

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM: June 2016 – O-301

DATE: June 17, 2016

TO: Subcommittee on Operations and Management

FROM: Greg Shin, Director, Operations and Management

SUBJECT: REVIEW OF TESTING ACCOMMODATIONS COST TRENDS

BACKGROUND

The Committee of Bar Examiners (Committee) has asked that a summary of the costs associated with the processing of petitions for testing accommodations and administering the California Bar Examination (CBX) and the First-Year Law Students' Examination (FYLSX) at the Testing Accommodations (TA) test centers be prepared.

DISCUSSION

The following table illustrates the number of applicants that took the CBX at TA test centers from 2006 to 2015, after having been granted accommodations through the TA process. While there were variations in the total number of TA testers from year to year, there is a fairly clear, increasing trend over the nine-year period. Overall, there was an almost 14% increase in the number of TA testers between 2006 and 2015.

| California Bar Examination | | | | | |
|----------------------------|----------|------|--------|----------------------------|------------------------------|
| Year | February | July | Totals | % Inc/-Dec from prior year | % Inc/-Dec from 2006 to 2015 |
| 2006 | 258 | 320 | 578 | | |
| 2007 | 296 | 279 | 575 | -0.5% | |
| 2008 | 223 | 293 | 516 | -10.3% | |
| 2009 | 234 | 387 | 621 | 20.3% | |
| 2010 | 265 | 345 | 610 | -1.8% | |
| 2011 | 258 | 384 | 642 | 5.2% | |
| 2012 | 243 | 365 | 608 | -5.3% | |
| 2013 | 270 | 361 | 631 | 3.8% | |
| 2014 | 265 | 402 | 667 | 5.7% | |
| 2015 | 288 | 369 | 657 | -1.5% | 13.7% |

Similarly, the following table shows the TA numbers associated with the FYLSX over the same time period. So while the overall TA numbers are much less than the comparable numbers for the CBX, there was an 86% increase in the number of applicants that took the FYLSX at TA test centers from 2006 to 2015.

| First-Year Law Students' Examination | | | | | |
|---|-------------|----------------|---------------|-----------------------------------|-------------------------------------|
| Year | June | October | Totals | % Inc/-Dec from prior year | % Inc/-Dec from 2006 to 2015 |
| 2006 | 12 | 17 | 29 | | |
| 2007 | 18 | 16 | 34 | 17.2% | |
| 2008 | 15 | 14 | 29 | -14.7% | |
| 2009 | 15 | 22 | 37 | 27.6% | |
| 2010 | 25 | 19 | 44 | 18.9% | |
| 2011 | 19 | 25 | 44 | 0.0% | |
| 2012 | 29 | 18 | 47 | 6.8% | |
| 2013 | 30 | 24 | 54 | 14.9% | |
| 2014 | 28 | 22 | 50 | -7.4% | |
| 2015 | 30 | 24 | 54 | 8.0% | 86.2% |

As presented during prior Committee meetings, the following tables show the total and per TA applicant costs associated with administering the CBX for the past three years.

| California Bar Examination | | | |
|-----------------------------------|-----------------|-------------------|------------------------------|
| Year | February | Total Cost | Cost Per TA Applicant |
| 2013 | 270 | \$772,060 | \$2,859 |
| 2014 | 265 | \$736,560 | \$2,855 |
| 2015 | 288 | \$818,425 | \$2,842 |

| California Bar Examination | | | |
|-----------------------------------|-------------|-------------------|------------------------------|
| Year | July | Total Cost | Cost Per TA Applicant |
| 2013 | 361 | \$868,782 | \$2,413 |
| 2014 | 402 | \$976,581 | \$2,429 |
| 2015 | 369 | \$970,191 | \$2,629 |

Similarly, the following tables show the total and per TA applicant costs associated with administering the FYLSX for the past three years.

| First-Year Law Students' Examination | | | |
|---|-------------|-------------------|------------------------------|
| Year | June | Total Cost | Cost Per TA Applicant |
| 2013 | 30 | \$62,288 | \$2,076 |
| 2014 | 28 | \$70,599 | \$2,521 |
| 2015 | 30 | \$64,096 | \$2,137 |

| First-Year Law Students' Examination | | | |
|---|----------------|-------------------|------------------------------|
| Year | October | Total Cost | Cost Per TA Applicant |
| 2013 | 24 | \$55,527 | \$2,314 |
| 2014 | 22 | \$70,270 | \$3,194 |
| 2015 | 24 | \$60,422 | \$2,517 |

In addition to the examination administration related costs noted above, there are internal, staff related costs involved in the processing of TA petitions. In 2015, these costs were:

| | |
|------------------------|-----------|
| TA Consultant Expense: | \$256,347 |
| ADM Staff Expense: | \$257,917 |
| Subtotal: | \$514,264 |

For 2015, the expenses related to the processing of TA applications and administering the examination to this population totaled **\$2,427,398**. (This total does not include a portion of the indirect costs that were charged to the Admissions Fund.)

RECOMMENDATION

It is recommended that this report be received and filed.

PROPOSED MOTION

If the Subcommittee agrees with the recommendation, the following motion is suggested for consideration by the full Committee:

Move that the report on Testing Accommodations Cost Trends be received and filed.