



Memorandum

To: Council

From: Data Policy and Collection Committee– Mary Lu Bilek (Chair), Alicia Alvarez, David Brennan, Thomas Galligan, Scott Pagel, and Collins Saint

Date: May 9, 2024

Re: Data Policy and Collection Committee Activity Since February 2024 Meeting

The Data Policy and Collection Committee met on April 23rd and May 16th.

SECTION I: REPORTS

Ongoing Demographic Data Collection Matters

Collection of Race and Ethnicity and New OMB Revisions to Race/Ethnicity Categories

The OMB has announced revisions to race/ethnicity categories that will eventually affect IPEDS. The new categories track the some of the categories we are using in our 1L survey (i.e. they will no longer ask about Hispanic/Latine identity before other questions and will include Middle Eastern/North African as a category). They did not, as we did, adopt a “South Asian” category. Our plan (as approved by the Council) was to continue collection in the new categories by survey to 1Ls for the coming year (2024-2025) and to move these categories into the AQ for the 2025-2026 Questionnaires. We recommend continuing with this plan and to reconsider next year when we know more about when the OMB recommendation will be implemented into IPEDS. (We note that we will move forward with the previously approved plan to eliminate the use of a separate category for non-citizens.) We will continue to use the survey to seek the expanded information on sexual orientation, gender identity, and disability.

Direct Survey of First-Year Students

The ABA Survey of 1Ls has now been distributed at all ABA-approved schools. As of April 30, 27% of all matriculated 1Ls had responded. The survey revealed that almost 20% of those responding identified themselves as LGBQA+ and over 14% as having a disability. 5.5% of the respondents responded “prefer not to report” to the LGBQA+ question and 6.4% of respondents chose “prefer not to report” about disability. The survey also had more than 4% of respondents taking advantage of the new category of Middle Eastern/North African. (The survey is open until May 15 and may receive a few more responses.). The Committee agreed that it made sense to continue the survey for another year as originally planned.

Information Learned from New Data Collections

Staff prepared additional analysis of the data on scholarships by race and ethnicity that we collected for the first time this year. At an aggregate level for all law schools, the data shows that, while law students of color receive a slightly higher percentage of less than half tuition scholarships than their percentage of the law school population, they get a lower percentage of the “best” scholarships compared to their percentage of the law school population. The table below compares the percentage of full tuition scholarships given to different racial/ethnic categories and the same groups as percentages of the law school population.

Full tuition scholarships (full-time students)

Race/Ethnicity	Of All Scholarships Awarded, Percentage of Scholarships Awarded to Each Race/Ethnicity Cohort	Race/Ethnicity Category Percentage Among All Law Students
White	70.08%	61.31%
People of Color	22.53%	31.97%
Hispanic/Latine	9.14%	12.88%
Amer Indian/Alaska Native	.40%	.44%
Asian	3.41%	7.08%
Black	5.55%	7.38%
Hawaiian	.08%	.16%
Multiracial	3.95%	4.08%
Race Unknown	5.48%	3.44%
Non-citizens	1.91%	3.23%

Here is the same chart comparing the less than 50% scholarships awarded and race/ethnicity categories—also for full-time students.

Race/Ethnicity	Of All Scholarships Awarded, Percentage of Scholarships Awarded to Each Race/Ethnicity Cohort	Race/Ethnicity Category Percentage Among All Law Students
White	58.00%	61.31%
People of Color	33.75%	31.97%
Hispanic/Latine	13.01%	12.88%
Amer Indian/Alaska Native	.47%	.44%
Asian	8.05%	7.08%
Black	8.01%	7.38%
Hawaiian	.11%	.16%
Multiracial	4.10%	4.08%
Race Unknown	5.88%	3.44%
Non-citizens	2.37%	3.23%

The Committee continues to analyze this data and decided that these questions should continue to be asked of schools in the Annual Questionnaire.

National Student Clearinghouse/Consortium of Law Student Data Collectors

Staff and Data Policy Committee members Mary Lu Bilek and Tom Galligan and Dan Becker and Angela Gilmore continued discussions with the National Student Clearinghouse, and Angela Gilmore began outreach to affiliate organizations that collect demographic data from law schools to consider ways that the groups could collaborate. As the Committee has worked on the demographic data issues described above, the advantages of having a comprehensive, consistent, longitudinal, integrated data collection tracking the profession from application to law school to employment are becoming clearer.

Other Matters

Class of 2023 Audit Plan

The Committee reviewed the previously approved audit plan for the Employment Questionnaire and had no concerns about its planned implementation.

SECTION II: ITEMS FOR COUNCIL CONSIDERATION AND APPROVAL

Discussion of Dropping the Median LSAT Score from 509 Information

The Committee continues to discuss the suggestion of dropping the median LSAT score from required reporting on the 509. The Committee agrees that doing so might help law schools have more flexibility in the admissions of some students and continues to explore whether publishing only the 25th and 75th percentile is sufficient consumer information for applicants. The Committee would appreciate knowing what the Council as a whole thinks about this idea and puts forth the question for discussion.

Action Items

The Data Policy and Collection Committee reviewed and discussed staff suggestions for changes to the following documents:

- The 2024-25 SEQ-SRT
- The 2024 Annual Questionnaire
- Distance Education Variance Questionnaire (Special Part VIII of Annual Questionnaire)
- JD-Next Variance Questionnaire (Special Part IX of Annual Questionnaire)
- The Teach-Out Plan Approval Form
- The Teach-Out Agreement Approval Form
- The Substantive Change Questionnaire
- Substantive Change Questionnaire Online Program Application

All of the documents—the first two with detailed staff memos explaining changes—have been included in the materials. Each document requires Council approval.

Please note that the SEQ-SRT also will have procedural changes that require Council approval. To allow schools more time to work on the correct version of the SEQ for the year of their visits, it is proposed that the 2025-2026 SEQ updates, and all future updates, be completed for review at the November Council meeting. This will allow the updated version of the SEQ to be posted appropriately six months earlier than the current schedule allows.

For clarity of timing in coordinating the SEQ updates with changes to the Standards, it is also proposed that all Standards changes go into effect following the Annual Meeting for changes approved at the Midyear and Annual Meetings in any given year. This would provide clarity for schools as to which Standards are in place at the time of their visits and would mean all Standards changes will be in place when the SEQ is updated. This change also will be or has been discussed by the Standards Committee.

SECTION III: ON-GOING AGENDA FOR 2023-24

The Committee continues to consider the following matters:

- Consideration of a half-day meeting before or after the August meeting for the Committee to spend some extended time with the Annual Questionnaire to decide whether current questions are all related to the Standards and merit inclusion
- Further discussion of newly implemented data collection points related to demographic information for students, more detailed information related to faculty rights, and demographic information about recipients of scholarships/loans
- Developing a process for collecting demographic data for faculty and staff
- Inquiring about need-based versus merit-based financial aid, starting with outreach to Deans
- Developing a National Legal Education Database and Data Analysis/Reporting Center
- Continued work with the Advisory Group on Data Collection
- Updates to the Annual Questionnaire and SEQ-SRT