

3.2 Discussion and, if Appropriate, Approval of Supplemental Contract Amount for ProctorU, Inc. dba Measure Learning for Live, Remote Proctoring and Test Center Services (Bar Exam, First-Year Law Students' Exam, and Legal Specialization Exam Administrations) in 2025 and Discussion and, if Appropriate, Approval of Alternative Vendor for Live, Remote Proctoring and Test Center Services for Administration in 2025 (Bar Exam, First-Year Law Students' Exam, and Legal Specialization Exam Administrations)



The State Bar of California

OPEN SESSION AGENDA ITEM 3.2 MARCH 2025 BOARD OF TRUSTEES

DATE: March 5, 2025

TO: Members, Board of Trustees

FROM: Donna Hershkowitz, Chief of Admissions/Legislative Director

SUBJECT: Discussion and, if Appropriate, Approval of Supplemental Contract Amount for ProctorU, Inc. dba Meazure Learning for Live, Remote Proctoring and Test Center Services (Bar Exam, First-Year Law Students' Exam, and Legal Specialization Exam Administrations) in 2025 and Discussion and, if Appropriate, Approval of Alternative Vendor for Live, Remote Proctoring and Test Center Services for Administration in 2025 (Bar Exam, First-Year Law Students' Exam, and Legal Specialization Exam Administrations)

EXECUTIVE SUMMARY

At its February 21 meeting, the Board of Trustees received an update describing several of the challenges leading up to the administration of the February 2025 Bar Exam. The Board heard significant public comment expressing concern about the functionality of the Meazure Learning platform, as well as the problems with scheduling and miscommunications. The Board was going to be asked to approve additional funding for the contract with Meazure Learning for the July administration. Based on the administration of the February Bar Exam, staff cannot recommend going forward with Meazure Learning and are instead recommending returning to the in-person administration method used prior to February 2025.

RECOMMENDED ACTION

None at this time. Staff are seeking the Board's input on the staff recommendation not to continue with Meazure Learning and to return to in person administration for the July 2025 exam. Following discussion with the Committee of Bar Examiners on March 14, staff will return to the Board for action.

DISCUSSION

At the February 3, joint meeting of the Executive Committee and the Contracts Committee (“committees”), staff described three options for proceeding with the July 2025 administration of the Bar Exam, and their related costs.

| Option | Cost | Notes | Update |
|--|---------------|---|---|
| State Bar / Meazure Hybrid: Meazure provides the remote testing and the State Bar secures in person facilities | \$3.9 million | With Meazure only being able to be commit to 3,700 remote takers, in person facilities would need to be secured for 5,500 or more | |
| 2-Day Competitor | \$3.5 million | Staff continued discussions and with fuller information the quote increased slightly | \$3.7 million |
| Meazure + Additional Sites or Increased Remote Capacity | TBD | After staff negotiation, Meazure agreed to increase remote capacity to 7,000 | \$3.5 million, + TBD increased costs for 2 to 4 additional pop-up centers |

Staff shared with the committees that these costs were still less than the projected cost for an in-person July administration conducted in the manner the State Bar had traditionally administered exams. That estimate was \$4.8–\$5 million.

At its February 21 meeting, the Board of Trustees received an update describing several of the challenges leading up to the administration of the February 2025 Bar Exam. The Board heard significant public comment expressing concern about the functionality of the Meazure Learning platform, as well as the problems with scheduling and miscommunications. The Board was going to be asked to approve additional funding for the contract with Meazure Learning for the July administration. However, as a result of the events that occurred in the administration of the February Bar Exam, still underway as of the writing of this staff report, staff cannot recommend going forward with Meazure Learning. Staff are instead recommending returning to the in-person administration method used prior to February 2025. The Board should be aware that the dates of the July exam have made securing sites challenging in the past, and the late date at which we would be beginning that process now will create additional challenges. There may be fewer locations for applicants to select from, resulting in higher costs for applicants who may have to travel further from their local community to take the exam.

Staff is seeking the Board’s input on this recommendation. If the Board agrees, staff will bring this matter to the Committee of Bar Examiners for action at its March 14, 2025, meeting. The Contracts Committee or full Board will subsequently be asked to approve facilities and other contracts related to a planned in-person July 2025 exam administration.

PREVIOUS ACTION

[September 2024](#), Approval of up to \$4.1 million for Measure Learning for the administration of the February and July 2025 Exams.

FISCAL/PERSONNEL IMPACT

The estimated cost of in-person administration of the July Bar Exam is \$4.8–\$5 million. Actual costs may be higher as we are anticipating increased numbers of test takers due to the offer to waive July exam costs for many applicants. The full year fiscal impact of the transition back to in-person testing will be compounded by the expanded refund policies put into place with respect to the February 2025 exam.

While staff believes that the 2025 Admissions Fund budget can absorb all related costs, sustainability planning for 2026 and beyond must begin in the near term.

AMENDMENTS TO RULES

None

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS

None – core business operations

RESOLUTIONS

None

ATTACHMENT LIST

None