distance Education. The students in the LL.M. in International Trade & Investment attend courses taught on campus by full-time and adjunct faculty. The students in the LL.M. in ALS enroll in J.D. courses along with J.D. students. These two programs are directed by a tenured faculty member. The LL.M. programs each require one year of course work, as does the J.S.M. program. The J.S.D. program is typically a three-year program. TJS defense has a Non-JD Program Committee

charged with supervising these programs, but the team found that faculty oversight and supervision is at a minimal level. The team recommends that the full-time faculty engage more deeply in oversight of these programs going forward in keeping with the expectations set forth in the Standards (especially CFRs 2.1, 2.2b, 3.10). In addition, the school needs to evaluate the programs through a system of program review, to integrate the SLOs into all programs, and to formulate useful methods of assessment and data collection. (CFRs 2.1-2.3, 2.6, 2.7, 4.1-4.3)

*Admissions and Retention:* Legal academia is mired in an historic nationwide downturn in the number of applications and law schools are fiercely competing for applicants and matriculants. TJSL is located in a highly competitive region where two other ABA law schools are within several miles of its campus and four additional Orange County ABA law schools are within 95 miles. Potential students have many choices. In addition, the decrease in the applicant pool is more prevalent among students with high LSAT scores. TJSL is at a competitive disadvantage in recruiting students for several reasons. It is unranked by US News & World Report, has had historically some of the lowest bar passage rates of ABA schools in the state, and has received unfavorable press coverage in the last two or three years on issues related to its financial stability and employment of graduates. The school is challenged to attract applicants, especially with high LSAT scores and undergraduate GPAs (UGPA). Recently, the marketing and publication functions that were handled by the Admissions Office were combined with the Marketing and Communications Office thereby providing a consistent outreach strategy with the hopes of attracting more applicants. (CFR 2.2b)

TJSL has witnessed a considerable reduction in applicants and matriculants. The following data tell the story:

- In fall 2012, 301 students enrolled.
- In spring 2013, 173 applied, 118 were admitted, and 65 enrolled.

- In fall 2013, 1497 applied, 1194 were admitted, 258 enrolled.
- In spring 2014, 151 applied, 93 were admitted, and 39 enrolled.
- In fall 2014, 1267 applied, 1072 were admitted, and 201 enrolled.
- In spring 2015, 106 applied, 73 were admitted, and 29 enrolled.
- In fall 2015, 1090 applied, 915 were admitted, and 217 enrolled.
- In spring 2016, 124 applied, 76 were admitted, and 36 enrolled.

Within the past three admissions cycles, the fall applicant pool has decreased from 1497 (fall 2013) to 1267 (fall 2014) to 1090 (fall 2015). Also of note is the decline in selectivity, with the school's admitting between 80% and 84% of the applicants over the past three fall cycles. As a result of this trend, TJS defense has committed to downsize its student body going forward. The school anticipates stabilizing its J.D. enrollment at approximately 550 students with a fall entering class of approximately 200. (CFR 2.2b, 3.4)

Admissions policies and procedures state that, “applicants with an LSAT score and a cumulative GPA at or above our 25<sup>th</sup> percentile are considered presumptive admits.” (According to the school’s most recent ABA 509 statement, the 25<sup>th</sup> percentile for LSAT scores is 141 and UGPA is 2.48.) A meeting with the Assistant Dean of Enrollment Management and the Admissions/Retention/Dismissal Faculty Committee clarified that all applications are holistically reviewed for quantitative and qualitative indications for potential success, and that admission or denial is decided by the Enrollment Management office. Applications sent to the Faculty Committee for review include only applicants with serious criminal violations, serious academic violations, a First-Year Predictor Index below 2.0, an LSAT score below 140, a UGPA below 2.00, and students who previously attended law school (in fall 2015, 37 students were admitted after being disqualified from another law school). Over the past four years, the key indicators of

LSAT and UGPA have been dropping: from 146 LSAT and 2.69 UGPA (2012) to 144 and 2.62 (2013) to 141 and 2.58 (2014) to 141 and 2.48 (2015). Based on the declining predictors of success and size of the applicant pool, the faculty and administration should study the data and review policies and procedures to ensure that only students with a chance to succeed in law school and on the bar examination are admitted. (CFRs 2.2, 2.7)

TJSL's commitment to enrolling a diverse student body creates special responsibilities not to enroll or retain students who cannot succeed and who will leave the school with substantial debt. The school should reconcile its admissions policies and the need to fill its entering class utilizing traditional measures of potential and probability for success. One starting point must be the LSAT scores and UGPA. Data provided by the school showed that eventual bar pass rates for graduates from 2010 through 2015, based on LSAT scores divided into quintiles were 84%, 76%, 75%, 70%, and 60%. Thus LSAT scores are significant in predicting success on the bar. However, the LSAT/bar pass data do not include factors such as UGPA, race, age, outside commitments like work or family, rigor of prior education, undergraduate degree or institution, work experience, and other indicators of potential for success, e.g., resilience and overcoming hardships, that should be reviewed during the admissions process. Nor do these data take into account matriculants who were dismissed after their first year. Similarly, the school must carefully analyze student performance data during law school to glean other indicators of student success and utilize that information in its admissions decision-making. Even indirect evidence from faculty and Academic Support and Bar Preparation staff may be helpful in determining that the proper factors and characteristics are being reviewed during the admissions process. (CFRs 2.2, 2.10, 4.1-4.3)

TJSL has retention and academic disqualification policies that are published in the Student Handbook. Students with GPAs below 1.30 after the first semester and below 2.00 after

the completion of the first year are academically disqualified. Data from the fall 2013 entering class of 255 students revealed that 14% percent of the entering students were academically disqualified after the first year. Of the 53 students eligible for dismissal, 47 petitioned for re-entry and 24 or 51% were granted re-entry. For the fall 2014 entering class, 23% of the students were academically dismissed. Of the 52 students eligible for dismissal, 43 petitioned for re-entry and 21 or 49% were granted re-entry. Thus in recent years about half of the petitions of disqualified students for re-entry were granted. Data provided by the school showed that eventual pass rates for graduates from 2010 through 2015, based on first-year (1L) GPA divided into quintiles were 94%, 82%, 70%, 68% and 49%. The low eventual pass rate for 5<sup>th</sup> quintile students shows that the school must be more vigilant in dismissing those students with low 1L GPAs, especially because the school has determined that there is a high correlation between 1L GPA and bar passage. (CFRs 2.2, 2.7, 2.10, 4.1-4.3)

In addition to the students academically dismissed, for the class entering in the fall of 2013, 7% transferred out and 14% voluntarily withdrew leaving 62% currently enrolled. For the fall 2014 entering class, 6% transferred out and another 7% voluntarily withdrew, leaving 64% of the entering class currently enrolled. In order to decrease attrition, the school should study and collect data on the reasons for withdrawal and establish programs that will improve its withdrawal rates. This is especially important in view of the large financial investment students make in even one year of legal education. (CFRs 2.2, 2.7, 2.10)

In order to maintain academic quality and integrity and a reasonable bar passage rate, the school needs to be thoughtful and deliberate about academically disqualifying students after their first year. It has a responsibility to dismiss students with a low likelihood of ever passing the bar exam, especially in view of student debt. The team understands that this responsibility is also balanced with data that show that students from diverse and nontraditional backgrounds may

need more time to adjust to the rigors of law school. Thus, the school is charged to monitor student performance continuously and to compile and analyze data that will help it make the good decisions about policy and about individual students. Continued focus is needed on good practices in teaching, supporting, and assessing its students, both formative and summative assessments. (CFRs 2.2, 2.6, 2.7, 2.10, 4.1-4.3)

*Bar Passage:* Bar exam results have declined nationally over the past two years. California bar pass rates, usually one of the lowest in the country, last year reached a 30-year low. The reason for the decline has been hotly debated with legal academia: many experts suspect that the decline is tied to a decline in applicant pool LSAT scores, while other experts attribute the decline to students' lack of preparation coming out of college and even generational and non-cognitive factors. Studies have shown that law school GPA (LSGPA) is the best indicator of bar passage, five times more accurate than LSAT scores. TJS's Academic Success and Bar Preparation staff have begun looking at data and working with the IR Consultant. The addition of two academic support staff should free up time for the Assistant Dean to review and analyze the data more closely and to share the findings of research with admissions staff and faculty. It is imperative that the school continue to track and carefully analyze students' LSAT, UGPA, LSGPA and other indicators in relationship to bar performance to guide its academic policies, support, and curriculum. (CFRs 2.2, 2.3, 2.7, 2.10, 4.1-4.3)

Faculty and students acknowledged the low first-time bar pass rates, but touted their success in helping students eventually pass the bar exam and become attorneys. The State Bar of California, as do all states, releases the first-time pass rates for law schools, but not the eventual pass rates. The first-time pass rates are one of the few numeric measures of law school quality, at least as seen by potential students and other people outside the school. The team noted that the ABA is proposing to modify the standard for bar pass to require a 75% eventual pass rate

within two years after graduation. Data provided by the school for takers of any bar exam show that the eventual pass rates have been declining since 2010 and suggest that it will be a challenge to reach the proposed ABA standard. The data show that 86% of 2010 graduates passed within two years; 83% for 2011 graduates; 73% for 2012 graduates; 71% for 2013 graduates. (Of the 2014 graduates, 67% passed to date, but the two-year limit has not been reached yet.) Beyond the statistics, everyone must be cognizant of the significant financial and emotional ramifications of failing a bar exam and having to study and sit for it multiple times. (CFRs 2.2, 2.6, 2.10)

TJSL's administration, faculty and staff clearly committed to helping its graduates achieve levels of performance sufficient to pass the bar exam. The faculty acknowledges its role and responsibility in this endeavor and has not relinquished the task of bar passage solely to the academic and bar support staff. After incurring a substantial drop in its graduates' first-time bar pass starting in 2009 and averaging 48% over the past seven summer California bar exams (46%, 58%, 33%, 52%, 50%, 45%, 48%), the school (particularly the dean, faculty, and Board of Trustees) are giving this matter concerted attention. The school has adopted numerous strategies to embed bar performance requirements within its curriculum. (CFR 2.1, 2.6, 2.7, 2.10, 3.1)

The following list reflects some of the ways in which TJSL is addressing this issue.

- The school has set the retention standard for students completing the first year of law school at a 2.00 law school GPA.
- In 2012, the faculty adopted the recommendations of an ad hoc committee to engage in a number of intensive teaching, learning, and assessment initiatives designed to improve performance on the bar exam ("AHARC" initiative). These new initiatives included creating a week-long orientation program; offering midterm examinations in first-year courses and providing feedback, reviewing the exam with students and referring the bottom 20% to the Academic Success Program; establishing a series of

- Academic Success workshops for all students prior to and following midterm exams; involving student “learning assistants” to assist students in various core classes; engaging in intensive formative assessment in first-year courses, including use of multiple-choice exams similar to those tested on the bar exam; and assigning students who perform poorly after the first semester to an “at-risk program” for the second semester that involves more work with faculty members and practice on numerous assessment exercises.
- In the second semester, students are again given midterms and are also required to take final exams in a format similar to the bar examination with three subjects being tested over a short number of days, including both essay and multiple-choice type questions. Students with first-semester GPAs below 2.20 are considered “at-risk” and are required to participate in Lawyering Skills II by taking essay and multiple-choice exams, and attending study groups directed by Academic Success staff.
  - Students who continue beyond the first year in the J.D. program are also subject to rigorous oversight. If their GPA is 2.40 or below, they are required to follow the Intensive Curriculum and enroll in Legal Principles, Legal Foundations, and Legal Synthesis I or Pre-Bar Fundamentals, and two additional bar subjects.

The team was impressed by the faculty’s willingness to embrace the AHARC recommendations. It was even more impressed to find that, in numerous meetings with faculty committees and with the faculty at large, there was widespread interest and commitment to moving forward with significant energy to address these challenges. This spirit of improvement was also evident in discussions with adjunct faculty with whom the team met. Perhaps most notably, as best the team could determine, 28 of the 37 faculty members attended the meeting between the team and the faculty at large. (CFRs 2.1, 2.4, 3.1)

Student Learning Outcomes: The faculty is deeply engaged in improving teaching and learning in the J.D. program. Working through its Assessment and Outcomes Committee (AOC), and with the significant contributions of the Vice Dean, the faculty developed a set of student learning outcomes (SLO) that has been discussed, debated, adopted, and now embraced by the faculty. Before adopting the J.D. Program SLOs, the full-time faculty consulted with adjuncts and alumni. (CFRs 2.3, 2.4)

Assessment of student learning using these outcomes is in its infancy. In 2015 the AOC chair, Vice Dean, Assistant Dean of Academic Success, and Library Director attended professional conferences on assessment, including a WASC workshop. The AOC is committed to giving these SLOs continuing attention, and has indicated that it plans to assess student achievement on each SLO on a rolling basis over the next several years. The AOC is constituted in a way that allows continuing involvement by leading faculty members over several years, and has membership that intersects with other key faculty committees. (CFRs 2.3, 2.4, 4.1)

The AOC has most recently focused on developing a curricular map that endeavors to track where and how SLOs are incorporated into ongoing courses. There remains significant work to be done in refining the curriculum map and developing plans for assessing student attainment on a systematic, school-wide basis. The AOC is clearly committed to this process, however, and will be able to do more in tracking assessment of SLOs once the school has developed a more coherent institutional research function. As noted above, the adoption and use of SLOs in the non-JD programs is not yet fully in place and requires attention. (CFRs 2.3, 2.4)

It was evident that adjunct faculty had been introduced to and had embraced the importance of focusing on SLOs and evaluating student performance against these measures. Although a review of course syllabi suggests that there is an uneven understanding of related concepts and strategies, the school seems to have a widespread emerging understanding and

commitment to related goals. Related content has also been introduced into advisory material and students seem cognizant of what is expected of them going forward. (CFRs 2.2-2.4)

Discussions with faculty members revealed a deep appreciation for and commitment to use of teaching strategies designed to foster student learning throughout the institution. When asked to describe their students, faculty members observed that its students encounter various challenges, such as the inability to read cases and statutes critically, over-confidence, a lack of self-assessment and regulated learning, experiencing crises outside of school, financial challenges, and poor time management. They noted that some students tended to overestimate their level of mastery, so that it was particularly important to hold students accountable for class preparation, participation, and to provide formative assessment. The faculty is deeply committed to providing individualized assistance to students. Numerous faculty members commented on the widespread commitment to maintaining extensive office hours and holding extra class sessions when needed, describing that practice as an “ethic of accessibility.” (CFRs 2.5, 2.6, 3.1)

The faculty indicated that as a whole they are open to trying new things and developing new approaches to teaching, both at the micro level and in class design overall. One such example was offered by faculty members teaching Civil Procedure, who indicated that they split that course by giving four hours of instruction in the fall term, complemented by a two-hour course supplemented by adjuncts under their supervision who assisted students in learning how to write court-related documents such as complaints and motions for summary judgment. The group also stressed that excellent teaching was a sine qua non in terms of tenure and promotion review. (CFRs 2.5, 2.6, 2.8, 2.9, 3.2)

Discussion with students confirmed faculty efforts. The students noted the importance of the “learning assistant” program that provided students with extra practice opportunities under the supervision of professors. They stressed that professors developed sample problems and

multiple-choice questions for use in their sessions with students, and commented on how much they appreciated faculty engagement, not only in the classroom, but also in informal discussions and activities of student organizations. The level of faculty engagement with students and students' active involvement in learning was confirmed in the outside Law School Survey of Student Engagement (LSSSE) in 2012 and 2015. (CFRs 2.5, 2.6, 2.10)

TJSL utilizes some of the most extensive feedback for students that members of the team have ever witnessed. Faculty members expressed a widespread commitment to using multiple formative assessments throughout their classes and through their student learning assistants, such as midterm exams with feedback. The Legal Writing professors and Academic Success staff incorporate a series of structured writing exercises with feedback through their courses and in workshops. Additionally, Academic Success staff provides students with extensive opportunities to receive feedback on outlines and practice exams. All these efforts increase students' accountability for mastering core concepts and building core competencies in reading and writing. Beyond the first year, faculty members, especially in subjects tested on the bar exam, and the Bar Preparation staff provide extensive feedback. A major challenge is getting students, especially those struggling, to take full advantage in these resources. (CFRs 2.4-2.6, 2.13)

*Program Review:* TJSL has relied heavily on periodic ABA review as a means of engaging in program review. Because the ABA only recently began to require learning outcomes and assessment, many law schools whose programs have traditionally been limited to J.D. degrees have not had to consider broader questions about the nature of systematic program review and the benefits that might be attained through embracing such higher education practices. Unlike the ABA, WSCUC's assessment and program review requirements are intended to help schools focus very deeply on strategies for assessing student learning, and more broadly on methods that reflect a "culture of evidence" in making educational decisions. TJSL

should also bear in mind that it need not engage in duplicative reviews for purposes of the ABA and WSCUC, but as it proceeds might focus on “gaps” between the two processes that need to be addressed for WSCUC purposes, while at the same time engaging in cross-references between factual statements and analysis that may be comparable as between the two accreditation regimes. Further, program review of the non-J.D. programs is needed to meet WSCUC Standards. (CFRs 2.7, 4.1)

#### *Scholarship and Creative Activity*

Despite its recent financial challenges, TJSU and its faculty remain deeply committed not only to teaching, but also to scholarship. The bibliography of faculty publications bears witness to that commitment, as did the discussions with the faculty at large and with members of the Appointments and Tenure & Promotion committees. During the at-large faculty meeting, participants noted how much emotional support they give each other in the interest of maintaining a shared community commitment to scholarly inquiry and publication. Unfortunately, TJSU has been unable to provide much financial support during its recent era of financial constraints: it has eliminated summer research stipends, sharply limited travel to scholarly meetings, and curtailed scholarly sabbaticals. Faculty members hoped to resume frequent scholarly colloquia, noting that the time demands associated with 3+2 teaching loads had undercut their conversations on scholarship during the past year. (CFRs 2.8, 2.9)

#### *Student Learning and Success*

TJSU annually reports graduation and retention data for the ABA Questionnaire and employment data for the ABA and NALP, which is also published on its website. At the team’s request, the school provided disaggregated data on student performance. As noted above, the school is at the emerging stage of collecting, using, and analyzing the appropriate data to identify the characteristics of student success or failure in admissions, retention, graduation, bar passage,

and employment and to use the data to improve student achievement. Based on its very diverse student body, the school should consider tracking and analyzing each individual student and his or her related characteristics to ascertain factors for success or failure. Collecting, analyzing and sharing the results of this research among the various decision-making groups (e.g. admissions, retention, academic support, student affairs, faculty and administration) would lead to evidence-based decisions and policies and better outcomes overall. It should be noted that no data were available on the retention, completion and other outcomes of the non-J.D. programs were provided in the institutional report and only limited data were made available later. (CFRs 1.2, 2.10, 4.1-4.3)

The school concedes that this is an area for improvement and the Vice Dean has tasked the Registrar and Database Administrator with developing more detailed reports on J.D. graduation rates, withdrawals, transfers, and dismissals disaggregated by multiple factors, such as full-time and part-time program and incoming predictors. (CFR 2.10) The school recently appointed an Institutional Research (IR) Director and retained an experienced psychometrician as a consultant. However, progress has been inconsistent and the team noted the absence of a skilled institutional researcher/statistician to strategize, develop, coordinate, and implement an effective IR plan. The team determines that developing an effective IR function and culture and process for evidence-based decision making and planning is essential to the future of the law school. (CFRs 2.10, 4.1-4.3, 4.6, 4.7)

TJSL relies on LSSSE surveys and conversations with students to determine student satisfaction. LSSSE surveys were conducted in 2012 and 2015 and revealed high student satisfaction with the school. The team met with four students and five alumni who shared positive comments about the administration, faculty and direction of the school.

Course/instructor evaluations, completed by the students online, have long been used in the J.D. program. (CFRs 2.10, 4.4, 4.5)

TJSL lists four J.D. co-curricular programs: Alternative Dispute Resolution Team, Trial Team, Moot Court Honor Society, and the Thomas Jefferson Law Review. All four programs are currently directed by either tenured faculty or the full-time teaching staff. All programs teach various components of student learning outcomes, but the syllabi and program materials do not specifically align with the learning outcomes recently established by the faculty. Students are required to complete specific assignments and minimum hours to receive course credit. Student participants complete course evaluation forms. Evaluations from external parties, such as competition judges and attorney advisors, would be useful in evaluating the effectiveness of the programs and identifying areas for improvement. The programs are evaluated by the vice dean and, in the case of Law Review, a designated faculty committee. (CFRs 2.11, 4.5)

TJSL provides comprehensive support for the students in the areas of student services, disabilities and accommodations, academic support, financial aid, and career services. The team noted good coordination and communication among the staff within these departments. The Assistant Dean of Student Affairs (ADSA) just recently served as chair of the AALS Section on Student Services. Student Affairs provides general counseling for students, including school policies and procedures, health and wellness, graduation requirements, and entry into the legal profession, including applying for accommodations on the bar exam and moral character questions. The ADSA supervises the pre-screening for disabilities, reviews accommodations requests, and works with the exam coordinators to meet the needs of students with disabilities. Students suspected of having a disability are referred for testing and evaluation to outside consultants that have experience working with law students. The ADSA attends all Student Bar Association (SBA) meetings and organizes the Dean's Forums. (CFRs 2.12, 2.13)

TJS defense also has an exceptional academic support and bar success program. Currently, there are four persons who hold positions on the staff, one on a long-term contract and three as adjunct professors. The academic support/bar staff will expand in the fall 2016 by two positions, one in Academic Success and one in Bar Preparation. The Assistant Dean supervises the Associate Director of Academic Success, Director of Bar Preparation, and Associate Director of Bar Preparation. Although the staff members are relatively new to academic support, they have shown a strong desire to learn and a high commitment to student success. The Assistant Dean acknowledged that it usually takes at least five years to develop a culture for a new program to be fully embraced and utilized by the students. (CFRs 2.12, 2.13)

Academic Success staff are engaged in teaching key subjects in the first year, such as Orientation, Lawyering Skills I in the first semester, and in the “at-risk program” offered in the second semester. Bar Preparation staff teach Pre-Bar Fundamentals. The academic support staff plays a crucial role in advising and working with individual students, conducting workshops, training student assistants, and creating a notable system of support and accountability for student performance. Based on comments from faculty and academic support staff, the individual meetings are critical to diagnosing and addressing the challenges encountered by each individual student. (CFR 2.12)

The academic support program and first-year curriculum rely on identifying at-risk students and engaging in early intervention. Although the school does not have a pre-orientation program to service students with low pre-law indicators, admitted students are encouraged to access pre-law materials on the new student portal. Prior to the first semester, students participate in an intensive one-week orientation, which focuses on academic and study skills for law school. Students are closely monitored in the early weeks of the semester to identify those who are struggling. Students must complete writing assignments both in Lawyering Skills I,

taught by the Academic Success staff, and Legal Writing courses, which are both designed to identify struggling students. The Academic Success staff works closely with faculty and the Legal Writing staff.

In their final year, students begin preparing for the bar exam by enrolling in Legal Synthesis I or Pre-Bar Fundamentals, courses taught by the Bar Preparation staff that are focused on review of the subjects tested on the bar exam and provide practice on the three test formats on the bar exam. The school had retained an external bar review course providing students with a partially subsidized course, but that contract expires this summer and will not be renewed due to lack of student interest. Students have typically enrolled in one of three major commercial bar review courses, supplemented by additional practice essays administered and reviewed by Bar Preparation staff. Although the staff has not collected data on the effect of the programs offered, they should begin collecting the data about students participating in the supplemental services to ascertain the effectiveness of the programs they offer and to identify areas for improvement. The Bar Preparation staff spoke with pride about providing services after graduation, including the Continuing Bar Candidates Program, available to students who did not pass the bar exam.  
(CFRs 2.10, 2.12, 2.13, 4.1)

The Financial Aid office provides entrance and exit counseling using online resources and offers individual counseling as needed. The school has an emergency loan program lending up to \$2000 to be repaid within 90 days. The director also advises students on commercial bar exam loans to support the students while studying for the bar exam. Providing adequate financial aid counseling to students is critical since the school has a very high debt load per student at over \$170,000. (CFR 2.13)

The Director of Career Services acknowledged the spotlight that has shined publicly on students' employment outcomes. The school has been aggressively expanding its outreach into

the regional legal community, targeting regional bar association events. The director works closely with the Vice President of Institutional Advancement and the Director of Marketing and Communications to identify potential employers, current and future employment trends, and new growth areas, such as an alumnus who specializes in representing San Diego's growing craft beer industry. Also, recognizing that most TJS defense students will secure employment through networking, the office provides workshops on networking, interviewing, resume writing, and career counseling in the traditional externship and employment opportunities. (CFR 2.13)

TJS defense provides complete information to potential transfer students on its website and in the Student Handbook. Potential transfer students are evaluated by the Vice Dean and Director of Academic Administration. The school enrolls very few transfer students, e.g., five transfer students in the past three years, three students from three different ABA schools (spring 2014), one from a California-accredited school (fall 2014), and one from another California-accredited school (fall 2015). As with other students, the school should track the performance of these students with special attention to their ability to pass the bar exam. (CFR 2.14)

**The WSCUC team finds that TJS defense meets this Standard at a level sufficient for candidacy, understanding that only the Commission is authorized to make the final determination as to whether or not an institution is in compliance with the Standards.**

***Standard 3: Developing and Applying Resources and Organizational Structures to Ensure Quality and Sustainability***

**Faculty and Staff**

**Faculty:** TJS defense reports 37 full-time faculty members, additional regular instruction by nine full-time teaching staff, and several dozen adjuncts. After "right-sizing" the faculty through early retirement incentives, the student-faculty ratio will not exceed 16:1. In the coming year,

two new academic support positions are planned, and a potential vacancy on the full-time faculty may allow a new tenure-track hire. Currently all tenure-track faculty have tenure. The law school will need to pay continuing attention to the balance of full-time and adjunct faculty, and their roles in the curriculum, going forward. The non-J.D. faculty are selected and hired by the Assistant Dean for Program Development and Distance Education and are all adjuncts. The Assistant Dean provides training and oversight. These faculty are not integrated with the J.D. faculty. (CFR 3.1)

The full-time faculty possesses a range of years of experience in teaching and relevant legal practice. The faculty is also balanced with roughly equal numbers of men and women. However, only one in six full-time faculty members is from a racial or ethnic minority group, compared to over half of the student body. Given TJS's commitment to serving diverse and underrepresented student populations, this disparity warrants continuing attention. (CFR 3.1)

TJS faculty are productive and recognized scholars and bring sufficient and appropriate specialized skills and experience to teaching doctrinal subjects, skills-oriented courses, clinics, and professional concentrations. Four of the five specialty certificate programs are directed by professors, and the direction of the Center for Sports Law and Policy has been assumed by a very involved alumnus-practitioner. Faculty and staff include a distance learning expert and leaders in skills training and law teaching. TJS faculty are actively engaged in governance, the academic program, and serve on committees responsible for a range of administrative functions. (CFR 3.1)

The faculty's 2013 adoption of coordinated teaching practices and student assessment requirements required collective and course-specific innovations, including initial work in articulating SLOs. The faculty stepped up to these challenges with a shared commitment, even in the face of salary rollbacks. The administration and faculty remain committed to maintaining

coverage of core courses primarily by full-time faculty and sequencing of first-year courses for full-time, part-time, fall, and spring cohorts. (CFR 3.1)

Faculty members welcome the reduction of teaching responsibilities to a four-course load beginning in 2016-2017 as an opportunity to recapture time for scholarship and faculty development. Despite reduction in funding, some faculty members were able to continue professional development with outside grants or self-funding, but the cuts combined with increased teaching loads impinged on faculty scholarship. The restructuring will allow some restoration of travel resources in the coming year. Most significantly, the course reduction will free energy for more scholarship and programming. (CFRs 2.8, 2.9, 3.1, 3.3)

Evaluation of faculty comes from several quarters. A Tenure & Promotions Committee reviews faculty teaching, service, and qualifications for grants of tenure or long-term contracts. Before tenure, a committee of peers evaluates teaching and scholarship every two years, including class observations. There is no prescribed post-tenure peer review aside from that triggered by promotion to full professor. The standard student course evaluation form covers specific skills imparted as well as techniques and results are available to the administration and faculty. Data across courses and programs are not systematically aggregated or disseminated. Finally, faculty members complete an annual report of activities reviewed by the Dean. A Faculty Handbook outlines appointments, promotion and tenure processes. (CFRs 3.2, 3.3)

Faculty and staff development activities were put aside during the financial crisis. There is so much experience on the faculty, especially in law school pedagogy and skills development, that it would clearly benefit the faculty to resume these discussions. It would also benefit the faculty to continue discussions on assessment of learning outcomes and program review to insure their full implementation. (CFR 3.3)

TJS defense has a fairly typical tenure and promotion policy that contemplates that faculty members demonstrate strength in teaching, scholarship, and service. Each faculty member is expected to complete a yearly assessment form that provides the dean with information on scholarship, teaching, and service, including committee assignments and other related information. Standard teaching evaluations are also employed in each class, allowing for numeric assessment and commentary. (CFR 3.2)

The school has moved toward placing full-time instructors such as those involved in the academic support, bar success, and experiential learning programs on a contract basis that provides for reappointment for one, three, and five years, as time on staff increases. Just recently, three instructors, two clinicians and one academic support services, were granted long-term contract status. (CFRs 3.2)

Adjuncts are selected by the Vice Dean, who provides mentoring and counsel regarding course design for beginning teachers and also reviews performance on course evaluations in order to determine reappointment. The school does not engage in course observation of adjuncts. Adjunct personnel teaching on-line courses are selected and overseen by the Assistant Dean for Program Development. There is a separate faculty committee on “Non-J.D. Curriculum” that also has a role in approving such programs, but it may be prudent for the faculty to become more engaged in the oversight and evaluation of these expanding programs. (CFRs 3.1-3.3)

#### Fiscal, Physical, and Information Resources

As evidenced by its financial statements, TJS defense is a financially fragile institution. Two years ago, TJS defense had approximately \$127 million in bonds outstanding and had difficulty making payments, due in large part to the dramatic decline in law school enrollment. The School’s principal and interest payments previously totaled approximately \$12 million annually. On October 28, 2014, TJS defense executed a Restructuring Support Agreement (RSA) with its

bondholders. The transaction was finalized on December 11, 2014 and transferred the school's building to the former bondholders who cancelled the bonds. In return, the school leased the building and assumed a lease and note payments totaling \$6 million per year with interest paid at the rate of \$1 million per year. Principal will be paid out of excess cash flow. This note is projected to be paid in full during the 17-year term of the note.

Currently, TJSI is not in compliance with Financial Responsibility Ratios prescribed by the U.S. Department of Education (ED), which has resulted in a requirement to have an irrevocable letter of credit of approximately \$6,741,688 and a finding of a viability ratio of -0.9. The December 2015 cash-flow forecast shows that TJSI will have small operating profits over the next several years; however, because of the provisions of the debt agreement, there will be a net negative cash flow. TJSI under the forecast is expected to have approximately \$4 million in cash throughout the forecasted periods, which represents its safety net, given that it has no current ability to secure additional financing. Under the long-range forecast, TJSI is not expected to meet the minimum ED viability ratio for approximately 17 years. The leadership believes, based upon discussions with the ED that the ED will grant waivers of the timeline guidelines to return to the minimum viability ratio. In addition, TJSI knows of another institution that has not met the viability ratio requirements for the past 12 years and the only requirement it has is the maintenance of an irrevocable letter of credit. (CFR 3.4)

Effective management and oversight of finances is bolstered by regular monitoring and financial reporting, which includes a comprehensive monthly internal financial statement. Financial statements and supplemental schedules are reviewed in detail by the CFO, the Dean, the General Counsel, and the Chair of the Board of Trustee Audit Committee. Once those financial documents are reviewed and approved by the school, they are then sent to its lenders and members of the Board of Trustees Audit Committee. More comprehensive reporting

packages are sent to the lenders on a quarterly and semi-annual basis. These reports go through the same review process. (CFR 3.4)

TJSL's financial statements are prepared in accordance with generally accepted accounting principles and are audited each year by an independent accountant. These audits are conducted in accordance with generally accepted auditing standards and are consistently issued with "unqualified opinions." (CFR 3.4)

The budgeting appears to be realistic; however, it is dependent upon meeting the enrollment management projections. TJSL is a highly tuition-dependent institution (over 90%) and is currently dependent upon the both J.D. and non-J.D. tuition revenue. It has not developed other tuition sources, gifts or auxiliary revenues to support its mission. The budget does not currently anticipate general compensation changes for the next few years. The faculty and staff have not had compensation adjustments since approximately 2011. The budget process calls for the Vice President of Finance and the Dean to draft the budget with input from the department chairs. Once a draft budget is prepared, it is shared with the Faculty Budget Committee to receive input from the faculty. The budget is finalized and then presented to the Board of Trustees for approval. (CFR 3.4)

The draft strategic plan appears to be in a rudimentary stage and needs to be updated to reflect the current situation of the institution. It needs to incorporate milestones and metrics. There is a Faculty Strategic Planning Committee which is involved with the drafting of a new strategic plan. Once the plan is completed and reviewed by all stakeholders, there should be a clear linkage between the plan and the budget of TJSL, which was not evident at the time of the visit. (CFRs 3.4, 4.6, 4.7)

Technology Resources: The technology resources of TJSL currently meet the needs of the institution. Over the past several years, the technology programs have been brought current for

the various software updates. The IT department is not involved in distance education platforms provided in the non-J.D. programs, which has been outsourced to an outside provider to host the associated platform. A non-IT person is responsible for the content management on the site. The IT department has been downsized from a high of nine staff members to its current size of three staff. If the technology requirements of TJSL expand, there will be a need for additional IT resources to support the expansion. (CFR 3.5)

*Information Resources:* The law school has an excellent library collection of more than 268,000 volumes and volume equivalents and more than 97,000 web-based titles. Hard copies include 112,000 volumes. Extensive online services are available for faculty and students. The library facility is attractive, spacious, quiet and appropriate for research and study. The staff includes 10.5 FTE with a well-qualified director, associate directors and reference and other specialized librarians. The library provides hard-copy and electronic research training.

#### Organizational Structures and Decision-Making Processes

TJSL has a full-time chief executive officer (the Dean) and a full-time chief financial officer. The Dean has 30 years of experience in legal academia, including 15 years as a law school dean before joining TJSL in 2013. The CFO has been at TJSL since 1997 and previously worked with another higher education institution. TJSL has a sufficient number of other qualified administrators. (CFR 3.8)

The TJSL organizational structure and decision-making processes appear to be clear, with the Dean vested with authority. The Dean makes decisions after consulting with applicable constituencies of faculty, staff, and Board of Trustees. The current priority is the financial sustainability of the institution. (CFRs 3.6, 3.7)

TJSL has an independent governing Board of Trustees. The Board consists of eleven members, including 10 men and one woman, and four persons of color. The board members'

experience includes judicial officers, attorneys, businessmen including a CPA, and a law professor. The Board plans to soon add another woman with experience in finance and eventually expand to its maximum of 21 members. It will be seeking additional members with business experience, more academics and alumni, and more gender and racial diversity. (CFRs 3.6, 3.9)

The Board works through eight committees, including Academic Affairs and Institutional Identification, Audit, Development, Finance and Investments, Governance & Long-Range Planning, Personnel, Risk Management, and Bylaw and Policy Review. Most of its work is done in committees that report to the full Board and decisions are made during the quarterly meetings. During the recent crisis, the entire Board met more frequently, every other month. Board members were instrumental in working with the Dean to negotiate the restructuring of the debt. The Board is expected to conduct an annual review of the Dean, although it has not been done recently because of the urgency of the financial crisis that TJS defense has faced. (CFRs 3.6, 3.9)

TJS defense's faculty exercises effective leadership and oversight of the J.D. program, as highlighted by its adoption of the AHARC and its work on the SLOs and assessment. The faculty works through its 15 committees and one ad hoc committee. The full-time and part-time faculty and teaching staff appeared knowledgeable on topics of concern and faculty attendance at full faculty meetings is commendable. There are several areas for enhancement and improvement as noted in this report, including that the faculty have not been sufficiently invested in the development, adoption, evaluation and oversight of the small, but growing non-J.D. programs. The team is confident the faculty will take appropriate action. (CFR 3.10)

The team found that the dean and board leadership was worthy of commendation, for facing the financial crisis with wisdom, clarity of purpose, and transparency. As noted below, this leadership has put TJS defense on a better path and helped to create an environment in which

faculty and staff remain dedicated and hardworking despite pay cuts and freezes and greater workloads.

**The WSCUC team finds that TJS defense meets this Standard at a level sufficient for candidacy, understanding that only the Commission is authorized to make the final determination as to whether or not an institution is in compliance with the Standards.**

***Standard 4: Creating an Organization Committed to Quality Assurance, Institutional Learning, and Improvement***

**Quality Assurance Processes**

Although a number of decisions about instruction and programs have been informed by evidence, TJLS does not yet have established systems or processes to inform planning, decisions, and improvements on an ongoing basis. Potentially relevant data reside in various academic and non-academic departments including Admissions, Registrar, Academic/Bar Support, Career Services, and with the faculty, yet there is no system to harvest and analyze data routinely. Many of the institution's examples of the use of evidence were reactions to emerging concerns, such as a low bar pass rate, which prompted data review, reflection, and consideration of adjustments to replace or strengthen one activity or another. While these adjustments have been numerous and thoughtful, initiatives appear to occur on an ad hoc basis rather than as a result of a regular and systematic data collection/analysis and program review that is tied to the institution's decision making and long range planning. At the programmatic level, the ABA annual reviews drive data collection, reporting, and improvement. As noted elsewhere, the ABA does not review and accredit TJS defense's five non-J.D. programs and little data collection and analysis of those programs have been undertaken (CFRs 4.1, 4.2)

As a freestanding law school, TJLS shares no university infrastructure that has a fully staffed institutional research process and its IR function is ad hoc and decentralized and lacks a common plan and vision. TJLS has recently retained an IR consultant, a psychometrician, to identify and evaluate predictors for success on the bar examination. His first review of the repeat class policy adopted in 2010 and modified in 2011 may shed light on the efficacy of that isolated curriculum change. Additional analysis of subsequent initiatives including the 2012 Intensive Curriculum and Academic Support reorganization and the 2013 “AHARC” faculty initiatives might tease out effects of these overlapping and evolving pedagogic changes. However, these are only proposed targets and temporary IR projects and do not serve as an IR plan over the long haul (CFRs 4.1-4.3)

Apart from the 2015 report to the ABA, the institution’s report and exhibits did little to show student performance numbers by demographic categories and type of intervention. Raw data provided in response to team requests for disaggregated student performance results underscored the insufficiency of TJSL’s information collection. Indeed, the TJSL faculty recognized the need for regular data collection to monitor the results of changes in the grade curve, noting that the departure of an IT employee caused data gathering to “have fallen by the wayside.” Sharing data, evaluations, and adjustments outside of an immediate program area is not a regular practice. The school has explored software that might support more robust data collection and analysis, but does not yet have a vision or a budget for that expansion. WSCUC accreditation will require substantially improved data collection, analysis, and dissemination and a plan to use data to support institutional planning, policy development, and strategic decision-making. (CFRs 4.1-4.3)

As noted above, TJSL also needs to adopt and implement a program review process under which all academic programs undertake a periodic, comprehensive programs review

covering all aspects of the program functioning, including such components as enrollment trends, patterns, and student profile; retention, persistence and completion; currency of curriculum; student performance in co-curricular programs and clinics; faculty qualifications, workload, and productivity; student learning outcomes; bar pass rates (where applicable) and other indicators of student achievement. In keeping with good practice, program review is expected to include self-study and external review, and to result in recommendations that are adopted by the faculty and leadership and integrated with planning and budgeting. The school may wish to leverage its ABA approval process and integrate it with program review, but needs to implement the full policy across all degree-granting programs. (CFRs 4.1, 2.7)

#### Institutional Learning and Improvement

The proposed Strategic Plan states an objective of developing new outcome and assessment policies that meet and exceed the new ABA Standards. The leadership and faculty have taken significant steps toward creating a culture of assessment, but taking these plans from paper to regular practices will be the next challenge. The team observed high faculty activity around student assessment, particularly in executing midterm assessments and other “AHARC” responsibilities. The faculty as a whole, and even the AOC, displayed less concrete engagement with the specifics of course or program assessment. The detailed tasks of creating rubrics for measuring outcomes and launching the next phase of regular, periodic review of teaching and learning has not yet occurred. Still more distant is the utilization of the results of those measures. (CFR 4.4)

The Vice Dean, AOC, and Academic Support have been the primary coordinators of assessment efforts. Faculty, adjuncts, alumni, students, and trustees all expressed enthusiasm and loyalty for TJS defense programs, but structures designed specifically to assess the education programs are not sufficiently established to elicit stakeholder participation. (CFR 4.5)

TJSL leadership has begun a process to engage its multiple constituencies. The faculty's draft Strategic Plan contains lists of objectives with recent activities, action plans, and timeframes, but was not evidence-based, strategic, nor useful as it needs to be in addressing the school's challenges. It did not prioritize measureable objectives, articulate priorities, identify the person(s) accountable for implementation, include completion deadlines, nor calculate the resources required. The Board leadership indicated it will be having a retreat at some date in the future for strategic review. (CFR 4.6)

TJSL leadership is very aware of the changes taking place in legal education, specifically the decline in law school applicants, and the impact that is having and is anticipated to have on the school. Plans are being developed to continue to serve the student constituencies that it has identified as its mission, but with a smaller J.D. enrollment than in previous years. The expansion of non-J.D. programs is in the beginning stages and the school plans to proceed slowly in that area while evaluating the need and market for such programs. The school acknowledged that the non-J.D. programs are important to the fiscal stability of the institution. (CFR 4.7)

**The WSCUC team finds that TJSL meets this Standard at a level sufficient for candidacy, understanding that only the Commission is authorized to make the final determination as to whether or not an institution is in compliance with the Standards.**

### **SECTION III. PREPARATION FOR ACCREDITATION UNDER THE 2013**

#### **HANDBOOK OF ACCREDITATION**

TJSL is well positioned to address the tripartite requirement on the “meaning, quality and integrity” of the J.D. program. Its degrees clearly have a distinctive meaning and the growing work on assessment of the newly adopted learning outcomes will support this undertaking. By the time it is granted Initial Accreditation, it will be better positioned to provide evidence of the

meaning, quality and integrity of its degrees since it will have more learning data on these outcomes. Further, TJS defense measures its quality in part by benchmarking key performance indicators against other law schools, e.g., on the bar results and placement. Finally, the J.D. program is highly sequenced leading to good structural integrity. The area needing the most attention will be on the non-J.D. programs, which have not had the level of enrollment nor the same careful and consistent oversight by the faculty that is given the J.D. program.

TJS defense's financial challenges have focused its attention on the changing higher education environment in a sharp and urgent way. Current and future planning should be based on a deep understanding of this environment, including the shifting demographics, innovations in technology, and new understanding of the ways that students learn. Equally as important will be TJS defense's understanding of the systemic changes in the way that law is practiced and what this means for curriculum and student support. Finally, identifying opportunities in professional education in the legal arena is one of the areas for growth that TJS defense will study as it moves forward.

#### **SECTION IV. INVENTORY OF EDUCATIONAL EFFECTIVENESS INDICATORS**

The current IEEI was helpful to the team and demonstrated the school's efforts to comply with applicable WSCUC requirements. This exhibit shows that TJS defense has an emerging appreciation for what is required to establish well-integrated processes for assessing the quality of student learning and an associated infrastructure capable of supporting such efforts.

At this juncture, the IEEI focused most significantly on TJS defense's J.D. program. It stated the SLOs had been recently established and were available on the school's website. It further indicated that SLOs were referenced in required and bar-tested subjects. Because these efforts are in a relatively early stage, very few course syllabi examined were consistent in carrying

through on this aspiration. The school also stated that, in addition to LSGPAs, it considered bar examination results, employment, LSSSE data, graduation and retention rates, feedback from alumni and supervisors of student externs, and student evaluations. It recognized that there is more to be done, including employing SLOs in embedded assessments (a growing number of which it now requires), gathering additional survey data, and expanding use of rubrics.

TJSL has used data that are currently available to address a number of issues on an ad hoc basis. For example, it set its required grade point average for retention in the J.D. program at the end of the first year based on an analysis of LSGPAs at that point in the program for students who successfully passed the California bar examination or other bar examinations within five years of graduation. The school further indicated that it intended to engage in periodic cycles of review geared to each of its identified programmatic learning outcomes, but has not yet developed concrete strategies for doing so in part because it is still endeavoring to pull together available data that have been developed and maintained by different offices (such as admissions, registrar, academic support, and placement offices). As discussed elsewhere in this report, its efforts to move forward in this process will depend on developing a clearer and more coherent structure for institutional research and supporting informational technology tools.

The school has historically relied upon the ABA's periodic review process for reaccreditation as a means of program review. As discussed elsewhere in this report, WSCUC's conception of "program review" is both more specific and deeper than that employed by the ABA, even though the ABA has now committed itself to evaluate law schools' "learning outcomes" and assessment practices going forward. TJSL will therefore need to develop a strategy for identifying similarities and differences between ABA review and WSCUC-mandated program review going forward. The next ABA visit to the school will take place during 2017, so

it is likely that TJS defense will have worked through some of these complexities prior to the next WSCUC visit.

The school's responses regarding other programs (the current on-site LLM program on American Legal Studies, the current on-line LLM in International Taxation, the current SJD program, and the anticipated on-site LLM in Practical Legal Skills) were not uniformly well developed, and tended to refer back to the J.D. program, from which they need to be more clearly distinguished.

In summary, TJS defense's IEEI exhibit reveals a school that appears to have a good understanding of the importance of assessing student learning, both in the formative and summative stages, and developing a culture of evidence-based decision making. The school has clearly embedded a significant number of assessment opportunities as referenced elsewhere in this report. There is also a clearly demonstrated commitment from the faculty and the school's leadership to engage in meaningful and sustained assessment of student learning. Because TJS defense is new to this effort, its actual implementation of assessment and evaluation strategies and its existing infrastructure will need to be further developed from the time of candidacy to the point at which it receives initial accreditation by WSCUC. It is, however, proceeding apace.

## SECTION V. FINDINGS, COMMENDATIONS AND RECOMMENDATIONS

### Commendations

1. The board and the dean have shown extraordinarily effective leadership, integrity, and determination in addressing the serious financial challenges that the law school has faced in the last three years, including restructuring the debt, reducing expenses, exercising careful fiscal management and oversight, and doing so with transparency and respect to the TJS defense community. (CFRs 3.1, 3.8-3.10)
2. The faculty and staff are accomplished, well qualified and deeply dedicated to the success of the students. They have retained their sense of commitment and loyalty with understanding and grace during challenging times for the law school. The evidence for this conclusion can be seen in their innovations in teaching, continued fine scholarly output, engagement with students, and importantly to their initial work on student learning outcomes. As they have adjusted to the new financial realities, they have approached their work with renewed energy and confidence in the future of TJS defense and its students. (CFRs 2.10, 3.1, 4.4)
3. TJS defense's mission of providing access to a legal education for diverse and underserved groups of students is important to the legal profession and to the community it serves. The alumni and students are grateful for the opportunity they have been provided and the quality of education that they receive. The faculty and academic support program personnel are working to provide effective programs and resources for students and appreciate the value of using evidence to help them understand student needs and formulate plans that will promote student achievement and success. (CFRs 1.1, 2.2b, 2.5, 2.10, 2.13)

4. TJS's faculty has made important steps in the area of student learning outcomes and assessment of student learning, by adopting outcomes for its programs, starting to map the outcomes to courses, and exploring new ways to assess student learning beyond the conventional law school examination and bar pass rates. (CFRs 2.3, 2.4, 4.4)

### Recommendations

1. Although TJS's finances (which are more than 90% dependent on tuition and fees) have been stabilized, long-term sustainability and adequacy of resources over time are not yet assured. The community and leadership are now moving into the next stage of recovery and rebuilding, which calls for developing and implementing prioritized and achievable strategic plans that will lead the school to financial health. Among the areas that require continued attention are enrollment management to ensure a sufficient enrollment of qualified students; consideration of generating revenue from sources other than tuition revenue from the JD program; and careful monitoring of revenue and enrollment, expenses, projected budgets, and strategic plans. (CFRs 2.1, 2.2b, 3.4, 4.6, 4.7)
2. TJS's laudable mission of providing a legal education to diverse and underserved populations carries with it special responsibilities. Admitting a student to law school means that the faculty believes that the student has the potential to succeed in law school and on the bar examination. Admitting a student also carries with it the recognition that the student will invest considerable time and money, will make sacrifices in other parts of life, and may emerge from law school with substantial debt. TJS has an ongoing duty to examine and improve each aspect of the pathway from application to law practice, including admissions screening; financial, academic and personal support for students; effective teaching; a sound curriculum; rigorous standards of performance and application of academic policies on probation and disqualification; good bar preparation;

development of skills for law practice; and assistance in transitioning from law school into the profession after graduation. TJS defense depends on how well the leadership, faculty and staff address this challenge. (CFRs 2.1, 2.2b, 2.6, 2.10, 2.14, 4.4, 4.5)

3. With the adoption of student learning outcomes and emerging work on curriculum maps and the development of rubrics, TJS defense is ready to move to the next level of sophistication in assessment of student learning. The faculty is encouraged to develop assessment plans for the outcomes that will lead to improvements in curriculum, teaching methods, and student learning, and provide new measures of the effectiveness of the education it provides. In addition, publication of the outcomes and learning results is expected under the Standards. (CFRs 2.3-2.5, 4.3-4.5)
4. Undertaking periodic comprehensive program review that includes the use of external reviewers and is tied to planning and budgeting is one of the critical quality assurance processes in higher education. It has not been in place at TJS defense, which has relied on specialized accreditation to fulfill this purpose for the J.D. degree. While institutions may leverage specialized accreditation for use in program review, this accreditation does not fully substitute for program review and does not apply to the non-J.D. programs.  
Adopted and fully implemented program review procedures that apply to all degree programs are expected under the Standards. (CFRs 2.7, 4.1)
5. In order to better understand and improve student achievement and success, better data collection, analysis and dissemination are needed. Although there are promising examples of the use of data in decision making and planning, this practice is not widespread nor systematic. Regular ongoing analysis in key areas, like admissions, academic support, degree completion, and bar pass is not in place. The capacity to analyze data and to use evidence to inform policy decisions and planning is critically

important to building new programs and to improving the quality of existing programs and practices. In order to build robust capacity, central oversight and leadership are needed and information technology may need to be enhanced. (CFRs 4.1-4.7)

6. One of TJS's strategies for diversifying offerings and sources of revenue has been to offer graduate and professional degree programs beyond the J.D. degree, but within the scope of TJS's mission and expertise, including LL.M., J.S.M. and J.S.D. degrees and moving into online courses and programs. While these programs do not yet enroll very many students, they must be properly resourced and supported and treated with the same attention and care that the faculty shows to the J.D. program. This includes faculty and board oversight of the offerings, implementation of learning outcomes and assessment plans, application of quality assurance processes like new program approval by the board and periodic program review, and careful tracking of student completion and achievement. (CFRs 2.1, 2.2b, 2.3-2.6, 4.1-4.4)

## **APPENDICES**

Four federal compliance forms  
Report of distance education programs

## 1 - CREDIT HOUR AND PROGRAM LENGTH REVIEW FORM

Material Reviewed	Questions/Comments (Please enter findings and recommendations in the Comments sections as appropriate.)	
Policy on credit hour	Is this policy easily accessible? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If so, where is the policy located? Student Handbook Comments: The policy is general and may be more valuable if it also explicitly covered non-classroom credit-bearing work, such as you see described below, and online courses.	
	Does the institution have a procedure for periodic review of credit hour assignments to ensure that they are accurate and reliable (for example, through program review, new course approval process, periodic audits)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If so, does the institution adhere to this procedure? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Comments: A procedure is needed to review course syllabi especially for non-classroom credit-bearing work.	
	Does this schedule show that on-ground courses meet for the prescribed number of hours? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Comments:	
<b>Please review at least 1 - 2 from each degree level.</b> Sample syllabi or equivalent for online and hybrid courses	How many syllabi were reviewed? 20 What kind of courses (online or hybrid or both)? Online What degree level(s)? <input type="checkbox"/> AA/AS <input type="checkbox"/> BA/BS <input checked="" type="checkbox"/> MA <input checked="" type="checkbox"/> Doctoral What discipline(s)? Law Does this material show that students are doing the equivalent amount of work to the prescribed hours to warrant the credit awarded? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Comments: Very structured for the online degrees in LLM, JSM concerning live and recorded classes, assignments, post.	
	How many syllabi were reviewed? 4 What kinds of courses? Clinical, Independent Study, Intern/Extern, Law Review Moot Court in JD and Dissertation for SJD What degree level(s)? <input type="checkbox"/> AA/AS <input type="checkbox"/> BA/BS <input type="checkbox"/> MA <input checked="" type="checkbox"/> Doctoral What discipline(s)? Law Does this material show that students are doing the equivalent amount of work to the prescribed hours to warrant the credit awarded? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Comments: See above. Policy should more explicit about equivalent hours or work in these courses. Need procedures for periodic checks.	
	Sample program information (catalog, website, or other program materials)	How many programs were reviewed? 5 What kinds of programs were reviewed? JD, 2LLM, 1JSM, 1JSD What degree level(s)? <input type="checkbox"/> AA/AS <input type="checkbox"/> BA/BS <input checked="" type="checkbox"/> MA <input checked="" type="checkbox"/> Doctoral What discipline(s)? Law Does this material show that the programs offered at the institution are of a generally acceptable length? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Comments:

## 2 - MARKETING AND RECRUITMENT REVIEW FORM

Under federal regulation\*, WSCUC is required to demonstrate that it monitors the institution's recruiting and admissions practices.

<b>Material Reviewed</b>	<b>Questions and Comments: Please enter findings and recommendations in the comment section of this table as appropriate.</b>
**Federal regulations	Does the institution follow federal regulations on recruiting students? X YES <input type="checkbox"/> NO
	Comments:
Degree completion and cost	Does the institution provide information about the typical length of time to degree? X YES <input type="checkbox"/> NO
	Does the institution provide information about the overall cost of the degree? X YES <input type="checkbox"/> NO
	Comments:
Careers and employment	Does the institution provide information about the kinds of jobs for which its graduates are qualified, as applicable? X YES <input type="checkbox"/> NO
	Does the institution provide information about the employment of its graduates, as applicable? X YES <input type="checkbox"/> NO
	Comments:

\*§602.16(a)(1)(vii)

\*\*Section 487 (a)(20) of the Higher Education Act (HEA) prohibits Title IV eligible institutions from providing incentive compensation to employees or third party entities for their success in securing student enrollments. Incentive compensation includes commissions, bonus payments, merit salary adjustments, and promotion decisions based solely on success in enrolling students. These regulations do not apply to the recruitment of international students residing in foreign countries who are not eligible to receive Federal financial aid.

Review Completed By: TACANNON

Date: 4/4

### 3 - STUDENT COMPLAINTS REVIEW FORM

Under federal regulation\*, WSCUC is required to demonstrate that it monitors the institution's student complaints policies, procedures, and records.

<b>Material Reviewed</b>	<b>Questions/Comments (Please enter findings and recommendations in the comment section of this column as appropriate.)</b>
Policy on student complaints	<p>Does the institution have a policy or formal procedure for student complaints?  <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>If so, is the policy or procedure easily accessible? Is so, where? Student Handbook</p> <p>Comments: There is no general student complaint policy, but there are multiple subject matter grievance policies and procedures, e.g., discrimination, sexual harassment. TJSUJSL would benefit from a general policy and a centralized repository.</p>
Process(es)/ procedure	<p>Does the institution have a procedure for addressing student complaints?  <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO  If so, please describe briefly: Each policy specifies the steps.</p> <p>If so, does the institution adhere to this procedure? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Comments:</p>
Records	<p>Does the institution maintain records of student complaints? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO  If so, where? In each office where the complaint/grievance is handled.</p> <p>Does the institution have an effective way of tracking and monitoring student complaints over time? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO  If so, please describe briefly: There were good reports on how they were handled.</p> <p>Comments: They could benefit from a central repository and log of complaints.</p>

\*§602-16(1)(1)(ix)

See also WASC Senior College and University Commission's Complaints and Third Party Comment Policy.

Review Completed By: TACANNON  
Date: 4/14/16

#### 4 – TRANSFER CREDIT POLICY REVIEW FORM

Under federal regulations\*, WSCUC is required to demonstrate that it monitors the institution's recruiting and admissions practices accordingly.

Material Reviewed	Questions/Comments (Please enter findings and recommendations in the comment section of this column as appropriate.)
Transfer Credit Policy(s)	Does the institution have a policy or formal procedure for receiving transfer credit? X YES <input type="checkbox"/> NO
	If so, is the policy publicly available? X YES <input type="checkbox"/> NO If so, where?
	Does the policy(s) include a statement of the criteria established by the institution regarding the transfer of credit earned at another institution of higher education? X YES <input type="checkbox"/> NO
	Comments:

\*§602.24(e): Transfer of credit policies. The accrediting agency must confirm, as part of its review for renewal of accreditation, that the institution has transfer of credit policies that--

- (1) Are publicly disclosed in accordance with 668.43(a)(11); and
- (2) Include a statement of the criteria established by the institution regarding the transfer of credit earned at another institution of higher education.

See also WASC Senior College and University Commission's Transfer of Credit Policy.

Review Completed By: TACANNON  
Date: 4/13/16

### Distance Education Review-Team Report Appendix

Institution: Thomas Jefferson School of Law

Type of Visit: Seeking Accreditation Visit

Name of reviewer/s: Therese Cannon, Rodney Fong, Thomas Fleming, Marina Hsieh, Judith Wegner

Date/s of review: April 12-14, 2016

#### **Observations and Findings**

<b>Lines of Inquiry (refer to relevant CFRs to assure comprehensive consideration)</b>	<b>Observations and Findings</b>	<b>Follow-up Required (identify the issues)</b>
<i>Fit with Mission.</i> How does the institution conceive of distance learning relative to its mission, operations, and administrative structure? How are distance education offerings planned, funded, and operationalized?	TJSL sees online offerings as part of its expansion of offerings and delegates authority for the online program to an Assistant Dean, who develops and oversees the courses and adjunct faculty who teach in the program. There is not much oversight by the faculty at large.	TJSL faculty should exercise more oversight of the non-J.D. programs, including the online LL.M./J.S.M., as described in the team report.
<i>Connection to the Institution.</i> How are distance education students integrated into the life and culture of the institution?	The students are all practicing lawyers or financial professionals. It is unclear if they are integrated into the life of TJSL outside of class.	TJSL should cover this and other matters pertaining to this program in more depth in the next report and the next team should review this matter carefully.
<i>Quality of the DE Infrastructure.</i> Are the learning platform and academic infrastructure of the site conducive to learning and interaction between faculty and students and among students? Is the technology adequately supported? Are there back-ups?	Yes to all these questions. The system seems to be working effectively and is supported.	Technology support has declined with budget cuts so the next team should explore if this is adequate.
<i>Student Support Services:</i> What is the institution's capacity for providing advising, counseling, library, computing services, academic support and other services appropriate to distance modality? What do data show about the effectiveness of the services?	Students are provided counseling and advising by the Assistant Dean, who has expertise in taxation. It is unclear whether students need additional services, but may not, considering that they are already working professionals who take the program to enhance their expertise.	More complete data and analysis of these data need to be provided including retention, completion, post-graduation outcomes, student evaluations and the like.
<i>Faculty.</i> Who teaches the courses, e.g., full-time, part-time, adjunct? Do they teach only online courses? In what ways does the institution ensure that distance learning faculty are oriented, supported, and integrated appropriately into the academic life of the institution? How are faculty involved in curriculum development and assessment of student learning? How are faculty trained and supported to teach in this modality?	The faculty are selected and hired by the Assistant Dean and are all adjuncts. The Assistant Dean provides training and oversight. The faculty are not integrated with the J.D. faculty.	
<i>Curriculum and Delivery.</i> Who designs the distance education programs and courses? How are they approved and evaluated? Are the programs and courses comparable in content, outcomes	The Assistant Dean is responsible for the design of the courses. The course objectives	

and quality to on-ground offerings? (Submit credit hour report.)	are the same as the on-ground offerings in the same subject. There are outcomes and a curriculum map.	
<i>Retention and Graduation.</i> What data on retention and graduation are collected on students taking online courses and programs? What do these data show? What disparities are evident? Are rates comparable to on-ground programs and to other institutions' online offerings? If any concerns exist, how are these being addressed?	There were no data in the institution's report and only limited data made available later on retention and completion.	TJSL needs to collect and analyze data about the program and to use the data as part of regular systematic processes of quality assurance and improvement.
<i>Student Learning.</i> How does the institution assess student learning for online programs and courses? Is this process comparable to that used in on-ground courses? What are the results of student learning assessment? How do these compare with learning results of on-ground students, if applicable, or with other online offerings?	Students are graded in the usual ways through assessment of their posts, tests, and assignments. There is no special assessment of a culminating project.	There are no comparable data as the program is primarily online now.
<i>Contracts with Vendors.</i> Are there any arrangements with outside vendors concerning the infrastructure, delivery, development, or instruction of courses? If so, do these comport with the policy on <i>Contracts with Unaccredited Organizations?</i>	Blackboard provides the platform.	
<i>Quality Assurance Processes:</i> How are the institution's quality assurance processes designed or modified to cover distance education? What evidence is provided that distance education programs and courses are educationally effective?	The Assistant Dean has conducted a regular annual review of the programs.	TJSL needs to adopt a program review process for all its programs and to enhance its capacity to conduct institutional research, including for all the non-J.D. programs.