State Bar of California
Differential Item Functioning Analysis Report

December 2019

SCANTRON.

TABLE OF CONTENTS

TABLES

Table 1. Sample Demographic Information
Table 2. Essay and Performance Test Item Score Strata
Table 3. Candidate MBE Score Strata
Table 4. Example MH Table
Table 5. DIF Flagging Criteria
Table 6. Example Results Table
Table 7. Gender DIF Statistics
Table 8. Gender and Item Type DIF Statistics
Table 9. Gender and Subject DIF Statistics
Table 10. Race/Ethnicity DIF Statistics
Table 11. Race/Ethnicity and Subject DIF Statistics
Table 12. Law School Type DIF Statistics
Table 13. Law School and Administration Window DIF Statistics
Table 14. Gender, Race/Ethnicity, and Law School Type

APPENDICES

APPENDIX A: GENDER ITEM-LEVEL DIF RESULTS
APPENDIX B: RACE/ETHNICITY ITEM-LEVEL DIF RESULTS
APPENDIX C: LAW SCHOOL TYPE ITEM-LEVEL DIF RESULTS
APPENDIX D: RACE/ETHNICITY BY SUBJECT RESULTS

INTRODUCTION

Created by the Legislature in 1927, the State Bar of California is an arm of the California Supreme Court, protecting the public by licensing and regulating attorneys. It serves the people of California through careful oversight of the legal profession.

An attorney must pass several examinations to be licensed to practice law in California by the State Bar. The California Bar Examination (CBX), administered twice each year in February and July, consists of the following parts:

- Essay questions,
- Performance test, and
- Multiple-choice questions via the Multistate Bar Examination (MBE).

Since 2009, the examination has covered the following subjects: Business Associations, Civil Procedure, Community Property, Constitutional Law, Contracts, Criminal Law and Procedure, Evidence, Professional Responsibility, Real Property, Remedies, Torts, Trusts, and Wills and Succession.

The State Bar contracted with Scantron Corporation, a full-service certification and licensure company, to conduct a differential item functioning (DIF) analysis for essay and performance test items administered as part of the CBX between 2009 and 2019. The purpose of a DIF analysis is to assess whether different groups with similar overall scores perform differently on test items.

This report summarizes the findings of a DIF study which considered the item performance based on the following primary variables: gender, race/ethnicity, and law school type. Secondary variables, such as item type, subject matter, and administration window were also considered in the analysis.

METHODS

Sample

First-time candidates who were administered the CBX between July 2009 and February 2019 were included in this analysis. A total of 116 essay and 36 performance test items were included in this study. Both item types were scored on a scale from 40 to 100 with increments of five. All candidates in the analysis had an MBE scaled score, which was used as an indicator of overall performance for DIF purposes.

The demographic variables included in the DIF analysis were gender (Male, Female), race/ethnicity (Asian, Black/African American, Hispanic, Caucasian, Other), and law school type (California ABA, California Accredited, California Registered, Out-of-state ABA, Attorney, Foreign JD). The number of first-time candidates included from each administration window is included in Table 1 below.

Table 1. Sample Demographic Information

	Gender		Race/Ethnicity					Law School Type					
Item	Male	Female	Asian	Black/AA	Hispanic	Caucasian	Other	CA ABA	CA Accredited	CA Registered	Out-of-state ABA	Attorney	Foreign JD
G0907	2472	2153	914	121	315	2974	58	3026	137	53	1098	241	76
G1002	432	423	170	23	59	551	11	300	41	46	138	289	41
G1007	3073	2991	1291	208	548	3559	91	3763	279	110	1351	355	193
G1102	499	396	166	28	56	574	14	318	37	49	147	294	50
G1107	2432	2027	863	130	353	2826	68	3053	101	34	955	243	73
G1202	463	444	171	36	68	569	12	309	42	43	166	286	62
G1207	2552	2197	883	139	374	3070	42	3237	109	37	1010	279	81
G1302	476	390	173	42	55	525	14	292	32	45	145	284	68
G1307	2576	2256	982	125	402	2991	72	3264	137	38	996	279	119
G1402	554	432	189	37	70	604	10	348	58	41	148	323	68
G1407	2249	1963	838	152	377	2548	64	2734	133	46	888	298	114
G1502	459	441	179	51	81	487	18	254	54	47	133	316	96
G1507	1934	1919	828	143	397	2334	56	2511	89	35	859	265	130
G1506	376	401	172	31	68	487	16	217	37	35	125	292	83
G1607	1585	1629	664	104	348	1979	51	2132	73	38	687	195	127
G1702	282	311	137	35	71	337	11	184	43	26	83	187	80
G1707	1820	2016	871	170	433	2208	61	2281	129	38	819	330	273
G1802	386	423	188	47	88	464	20	198	57	43	111	269	158
G1807	2338	2640	1215	284	762	2563	87	3083	228	68	916	299	462
G1902	439	485	256	52	123	477	9	244	76	59	123	254	193

Candidate item scores and MBE results were stratified in order to have enough candidates across each distribution for the DIF analyses. Item scores were grouped into a single stratum at the extreme ends of the 40 to 100 scale, with scores of 50 and lower grouped into the lowest level and scores of 85 and higher grouped into the highest level. The stratification rules are displayed below in Table 2.

Table 2. Essay and Performance Test Item Score Strata

Rescaled Score	Item Score
1	50 or lower
2	55
3	60
4	65
5	70
6	75
7	80
8	85 or higher

Similarly, MBE scores lower than 1200 were grouped into the lowest stratum and scores of 1700 and higher were grouped into the highest stratum. Other strata were created using intervals of 100. The strata rules are displayed below in Table 3.

Table 3. Candidate MBE Score Strata

Stratum for Study	MBE Score
1	Lower than 1200
2	1200-1299
3	1300-1399
4	1400-1499
5	1500-1599
6	1600-1699
7	1700 or higher

DIF Identification Methods

Two methods were used to assess DIF in this study:

1. The generalized Mantel-Haenszel (MH) method, and
2. The Liu-Agresti estimator of the cumulative common odds ratio (LA-LOR).

The MH method is an DIF analysis tool that detects item response differences across subgroups (e.g., gender, race/ethnicity), while controlling for overall performance. The MH statistic is distributed as a chi-square statistic with one degree of freedom. Under the MH method, data are organized into a 2 x T x K contingency table, where T represents the number of response categories and K represents the number of levels of a stratification variable for each of the two groups. For an item with four response categories, the data for each stratum would be represented in a table like the one below in Table 4, where n_{RTK} and n_{FTK} represent the reference and focal groups for each stratum (K = 1, 2, 3, 4).

Table 4. Example MH Table

	Response 1	Response 2	Response 3	Response 4	Total
Reference group	n_{R1K}	n_{R2K}	n_{R3K}	n_{R4K}	
Focal group	n_{F1K}	n_{F2K}	n_{F3K}	n_{F4K}	
Total					N_K

The LA-LOR statistic is analogous to the Mantel-Haenszel common log odds ratio (MH-LOR) used for dichotomous items. Like the MH-LOR, the LA-LOR provides an overall assessment of DIF for an item, with positive values indicating DIF in favor of the reference group and negative values indicating DIF in favor of the focal group.

The MH and LA-LOR statistics were calculated using SAS version 9.4 (SAS Institute, 2014) and DIFAS version 5.0 (Penfield, 2013).

DIF Flagging Criteria

In this study both the MH and LA-LOR statistics were used to identify DIF. Items were flagged under the MH method for statistically significant DIF based on a critical value of 3.84, which corresponds to a probability level of 0.05. Although statistical significance is helpful, an effect size for observed DIF was also desired.

Therefore, the LA-LOR statistic was used in this study to identify three levels of DIF. Observed DIF was categorized as either negligible (at or below 0.43), moderate (between 0.43 and 0.64), or large (at or above 0.64) based on the LA-LOR absolute value. The method is similar to the widely used classification scheme developed by Educational Testing Service (Zieky, 1993) for use with dichotomous items and implemented by Penfield and Algina (2006) in a DIF study similar to this one, which included a combination of dichotomous and polytomous items.

The focus of this study was on items that both have statistically significant DIF, as identified by the MH method, and were identified as having moderate or large DIF using the LA-LOR statistic. The flagging criteria are outlined in Table 5.

Table 5. DIF Flagging Criteria

DIF Statistics	DIF Flagging Criteria
MH Statistic	Critical value of 3.84
LA-LOR Absolute Value	Moderate DIF (Between 0.43-0.64) or Large DIF (Greater than or equal to 0.64)

RESULTS

The results section focuses on trends found with respect to three specific DIF variables of interest: gender, race/ethnicity, and law school type. Secondary variables, such as item type, subject matter, and administration window are also presented where appropriate.

DIF results are presented in aggregate in tables which display the MH and LA-LOR DIF identification rules. An example is provided below in Table 6. The numbers of flagged items are bolded and are located in the lower left and lower right areas of the table.

Table 6. Example Results Table

MH Statistic	Favors Focal Group			Favors Reference Group		
	Large	Moderate	Negligible	Negligible	Moderate	Large
Nonsig.	# of items	# of items	# of items	# of items	# of items	# of items
Significant	**# of items**	**# of items**	# of items	# of items	**# of items**	**# of items**

In addition to the aggregate trends discussed in body of this report, item-level DIF statistics are included in Appendices A (gender), B (race/ethnicity), and C (law school type).

Gender

Males were the reference group and females were the focal group for the gender analysis. Negative LA-LOR statistics were observed for 150 of 152 items, indicating that females performed better than males on 99% of items after controlling for overall performance on the MBE. Gender DIF analysis results are provided below in Table 7.

Table 7. Gender DIF Statistics

	LA-LOR Statistic					
	Favors Female				Favors Male	
MH Statistic	Large	Moderate	Negligible	Negligible	Moderate	Large
Nonsig.	0	0	37	2	0	0
Significant	**1**	**29**	83	0	**0**	**0**

Although a total of 113 items were flagged by the MH statistics for a significant level of DIF, the level of DIF was categorized as negligible for 83 of those items. DIF was categorized as moderate or large for only 30 items, or 20%, and those items are bolded along the bottom left side of Table 7.

As a follow-up analysis, the frequency of items flagged for gender DIF for each item type was examined. The results of the analysis are provided below in Table 8.

Table 8. Gender and Item Type DIF Statistics

Item Type	MH Statistic	LA-LOR Statistic					
			Favors Female			Favors Male	
		Large	Moderate	Negligible	Negligible	Moderate	Large
Essay	Nonsig.	0	0	34	2	0	0
	Significant	**1**	**20**	59	0	**0**	**0**
Performance Test	Nonsig.	0	0	3	0	0	0
	Significant	**0**	**9**	24	0	**0**	**0**

The proportion of items flagged for DIF was similar for essay (21 items out of 116, or 18%) and performance test (9 items out of 36, or 25%) items.

The frequency of items flagged for gender DIF for each subject was also examined. Table 9 provides a breakdown of the analysis.

Table 9. Gender and Subject DIF Statistics

Subject	MH Statistic	LA-LOR Statistic					
		Favors Female			Favors Male		
		Large	Moderate	Negligible	Negligible	Moderate	Large
Business Associations	Nonsig.	0	0	3	0	0	0
	Significant	**0**	**1**	7	0	**0**	**0**
Civil Procedure	Nonsig.	0	0	1	1	0	0
	Significant	**0**	**3**	9	0	**0**	**0**
Community Property	Nonsig.	0	0	1	0	0	0
	Significant	**0**	**5**	5	0	**0**	**0**
Constitutional Law	Nonsig.	0	0	5	1	0	0
	Significant	**0**	**0**	4	0	**0**	**0**
Contracts	Nonsig.	0	0	5	0	0	0
	Significant	**0**	**4**	16	0	**0**	**0**
Criminal Law & Procedure	Nonsig.	0	0	5	0	0	0
	Significant	**0**	**0**	7	0	**0**	**0**
Evidence	Nonsig.	0	0	1	0	0	0
	Significant	**0**	**4**	6	0	**0**	**0**
Immigration Law*	Nonsig.	0	0	0	0	0	0
	Significant	**0**	**0**	1	0	**0**	**0**
Professional Responsibility	Nonsig.	0	0	4	0	0	0
	Significant	**0**	**5**	7	0	**0**	**0**
Real Property	Nonsig.	0	0	3	0	0	0
	Significant	**0**	**0**	8	0	**0**	**0**
Regulatory Law*	Nonsig.	0	0	1	0	0	0
	Significant	**0**	**1**	0	0	**0**	**0**
Remedies	Nonsig.	0	0	3	0	0	0
	Significant	**0**	**0**	3	0	**0**	**0**
Torts	Nonsig.	0	0	4	0	0	0
	Significant	**0**	**1**	7	0	**0**	**0**
Trusts	Nonsig.	0	0	0	0	0	0
	Significant	**0**	**2**	1	0	**0**	**0**
Wills & Succession	Nonsig.	0	0	1	0	0	0
	Significant	**1**	**3**	2	0	**0**	**0**

*Immigration Law and Regulatory Law subject areas were tested via performance test items only and therefore are not listed as subjects tested on the CBX exam.

The legal subjects flagged for gender DIF the most based on proportion of items were Trusts (2 of 3, or 67%), Wills and Succession (4 of 7 items, or 57%), Regulatory Law (1 of 2, or 50%), and Community Property (5 of 11 items, or 45%). No items were flagged for gender DIF from the following subjects: Constitutional Law, Criminal Law and Procedure, Immigration Law, Real Property, and Remedies.

Race/Ethnicity

A number of DIF analyses were conducted with respect to the race/ethnicity variables. In all cases, Caucasian was designated as the reference variable and the focal groups for each analysis were Black/African American, Asian, Hispanic, or Other.

In some administration windows, the difference between the number of candidates in the reference and focal groups was quite large (see Table 1). For instance, the number of Black/African American and Other candidates was often much smaller compared to the number of candidates in the Caucasian reference group. Large differences in sample size may have impacted the results, potentially resulting in flagging items for race/ethnicity DIF at a higher or lower rate than if the groups had been of similar size.

The most concerning race/ethnicity categories with respect to small sample sizes were Black/African American, with as few as 23 candidates in some administration windows, and Other, with as few as nine candidates in some administration windows. The statistical instability of using sample sizes this small was cause for concern.

Therefore, a variable more comparable in sample size to the Caucasian reference group was created by combining the Black/African American, Asian, Hispanic, and Other categories into a single variable, labeled as Non-Caucasian in Table 10, Table 11, and Appendix B. The purpose of this variable was to include valuable information from the Black/African American and Other categories while avoiding concerns related to small sample sizes.

Since the Non-Caucasian variable produced sample sizes for the focal group that were more similar in size compared to the Caucasian reference group, it was used as the primary race/ethnicity variable for follow-up analyses. Follow-up analyses for each specific race/ethnicity variable were also conducted and are included in Appendix D, although the Black/African American and Other analyses should be interpreted with caution due to sample size concerns.

All race/ethnicity DIF analyses are included in Table 10.

Table 10. Race/Ethnicity DIF Statistics

| | | LA-LOR Statistic | | | | | |
| | | Favors Focal Group | | | Favors Caucasian | | |
Focal Group	MH Statistic	Large	Moderate	Negligible	Negligible	Moderate	Large
Black/African American	Nonsig.	0	1	11	71	22	1
	Significant	**0**	**0**	0	21	**15**	**10**
Asian*	Nonsig.	0	0	50	62	0	0
	Significant	**0**	**0**	11	18	**4**	**6**
Hispanic*	Nonsig.	0	0	55	73	0	0
	Significant	**0**	**0**	1	14	**4**	**3**
Other	Nonsig.	2	8	43	70	8	14
	Significant	**0**	**0**	0	0	**5**	**2**
Non-Caucasian	Nonsig.	0	0	36	79	0	0
	Significant	**0**	**0**	2	27	**8**	**0**

*Observed items with MH statistics and LA-LOR statistics of zero, therefore not all 152 items appear in the table

Even with the large sample size discrepancies, very few items were flagged for race/ethnicity DIF. The largest number of items was flagged in the Black/African American DIF analysis (25 items or 16%), followed by the Asian (10 items or 7%), Non-Caucasian (8 items or 5%), Hispanic (7 items or 5%), and Other (7 items or 5%) analyses which are highlighted in Table 10. Although few items were flagged for race/ethnicity DIF, all flagged items indicated that Caucasians performed better than each focal group after controlling for overall performance on the MBE.

The frequency of items flagged for race/ethnicity DIF for each subject was also examined. Table 11 provides a breakdown of the analysis for the Non-Caucasian focal group. The analyses for the Black/African American, Asian, Hispanic, and Other focal groups are included in Appendix D.

Table 11. Race/Ethnicity and Subject DIF Statistics

Subject	MH Statistic	LA-LOR Statistic					
		Favors Non-Caucasian			Favors Caucasian		
		Large	Moderate	Negligible	Negligible	Moderate	Large
Business Associations	Nonsig.	0	0	6	4	0	0
	Significant	**0**	**0**	0	1	**0**	**0**
Civil Procedure	Nonsig.	0	0	9	3	0	0
	Significant	**0**	**0**	0	2	**0**	**0**
Community Property	Nonsig.	0	0	2	9	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Constitutional Law	Nonsig.	0	0	2	7	0	0
	Significant	**0**	**0**	0	1	**0**	**0**
Contracts	Nonsig.	0	0	4	14	0	0
	Significant	**0**	**0**	1	5	**1**	**0**
Criminal Law & Procedure	Nonsig.	0	0	2	3	0	0
	Significant	**0**	**0**	0	6	**1**	**0**
Evidence	Nonsig.	0	0	1	7	0	0
	Significant	**0**	**0**	0	2	**1**	**0**
Immigration Law*	Nonsig.	0	0	0	1	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Professional Responsibility	Nonsig.	0	0	2	8	0	0
	Significant	**0**	**0**	0	5	**1**	**0**
Real Property	Nonsig.	0	0	2	6	0	0
	Significant	**0**	**0**	0	1	**2**	**0**
Regulatory Law*	Nonsig.	0	0	1	1	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Remedies	Nonsig.	0	0	0	5	0	0
	Significant	**0**	**0**	0	1	**0**	**0**
Torts	Nonsig.	0	0	3	4	0	0
	Significant	**0**	**0**	1	2	**2**	**0**
Trusts	Nonsig.	0	0	1	2	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Wills & Succession	Nonsig.	0	0	1	5	0	0
	Significant	**0**	**0**	0	1	**0**	**0**

*The Immigration Law and Regulatory Law subject areas were tested via performance test items only and therefore are not listed as subjects tested on the CBX exam.

Some commonalities were identified in the five race/ethnicity by subject matter analyses. For instance, the following subjects had at least one item flagged in the Non-Caucasian analysis and at

least one item was flagged in 50% of the other race/ethnicity by subject matter analyses: Contracts, Evidence, Professional Responsibilities, Real Property, Torts, and Criminal Law and Procedure.

Law School Type

A number of DIF analyses were conducted with respect to the law school type variable. In all cases, California ABA law schools were designated as the reference group and the focal groups for each analysis were California Accredited, California Registered, Out-of-state ABA, Attorney, and Foreign JD. The results of these analyses are presented in Table 12.

Table 12. Law School Type DIF Statistics

Focal Group	MH Statistic	LA-LOR Statistic					
		Favors Focal Group			**Favors California ABA**		
		Large	Moderate	Negligible	Negligible	Moderate	Large
California	Nonsig.	0	2	17	62	10	3
Accredited	Significant	**1**	**0**	0	8	**17**	**32**
California	Nonsig.	0	0	6	26	20	2
Registered	Significant	**0**	**0**	0	0	**3**	**95**
Out-of-state	Nonsig.	0	0	9	47	0	0
ABA	Significant	**0**	**0**	1	49	**23**	**23**
Attorney	Nonsig.	0	0	17	30	0	0
	Significant	**6**	**0**	2	26	**33**	**44**
Foreign JD	Nonsig.	0	0	6	21	9	1
	Significant	**0**	**0**	0	1	**10**	**104**

For each of the law school type DIF analyses presented in Table 12 more items were flagged for DIF in favor of the California ABA law schools. However, it is also important to note that the number of candidates from California ABA law schools tended to be much larger compared to the number of candidates from CA Accredited and California Registered law schools and the Attorney and Foreign JD categories (see Table 1). Large differences in sample size may have impacted the results, potentially resulting in flagging items for DIF at a higher or lower rate than if the groups had been of similar size.

A large proportion of items were flagged for DIF in the California Registered (98 or 64%), Attorney (83 or 55%), and Foreign JD (114 or 75%) analyses. Of the items flagged, only six favored the focal group after controlling for overall performance on the MBE.

A much smaller number of items were flagged for DIF in the California Accredited (50 or 33%) and Out-of-state ABA (46 or 30%) analyses. With the exception of one item, all flagged items favored California ABA candidates after controlling for overall performance on the MBE for the two aforementioned analyses.

The number of candidates from the largest groups, California ABA and Out-of-state ABA, tended to fluctuate during each administration window (more candidates in July compared to February). However, the number of candidates testing from the other categories tended to be both smaller and remain relatively stable during both administration windows (see Table 1). Therefore, an analysis of the number of items flagged during each administration window is included in Table 13.

Table 13. Law School and Administration Window DIF Statistics

Admin Window	MH Statistic	LA-LOR Statistic Favors California Accredited			LA-LOR Statistic Favors California ABA		
		Large	Moderate	Negligible	Negligible	Moderate	Large
February	Nonsig.	0	2	14	34	10	3
	Significant	**1**	**0**	0	0	**4**	**8**
July	Nonsig.	0	0	3	28	0	0
	Significant	**0**	**0**	0	8	**13**	**24**

Admin Window	MH Statistic	LA-LOR Statistic Favors California Registered			LA-LOR Statistic Favors California ABA		
		Large	Moderate	Negligible	Negligible	Moderate	Large
February	Nonsig.	0	0	6	20	15	2
	Significant	0	0	0	0	**2**	**31**
July	Nonsig.	0	0	0	6	5	0
	Significant	**0**	**0**	0	0	**1**	**64**

Admin Window	MH Statistic	LA-LOR Statistic Favors Out-of-state ABA			LA-LOR Statistic Favors California ABA		
		Large	Moderate	Negligible	Negligible	Moderate	Large
February	Nonsig.	0	0	6	35	0	0
	Significant	**0**	**0**	0	4	**13**	**18**
July	Nonsig.	0	0	3	12	0	0
	Significant	**0**	**0**	1	45	**10**	**5**

Admin Window	MH Statistic	LA-LOR Statistic Favors Attorney			LA-LOR Statistic Favors California ABA		
		Large	Moderate	Negligible	Negligible	Moderate	Large
February	Nonsig.	0	0	16	25	0	0
	Significant	**6**	**0**	2	14	**8**	**11**
July	Nonsig.	0	0	1	5	0	0
	Significant	**0**	**0**	0	12	**25**	**33**

Admin Window	MH Statistic	LA-LOR Statistic Favors Foreign JD			LA-LOR Statistic Favors California ABA		
		Large	Moderate	Negligible	Negligible	Moderate	Large
February	Nonsig.	0	0	6	20	7	1
	Significant	**0**	**0**	0	0	**4**	**38**
July	Nonsig.	0	0	0	1	2	0
	Significant	**0**	**0**	0	1	**6**	**66**

The number of items flagged for DIF was higher in the July windows compared to the February windows for California Accredited (37 compared to 13, California Registered (65 compared to 33), Attorney (58 compared to 25, and Foreign JD (72 compared to 42 candidates). This may be a reflection of the large discrepancy between the number of candidates in each of these categories compared to the number of California ABA candidates in the July administration windows.

It is important to note that more items were flagged in the February administration window in the Out-of-state ABA (31 compared to 15) DIF analysis compared to the July window.

Gender, Race/Ethnicity, and Law School Type

Given that law school type DIF appeared to be flagged more often for items compared to gender or race/ethnicity DIF, additional analyses were conducted to investigate the relationship between all three demographic characteristics of CBX candidates.

It would be inappropriate to examine gender and race/ethnicity DIF within each law school type, due to limited sample sizes. For instance, for several law school types fewer than 50 candidates represented a race/ethnicity group over 20 administrations.

It is also impossible to disaggregate the gender and race/ethnicity DIF results from law school type, since candidates from all law school types were pooled in order to conduct each gender and race/ethnicity DIF analysis.

Therefore, the demographic characteristics of each law school type were examined to attempt to explain the relationship between gender and race/ethnicity with respect to law school type. Table 14 provides gender and race/ethnicity characteristics of each law school type. It is important to note that gender and race/ethnicity were not reported by all candidates for each law school type, therefore the sample sizes may not align with the values in Table 1.

Table 14. Gender, Race/Ethnicity, and Law School Type

	Law School Type					
Gender	**CA ABA**	**CA Accredited**	**CA Registered**	**Out-of-state ABA**	**Attorney**	**Foreign JD**
Male	15,921(50%)	976(52%)	546(59%)	5,945(55%)	2,929(53%)	1,074(43%)
Female	15,733(50%)	912(48%)	385(41%)	4,913(45%)	2,557(47%)	1,430(57%)
Race/ Ethnicity	**CA ABA**	**CA Accredited**	**CA Registered**	**Out-of-state ABA**	**Attorney**	**Foreign JD**
Asian	6,111 (20%)	226(12%)	114(12%)	2,230(22%)	1,126(21%)	1,340(54%)
Black/AA	941 (3%)	78 (4%)	48 (5%)	532 (5%)	260 (5%)	97 (4%)
Hispanic	3,260 11%)	303(17%)	79 (9%)	872 (9%)	367 (7%)	164 (7%)
Caucasian	19,537(64%)	1,196(65%)	669(73%)	6,333(62%)	3,516(66%)	870(35%)
Other	488 (2%)	39 (2%)	12 (1%)	173 (2%)	65 (1%)	8(<1%)

From a gender perspective, the proportion of males and females was similar for CA ABA, CA Accredited, Out-of-state ABA, and Attorney law school types. The two least similar law school types with respect to gender were CA Registered, with a 59% to 41% male-to-female ratio, and Foreign JD, with a 43% to 57% male-to-female ratio.

From a race/ethnicity perspective, large proportional differences were observed for Asian candidates across law school types. Asian candidates represented 12% of all candidates for CA Accredited and CA Registered law school types and between 20% and 22% of all candidates for CA ABA, Out-of-state ABA, and Attorney law school types. However, Foreign JD law schools were represented by the largest proportion of Asian candidates at 54%.

Similarly, large proportional differences were also observed for Caucasian candidates for Foreign JD law schools compared to other law school types. While Caucasians represented between 62% and 73% of all candidates for all other law school types, Caucasians represented 35% of all candidates for Foreign JD law schools.

Relatively small proportional differences were observed for Hispanic candidates across law school types. Hispanic candidates represented between 7% and 11% of all candidates for all law school types, with the exception of CA Accredited law schools which had a slightly higher proportion of Hispanic candidates at 17%.

Only small proportional differences were observed for Black/African American candidates across all law school types. Black/African American candidates represented between 3% and 5% of all candidates for all law school types.

Similarly, small proportional differences were observed for candidates who identified as Other with respect to race/ethnicity across all law school types. Other candidates represented 2% or less of the proportion of all candidates for all law school types.

CONCLUSION

The purpose of this analysis was to examine DIF on the CBX essay and performance test items with respect to the following demographic variables: gender, race/ethnicity, and law school type. Trends related to item type, subject matter, and administration window were also of interest and are discussed in this section. In the final section, recommendations for the State Bar are presented.

Gender

The first demographic variable examined was gender. Female candidates performed better than male candidates on 99% of the CBX essay and performance test items after controlling for performance on the MBE. However, only 30 items, or 20%, were flagged for gender DIF based on the flagging criteria used in this study meaning gender DIF was considered negligible for 80% of items.

Since there appeared to be an overall bias favoring female candidates on the CBX, the rate at which items were flagged for gender DIF was investigated for each of the two item types. Both essay and performance test items had a similar proportion of items flagged for gender DIF. Therefore, it is possible that these results indicate a bias towards females for these two item types and the CBX overall. However, it is also possible that the results are confounded because of the choice to use the MBE, which consists of only multiple-choice items, as an indicator of overall performance in this study. Due to this limitation, conclusions should not be drawn about potential item type bias on the CBX based only on the results of this study. If multiple-choice data are available for the MBE, item type bias could be investigated in future studies.

Finally, it appears that some specific subjects were flagged for gender DIF at a higher rate compared to others. Specifically, Trusts (2 of 3, or 67%), Wills and Succession (4 of 7 items, or 57%), Regulatory Law (1 of 2, or 50%), and Community Property (5 of 11 items, or 45%) were flagged more often than other subject areas. On the other hand, no items from the following subjects were flagged for gender DIF: Constitutional Law, Criminal Law and Procedure, Immigration Law, Real Property, and Remedies. Although this finding may help to explain some of the gender DIF, the number of items administered for each subject varied greatly so these results should be interpreted with caution.

Race/Ethnicity

Four specific comparisons were of interest in the race/ethnicity DIF analysis. Caucasian candidates were designated as the reference variable and the focal groups for each analysis were Black/African American, Asian, Hispanic, or Other. All items flagged for race/ethnicity DIF favored Caucasians, although the proportion of items flagged were relatively small. Specifically, the largest proportion of items were flagged in the Black/African American DIF analysis (25 items or 16%), followed by the Asian (10 items or 7%), Hispanic (7 items or 5%), and Other (7 items or 5%) analyses.

It is important to note that large discrepancies between the number of candidates in the reference and focal groups were observed in each administration window, particularly in the Black/African American and Other analyses. It is difficult to draw conclusions given then large differences in sample sizes in each of the two aforementioned DIF analyses.

As a result, an additional variable (Non-Caucasian) was created by combining the Black/African American, Asian, Hispanic, and Other variables into a single variable. Fewer items were flagged for race/ethnicity DIF in the Non-Caucasian (8 items or 5%), analysis, although a similar trend was

observed. Generally, Caucasians performed better than Non-Caucasians after controlling for overall performance on the MBE, although observed DIF was considered negligible for 95% of items.

The Non-Caucasian variable was used as the primary variable for identifying DIF in follow-up studies, such as an analysis of DIF with respect to race/ethnicity and subject matter. In the analysis the following subjects had at least one item flagged in the Non-Caucasian analysis and were also flagged in a majority of the other race/ethnicity analyses: Contracts, Evidence, Professional Responsibilities, Real Property, Torts, and Criminal Law and Procedure. No other follow-up analyses yielded relationships worth noting.

Law School Type

The final DIF analysis centered around law school type. For this analysis California ABA law schools were designated as the reference group and the focal groups were California Accredited, California Registered, Out-of-state ABA, Attorney, and Foreign JD.

The law school type DIF analysis resulted in more items being flagged than in the gender and race/ethnicity analyses. A large proportion of items were flagged in the California Registered (98 or 64%), Attorney (83 or 55%), and Foreign JD (114 or 75%) analyses while smaller proportions of items were flagged in the California Accredited (50 or 33%) and Out-of-state ABA (46 or 30%) analyses. Generally, items flagged for DIF tended to favor California ABA candidates.

It is important to note that the number of candidates from the largest groups, California ABA and Out-of-state ABA, tended to fluctuate during each administration window, with more candidates testing in July compared to February. However, the number of candidates testing from the other categories tended to be both smaller and remain relatively stable during each annual administration window.

Upon further investigation it was discovered that the number of items flagged for DIF was higher in the July windows compared to the February windows for California Accredited, California Registered, Attorney, and Foreign JD candidates. On the other hand, more items were flagged in the February administration windows in the Out-of-state ABA DIF analysis.

There appears to be an administration window effect with respect to law school type DIF. The results may be attributed to large discrepancies between the number of reference and focal group candidates testing in a particular administration window, or it could be due to the time of year that particular students tend to graduate from each type of law school. Although it is difficult to assign a cause based only on the variables included in this study, it seems reasonable that candidates with different educational backgrounds would be expected to perform differently on items even after controlling for overall MBE score.

Gender, Race/Ethnicity, and Law School Type

Gender and race/ethnicity demographic variables were examined for each law school type to attempt to explain some of the DIF trends uncovered in this report.

From a gender perspective, the proportion of males and females was similar for CA ABA, CA Accredited, Out-of-state ABA, and Attorney law schools. The law school type with the largest proportion of males, at 59%, was CA Registered. The only law school type where females were the majority was the Foreign JD category, where 57% of all candidates were female.

From a race/ethnicity perspective, large proportional differences were observed for Asian and Caucasian candidates across law school types. The proportion of Asian candidates was between 12% and 22% for all law school types, with the exception of the Foreign JD category where 54% of all candidates were Asian. On the other hand, Caucasian candidates represented 35% of all candidates in the Foreign JD category, while Caucasian candidates represented between 62% and 73% of all candidates for all other law school types.

Relatively small proportional differences were observed for Hispanic candidates across law school types, with Hispanic candidates representing between 7% and 17% of all candidates across all law school types.

Only small proportional differences were observed for Black/African American candidates, who represented between 3% and 5% of all candidates across all law school types. Likewise, candidates who identified as Other with respect to race/ethnicity represented 2% or less of the proportion of all candidates across all law school types.

In summary, it appears that the demographic make-up of the Foreign JD law school type is unlike the other law school types included in this study with respect to gender and race/ethnicity. Foreign JD is the only law school type where females represent a majority with respect to gender and Asians represent a majority with respect to race/ethnicity. These demographic characteristics, coupled with a relatively small sample size of Foreign JD candidates, may help to explain why a large proportion of items were flagged for law school type DIF in the Foreign JD analysis.

All other law school types had somewhat comparable demographics with respect to gender and race/ethnicity, with only relatively small differences observed. It is important to note that these were the only two demographic variables included in this study, therefore other socio-economic variables may be better for explaining differences in the demographic characteristics of law schools.

Recommendations

In order to provide recommendations, it is important to first reflect on the overall performance of the CBX items for context.

The results of this DIF study indicate no major areas of concern for the CBX with respect to DIF. Only 5% of items were flagged in the race/ethnicity analysis based on the Caucasian/Non-Caucasian analysis, which is a small amount of DIF for an assessment. Although a large proportion of items were identified for law school type DIF, similar findings could be expected given that candidates have different educational backgrounds regarding legal topics.

A finding of potential concern was the moderate number of items flagged for DIF with respect to gender (20% of items flagged). It is difficult to explain why a general bias towards females was observed across almost all items, even when the level of DIF was negligible. The results may be influenced by using the MBE scaled score as an indicator of overall performance, which included only multiple-choice items, while conducting a DIF study on essay and performance test items. Although this is a limitation of this study, the MBE scaled score was chosen as an indicator of overall performance after reviewing existing DIF studies conducted on assessments with only a small number of polytomous items.

Considering the results, there are four ways the State Bar can use this study to improve the CBX moving forward.

First, it is recommended that the State Bar convene a panel of attorneys with varying demographic backgrounds to conduct a bias and sensitivity review of the flagged items. Reviewers should look for particular words and phrases that may be biased towards a particular gender or race/ethnicity or misinterpreted depending on a candidate's background. Since all items included in this study have been administered, and thus will not appear on future forms, any comments from the reviewers should be used to inform future item development.

In addition to the initial review, bias and sensitivity reviews should take place for items appearing on future forms. These reviews should be incorporated into the examination review process prior to the administration of new forms.

Third, it is recommended that the State Bar use these results to inform the future design of the bar examination. When considering which item types are best for assessing legal knowledge it is also important to consider potential item type bias.

The final recommendation for the State Bar is to review the CBX scoring process. Although scoring was not considered in this study, there is always potential for bias due to the nature in which essays and performance tests are scored. Any rubrics or methods for choosing, training, or assigning raters should be reviewed.

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APPENDIX A: GENDER ITEM-LEVEL DIF RESULTS

Note: Bolded cells correspond to statistically significant MH statistics and LA-LOR statistics with an absolute value greater than 0.43.

| Reference | | Male | | Reference | | Male | |
| Focal | | Female | | Focal | | Female | |
Year	Item	MH Statistic	LA-LOR	Year	Item	MH Statistic	LA-LOR
G0907	Q1	**16.81**	-0.22	G1402	Q5	**8.93**	-0.35
G0907	Q2	1.46	-0.07	G1402	Q6	1.33	-0.14
G0907	Q3	**18.43**	-0.24	G1402	Q7	**9.47**	-0.36
G0907	Q4	1.80	0.07	G1402	Q8	**5.68**	-0.28
G0907	Q5	**41.20**	-0.34	G1407	Q1	**18.77**	-0.25
G0907	Q6	**26.26**	-0.28	G1407	Q2	**15.76**	-0.22
G0907	Q7	**38.35**	-0.34	G1407	Q3	**10.14**	-0.19
G0907	Q8	**34.73**	-0.32	G1407	Q4	**37.29**	-0.35
G1002	Q1	**12.84**	**-0.46**	G1407	Q5	**38.19**	-0.36
G1002	Q2	1.07	-0.14	G1407	Q6	**20.77**	-0.26
G1002	Q3	**15.50**	**-0.50**	G1407	Q7	**18.32**	-0.25
G1002	Q4	**3.95**	-0.25	G1407	Q8	**42.24**	-0.37
G1002	Q5	0.36	-0.08	G1502	Q1	**4.83**	-0.27
G1002	Q6	2.36	-0.19	G1502	Q2	**4.61**	-0.26
G1002	Q7	**8.31**	-0.36	G1502	Q3	**20.30**	**-0.57**
G1002	Q8	**7.13**	-0.33	G1502	Q4	2.22	-0.19
G1007	Q1	**25.30**	-0.24	G1502	Q5	**9.18**	-0.38
G1007	Q2	**147.10**	**-0.60**	G1502	Q6	**32.78**	**-0.73**
G1007	Q3	**79.02**	**-0.43**	G1502	Q7	**6.10**	-0.30
G1007	Q4	**26.08**	-0.25	G1502	Q8	**4.31**	-0.25
G1007	Q5	0.76	-0.04	G1507	Q1	**62.99**	**-0.48**
G1007	Q6	**59.93**	-0.37	G1507	Q2	**27.70**	-0.31
G1007	Q7	**83.40**	**-0.43**	G1507	Q3	0.40	-0.04
G1007	Q8	**89.33**	**-0.45**	G1507	Q4	**77.84**	**-0.53**
G1102	Q1	**17.05**	**-0.52**	G1507	Q5	**29.49**	-0.33
G1102	Q2	0.30	-0.07	G1507	Q6	0.09	-0.02
G1102	Q3	0.14	-0.05	G1507	Q7	**33.27**	-0.34
G1102	Q4	0.20	-0.06	G1507	Q8	**62.35**	**-0.47**
G1102	Q5	**13.65**	**-0.47**	G1602	Q1	**13.27**	**-0.49**
G1102	Q6	**5.11**	-0.29	G1602	Q2	0.59	-0.10
G1102	Q7	**14.36**	**-0.47**	G1602	Q3	**9.14**	-0.41
G1102	Q8	**6.68**	-0.32	G1602	Q4	**5.94**	-0.33
G1107	Q1	**9.41**	-0.17	G1602	Q5	3.18	-0.24
G1107	Q2	**30.19**	-0.31	G1602	Q6	2.06	-0.19
G1107	Q3	**5.10**	-0.13	G1602	Q7	**11.74**	**-0.48**

	Reference	Male			Reference	Male	
	Focal	Female			Focal	Female	
Year	Item	MH Statistic	LA-LOR	Year	Item	MH Statistic	LA-LOR
G1107	Q4	1.94	-0.08	G1602	Q8	**14.13**	**-0.51**
G1107	Q5	**4.47**	-0.12	G1607	Q1	**12.58**	-0.24
G1107	Q6	**65.93**	**-0.45**	G1607	Q2	**10.39**	-0.22
G1107	Q7	**24.15**	-0.27	G1607	Q3	3.81	-0.13
G1107	Q8	**48.35**	-0.38	G1607	Q4	**11.65**	-0.23
G1202	Q1	**18.65**	**-0.53**	G1607	Q5	**50.93**	**-0.47**
G1202	Q2	2.93	-0.22	G1607	Q6	**45.66**	**-0.44**
G1202	Q3	**8.16**	-0.35	G1607	Q7	**9.40**	-0.20
G1202	Q4	**4.28**	-0.25	G1607	Q8	**31.20**	-0.37
G1202	Q5	**6.45**	-0.32	G1702	Q1	2.07	-0.22
G1202	Q6	**6.75**	-0.32	G1702	Q2	0.27	-0.08
G1202	Q7	**17.41**	**-0.52**	G1702	Q3	**8.93**	**-0.47**
G1202	Q8	**5.51**	-0.28	G1702	Q4	2.24	-0.23
G1207	Q1	**34.06**	-0.31	G1702	Q5	**4.27**	-0.32
G1207	Q2	**44.14**	-0.37	G1702	Q6	3.66	-0.29
G1207	Q3	**89.73**	**-0.51**	G1702	Q7	0.66	-0.12
G1207	Q4	**12.87**	-0.20	G1702	Q8	1.43	-0.18
G1207	Q5	**42.25**	-0.35	G1707	Q1	**62.78**	**-0.48**
G1207	Q6	**26.04**	-0.28	G1707	Q2	**44.97**	-0.40
G1207	Q7	**31.46**	-0.30	G1707	Q3	**22.75**	-0.29
G1207	Q8	**110.77**	**-0.56**	G1707	Q4	**18.70**	-0.26
G1302	Q1	1.11	-0.13	G1707	Q5	**8.31**	-0.17
G1302	Q2	**4.23**	-0.26	G1707	Q7	**32.16**	-0.33
G1302	Q3	0.79	-0.11	G1802	Q1	1.96	-0.19
G1302	Q4	**6.35**	-0.32	G1802	Q2	0.36	-0.08
G1302	Q5	0.00	0.00	G1802	Q3	0.35	-0.08
G1302	Q6	0.79	-0.11	G1802	Q4	2.75	-0.22
G1302	Q7	**10.33**	-0.41	G1802	Q5	**21.83**	**-0.63**
G1302	Q8	**4.73**	-0.27	G1802	Q7	**10.38**	-0.43
G1307	Q1	**32.86**	-0.31	G1807	Q1	**19.97**	-0.24
G1307	Q2	**53.50**	-0.39	G1807	Q2	**70.81**	**-0.45**
G1307	Q3	**28.83**	-0.29	G1807	Q3	**116.47**	**-0.58**
G1307	Q4	**14.18**	-0.20	G1807	Q4	**47.34**	-0.36
G1307	Q5	**34.60**	-0.32	G1807	Q5	**27.54**	-0.29
G1307	Q6	0.00	0.00	G1807	Q7	**54.52**	-0.39
G1307	Q7	**6.34**	-0.14	G1902	Q1	**11.64**	-0.42
G1307	Q8	66.84	**-0.44**	G1902	Q2	**8.07**	-0.36
G1402	Q1	0.95	-0.12	G1902	Q3	**6.16**	-0.31
G1402	Q2	**14.77**	**-0.46**	G1902	Q4	**10.00**	-0.41
G1402	Q3	0.11	-0.04	G1902	Q5	0.31	-0.07

Reference		Male		Reference		Male	
Focal		Female		Focal		Female	
Year	Item	MH Statistic	LA-LOR	Year	Item	MH Statistic	LA-LOR
G1402	Q4	0.09	-0.04	G1902	Q7	0.12	-0.04

APPENDIX B: RACE/ETHNICITY ITEM-LEVEL DIF RESULTS

Note: Bolded cells correspond to statistically significant MH statistics and LA-LOR statistics with an absolute value greater than 0.43.

| Reference | | Caucasian | | | | | | | | | |
| Focal | | Non-Caucasian | | Black/AA | | Asian | | Hispanic | | Other | |
Year	Item	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR
G0907	Q1	0.37	-0.04	0.86	-0.15	0.26	-0.04	0.40	-0.07	2.03	0.38
G0907	Q2	0.26	0.03	0.36	0.10	0.19	0.03	0.61	-0.08	2.22	0.39
G0907	Q3	0.48	0.04	**11.93**	**0.63**	2.48	-0.11	2.82	0.19	2.77	0.41
G0907	Q4	3.74	0.12	0.42	0.11	**4.58**	0.15	0.02	-0.02	0.79	0.22
G0907	Q5	1.96	-0.08	2.85	0.29	**12.28**	-0.24	1.34	0.12	2.43	0.37
G0907	Q6	0.35	-0.04	3.00	0.30	0.33	-0.04	1.61	-0.14	0.02	-0.04
G0907	Q7	**3.98**	-0.12	**6.04**	0.42	**13.16**	-0.25	0.02	0.02	1.18	0.24
G0907	Q8	0.13	-0.02	**5.56**	0.42	1.56	-0.09	0.75	-0.09	**4.58**	**0.48**
G1002	Q1	0.55	0.11	0.06	0.11	1.34	0.19	0.02	-0.04	0.87	**-0.53**
G1002	Q2	0.37	0.09	0.04	-0.07	1.01	0.18	0.11	-0.08	0.13	0.22
G1002	Q3	0.92	0.14	0.09	0.11	0.44	0.11	1.54	0.33	0.84	**-0.63**
G1002	Q4	1.15	0.15	2.39	**0.65**	0.08	0.04	1.91	0.36	0.01	-0.04
G1002	Q5	0.07	-0.04	0.61	0.33	0.03	0.03	0.68	-0.22	1.20	**-0.57**
G1002	Q6	0.00	0.00	0.01	0.05	0.59	-0.13	1.31	0.31	0.59	**0.49**
G1002	Q7	**4.14**	0.28	1.33	**0.49**	2.21	0.24	1.97	0.35	0.07	-0.13
G1002	Q8	1.04	-0.14	1.35	**-0.49**	0.76	-0.14	0.11	0.08	1.53	**-0.63**
G1007	Q1	1.04	0.05	**7.06**	0.37	0.01	0.01	0.19	0.04	0.18	0.08
G1007	Q2	0.37	-0.03	3.00	0.25	0.60	-0.05	1.69	-0.12	0.14	0.08
G1007	Q3	0.21	0.02	**12.74**	**0.52**	2.04	-0.09	1.58	0.11	1.53	0.25
G1007	Q4	**5.95**	0.13	**4.79**	0.30	2.17	0.09	2.19	0.13	0.81	0.18
G1007	Q5	**15.55**	0.21	**5.36**	0.32	**20.96**	0.28	0.00	0.00	0.18	0.08
G1007	Q6	0.47	0.04	**7.69**	0.40	0.00	0.00	0.10	0.03	0.27	-0.11
G1007	Q7	0.37	0.03	**27.51**	**0.73**	**4.65**	-0.13	**5.34**	0.20	0.09	-0.06
G1007	Q8	0.01	-0.01	**16.19**	**0.55**	**4.93**	-0.13	2.64	0.14	0.51	-0.14
G1102	Q1	**4.68**	0.30	**8.62**	**1.42**	1.37	0.19	0.71	0.21	0.57	0.34
G1102	Q2	0.35	0.08	0.01	0.03	1.26	0.18	1.47	-0.30	0.77	**0.43**
G1102	Q3	0.24	0.07	0.12	0.13	0.30	-0.09	**5.18**	**0.59**	0.09	-0.16
G1102	Q4	0.53	0.10	0.02	0.05	0.14	0.06	0.85	0.24	0.02	-0.06
G1102	Q5	0.02	-0.02	0.60	0.30	0.12	-0.06	0.27	-0.14	0.19	0.19
G1102	Q6	0.91	0.13	1.06	0.38	0.93	0.16	0.12	-0.09	0.14	0.17
G1102	Q7	0.01	0.01	0.38	0.24	0.47	-0.11	1.25	0.28	0.11	0.16
G1102	Q8	0.40	0.09	2.45	**0.60**	0.03	0.03	0.03	0.05	0.30	0.29
G1107	Q1	**8.04**	0.17	0.07	0.05	**5.87**	0.18	3.37	0.20	2.48	0.36
G1107	Q2	0.24	-0.03	1.84	0.24	2.09	-0.11	0.26	0.05	0.08	-0.06
G1107	Q3	**4.53**	0.13	**16.16**	**0.67**	1.40	0.09	1.48	0.13	2.05	-0.33

Reference		Caucasian									
Focal		Non-Caucasian		Black/AA		Asian		Hispanic		Other	
Year	Item	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR
G1107	Q4	**11.86**	0.21	1.16	0.19	**8.76**	0.22	**4.10**	0.22	1.52	0.27
G1107	Q5	1.85	0.08	0.85	-0.15	0.41	0.05	**8.23**	0.30	0.15	-0.09
G1107	Q6	0.18	0.03	3.37	0.32	0.10	0.02	2.43	-0.16	3.23	0.42
G1107	Q7	0.95	-0.06	1.76	0.21	**5.45**	-0.17	0.16	0.04	0.79	0.19
G1107	Q8	0.02	0.01	2.03	0.24	0.47	-0.05	0.38	0.06	0.00	-0.01
G1202	Q1	0.47	-0.09	0.17	0.14	0.14	-0.06	3.25	-0.42	1.44	**0.66**
G1202	Q2	1.97	-0.19	1.44	0.37	2.31	-0.25	3.00	-0.39	0.09	-0.15
G1202	Q3	0.19	-0.06	0.24	0.14	0.91	-0.15	0.24	-0.12	2.10	**0.75**
G1202	Q4	0.16	-0.05	2.02	**0.44**	1.52	-0.20	0.30	0.13	0.56	-0.43
G1202	Q5	3.23	0.24	0.08	-0.09	**5.03**	0.37	0.03	-0.04	3.49	**1.10**
G1202	Q6	0.64	-0.11	2.51	**0.58**	3.11	-0.30	0.20	-0.12	0.71	**0.46**
G1202	Q7	0.06	0.03	0.02	0.04	0.31	0.09	0.00	-0.01	0.61	**-0.47**
G1202	Q8	1.22	0.15	0.66	0.26	0.93	0.16	0.00	0.00	1.98	**0.77**
G1207	Q1	1.67	0.08	**7.02**	0.43	0.00	0.00	1.73	0.13	0.14	-0.11
G1207	Q2	0.01	-0.01	0.26	0.08	0.75	0.06	3.46	-0.19	0.09	-0.09
G1207	Q3	1.15	0.06	**6.33**	0.42	0.27	-0.04	2.77	0.17	0.09	0.09
G1207	Q4	**8.29**	0.17	**6.71**	**0.44**	2.08	0.10	**5.80**	0.25	0.11	0.10
G1207	Q5	3.42	-0.11	0.67	0.14	**9.63**	-0.21	0.41	0.07	0.15	-0.11
G1207	Q6	0.07	-0.02	**7.07**	**0.44**	0.00	0.00	**4.82**	-0.22	0.08	0.08
G1207	Q7	1.06	-0.06	**4.56**	0.34	**6.26**	-0.17	0.90	0.10	0.09	-0.08
G1207	Q8	**5.17**	-0.13	1.81	0.22	**18.96**	-0.31	0.77	0.09	0.49	0.19
G1302	Q1	0.50	0.09	0.01	-0.03	0.50	0.11	0.61	0.20	0.01	0.07
G1302	Q2	0.08	0.04	2.59	**0.56**	0.02	-0.03	0.01	0.03	0.13	-0.18
G1302	Q3	0.64	0.11	**4.16**	**0.72**	0.01	-0.02	0.02	0.04	0.76	**0.58**
G1302	Q4	0.67	-0.11	0.18	0.13	2.17	-0.24	0.08	-0.07	2.71	**0.96**
G1302	Q5	3.77	0.27	0.65	0.23	0.24	0.08	**7.10**	**0.73**	1.80	**0.90**
G1302	Q6	2.23	0.21	1.68	**0.44**	0.99	0.16	0.77	0.23	0.04	-0.10
G1302	Q7	3.61	0.26	2.06	0.38	0.71	0.14	**4.54**	**0.58**	0.06	0.10
G1302	Q8	0.00	0.00	0.79	0.26	0.02	0.02	0.25	-0.13	1.09	**-0.46**
G1307	Q1	**6.74**	0.15	**5.79**	**0.44**	**9.54**	0.22	0.07	-0.03	0.00	0.01
G1307	Q2	**5.09**	0.13	**7.07**	**0.45**	0.21	0.03	**5.44**	0.23	3.24	0.40
G1307	Q3	0.36	0.04	1.24	0.20	0.00	0.00	0.00	0.00	**5.40**	**0.52**
G1307	Q4	2.58	0.09	**3.99**	0.36	0.08	-0.02	**5.82**	0.24	**4.82**	**0.46**
G1307	Q5	1.62	0.08	**16.45**	**0.76**	0.23	0.03	0.02	0.02	0.04	0.04
G1307	Q6	**9.46**	0.18	**4.91**	0.39	**4.34**	0.15	**4.43**	0.21	1.00	0.22
G1307	Q7	0.77	0.05	2.65	0.29	0.07	-0.02	2.26	0.15	0.27	0.11
G1307	Q8	0.14	0.02	**6.99**	**0.45**	0.52	-0.05	0.59	0.08	0.00	-0.01
G1402	Q1	**6.87**	0.37	0.70	0.30	**7.97**	**0.47**	0.00	-0.01	**5.49**	**1.91**
G1402	Q2	2.70	0.23	0.41	0.23	3.75	0.32	0.18	-0.10	0.75	**0.53**
G1402	Q3	**4.51**	0.29	**5.62**	**0.79**	2.54	0.26	0.00	0.01	0.16	0.23

Reference		Caucasian									
Focal		Non-Caucasian		Black/AA		Asian		Hispanic		Other	
Year	Item	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR
G1402	Q4	**16.11**	**0.58**	0.11	0.11	**12.24**	**0.61**	5.93	**0.66**	1.82	**0.95**
G1402	Q5	0.34	0.08	1.40	0.40	0.40	0.10	0.19	-0.10	0.12	0.21
G1402	Q6	1.43	0.16	1.77	**0.51**	2.42	0.25	0.37	-0.14	0.00	0.02
G1402	Q7	3.23	0.24	0.05	0.07	2.24	0.24	2.70	0.37	0.13	-0.21
G1402	Q8	**5.12**	0.30	0.05	0.07	1.47	0.19	**4.98**	**0.56**	1.55	**0.83**
G1407	Q1	**8.79**	0.18	2.03	0.22	**4.19**	0.15	**5.53**	0.25	0.82	0.22
G1407	Q2	1.48	0.07	**4.75**	0.34	0.20	-0.03	3.02	0.18	0.50	0.17
G1407	Q3	0.89	0.06	2.03	0.24	0.04	-0.02	1.50	0.13	2.40	0.39
G1407	Q4	**7.07**	0.16	**5.85**	0.38	**4.73**	0.16	0.66	0.08	0.03	0.04
G1407	Q5	2.13	0.09	**4.24**	0.33	0.49	-0.05	**7.96**	0.30	1.62	0.30
G1407	Q6	**8.14**	0.17	**12.61**	**0.55**	1.31	0.08	3.10	0.18	2.03	0.34
G1407	Q7	**5.88**	0.15	**16.23**	**0.68**	0.00	0.00	**11.05**	0.35	0.19	-0.10
G1407	Q8	1.86	0.08	**5.12**	0.34	0.08	-0.02	**4.33**	0.21	0.68	0.18
G1502	Q1	0.90	-0.13	0.38	-0.21	0.00	-0.01	3.81	-0.42	0.14	-0.15
G1502	Q2	3.72	-0.26	1.34	-0.34	**3.90**	-0.33	0.52	-0.16	0.33	-0.23
G1502	Q3	0.06	-0.03	0.06	-0.07	0.13	-0.06	0.52	0.16	1.77	**-0.55**
G1502	Q4	0.20	0.06	2.82	**0.56**	0.40	-0.11	1.39	0.27	0.01	-0.04
G1502	Q5	0.11	-0.05	0.00	0.00	1.54	-0.20	2.65	0.38	0.99	-0.38
G1502	Q6	0.07	0.04	1.41	0.40	0.08	0.05	0.02	0.03	3.33	**-0.87**
G1502	Q7	0.16	-0.06	0.01	0.03	0.50	-0.12	0.00	0.00	0.01	-0.04
G1502	Q8	0.09	0.04	0.42	0.18	0.02	0.02	0.02	-0.03	0.02	0.06
G1507	Q1	0.41	-0.04	0.32	0.09	1.86	-0.10	0.08	0.03	0.03	-0.04
G1507	Q2	1.66	0.08	3.02	0.28	0.58	0.06	0.28	0.05	0.10	0.08
G1507	Q3	**5.70**	0.15	1.51	0.20	**11.80**	0.26	1.74	-0.13	0.58	0.21
G1507	Q4	0.00	0.00	**9.03**	**0.50**	2.48	-0.12	0.00	0.00	2.75	0.43
G1507	Q5	0.00	0.00	**4.85**	0.36	2.24	-0.11	0.25	0.05	1.86	0.38
G1507	Q6	0.58	0.05	3.55	0.32	1.00	0.08	1.67	-0.13	1.22	0.28
G1507	Q7	0.13	-0.02	**11.65**	**0.57**	5.93	-0.18	0.72	0.08	0.91	0.24
G1507	Q8	2.96	0.11	**6.38**	0.42	0.56	0.06	0.63	0.08	0.97	0.25
G1602	Q1	0.03	0.02	1.62	**0.45**	0.00	0.00	0.03	0.04	0.19	-0.20
G1602	Q2	**9.54**	**0.44**	2.76	**0.59**	**9.73**	**0.54**	2.00	0.35	1.52	**-0.60**
G1602	Q3	1.04	0.15	0.62	0.28	2.04	0.24	0.11	-0.08	0.19	0.19
G1602	Q4	1.06	0.15	0.30	-0.18	2.10	0.25	0.00	0.02	1.79	**0.76**
G1602	Q5	0.21	0.07	0.14	-0.13	2.37	0.26	0.86	-0.24	0.67	-0.40
G1602	Q6	1.54	0.18	1.23	0.36	2.99	0.29	0.23	-0.12	0.05	0.11
G1602	Q7	0.94	0.14	2.16	**0.51**	0.34	0.10	0.86	0.24	0.21	-0.20
G1602	Q8	1.46	0.17	2.73	**0.59**	1.10	0.17	0.13	0.09	0.51	0.38
G1607	Q1	1.71	-0.09	0.85	0.17	1.65	-0.11	1.40	-0.13	1.04	-0.25
G1607	Q2	0.15	0.03	**7.74**	**0.53**	0.13	0.03	0.43	-0.07	0.59	-0.19
G1607	Q3	**3.92**	0.14	**8.23**	**0.56**	0.00	0.00	**5.75**	0.27	1.22	0.31

| Reference | | Caucasian | | | | | | | | | |
| Focal | | Non-Caucasian | | Black/AA | | Asian | | Hispanic | | Other | |
Year	Item	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR
G1607	Q4	0.07	0.02	**6.91**	**0.50**	0.00	0.00	1.37	-0.13	2.13	0.39
G1607	Q5	0.31	0.04	0.68	0.16	0.37	0.05	0.12	-0.04	0.55	0.18
G1607	Q6	2.98	-0.12	0.03	0.03	2.43	-0.13	2.89	-0.18	0.20	0.12
G1607	Q7	1.62	0.09	**11.18**	**0.67**	0.50	-0.06	3.30	0.20	0.02	0.04
G1607	Q8	0.88	-0.07	**11.97**	**0.66**	**10.01**	-0.27	0.59	0.09	0.20	0.11
G1702	Q1	1.27	0.17	0.46	0.24	3.27	0.32	1.25	-0.26	0.86	**0.45**
G1702	Q2	3.15	0.28	0.04	0.06	**10.90**	**0.69**	1.76	-0.30	0.06	0.16
G1702	Q3	0.17	0.07	0.89	0.33	0.54	0.14	1.73	-0.32	1.27	**0.76**
G1702	Q4	0.79	-0.14	0.11	0.11	0.70	-0.17	0.96	-0.25	0.02	-0.07
G1702	Q5	0.55	0.12	0.20	0.15	1.75	0.26	0.21	-0.11	0.15	-0.26
G1702	Q6	**12.67**	**0.56**	1.74	**0.47**	**16.15**	**0.78**	1.19	0.29	0.15	0.21
G1702	Q7	0.69	-0.13	0.10	0.11	1.15	-0.20	0.00	0.01	1.74	**-0.74**
G1702	Q8	0.07	0.04	1.22	0.38	0.01	-0.02	0.11	-0.08	1.77	**0.77**
G1707	Q1	2.96	0.11	**4.12**	0.32	**7.08**	0.20	2.47	-0.15	0.12	0.09
G1707	Q2	1.56	0.08	2.04	0.21	1.38	0.09	0.01	0.01	0.38	-0.14
G1707	Q3	**6.31**	0.16	3.51	0.29	**5.44**	0.18	0.11	0.03	1.80	0.31
G1707	Q4	**4.35**	0.13	0.45	0.10	**7.24**	0.20	0.06	0.02	0.13	-0.09
G1707	Q5	3.00	0.11	**4.45**	0.32	3.61	0.14	0.01	-0.01	0.01	0.02
G1707	Q7	**20.59**	0.27	1.43	0.17	**18.13**	0.31	**7.18**	0.26	0.20	0.10
G1802	Q1	**14.83**	**0.55**	2.24	**0.49**	6.87	**0.47**	**11.03**	**0.78**	0.86	**0.44**
G1802	Q2	0.63	0.11	0.47	0.22	2.99	0.31	0.61	-0.18	0.34	-0.24
G1802	Q3	1.92	0.19	0.39	0.17	2.72	0.27	0.03	0.04	0.00	0.01
G1802	Q4	**5.41**	0.33	2.81	**0.51**	3.77	0.34	1.98	0.33	0.56	-0.33
G1802	Q5	0.05	0.03	3.37	**0.57**	0.04	-0.04	0.00	0.01	0.14	-0.18
G1802	Q7	0.26	-0.07	**5.77**	**0.78**	3.75	-0.32	0.00	0.01	2.18	**0.67**
G1807	Q1	0.78	0.05	**3.94**	0.25	0.50	0.05	0.20	-0.04	0.78	0.18
G1807	Q2	**21.17**	0.25	3.51	0.23	**24.51**	0.33	1.85	0.11	**4.28**	**0.44**
G1807	Q3	**17.30**	0.23	**6.02**	0.30	**18.08**	0.28	0.78	0.07	**9.52**	**0.65**
G1807	Q4	2.86	0.09	**4.01**	0.24	**7.61**	0.18	1.29	-0.09	0.09	0.06
G1807	Q5	1.13	0.06	3.45	0.24	0.59	0.05	0.10	-0.03	**4.80**	**0.47**
G1807	Q7	**5.03**	0.12	1.46	0.14	**5.68**	0.15	0.04	0.02	2.38	0.30
G1902	Q1	2.59	0.20	3.12	**0.53**	2.11	0.21	0.10	0.06	0.04	0.15
G1902	Q2	**18.89**	**0.56**	2.33	**0.45**	**27.77**	**0.79**	1.08	0.20	0.01	-0.09
G1902	Q3	**20.88**	**0.58**	3.79	**0.60**	**21.36**	**0.69**	**5.07**	**0.43**	1.72	**0.98**
G1902	Q4	**20.88**	**0.61**	2.32	**0.46**	**19.63**	**0.69**	**4.12**	0.41	0.99	**0.86**
G1902	Q5	**15.50**	**0.52**	3.52	**0.58**	**24.86**	**0.78**	0.00	0.00	0.70	**0.64**
G1902	Q7	3.58	0.24	2.65	**0.48**	3.01	0.26	0.92	0.20	0.07	-0.17

APPENDIX C: LAW SCHOOL TYPE ITEM-LEVEL DIF RESULTS

Note: Bolded cells correspond to statistically significant MH statistics and LA-LOR statistics with an absolute value greater than 0.43.

Reference		CA ABA									
Focal		**CA Accredited**		**CA Registered**		**Out-of-state ABA**		**Attorney**		**Foreign JD**	
Year	Item	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR
G0907	Q1	3.65	0.32	**9.02**	**0.78**	23.30	0.32	**27.45**	**0.68**	2.84	**0.44**
G0907	Q2	**17.34**	**0.74**	25.59	1.41	4.60	0.14	**25.38**	**0.66**	22.92	1.34
G0907	Q3	1.86	0.22	**9.57**	**0.87**	8.99	0.20	**11.73**	**0.44**	13.77	0.98
G0907	Q4	**14.77**	**0.63**	14.36	1.08	0.22	0.03	**20.36**	**0.59**	21.14	1.27
G0907	Q5	**34.53**	**0.94**	71.56	2.16	26.63	0.32	**84.63**	**1.09**	8.89	0.73
G0907	Q6	2.54	0.26	**14.08**	**1.07**	27.22	0.34	**44.91**	**0.86**	3.14	**0.45**
G0907	Q7	**16.29**	**0.65**	23.65	1.27	5.12	0.15	**31.11**	**0.70**	14.00	0.92
G0907	Q8	**19.80**	**0.73**	24.78	1.27	1.79	0.09	**10.25**	0.38	24.92	1.35
G1002	Q1	2.19	**0.48**	1.46	0.38	0.98	0.19	1.86	0.21	0.40	0.24
G1002	Q2	**5.21**	**0.80**	2.06	0.43	0.79	0.17	**4.69**	0.34	0.01	0.04
G1002	Q3	**4.59**	**0.65**	0.26	0.14	2.18	0.28	0.82	0.14	0.02	-0.04
G1002	Q4	0.21	0.13	1.77	0.39	**9.44**	**0.57**	22.30	0.73	4.94	0.77
G1002	Q5	1.00	-0.31	**5.74**	**0.77**	1.21	0.21	**14.91**	**0.62**	3.66	**0.63**
G1002	Q6	1.82	0.41	3.45	**0.57**	8.52	0.55	24.59	0.75	3.37	0.65
G1002	Q7	1.25	0.32	1.91	0.38	3.84	0.37	**5.27**	0.35	9.40	1.04
G1002	Q8	**6.51**	**0.84**	8.91	0.88	6.46	0.49	4.39	0.31	8.73	0.95
G1007	Q1	1.84	0.16	**19.80**	**0.85**	49.01	0.40	65.10	0.82	62.57	1.30
G1007	Q2	**6.54**	0.32	14.11	0.77	45.12	0.40	36.29	0.67	38.63	1.16
G1007	Q3	**10.36**	0.38	43.87	1.27	46.30	0.40	24.85	0.53	50.16	1.14
G1007	Q4	**10.29**	0.39	30.42	1.10	6.44	0.15	9.04	0.31	32.49	1.00
G1007	Q5	**6.90**	0.32	22.05	0.96	46.38	0.40	38.69	0.65	44.99	1.12
G1007	Q6	0.05	0.03	**19.71**	**0.94**	48.98	0.42	27.70	0.54	7.02	**0.44**
G1007	Q7	**26.07**	**0.61**	67.15	1.61	7.38	0.16	28.41	0.53	54.36	1.16
G1007	Q8	**46.18**	**0.82**	51.55	1.32	0.30	-0.03	1.58	0.12	13.76	0.58
G1102	Q1	0.28	0.19	**10.82**	**1.08**	1.25	0.21	0.12	0.05	3.26	**0.54**
G1102	Q2	0.04	0.07	**19.26**	**1.34**	4.94	0.40	**29.49**	**0.81**	20.95	1.43
G1102	Q3	0.32	0.19	**5.00**	**0.67**	11.80	0.65	14.99	0.58	9.18	0.93
G1102	Q4	0.11	-0.11	**11.52**	**1.02**	0.11	0.06	1.07	0.16	**14.16**	**1.13**
G1102	Q5	2.98	**0.65**	13.05	1.17	0.07	0.05	1.51	0.19	0.83	0.27
G1102	Q6	1.16	-0.35	**6.29**	**0.82**	0.33	0.11	1.24	0.17	**4.45**	**0.67**
G1102	Q7	**4.12**	**0.60**	40.07	2.15	1.54	-0.22	2.28	-0.22	8.33	0.88
G1102	Q8	1.96	**0.46**	15.78	1.26	2.64	0.30	**4.67**	0.32	9.90	0.91
G1107	Q1	**12.03**	**0.63**	5.56	0.66	36.53	0.41	33.51	0.71	35.26	1.48
G1107	Q2	**10.51**	**0.64**	37.12	2.34	62.17	0.55	24.28	0.60	31.29	1.57
G1107	Q3	**5.18**	**0.46**	3.71	**0.57**	46.20	0.47	40.06	0.78	27.68	1.37

Reference		CA ABA									
Focal		CA Accredited		CA Registered		Out-of-state ABA		Attorney		Foreign JD	
Year	Item	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR
G1107	Q4	**10.10**	**0.65**	1.57	0.39	**5.42**	0.16	**16.86**	**0.51**	4.42	0.52
G1107	Q5	2.82	0.30	**16.36**	**1.29**	**54.24**	**0.49**	**12.80**	**0.45**	5.16	**0.54**
G1107	Q6	0.09	0.05	2.12	**0.44**	**40.93**	**0.44**	**48.20**	**0.92**	9.24	**0.79**
G1107	Q7	**28.33**	**1.02**	31.92	**1.95**	0.70	0.06	**5.38**	0.27	24.87	**1.26**
G1107	Q8	**30.25**	**1.12**	21.75	**1.57**	0.32	0.04	**18.80**	**0.53**	26.91	**1.36**
G1202	Q1	0.44	-0.20	**8.57**	**0.89**	**8.44**	**0.52**	**11.85**	**0.51**	4.03	**0.62**
G1202	Q2	0.03	0.06	**9.63**	**0.95**	**10.47**	**0.58**	6.96	0.41	0.06	0.08
G1202	Q3	1.20	-0.32	3.02	**0.52**	**14.48**	**0.66**	7.89	0.42	1.28	0.30
G1202	Q4	1.73	0.43	1.94	0.41	**3.91**	0.36	**6.13**	0.38	0.94	0.28
G1202	Q5	1.43	0.36	1.06	0.31	0.28	0.09	0.54	0.11	0.72	0.27
G1202	Q6	0.27	0.17	**4.12**	**0.62**	**11.92**	**0.65**	3.03	0.27	1.05	0.34
G1202	Q7	1.73	0.43	**4.23**	**0.64**	4.42	0.38	0.02	-0.02	**8.42**	**0.87**
G1202	Q8	0.00	0.02	**13.07**	**1.08**	3.48	0.33	4.41	0.31	**7.25**	**0.79**
G1207	Q1	**12.98**	**0.63**	17.82	**1.20**	11.59	0.22	**26.92**	**0.57**	37.57	**1.43**
G1207	Q2	1.01	0.18	**6.41**	**0.81**	21.85	0.32	**18.89**	**0.51**	10.31	**0.74**
G1207	Q3	**5.60**	**0.45**	15.59	**1.29**	38.02	0.41	**38.79**	**0.70**	42.35	**1.68**
G1207	Q4	1.12	0.19	**14.20**	**1.32**	2.05	0.10	**5.98**	0.29	16.45	**1.01**
G1207	Q5	**9.03**	**0.56**	7.27	**0.87**	30.47	0.36	**51.50**	**0.83**	15.66	0.93
G1207	Q6	**3.93**	0.34	11.35	**1.14**	35.21	0.40	**64.77**	**0.94**	65.43	**2.24**
G1207	Q7	**14.57**	**0.72**	5.85	**0.74**	1.83	0.09	0.72	0.10	18.31	**1.01**
G1207	Q8	**35.14**	**1.15**	32.50	**1.73**	23.31	0.31	**39.63**	**0.69**	41.57	**1.43**
G1302	Q1	0.24	0.18	0.14	-0.12	3.55	-0.34	**7.31**	-0.41	2.17	0.40
G1302	Q2	**5.61**	**0.92**	12.57	**1.28**	0.90	0.18	0.03	0.03	0.00	0.02
G1302	Q3	0.01	0.04	**9.88**	**1.08**	29.48	**1.08**	24.82	**0.78**	2.55	0.43
G1302	Q4	1.84	**0.43**	8.88	0.87	19.11	**0.80**	28.19	**0.81**	8.08	0.79
G1302	Q5	1.64	0.41	**8.71**	**0.94**	0.08	0.05	2.03	-0.22	2.62	**0.45**
G1302	Q6	0.37	0.23	1.89	**0.45**	1.18	0.21	0.82	0.14	0.92	-0.27
G1302	Q7	3.49	**0.66**	9.65	**1.01**	0.70	-0.16	0.32	-0.09	3.49	**0.48**
G1302	Q8	0.37	0.22	3.09	**0.57**	1.30	0.21	**3.92**	0.30	**5.03**	**0.60**
G1307	Q1	**8.82**	**0.52**	0.50	0.23	**18.28**	0.29	**24.04**	**0.59**	33.15	**1.15**
G1307	Q2	**29.89**	**0.93**	35.21	**2.31**	33.98	0.39	**58.12**	**0.87**	42.88	**1.34**
G1307	Q3	0.02	0.03	0.79	0.28	**88.32**	**0.65**	53.10	**0.87**	11.17	0.65
G1307	Q4	2.51	0.25	**20.71**	**1.36**	38.55	0.41	**28.09**	**0.60**	38.83	**1.24**
G1307	Q5	2.85	0.28	**8.71**	**0.92**	91.72	**0.68**	29.33	**0.65**	22.69	**0.99**
G1307	Q6	0.03	0.03	3.06	**0.54**	30.25	0.38	**10.43**	0.39	8.23	**0.59**
G1307	Q7	**4.50**	0.36	2.79	**0.54**	2.48	-0.11	0.29	0.06	**22.54**	**0.98**
G1307	Q8	24.91	**0.85**	36.75	**2.04**	7.63	0.18	5.58	0.27	64.53	**1.58**
G1402	Q1	1.79	-0.34	1.57	0.40	**9.26**	**0.56**	2.18	0.21	**5.18**	**0.70**
G1402	Q2	**7.40**	**-0.68**	0.04	-0.06	**13.31**	**0.69**	7.11	0.39	1.64	0.36
G1402	Q3	1.19	0.30	**17.95**	**1.31**	1.44	0.22	2.56	-0.23	**6.56**	**0.73**

| Reference | | CA ABA | | | | | | | | | |
| Focal | | CA Accredited | | CA Registered | | Out-of-state ABA | | Attorney | | Foreign JD | |
Year	Item	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR
G1402	Q4	0.67	-0.22	1.52	0.39	0.77	0.16	2.08	-0.21	0.11	-0.09
G1402	Q5	2.09	0.39	**12.50**	**1.20**	**10.74**	**0.60**	**10.77**	**0.46**	**9.66**	**0.87**
G1402	Q6	0.71	0.22	1.19	0.33	**16.15**	**0.79**	**8.39**	0.42	2.23	0.42
G1402	Q7	**5.62**	**0.62**	2.25	**0.47**	2.04	0.25	0.08	0.04	**13.71**	**1.14**
G1402	Q8	1.62	0.34	**6.96**	**0.87**	0.66	0.15	0.14	-0.05	**12.71**	**0.97**
G1407	Q1	**4.19**	0.36	**9.86**	**0.89**	**7.69**	0.20	**19.82**	**0.52**	**39.92**	**1.46**
G1407	Q2	0.02	-0.02	**30.03**	**1.71**	**50.75**	**0.50**	**56.46**	**0.84**	**31.57**	**1.21**
G1407	Q3	**8.99**	**0.53**	**8.81**	**0.88**	1.58	0.09	0.33	0.07	**8.94**	**0.65**
G1407	Q4	0.64	0.13	**17.05**	**1.15**	**62.91**	**0.56**	**64.97**	**0.92**	**35.54**	**1.31**
G1407	Q5	**10.04**	**0.55**	**4.62**	**0.62**	**15.00**	0.28	**17.71**	**0.47**	**15.40**	**0.84**
G1407	Q6	**19.46**	**0.75**	2.07	0.41	**12.74**	0.25	**15.44**	0.43	**50.32**	**1.54**
G1407	Q7	**7.83**	**0.47**	**15.37**	**1.13**	**5.92**	0.17	**24.56**	**0.54**	**44.55**	**1.37**
G1407	Q8	**24.94**	**0.85**	**16.99**	**1.08**	**4.79**	0.15	**13.53**	**0.40**	**36.45**	**1.28**
G1502	Q1	3.82	**0.58**	**5.90**	**0.76**	**5.68**	**0.47**	**13.09**	**0.57**	0.35	0.14
G1502	Q2	**5.40**	**0.64**	**15.11**	**1.21**	**17.72**	**0.79**	**19.91**	**0.68**	3.77	**0.45**
G1502	Q3	0.92	0.28	0.76	0.27	0.22	-0.09	0.30	-0.09	0.01	0.02
G1502	Q4	1.82	0.38	0.49	-0.19	**23.30**	**1.01**	**24.00**	**0.78**	**7.65**	**0.70**
G1502	Q5	2.56	**0.47**	0.93	0.30	0.12	0.07	**4.30**	-0.32	0.59	-0.18
G1502	Q6	1.67	-0.36	0.71	-0.25	**4.09**	0.41	1.18	0.17	2.24	0.38
G1502	Q7	2.09	0.43	**12.87**	**1.01**	0.01	0.02	0.08	0.05	3.73	**0.48**
G1502	Q8	2.54	0.42	**14.87**	**1.16**	3.03	0.33	0.27	-0.08	**11.94**	**0.83**
G1507	Q1	2.57	0.34	**29.37**	**2.13**	**22.41**	0.34	**33.36**	**0.68**	**45.48**	**1.34**
G1507	Q2	1.92	0.28	**21.56**	**1.72**	**41.33**	**0.46**	**21.44**	**0.53**	**28.98**	**1.00**
G1507	Q3	**9.79**	**0.66**	**23.02**	**1.71**	**39.77**	**0.47**	**84.65**	**1.22**	**53.87**	**1.54**
G1507	Q4	0.30	0.13	**7.00**	**1.03**	**87.29**	**0.70**	**64.88**	**0.96**	**5.07**	0.42
G1507	Q5	0.81	0.19	**15.09**	**1.58**	**20.09**	0.33	**12.22**	0.43	**18.00**	**0.92**
G1507	Q6	0.94	-0.20	0.55	0.25	3.64	0.14	**25.92**	**0.64**	**20.33**	**0.99**
G1507	Q7	**8.86**	**0.64**	**17.64**	**1.51**	**8.17**	0.20	**19.79**	**0.51**	**27.11**	**1.00**
G1507	Q8	**14.94**	**0.82**	**15.80**	**1.29**	0.02	-0.01	**10.32**	0.39	**26.44**	**1.01**
G1602	Q1	2.31	**-0.50**	3.71	**0.63**	3.46	0.39	3.34	0.31	1.00	0.27
G1602	Q2	3.38	**-0.59**	0.11	-0.11	0.16	0.09	1.24	0.19	**8.16**	**0.75**
G1602	Q3	0.93	-0.32	1.09	0.33	**11.80**	**0.75**	**22.67**	**0.84**	**7.39**	**0.78**
G1602	Q4	0.01	-0.04	3.43	**0.64**	0.12	0.08	0.42	-0.11	0.47	-0.19
G1602	Q5	0.20	0.17	3.57	**0.63**	**11.77**	**0.77**	**4.99**	0.40	**13.05**	**1.08**
G1602	Q6	0.04	0.07	0.04	0.07	**4.34**	**0.45**	1.77	0.23	1.49	0.35
G1602	Q7	1.08	0.40	0.45	0.27	1.10	-0.23	0.90	-0.17	**6.27**	**0.68**
G1602	Q8	2.12	**0.46**	**5.31**	**0.70**	**4.26**	0.43	0.26	0.09	**20.45**	**1.18**
G1607	Q1	1.28	0.26	**6.30**	**0.77**	3.71	0.16	3.18	0.24	**17.36**	**0.75**
G1607	Q2	0.10	0.07	**11.31**	**1.15**	4.04	0.16	**12.48**	**0.49**	1.80	0.27
G1607	Q3	3.38	0.39	**7.39**	**0.83**	**18.33**	0.35	**23.75**	**0.70**	**30.47**	**1.25**

| Reference | | CA ABA | | | | | | | | | |
| Focal | | CA Accredited | | CA Registered | | Out-of-state ABA | | Attorney | | Foreign JD | |
Year	Item	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR	MH Statistic	LA-LOR
G1607	Q4	0.37	0.14	**17.76**	**1.42**	0.20	0.04	**10.33**	**0.44**	**17.15**	**0.86**
G1607	Q5	0.22	0.11	**9.12**	**0.93**	24.97	0.40	**23.98**	**0.70**	**22.66**	**0.93**
G1607	Q6	**11.17**	**0.80**	**19.67**	**1.47**	16.51	0.33	**21.13**	**0.62**	4.81	0.44
G1607	Q7	**13.37**	**0.98**	**17.25**	**1.56**	6.56	-0.21	0.00	-0.01	**22.90**	**1.00**
G1607	Q8	**23.74**	**1.23**	**42.64**	**2.37**	0.27	0.04	**13.61**	**0.48**	**41.30**	**1.23**
G1702	Q1	0.31	0.17	2.05	**0.57**	**13.09**	**0.89**	2.01	0.27	**7.96**	**0.72**
G1702	Q2	0.02	-0.05	1.48	**0.50**	**16.20**	**1.06**	4.57	0.42	**11.12**	**0.92**
G1702	Q3	3.25	**0.64**	0.35	0.23	**14.12**	**0.95**	**22.24**	**0.94**	**9.56**	**0.91**
G1702	Q4	**7.00**	**0.96**	**4.18**	**0.85**	**4.41**	**0.53**	0.00	0.01	0.38	0.17
G1702	Q5	0.98	0.33	3.08	**0.78**	**13.99**	**1.02**	**12.94**	**0.73**	**13.31**	**1.07**
G1702	Q6	0.78	0.30	0.26	0.19	**12.46**	**0.90**	**13.55**	**0.74**	**17.09**	**1.07**
G1702	Q7	1.63	0.42	1.59	**0.54**	1.12	-0.25	1.10	0.20	0.01	-0.03
G1702	Q8	**4.26**	**0.73**	1.53	**0.52**	**6.10**	**0.60**	0.56	0.15	**9.84**	**0.85**
G1707	Q1	0.56	-0.13	**7.60**	**1.00**	**80.97**	**0.71**	**76.03**	**1.00**	**28.54**	**0.77**
G1707	Q2	**18.26**	**0.77**	**16.52**	**1.47**	10.11	0.24	11.97	0.38	**27.08**	**0.77**
G1707	Q3	2.68	0.28	**16.52**	**1.40**	27.35	0.40	**97.49**	**1.11**	**25.59**	**0.75**
G1707	Q4	1.12	0.18	**4.86**	**0.73**	7.30	0.20	**10.35**	**0.34**	**35.77**	**0.90**
G1707	Q5	2.68	0.28	**6.70**	**0.85**	7.99	0.21	**50.52**	**0.78**	**88.33**	**1.48**
G1707	Q7	**21.31**	**0.79**	**12.11**	**1.04**	0.07	0.02	**29.12**	**0.57**	**117.46**	**1.58**
G1802	Q1	**5.59**	**0.72**	1.00	0.33	1.53	0.27	0.01	-0.01	**8.01**	**0.65**
G1802	Q2	0.60	-0.22	0.77	0.29	1.45	0.27	0.15	0.07	3.81	**0.45**
G1802	Q3	3.27	**0.54**	2.72	**0.52**	0.33	0.12	0.24	-0.09	**6.45**	**0.55**
G1802	Q4	**4.96**	**0.65**	2.27	**0.47**	10.68	**0.74**	8.62	0.54	35.86	**1.44**
G1802	Q5	1.68	-0.38	**8.67**	**1.01**	2.34	0.34	**7.15**	**0.47**	1.52	0.27
G1802	Q7	2.83	**0.46**	**5.10**	**0.79**	1.57	0.28	0.07	-0.05	**12.51**	**0.80**
G1807	Q1	1.66	0.18	3.73	**0.49**	23.05	0.35	**19.29**	**0.49**	50.74	**0.77**
G1807	Q2	**16.85**	**0.58**	11.97	0.89	73.04	0.61	92.37	1.11	174.53	1.54
G1807	Q3	**32.57**	**0.84**	22.18	1.14	47.88	0.49	62.91	0.92	99.09	1.08
G1807	Q4	2.44	0.21	1.64	0.31	**112.95**	**0.76**	57.72	0.87	75.03	0.98
G1807	Q5	**7.64**	0.41	**8.86**	0.74	30.75	0.40	33.54	0.66	40.90	0.72
G1807	Q7	**36.31**	**0.86**	32.51	1.38	18.77	0.30	24.00	0.53	173.05	1.42
G1902	Q1	1.94	0.37	0.12	0.09	3.58	0.40	**4.90**	**0.40**	**7.80**	**0.53**
G1902	Q2	0.55	0.19	0.02	0.04	0.50	0.15	0.61	-0.14	**18.95**	**0.81**
G1902	Q3	0.04	-0.05	0.17	-0.11	3.39	0.38	**12.33**	**0.62**	**29.50**	**1.08**
G1902	Q4	0.35	0.15	**7.05**	**0.76**	4.95	**0.49**	0.02	0.02	**17.49**	**0.84**
G1902	Q5	0.01	0.02	2.51	**0.46**	11.16	**0.72**	3.12	0.32	**26.64**	**1.06**
G1902	Q7	**5.20**	**0.58**	8.38	0.79	1.24	0.23	3.50	-0.33	**20.35**	**0.85**

APPENDIX D: RACE/ETHNICITY BY SUBJECT RESULTS

Caucasian-Black/AA and Subject DIF Statistics

Subject	MH Statistic	LA-LOR Statistic					
		Favors Black/AA			Favors Caucasian		
		Large	Moderate	Negligible	Negligible	Moderate	Large
Business Associations	Nonsig.	0	0	2	4	2	0
	Significant	**0**	**0**	0	3	**0**	**0**
Civil Procedure	Nonsig.	0	1	1	8	0	0
	Significant	**0**	**0**	0	0	**2**	**2**
Community Property	Nonsig.	0	0	0	6	1	0
	Significant	**0**	**0**	0	3	**1**	**0**
Constitutional Law	Nonsig.	0	0	0	8	0	0
	Significant	**0**	**0**	0	0	**2**	**0**
Contracts	Nonsig.	0	0	2	9	4	0
	Significant	**0**	**0**	0	4	**3**	**3**
Criminal Law & Procedure	Nonsig.	0	0	1	6	2	0
	Significant	**0**	**0**	0	2	**1**	**0**
Evidence	Nonsig.	0	0	1	4	1	0
	Significant	**0**	**0**	0	2	**3**	**0**
Immigration Law*	Nonsig.	0	0	0	0	1	0
	Significant	**0**	**0**	0	0	**0**	**0**
Professional Responsibility	Nonsig.	0	0	1	10	3	0
	Significant	**0**	**0**	0	1	**1**	**0**
Real Property	Nonsig.	0	0	2	4	2	0
	Significant	**0**	**0**	0	0	**1**	**2**
Regulatory Law*	Nonsig.	0	0	0	1	0	0
	Significant	**0**	**0**	0	1	**0**	**0**
Remedies	Nonsig.	0	0	0	2	2	1
	Significant	**0**	**0**	0	0	**0**	**1**
Torts	Nonsig.	0	0	1	4	2	0
	Significant	**0**	**0**	0	4	**1**	**0**
Trusts	Nonsig.	0	0	0	2	0	0
	Significant	**0**	**0**	0	1	**0**	**0**
Wills & Succession	Nonsig.	0	0	0	3	2	0
	Significant	**0**	**0**	0	0	**0**	**2**

*The Immigration Law and Regulatory Law subject areas were tested via performance test items only and therefore are not listed as subjects tested on the CBX exam.

Caucasian-Asian and Subject DIF Statistics

Subject	MH Statistic	LA-LOR Statistic					
		Favors Asian			**Favors Caucasian**		
		Large	Moderate	Negligible	Negligible	Moderate	Large
Business Associations	Nonsig.	0	0	7	3	0	0
	Significant	**0**	**0**	1	0	**0**	**0**
Civil Procedure	Nonsig.	0	0	7	3	0	0
	Significant	**0**	**0**	3	1	**0**	**0**
Community Property	Nonsig.	0	0	3	6	0	0
	Significant	**0**	**0**	0	2	**0**	**0**
Constitutional Law	Nonsig.	0	0	2	7	0	0
	Significant	**0**	**0**	0	1	**0**	**0**
Contracts	Nonsig.	0	0	6	12	0	0
	Significant	**0**	**0**	4	1	**1**	**0**
Criminal Law & Procedure	Nonsig.	0	0	2	4	0	0
	Significant	**0**	**0**	0	5	**0**	**1**
Evidence	Nonsig.	0	0	6	3	0	0
	Significant	**0**	**0**	0	1	**0**	**1**
Immigration Law*	Nonsig.	0	0	0	1	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Professional Responsibility	Nonsig.	0	0	3	6	0	0
	Significant	**0**	**0**	0	5	**1**	**1**
Real Property	Nonsig.	0	0	4	4	0	0
	Significant	**0**	**0**	1	0	**1**	**1**
Regulatory Law*	Nonsig.	0	0	1	1	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Remedies	Nonsig.	0	0	2	3	0	0
	Significant	**0**	**0**	0	1	**0**	**0**
Torts	Nonsig.	0	0	3	4	0	0
	Significant	**0**	**0**	1	1	**1**	**2**
Trusts	Nonsig.	0	0	2	1	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Wills & Succession	Nonsig.	0	0	2	4	0	0
	Significant	**0**	**0**	1	0	**0**	**0**

*The Immigration Law and Regulatory Law subject areas were tested via performance test items only and therefore are not listed as subjects tested on the CBX exam.

Caucasian-Hispanic and Subject DIF Statistics

| Subject | MH Statistic | LA-LOR Statistic | | | | | |
| | | Favors Hispanic | | | Favors Caucasian | | |
		Large	Moderate	Negligible	Negligible	Moderate	Large
Business Associations	Nonsig.	0	0	3	8	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Civil Procedure	Nonsig.	0	0	1	11	0	0
	Significant	**0**	**0**	0	0	**0**	**1**
Community Property	Nonsig.	0	0	8	3	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Constitutional Law	Nonsig.	0	0	9	0	0	0
	Significant	**0**	**0**	0	1	**0**	**0**
Contracts	Nonsig.	0	0	6	11	0	0
	Significant	**0**	**0**	0	6	**1**	**1**
Criminal Law & Procedure	Nonsig.	0	0	3	6	0	0
	Significant	**0**	**0**	1	1	**0**	**0**
Evidence	Nonsig.	0	0	3	6	0	0
	Significant	**0**	**0**	0	1	**1**	**0**
Immigration Law*	Nonsig.	0	0	0	1	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Professional Responsibility	Nonsig.	0	0	10	5	0	0
	Significant	**0**	**0**	0	1	**0**	**0**
Real Property	Nonsig.	0	0	3	3	0	0
	Significant	**0**	**0**	0	2	**2**	**1**
Regulatory Law*	Nonsig.	0	0	0	2	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Remedies	Nonsig.	0	0	2	4	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Torts	Nonsig.	0	0	5	6	0	0
	Significant	**0**	**0**	0	1	**0**	**0**
Trusts	Nonsig.	0	0	1	1	0	0
	Significant	**0**	**0**	0	1	**0**	**0**
Wills & Succession	Nonsig.	0	0	1	6	0	0
	Significant	**0**	**0**	0	0	**0**	**0**

*The Immigration Law and Regulatory Law subject areas were tested via performance test items only and therefore are not listed as subjects tested on the CBX exam.

Caucasian-Other and Subject DIF Statistics

| Subject | MH Statistic | LA-LOR Statistic | | | | | |
| | | Favors Other | | | Favors Caucasian | | |
		Large	Moderate	Negligible	Negligible	Moderate	Large
Business Associations	Nonsig.	0	0	5	6	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Civil Procedure	Nonsig.	0	2	6	5	0	1
	Significant	**0**	**0**	0	0	**0**	**0**
Community Property	Nonsig.	0	0	2	6	2	0
	Significant	**0**	**0**	0	0	**1**	**0**
Constitutional Law	Nonsig.	0	1	2	5	1	0
	Significant	**0**	**0**	0	0	**1**	**0**
Contracts	Nonsig.	0	2	8	10	1	3
	Significant	**0**	**0**	0	0	**1**	**0**
Criminal Law & Procedure	Nonsig.	0	0	2	9	0	1
	Significant	**0**	**0**	0	0	**0**	**0**
Evidence	Nonsig.	0	0	2	4	0	4
	Significant	**0**	**0**	0	0	**1**	**0**
Immigration Law*	Nonsig.	0	0	0	1	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Professional Responsibility	Nonsig.	0	1	4	7	1	1
	Significant	**0**	**0**	0	0	**0**	**2**
Real Property	Nonsig.	0	0	5	3	1	2
	Significant	**0**	**0**	0	0	**0**	**0**
Regulatory Law*	Nonsig.	1	0	0	1	0	0
	Significant	**0**	**0**	0	0	**0**	**0**
Remedies	Nonsig.	0	0	2	3	1	0
	Significant	**0**	**0**	0	0	**0**	**0**
Torts	Nonsig.	0	1	2	7	0	1
	Significant	**0**	**0**	0	0	**1**	**0**
Trusts	Nonsig.	0	1	0	1	0	1
	Significant	**0**	**0**	0	0	**0**	**0**
Wills & Succession	Nonsig.	1	0	3	2	1	0
	Significant	**0**	**0**	0	0	**0**	**0**

*The Immigration Law and Regulatory Law subject areas were tested via performance test items only and therefore are not listed as subjects tested on the CBX exam.

THE STATE BAR OF CALIFORNIA
CALIFORNIA BAR EXAMINATION

CONFIDENTIAL

STATE OF CALIFORNIA

dca

DEPARTMENT OF CONSUMER AFFAIRS

DIVISION OF PROGRAMS AND POLICY REVIEW

THE STATE BAR OF CALIFORNIA

REVIEW OF THE CALIFORNIA BAR EXAMINATION ADMINISTRATION AND ASSOCIATED COMPONENTS

CONFIDENTIAL

January 2020

This report was prepared and written by the

Division of Programs and Policy Review (DPPR)

and the Office of Professional Examination Services (OPES)

California Department of Consumer Affairs

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EXECUTIVE SUMMARY

The State Bar of California (State Bar) requested that the Department of Consumer Affairs (DCA) Division of Programs and Policy Review (DPPR) complete a review of the administration of the California Bar Examination, which is administered by the State Bar.

Specifically, the DPPR review had three purposes:

1. To evaluate test administration, grader data entry and data processing protocols, communication with candidates and other stakeholders, and test security associated with the California Bar Examination, as well as contingency planning for exam administration.

2. To conduct a gap analysis comparing the current process for administration of the California Bar Examination with best practices outlined in the *Standards for Educational and Psychological Testing* (2014) *(Standards).*[1]

3. To provide recommendations for the modification of the current process of administration of the California Bar Examination for conforming that process to the practices specified in the *Standards.*

State Bar representatives and the DPPR Chief, Dr. Montez, participated in a project kick-off conference call on August 29, 2019 to review the scope of the project and associated expectations.

It is important to note that the purpose of this evaluation did not include an analysis of the underlying components to support the validity of the California Bar Examination (i.e., occupational analysis (OA),[2] examination development, passing scores,[3] and examination performance). However, relevant standards are included to facilitate additional reviews, as needed.

The State Bar should be commended for their willingness to release information about processes and procedures for constructive evaluation. It is obvious that State Bar management and staff are committed to building and administering a fair, reliable, and valid examination program.

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[1] *Standards* references information taken from: American Educational Research Association, American Psychological Association, and National Council on Measurement in Education. *Standards for Educational and Psychological Testing* (2014). Washington, DC: American Educational Research Association.
[2] An occupational analysis is also known as a job analysis, practice analysis, or task analysis.
[3] A passing score is also known as a pass point or cut score.

Suggested recommendations are listed in the final chapter and are interrelated within the cycle of examination validation (See Figure 1).

TABLE OF CONTENTS

TABLE OF FIGURES

CHAPTER 1 | INTRODUCTION

PURPOSE OF THE COMPREHENSIVE REVIEW

The State Bar of California (State Bar) requested that the Department of Consumer Affairs (DCA) Division of Programs and Policy Review (DPPR) complete a review of the administration of the California Bar Examination, which is administered by the State Bar.

> The State Bar of California's mission is to protect the public and includes the primary functions of licensing, regulation and discipline of attorneys; the advancement of the ethical and competent practice of law; and support of efforts for greater access to, and inclusion in, the legal system. (http://www.calbar.ca.gov/About-Us/Our-Mission)

The State Bar licenses attorneys and regulates the profession and practice of law in California. Practicing lawyers must pass the California Bar Examination to be licensed by the State Bar. As of July 2017, the format of the California Bar Examination[4] is constructed as follows:

General Bar Examination

The examination will be administered over two days with the following components: one morning session during which three one-hour essay questions will be administered; one afternoon session during which two one-hour essay questions and one 90-minute Performance Test will be administered; and morning and afternoon sessions consisting of three hours each, during which 100 multiple-choice items for each session will be administered (the Multistate Bar Examination (MBE)).

Attorneys' Examination

The examination will be administered over one day with the following components: one morning session during which three one-hour essay questions will be administered; and one afternoon session during which two one-hour essay questions and one 90-minute Performance Test will be administered.

The DPPR review had three purposes:

1. To evaluate test administration, grader data entry and data processing protocols, communication with candidates and other stakeholders, and test security associated with the California Bar Examination, as well as contingency planning for exam administration.

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[4] http://www.calbar.ca.gov/Admissions/Examinations/California-Bar-Examination/Changes-to-Bar-Exam

2. To conduct a gap analysis comparing the current process for administration of the California Bar Examination with best practices outlined in the *Standards for Educational and Psychological Testing* (2014) *(Standards).*[5]

3. To provide recommendations for the modification of the current process of administration of the California Bar Examination for conforming that process to the practices specified in the *Standards*.

State Bar representatives and the DPPR Chief, Dr. Montez, participated in a project kick-off conference call on August 29, 2019 to review the scope of the project and associated expectations. Expectations included, for example, how to address subversion incidents during administration of the California Bar Examination and the impact on security of extending testing over multiple days as an accommodation.

During the conference call, DPPR requested documentation from the State Bar to determine whether the following California Bar Examination components met professional guidelines and technical standards outlined in the *Standards*: (a) test administration, (b) grader data entry and data processing protocols, (c) test security, and (d) communication with candidates and stakeholders. This documentation was to be provided within a secure shared drive created by the State Bar.

It is important to note that the purpose of this evaluation did not include an analysis of the underlying components to support the validity of the California Bar Examination (i.e., occupational analysis (OA),[6] examination development, passing scores,[7] and examination performance). However, relevant standards are included to facilitate additional reviews, as needed.

FORMAT OF THE REPORT

The chapters of this report provide the relevant standards related to the evaluation purpose and describe the findings and recommendations that DPPR identified during its review. Note that the report documents both *findings*, important factors that are compliant with technical standards and guidelines, and *recommendations*, suggestions that should be considered to maintain compliance with professional guidelines and technical standards.

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[5] *Standards* references information taken from: American Educational Research Association, American Psychological Association, and National Council on Measurement in Education. *Standards for Educational and Psychological Testing* (2014). Washington, DC: American Educational Research Association.

[6] An occupational analysis is also known as a job analysis, practice analysis, or task analysis.

[7] A passing score is also known as a pass point or cut score.

2

CHAPTER 2 | OCCUPATIONAL ANALYSIS

STANDARDS

The following standard is most relevant to conducting OAs for licensing examinations, as referenced in the *Standards.*

Standard 11.13

The content domain to be covered by a credentialing test should be defined clearly and justified in terms of the importance of the content for credential-worthy performance in an occupation or profession. A rationale and evidence should be provided to support the claim that the knowledge or skills being assessed are required for credential-worthy performance in that occupation and are consistent with the purpose for which the credentialing program was instituted (pp. 181-182).

The comment following Standard 11.13 emphasizes its relevance:

Comment: Typically, some form of job or practice analysis provides the primary basis for defining the content domain. If the same examination is used in the credentialing of people employed in a variety of settings and specialties, a number of different job settings may need to be analyzed. Although the job analysis techniques may be similar to those used in employment testing, the emphasis for credentialing is limited appropriately to knowledge and skills necessary for effective practice. . . .

In tests used for licensure, knowledge and skills that may be important to success but are not directly related to the purpose of licensure (e.g., protecting the public) should not be included (p. 182).

FINDINGS

In December 2018, the State Bar began the first California-specific study of the knowledge and skills needed by entry-level attorneys. To date, the study has collected detailed, empirical data about how attorneys use their knowledge and skills to perform tasks in their legal practices. Key components of the study include focus groups and surveys of California attorneys. Scantron[8] is conducting the study. A working group, with members selected by the California Supreme Court from state and national stakeholder groups, oversees the study.

The final report, scheduled for completion by December 2019, will set the foundation for revisiting the California Bar Examination passing standards, content, format, and other aspects

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[8] Scantron acquired Castle Worldwide in June 2018.

of the test (https://www.calbar.ca.gov/Admissions/Examinations/California-Bar-Examination/California-Bar-Examination-Studies).

For informational purposes, Figure 1 shows that an OA is a critical component of the examination development or validation cycle. It important to note that the cycle represents ongoing efforts to maintain the fairness, validity, and legal defensibility of an examination. According to the *Uniform Guidelines on Employee Selection Procedures* (1978), the time interval to conduct a job analysis for updating knowledge and skills varies, but there will seldom be more than five years between analyses. For DCA, section 139 (c) and (d) of the Business and Professions (B&P) Code mandates that DCA annually report to the California Legislature on the methods used by each regulatory entity for ensuring that its licensing examinations are periodically evaluated. Further, B&P Code section 139 (a) and (b) directed DCA to develop a policy regarding examination development and validation. The Licensure Examination Validation Policy (OPES 18-02) states that OAs are fundamental components of a licensure program. OPES 18-02 further states that licensure examinations with substantial validity evidence are essential in preventing unqualified individuals from obtaining professional licenses. To that end, licensure examinations must be: (a) developed following an examination outline that is based on a current OA; (b) regularly evaluated; and (c) updated when tasks performed or prerequisite knowledge in a profession or on a job change (i.e., about every five years), or to prevent overexposure of test questions.

FIGURE 1. EXAMINATION DEVELOPMENT CYCLE
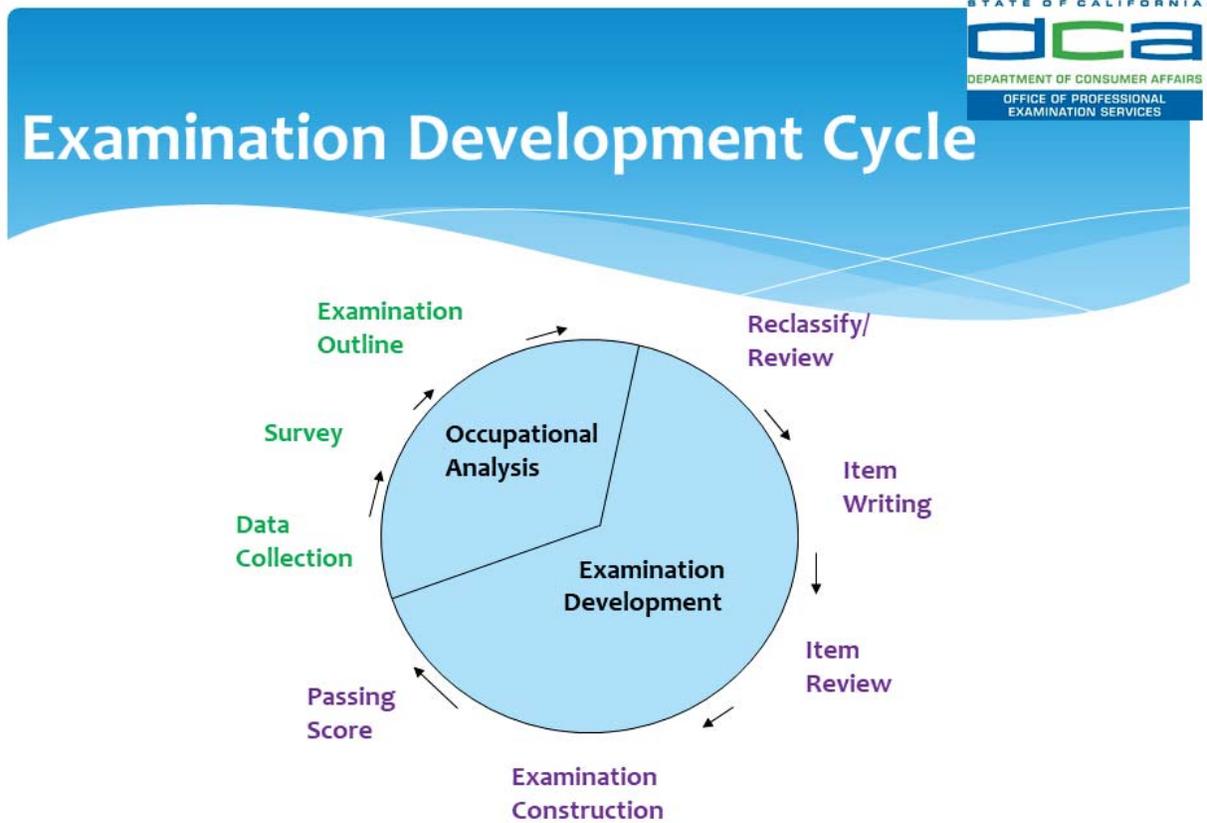
CHAPTER 3 | EXAMINATION DEVELOPMENT

STANDARDS

Examination development includes many steps within an examination program, from the development of an examination outline to scoring and analyzing items after the administration of an examination.

The following standards are most relevant to examination development for licensing examinations, as referenced in the *Standards.*

Standard 4.7

The procedures used to develop, review, and try out items and to select items from the item pool should be documented (p. 87).

Standard 4.12

Test developers should document the extent to which the content domain of a test represents the domain defined in the test specifications (p. 89).

FINDINGS

Although examination development was not a component of the project, recommendations will be offered. These recommendations are suggested in response to general information shared during phone interviews and review of documents provided by the State Bar.

RECOMMENDATIONS

These recommendations are presented below and discussed in greater detail in Chapter 9 – Conclusions.

a. The examination outline or test specification resulting from the practice analysis should stimulate a discussion about the most fair, reliable, and valid tool to assess entry-level competence to practice as an attorney in California.

b. Then, a systematic plan for examination development should be created. The plan should be based on the current practice analysis, be ongoing, use subject matter experts, and focus on minimum acceptable competence standards (i.e., entry-level).

c. The plan should also include the time frame for administering the assessment tool(s). For example, the plan should state how often to offer the assessment (e.g., quarterly, twice a year, etc.) and the time frame for administering the component(s) of the assessment (e.g., 60-minute multiple choice test composed of 50 and 60 minutes per essay question).

6

d. A policy on examination validation should be formulated to guide future examination development activities, including scoring and administration. This policy should be based on professional testing guidelines and technical standards. As an example of a guideline, Figure 2 shows one variation of the levels of cognitive processing. For licensing examinations, questions should be written to require higher levels of cognitive processing (i.e., thinking) when answering or responding to questions. Candidates should be challenged to apply, analyze, and evaluate information. Merely recognizing answers or explaining in general terms does not adequately assess entry-level skill for ensuring safe and competent practice in a given profession. The policy should address questions appropriate for use on licensure examinations versus academic examinations.

FIGURE 2. LEVELS OF COGNITIVE PROCESSING
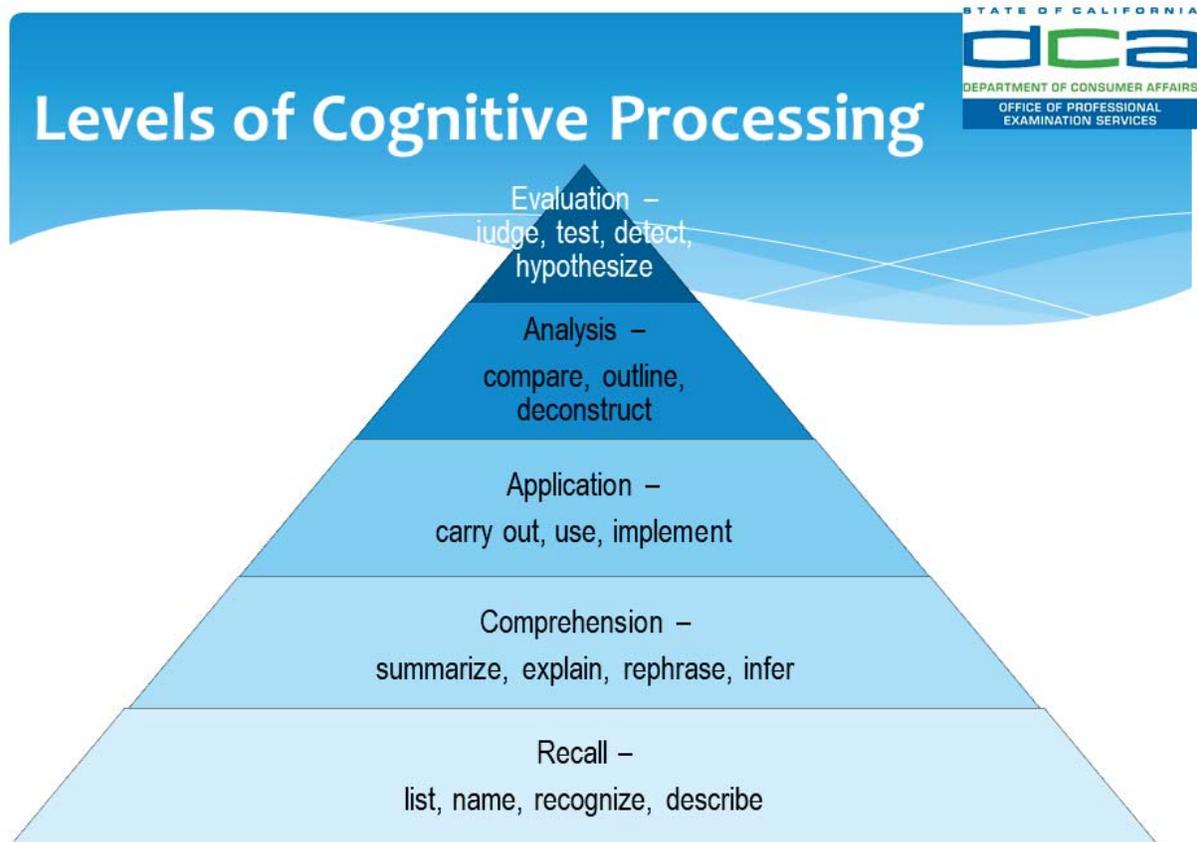
CHAPTER 4 | PASSING SCORES AND PASSING RATES

STANDARDS

The passing score of an examination is the score that represents the level of performance that divides those candidates for licensure who are minimally competent from those who are not competent.

The following standards are most relevant to passing scores, cut points, or cut scores for licensing examinations, as referenced in the *Standards.*

Standard 5.21

When proposed score interpretations involve one or more cut scores, the rationale and procedures used for establishing cut scores should be documented clearly (p. 107).

Standard 11.16

The level of performance required for passing a credentialing test should depend on the knowledge and skills necessary for credential-worthy performance in the occupation or profession and should not be adjusted to control the number or proportion of persons passing the test (p. 182).

The supporting commentary on passing or cut scores for Chapter 5 of the *Standards*, "Scores, Scales, Norms, Score Linking, and Cut Scores," states that the standard-setting process used should be clearly documented and defensible. The qualifications of the judges [subject matter experts; SMEs] involved and the process of selecting them should be part of the documentation. A sufficiently large and representative group of judges [SMEs] should be involved, and care must be taken to ensure that judges [SMEs] understand the process and procedures they are to follow (p. 101).

In addition, the supporting commentary for Chapter 11 of the *Standards*, "Workplace Testing and Credentialing," states that the focus of tests used in credentialing is on "the standards of competence needed for effective performance (e.g., in licensure this refers to safe and effective performance in practice)" (p. 175). Further, it states, "Standards must be high enough to ensure that the public, employers, and government agencies are well served, but not so high as to be unreasonably limiting" (p. 176).

FINDINGS

An extensive explanation of the grading process, including the difference between essay and performance questions, and scaling, is provided on the State Bar website at: http://www.calbar.ca.gov/Admissions/Examinations/California-Bar-Exam/Description-and-Grading-of-the-California-Bar-Exam.

For informational purposes, Figures 3 and 4 are presented to distinguish between norm-referenced and criterion-referenced standards for scoring. According to professional guidelines and technical standards, criterion-referenced standards should be used to establish passing scores for licensure examinations. Since most individuals are familiar with norm-referenced standards (e.g., grading on the curve), it is critical for test developers to thoroughly explain methods used to establish criterion-referenced passing scores. See Chapter 6 – Grader Training, Scoring, and Performance Standards for additional explanation.

FIGURE 3. NORM-REFERENCED PASSING STANDARD
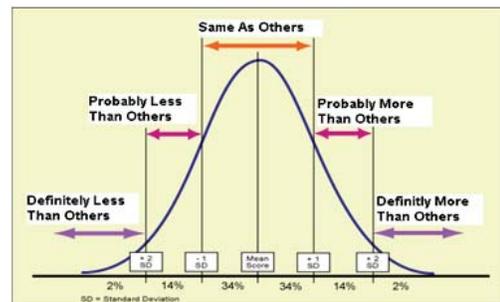
FIGURE 4. CRITERION-REFERENCED PASSING STANDARD
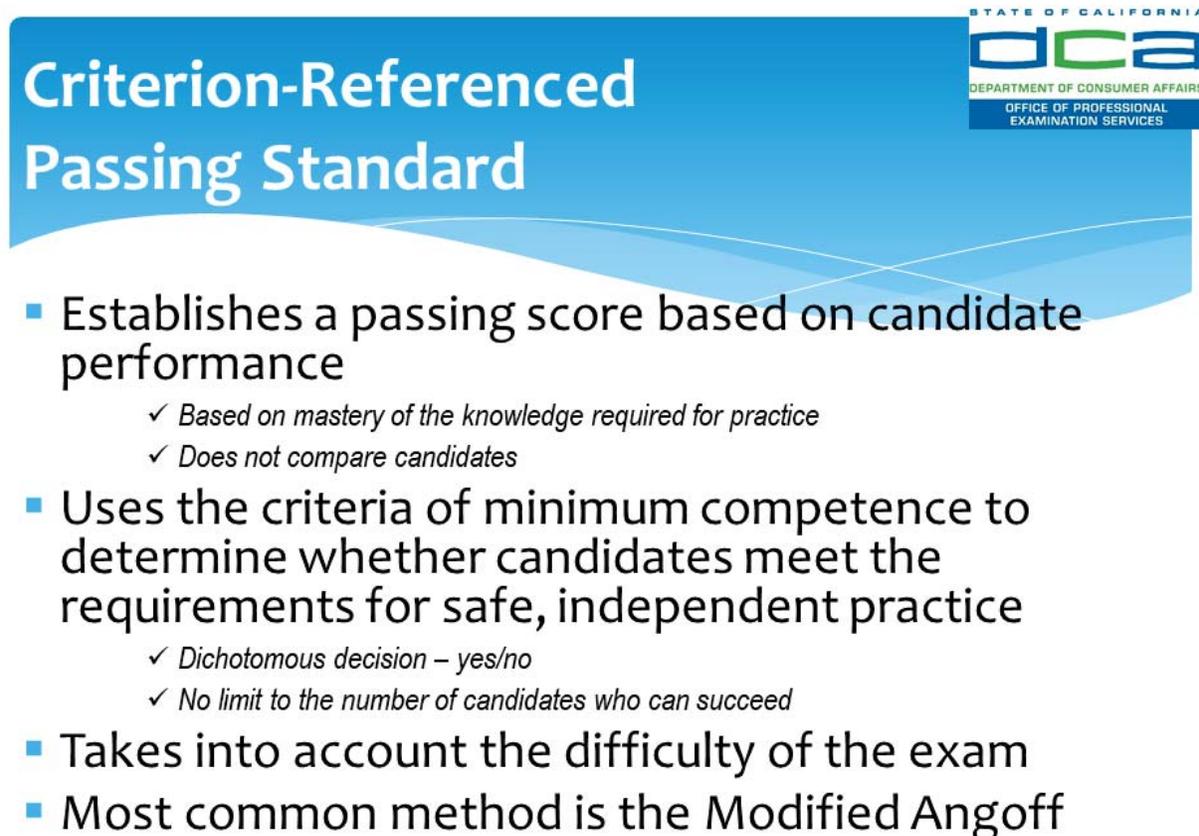
Criterion-Referenced Passing Standard

- Establishes a passing score based on candidate performance
  - ✓ Based on mastery of the knowledge required for practice
  - ✓ Does not compare candidates
- Uses the criteria of minimum competence to determine whether candidates meet the requirements for safe, independent practice
  - ✓ Dichotomous decision – yes/no
  - ✓ No limit to the number of candidates who can succeed
- Takes into account the difficulty of the exam
- Most common method is the Modified Angoff

"The defensibility of and the strength of the validity evidence for passing scores relies on the reasonableness of the unbiased process, its rationale and research basis, and the psychometric characteristics of expert judgement. (Downing, p. 20).

The California Bar Examination essay and Performance Test questions are developed independently by members of the Edge Team who then submit the questions to the Committee of Bar Examiners for consideration. Prior to the first calibration meeting, the question developer's analysis is provided to the graders for helping determine what issues are important in grading the questions.

Since there is no historical information documenting entry-level performance standards, it appears standards fluctuate each time the essay and Performance Test are administered and scored. There needs to be documentation to standardize the development and grading of the essay and Performance Test questions. Further, recently licensed attorneys should be involved in examination development and grading phases.

The grading process described by State Bar is defensible and is closer to a criterion-referenced methodology, but additional steps need to be taken to ensure entry-level standards are documented, used in both examination development and grading.

CHAPTER 5 | TEST ADMINISTRATION

STANDARDS

The following standards are most relevant to standardizing the test administration process for licensing examinations, as referenced in the *Standards.*

Standard 3.4

Test takers should receive comparable treatment during the test administration and scoring process (p. 65).

Standard 4.15

The directions for test administration should be presented with sufficient clarity so that it is possible for others to replicate the administration conditions under which the data on reliability, validity, and (where appropriate) norms were obtained. Allowable variations in administration procedures should be clearly described. The process for reviewing requests for additional testing variations should also be documented (p. 90).

Standard 4.16

The instructions presented to test takers should contain sufficient detail so that test takers can respond to a task in the manner that the test developer intended. When appropriate, sample materials, practice or sample questions, criteria for scoring, and a representative item identified with each item format or major area in the test's classification or domain should be provided to the test takers prior to the administration of the test or should be included in the testing material as part of the standard administration instructions (p. 90).

Standard 6.1

Test administrators should follow carefully the standardized procedures for administration and scoring specified by the test developer and any instructions from the test user (p. 114).

Standard 6.2

When formal procedures have been established for requesting and receiving accommodations, test takers should be informed of these procedures in advance of testing (p. 115).

Standard 6.3

Changes or disruptions to standardized test administration procedures or scoring should be documented and reported to the test user (p. 115).

Standard 6.4

The testing environment should furnish reasonable comfort with minimal distractions to avoid construct-irrelevant variance (p. 116).

Standard 6.5

Test takers should be provided appropriate instructions, practice, and other support necessary to reduce construct-irrelevant variance (p. 116).

Standard 8.1

Information about test content and purposes that is available to any test taker prior to testing should be available to all test takers. Shared information should be available free of charge and in accessible formats (p. 133).

Standard 8.2

Test takers should be provided in advance with as much information about the test, the testing process, the intended test use, test scoring criteria, testing policy, availability of accommodations, and confidentiality protection as is consistent with obtaining valid responses and making appropriate interpretations of test scores (p. 134).

FINDINGS

Test Administration – Candidate Registration

The State Bar website includes links to access important test administration information such as the online Admissions Information Management System (AIMS). Candidates register to take the California Bar Examination using AIMS but also have the option of using a paper application. Other informational links include:

- Creating a new registration
- Learning about the California Bar Examination (e.g., test preparation, FAQs)
- Taking the attorney oath
- Listing of important dates and deadlines
- Contacting the Office of Admissions

    Finding: The State Bar registration process appears straightforward. The information available to candidates is detailed and thorough. The candidate registration process appears to meet professional guidelines and technical standards.

Test Administration – Accommodation Requests

Candidates can request accommodations via the online testing accommodations application. The candidate is instructed to discuss with their physician or specialist what accommodation is necessary to allow them to compete on an equal basis with all other applicants. A checklist is

13

provided to facilitate the request process (see
http://www.calbar.ca.gov/Portals/0/documents/admissions/TA-Petition-Checklist.pdf). It should
be noted that there is an appeal process and an emergency petition pathway.

It has been reported that requests for testing accommodations are increasing. This trend is
consistent with other regulatory licensing examinations. It is important to note accommodations
that fundamentally alter the measurement of the skills or knowledge the examination is intended
to test should not be provided. When declining an accommodation, the reason why the
accommodation will alter measurement of the skill and/or knowledge should be provided in the
event there is a different accommodation available that does not alter measurement. It is
important to allow accommodations for assuring that tests measure the actual skill and/or
knowledge of an individual to perform essential job duties rather than reflect limitations caused
by the disability.

> Finding: The State Bar testing accommodations process is defensible and appears to
> meet professional guidelines and technical standards.

Test Administration – Test Centers

Candidates take the California Bar Examination at a contracted test center. These sites vary
among approximately 15, and factors such as number of applicants and proctor and site
availability determine how many sites will be used. For the February 2020 administration, 6 sites
are available in southern California and 4 sites in northern California. Admittance restrictions are
placed on some sites, such as a designation as a testing accommodations site only.

> Finding: Candidates have access to testing sites in major cities, but travel may be
> required for a majority of candidates, resulting in additional costs and inconvenience.

Test Administration – Preparation and Distribution of Materials

Once the application period closes, examinations are requisitioned. The MBE is ordered through
the National Conference of Bar Examiners (NCBE). The essay and Performance Test exams
are printed, using a contracted vendor, and shipped to a State Bar office in Los Angeles for test
center distribution. Test materials are examined prior to administration for defects. Test
materials are also stored in a secure manner. To date, no known security issues have been
reported.

> Finding: The State Bar takes reasonable measures to ensure the secure preparation,
> delivery, and storage of test materials. However, the established administration process
> is more vulnerable to security breaches and general logistical problems than multiple-
> choice/vignette formats using a computer-based test administration. Those breaches
> and problems center around the "chain of security" (i.e., printing, delivery, distribution,
> and collection of test materials). In fairness to paper-and-pencil testing, computer-based
> testing has become susceptible to security breaches as technology has advanced.
> However, the "chain of security" tends to be more vulnerable to security breaches and
> logistical problems than electronic transmission of test questions and data.

Test Administration – General Instructions to Candidates

The State Bar website provides information about the California Bar Examination. The links provide very detailed information to candidates regarding:

- Format of the California Bar Examination
- Using a laptop computer (e.g., software to download)
- What test takers can and cannot bring to the examination
- How to apply to wear religious headwear during the examination
- Start times/late arrivals/exam attendance policy
- Sanctions

    Finding: The general instructions provided to candidates appear straightforward. The information available to candidates is detailed and thorough. However, given the three assessment components (essay questions, Performance Test, multiple-choice questions) and differing instructions, construct-irrelevant variance may result (e.g., increased test anxiety) from the intent to be helpful and transparent.

Test Administration – Use of Laptop Computers

Candidates have the option of handwriting answers or using a personal or rented laptop computer. Most candidates choose to use a laptop. Candidates pay $152 to use a personal laptop. The State Bar provides detailed information about the use of personal or rented laptop computers located at: https://www.calbar.ca.gov/Admissions/Examinations/California-Bar-Examination/Using-Laptops.

Topics include:

- Laptop certification – Examplify software must be downloaded prior to exam day to prevent internet access during examination.
- Exam information – ExamSoft's FlexSite internet-based examination delivery option will be used for responses to the essay and Performance Test portions.
- Exam day – In the event of a problem such as a software or hardware malfunction, power failure or interruption, candidates are required to handwrite examination answers.
- ExamSoft information – The certification process is completed based on instructions provided by Examplify/ExamSoft and includes taking the mock examination.
- Preparing for exam day – Candidates must bring a power cord and a laptop with a charged battery and know the laptop/software for taking the essay and Performance Test, including for downloading responses.
- Checklist – To ensure proper certification of laptop computers for use during the examination, a checklist of the steps that must be taken is provided.

It is important to note that Examplify software is not compatible with certain testing accommodation software such as Job Access With Speech (JAWS) screen reader and Dragon

voice recognition. Additional steps are taken by staff to check laptops using these types of software. These candidates are also required to bring their own printer.

> Finding: The procedures established for use of laptop computers appear to meet professional guidelines and technical standards. To restate, although the information is detailed and thorough, the amount of logistical preparation prior to actually sitting for the examination may introduce construct-irrelevant variance.

Test Administration – Proctors and Standardized Procedures

Proctors are recruited and screened for employment by State Bar staff. Information, including qualifications and requirements, can be found at: http://www.calbar.ca.gov/About-Us/Careers/San-Francisco-Careers/Examinations-Technician/Exam-Proctors. Proctors cannot be law clerks, law students, paralegals, or attorneys in any jurisdiction.

The State Bar has developed various manuals (e.g., *Proctor Guidelines*, *Staff Member in Charge and Staff Representative Manual*) to facilitate the standardized administration of the California Bar Examination across sites. In response to feedback from proctors, however, critical tasks lists have been created to summarize the main points of the manuals for easier reference. In addition to the manuals, roles (e.g., Head Proctor, Security Proctor, Staff Member in Charge) and responsibilities (e.g., laptop writers, test accommodations) have been identified for proctor assignment. The goal is to create critical tasks lists for all manuals/roles.

Proctor training across test centers is mostly consistent (i.e., as stated, not observed). Depending on the assignment, training may occur the day before or the morning of the examination.

> Finding: The procedures established for the test administration process and testing environment appear to meet professional guidelines and technical standards. State Bar staff clearly recognize the need for standardized procedures to facilitate fairness and reliability of assessment across test centers. Staff, however, are open and responsive to feedback for improving the process.

> Finding: The proctor pool is reportedly decreasing, possibly due to low pay, complexity of the recruitment and reimbursement process, and general availability of interested parties. This trend is consistent with regulatory examinations that utilize essay, performance, and practical examination formats.

RECOMMENDATIONS

> Recommendation: Consider removing the MBE from the two-day administration and utilizing computer-based testing (CBT). This strategy would likely reduce the cognitive load on candidates and provide greater convenience for scheduling (e.g., local test centers, self-scheduling). This recommendation is further discussed in Chapter 9 – Conclusions.

CONCLUSIONS

Given the findings, the test administration protocols put in place by the State Bar appear to meet professional guidelines and technical standards.

CHAPTER 6 | GRADER TRAINING, SCORING, AND PERFORMANCE STANDARDS

STANDARDS

The following standards are most relevant to grader training, scoring, and performance for licensing examinations, as referenced in the *Standards.*

Standard 2.3

For each total score, subscore, or combination of scores that is to be interpreted, estimates of relevant indices of reliability/precision should be reported (p. 43).

Standard 4.10

When a test developer evaluates the psychometric properties of items, the model used for that purpose (e.g., classical test theory, item response theory, or another model) should be documented. The sample used for estimating item properties should be described and should be of adequate size and diversity for the procedure. The process by which items are screened and the data used for screening, such as item difficulty, item discrimination, or differential item functioning (DIF) for major examinee groups, should also be documented. When model-based methods (e.g., IRT) are used to estimate item parameters in test development, the item response model, estimation procedures, and evidence of model fit should be documented (pp. 88-89).

Standard 4.20

The process for selecting, training, qualifying, and monitoring scorers should be specified by the test developer. The training materials, such as the scoring rubrics and examples of test takers' responses that illustrate the levels on the rubric score scale, and the procedures for training scorers should result in a degree of accuracy and agreement among scorers that allows the scores to be interpreted as originally intended by the test developer. Specifications should also describe processes for assessing scorer consistency and potential drift over time in raters' scoring (p. 92).

Standard 4.21

When test users are responsible for scoring and scoring requires scorer judgment, the test user is responsible for providing adequate training and instruction to the scorers and for examining scorer agreement and accuracy. The test developer should document the expected level of scorer agreement and accuracy and should provide as much technical guidance as possible to aid test users in satisfying this standard (p. 92).

Standard 4.23

When a test score is derived from the differential weighting of items or subscores, the test developer should document the rationale and process used to develop, review, and assign item weights… (p. 93).

Standard 6.8

Those responsible for test scoring should establish scoring protocols. Test scoring that involves human judgment should include rubrics, procedures, and criteria for scoring. When scoring of complex responses is done by computer, the accuracy of the algorithm and processes should be documented (p. 118).

Standard 6.9

Those responsible for test scoring should establish and document quality control processes and criteria. Adequate training should be provided. The quality of scoring should be monitored and documented. Any systematic source of scoring errors should be documented and corrected (p. 118).

FINDINGS

Graders – Selection and Training

The State Bar Committee of Bar Examiners (Committee) maintains a pool of approximately 150 licensed attorneys who serve as potential graders. These attorneys represent the diverse areas of practice in California and are located in the San Francisco Bay Area. The attorneys included in this pool have a minimum of 3 years of experience scoring the written portions of the California Bar Examination and many have over 10 years of experience. The Committee also uses Apprentice Graders, who undergo training and calibration processes. Apprentice Graders are used if a grader is unable to complete their assignments (Committee of Bar Examiners, Description and Grading of the California Bar Examination).

For each grading cycle, six panels of 12 graders are convened to evaluate candidate responses on the five essays and the Performance Test question that comprise the written portion of the California Bar Examination. A member of the Examination Development and Grading Team (EDG Team), a group of former graders, and a member of the Committee oversee these panels (Committee of Bar Examiners, Description and Grading of the California Bar Examination).

Graders are required to participate in three calibration meetings during each examination grading cycle. During the first calibration meeting, graders develop grading guidelines and assign weights to essay components. Graders also review and discuss 15 candidate responses on essay questions from the current exam administration. Graders first work as a group to review and assign a grade for each of the selected responses and reach consensus on a final grade. The graders then independently grade an additional 25 candidate responses. These analyses are calculated as a means of evaluating each group's level of calibration. The results

19

of these analyses are reviewed at the second calibration meeting the following week (Grading the California Bar Examination Grader Instruction II. First Calibration Meeting).

At the second calibration meeting, held the following week, graders review and finalize grading guidelines and the weights assigned to the essay during the first calibration meeting. Graders also review the results of calibration analyses conducted on the 25 responses graded during the first calibration meeting and resolve discrepancies through discussion (Grading the California Bar Examination Grader Instruction III. Second Calibration Meeting). Panelists then read, grade, and discuss 15 additional candidate responses as a group for additional calibration, and assign final consensus grades. Graders are then provided with grading assignments. The number of essay questions each grader reviews varies based on the number of candidates who sat for the examination; however, estimates provided by the Committee are that each grader will review 140-170 essays a week.

A third calibration session is held mid-grading cycle, during which graders read and grade an additional 15 essay responses. The purpose of this calibration session is to review grading standards and ensure graders are applying the same standard (Grading the California Bar Examination Grader Instruction V. Third Calibration Meeting).

> Finding: Graders are selected to represent the diverse areas of legal practice in California. Graders appear to receive adequate training on grading procedures and the application of grading standards although the extent to which minimum competence standards are discussed is not clear.

RECOMMENDATION

> Recommendation: The pool of potential graders should include licensed attorneys who are currently practicing in the profession. Educators or those involved in the educational process should not be part of the grading process, even as observers. Those associated with professional associations or other vested interests should also be excluded from grading processes to avoid unintentional bias or influence. Since the purpose of licensure is to assess minimum competence for entry into the profession, graders should include those who represent this target population (i.e., entry-level practitioners licensed less than five years).

> It appears that the Committee maintains a large pool of potential graders; however, a sliding-scale monetary incentive is offered to graders based on the number of times they have served in the past. It is recommended that the Committee consider rotation of graders and the inclusion of new graders into the process to ensure diverse perspectives are maintained throughout the process. Further, it appears that all potential graders are located in the Bay Area. Professional guidelines recommend that subject matter experts who participate in the development and scoring of licensing examinations be: (1) currently licensed and actively practicing in the field; (2) in good standing; (3) representative of the diversity of practice or specialty areas involved in the profession;

and (4) representative of practice in California in terms of geographic location and years licensed, with an emphasis on entry level.

Scoring – California Bar Examination

Following administration of the California Bar Examination, graders write and submit an analysis of the essay question or the Performance Test to which they are assigned, as well as an outline summary (Grading the Calibration Bar Examination Grader Instruction I. Analysis and Outline for the Essay Question). Copies of the analysis and outline are sent to the Supervising EDG Team Member and all co-graders. At the first calibration session, graders review the analyses prepared and reach consensus on the issues that should be discussed by candidates in answering the essay questions (Grading the California Bar Examination Grader Instruction II. First Calibration Meeting). In addition, graders reach consensus on the weights assigned to each issue. Applying the standards agreed upon, graders assign raw scores to essay and Performance Test response in 5-point increments, using a scale of 40 to 100. Graders are instructed to base their grading on the content of candidate responses and not to consider quality of handwriting or accuracy of spelling and grammar in assigning a grade. A score of 100 (maximum points) is to be assigned "when the grader believes the applicant has done as well as can reasonably be expected of any applicant on that question" (Committee of Bar Examiners' Policy Regarding Assignment of Grades to Written Assignments).

Candidate scores on the written portion of the California Bar Examination are combined with scores on the MBE to produce a total score (Description and Grading of the California Bar Examination – General Bar Examination and Attorneys' Examination). In determining a total score, the Committee uses a scaling procedure to convert scores on the written portion of the California Bar Examination to the same scale of measurement used on the MBE. The Committee's intended purpose for scaling scores on the written examination is to account for average differences in difficulty and grader performance across different exam administrations. MBE scores are reported on a scale ranging from 0 to 2000 points. A total of 700 raw points is possible for the written portion of the exam: 100 points for each of the five essay questions and 200 points for the Performance Test, which are then translated to the same 2000-point scale used for the MBE. A candidate's total score is the scaled MBE score (on the 2000-point scale) multiplied by .50 plus the converted score on the written section multiplied by .50. The effect of scaling is that the MBE and written sections contribute equal weight to the total score candidates receive (Written=50%, MBE=50%).

The Committee then applies a Phased Grading process in making pass/fail determinations based on candidates' total scores (Description and Grading of the California Bar Examination – General Bar Examination and Attorneys' Examination). To pass the examination in the first phase of grading, a candidate must have a total scale score of 1440 or more out of 2000 possible points. Those with total scale scores after one reading below 1390 fail the examination. A candidate who receives a final score near the passing score after the First Read (Phase I) that is near the passing score will have all essay and Performance Test responses read a second time by a different grader (Phase II). Ratings assigned to responses on essay and

Performance Test questions are then averaged for Phase I and Phase II readings. If a candidate's averaged total scale score is 1440 or higher, the candidate passes the examination. If a candidate's averaged total grade is less than 1440 and there is no grading discrepancy greater than 10 raw points between the first and second readings of any essay or Performance Test question, the candidate fails the examination. Responses with grading discrepancies of more than 10 raw points between the first and second readings are read a third time by the Supervising EDG Team Member for that essay (Phase III). The Supervising EDG Team Member then resolves the discrepancy by assigning a third grade to the response, which is then used to calculate the final score and make a pass/fail decision. If the candidate's total scaled score after resolution grading is greater than 1440, the candidate passes the examination.

> Finding: Grading of essay questions included on the California Bar Examination is based on the professional judgment of subject matter experts who undergo training and calibration in scoring candidate responses. Grading appears to be based on a general analytic scoring rubric that includes differential weights of essay components, as well as criteria for grading, both of which are developed during the first calibration meeting. The Committee provides a standard grading policy that instructs graders to consider the "overall quality of the answer, and whether the applicant has exhibited sufficient judgment, analytical ability, and knowledge of the subject matter involved in the question" (Committee of Bar Examiners' Policy Regarding Assignment of Grades to Written Assignments). These instructions further stipulate that grades are to be assigned on the content of the response and should not include other factors, such as quality of handwriting, accuracy of spelling or grammar, length of response, and inclusion of irrelevant matter. Scorers assign points in 5-point increments to essay components, up to the maximum weight provided on the scoring rubric.

> However, the grading policy and scoring rubric do not appear to establish a clear link between the weighting of essay components or point assignments and competence for practice. The intended purpose of assessments used in licensure is to determine whether candidates possess the minimum level of competence required to practice safely and effectively upon entry into the profession. This purpose differs from assessments used in credentialing or other testing environments, which may assess competence at different levels or make relative comparisons among candidates (*Standards*, p. 169).

> *Standards* states, "In the development and use of scoring rubrics, it is particularly important that credit be awarded for response characteristics central to the construct being measured and not for response characteristics that are irrelevant or tangential to the construct" (p. 56). As such, scoring procedures used in licensing examinations should be criterion-referenced. That is, grading specifications and procedures used for the California Bar Examination should be based on clearly defined criteria of what constitutes minimum competence to practice in the profession. A clear rationale for any differential weighting of essay components should be provided and should be based solely on these criteria. Further, a clear rationale should also be provided for incremental

point assignments made on essay components that are based on the objective criteria of minimum competence. Grading criteria, component weights, and incremental point assignments should not be made based on any factor or level of proficiency beyond minimum competence.

To increase standardization and comparability of equivalent forms, these criteria should be specified as part of test specifications used during development processes. To the extent possible, scoring rubrics based on these criteria should be developed and evaluated prior to administration of assessment measures. Further, these competence criteria should be objectively and consistently applied to similar examination content across administrations.

Finding: After the initial calibration meetings, where graders work together to score essay questions, graders work independently to assign grades to candidate responses.

Finding: Grader agreement and consistency is evaluated after the first calibration meeting and again mid-grading cycle. Evaluations of agreement conducted after the first calibration meeting appear to be based on the ratings of 25 select candidate responses (July 2019 California Bar Examination Tentative Grading Statistics). One method of assessing rater agreement is based on the rank order of a selection of candidate responses from highest to lowest. Another check of rater accuracy is performed mid-cycle, but the level of analyses performed is not specified.

Finding: Grading processes for the California Bar Examination include an established method for resolving scoring discrepancies. This method of resolving discrepancies appears consistent with technical guidelines, provided it takes into account previous judgments made by subject matter experts who serve as graders.

Finding: Scores on the California Bar Examination are converted to the same measurement scale as the MBE in deriving a final total score (Description and Grading of the California Bar Examination – General Bar Examination and Attorneys' Examination). The purpose of scaled scores is to account for form difficulty, to ensure that scores across forms hold the same meaning, and to ensure fairness among candidates. Scaled scores accomplish this by making statistical adjustments where small variances in difficulty occur. However, forms can be considered equivalent only to the extent that they measure the same content in the same manner and have relatively similar statistical characteristics (*Standards*, p. 95). The California Bar Examination includes five essay questions and a Performance Test question that are drawn from 13 different content areas. The content areas selected appear to vary across administration. In addition, each of the essays appears to differentially weight components in a nonstandard manner. Additional evidence should be provided to establish the equivalency of forms used on different administrations of the California Bar Examination.

RECOMMENDATIONS

While evaluating essay development and scaling procedures is outside the scope of this project, the following five recommendations are offered for further consideration:

Recommendation: Clarify how the weights of different parts of essay questions are derived. These weights should be clearly linked to the criteria of minimum competence for entry-level practice. To the extent possible, weights should be standardized and assigned as part of development specifications. In addition, documentation should be provided that links point assignments with the criteria of minimum competence and not a higher level of proficiency.

Recommendation: Evaluate the sufficiency of scaling techniques in equating forms across administrations. Forms intended to measure similar constructs across different administrations should include the same content, be written at relatively similar levels of difficulty and complexity, and possess similar statistical characteristics. Since the California Bar Examination includes five essay questions and a Performance Test question that are drawn from 13 content areas, additional evidence of equivalency of forms should be provided.

Recommendation: Evaluate the potential impact of construct-irrelevant variance associated with essay and Performance Test format in measuring minimum competence for entry-level practice (e.g., administration time).

Recommendation: Additional documentation should be provided to describe how scoring procedures and rubrics relate to the intended purpose of assessing minimum competence for licensure. Scoring procedure or decision models used for licensing examinations should be based on clearly defined criteria of minimum competence rather than relative judgments of proficiency.

Recommendation: Remove Phase III of the scoring process and implement a procedure to resolve differences in two phases. Use of minimum competence criteria can assist resolution.

CONCLUSIONS

The Committee has taken several steps to score the California Bar Examination in a manner that provides an objective evaluation of candidate performance. The grader training and scoring processes attempt to meet professional guidelines and technical standards. However, there are additional steps that can be taken to strengthen the performance standards by establishing a more direct link between scoring and the intended purpose (i.e., assessment of minimum competence required for licensure).

CHAPTER 7 | TEST SECURITY

STANDARDS

The following standards are most relevant to test security for licensing examinations, as referenced in the *Standards.*

Standard 6.6

Reasonable efforts should be made to ensure the integrity of test scores by eliminating opportunities for test takers to attain scores by fraudulent or deceptive means (p. 116).

Standard 6.7

Test users have the responsibility of protecting the security of test materials at all times (p. 117).

Standard 8.9

Test takers should be made aware that having someone else take the test for them, disclosing confidential test material, or engaging in any other form of cheating is unacceptable and that such behavior may result in sanctions (p. 136).

Standard 9.21

Test users have the responsibility to protect the security of tests, including that of previous editions (p. 147).

"In licensure and certifications tests, such actions [disclosing confidential information] may compromise public health and safety" (*Standards*, p. 136).

"Whenever there are significant stakes associated with testing, there will be pressures to break the rules at both the test taker and test administrator levels" (Olson and Fremer, 2013, p. 15).

FINDINGS

Test Security – California Bar Examination

The State Bar website provides information regarding the following security-related topics:

- A candidate admittance ticket contains an applicant number, a file number, and an NCBE number. Candidates are required to show their ticket to the proctor when entering the test center.
- If items other than those allowed are brought to the test center, candidates are required to leave them at their own risk outside of the examination area. Candidates are not permitted access to those items while the examination is in session.

25

- Candidates are instructed to bring any permitted personal items (e.g., prescription medication) into the examination area in a small, clear plastic bag. Larger, permitted items (e.g., pillow) do not need to fit into the clear plastic bag.
- Signs will be posted showing seating assignments by applicant numbers located on the admittance ticket. Candidates must occupy the same seating space throughout the examination.
- Upon arrival at assigned seats, candidates are required to fasten and wear an identification badge during administration of the examination. The badge must be fastened so it can be easily seen by the proctors and may be required to be shown at any time.
- At some time during administration of the examination, a candidate may be required to provide fingerprints.
- During the examination, candidates are required to show a government-issued ID card that has their photograph (driver's license, California identification card, or passport), for the purpose of verification of identity. This ID card must be carried at all times during the examination.
- Candidates are not allowed to make notes from memory prior to the start of the examination session. If using a laptop computer, a candidate may not access documents on the computer after entering the secure examination area.
- Examination questions and used scratch paper may not be taken out of the examination area. After completing each session of the examination, all examination questions and used scratch paper must be placed in the envelope designated for that purpose.
- Timing devices (e.g., watches and clocks) brought to the examination test centers are to be used solely for the determination of the passage of time. They cannot have a digital display, must be absolutely silent, and cannot be larger than 4" x 4". Timing devices that are digital, programmable, or make noise are not permitted.
- Restrooms and water will be available at each test center. Candidates are instructed to use the facilities before taking seats to avoid missing the instructions prior to the start of each session. Extra time to use the restroom is not granted. Candidates are not permitted to use the restroom or leave seats during the last several minutes of the examination session. After time is called, candidates are not permitted to use the restroom or leave seats until all materials are collected and inventoried.
- If candidates leave the secured examination area during the session, they are not permitted to return for the purpose of completing the examination.
- At laptop computer test centers, laptop computers may not be disconnected from electrical outlets or removed from the examination room while the examination is in session, even if a candidate has completed the examination for that session. Candidates must wait until the examination session has concluded and candidates are dismissed before retrieving laptop computers.

If a candidate is suspected of cheating, proctors are instructed to notify staff but not to bring attention to the candidate or others sitting around the candidate. Incident reports are completed documenting the suspected cheating for investigation.

Failure to adhere to examination rules is considered a conduct violation and may result in a Chapter 6 Notice (Rules of the State Bar of California. Title 4. Admissions and Educational Standards. Division 1. Admission to Practice Law in California. Chapter 6. Conduct at Examinations).

> Finding: Security procedures are rigorous. However, with the current administration format of the California Bar Examination, security vulnerabilities exist.

RECOMMENDATIONS

> Recommendation: Consider revisiting the policy on candidate intervention in response to flagrant incidents of cheating. If a candidate is observed to be cheating and the incident is witnessed by a proctor, it is acceptable to excuse the candidate from the testing situation. The candidate should not be accused of cheating but rather informed that they will be contacted at a later date. An incident report should be filed and used to support a Chapter 6 Notice. In some instances, immediate intervention can be justified to prevent unnecessary exposure of test items or questions.

CONCLUSIONS

Given the findings, the test security policies, procedures, and protocols meet professional guidelines and technical standards but can always be strengthened.

CHAPTER 8 | COMMUNICATION TO CANDIDATES AND STAKEHOLDERS

STANDARDS

The following standard is most relevant to communication to candidates and stakeholders regarding licensing examinations, as referenced in the *Standards.*

Standard 9.15

Those who have a legitimate interest in an assessment should be informed about the purposes of testing, how tests will be administered, the factors considered in scoring examinee responses, how the scores will be used, how long the records will be retained, and to whom and under what conditions the records may be released (p. 146).

FINDINGS

As presented in the prior chapters, the State Bar provides detailed information about the California Bar Examination. The information covers registration to sitting for the examination through the process of releasing examination results.

In addition, the State Bar webcasts Committee of Bar Examiners' meetings and provides links to the following studies that support the California Bar Examination program:

- Report 1: Recent Performance Changes to the Bar Exam
- Report 2: Conducting a Standard Setting Study
- Report 3: Conducting a Content Validation Study
- Report 4: Performance Changes on the California Bar Examination

Finding: The State Bar and Committee is transparent in the development, administration, grading, and performance of the California Bar Examination. The Committee goes above and beyond in the level of detail shared with candidates and stakeholders while attempting to maintain the security of the examination process.

RECOMMENDATIONS

Recommendation: The State Bar and Committee should refrain from sharing the topics of the essay questions. An examination outline, resulting from the current practice analysis, should be made available for candidates preparing to take the licensing examination. It is important for the State Bar to remember that the goal for candidates is to prepare for safe and competent practice as an attorney, not to prepare question by question to pass the California Bar Examination.

CONCLUSIONS

Given the findings, communication to candidates and stakeholders meets professional guidelines and technical standards.

CHAPTER 9 | CONCLUSIONS

REVIEW OF THE ADMINISTRATION OF THE CALIFORNIA BAR EXAMINATION

Throughout this report, recommendations are offered to improve the administration of the California Bar Examination. In other words, strategies to strengthen the pass/fail decisions from the California Bar Examination (i.e., validity) are given. Validity is not an all-or-none concept. Rather, validity is about accumulating evidence to support pass/fail decisions. The goal should be to regularly evaluate examination development and administration processes to boost fairness, reliability, and validity.

The State Bar should be commended for their willingness to release information about processes and procedures for constructive evaluation. It is obvious that State Bar management and staff are committed to building and administering a fair, reliable, and valid examination program.

Recommendations discussed below are based on the cycle of examination validation (See Figure 1) and professional guidelines and technical standards.

1. A policy on examination validation should be formulated to guide future examination activities, including practice analysis, development, administration, scoring, etc. This policy should be based on professional testing guidelines and technical standards associated with licensure examinations. Distinction between academic testing and licensing testing should be clarified.

2. The (suggested) policy to be developed should state that a practice analysis should be conducted approximately every five years. Depending on changes in the profession, the analysis could be a modified technique, employing focus groups composed of subject matter experts instead of a full population survey approach.

3. Subject matter experts should be used throughout validation activities. Professional guidelines recommend that subject matter experts who participate in validation activities for licensing examinations be: (1) currently licensed and actively practicing in the field; (2) in good standing; (3) representative of the diversity of practice or specialty areas involved in the profession; and (4) representative of practice in California in terms of geographic location and years licensed, with an emphasis on entry level. Board members, deans, and educators are discouraged from participating in *examination development-related* activities because of conflict of interest concerns and undue influence. Instead, board members and deans may observe orientations and trainings, excusing themselves from the activities once underway. Educators may participate in job analysis studies. Those associated with professional associations or other vested interests should also be excluded from *examination development-related* activities (e.g., grading) to avoid unintentional bias or influence.

4. The resulting examination outline (i.e., critical competencies to be assessed on the examination) from the practice analysis should stimulate a discussion about the most fair, reliable, and valid tool(s) to assess entry-level competence to practice as an attorney in California. It is highly recommended that the State Bar consider reducing the essay portion of the California Bar Examination to standardize the process. It appears the California Bar Examination is functioning more like a college "final or comprehensive" examination, attempting to assess as much as possible in two days. However, the purpose of a licensure examination is to measure (within practicality) the most critical competencies in a fair, reliable, and valid manner.

   This recommendation could also reduce possible security issues with extending test time across days in response to accommodations. And construct-irrelevant variance associated with test anxiety and logistics may be reduced.

   It is also recommended that the State Bar consider removing the MBE from the two-day administration and utilizing CBT. This strategy would likely reduce the cognitive load on candidates and provide greater convenience for scheduling (e.g., local test centers, self-scheduling).

5. Although significant effort is made to construct, administer, and grade the essay and Performance Test questions in a reliable manner, the standardization across administrations is severely lacking. Topics, questions, and weighting should be consistent. Rubrics for scoring should be consistent and based on entry-level standards. Timing for answering the essay and Performance Test questions should be established based on studies rather than historical testimony. For example, how the weights of different parts of essay questions are derived should be clarified. These weights should be clearly linked to the criteria of minimum competence for entry-level practice. To the extent possible, weights should be standardized and assigned as part of development specifications. In addition, documentation should be provided that links point assignments with the criteria of minimum competence and not with a higher level of proficiency.

6. Competencies not measured in the essay or Performance Test questions could be evaluated in vignette-style questions administered via CBT.

7. Consider revisiting the policy on candidate intervention in response to flagrant incidents of cheating. If a candidate is observed to be cheating and the incident is witnessed by a proctor, it is acceptable to excuse the candidate from the testing situation. The candidate should not be accused of cheating but rather informed that they will be contacted at a later date. An incident report should be filed and used to support a Chapter 6 Notice. In many instances, immediate intervention can be justified to prevent unnecessary exposure of test items or questions.

Overall, the State Bar is meeting professional guidelines and technical standards in most areas. Without making any significant changes to the testing format, at a minimum, the grading or

scoring processes should be significantly revised. However, it is highly recommended that the State Bar revisit the essay, Performance Test, and MBE format. While it is tempting to place the full burden of preparedness to practice on the California Bar Examination, the process of licensure is a multi-hurdle process. Each hurdle should have its own reliability and validity, preparing the student for practice, with the final hurdle being the licensure examination. Schools have the responsibility to educate and prepare students for practice. Too often, the focus becomes passing the examination and not entry into the profession.

As the population of candidates increases, as well as its diversity, it is important to reassess testing formats/tools, especially given the advancements in technology and item structure. What was once thought to be the best approach may no longer be as suitable when meeting fairness, reliability, and validity.

Again, the State Bar should be commended for being transparent and opening its processes for analysis and constructive recommendations. DPPR appreciated the cooperation and collaboration from State Bar management and staff.

CHAPTER 10 | REFERENCES

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INTERVIEWS

1. Bolus, R. (2019, October 8). Telephone interview.
2. Campbell, T. (2019, November 1). Telephone interview.
3. Cummins, L. (2019, October 23). Telephone interview.
4. Doell, C. (2019, November 5). Telephone interview.
5. Herschkowitz, D. (2019, November 20). Telephone meeting.
6. Romero, B. (2019, October 15). Telephone interview.
7. Schwab-Wilhelmi, H. (2019, November 1). Telephone interview.
8. Soriano, M. (2019, October 15). Telephone interview.

EDG GRADING GUIDELINES BY QUESTION

1. Feb 2019 CBX Q1 Wills/Trusts/Community Property Grading Guidelines
2. Feb 2019 CBX Q1 CommProp chart with totals
3. Feb 2019 CBX Q1 CommProp GGL summary
4. Feb 2019 CBX Q1 CommProp Consensus Answer
5. Feb 2019 CBX Q2 Torts Final Grading Guidelines CONFIDENTIAL
6. Feb 2019 CBX Q2 Torts Final Group Answer
7. Feb 2019 Q3 Model Answer Real Property (Landlord/Tenant)
8. Feb 2019 Q3 Score Sheet V2
9. Feb 2019 CBX Q4 Evid CivPro Copy of Copy of Scoring Guide
10. Feb 2019 Q4 Evid CivPro Copy of Copy of Scoring Guide Final V2 3/23/19
11. Feb 2019 CBX Q4 Evid CivPro GGLs Final V9 3/23/19
12. Feb 2019 CBX Q5 PR Consensus Outline V3
13. Feb 2019 CBX Q5 PR Draft Consensus Outline Analysis V1

14. Feb 2019 CBX Q6 Performance Test – Draft Outline
15. Feb 2019 CBX Q6 Performance Test – Draft Consensus Answer
16. Mar 2019 Q5 PR Draft Consensus Outline & Analysis

CALIFORNIA BAR EXAMINATION GRADING PREPARATION

17. Scope of the California Bar Examination General Bar Examination and Attorneys' Examination
18. Description and Grading of the California Bar Examination – General Bar Examination and Attorneys' Examination
19. Bar Examination Grading overview for apprentice graders
20. July 2019 GBX Grader Correspondence address list – Q1

CALIFORNIA BAR EXAMINATION PHASED GRADING PROCESS

21. California Bar Examination: Phased Grading
22. Committee of Bar Examiners' Policy Regarding Assignment of Grades to Written Assignments
23. June 17, 2019: July 2019 California Bar Examination Grader Information and Materials
24. CONFIDENTIAL: July 2019 California Bar Examination Tentative Grading Statistics
25. Aug 2, 2019 Instructions for Pre-Grading Assignments
26. Aug 5, 2019 Memorandum July 2019 California Bar Examination – Selected Answers
27. Sept 9, 2019: Information and Instructions for Re-evaluating Answer Files in the Exam Grader Community

JULY 2019 GBX GRADER EVALUATION FORM

28. July 2019 Grader Interest Form
29. Grading the Calibration Bar Examination Grader Instruction I. Analysis and Outline for the Essay Question
30. Grading the Calibration Bar Examination Grader Instruction I. Analysis and Outline for the Performance Test
31. Grading the California Bar Examination Grader Instruction II. First Calibration Meeting
32. June 17, 2019: July 2019 California Bar Examination Phase III – Resolution Grading
33. July 2019 California Bar Examination Grader Instruction IV. Grading Procedures
34. Grading the California Bar Examination Grader Instruction V. Third Calibration Meeting

THE COMMITTEE OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA TESTING ACCOMMODATIONS NOTICE

35. Important information and guidelines for applicants granted testing accommodations during administration of the July 2019 California Bar Examination
36. California Bar Examination, Workroom Manual Testing Accommodations
37. California Bar Examination, Workroom Manual Laptop/Writers

38. Religious Headwear Petition (screenshots of conversation/approval) received through AIMS
39. Laptop/Writers Bar Exam – Workroom Tub Forms
40. Laptop/Writers Bar Exam Staff – Representative Tub Forms

THE COMMITTEE OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA TESTING ACCOMMODATIONS NOTICE JULY 2019

41. Testing accommodations test centers July 2019 California Bar Examination
    a. Laptop instructions – Essays 1, 2, and 3
42. Testing accommodations test centers July 2019 California Bar Examination
    a. Laptop instructions – Essays 4, 5, and PT
43. Testing Accommodations Bar Examination work room Tub Forms
44. Testing Accommodations Bar Examination staff-representative and workroom Tub Form
45. (2019 sample schedules)
46. More than double time (adjust total amount of time for each session according to time granted)
47. Time and one-half (over two days)
48. Time and one-half (three-day standard)
49. Time and one-half (over four days)
50. Time and one-third (over four-day extended)
51. Time and three quarters (all sessions)
52. Time and two-thirds (over four days)
53. Double time
54. Double time (over two days)
55. Double time (over four days)
56. Accommodations granted (over two days) – candidates must bring lunch
57. Accommodations granted (over four days) – candidates must bring lunch
58. Extra 1 hour and 15 minutes (two-day standard)
59. Time and one-third (two-day standard)
60. Time and one-third (three-day extended)
61. Accommodations made (over two days)
62. Accommodations made (over four days)
63. Extra one-half hour (over four days)
64. Memo re: February 2020 California Bar Examination

LEAD SECURITY, SECTION, AND GENERAL PROCTOR ORIENTATION

65. Proctor Guidelines Testing Accommodations
66. Orientation for Security Proctors – Monday
    (Conducted by Lead Security Proctor)
67. Critical Task List Testing Accommodations Test Centers Security Proctor
68. Critical Task List Security Proctors Laptop/Writers (pamphlet)
69. Proctor Guidelines Laptop/Writers (Pamphlet)
70. Critical Task List Laptop/Writer Test Centers Section Proctor
71. Critical Task List Laptop/Writer Test Centers Floor Proctor
72. Orientation for Section Proctors
73. July 2019 Tips for Section Proctors

74. Critical Task List Testing Accommodations Section Proctor
75. General Proctor Orientation for Bar Examination Accommodations July 30, 2019
76. General Proctor Orientation for Bar Examination Accommodations July 29, 2019
77. General Proctor Orientation for Bar Examination Accommodations July 31, 2019
78. Guidelines for Lunches at TA Test Centers

ADMINISTRATION OF EXAMINATIONS EMERGENCY PROCEDURES (1994)

79. Staff Member in Charge and Staff Representative Manual July 2019 California Bar Examination
80. Staff Representative Daily Critical Task Reference Testing Accommodations
81. Staff Member in Charge (SMIC) Task List July 2019 Bar Examination Laptop/Writers July 29, 2019
82. Staff Representative Daily Critical Task Reference Writers/Laptops

THE COMMITTEE OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA PREVIOUS TESTING ACCOMMODATIONS NOTICE FORMS FROM 2018

83. July 2018 Sample California Bar Examinations RA schedules
84. Time and one-third (2-day: Director approval required)
85. Time and one-half (All essays day 1) July 2018
86. Time and one-half (2-day proposed)
87. Note: 8:15 p.m. end time on Tuesday; 7:30 p.m. end time on Wednesday

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