

Comprehensive Report to the Special Committee on the College of Law

May 19, 2022

Since before my arrival at the College on July 1, 2020, I have been assessing the needs of the College through the frame of student success on the bar exam and in the profession, understanding this as the most important outcome and an antecedent to the thriving of the College. In this report, I will detail the methodology used and fully articulate the challenges the College faces as it endeavors toward sustained success. I will then lay out the comprehensive plan we have developed and provide the current status of implementation. Finally, I will conclude. This report represents a full articulation of my recommendations to put the College on the course to becoming a thriving institution that centers the success of our students and provides the faculty and staff with the support, development, and tools needed to consistently live up to Florida A&M University's commitment to Excellence with Caring. My recommendations are that the College: (1) recruit and retain students in line with our important mission whose incoming credentials demonstrate that we can support them to success on the bar and in the profession; (2) stabilize the College's staff, infrastructure, and facilities to consistently provide students with the wrap-around support they need to thrive; (3) provide the faculty with the development and resources they need to align both curriculum and pedagogy with best practices in student success and to adapt to changing circumstances; and (4) maximize the College's fundraising capabilities.

1. Methodology and Assessment

This section describes the approach taken to arriving at, implementing, assessing and adjusting the plan and recommendations contained in this report. Specifically, provided are details regarding (a) the constituencies engaged; (b) the resources utilized; and (c) the justification for focusing the College's initial efforts on improving first-time bar pass.

Before joining the College of Law, I scheduled telephone calls with each member of the full-time faculty. During those telephone conversations, I asked each member of the faculty (a) what was working well at the College of Law; (b) what wasn't working at the College; and (c) what I needed to know that we had not already discussed. I also talked with all adjunct faculty members scheduled to teach in Fall 2020. Those conversations underscored the themes of the conversations with the full-time faculty. Finally, I spoke with a number of key staff members, including but not limited to (a) Interim Dean Nicky Boothe-Perry; (b) Interim Associate Dean Phyllis Taite; (c) Associate Dean Reginald Green; (d) Director of Advancement Mildred Graham; (e) Assistant Director of Administration Adrienne Snyder;¹ (f) then Associate Dean Alicia Jackson; (g) then Executive Assistant to the Dean – Pamela Leonard; and (h) several Program Assistants. What I learned in those conversations, in summary, was (a) the faculty and staff were and are committed to the success of the College's students; (b) the College was and is under-resourced both in terms of student: faculty ratio, particularly in the skills curriculum, and in terms of staffing in key student support areas such as financial aid; and (c) the centrality of community to the College of Law. Together these conversations lead to the priorities articulated during the Pre-Planning Conference held on August 5, 2020 and the Open Meeting which took place on August 7, 2020, to which all faculty and staff were invited.² Conversations with the faculty and key members of the staff continued through semi-monthly faculty meetings and weekly Directors' meetings during academic year 2020-2021.³ To open academic year 2021-2022, another Pre-Planning workshop was held as was another Open College Meeting to which all faculty and staff were invited.⁴ Thereafter, monthly Directors' meetings and faculty meetings were held during academic year 2021-2022.⁵ In addition, I held individual meetings with each member of the full-time faculty during 2021-2022 to set goals in line with the College's priorities⁶ and hosted several social events in order to encourage community building.⁷ Finally, I solicited from each Director a plan for full staffing in their departments and have integrated the immediate needs into the budget of costs associated with the recommendations contained in this report. The budget of costs is attached as Appendix 9.

In addition to the faculty and staff, I engaged the College's current students and alumni. I began by meeting with then President of the Student Bar Association, Julien Maynard. In that meeting I shared the College's focus on student success, generally, and bar passage, specifically. President Maynard committed to deploying a student survey to solicit feedback from the student body relevant to bar passage.⁸ In addition, during academic year 2020-2021, we held regular Student Townhalls, named a Dean's Student Advisory Council, and held weekly office hours to which faculty, staff, and students were all invited. We also rolled out a weekly Deans Digest to keep students informed of important events at the

College.⁹ In addition, we added a “Tell us How We’re Doing” link to the Deans Digest and to administrative staff email signature blocks to provide additional opportunities for input from students.¹⁰ Meetings with the SBA President are ongoing. In order to solicit feedback from alumni, we conducted 10 alumni townhalls, engaging over 120 alumni. We also hosted several alumni at Meet the FAM lunches.

In terms of additional constituencies engaged, we sought to establish open lines of communication with the University community, the legal and business communities here in Orlando and in Central Florida, and the broader legal academy. We met with University personnel in Student Affairs, Institutional Research, Human Resources, and Testing Services. In addition to the 50 Meet the FAM lunches we hosted,¹¹ I also met with Greenberg Traurig, Lowndes, CREW, and the Orlando Economic Development Partnership, amongst other community constituents. I regularly corresponded / met with the Deans of the other HBCU law schools, attended AALS (the legal academy’s annual meeting), and Deans Dialogues hosted by AALS and LSAC. I also consult with the Deans of the other State University System (“SUS”) schools, as appropriate, and encourage the College’s Associate Deans to engage with their Associate and Assistant Dean counterparts in the SUS and throughout the legal academy.

In undertaking to assess the College I reviewed several existing reports and documents including, but not limited to (a) Laurie Zimet’s report entitled, “Assessment of Institutional Measures for Improving Bar Passage;”¹² (b) Report entitled, “Review of Florida Agricultural and Mechanical University College of Law Academic Success and Bar Prep Program, prepared by the Law School Admission Council;”¹³ (c) Memo from Lindsey Gustafson, dated April 18, 2017 regarding “FAMU Legal Writing Program: Evaluation and Recommendations;”¹⁴ (d) 2019-2020 Legal Research and Writing Department Report;¹⁵ (e) undated document entitled, “Legal Research And Writing Program Faculty Staffing History And Needs;”¹⁶ (f) BARBRI Data Analysis;¹⁷ (g) College’s Budget; (h) University Strategic Plan;¹⁸ and (j) College’s Self-Study submitted to the ABA.¹⁹ Upon my arrival, I engaged other experts, as appropriate. These included (a) Barry Currier;²⁰ (b) Enrollment by Design;²¹ and (c) Hanover.²²

This report and my recommendations focus primarily on first-time bar pass for several reasons. First, when bar passage numbers are released by the Florida Supreme Court, the percentages included are for first-time takers only.²³ Given that Florida residents predominate in both our applicant and alumni pools,²⁴ this media attention has an impact on both our ability to recruit students and our ability to engage alumni. Moreover, the Board of Trustees has stated a goal of 80% first-time bar pass based upon the Board of Governors required benchmark of all law schools in the SUS meeting the benchmark of exceeding the state average on the bar exam.²⁵ The focus on first-time pass-rates is also supported by the data regarding graduates of the College of Law.²⁶

My review of all of these materials and engagement of all of the relevant constituencies lead me to several conclusions. First, the College’s current admissions strategy is unlikely to yield students whose incoming credentials suggest that they will be successful on the bar exam the first time. Second, the College is under-staffed and under-resourced in various ways which impact student success outcomes, generally, and first-time bar passage, specifically. Third, the faculty is lacking the resources and development they need to align their pedagogy and the College’s curriculum with best practices in student success. In light of the imminence of the NextGen Bar exam,²⁷ it is imperative that the faculty be provided with the necessary resources and development to meet the moment in which those jurisdictions currently administering the Uniform Bar Examination (“UBE”) are likely to transition to the NextGen Bar exam while Florida is likely to continue to administer a bar exam in the current format. Finally, my assessment of the College demonstrated that the College is not well-positioned to realize fundraising opportunities as they arise or develop the types of relationships necessary to sustain the College’s medium and long-term needs. What follows immediately is the comprehensive plan intended to address these concerns and to set the College on the path to sustained success. The details of each concern listed will be laid out in the context of the relevant recommendation(s) along with the current implementation status.

2. Comprehensive Plan

This plan centers the success of the College of Law’s students in recognition of the fact that student success is the cornerstone of sustained success for the College. In order to place the College on the path to sustained success, and based on my assessment of the College, my recommendations are: (1) recruit and retain students in line with our important

access mission whose incoming credentials demonstrate that we can support them to success on the bar and in the profession; (2) stabilize the College's staff, infrastructure, and facilities to consistently provide students with the wrap-around support they need to thrive; (3) provide the faculty with the development and resources they need to align the curriculum and pedagogy with best practices in student success and to adapt to changing circumstances; and (4) maximize the College's fundraising capabilities. Specific strategies associated with each of these are articulated below.

a. Recruiting and Retaining Students the College Can Support to Success

When I arrived the College of Law had no funds at its disposal to retain high-performing students. The funds that were referred to as "retention funds" were not allocated to the College until late in the summer, after high-performing students have already made transfer decisions. As a result, the College was consistently losing over 5% of its highest-performing students, often to other institutions in the State University System.²⁸ I hypothesize that the College was also losing students on the recruitment front as the vast majority of law schools today offer scholarships that are guaranteed, so long as the student remains in good standing. My assessment of the College also demonstrated that the College's admissions cycle was quite delayed.²⁹ The College's median incoming LSAT for the class that began in 2019, the year before I arrived, was 146 and the median GPA was 3.1. Based on BARBRI's data analysis (Appendix 21), a student with those incoming credentials has a 53% chance of passing the bar the first time.

In order to recruit and retain students in line with our legislative mandate "to provide opportunities for minorities to attain representation within the legal profession proportionate to their representation in the general population,"³⁰ and our important mission of "educating African-Americans,. . . [while] embrac[ing] persons of all racial, ethnic and national groups as members of the university community,"³¹ we will need to (i) provide students with scholarship / grant aid in line with the market; (ii) optimize our recruitment and admissions strategy to target diverse law school applicants whom our data suggests we can support to success on the bar and in the profession; and (iii) invest in building pipelines of high-achieving diverse students.

i. Providing student aid in line with the market

Generally speaking, high performing applicants to law schools are offered, along with their offer of admission, scholarships for the duration of their matriculation at the offering school, so long as they remain in good standing. At FAMU Law in 2020, only 36% of the student body received any scholarship or grant aid while at most of our peer schools, over 50% of the student body received some grant or scholarship aid.³² Likewise in 2020, while only 5% of FAMU Law's students received $\frac{1}{2}$ tuition or more in grant or scholarship aid, at other SUS law schools 31-61% of the student body received grant or scholarship aid of $\frac{1}{2}$ tuition or more. Among our HBCU peers, only one, the Southern University Law Center, offered fewer students $\frac{1}{2}$ tuition or more in scholarship or grant aid than FAMU Law did in 2020. Taking into account all publicly available data regarding FAMU Law and its peer schools, it is notable that FAMU Law has long been out of line with the market in terms of providing grant and scholarship aid for its students. The obvious impact of this is that the College is limited in its ability to attract, yield, and retain high-performing students. I recommend that we utilize two strategies, as soon as possible. First, we need to work towards offering all scholarships to incoming students (a) at the time we extend their admissions offer; and (b) with the guarantee that they will keep their scholarship funding throughout their matriculation at the College, as long as they remain in good standing. Both Currier and Enrollment by Design opine that it will cost the College approximately three million dollars a year to deploy this strategy. The second strategy has a far narrower direct impact but is important because it will put the College on equal footing with the other SUS system schools³³ and will relieve a significant administrative burden that both impacts students directly and burdens scarce administrative resources unnecessarily thereby impacting a much broader swath of students indirectly. This strategy would require the College of Law to replace state employee tuition waivers with grant aid. Based on the level of enrollment by state employees at the College over the last two years, the estimated annual cost associated with this would be approximately \$40,000.

A number of adjustments have been made in this regard. First, the College was allocated a one-time fund of \$1M which has been used to provide retention scholarships to students achieving a 3.0 GPA or better. As a result, the College lost far fewer students from the 2020 entering cohort (4) to transfers than it did from the 2018 or 2019 entering cohorts (over 15 in both years). We will continue to utilize these funds to provide scholarship and grant aid to continuing students. Additionally, in the short and medium term, the College plans to utilize Professional and Graduate funds to supplement recruitment and retention dollars in order to continue to attract and retain high-performing students. In order to continue to do so over the long term, the College will need to maximize its fundraising capabilities.

ii. Optimizing our admissions strategy and processes to strategically target diverse applicants the College can support to success

In addition to these aid related adjustments, the College also needs to optimize its admissions strategy to strategically target diverse applicants that the College can support to success on the bar exam and in the profession. This will require deploying several strategies. First, the College must take a data-driven approach to admissions. This process began with the Barbri data project commissioned prior to my arrival. While this initial quantitative analysis has been helpful, the next steps include both a more robust quantitative analysis and a qualitative analysis to develop a more complete admissions profile of the successful FAMU Law student. The College has contracted with Hanover to assist in this project. Specifically, the College is working with Hanover to analyze admissions data in light of first-time bar exam success to answer questions such as: (1) what types of undergraduate institutions do successful students attend; (2) what majors suggest success; (3) do successful students tend to be traditional students coming straight from undergraduate study or more mature students who have some work experience? In addition to this data analysis, a focus group with faculty is planned to provide the qualitative data to fill out the admissions profile the data analysis provides. This robust admissions profile will allow the College to adjust its admissions strategy in several ways. First, once we have identified the types of undergraduate institutions that tend to send us successful students we can focus our recruitment efforts on those types of schools. On a more granular level, this profile will also permit us to distinguish among applicants with similar quantitative incoming credentials.

As suggested above, the College needs to be much more intentional about its recruitment strategy. The first suggestion along these lines is to establish an annual strategy that ensures (1) the class is seated by June 1 in order to provide incoming students with enough lead time to (a) complete their financial aid paperwork; (b) otherwise prepare financially for law school; and (c) secure housing and other living / relocation needs, as appropriate; (2) the incoming credentials of the matriculating class are in line with the data in terms of the College's ability to support those students to success; and (3) appropriate schools are intentionally targeted to build and develop relationships that will allow the College to recruit diverse incoming cohorts year-over-year. Although the outstanding data analysis will assist us in pinpointing undergraduate institutions where we recruit, while we build that profile I believe that the College should be targeting HBCUs and other minority serving institutions in states where there are no HBCU law schools. For example, Georgia, with its abundance of HBCUs and lack of an HBCU law school, is a market that is ripe for further development. Finally, the College should consider the feasibility of joint degree programs. All of the other SUS law schools and all but one of the other HBCU law schools offer joint degree programs.³⁴ With the acceleration in online learning, the feasibility of partnering with the School of Business and Industry to offer a JD/MBA is a ripe question. Doing so would allow the College of Law to attract higher-performing undergraduate business students.

iii. Building pipelines of high-achieving diverse students

Even as we adjust our recruitment and retention strategy, we need to be mindful that the competition for high-performing black and other minority applicants to law school is steadily increasing.³⁵ One factor to consider is the fact that students who go to law school are considering law school before they enroll in College; this is especially true for black students.³⁶ It is also important to note the extant gender imbalance in the applicant pool.³⁷ The College can and should engage in pipeline building programs in order to ensure robust and more balanced applicant pools in the future, in furtherance of both its legislative mandate and important mission. Along these lines, my specific recommendations are: (1) revitalizing the existing legal scholars and 3+3 programs; (2) partnering with local, regional, and national entities

to expose diverse K-12 students to careers in the law; and (3) considering the feasibility of legal summer camp experience designed to encourage interest in careers in the law in black students in grades 7-12, specifically black boys.

b. Stabilizing the College to Provide Wrap-Around Student Support

i. Providing the Appropriate Staffing to Provide Excellence with Caring at the FAMU College of Law

Once we have recruited students and have the funding in place to retain them, the College must also provide students with the wrap-around services they need to thrive during their law school matriculation. In order to do this, the College needs to have the staffing to provide comprehensive student services to its student body. There are four specific student services functions at the College that have been routinely understaffed: (1) Financial Aid; (2) Student Affairs; (3) Office of Career Planning and Professional Development; and (4) Registrar. We need to staff these offices at a level that will allow them to optimize their customer service and provide students with end-to-end solutions for issues including, but not limited to: (1) financial aid packaging, disbursement, and issue resolution; (2) processing of requests for accommodations in line with best practices in legal education; (3) procurement and utilization of health insurance; (4) timely processing of grades, bar certifications, and other registrar functions. The budget document attached as Appendix 9 forecasts the costs associated with this level of staffing. When these student services offices are understaffed and can't provide the requisite level of service, students are distracted from their studies by attempting to resolve these issues. This has a direct impact on bar passage both for individual students and for the College as a whole as issues in these areas impact retention and student satisfaction which ultimately impacts the College's ability to engage its alumni.

ii. Facilities

Throughout the College's existence in Orlando, there have been infrastructure issues that negatively impact the student experience. The two main facilities challenges facing the College at this time are (1) security; and (2) parking. As to security, the College has been broken into twice since January 2022. In the wake of those instances, the College has increased the presence of its security personnel and contracted to update its security system. As to parking, the College is in the process of negotiating with surrounding facilities to secure more desirable space and obtaining a shuttle to transport students from the Amelia Street garage to the College. The plan is to have the shuttle up and running by the beginning of the Fall 2022 term. During academic year 2022-2023, we will collaborate with the Student Bar Association to identify issues and address them promptly.

iii. Academic Programming

In order to support students to success on the bar and in the profession, the College needs to center that success in each student's academic experience, beginning with admissions and continuing through success on the bar exam. This needs to begin with a pre-matriculation program aimed at vulnerable students, continue through orientation, the curriculum, as a whole, with a special emphasis on the skills curriculum, and be extended through bar preparation. Specific suggestions pertaining to each follow immediately.

1. Pre-Matriculation Programming

When I arrived, the College was running what was then referred to as the SCALE program. At that time, SCALE was a two-week program to which students entering the College with an LSAT of less than 147 were invited but any student was permitted to attend. The program was articulated as providing a head start for students whose LSAT scores demonstrated that they needed additional resources in order to be successful in law school. Instruction in the program was provided primarily by Academic Success and Bar Prep ("ASBP") faculty who reported overwhelm as they were tasked with (a) SCALE instruction (b) Bar prep counseling; (c) Orientation; (d) the first-year Academic Success course – Introduction to Analytic Skills ("IAS"); (e) the second-year Academic Success course – Advanced Analytical Skills ("AAS") aimed at remediating students whose first-year GPAs demonstrated the need for additional support; and (f) administration of third-party resources. This slate of programming / responsibilities meant that the ASBP faculty were

busy throughout the year with little to no opportunity for assessment or planning. A data-driven analysis of the SCALE program demonstrated that students who go through the program had mixed results with some having less success in law school and on the bar exam than students with similar incoming credentials who did not complete the program.³⁸ As a result, and in order to relieve some of the of the overwhelm reported by ASBP faculty, the decision was made to suspend the SCALE program. That said, the College does need to (1) assess existing third-party programs in order to identify one or several that would be a benefit to our students whose incoming credentials suggest the need for additional support; and (2) assess the feasibility and cost associated with developing an in-house pre-matriculation program modeled on existing programs that have demonstrated success.

2. Orientation

The College currently uses an asynchronous program developed by Barbri to deliver most of the academic content provided during Orientation. The program went asynchronous in 2020 during the pandemic and has remained in that mode, partly in an effort to further relieve the demands upon the time of ASBP faculty. For the 2022 entering cohort the ASBP faculty will tie completion of the asynchronous program to IAS grades in order to incentivize completion. The next step will be to assess the efficacy of Barbri content and consider potential complementary content and / or other offerings.

3. Skills Curriculum

a. Academic Success / Bar Prep

Currently, all faculty in ASBP are engaged in both teaching academic success coursework and providing bar preparation programming and counseling. This formulation does not provide any downtime for assessing interventions, considering adjustments to approaches, or planning for or implementing innovations. Therefore, the first order of business in that program is to bifurcate the faculty so that the majority are focused on academic success (pre-matriculation programming, orientation, IAS, AAS) and the minority are focused on bar preparation (the Multistate Bar Law and Skills (“MBLS”) and Florida Bar Law and Skills (“FBLS”) courses, post-graduation bar preparation programming, and administration of third-party bar prep resources). While each component of the program requires reconsideration, bifurcating the program in order to allow program personnel the requisite time to assess, plan and innovate is a threshold issue in addressing the challenges and realizing the opportunities. One such opportunity is more extensive collaboration with other skills and doctrinal faculty.

b. Legal Research and Writing

The College’s Legal Research and Writing (“LRW”) program is chronically understaffed. In fact, the program has been without a permanent director for over a decade. This presents several challenges. First and most immediately, by way of example, during academic year 2019-2020, the four LRW faculty taught 212 incoming students, averaging over 50 students apiece. Keeping the incoming class size at 130 allows each faculty member to teach fewer than 40 incoming students but student : faculty ratio remains too high. Ideally, each LRW professor would teach no more than 30 students in the program. This would permit the faculty to provide many opportunities for meaningful feedback. In order to achieve this at current enrollment levels, the College would need to hire a permanent director and add a faculty member to the program.

In addition to addressing the staffing issue, I would also suggest that the LRW faculty be on twelve-month rather than nine-month contracts. The cost associated with this would be approximately \$70,000 annually. This would provide time in the summer for the faculty to engage in development opportunities, assess the prior year’s program, and plan collaboratively for the following academic year.

c. Clinical Program

The College hired a new Director of Legal Clinics and Field Placements, effective August 2021. The charge to the new Director was to envision a Legal Clinic in which each student could see themselves gaining the skills and network they can leverage in their chosen career path. In order to do that, the Clinic needed transformative reconsideration, the outcome of which would be a Clinic in which students who want to pursue careers in litigation or transactional law could gain relevant experience. The process of planning for such a comprehensive revamping of the Clinic is not yet complete but what is clear from the initial assessment is that in order to achieve this, the Clinic will need additional staffing.³⁹

d. Field Placements

When I arrived at the College, the field placement program was vastly oversubscribed and the requirements of the ABA Standards and best practices adhered to by field placement programs throughout the country were not being complied with.⁴⁰ Beginning in Fall 2021, we addressed these urgent issues by limiting enrollment in field placement to no more than 12 students per section. This allows the Clinical faculty to provide supervision and guidance in line with best practices in clinical pedagogy. The decision was also made to provide preferred enrollment for students working in public interest organizations rather than for private entities. This was done for several reasons. First, field placements at firms tended to be undertaken by students who were already employed at the firms in question. As such, we ran the risk of offering credit for work that did not meet the ABA Standards' requirement that "[a] field placement course provides substantial lawyering experience that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a setting outside a law clinic under the supervision of a licensed attorney or an individual otherwise qualified to supervise...." Secondly, the preference for public interest externships is in line with the College's mission "to serve the needs of traditionally underserved people and communities." Finally, providing free externs to for-profit firms runs counter to the placement imperatives of the College as firms are disincentivized from hiring if they can utilize free externs perpetually.

e. Simulation Courses

Currently, our simulation courses are taught largely by adjunct faculty who are either practicing lawyers or sitting judges. This is an ideal scenario because these faculty members have current experience and networks in the profession that are quite beneficial to our students. That said, as the NextGen Bar, centered on practice skills, comes online in the UBE jurisdictions, it will be important to pay closer attention to the instruction taking place in these courses. To that end, the College needs to identify the appropriate personnel to provide training to the adjuncts and oversight of simulation courses to ensure that students are getting the requisite skills instruction without regard to how they meet the requirement of obtaining at least six experiential credits.

f. Advocacy Program

The College has not had a consistent advocacy program nor has it had the budget to fund one. As such, and given that a robust co-curricular advocacy program is an important part of developing practice-ready graduates, the College needs to commit to the development of a consistent advocacy program. This will require (1) identifying the appropriate personnel to lead and support the program; (2) determining the competitions the program will consistently enter; and (3) identifying the funding that will allow the College's program to remain consistent over time.

g. Bar Preparation

When I arrived, many resources were being directed to the bar preparation program, including (1) four full-time personnel dedicated to bar preparation during the summer and in the period preceding the February bar; (2) several OPS contract personnel who read essays and provided feedback to bar takers; (3) several faculty volunteers who provided Homestretch Review classes; and (4) contracts with several bar preparation companies, some of whom provided redundant resources. In the time since I arrived, the ASBP personnel has been working to simplify the bar

preparation program in order to maximize its efficacy. In that vein, the College has outsourced bar tutoring in order to relieve the time demands on full-time personnel. The program provided internally has also been streamlined to complement rather than duplicate offerings provided by bar preparation companies. At this time, the ASBP department is working on bifurcating such that the academic success function and bar preparation function each have dedicated personnel and resources, with a focus on frontloading personnel and resources so that we ensure students have the foundation they need in their first year of study, provide the support needed for second-year students who have been identified as vulnerable from a bar pass perspective, and staff the bar preparation courses aimed at students in their final year of classes. Finally, the ASBP personnel have been charged with assessing the existing third-party vendor relationships to determine which are most beneficial to our alumni as they prepare for the bar exam.

c. Faculty Development and Resources

The faculty at the College of Law is uniformly invested in the success of the College's students. In order to position the faculty to do all it can to ensure student success we must (1) stabilize the faculty by hiring full-time faculty to cover all foundational courses; (2) provide faculty development resources and opportunities to allow the faculty to align curriculum and pedagogy with student success imperatives and in order to prepare the faculty for the imminence of the NextGen bar exam; and (3) improve the College's assessment tools and methods in order to improve the utility of the data regarding student experience in class.

i. Stabilizing the Faculty

When I arrived at the College several courses in the foundational curriculum were being taught by visitors. I was made aware that this was a long-standing practice of the College. Reliance upon visitors in these roles raises a number of issues. First, because the College's Faculty Handbook limits visitors to two-year terms unless the faculty takes action,⁴¹ it is a near certainty that visiting faculty teaching first-year students will not be at the College after the students' second year. This means that faculty teaching bar tested subject matter are not available to students as they prepare for the bar exam in their third year and immediately post-graduation. In addition, instituting quality control with short-term faculty is quite difficult. Finally, replacing short-term faculty every other year is costly to the College. As such, in order to stabilize the faculty, full-time, permanent faculty need to be hired to cover the foundational curriculum with the use of visitors being limited to emergency situations and opportunities to bring in experts who can offer timely course coverage. To that end, the College hired three faculty members in academic year 2020-2021, and has open searches for four faculty members in academic year 2021-2022. In addition to stabilizing the faculty, the faculty needs development and resources to address align the curriculum and pedagogy with best practices in student success.

ii. Faculty Development and Resources to Optimize Curriculum and Pedagogy

The faculty commitment to the success of the College's students is unquestionable. In order for the faculty to be positioned to fulfill that commitment for all of the College's students, they must be consistently provided with resources and development that allow them to constantly update their pedagogical approaches in line with best practices. This becomes even more imperative as the NextGen bar exam comes online. Since I arrived we have provided faculty development in line with the imperative to increase bar passage. During academic year 2022-2023, we will focus specifically on providing development and resources that will allow the faculty to adjust the curriculum and pedagogy to meet the challenge of the deployment of the NextGen bar exam which is scheduled for 2026.

iii. Improved Assessment Tools and Methods

In order to get a better picture of what is happening in the College's classrooms we need both a better tool for collecting student feedback and to adjust the process for the collection of student feedback to ensure higher participation rates.⁴² The tool we currently utilize needs to be augmented with questions that can assist us in understanding whether the class experience meets the standard of excellence in legal pedagogy. In addition, in order to better understand the extent to which students are engaged, the College should consistently deploy the Law School

Survey of Student Engagement as it did in Spring 2022.⁴³ This tool will allow the College to assess its students' engagement in and out of the classroom and provide opportunities to identify and address issues in real time.

For either of the referenced tools to be truly useful to the College we will need to ensure far better return rate than we have had in the past. To get better return rates on course evaluations we need a system that allows both individual instructors and administrators to have real-time access to return rates during the response period so that they can strategically incentivize participation.

d. Maximizing the College's Fundraising Capabilities

As previously mentioned, in order for the College to be in a position to consistently recruit and retain students in line with our important access mission and whose incoming credentials suggest success on the bar and in the profession, the College will need to consistently have funds at its disposal to aid students in line with the market. This will require the College to maximize its fundraising capabilities. To accomplish this the College will have to be intentional and strategic in engaging our alumni and friends, writing and administering grants, coordinating events, and fully executing media and community outreach plans. To address these areas will require additional personnel, particularly to support the alumni relations function and event planning, grant writing and administration and media outreach.

In addition to the alumni engagement noted in the Methodology section above, the College has also engaged alumni through various events during academic year 2021-2022 (including, but not limited to, Homecoming, Florida Classic Tailgate), and has several events planned for 2021-2022. The College must continue these alumni engagement efforts and provide a consistent calendar of events to engage alumni going forward. While the College has garnered some grant funding since my arrival, in order to capitalize on all such opportunities, the College needs a staff member dedicated to grant writing and administration. Finally, while the College currently has a staff member dedicated to media engagement, in order to fully deploy the College faculty's expertise, thereby raising the College's profile and attracting additional prospective donors, the College needs either an in-house or outsourced resource to expand its media and social media engagement.

3. Conclusion

To put the College on the track to sustained success we must center the success of our students on the bar exam and in the profession. In this report I have set out recommendations to do that. They include: (1) recruiting and retaining students in line with our important mission whose incoming credentials demonstrate that we can support them to success on the bar and in the profession; (2) stabilizing the College's staff, infrastructure, and facilities to consistently provide students with the wrap-around support they need to thrive; (3) providing the faculty with the development and resources they need to align both curriculum and pedagogy with best practices in student success and to adapt to changing circumstances; and (4) maximizing the College's fundraising capabilities. Putting these recommendations into action will require investments in the College, commitment from the faculty and staff, and consistent engagement with students, alumni, the University, and the community-at-large.

¹ PowerPoint entitled, "College of Law Structure" attached as Appendix 1. All Appendices are available here in soft copy. Please note that you need to be signed in to your FAMMail account in order to access these.

² Agenda for and PowerPoint presented at the Pre-Planning Workshop (2020) are attached as Appendix 2; PowerPoint presented at the Open Meeting is attached as Appendix 3.

³ Meeting Minutes and/or agendas with Deans Reports and DRAFT Minutes for every Faculty Meeting since my arrival are attached as Appendix 4.

⁴ Agenda for Pre-Planning Workshop (2021) is attached as Appendix 5; PowerPoint presented at the Open Meeting is attached as Appendix 6.

⁵ See note iii above.

⁶ E-mail sent to faculty to set up meetings attached as Appendix 7.

⁷ Examples of invitations attached as Appendix 8.

⁸ Copy of survey attached as Appendix 10; data set attached as Appendix 11.

⁹ Examples of Deans Digest attached as Appendix 12.

¹⁰ Copy of survey attached as Appendix 13; data set attached as Appendix 14.

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- ¹¹ Copies of relevant pages from the Meet the Fam viewbook are attached as Appendix 15.
- ¹² Appendix 16.
- ¹³ Appendix 17.
- ¹⁴ Appendix 18.
- ¹⁵ Appendix 19.
- ¹⁶ Appendix 20.
- ¹⁷ Appendix 21.
- ¹⁸ Appendix 22.
- ¹⁹ Appendix 23.
- ²⁰ Currier CV attached as Appendix 24; Currier report attached as Appendix 25.
- ²¹ Company and principal information attached as Appendix 26; PowerPoint on scholarship strategies attached as Appendix 27.
- ²² Company and principal information attached as Appendix 28; Report on Faculty Salaries attached as Appendix 29; Report on alumni survey attached as Appendix 30.
- ²³ Example of Press Releases attached as Appendix 31.
- ²⁴ Over the past three years, on average, 44% of applicants have been Florida residents. Attached as Appendix 32 is a three-year admissions report dated May 16, 2022. Of the College's total 2,378 alumni 1,187 are listed as members of the Florida bar.
- ²⁵ See pages 15 and 28 of The Florida A&M University Accountability Plan dated April 8, 2022 which is attached as Appendix 33 and page 23 of the State University System 2025 Strategic Plan is attached as Appendix 34.
- ²⁶ Attached as Appendix 35 is an analysis of the data for 2016-2020 graduates demonstrating that those who take the bar at the first available administration pass at a much higher rate (58.06%) than those who delay for one or more administrations (24.53%) or those who take it two or more times (29.82%).
- ²⁷ The Final Report of the Testing Task Force of the National Conference of Bar Examiners dated April 2021 is attached as Appendix 36.
- ²⁸ Attached as Appendix 37 are the ABA Standard 509 reports for Florida International, Florida State, and the University of Florida for the period from 2011-2021 which include data regarding the schools from which each reporting school has enrolled transfer students.
- ²⁹ When I arrived in July 2020, only 94 of the ultimate incoming class of 2020 (112 total) had made seat deposits. That cohort of students had a median LSAT of 147 and a median incoming GPA of 3.2. According to Barbri's data analysis (Appendix #), a student with those incoming credentials has a 59% chance of passing the bar. Moreover over 400 applications remained in the queue for review even though the majority of the Admissions Committee was no longer under contract for the 2019-2020 academic year and not yet under contract for the 2020-2021 academic year. I was made to understand that this was the ordinary course of the admissions cycle. See Appendix 36, Admissions Report dated July 6, 2020.
- ³⁰ Attached as Appendix 38 is the legislation enabling the re-opening of the College of Law, signed into law by Governor Jeb Bush on January 14, 2000.
- ³¹ Attached as Appendix 39 is the College's Mission Statement.
- ³² I define the College's "peer schools" as the other three SUS law schools (because this is the frame of reference for the BOG and other Florida constituencies) and the other five HBCUs (because they have similar missions to ours and serve student bodies that tend to have similar demographics and incoming credentials). Publicly available data for the SUS system schools is referenced above and attached as Appendix 37. The 509 data for FAMU is attached as Appendix 40. The same data for the other HBCU law schools is attached as Appendix 41.
- ³³ By way of example, attached at Appendix 42 is information regarding the manner in which FSU Law handles State employee tuition waivers.
- ³⁴ Information on joint programs at the College's peer schools is attached as Appendix 43.
- ³⁵ See, by way of example, the attached release (Appendix 44) regarding the University of Florida's scholarship offerings for HBCU graduate applicants.
- ³⁶ Highlights from Before the JD attached as Appendix 45.
- ³⁷ Current black American applicant pool, with gender breakdown attached as Appendix 46.
- ³⁸ SCALE data analysis is attached as Appendix 47.
- ³⁹ Clinic Assessment attached as Appendix 48.
- ⁴⁰ 2021 – 2022 ABA Standards attached as Appendix 49.
- ⁴¹ Current College of Law Faculty Handbook attached as Appendix 50.
- ⁴² See Appendix 25
- ⁴³ See Appendix 25; attached as Appendix 51 is information on the LSSSE survey.