



The State Bar *of California*

OPEN SESSION AGENDA ITEM O-301 DECEMBER 2022 COMMITTEE OF BAR EXAMINERS

DATE: December 2, 2022

TO: Members, Committee of Bar Examiners

FROM: Tammy Campbell, Program Manager

SUBJECT: Approval of July 2022 California Bar Examination Cost Analysis

EXECUTIVE SUMMARY

The information provided below summarizes the analysis of the costs associated with the July 2022 California Bar Examination.

BACKGROUND

As part of the on-going process to monitor the costs related to administering the California Bar Examination (CBX), a cost analysis of the July 2022 California Bar Examination has been prepared. Attached is additional detail regarding the various expenses associated with administering the examination.

DISCUSSION

After returning to the in-person testing format in February 2022, the July 2022 California Bar Examination was administered in the traditional in-person modality at fifteen test centers throughout Southern and Northern California.

The cost analysis historically focused on the overall cost to administer the examination in-person at the test centers. The data provided did not factor in other costs such as printed exam materials, MBE booklets, graders, laptop license fees or other indirect costs, including staff time spent preparing for the exam before, or time administering the exam and finalizing the exam

afterwards. This analysis includes the costs for the graders, exam materials and laptop license fees.

This report, along with previous exam administration financial reports, does not include costs for staff dedicated year-round to exam administration (eligibility, applicant services, testing accommodations and exam support), miscellaneous exam supplies sent to test centers, Testing Accommodation consultant fees, psychometric services, and staff overtime during and post exam administration.

The total cost for administering the July 2022 CBX was \$4,518,999 for 7,543 applicants. This compares to \$1,676,132 for 7,930 applicants for the July 2021 CBX. The change in the number of CBX applicants from July 2021 to July 2022 represents a 4.8% decrease.

Below are a few highlights from the cost analysis:

1. The July 2022 examination costs increased year-over-year due to the change in modalities. With the return to an in-person exam, there were costs for the additional facilities, audio-visual equipment, tables and chairs, electrical outlets, proctors, staff travel and printing costs beyond what was used during the online remote exam. However, there was the elimination of the Exam ID and Exam Monitor fees to proctor the test online.
2. In 2022, PSI, a vendor that administers exams for a variety of organizations, was hired to take over proctors, facility contracts and set-up/event coordination for the examinations. In February, PSI was only responsible for providing 500 proctors for the examination. In July, PSI was responsible for hiring proctors for all test centers, as well as securing all facility contracts and all set-up of electrical, audio-visual, tables and chairs, water, phone lines and proctor parking. The State Bar had already contracted four test centers prior to hiring PSI and was still responsible for providing all electrical, audio-visual, tables & chairs, water, phone lines and proctor parking for those test centers.

For the July exam, PSI provided a total of 1,174 proctors across the fifteen test centers. The original contracted request was for a total of 1,412 proctors. Since the contracted number of proctors was not met, PSI issued a credit of \$428,700. The amount paid to PSI after the credit was \$2,715,300.

3. For the July 2022 examination, approximately 79% of the overall capacity for all test centers was used to administer the exam compared to 52% for the July 2021 examination (including online).
4. Historically, approximately 81% of our total costs are related to facility rental, electrical, and proctors. PSI provided an aggregate, not detailed, invoice for their services, so some of these costs are not able to be applied by individual test center. For the July 2021 exam, applicants did not require electrical outlets, fewer proctors were needed, and nine fewer facilities were utilized due to COVID-19.

5. For the July 2022 examination, administering the exams to 541 applicants at testing accommodations test centers accounted for 7% of all applicants. Again, the lack of a detailed invoice from PSI has resulted in less insight by test center for these costs.

For the July 2021 in-person component of the exam, the 239 applicants that took the examination at test centers were a combination of applicants with testing accommodations and applicants with extenuating circumstances. These applicants made up for only 3% of the total number of applicants, and the cost to administer the examination to those applicants was approximately 54% of the total exam cost.

6. During the July 2021 examination, it cost approximately \$100 per applicant to administer the examination online compared to approximately \$3,766 for each applicant taking the examination at an in-person test center.

In July 2022, it cost approximately \$229 to administer the examination to an applicant at a standard test center compared to approximately \$375 for each applicant taking the examination at a test center for accommodated applicants. This number does not include PSI costs since their aggregate, not detailed, invoice is not attributed to individual test centers. However, the costs for PSI can be included in the cost per applicant overall.

The overall cost per applicant in July 2021 was approximately \$210 compared to \$598 per applicant for the July 2022 examination.

Administering examinations at test centers for accommodated applicants normally involve higher costs because of the type of facility that must be used (i.e., hotel instead of a conference center) to provide semi-private/private rooms, additional proctor requirements, specialized equipment/software, etcetera.

FISCAL/PERSONNEL IMPACT

None

RECOMMENDATION

It is recommended that the Committee of Bar Examiners approve the July 2022 California Bar Examination Cost Analysis set forth above.

PROPOSED MOTION

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

MOVE, that the July 2022 California Bar Examination Cost Analysis be approved.

ATTACHMENT(S) LIST

A. July 2022 Cost-Analysis Breakdown