

Professional Licensure & Certification Exam First-time Pass Rate Improvement Plan - Update FAMU College of Law Juris Doctor (JD) Program

Executive Summary

This document updates the Licensure Improvement Plan submitted in September 2020. The Florida A&M University (FAMU) College of Law continues to pursue a data-driven comprehensive strategy to improve its bar passage rates. The strategy includes (1) recruiting and retaining students that our data analysis suggests will be successful on the bar exam and in obtaining professional positions; (2) supporting our current students to success, including through the assessment and revision of our curriculum in line with best practices; and (3) fine tuning the products and services provided to graduates preparing for the bar. This report highlights specific enhancements made since the prior submission, including (1) modifying the admissions strategy to ensure that the College is enrolling incoming cohorts who are likely to be successful on the bar and in the profession; (2) providing additional support to students earlier in the curriculum to ensure that students have the skills needed to maximize their learning in the foundational curriculum.

1. Describe the short-term strategies to improve the passage rates for recently graduated and currently enrolled students expected to take the exam in the short-term.

Since the prior submission, the Academic Success and Bar Preparation Program (ASBP) team has been working to ensure that the products and services provided to recent graduates preparing for the bar exam are in line with best practices. The ASBP team: (1) makes sure all graduates have access to supplemental resources; (2) monitors resource usage; (3) tracks students' performance on commercial bar course study plans; (4) hosts office hours; (5) refers graduates to tutoring as requested / needed; and (6) provides reminders and incentives. The ASBP faculty also hosts a bar prep lounge with access to free snacks and refreshments. Graduates are also provided private study spaces. The ASBP faculty also provides workshops on frameworking, essay writing and multiple-choice strategies. ASBP enhanced these offerings in collaboration with the Legal Research & Writing (LRW) Department by hosting an essay writing workshop with LRW faculty with experience grading bar essays. Finally, ASBP provides workshops developed in coordination with doctrinal faculty that cover each bar subject, including Florida distinctions. These are available live or as asynchronous recordings.

2. Describe the short-term strategies to assist students who recently failed the exam. Does the institution provide additional tutoring or financial assistance to students who fail the exam?

The bar support program described above remains available to graduates who have taken and failed a bar exam. Repeat takers receive all of the resources afforded first-time takers, including access to AdaptiBar and Kaplan resources. The College provides these resources at no charge; however, for AdaptiBar, graduates are only permitted two free subscriptions. The College also advises repeat takers to utilize a commercial bar preparation program and to provide copies of prior exam scores and essays. These are used to assess the bar taker's strengths and weaknesses and assist in developing an effective study plan.

3. Provide the overall pass rate for the last three cohorts of graduates, including information on students who retake the exam. How many students pass the exam on the 2nd attempt, 3rd attempt, etc.? How many students fail the exam twice?

Data on first-time Bar pass rates in Florida for the past three years is shown below in Table 1.

Table 1. Florida First-Time Pass Bar Rates¹

Year	Pass Rates	Number of Examinees
2019	57%	94
2020	58%	146
2021	59%	112

The information below is based on the last three graduating cohorts with bar results, May, August, and December 2021.² A total of 157 students graduated from the College of Law in May (128), August (5) and December (24) 2021. Out of 157 graduates, there are 140 graduates in this group about whom we have bar exam information.³ Out of that 140 with known bar results, a total of 91 have passed the bar exam for an overall pass rate of 65%. Of those, 77 (55% of the cohort) passed on the first attempt with 14 passing on the second attempt. Of the 49 students who have not passed the bar exam, 18 students have tried and failed twice; the other 31 have only taken the exam once.

4. How long after graduation do students typically wait to take the exam? How many students delay taking the exam beyond a normal or typical period and why? What assistance is available to students who delay?

Most 2021 graduates did not wait to take the bar exam. Among the 140 graduates about whom we have information, at least 134 (96%) took the exam at the earliest opportunity. The remaining students took the bar exam at their second opportunity.

Graduates who delay taking the bar exam do so for a variety of reasons. Most who delay feel that they are not adequately prepared. If warranted, ASBP faculty may counsel graduates who do not seem sufficiently prepared about delaying the exam. Other graduates opt to take a break from studying after completing law school. A small number of students feel that they do not have sufficient time to study due to work obligations or do not have the money to pay the bar application fees. Those who delay have the same access to ASBP resources, all provided at no cost to the graduate.

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² The College annually reports to its accreditor, the American Bar Association, on bar passage for any graduates in May, August, and December of a particular calendar year.

³ The College would not have bar pass information for students who (1) didn't take a bar exam; or (2) took the exam in a jurisdiction that does not provide automatic reporting to the College.

5. Are students required to pay for any services or other support strategies provided?

Graduates do not pay the College for any of the services or support resources it provides.⁴ Most students do purchase a bar preparation resource from a third-party vendor such as Kaplan, Barbri, or Themis.

6. Provide any available information on the employment outcomes of students who do not pass the exam. Do those students find employment, and if yes, what types of jobs?

The College is required by the ABA to collect employment data on recent graduates. To answer this question, we have utilized the ABA 10-month employment data for May 2021 and August 2021 which was reported in March 2022 (survey date). For the December 2021 graduates, the employment data has not yet been collected.⁵ To provide preliminary data for the December cohort, we have utilized publicly available information. The data in Table 2 below demonstrates that graduates who do not pass at the first attempt nonetheless are generally employed within ten months of graduating.

Table 2. Employment Outcomes (2021 Graduates)

# of Graduates	Did not Pass on First Attempt	Employed at Survey Date	Bar Pass Required	JD Advantage	Other Professional	Pursuing Grad Studies	Seeking	Not Seeking	Unknown
128 (May)	55	34	20	9	5	3	8	1	9
5 (August)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
24 (December)	8	5*	N/A	N/A	N/A	N/A	N/A	N/A	2

* Because this data has not yet been collected, it is difficult to categorize these positions based on the publicly available information.

Admissions

This section should address the admissions criteria and the extent to which they may or may not be sufficient for admitting qualified students to the program.

While the law school admissions committee continues to take a holistic approach, since the prior submission, the College has significantly improved the credentials of its incoming cohorts. Since the fall 2020 entering class, the College has strategically enrolled smaller cohorts with improved credentials. Table 3 below shows the improvements the College has made between the incoming cohort of 2019 and the incoming cohort of 2022.

Table 3. Incoming Credentials by Cohort (2019-2022)

Year	# of Incoming Students	25 th Percentile LSAT	25 th Percentile GPA	50 th Percentile LSAT	50 th Percentile GPA	75 th Percentile LSAT	75 th Percentile GPA
2019	212	145	2.87	146	3.10	149	3.43
2020	112	145	3.0	147	3.3	150	3.48
2021	130	147	3.15	149	3.42	152	3.64
2022*	133	147	3.25	150	3.41	153	3.65

* This is preliminary data that will not be finalized for submission to the ABA until October 2022.

The College is working on both qualitative and quantitative data analysis projects to build a comprehensive profile of the successful FAMU law student, defined as the student who takes and passes a bar exam on the first attempt. We plan to use this profile to guide our admissions strategy and decisions.

⁴ Third-party resources contracted for by the College are provided at no cost to the students for at least two subscriptions.

⁵ The ABA requires reporting of this data ten months after graduation, i.e., by March 15 each year. As such, the process of data collection for December 2021, May 2022, and August 2022 graduates has not yet begun.

Curriculum

This section should describe any recent or planned curriculum reviews relative to its alignment with the content on the exam. Please note the date of the review and key changes to be made in the short-term and in the long-term.

Since the prior submission the College has made two revisions to the curricular requirements for graduation: (1) students are now required to take a third semester of legal research and writing, Appellate Advocacy; and (2) the faculty adopted a measure that requires students with a 2.7 GPA or lower at the end of their foundational curriculum to take additional coursework and partake in required, intensive advising. These new requirements apply to students starting their studies in fall 2021.

Advanced Analytical Skills

Advanced Analytical Skills (AAS) is a skills courses offered in the fall and spring semesters. For students entering before fall of 2021, AAS is mandatory for those on probation (under 2.0 GPA). For those entering in fall 2021 or after, all students with a GPAs below 2.7 at the conclusion of their foundational curriculum are required to take AAS. Other students may attend voluntarily. Students attending voluntarily tend to attend specific sessions rather than the entire course.

In Fall 2021, AAS was converted to an asynchronous course supplemented by individualized academic advising. The addition of asynchronous modules was intended to alleviate the logistical challenges of finding a time in the schedule that works for all students required or encouraged to attend.

In Spring of 2022, the ASBP faculty was awarded a fellowship from AccessLex Institute and the Southern Education Foundation to research the effectiveness of the AAS course. Their research will focus on how the course supports academic performance as measured by: (1) improved GPA; (2) retention; (3) self-reflection on improvement in study skills and habits; (4) self-confidence and growth-mindset. This research is ongoing with expected publication during academic year 2023-2024.

Student Progression

This section should describe how student progression and performance is monitored throughout the program and what strategies are in place to support students who may need additional assistance. Also include the extent to which predictive analytics is part of monitoring efforts.

The College monitors its students' progression and performance beginning with the decision to admit a student whose credentials signal they may find law school particularly challenging. While the College previously offered a summer program to admitted students identified as vulnerable from a bar pass perspective based on their incoming credentials, analysis of the outcomes from the program called into question its efficacy. Therefore, the College paused the program in order to undertake a complete analysis and benchmarking against best practices in summer start programs as well as to focus its limited resources on initiatives with more demonstrated success.

Once enrolled, any student with a GPA below a 2.0 at the end of any semester is on academic probation, while students who entered before 2021 and have GPAs between a 2.0 and 2.4 are on academic alert. Starting with the fall 2021 cohort, any student with below a 2.7 GPA at the end of their foundational curriculum is required to take additional course work and to be advised by a member of the ASBP team or an instructional Dean. Students on academic probation and those who entered in fall 2021 and after with below a 2.7 GPA at the end of their foundational curriculum must take the (AAS) course. ASBP retains documents that confirm completion of all probation requirements.

In addition, all students at the College are administered the Upper-Level Diagnostic Exam (Diagnostic). Since the prior submission we have added a Multistate Performance Test styled section, designed to test

analytical and writing skills. The College continues to consider how it can more fully utilize the data gleaned from the Diagnostic.

Faculty Support & Development

This section should describe what support and development are available to the faculty to ensure they are able to adequately support students in preparing for the exam.

In addition to the faculty development resources noted in the prior submission, as of fall 2021 all courses in the foundational curriculum will be provided a teaching assistant. The assistants were chosen based on their grades in the course and in consultation with the relevant faculty member. These assistants will supplement those previously provided in the skills curriculum and discussed in the prior submission.

Since the prior submission, the College has undertaken a comprehensive approach to faculty development, providing sessions focused on pedagogy, including: (1) a Conversation Hour on Pedagogical Best Practices, facilitated by Desmond Stephens, Ph.D., Director for Faculty Development; and (2) “Maximizing Bar Success: Faculty Teaching Resources,” facilitated by Barbri personnel. Faculty also availed themselves of additional pedagogical training including: (1) ASBP faculty completed Association of College and University Educators Course in Effective Online Teaching Practices at FAMU; and (2) LRW faculty attended the Legal Writing Institute’s Biennial Conference in summer 2022. In addition, the Legal Research and Writing and ASBP departments both held retreats during summer 2022 intended to bring those programs into alignment with existing best practices.

Accreditation

This section should address any recent decisions, findings, actions from the program’s accreditor and/or licensing board and how the institution is addressing those issues.

The College is in good standing with its accreditor, the American Bar Association, and, as of notice received in February 2021, is in compliance with all standards.

External Assistance

This section should describe any efforts to reach out to other institutions (SUS and non-SUS) with strong pass rates to identify best practices and obtain additional guidance and support.

Since the prior submission, the College has endeavored to engage experts, both within the SUS and in the broader higher education sector, to gain the benefit of expertise in addressing the bar pass challenges. In June 2022, the ASBP department hosted an academic departmental retreat to evaluate and strategize on how to improve the department. On day 1 of the retreat, the ASBP faculty met with Luis Schulze, Associate Dean and Professor of Academic Support from Florida International University College of Law. During this plenary session, Dean Schulze conducted a Lesson-In-A-Box, wherein he discussed FIU’s first year curriculum that included specific learning goals and different pedagogies. He also provided knowledge and support for upper-level skills curriculum for underperforming students and strategized with the ASBP faculty on developing a plan for bifurcating the department into two separate units: (1) academic support and (2) bar preparation. On day 2 of the retreat, the ASBP faculty conducted a plenary session to evaluate the IAS curriculum and to identify and narrow specific learning goals that they wanted to place emphasis on in Fall 2022. They also met with Krishnee Coley, Director of Academic Support and Bar Preparation at North Carolina Central University to discuss bifurcating ASBP and effective interventions for academic success with students. On the last day of the retreat, the ASBP faculty members strategized how to effectively restructure the program considering the staffing needs and had a planning session for the remainder of the semester. ASBP is currently strategizing on how to enhance and restructure their program based on the expert knowledge they received at the retreat.

Additionally, the College of Law has engaged several outside consultants. Barry Currier, mentioned in the prior submission, provided a report to the College of Law that included analysis and recommendations as to (1) recruitment and retention of students likely to succeed on the bar exam; (2) the ASBP and legal writing programs; (3) student evaluations of faculty; and (4) wrap around service provided at stand-alone law schools and law schools at a distance from their associated Universities. In addition, the College retained Enrollment by Design to provide specific recommendations regarding the College's recruitment strategies and processes and Hanover Research to assist the College in pursuing data-driven approaches to the challenges it faces, including bar pass.

Additional Information (optional)

This section is optional and may be used to describe any other initiatives designed to improve exam pass rates that do not align with any of the previous sections. N/A

Additional Questions from Board Staff on 8/24/2022

Follow-up Questions and Answers August 24, 2022

1. Over the past three years, approximately 40-45% of the cohorts did not pass the Bar Exam. What analysis has been done on this specific cohort to identify common factors of this group? Is there a difference in performance between those who take the Bar Exam during the first offering versus those who wait until the second offering? What are other commonalities among the group of students in the did not pass group that is not shared by the pass group?

In 2019 the College commissioned a comprehensive study of the factors associated with bar passage. Chief among the quantitative factors associated with students who were successful on the bar were (1) incoming credentials; and (2) first-year GPA. The College has since utilized this study to drive admissions strategy, including strategically decreasing the cohort size resulting in improved incoming credentials for each cohort, beginning in 2020, and to adopt and implement additional graduation requirements for students whose first-year GPAs suggest that they are vulnerable from a bar pass perspective. Those additional requirements apply to those students that began their studies in Fall 2021 or thereafter.

There is a difference in performance between those who take the bar at the first offering versus those who delay. We recently looked at this question specifically for graduates from 2016-2020. During that period, those graduates who took the bar at the first offering passed at a rate of 58.06% while those who delayed passed at a rate of 24.53%.

Again, the commissioned study demonstrated that the two factors correlated most strongly with first-time bar pass are (1) incoming credentials; and (2) first-year GPA.

2. Both the nursing and physical therapy improvement plans note ways of integrating test-style questions and test prep throughout the curriculum. What efforts, besides the Barbri prep program, are being done to integrate Bar exam-style questions or writing throughout the curriculum?

This academic year the College is rolling out a teaching assistant program that will utilize bar exam style questions in each of the foundational courses. The teaching assistants will hold nine sessions each semester in which they guide students in strategies to successfully respond to bar exam style questions associated with their doctrinal courses.

3. When is it likely the passage rates will improve? This was a question from the Board Chair at the last meeting.

The credentials of the incoming cohorts have steadily improved, beginning with the Fall 2020 incoming cohort. The College continues to implement additional revisions to its curriculum and provide additional support to students. Given these recent changes, the expectation is that the pass rates will begin to show marked improvement with the cohort taking the exam in July 2023 and receiving results in September 2023.

- On #3 and #6 the data in the tables does not match the numbers in the narrative. Please revise accordingly or add a footnote to explain the discrepancies.

The response to question #3 has been revised as noted below, resolving the apparent discrepancy.

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6. When will the program be reassessed by ABA?

The College underwent its most recent comprehensive review by the ABA in academic year 2018-2019. The end result of that review was a finding that the College was in compliance with all Standards. The College will undergo its next comprehensive review by the ABA in academic year 2028-2029. Additionally, the College reports to the ABA three times per academic year. In October the College submits its Annual Questionnaire. The public-facing report from the most recent submission (October 2021) is available [here](#). In February of each year the College submits its bar passage questionnaire. The public-facing report from the most recent submission (February 2022) is available [here](#). Finally, in March of each year the College submits the employment questionnaire. The public-facing report from the most recent submission (March 2022) is available [here](#). The College made all required submissions and is in compliance with all standards.