



The State Bar *of California*

# NCBE Next Gen UBE v. CA Exam: Select Factors to Aid in Decision Making

Blue Ribbon Commission Meeting, Sept. 1, 2021

# Factors for Consideration: CA Exam or NextGen UBE?

## NextGen UBE - Pros

- Professional test developers
- Potential for some portability
- External development of scoring rubric
- Potential for greater pre-testing of questions
- Use of test centers eliminates complexity of contracting for hotel sites
- Uniformity across many states
- Comparable KSAs derived from attorney practice analyses

## Next Gen UBE - Cons

- Complete dependency on NCBE
- New format a relative unknown
- Eliminates possibility of remote exam
- Eliminates possibility of open book exam
- Unclear options for those who can't test on computer

## CA Exam - Pros

- Preserves control of examination process
- Preserves option for remote
- Preserves option for open book
- Allows for creative, innovative approach to exam delivery, frequency of exam, etc.
- Tests CA law

## CA Exam - Cons

- Need to ensure stability and consistency across exams w/o MBE
- Need to develop and maintain a considerable bank of questions
- Need to ensure exam validity
- No portability
- Administration of exam development and grading



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NextGen UBE - Pros	Next Gen UBE - Cons	CA Exam - Pros	CA Exam - Cons
////////	<ul style="list-style-type: none"><li>No CA specific content. (If desired, separate instrument will need to be developed)</li></ul>	<ul style="list-style-type: none"><li>Allows more precise alignment with KSAs based on CAPA</li></ul>	<ul style="list-style-type: none"><li>////////</li></ul>

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## Further Research Required

### Access

- Question types that are least likely to have disparate impact based on race/ethnicity or gender
- Cost – which exam type will be cheaper, allowing a possible reduction in exam fees

## Further Research Required

### Exam Delivery

- Fairness and equity implications of open v. closed book exam
- Fairness and equity implications of remote v. on-site exam

## Further Research Required

### Exam Innovation

- What innovative methods of exam delivery / questions exist in other high stakes licensure examinations?

## Further Research Required

### Other?



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# Input from BRC

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