COMMITTEE OF BAR EXAMINERS
OPEN SESSION AGENDA ITEM

AGENDA ITEM: JULY 2017 – O-100

DATE: July 28, 2017

TO: Committee of Bar Examiners

FROM: Gayle Murphy, Director, Admissions
                 Ron Pi, Principal Analyst, Research and Institutional Accountability

SUBJECT: **Standard Setting Study for the California Bar Examination and Related Recommendation to Circulate Two Options for Public Comment**

EXECUTIVE SUMMARY

In response to a continuing trend of declining pass rates on the California Bar Examination (CBX or exam) in recent years, the Committee of Bar Examiners (Committee) and State Bar staff began developing a plan to conduct a comprehensive evaluation of the exam in late 2016. That plan ultimately included completion of four studies. This agenda item provides a summary of the results of one of those, the *Standard Setting Study (Study)*, which focused on an analysis of the appropriate pass line, or cut score[1], for the CBX. Based on the results of the *Study* and other factors, staff recommends that the Committee consider circulating two options for public comment: 1) No change to the current CBX cut score; or 2) A reduced interim CBX cut score of 1414[2] to be used for the July 2017 CBX only. If the Committee accepts the recommendation during its July 31, 2017, joint meeting with the Admissions and Education Committee of the Board of Trustees (Board), the Committee will ask the Admissions and Education Committee for authorization to circulate the *Study* and corresponding options for a public comment period to take place from August 1 to August 25; in addition to a traditional written public comment period, two public hearings would be conducted during the period. At its August 31, 2017, meeting, following receipt and consideration of comments received, the Committee will develop a recommendation to be submitted to the Board for consideration during that body's September meeting. The Board of Trustees' recommendation would then be transmitted to the Supreme Court for review and approval.

BACKGROUND

California has the second highest pass line of all United States bar admission jurisdictions. That pass line, a score of 144 (or 1440), was established over 30 years ago. In July 1985, the Committee decided to scale the essay and performance test portions of the CBX to the Multi-State Bar Exam (MBE), developed and graded by the National Conference of Bar Examiners. Because the scoring of the examination was changing, a new pass line had to be determined.

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[1] The term "pass line" is often used interchangeably with "cut score".
[2] Bar examination cut scores across jurisdictions are often compared on a common, 200-point scale. Based on this 200-point scale, the recommended change is equivalent to a change from 144 to 141.4.

In August 1985, with the assistance of psychometrician, Stephen P. Klein, Ph.D., the Committee adopted general guidelines with regard to what that score should be. As reported by Dr. Klein in his 2011 report, *History of General Bar Examination Structure and Pass/Fail Rules,* "This score reflects the average of the pass/fail standards [70 percent was considered passing] that were used on the all the exams that were given between 1977 and 1986." The Board approved the Committee's proposal and the changes went into effect the next year.

While the minimum passing total scaled score of 1440 for the CBX has remained unchanged since 1985, the pass rate on the CBX has risen and fallen over time. Since 2008, however, the pass rate on the CBX has been steadily declining. As shown in Figure 1, below, the July 2016 CBX pass rates fell to 43 percent from a previous high of 62 percent in 2008.

Figure 1 July Bar Examination Passage Rates, 2000 - 2016
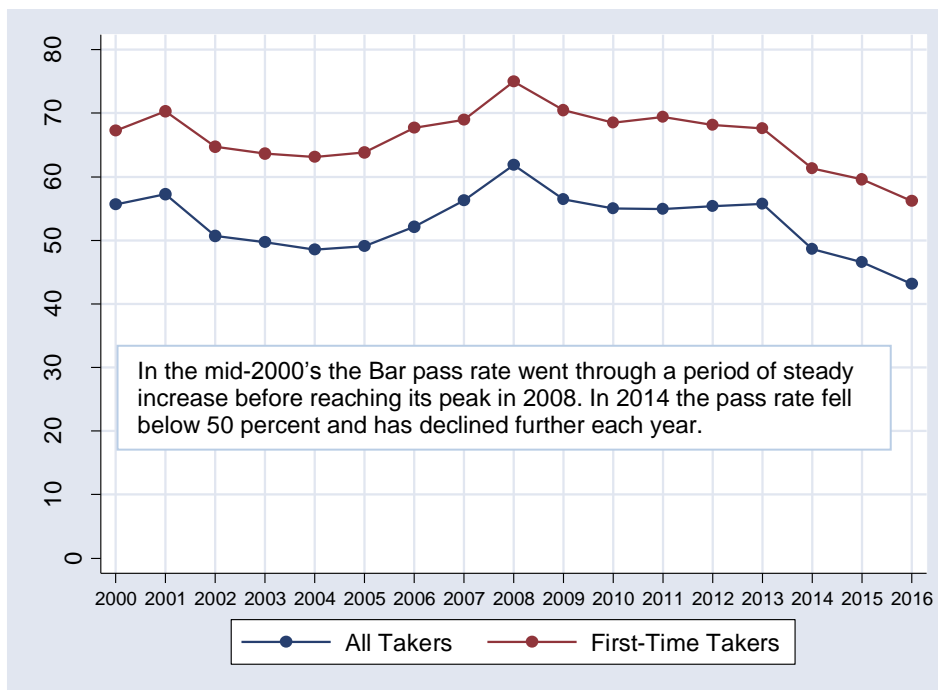
Critics of the CBX point out that California's pass line is higher than that of every other state in the country except for Delaware. This high relative pass line may raise questions as to the validity of the current cut score and whether it is necessary for the purpose of protecting the public. Figure 2 reflects the cut scores used by other states.

**Figure 2. Passing Bar Examination Score on 200-Point Scale, by State**
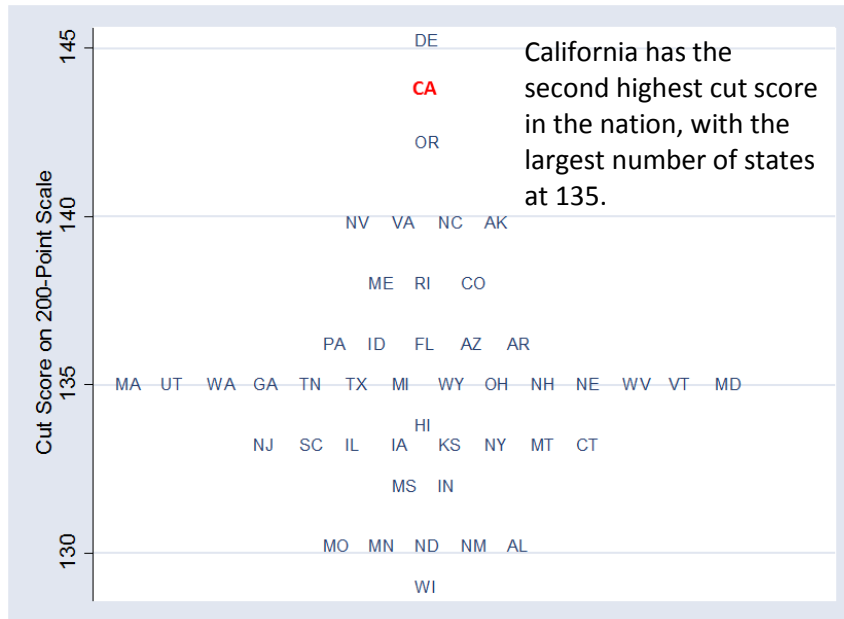
Because the pass rate on the CBX has risen and fallen over time without any change in the pass line, the relatively high score required for passing the exam in California cannot alone explain the declining pass rate over the last eight years. Moreover, many other states have experienced a similar declining trend in pass rates in recent years.

National efforts to explain these changes have focused on the precipitous drop in law school enrollment. Ms. Erica Moeser, President of the National Conference of Bar Examiners, believes that (among other factors) the decline in the job prospects of newly licensed attorneys led to a decline in the number of law school applicants which, in turn, led schools to admit students with weaker academic credentials.[3] As Figure 3 on the next page illustrates, changes in law school enrollment and corresponding admissions rates supports at least in part this theory.

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[3] Cited in the *ABA Journal*, September 1, 2016.

Figure 3. Changes in ABA Law School Enrollments and Bar Admission Rates Nationally

As the number of law school applications began to decline in 2010, admission rates began to increase steadily.
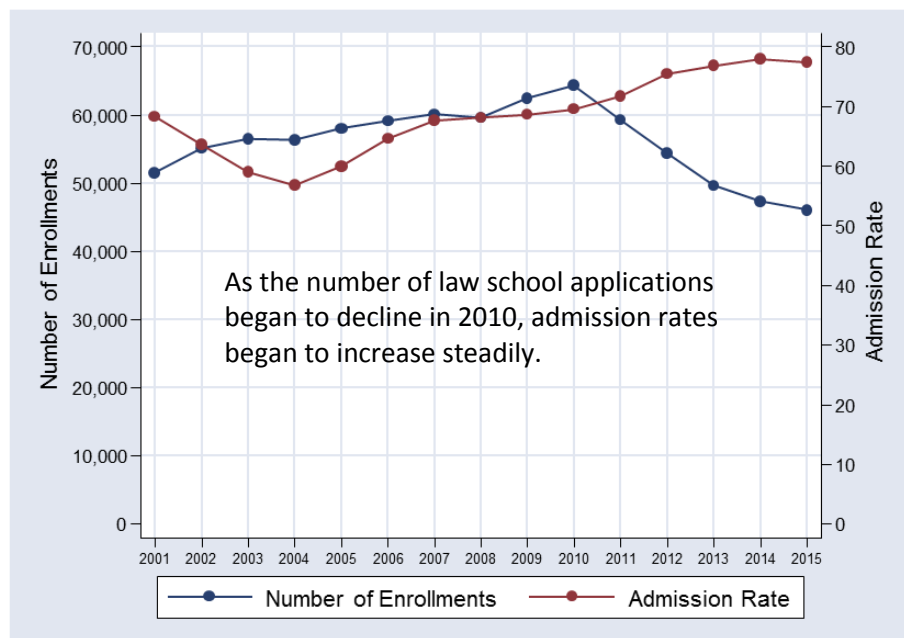
A 2016 proposed ABA policy exacerbated concerns regarding reduced exam pass rates. In March 25, 2016, the ABA's Council of the Section of Legal Education and Admissions to the Bar proposed amending Standard 316 to require law schools to have 75 percent of their graduates pass a bar examination within a two-year period in order to maintain accreditation. While the proposed standard was not approved by the ABA House of Delegates, the specter of its adoption is an important contextual factor for consideration by the Committee as it evaluates options for modification of the CBX pass line.

In California, the combination of declining law school enrollment, the looming ABA accreditation requirement, and a steady downward trend in exam pass rates came to a head after the release of the July 2016 CBX results. In the winter of 2016, the Committee determined that a thorough analysis of the issue was needed; at its December 2016 meeting, the Committee took a preliminary step to this end by authorizing a study, *Recent Performance Changes on the California Bar Exam*, to be completed by Roger Bolus, Ph.D., a contract psychometrician who has been responsible for providing an analysis of each administration of the CBX for the last four years.[4]

Adding to the momentum for evaluating these issues, in February 2017, the California Assembly Judiciary Committee held a hearing on declining exam pass rates and shortly thereafter sent a letter to the California Supreme Court urging that body to adopt a lower pass line. California law school deans also wrote to the California Supreme Court urging similar action.

In a letter dated February 28, 2017, the Chief Justice of the California Supreme Court directed the State Bar to report back to the Court "once the investigation and all studies are concluded." The report "must include a detailed summary of the investigation and findings, as well as recommendation for changes, if any, to the bar exam and/or grading, and a timeline for

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[4] Prior to this period, another contract psychometrician, Stephen P. Klein, Ph.D., provided psychometric services to the State Bar for more than 30 years; Dr. Bolus assisted Dr. Klein with many of his analyses and reports during that period.

implementation. The State Bar's report and recommendations should be submitted to the court as soon as practicable and in no event later than December 1, 2017." The February 28, 2017, letter to the State Bar is provided as Attachment A.

In March, Dr. Bolus presented the findings of his study at a meeting of the Committee. Drawing on data maintained by the State Bar, the study looked at the relationship between pass rates and the attributes of students at different law schools. Using aggregate data, the study found that approximately 20 percent of the declining pass rate can be attributed to changes in student credentials. The lack of individual, student-level data, however, limited the ability of the study to provide a full explanation of the various factors that might have contributed to the recent decline in the pass rage. The study, *Recent Performance Changes on the California Bar Exam*, is provided as Attachment B.

Subsequently, the Committee authorized and the Board of Trustees approved during its meeting in March 2017, the completion of three additional, interrelated, studies regarding the CBX:

- **A Standard-Setting Study**. Standard-setting studies involve a formal process in which a panel of subject matter experts (SMEs) in relevant fields, facilitated by a psychometrician in a workshop setting, evaluate the performance of exam takers and determine a pass line that is aligned with the expected level of knowledge, abilities, and skills of those exam takers.

- **A Content Validation Study.** Also relying on a panel of SMEs, content validity studies assess the alignment of examination content, in terms of its breadth and depth, in relation to the expected level of knowledge, abilities, and skills of exam takers.

- **A Law School Performance Study.** As a supplement to *Recent Performance Changes on the California Bar Exam*, this study aims to use detailed student-level data to more thoroughly evaluate any possible correlations that might exist between changes in student credentials and their performance on the exam.

To manage these three studies and ensure appropriate oversight and communication with key stakeholders, the Bar formed a Working Group on Bar Exam Studies (WGBES) comprised of one representative from the California Supreme Court, two representatives from the Board of Trustees and two from the Committee. The WGBES is tasked with providing guidance and making administrative decisions related to the studies. A different Working Group, composed of five deans, State Bar staff and Dr. Bolus, was also formed to provide guidance relative to the Law School Performance Study. In addition, regular updates regarding study progress that have been prepared for the Supreme Court are circulated to interested parties, including law school deans, the Committee, the Board of Trustees, and others. In addition, State Bar staff has held bi-weekly conference calls since March, open to all California law school deans, to discuss progress on all three studies.

Although all three studies were launched essentially concurrently, the *Standard Setting Study* was accelerated, such that should any change in the cut score be recommended by the Board of Trustees and approved by the Supreme Court as a result of that study, modification could be made in time to impact the scoring of the July 2017 CBX.

To ensure the necessary review within certain timelines, a joint meeting of the Committee and the Admissions and Education Committee was scheduled for July 31, 2017, for the specific purpose of consideration of the *Standard Setting Study* (*Study*) and related recommendations. The Admissions and Education Committee will specifically be asked to release the Committee's recommendation for public comment at the conclusion of the joint meeting.

DISCUSSION

<u>Standard-Setting Study and Recommendation of New Cut Score</u>

The *Study*, which was conducted by Dr. Chad Buckendahl, a nationally recognized expert on psychometrics and standard-setting, is provided as Attachment C. As discussed in detail in the *Study*, the primary research activity centered around a panel of 20 practicing attorneys representing broad diversity in terms of both demographics and practice types, which was convened to participate in a standard setting workshop[5]. During the two and one-half days of the workshop, the panelists collectively evaluated more than two thousand paper essays and performance tests from the July 2016 CBX.

In preparation for the *Study*, State Bar staff discussed options for a minimum competence definition with law school deans at the April 6, 2017, meeting of the Law School Assembly. The initial resulting draft was further refined pursuant to additional feedback received from the WGBES and law school deans. During orientation and training on the first day of the workshop, panelists discussed the concept of minimum competence that would serve as the basis for evaluating the performance levels of the examination papers, further refining the definition and establishing a Baseline Minimum Competence Definition as follows:

Baseline Minimum Competence Definition

A minimally competent applicant will be able to demonstrate the following at a level that shows meaningful knowledge, skill and legal reasoning ability, but will likely provide incomplete responses that contain some errors of both fact and judgment:

1. Rudimentary knowledge of a range of legal rules and principles in a number of fields in which many practitioners come into contact; may need assistance to identify all elements or dimensions of these rules.
2. Ability to distinguish relevant from irrelevant information when assessing a particular situation in light of a given legal rule, and identify what additional information would be helpful in making the assessment.
3. Ability to explain the application of a legal rule or rules to a particular set of facts. An applicant may be minimally competent even if s/he may over or under-explain these applications, or miss some dimensions of the relationship between fact and law.
4. Formulate and communicate basic legal conclusions and recommendations in light of the law and available facts.

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[5] Law schools participated in nominating candidates to serve on the workshop panel for the *Standard-Setting Study*. Additionally, law school representatives sat in on the standard setting workshop as observers.

Based on a set of guidelines derived from the discussion of minimum competence, the panelists classified the papers into three performance levels at the first stage of evaluation: below competence, meeting competence, and exceeding competence. Following the initial classification, the panelists further refined the performance evaluation by selecting from the first two groups (below and meeting minimum competence) a subset of papers that represented the best of the non-competent papers and the worst of the competent papers. These "borderline" cases provided the basis for calculating the pass line that meets the minimum competence definition.

The analysis of borderline papers to establish a new recommended cut score involved three basic steps:

1. **Mean and median cut score calculations.** Mean (average) and median (middle) scores of the papers were calculated. After assessing the difference between mean and median values, it was determined that the median value would more accurately represent the "central tendency" or average typical performance of the papers.

2. **Convergence or confidence level of cut score calculations.** Standard errors of the mean and median values were calculated to assess the degree of convergence of individual panelist's classification results and cut scores, which also provide a means of representing the statistical confidence level of the estimated mean and median values derived from the study sample.

3. **Deriving cut score for total scaled score.** From the initial cut scores calculated from written exam questions that were evaluated at the workshop, cut scores on the total, combined scale were derived through a process called "equipercentile linking." Equipercentile linking involves comparing two sets of scores on a common scale of cumulative percentile (from 0 to 100) that reflects the distribution of written and total scaled scores. A specific score point for written questions, after being located on the common cumulative percentile curve, is translated to a total scaled score located on the same percentile distribution curve.

Based on the above procedure, a median cut score of 1439 – effectively the same as the current pass line of 1440[6] – was derived from the standard setting workshop. Following a standard statistical procedure in evaluating the degree of convergence of the cut scores, "standard errors" of mean and median were calculated to estimate a range of cut scores to provide a measure of statistical confidence. The "error" refers to the difference between the mean or median value calculated from the sample of papers evaluated in the workshop as compared to the mean or median value of the population of all exam papers. Given that a census of all 2016 exam papers was neither conducted nor feasible, the standard error represents the degree of confidence to which the observed scores could be compared or generalized to the entire population of 2016 papers. As a function of sample size and the convergence of the panelists cut score values, a larger sample size and greater convergence would lead to a smaller standard error.

Because standard errors are calculated on both sides of the mean or median – in other words, they represent the possibility of increasing or decreasing the estimated value – the application of the standard error could result in a higher or a lower pass line. On the positive side, a cut

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[6] The grading process treats scores decimals points above 1439 as 1440 hence these scores are effectively the same.

score of 1477 and 1504 can be calculated, representing one and two standard errors *above* the median of 1439. Conversely, on the negative side, a cut score of 1414 and 1388, one and two standard errors *below* the median, can also be calculated to provide a full range of the cut scores.

This range means that, while 1439 as the median value is most representative of the "true" cut score as derived from the panelists' evaluation of the papers, there is an approximately 95-percent confidence level that the "true" cut score could fall within the range of 1388 at the lower end, to 1504 at the upper end of the distribution. Table 1 below shows the full range of the cut score calculations provided by Dr. Buckendahl in his technical report.

Table 1. Summary results with range of recommendations on written and combined score scales with hypothetical impact (i.e., pass rate) on 2016 CBX results:

	Written Score - Mean	Combined Score – Mean (pass rate)	Written Score – Median	Combined Score – Median (pass rate)
-2 SE_{Mean/Median}	419	1414 (53%)	414	1388 (60%)
-1 SE_{Mean/Median}	424	1436 (47%)	419	1414 (53%)
Median score (SE_{Mean/Median})	428 (4.47)	1451 (43%)	425 (5.60)	1439 (45%)
+1 SE_{Mean/Median}	432	1480 (36%)	431	1477 (37%)
+2 SE_{Mean/Median}	437	1504 (31%)	436	1504 (31%)

Determining where within the range the specific recommended cut score should fall implicates several key policy considerations. One of these relates to the concept of two types of classification errors in statistical inference: false positive and false negative errors. Selecting a cut score above the median (or setting a higher threshold in general) is likely to lead to more false negative errors, where an applicant fails when in fact the applicant's "true" competence meets the minimum competence requirement. On the other hand, a false positive error (passing an applicant when in fact the applicant's competence does not meet the requirement) is more likely to occur when a cut score is selected below the median (or setting a lower threshold in general).

Another related policy consideration is the cost/benefit analysis of either type of error as relates to the potential tension between public protection and access to legal services. When the threshold for entry into the practice is established at a level that is too stringent, access to justice may be negatively impacted. Closely related to access, pass rates for racial/ethnic minority groups are sensitive to where a particular pass line is set. Too stringent of a standard can restrict access and negatively impact diversity. Conversely, a lax standard is likely to increase the risk of harm to the public.

Current bar examination grading practices inform an understanding of how the cost/benefit calculation has played out in California. The "second read" component of the CBX grading procedure, where examination papers from the first read that fall within a band below the cut score are re-read, represents an implicit policy position of having greater tolerance for false positive errors. Those papers that fall within a band slightly above the cut score are not passed on for second read reflecting a policy decision in favor of false positive errors.

In addition to error type and cost/benefit analysis, the fact that California has the second highest cut score in the nation is an important factor for the Committee to consider. There is no

empirical evidence available that would support a statement that as a result of its high pass line California lawyers are more competent than those in other states, nor is there any data that suggests that there are fewer attorney discipline cases per attorney capita in this state.

Study results validate the existing CBX cut score of 1440, and also establish a pass line range of between 1388 and 1504 which could be set with approximately 95% confidence. This result allows for consideration of several options, including retaining the cut score as it currently stands.

Several factors, beyond the *Study's* validation of the current cut score, support maintenance of the status quo. The *Study*, without access to the MBE multiple-choice questions, was based on the written section of the exam only. The new CBX format, effective July 2017, is reduced from three to two days (the Attorneys' Examination from two days to one) and equally weights written and MBE portions, introducing additional uncertainties. Further, the *Content Validation and Law School Performance Studies* have yet to be concluded, and any permanent or more significant change to the cut score should ultimately be informed by the results of those efforts. Further vetting of the error type preference intended by the Committee, the Board of Trustees, and ultimately the Supreme Court, is warranted. In addition, a robust assessment of the impact of any given pass line on racial and ethnic minorities, men, and women, is needed.

On the other hand, the *Study* provides the Committee with a statistically valid and acceptable range of cut scores to consider. This fact, in conjunction with the implicit policy position reflected by the current second-read procedure, and California's outlier status as compared to other jurisdictions' pass lines, leads to a conclusion that an interim adjustment to the pass line would be appropriate.

Given the valid arguments in support of either retention of the status quo or modification, staff recommends that two options be circulated for public comment:

1. Retain the status quo – no change to the pass line;
2. Adopt an *interim* revised cut score of 1414, which is one standard error below the recommended median value of 1439.

Impact of Implementation of Option Two

The simulated impact of application of an interim cut score of 1414 on July 2008 and 2016 CBX results is outlined in the tables below.

Table 1 reflects an overall comparison of pass rates at cut scores of 1440 and 1414. For the 2008 CBX, the overall result would have been a 6% increase in pass rates. For 2016, an 8% increase.

Table 2 provides a comparison of pass rates by school type. For ABA schools, the impact of 1414 cut score would have been a 5% increase in pass rates; for 2016, 7%. California Accredited schools would have realized an increase of 15% for the 2008 exam, and 31% for the 2016 exam. Unaccredited schools would have realized 16% and 9% gains respectively.

Table 3 outlines the results by gender. As the Table reflects, men and women would have realized equivalent increases in pass rates with respect to both the 2008 and 2016 exams.

Table 4 outlines impact by race/ethnicity. In general, the data suggests that test takers of color would realize greater improvements in pass rates than white test takers, although all groups would benefit from a lower cut score. The extent to which any group benefits from a reduced pass line is dependent on their original pass rate.

Table 2. Simulated Impact of Pass Line Changes for July 2016 CBX, by First-Time and Repeat Takers

Recommended Cut Scores Compared	First-Time	Repeat	Total
July 2008 Exam			
Pass rates at 1440	75.1%	27.5%	62.0%
Pass rates at 1414	78.0%	32.9%	65.7%
% increase of passing applicants from 1440 to 1414	*4.0%*	*19.4%*	*5.8%*
July 2016 Exam			
Pass rates at 1440	56.5%	17.3%	43.6%
Pass rates at 1414	59.8%	21.1%	47.1%
% increase of passing applicants from 1440 to 1414	*5.9%*	*22.0%*	*8.0%*

Table 3. Simulated Impact of Pass Line Changes for July 2016 CBX, by School Type

Recommended Cut Scores Compared	ABA	CA Accredited	Registered	Out-of-State ABA
July 2008 Exam				
Pass rates at 1440	74.8%	26.5%	24.2%	66.7%
Pass rates at 1414	78.2%	30.4%	28.0%	70.2%
% increase of passing applicants from 1440 to 1414	*4.6%*	*14.8%*	*15.8%*	*5.2%*
July 2016 Exam				
Pass rates at 1440	54.3%	13.1%	13.1%	48.5%
Pass rates at 1414	58.1%	17.1%	14.2%	51.7%
% increase of passing applicants from 1440 to 1414	*7.0%*	*31.0%*	*8.6%*	*6.6%*

Table 4. Simulated Impact of Pass Line Changes for July 2016 CBX, by Gender

Recommended Cut Scores Compared	Male	Female	Total
July 2008 Exam			
Pass rates at 1440	61.1%	63.1%	62.0%
Pass rates at 1414	64.5%	66.9%	65.7%
% increase of passing applicants from 1440 to 1414	*5.6%*	*6.1%*	*5.8%*
July 2016 Exam			
Pass rates at 1440	44.3%	42.7%	43.5%
Pass rates at 1414	47.7%	46.3%	47.0%
% increase of passing applicants from 1440 to 1414	*7.6%*	*8.4%*	*8.0%*

Table 5. Simulated Impact of Pass Line Changes for July 2016 CBX, by Race/Ethnicity

Recommended Cut Scores Compared	Asian	Hispanic	Black	White
July 2008 Exam				
Pass rates at 1440	56.0%	48.9%	34.9%	68.3%
Pass rates at 1414	59.7%	53.2%	38.5%	71.9%
% increase of passing applicants from 1440 to 1414	*6.7%*	*8.8%*	*10.4%*	*5.2%*
July 2016 Exam				
Pass rates at 1440	37.6%	34.1%	20.8%	51.5%
Pass rates at 1414	40.8%	37.7%	23.4%	55.2%
% increase of passing applicants from 1440 to 1414	*8.6%*	*10.6%*	*12.5%*	*7.2%*

Table 6. Simulated Impact of Pass Line Changes for July 2016 Examination, by School Type

Recommended Cut Scores Compared	ABA	CA Accredited	Registered	Out-of-State ABA
Pass rates at 1440	54.3%	13.1%	13.1%	48.5%
Pass rates at 1414	58.1%	17.1%	14.2%	51.7%
% increase of passing applicants from 1440 to 1414	*7.0%*	*31.0%*	*8.6%*	*6.6%*

The size of the impact from lowering the cut score, as measured by percent change of pass rates, depends on two factors: 1) the proportion of exam takers whose scores fall within the 1414-1440 range, and 2) the pass rate at the original cut score of 1440. A higher proportion of exam takers with original scores between 1414 and 1440 would lead to a larger increase in pass rate. A lower pass rate under the original cut score of 1440 would gain a larger percent increase when the cut score is lowered. Given the variation of these two factors across different subgroups, the most significant gains under a lowered cut score would be realized by test takers from California accredited law schools, repeat takers, and test takers of color. There is no significant difference between male and female exam takers in their relative gains.

Additional Considerations

Survey of Other States

In an attempt to learn from other jurisdictions about their experience in setting standards for the bar examination, a survey was conducted in April, 2017. Thirty-one jurisdictions responded. About 50 percent (14 of 26 responding jurisdictions) indicated that they had conducted a standard-setting study in the past three decades. Of the seven jurisdictions that conducted a study after 2000, three of them were related to their transition to the Uniform Bar Examination (UBE). The outcome of their studies varied, with four recommending raising the cut score, two maintaining the same level, two lowering it, and five with other recommendations. Due to the limited and uneven responses to various survey questions, the findings cannot be generalized to represent the experience of all jurisdictions across the nation. What is clear is that very few states appear to have conducted the type of study that has just been undertaken in California.

Independent Psychometric Consultant Evaluations of Standard Setting Study

From the early stage of planning for the *Standard Setting Study*, two independent psychometric experts were retained to review *Study* design and implementation. Mary Pitoniak, Ph.D., is a nationally recognized expert in standard-setting; Tracy Montez, Ph.D., currently serves as the Chief of Programs and Policy Review Division of the California Department of Consumer Affairs, with practical experience overseeing the development and evaluation of a large number of California state licensure and certificate exams. Both of them reviewed *Study* materials provided by Dr. Buckendahl; they also sat in the workshop as observers. They are in the process of completing their evaluation reports, scheduled to be finalized in early August. Essentially, however, while they have certain critiques concerning how the *Study* was conducted, they both believe the *Study* methodology was sound and reasonably implemented, and that the *Study* results are valid.

RECOMMENDATION

It is recommended that the Committee accept the report "*Conducting a Standard Setting Study for the California Bar Exam*" prepared by Chad Buckendahl, Ph.D. and authorize its publication, and that it approve staff's recommendation to circulate two options for public comment: 1) No change to the current CBX cut score; 2) To propose an interim CBX cut score of 1414 to be used for the July 2017 CBX only. Following consideration of comments received and the two options, during its August 31, 2017, meeting, the Committee would consider making a recommendation to the Board for review during its September 6-7, 2017 meeting. The recommendation from the Board would then be forwarded to the California Supreme Court. It is also recommended that the Committee request that the Admissions and Education Committee authorize the release of the report and options for a public comment period to take place from August 1 – 25, 2017, which will include two public hearings.

PROPOSED MOTION

If the Committee agrees with the staff recommendation, the following motion would be in order:

> Move … that the report "Conducting a Standard Setting Study for the California Bar Exam" prepared by Chad Buckendahl, Ph.D. be accepted; that a request be submitted to the Board Committee on Admissions and Education to authorize release of the report and to circulate two options for a public comment period of August 1 – 25, 2017, which will include two public hearings; that the options be: 1) No Change to the current CBX cut score; 2) To propose an interim CBX cut score of 1414 to be used for the July 2017 CBX only; that following the period of public comment, all comments received and the two options be once again considered by the Committee in preparation for submission of a recommendation to the Board of Trustees and ultimately the Supreme Court of California.

ATTACHMENT(S) LIST

A. Letter dated February 28, 2017 from the Supreme Court of California to the State Bar of California.

B. "Recent Performance Changes on the California Bar Exam" prepared by Roger Bolus, Ph.D.

C. "Conducting a Standard Setting Study for the California Bar Exam" prepared by Chad Buckendahl, Ph.D.