

2-8-2018

Educational Policy Committee Meeting – Minutes 02/08/2018

UC Hastings Board of Directors

Follow this and additional works at: https://repository.uchastings.edu/board_materials_2018

Recommended Citation

UC Hastings Board of Directors, *Educational Policy Committee Meeting – Minutes 02/08/2018* (2018).
Available at: https://repository.uchastings.edu/board_materials_2018/28

This Educational Policy Committee is brought to you for free and open access by the Board of Directors Agenda and Materials at UC Hastings Scholarship Repository. It has been accepted for inclusion in 2018 Board of Directors Agenda and Materials by an authorized administrator of UC Hastings Scholarship Repository.



**UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF THE LAW**

**BOARD OF DIRECTORS
EDUCATIONAL POLICY COMMITTEE
MEETING MINUTES**

FEBRUARY 8, 2018

1. Roll Call

Chair Simona Agnolucci called the meeting to order at 9:00 a.m. and the Secretary called the roll.

Board of Directors Present:

Chair Simona Agnolucci
Director Marci Dragun
Director Chip Roberston
Director Tom Gede (Ex-Oficio)

Directors Absent:

Director Claes Lewenhaupt
Director Mary Noel Pepys

Staff Present:

Chancellor & Dean David Faigman
Academic Dean Morris Ratner
Chief Financial Officer David Seward
General Counsel Elise Traynum
Assistant Dean for Academic and Professional Success Stefano Moscato
Academic and Professional Success Lecturer Margaret Greer

2. Public Comment

(Oral)

Chair Agnolucci opened the Public Comment period. Hearing no requests from the public to speak, Chair Agnolucci closed the Public Comment period.

3. Approval of Minutes – November 9, 2017

(Written)

Chair Agnolucci called for the approval of the November 9, 2017 minutes. The minutes were approved as distributed.

4. Bar Success

4.1 Bar Success – Full Report by Dr. Stephen N. Goggin, Ph.D.

Re: July 2017 Bar Outcomes

(Written)

Presented by Academic Dean Morris Ratner

Academic Dean Morris Ratner presented on the final report prepared by statistician Stephen N. Goggin, Ph.D., entitled “California Bar Exam Passage: Updated Analyses of the UC Hastings 2017 Bar Exam Outcomes.” Dean Ratner emphasized comparative analysis and the College’s success relative to peer law schools. Dean Ratner defined ‘peer law schools’ as institutions with comparable entering student metrics, as opposed to aspirational peers. Dean Ratner explained that bar outcomes can be analyzed for reliable metrics on how well the JD program is developing students’ substantive legal knowledge and skills such as legal research, issue spotting, reading comprehension, and memorization.

Dean Ratner explained that he would be primarily speaking about the Class of 2017, the three-year cohort which entered in Fall 2014. By studying the bar outcomes of these students, Dean Ratner said, the administration can use regression analyses of programmatic elements, students’ choices, and metrics, to better understand the impact of each component individually and to compare the College’s performance relative to its peer law schools.

Following the 51% bar passage outcome of the July 2016 bar exam, the faculty undertook a series of dramatic reforms, Dean Ratner said, and these reforms have been implemented beginning in academic year 2017-2018, including:

- the expanded 1L orientation program;
- the Sack program scaled up to a full unit of skills instruction;
- the revised 1L curriculum with space for intensive and pervasive skills instruction, which had previously been provided to bottom quartile students only;
- the development of the law in process curriculum, which provides targeted skills instruction to 2Ls;
- an expanded, for-credit Critical Studies curriculum in the third year;
- mandatory closed book exams and mandatory use of MBE-style questions in MBE-tested subjects;
- phasing out of the credit/no credit option, which students had been using only in bar prep classes, thereby eliminating their benefits;
- the addition of 3 mandatory upper division bar courses, a requirement first applied to students entering in academic year 2017-2018; and
- improved retention efforts which have successfully maintained the top quartile students

Dean Ratner observed that graduates of the Class of 2017 received only some of these benefits. The class of 2018 will have received the benefit of the current revised curricular studies program and some students will have gotten the benefit of the mandatory closed book exams. Finally, Dean Ratner said the class of 2018 students will benefit from recent retention efforts, as the College was successful in retaining most of its first quartile students.

Next, Dean Ratner noted a proposal by Chancellor & Dean David Faigman to offer the most at-risk students an additional semester. He said that an ad hoc group is currently exploring the best way to accomplish this through an externship or similar program. Expanding on this concept, Assistant Dean for Academic and Professional Success Stefano Moscato mentioned another proposal to expand academic supervision and require most at-risk students to take a lighter course load each semester.

Dean Ratner noted that due to the comparatively high transfer out rate of the class of 2016, the available metrics reflect only the data of those students who ultimately sat for the bar exam. Dean Ratner observed that in the class of 2017 there was a distinct relationship between bar courses taken for a grade and bar performance, with some positive news in students' curricular choices even before the requirement of three upper division bar courses was implemented. Regression analyses showed that each additional upper division bar course taken improved a student's chances of passing the bar by 4%. However, the average number of upper division bar courses taken for a grade remained low.

4.2 Bar Success – Comparing July 2017 Bar Success Strategies and Bar Exam Outcomes at UC Hastings and Other California Law Schools

(Written)

Presented by Academic Dean Morris Ratner

Dean Ratner reported that the College's July 2017 pass rate for first time test takers overall was 61%, and 62% for first time test takers in the Class of 2017. Dean Ratner observed that this represents an 11-point improvement over the July 2016 first-time pass rate, placing the College 3% above the statewide increase in the overall pass rate of 8%, but 8 points below the state average of 70% for ABA-accredited schools in 2017.

Dean Ratner highlighted two likely factors to explain the frustrating combination of substantially improved performance in 2017 and also the College's 14th place ranking among California law schools:

- (1) **Time:** Dean Ratner explained that the College adopted a number of programmatic measures last year, which are being fully implemented for the first time this year. He speculated that the full effect of these recent changes will not be realized until the Class of 2020 sits for the bar exam.
- (2) **Non-Transfer Attrition:** Referencing Assistant Dean Moscato's memo, Dean Ratner reported that while the College has been focused on educating students differently, some peer schools who appear to be outperforming UC Hastings are actually controlling who sits for the bar, by shrinking their classes and achieving non-transfer attrition. Dean Ratner explained that while *transfer attrition* is when top students transfer out, *non-transfer attrition* is some combination of students who are disqualified and students who voluntarily leave, perhaps because they lost scholarships that were dependent on performance. Compared to metric peer schools, at around 7%, UC Hastings was at the bottom in regards to non-transfer attrition, at 3% of 1Ls on average leaving over the last five years due to non-transfer attrition.

Dean Ratner said there is no silver bullet to achieve bar success. Some law schools that are outperforming UC Hastings appear to be using an aggressive combination of admissions policies and attrition to control who sits for the exam. In addition, he noted, other law schools have adopted programmatic measures which the College may want to consider. Such programmatic measures include: full-time writing faculty; full-year doctrinal courses in the 1L curriculum; more required upper division bar courses; more expansive utilization of academic supervision, with more requirements associated with supervision; minimum grade requirements in upper division bar courses; relatively stiffer curves; and required for-credit bar prep classes.

4.3 Bar Success – Preliminary Evaluation of Curricular Innovations Implemented in Fall 2017

(Written)

Presented by Academic Dean Morris Ratner

Dean Ratner summarized that the College has come a long way programmatically to improve its bar outcome, however, there are still further improvements to be made.

Assistant Dean Moscato's memo explains that to aid struggling students, the College is considering:

- a summer bridge program between the 1L year and the 2L year to provide struggling students with targeted time to catch up;
- requiring a reduced course load;
- additional requirements; or
- a post-graduation, intensive bar-focused study summer program to prepare students to then take the bar review course.

Dean Ratner explained that Academic and Professional Success Lecturer Margaret Greer has been advising those students who are not completing their bar review courses. Ms. Greer's focus has been on coaching struggling students.

Traditionally, the College has awarded merit scholarships on admission without tethering those scholarships to performance. However, while there is a relationship between LSAT and LGPA, there are a number of students who appear promising yet struggle after admission. Dean Ratner reported that with this next entering class, 25% of the merit scholarships on admission will be conditional.

5. LLM Enrollment Management – China

(Oral)

Presented by Chancellor & Dean David L. Faigman

Chancellor & Dean David Faigman presented an update on the College's LLM program. Chancellor & Dean David Faigman reported that competitors like Berkeley, UCLA, and USC have upwards of 200 international LLMs. These LLM programs support the JD programs at these universities, so the revenue from the LLM programs provide the institution with working capital. Chancellor & Dean David Faigman said the College's target would be 60 LLMs.

Chancellor & Dean David Faigman reported that Hastings was well received at the ten universities he visited in Italy and France, as well as the fourteen universities he visited in China. Chancellor & Dean David Faigman said there is significant international interest in studying law in San Francisco. In particular, Chinese students are eager for access to local tech companies. Chancellor & Dean David Faigman reported that he is now working on developing formal partnership agreements with a number of the universities, and he is trying to connect exchange programs to LLM recruitment. Chancellor & Dean David Faigman noted there will probably be a notable bump in LLM recruitment in the next admissions cycle. There is also an effort to expand the MSL program, he said.

***6. ADJOURNMENT**

(Oral)

The meeting was adjourned at approximately 10:15am.

Respectfully submitted,

Elise K. Traynum, Secretary