

THE TESTING COLUMN

IDENTIFYING AND HELPING AT-RISK STUDENTS

by Susan M. Case, Ph.D.

Everyone knows that students enter law school with different backgrounds and levels of ability. Fortunately for those committed to helping students progress through law school and ultimately pass the bar exam, there are indicators of probable success that can be used to identify students at risk. While the popular press often condemns these indicators, they may in fact be useful for this purpose.



about 180 while another had an MBE score of about 100. (Please note that the relationship between MBE scores and UGPAs is not as strong as others discussed next.)

It's easy to offer hypotheses about this range of scores. These data include students from schools ranging from very strong to much less strong, and they include students who took the most rigorous to the easiest courses. Despite these variations, these data can be used to identify students at risk to perform poorly in law school and to perform poorly on the bar exam.

INDICATORS HELPFUL IN IDENTIFYING AT-RISK STUDENTS

Undergraduate GPA

Let's start with the undergraduate GPA (UGPA). Our data indicate that those students with higher UGPAs tend to have higher MBE scores. (MBE scores are a surrogate for total bar exam scores in the results reported here. MBE scores are highly related to total bar exam scores and are used because we don't typically have access to total bar exam scores.)

Table 1 shows that average MBE scores increase for examinees with higher UGPAs. Figure 1 shows this relationship in a scatter plot format. Each dot represents a person, and while the average MBE score for those candidates with UGPAs of 3.5 is 151, at least one such examinee had an MBE score of

LSAT Score

The second piece of data that is usually available is the LSAT score. The relationship between the MBE and the LSAT score is stronger than that with the UGPA. One reason for this stronger relationship is that the LSAT is taken closer to entry into law school. The UGPA, on the other hand, covers the previous four years. A second reason is that the LSAT score is comparable for all students; it does not include the complex element of varying quality of schools and courses. Table 2 shows that average MBE scores increase for examinees with higher LSAT scores.

While the relationship to the MBE is stronger with the LSAT (correlation = 0.57) than with the

Table 1: Average MBE Scores for Various UGPA Levels

UGPA	2.0	2.5	3.0	3.5	4.0
Average MBE score	136	138	144	151	157

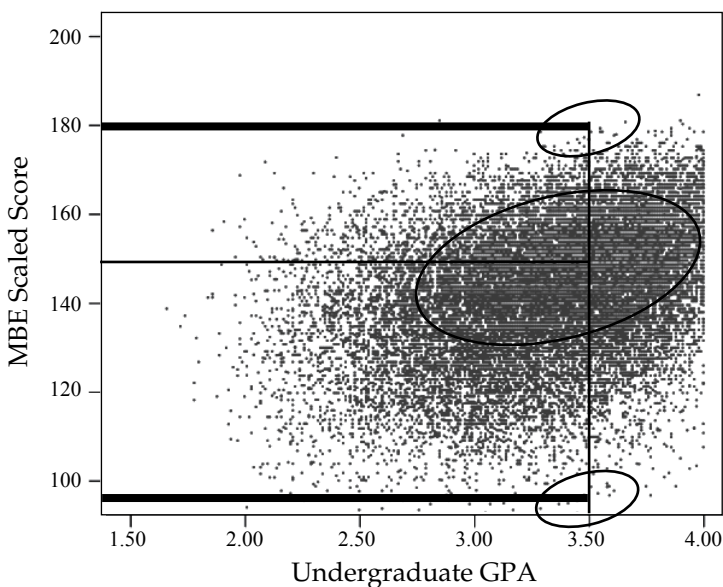


Figure 1: Relationship between UGPA and MBE scores

Table 2: Average MBE Scores for Various LSAT Levels

LSAT score	130	140	150	160	170
Average MBE score	119	132	143	153	160

UGPA (correlation = 0.36), it is not a perfect relationship. However, it is generally true that examinees who perform better on the LSAT perform better on the MBE than those who show a poor performance on the LSAT.

Other Indicators

Other indicators that can be used to identify students at risk include law school grades, both first-year grades and others (correlation = 0.55–0.70 depending on the law school). Finally, MPRE scores may also be used to identify students at risk (correlation = 0.58). The MPRE is typically taken late in law school, so while the strength of the relationship is moderately high, it may have less utility because the test is taken too late for early prediction.

Analyses of local data will be more accurate than the data shown here. However, there is no question that UGPAs, LSAT scores, law school grades, and MPRE scores are each helpful in identifying students at risk for failing the bar exam.

Helping Students Prepare During Law School


Testing students in law school generates grades and determines class rank. Testing can also be used to communicate what the professor views as important and to identify areas of deficiency for remediation. Faculty rarely use tests for these purposes. In order to drive student learning, law school faculty should ask themselves whether their tests assess what they want students to learn and whether their tests are given in time to provide feedback that will enhance student learning.

Tests are a powerful motivator, and testing time is not a waste of instructional time if the tests are focused on important concepts. Likewise, studying

for a test is a good use of learning time if the tests are testing important concepts. Testing early and often is important to provide guidance to students about whether they are on track or whether they need to study more in order to succeed in the course. A quick quiz, perhaps in the last 5 to 10 minutes of each class, would be one way to provide this feedback. The quiz could consist of short-answer or multiple-choice questions, and it could be self-graded. Questions could even be asked orally.

Students should be directed to NCBE's Online Practice Exams for the MPRE and the MBE (MPRE-OPE and MBE-OPE, available at NCBE's Online Store at www.ncbex.org), which provide samples of very recently administered questions that illustrate the question content, difficulty, and format used on each exam. There are two unique features of these

practice exams. First, they include an explanation of why the correct answers are correct and why the distractors are incorrect. These explanations are written by content experts who are members of the committee that wrote the questions. Second, they provide an indication of what level of performance on the actual bar exam can be expected based on the examinee's performance on the OPE. Students at risk for receiving low scores on the MPRE or the MBE can be identified by their performance on the practice exams.

No predictor of bar performance is perfect. However, there are multiple early indicators of students at risk that can be used to identify these students and help them before they are faced with a failing performance. 

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