

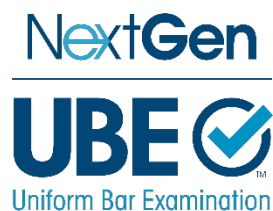
CONFIDENTIAL DOCUMENT

NextGen UBE Conditions of Use

July 2026–February 2027

**Adopted by the National Conference
of Bar Examiners Board of Trustees**

August 1, 2025



Contents

Preface: Governance Principles for the NextGen UBE Conditions of Use	1
Ten Key Policy Decisions.....	2
Continuity and Evolution in Policy Decisions.....	4
NextGen UBE Conditions of Use: July 2026–February 2027	6
Policy and Operational Guidelines and Decisions.....	6
Introduction	6
Exam Design Requirements.....	6
Pre-Exam Operational Requirements.....	7
Exam Day Operational Requirements.....	11
Scoring and Grading.....	18
Data and Privacy	23
Questions.....	24
Appendix A: Legacy UBE Conditions of Use	25
Appendix B: Official NextGen UBE Score Portability Policy Statement	27

Preface: Governance Principles for the NextGen UBE Conditions of Use

The NextGen Uniform Bar Examination (NextGen UBE) Conditions of Use (Conditions) agreement establishes the framework designed to support a fair, valid, and consistent examination process across all jurisdictions that administer the NextGen UBE (NextGen UBE jurisdictions). These Conditions reflect NCBE's commitment to maintaining operationally rigorous assessment standards and facilitating score portability for those NextGen UBE jurisdictions electing to accept transferred scores.

These Conditions apply to the July 2026 and February 2027 NextGen UBE administrations. The Conditions will be revised to reflect both the input of the July 2026 and February 2027 jurisdictions and the anticipated needs of later-administering jurisdictions.

This document contains three sections:

- **Ten Key Policy Decisions** that define how official NextGen UBE scores are earned, transferred, reported, and protected. These decisions are the foundation of score integrity, portability, and comparability in the NextGen UBE era.
- **Continuity and Evolution in Policy Decisions**, highlighting how these Conditions have remained consistent with—or evolved from—the legacy UBE Conditions.¹
- The full **Conditions**, which feature both policy and operational expectations for the administration of the NextGen UBE. Together, these provisions ensure that the NextGen UBE is administered in a manner that is valid, secure, equitable, and defensible.

By codifying these policies and practices, NCBE aims to provide transparency and consistency while continuing to honor and institutionalize jurisdictional autonomy in admission decisions, including the decision whether to accept transferred scores. The Conditions are designed not only to protect examinees and preserve the integrity of the exam, but also to give NextGen UBE jurisdictions the clarity and confidence needed to implement the NextGen UBE in a way that aligns with their local policies, timelines, governance, and court oversight.

¹ The legacy UBE Conditions of Use were first adopted by the Board of Trustees on 5/13/2011 and last amended on 1/14/2017 to reflect policies applicable to jurisdictions that participated in a score portability compact, such that scores achieved on the legacy exam could be transferred. The legacy UBE Conditions of Use will remain in use in legacy UBE jurisdictions during the transition to the NextGen UBE. The legacy UBE Conditions of Use are included in Appendix A for reference.

Ten Key Policy Decisions

1. **To earn an official NextGen UBE score,²** examinees must complete all three sections of the exam—each comprised of integrated selected-response and constructed-response components—in a single administration and in a single jurisdiction. No portion of the exam may be banked, transferred, or earned in separate jurisdictions or administrations.
2. **The term “NextGen UBE jurisdiction” refers to any jurisdiction administering the NextGen UBE. NextGen UBE jurisdictions are not required to accept transferred official NextGen UBE scores,** but are strongly encouraged to do so, consistent with the principles of score portability and mobility that underlie the legacy UBE Conditions.
3. **NextGen UBE jurisdictions adhere to grading procedures** and use grading materials developed by NCBE, including standardized rubrics, benchmarks, and training modules and a centralized digital grading platform. Consistent grading practices promote score comparability and fairness for examinees in all NextGen UBE jurisdictions.
4. **All constructed-response questions are double graded** using NCBE-calibrated rubrics. NextGen UBE jurisdictions may assign a team leader or leaders to reconcile score discrepancies, or may have graders resolve score discrepancies among themselves.
5. **NCBE performs centralized equating, scaling, and score calculation** of the NextGen UBE for all NextGen UBE jurisdictions. NextGen UBE jurisdictions submit scoring data via the digital grading platform to ensure consistency and validity across administrations.
6. **NCBE serves as the exclusive repository of all official NextGen UBE scores** and is solely responsible for official score reporting to all NextGen UBE jurisdictions, whether for local or transferred admission. Official transcripts include all MBE, legacy UBE and official NextGen UBE scores, as well as notation of any expired, embargoed or withheld results. The decision to embargo or withhold results is made by the administering jurisdiction.

² Scores produced following the rules outlined in the Official NextGen UBE Score Portability Policy Statement will be recorded by NCBE as official NextGen UBE portable scores. The full Policy Statement can be found in Appendix B.

7. **Official NextGen UBE scores are not revised after results are reported to the jurisdiction**, except by NCBE in cases of computational or clerical error. NextGen UBE jurisdictions that conduct post-result regrading or anomaly-based review may use those processes to establish local admission scores. Any score produced from such processes will not be received, stored, or maintained by NCBE, and will not be considered an official NextGen UBE score. NextGen UBE jurisdictions may, at their discretion, accept scores produced from such processes for admission.
8. **NextGen UBE jurisdictions may embargo scores earned in their jurisdiction if validity or reliability concerns arise**, including, without limitation, suspected misconduct, irregular testing conditions, timing violations, failure to complete the exam, or pending completion of degree. Embargoed scores are withheld from the examinee and from transfer until the NextGen UBE jurisdiction notifies NCBE that the matter is resolved.
9. **To protect the integrity of score portability**, NextGen UBE jurisdictions must disclose all official NextGen UBE scores to examinees exactly as certified by NCBE. NextGen UBE jurisdictions that produce local admission scores must also disclose official NextGen UBE scores to their examinees.
10. **Official NextGen UBE scores may be earned prior to law school graduation as permitted by local rule**. It is the responsibility of both the NextGen UBE jurisdiction where the examinee sat for the exam and the NextGen UBE jurisdiction to which the score is being transferred to verify the examinee's graduation.

Continuity and Evolution in Policy Decisions

The transition from the legacy UBE Conditions to the NextGen UBE Conditions introduces several important policy evolutions that reflect the NextGen UBE's modernized exam design, delivery, and expectations around score use. Notably:

- 1. Score Acceptance and Transferability:** The legacy UBE Conditions apply only to jurisdictions that agree to participate in the legacy UBE score portability compact. The NextGen UBE Conditions apply to every jurisdiction administering the NextGen UBE, regardless of a jurisdiction's willingness to accept transferred scores. However, NCBE strongly encourages NextGen UBE jurisdictions to accept transferred official NextGen UBE scores, provided they meet the local passing standard and other jurisdictional criteria. The NextGen UBE Conditions incorporate the legacy UBE Conditions, facilitating continuity in the generation of official NextGen UBE scores and consistent score portability practices for those NextGen UBE jurisdictions that agree to accept transferred scores.
- 2. Grading Procedures:** Legacy UBE policy encourages use of NCBE grading guidance; in contrast, NextGen UBE policy mandates adherence to NCBE-developed grader training, rubrics, and benchmarks, and requires use of a centralized digital grading platform. Graders will receive access to the grading platform once all required training is completed. Additionally, double grading with real-time reconciliation ("regrading") is required for all constructed-response items on the NextGen UBE.
- 3. Score Finality and Disclosure:** Both the legacy UBE and the NextGen UBE Conditions establish NCBE as the final authority on official scores. However, the NextGen UBE Conditions explicitly require NextGen UBE jurisdictions that conduct internal regrading to maintain a record of the official NextGen UBE score even if a local admission score is granted. Further, both scores must be disclosed to the examinee.
- 4. Centralization of Score Processing:** NCBE equates and scales both exams, but legacy UBE scores are scaled to pools or jurisdiction-specific candidates, while official NextGen UBE scores will be scaled to the full population of NextGen UBE examinees. The NextGen UBE Conditions provide expanded clarity that each examinee's NCBE Account will house an HTML version of their UBE transcript for both the legacy and NextGen exams. Official UBE transcripts from NCBE to jurisdictions will now include annotations for expired, embargoed or withheld results, ensuring transparency in reporting.
- 5. Score Use and Ownership:** As is best assessment practice related to examinee performance transparency, NextGen UBE policy places a stronger emphasis on examinees having access to their scores through their NCBE Account. If a local score

is provided to an examinee, however, that score is not housed in the NCBE Account and must be accessed directly through the granting jurisdiction.

NextGen UBE Conditions of Use: July 2026–February 2027

Policy and Operational Guidelines and Decisions

Introduction

The NextGen Uniform Bar Examination (NextGen UBE) is a standardized, high-stakes licensure examination developed and owned by the National Conference of Bar Examiners (NCBE). Created in collaboration with legal educators, judges and justices, practicing attorneys, and bar admission authorities, the NextGen UBE reflects a modern approach to evaluating whether examinees possess the foundational knowledge and essential lawyering skills required for entry-level legal practice. The exam is administered twice annually—once in February and once in July—by each jurisdiction that administers it (NextGen UBE jurisdictions).

All examination content and materials—including questions, answers, grading rubrics, examinee data, and supporting documentation—are confidential, proprietary, and protected under US copyright and intellectual property laws. Any unauthorized access to, use of, or disclosure of exam content is strictly prohibited and may result in legal and administrative action.

The NextGen UBE Conditions of Use (Conditions) presented here are intentionally detailed, reflecting not only core policy decisions but also essential operational expectations. This level of specificity is necessary given the significant evolution from the legacy Uniform Bar Examination (legacy UBE) to the NextGen UBE—including a fully digital, bring-your-own-laptop model, reliance on secure Wi-Fi at test centers, centralized grading via a digital grading platform, and integration of a new exam format.

To serve its purpose as an accurate, fair, and reliable national licensure exam, the NextGen UBE must be administered securely and uniformly across all NextGen UBE jurisdictions. NextGen UBE jurisdictions play a vital role in maintaining the integrity and comparability of inferences made from the exam. By choosing to administer the NextGen UBE, each jurisdiction agrees to comply with the Conditions outlined in this document. These Conditions establish the responsibilities, operational protocols, and security expectations that govern both jurisdictional participation and examinees taking the exam.

Exam Design Requirements

The NextGen UBE is a fully integrated, standardized assessment that jurisdictions are required to administer in its entirety during a single testing period. Examinees must complete all three sections in one administration; partial testing or administration of

individual sections is not permitted. This requirement ensures that scores are valid, comparable, and reflective of consistent performance standards across jurisdictions.

The exam spans nine hours in total for standard examinees, divided into three three-hour sections. Each section includes a structured mix of item types designed to assess both legal knowledge and essential lawyering skills. Specifically, each section contains the following:

- 40 standalone multiple-choice questions
- Two integrated question sets
- One performance task

Standalone multiple-choice questions include both traditional items, which require examinees to select one correct answer from four options, and items that require examinees to select two correct answers from six options. Integrated question sets are based on common fact patterns and appear in two formats: drafting sets, which call for medium-length written responses, and counseling sets, which include a combination of multiple-choice and short-answer questions.

Each section concludes with a performance task, presented in one of two formats: a standard task requiring a longer written response, or a legal research task that includes multiple-choice and short-answer questions followed by a medium-length writing component.

The design and sequencing of the NextGen UBE reflect real-world legal practice. The NextGen UBE is developed as an integrated assessment, meaning, in part, that examinees may move non-linearly through each three-hour section. After each three-hour testing window is completed, however, examinees are not permitted to return to any question in that section. Administering the full exam under standardized conditions is essential to preserving the exam's integrity and ensuring fair, defensible outcomes for all examinees.

Pre-Exam Operational Requirements

Use of the NCBE Secure Site

While jurisdictions may have their own systems for managing their bar admissions processes, they are required to use NCBE's Secure Site to coordinate examinee eligibility, exam readiness, and exam-day operations with NCBE. The Secure Site serves as the central administrative platform for each administration and should be monitored regularly to ensure that all information is current and accurate. Only data pertaining to a jurisdiction's own examinees and administrations are available to that jurisdiction on the Secure Site.

To protect the privacy of examinees, access to the Secure Site must be limited to authorized personnel only. Jurisdictions are responsible for identifying staff members who require access and for assigning appropriate permission levels based on their roles. User access must be reviewed and updated regularly to reflect staffing changes and ensure continued compliance with access controls.

Because the Secure Site contains confidential examinee data—including personally identifiable information (PII) and accommodations details—jurisdictions must implement appropriate safeguards and comply with all applicable data privacy regulations (including any required notification to examinees that their PII is being shared with NCBE) and NCBE policies.

Examinee Eligibility and Registration

NCBE Number. To participate in the NextGen UBE, examinees must create and maintain an NCBE Account. The Account generates a unique NCBE Number, which is required for all exam-related processes. NCBE uses the NCBE Number to configure testing locations, support accommodations, and trigger important communications to examinees throughout the exam cycle.

Eligibility to Sit Rosters. Jurisdictions are required to submit complete and accurate initial Eligibility to Sit Rosters (Rosters) through the Secure Site in advance of each exam administration. Each examinee must have a valid NCBE Number before they can be added to a jurisdiction's Roster. If a jurisdiction allows examinees to select their preferred exam location, these selections must be finalized prior to Roster submission.

Rosters must be uploaded to the NextGen Jurisdiction Portal within the Secure Site no later than nine weeks before the exam date. All candidate details must be finalized at least four weeks before the exam date in accordance with established guidelines.

Each roster must include, for every examinee, their first and last name, NCBE Number, date of birth, email address, exam location assignment, and any applicable accommodation details along with the associated approval status. When a roster is initially uploaded, location is not required and an accommodation status can be pending, however an examinee will not have all NCBE pre-exam requirements met until location is added and accommodation status is finalized.

While jurisdictions are expected to meet the four-week finalization deadline, roster updates may be made up to 72 hours before the exam. Any changes made after the four-week deadline must be coordinated with NCBE, as appropriate.

Upon receipt, NCBE will verify each examinee's record by confirming the following:

1. The examinee's first name, last name, and date of birth match the data in their NCBE Account.
2. The examinee is not listed on multiple NextGen jurisdiction rosters.

If a discrepancy in first name, last name, or date of birth is identified, the examinee will be notified upon logging into their NCBE Account and prompted to either confirm the information provided by the jurisdiction or contact the jurisdiction to request an update. Any updates to this information must be made by the jurisdiction in the NextGen Jurisdiction Portal. Jurisdiction administrators will also be notified of any discrepancies. The examinee may not proceed with NCBE pre-exam required actions until the discrepancy is resolved.

If an examinee appears on more than one NextGen jurisdiction roster, the examinee will be notified and instructed to contact the jurisdictions involved. The examinee must resolve the conflict by selecting a single jurisdiction. Once a jurisdiction is selected, the non-selected jurisdiction must cancel the examinee in the NextGen Jurisdiction Portal. The examinee may not proceed with NCBE pre-exam required actions until the conflict is resolved.

Nonstandard (ADA) Decisions and Delivery. Jurisdictions are responsible for making test accommodations decisions and are asked, where possible, to include this information when submitting their initial Rosters. While NCBE does not make these determinations, jurisdictions are encouraged to consult with NCBE regarding the formats in which test materials are regularly produced, other accommodations (including courtesy accommodations), and any associated test security considerations.

Jurisdictions are fully responsible for administering nonstandard test deliveries and for covering any additional costs associated with extended testing time or the production of alternative format materials, as set forth in NCBE's price list. NCBE will work with jurisdictions to support the implementation of accommodations but reserves the right to review and advise on accommodations that may pose security risks, alter the exam, or impose an undue administrative burden.

In limited cases, NCBE may determine that a requested accommodation presents a security concern, fundamentally alters the exam, or imposes an undue burden on NCBE or the administering jurisdiction.³ In such instances, NCBE will communicate its determination—

³ As contemplated in Title III of the Americans with Disabilities Act of 1990.

and the rationale behind it—directly to the jurisdiction for further discussion and resolution.

Examinee Pre-Exam Activities. Before test day, examinees are required to complete several mandatory steps via the NextGen Candidate Portal within their NCBE Account. These steps are essential to ensuring exam readiness and laptop compatibility with the secure testing browser. Specifically, each examinee must:

1. accept the Candidate Agreement;
2. pay the technology fee to cover the cost of exam delivery and technical support throughout the exam;
3. download and install the secure testing browser; and
4. complete the required exam tutorial and answer sample questions to familiarize themselves with the delivery platform and ensure laptop compatibility with the secure testing browser.

Jurisdictions are expected to actively encourage timely completion of these requirements and clearly communicate the consequences of noncompliance. NCBE will also communicate with examinees regarding pre-exam requirements, monitor examinee progress in real time, and send targeted reminders to those at risk of cancellation.

Jurisdictions can view each examinee’s progress through the NextGen Jurisdiction Portal within the Secure Site and are notified in the weeks leading up to the exam if any individuals are at risk of being removed from the roster due to noncompliance. Timely action and coordination between jurisdictions and NCBE are essential to ensure that all eligible examinees are prepared to test.

Cancellations. Timely Cancellation: A cancellation of an examinee on the “NCBE Requirements Met” list made by the jurisdiction in the jurisdiction portal by 11:59 pm (local jurisdiction time) three days before the exam, is considered a timely cancellation. In this case, the examinee will receive a full refund of the Technology Fee, and the jurisdiction will not be assessed an exam fee.

Late Cancellation: A cancellation of an examinee on the “NCBE Requirements Met” list made by a jurisdiction after 11:59 pm (local jurisdiction time) three days before the exam, is considered a late cancellation. In this case, the examinee will not receive a refund of the Technology Fee, and the jurisdiction will be assessed the reduced \$45 exam fee.

Deadlines:

11:59 p.m., Friday, July 24 – U.S. mainland, US Virgin Islands

11:59 p.m., Saturday, July 25 – Guam, Northern Mariana Islands (NMI), Palau

For administrative purposes, jurisdictions may cancel candidates within the jurisdiction portal up to twelve (12) hours before the exam. However, if the cancellation occurs after the deadline listed above, the reduced exam fee will still be assessed.

NCBE Cancellation. Any examinee on an Eligibility to Sit roster who does not complete their NCBE requirements by 11:59 pm (local jurisdiction time) three days before the exam, will be cancelled by NCBE. If the examinee had paid their Technology Fee it will not be refunded to the examinee. In this case the jurisdiction will be charged a reduced fee of \$45.

NCBE Requirements Met List. As each examinee completes all NCBE requirements, a digital “seat” is reserved for them in the exam delivery platform.

Only examinees who complete their NCBE requirements will be permitted to access the exam. On test day, each examinee must enter their NCBE Number, last name, and assigned session ID to launch the exam. Examinees who are not on the NCBE Requirements Met List will be blocked from accessing the delivery platform under any circumstances.

In the days leading up to the administration, NCBE will cross-reference the NCBE Requirements Met List with each jurisdiction’s registration data to ensure alignment and confirm eligibility across systems.

Exam Day Operational Requirements

Exam Day Start Dates and Times

The standard administration of the NextGen UBE takes place at exam locations secured and managed by jurisdictions. The exam is administered on the last Tuesday and following Wednesday of February and July, except in Palau, Guam, and the Northern Mariana Islands, where the exam begins on the corresponding Wednesday and continues into Thursday.

Each standard administration includes two three-hour testing sections on day one and one three-hour morning section on day two.

Jurisdictions must adhere to the test day schedules established in the NextGen UBE Supervisor’s Manual (released annually) to mitigate security risks associated with time zone differences. All examinees—including those receiving test accommodations—must begin testing on the same calendar days. Some accommodated examinees will begin earlier

in the day than standard examinees; under no circumstances, however, may the exam be administered earlier than the scheduled dates. Administration after the official dates is permitted only for examinees testing under approved nonstandard conditions.

For further guidance on test accommodations and alternative scheduling, jurisdictions should refer to the NextGen UBE Supervisor's Manual.

Exam Administration

Jurisdictions are responsible for administering the NextGen UBE in strict accordance with NCBE protocols and security standards. Adherence to these procedures ensures a consistent, fair, and secure experience for all examinees and preserves the validity of exam results.

Each test site must have one or more designated supervisors who are fully trained in the policies and procedures detailed in the NextGen UBE Supervisor's Manual. All site staff—including proctors and administrative personnel—must be thoroughly briefed and prepared to carry out their duties effectively on exam day.

Jurisdictions should instruct examinees to arrive at the test center at least one hour before the scheduled start time to allow for check-in, seating, and the resolution of any last-minute technical or logistical issues, however NCBE recommends arriving ninety minutes early.

Only examinees who have fulfilled all exam-day requirements may be admitted to the testing room. Specifically, each examinee must do the following:

- Bring a laptop capable of running the secure testing browser. Examinees are expected to bring the same laptop used to download the secure testing browser and complete the exam tutorial. However, if an examinee arrives with a different laptop, they may use that device provided they have sufficient time before the exam to download and install the secure testing browser and complete the required exam tutorial. If a laptop fails the system check and the issue cannot be resolved before the verbal instructions are read, the examinee will not be allowed to proceed. It is to the discretion of the jurisdiction to provision a backup laptop understanding NCBE will be providing backup laptops at a rate of 10%.
- Bring a functioning laptop charger and keep their laptop plugged into the power source provided by the jurisdiction throughout the exam. The secure testing browser will detect whether the laptop is plugged in and, if it is not, will prompt the examinee to do so before continuing. This requirement supports test security and minimizes the risk of data loss due to power interruption.

- Present a valid, government-issued photo ID approved by the jurisdiction to confirm identity before the start of each exam section. The information on the government ID should match the information in the examinee's NCBE Account.

Examinees who fail to meet any of these requirements must not be permitted to test. These procedures are essential to maintaining exam integrity and ensuring a uniform experience for all participants.

Exam Launch

To ensure exam security, site supervisors must complete a series of required steps before reading the verbal instructions or granting access to the exam:

- **Take Attendance.** Confirm which examinees are physically present in the testing room. Any examinee not in attendance must be marked as absent.
- **Verify Examinee Login Count.** Confirm that the number of examinees logged into the delivery platform matches the number of examinees physically present. Each examinee must log in using their NCBE Number and last name.

Once these pre-launch steps are complete, the exam may be launched following the procedures detailed in the NextGen UBE Supervisor's Manual, subject to the following:

1. Ensure all present examinees are logged into the secure testing browser.
2. Read aloud the session ID once all login and security checks are complete.
3. Verify that all examinees are marked as "waiting for approval" in the Administrator's Dashboard and have entered the session ID.
4. Initiate the exam for all examinees simultaneously from the Administrator's Dashboard.

Important note: If any examinee is not listed as "waiting for approval" in the administrator's dashboard, the site supervisor must provide assistance before initiating the exam. All examinees must begin the exam at the same time to ensure test security and fairness.

Throughout the exam, site personnel must closely monitor the testing rooms to maintain a quiet, secure environment and to offer authorized assistance as needed. Any incidents, disruptions, or irregularities must be documented and reported to NCBE within 24 hours of the conclusion of the exam administration. Jurisdictions must use the Irregularity Reporting tool in the Secure Site to submit these reports.

Additional details can be found in the NextGen UBE Supervisor's Manual.

Technology Use

The NextGen UBE is a fully digital assessment delivered through a secure platform hosted by Internet Testing Systems (ITS). Examinees must have an active Wi-Fi connection to access and complete the exam. Wi-Fi connectivity plays a critical role in maintaining exam security by ensuring that no exam content is stored locally, and that all response data is uploaded directly from the examinee's laptop to the secure server.

If an examinee temporarily loses Wi-Fi access, they will still be able to complete the current section of the exam. However, reconnection is required to upload their responses before advancing to the next section of the exam. Examinees must be connected to Wi-Fi at the end of each section to ensure that response data are properly submitted.

NCBE expects jurisdictions to confirm that their local infrastructure—including wireless bandwidth and reliability—is sufficient to support secure delivery of the exam through the ITS platform. Jurisdictions are strongly encouraged to coordinate with their venue providers in advance to communicate the high-stakes nature of the exam and to implement redundancies, such as backup internet or mobile hotspots, in case of connectivity disruptions.

All examinees must arrive at the test center with the secure testing browser pre-installed on the laptop they intend to use. Once all examinees have completed their exam-day registration and had their IDs checked, they are ready to begin. The launch process is as follows:

- Each examinee enters their NCBE Number and last name into the secure testing browser.
- The proctor reads aloud the session ID, which examinees enter into the secure testing browser.
- Once all examinees are logged in, the proctor initiates the exam simultaneously for the entire room.
- The exam content is then loaded and presented to examinees.

The ITS platform uses a secure caching system to ensure exam stability. One section of the exam is loaded into the laptop's local memory at a time, allowing examinees to continue testing without interruption in the event of a temporary connectivity loss. While exam content is never stored locally, response data are saved to the laptop and continuously uploaded to the cloud when connected. If a laptop remains offline during a section, responses will be uploaded automatically once the section is complete and a connection is re-established.

In the rare event that connectivity cannot be restored through standard means, a proctor may use a mobile hotspot to facilitate data upload before the examinee leaves the testing location. During the July 2026 administration, NCBE will provide redundant Wi-Fi solutions.

Technical Proctors and Backup Devices

To support smooth and secure administration of the NextGen UBE, NCBE will assign Certified Technical Proctors to every exam location. One Certified Technical Proctor will be provided for every 100 examinees. These individuals will be trained and certified by ITS to diagnose and address technical issues specific to the exam delivery platform.

Jurisdictions wishing to have additional Certified Technical Proctors on-site may designate staff for this role. Any jurisdiction-identified personnel must complete ITS's Certified Technical Proctor training prior to exam day.

The role of the Certified Technical Proctor is to troubleshoot any delivery platform-related technical issues. If necessary, the Certified Technical Proctor may authorize the examinee to switch to a backup laptop provided by NCBE to continue testing.

NCBE will provision backup laptops at a rate of 10% of the total number of registered examinees per location. These laptops will include a balanced distribution of PCs and Macs to ensure examinees may continue to test on the same platform type as their original laptop. Backup laptops are intended solely for in-exam emergencies and are not a substitute for required pre-exam preparation.

Backup laptops may be issued only in the following circumstances:

- The examinee's laptop meets all technical specifications, but the secure testing browser or exam delivery platform malfunctions (e.g., freezes, fails to display content, or does not advance properly).
- The secure testing browser or exam delivery platform causes a system crash that prevents the examinee from continuing.

Backup laptops being provided for any reason other than those listed here is at the discretion of the jurisdiction.

Confirmation of Data Upload

Verifying that all exam response data have been successfully uploaded from an examinee's laptop is essential to preserving both the validity and security of the NextGen UBE.

When an examinee indicates that they have completed a section of the exam and are ready to leave the test site, the proctor must first confirm by viewing their screen for the data upload message. If an examinee has closed their laptop the room lead can also confirm in the Exam Day Portal.

Important note: If any data remain on the laptop, the site supervisor must coordinate with the Certified Technical Proctor to reconnect the laptop to Wi-Fi and ensure that the upload is successfully completed before the examinee is allowed to exit the testing location.

This final verification step is a critical part of the exam administration process and must not be skipped under any circumstances.

Exam Security Policies and Procedures

Jurisdictions administering the NextGen UBE agree to follow the policies and procedures outlined in the NextGen UBE Supervisor’s Manual, which is updated and issued annually by NCBE. This manual provides detailed guidance for test-day operations and defines the core responsibilities of test supervisors, including compliance with registration timelines, safeguarding test materials, maintaining a secure and distraction-free testing environment, and ensuring accurate and consistent exam delivery.

Test materials must remain secure at all times. This includes preventing unauthorized access to content, maintaining control of session IDs, and ensuring that no portion of the exam—including questions, answers, or rubrics—is reproduced or disclosed in any form. NextGen UBE content is strictly confidential and may not be shared with examinees or the public, even after administration.

The exam may only be administered to bona fide examinees who are seeking admission to the bar. Jurisdictions must confirm each examinee’s identity using a valid government-issued photo ID and ensure that the individual matches the ID presented throughout the duration of the exam. Any person accessing test materials or examinee data, including staff, proctors, volunteers, and graders, must be thoroughly screened. It is strongly recommended that these individuals not have ties to law schools, bar preparation programs, or legal licensure exams not developed by NCBE, and they must not themselves be—or have ties to—law students, faculty, or academic support personnel. All must demonstrate professionalism and a clear understanding of the exam’s confidential and high-stakes nature.

Each jurisdiction must have procedures in place to prevent unauthorized access to test materials, including any related to grading. The exam must not begin before the designated administration dates, and the standard time limits must be maintained unless a

nonstandard schedule is approved as a test accommodation for an examinee with a disability.

Proctors must always be physically present in every testing room. It is not sufficient to observe examinees through a window or to assign a single proctor to multiple rooms. This includes rooms used for nonstandard testing. Each room must have its own dedicated proctor(s), in numbers listed in the NextGen UBE Supervisor's Manual, present throughout the duration of the exam.

Jurisdictions must develop seating plans that prevent the possibility of communication between examinees, including viewing another examinee's screen. Examinees must be seated in straight rows with adequate spacing in between seats, remain in the testing room except when using the restroom, and be monitored closely. Only jurisdiction-issued scratch paper may be used. It must be collected at the end of each section and may not be reused. All scratch paper must be securely destroyed following each exam section.

Examinees may bring only their valid government-issued photo IDs, laptops, approved accessories (e.g., a charger and external mouse), and any other items explicitly approved by the jurisdiction to their seats. Jurisdictions must clearly communicate specific items that are permitted on test day, such as gallon-sized bags or lockable cell phone pouches. Examinees may not possess, access, or use any unauthorized electronic devices.

NCBE strongly recommends that jurisdictions require examinees to sign an agreement acknowledging that

- examinees are not permitted to bring any device other than their approved laptop into the testing venue, including but not limited to cell phones, smart watches, and tablets;
- any prohibited electronic device found during the exam is subject to inspection and confiscation; and
- possession of a prohibited device during the exam will result in dismissal from testing.

Jurisdictions must report any exam security breaches to NCBE immediately and follow the Security Breach Response Policy found in the NextGen UBE Supervisor's Manual. All irregularities during test administration must be documented and submitted through the Secure Site in accordance with the procedures outlined in the NextGen UBE Supervisor's Manual within 24 hours of the completion of the exam.

Scoring and Grading

Scoring and grading practices for the NextGen UBE are grounded in the core principles of assessment quality: validity, reliability, and fairness. Because official NextGen UBE scores are eligible for transfer to other jurisdictions, it is critical that all NextGen UBE jurisdictions adhere to uniform grading procedures to ensure consistent, defensible outcomes for all examinees—regardless of where they test.

A valid exam score will be calculated when the examinee sits for and responds to questions in all three sections of the exam. Incomplete attempts—where an examinee does not sit for one or more of the three-hour test sections—will not be scored.

Selected-Response Scoring

NCBE-developed multiple-choice questions are automatically scored through the testing platform using NCBE-developed answer keys. Prior to scoring, all answer keys undergo rigorous quality control to ensure accuracy and consistency across exam forms and administrations.

Constructed-Response Scoring

NCBE-developed constructed-response questions within the integrated question sets and performance tasks are graded by jurisdiction-selected graders, who are trained using NCBE-developed materials and standards. Jurisdictions are expected to complete all grading within six weeks⁴ of the exam administration.

All constructed-response items are graded according to detailed, standardized rubrics. Jurisdictions may not alter scoring rubrics or scales. Graders must apply NCBE's grading standards using the NCBE scoring guides, grading notes, and benchmark responses without deviation. These materials reflect legal principles broadly applicable across jurisdictions, avoiding reliance on local law.

To promote grading consistency:

- graders must complete NCBE training for each item before grading begins;
- calibration is required, together with ongoing processes that include practice sets, rubric review, and assessment response;

⁴ This time frame applies to the July 2026 and February 2027 administrations of the NextGen UBE, but is expected to be enlarged in modified Conditions that will be applicable to future administrations.

- validity responses—pre-scored anchor responses—are embedded within grading sets to monitor consistency throughout the process; and
- all grading must be performed using the ITS digital scoring platform.

Double Grading and Reconciliation

All constructed-response questions must be scored by two independent graders. Discrepancies that are outside of NCBE's set tolerances are resolved through a reconciliation process using either a team leader or team consensus. Each jurisdiction assigns its own graders and team leaders.

Because the grading process incorporates robust quality controls—including double grading, calibration, and embedded validity responses—jurisdiction regrading after NCBE generates the official NextGen UBE score will not alter the official NextGen UBE score. *See* Appendix B.

Score Verification

Examinees have the right to contact NCBE through their NCBE Account to request a score verification, during which NCBE will validate the accuracy of scoring and grading.

Examinees who wish to verify their NextGen UBE scores can submit a request directly through their NCBE Account. The NCBE administrative team is automatically notified of each submission and the examinee is prompted to submit a \$150 fee for the verification process.

Once the request and payment are received, the examinee's jurisdiction is also notified that the examinee has requested a score verification.

NCBE then conducts a two-part check:

1. **Multiple-Choice Items:** The scored responses are reviewed against the official answer keys.
2. **Constructed-Response Items:** The final reported raw scores are verified against the values received from ITS to ensure accurate transmission. This is a verification of reporting accuracy, not a regrading of the responses.

If the scores are confirmed to be accurate, NCBE informs the examinee that their score is correct.

If a discrepancy is identified, the issue is escalated to NCBE leadership, who reach out to the examinee's jurisdiction for coordinated resolution.

Scaled Score Calculation

To promote fairness and comparability across jurisdictions, all equating and scaling procedures for the NextGen UBE are performed centrally by NCBE. This ensures that raw scores are equated and scaled using industry best practices, resulting in reliable and standardized performance measures across administrations. For the July 2026 administration and the February 2027 administration, all equating and scaling of the NextGen UBE will be conducted across the entire population of examinees.

Jurisdictions retain the authority to set their own passing scores. NCBE will provide a recommended passing score range based on standard setting, concordance studies, and outcome analyses. A mapping table between legacy UBE scores and NextGen UBE scores within the passing score range will be available to support jurisdiction legacy–NextGen score alignment.

Official scores are final and not subject to revision, except in rare cases involving administrative or computational errors. Jurisdictions may permit local appeals or re-evaluation procedures for admission purposes; however, the official NextGen UBE score remains the only official record. Where an examinee is admitted based on a locally-generated score that falls below the jurisdiction's published passing score, the jurisdiction must also disclose the official NextGen UBE score to the examinee.

Score Reporting and Use

NCBE will release official NextGen UBE scores to jurisdictions following completion of the grading, scaling, and equating processes. Scores will be transmitted to jurisdictions through the Secure Site. Insights about jurisdiction scores will be made available in two formats within the Secure Site Document Center:

- An administrative summary report, which provides a high-level overview of the jurisdiction's exam data
- A file containing the official scaled score for each examinee

The integrity and utility of the NextGen UBE scoring system relies on a consistent and limited application of scores.

Score Portability

Score portability is a central feature of the legacy exam and permits examinees to earn an official result in one jurisdiction and apply it toward admission in another. Score portability supports the needs of an increasingly mobile legal profession and enables jurisdictions to respond to shifting patterns in lawyer availability. Though NextGen UBE jurisdictions retain the ability to elect whether to accept transferred official NextGen UBE scores, the

NextGen UBE, and these Conditions, have been developed to promote and facilitate score portability.

If a NextGen UBE jurisdiction agrees to accept transferred official NextGen UBE scores, and/or scores obtained in legacy UBE jurisdictions, the jurisdiction is expected to accept all scores that meet or exceed the jurisdiction's passing standard, regardless of whether the score would have permitted admission in the jurisdiction where the score was achieved. However, NextGen UBE jurisdictions that agree to permit score portability will retain authority over the application of other admission criteria to transferred scores, including the time period during which an official score will remain valid for purposes of transfer, and limits on the number of attempts to secure a score.

Each examinee is entitled to receipt of their official NextGen UBE score, and the official NextGen UBE score may be used by NCBE in accordance with the terms and conditions to which examinees have agreed. Examinees may request that NCBE transfer their score, as part of a complete UBE transcript, to any NextGen UBE jurisdiction.

Beginning with the first administration of the NextGen UBE in July 2026, NextGen UBE jurisdictions may begin accepting transferred scores, even if they have not yet transitioned to the NextGen UBE themselves. NCBE will provide a recommended passing score range to support jurisdiction policy decisions around passing standards and mapping tools to help jurisdictions understand how NextGen UBE scores map to legacy UBE scores. All jurisdictions will be provided with the information necessary to permit the transfer of either legacy exam scores or official NextGen UBE scores.

By upholding clear and consistent policies around portability, jurisdictions contribute to a shared licensing framework that balances local control with national consistency. This ensures that the NextGen UBE remains a rigorous, valid, flexible, and fair path to legal licensure.

Definition of Official NextGen UBE Score

Defining an official NextGen UBE score ensures that jurisdictions and examinees have a common understanding about policies regarding score portability. The definition of an official NextGen UBE score can be found in Appendix B.

Jurisdiction Communication of NextGen UBE Scores

While NCBE certifies and delivers official NextGen UBE scores, jurisdictions retain discretion over whether they use the official NextGen UBE score or a local score for bar admissions decisions.

However, if a jurisdiction relies on a locally derived score that differs from the examinee's official NextGen UBE score, the official score must also be disclosed to the examinee. This ensures transparency and allows the examinee to fully understand their eligibility for score portability and potential future transfers.

To support jurisdictions in communicating scores clearly and consistently, NCBE will provide a suite of resources following each administration. These include an interpretive guide explaining the scoring methodology, designed to assist in contextualizing performance for boards of bar examiners, courts, and examinees.

Score Embargos and “Not Reported” Scores

To preserve the integrity of the licensure process, jurisdictions have the authority to request a temporary embargo on a NextGen UBE score when concerns arise about the validity or reliability of an examinee's performance. An embargo halts the release of the score to the examinee and prevents any transfer to other jurisdictions while the issue is under investigation.

Jurisdictions must notify NCBE promptly if there is reason to suspect any irregularity that may compromise the fairness or accuracy of the exam. Such concerns may include allegations of misconduct (e.g., cheating, accessing another examinee's work), breaches of testing protocol (e.g., working beyond the allotted time, not completing the exam), or extraordinary disruptions (e.g., medical emergencies) that interfered with standard exam conditions.

When an embargo is placed, the examinee's score is flagged as “not reported” in NCBE's systems and remains inaccessible until the jurisdiction completes its review. During this time, the score cannot be released or transferred for any admission-related purpose but will be recorded and listed as “not reported” in the UBE transcript.

Where a jurisdiction notifies NCBE that it has determined, post-review, that the score should not be released, the embargo becomes permanent and is recorded as such. Where a jurisdiction determines that the underlying concern has been resolved—or chooses to release a score from an incomplete attempt—it must notify NCBE to lift the embargo. The score will then be released to the examinee and made available through NCBE Score Services for transfer, in accordance with standard policies.

Lastly, if an examinee begins a timed exam section but does not complete all sections, NCBE will still report participation to the jurisdiction, but will not report a score. This ensures that jurisdictions have a complete record of the examinee's participation, regardless of whether the full exam was completed.

These processes are designed to balance fairness to examinees with the need to uphold public trust in the licensing system, ensuring that every score reported is valid, reliable, and defensible.

Examinee Score Availability in the NCBE Account and Score Portability Requests

NCBE serves as the official repository and certifying authority for all official NextGen UBE scores. Once a jurisdiction has released its initial results to examinees, NCBE assumes sole responsibility for all NextGen official score release and transfer services. This centralized approach promotes consistency, transparency, and fairness in how scores and “not reported” attempts are managed and shared across jurisdictions.

An examinee may access their complete UBE score history—including both legacy and NextGen UBE scores—by logging into their NCBE Account. Scores are viewable on-screen in HTML format for reference; however, these displays are not considered official records. Examinees may request an unofficial PDF transcript for personal use directly through their NCBE Account for a fee.

To send an official NextGen UBE score to a jurisdiction, the examinee must request an official UBE score transcript through their NCBE Account. Each official transcript issued by NCBE includes a comprehensive record of the examinee’s UBE history—spanning all administrations of both the legacy and the NextGen UBE—as well as their MPRE score, if they have one, and the examinee requests that it is included. Any scores that are currently embargoed or withheld will be noted, ensuring that recipients receive a full and accurate picture of the examinee’s UBE testing background, including the number of UBE retakes.

Prior to requesting that a score be sent to a jurisdiction, the examinee bears the responsibility to review the receiving jurisdiction’s transfer and score acceptance policies. As part of the process, examinees are prompted to acknowledge this responsibility and are provided with a jurisdictional reference table to assist with verification.

Once a request is submitted and payment is confirmed, official score transcripts are typically delivered to the receiving jurisdiction’s Secure Site Document Center within 48 business hours.

Data and Privacy

NCBE and its partners are committed to protecting the privacy, security, and appropriate use of examinee data throughout the administration, scoring, and reporting of the NextGen UBE. All parties involved in the exam process—including jurisdictions, vendors, and authorized personnel—must comply with applicable federal, state, and local data protection laws, as well as NCBE’s data governance and privacy policies.

PII, such as names, NCBE Numbers, and other data that could reasonably be used to identify an examinee, must be managed with the highest level of care. This includes implementing and maintaining robust administrative, technical, and physical safeguards to prevent unauthorized access, disclosure, or misuse.

Jurisdictions are responsible for ensuring that PII is accessed only by authorized personnel, used exclusively for official admissions purposes, and retained or disposed of in accordance with NCBE's data retention and destruction policies. Any suspected data breach or improper handling of examinee information must be reported to NCBE immediately and addressed in accordance with applicable notification requirements.

This shared commitment to data security is essential to preserving the integrity of the exam process and protecting the privacy and trust of all examinees.

Questions

For questions or clarification regarding any of the policies outlined in this document, please contact NCBE at examhelp@ncbex.org.

Appendix A: Legacy UBE Conditions of Use

Adopted 5/13/2011 by the NCBE Board of Trustees, last amended 1/14/2017

1. UBE jurisdictions accept transferred UBE scores if the scores meet or exceed the jurisdiction's passing score, subject to any limitation on the number of times applicants may retake the examination. Receiving jurisdictions may not require applicants to have passed the UBE in the testing jurisdiction.
2. To earn UBE scores, applicants take all portions of the examination (MEE, MPT, and MBE) in the same UBE jurisdiction and in the same administration. Banked, transferred, or concurrent MBE or written scaled scores earned in a prior examination or concurrently in another jurisdiction may not be used to earn UBE scores.
3. To enhance comparability of scores, graders in UBE jurisdictions adhere to the grading guidelines developed by NCBE.
4. Graders include communication skills as an element to be assessed when grading the UBE, as specified in the grading materials prepared by NCBE.
5. NCBE performs scaling and combining of scores for all UBE jurisdictions to ensure consistency in score calculations. UBE jurisdictions provide NCBE with raw scores for each of the six MEEs and two MPTs so that NCBE can verify the weighting of the components and verify that jurisdiction-specific exam scores are not intermingled with UBE scores.
6. UBE scores are not changed after examination results have been announced, except in the event of a score correction due to a mathematical error. Jurisdictions that allow appeals or engage in regrading after results have been announced do so solely for purposes of making local admission decisions and agree that the official UBE scores maintained by NCBE are not changed. Such jurisdictions disclose official UBE scores to those applicants who were admitted but whose official UBE scores are below the jurisdiction's published passing score.
7. NCBE serves as the central repository of UBE scores and performs score transfer services for all UBE jurisdictions. A score transfer includes all UBE scores earned by an applicant across all UBE jurisdictions and exam dates so that the receiving jurisdiction receives a complete transcript.
8. UBE jurisdictions instruct applicants to provide sufficient identifying information on their MBE answer sheets to facilitate UBE score transfers, as follows: applicant name, date of birth, last four digits of the Social Security number, and NCBE Number.

9. Written (MEE and MPT) scaled scores and MBE scaled scores are rounded to one decimal and combined, and UBE total scores are rounded to whole numbers and reported on a 400-point scale.
10. UBE scores are disclosed to applicants by the jurisdictions and/or NCBE as an important feature of score portability. To the extent a jurisdiction discloses UBE scores to applicants, the scaled score values must be reported exactly as the scores were reported by NCBE to the jurisdiction; that is, written and MBE scaled scores, if reported, must be reported as decimals and UBE total scores must be reported as whole numbers.
11. UBE jurisdictions embargo UBE scores only when circumstances, such as suspected cheating or mistiming, raise concern about the validity or reliability of the scores as a measure of the applicant's performance on the examination.
12. UBE jurisdictions accept transferred UBE scores earned by applicants prior to graduating from law school, provided that the applicant holds the required law degree at the time of application for admission by transferred UBE score.

Appendix B: Official NextGen UBE Score Portability Policy Statement

Adopted 8/1/2025 by the NCBE Board of Trustees

Defining an official NextGen Uniform Bar Examination (NextGen UBE) portable score ensures that jurisdictions and candidates have a common understanding about policies regarding score portability. Consistent with best practices in testing, an official NextGen UBE score is produced when the exam is

1. conducted in accordance with procedures for exam administration set by the National Conference of Bar Examiners (NCBE) and documented in NCBE's NextGen UBE Conditions of Use and Supervisor's Manual; and
2. graded and scored in accordance with uniform processes and procedures established by NCBE.

Scores so produced will be recorded by NCBE as official NextGen UBE portable scores.

Scores produced using any other grading or scoring procedures or additional exam components unique to local jurisdictions will not be recorded by NCBE as official NextGen UBE portable scores. Individual jurisdictions may, at their discretion, accept such scores for admission.