

## **Admissions Report**

### **Interim Dean Martin J. Katz**

The class entering the SCOL this fall is an excellent one. It is almost exactly on target size-wise. Indicia for bar passage and U.S. News rankings are excellent. And while the class is not what we had hoped in terms of overall diversity, it represents a healthier mix of diversity than last year's class and also has taught us some valuable lessons that should bolster diversity measures next year. These issues are all discussed in more detail below. If you have any questions, please let me know.

Please also join me in thanking last year's Admissions Committee (Jerry Borison, Iain Davis, Paula Rhodes, Nantiya Ruan, and Mary Steefel), and particularly the Admissions Staff, for a job extremely well done.

### **Class Size**

We were looking to seat a class of 300 students. At the beginning of the first day of classes, we had 302 new students and one deferred student. However, we usually lose 2-3 students in the first few weeks of class. And, going into our third week of classes, we are presently at 300 students – right on target.

In most years, we divide the class evenly into four sections, three day and one evening, all with roughly 75 students. However, this year we saw a decline in the quality of the applicant pool for the evening class. (This often happens during hard economic times.) In light of the fact that *U.S. News* now ranks evening programs, and our demonstrated competitiveness in those rankings, as well as the new role of the evening class in the overall *U.S. News* ranking (both discussed below), we decided to reduce our evening admissions this year in order to maintain the quality of that program. Accordingly, we dropped the size of the evening division to roughly 60 this year, increasing the size of the day division to roughly 240 (80 per section). We do not anticipate that we will need to do this in future years. In fact, we anticipate that the high ranking of the evening program, which was not known by last year's applicants, is likely to increase the quality of that applicant pool. But, as will be discussed below, this strategy worked well this year.

### **Bar Passage Indicators**

This year, we matriculated only 10 students in what we think of as the “risk zones” – that is, applicants with an LSAT below 151 or GPA below 2.60. Of those 10, nine were in the moderate risk (or yellow) zone, and only one was in the higher risk (or orange) zone. This year's low LSAT was 147, compared with 144 last year (and 143 the prior year, and 133 the year before that). And all of the 10 risk zone matriculants possessed at least one strong predictor of success in law school and on the bar exam. For example, seven of the 10 had only one numeric indicator that put them in the risk zone, with the other numeric indicator not only outside of the risk zone

but actually above the class median (e.g., a risk zone LSAT of 150, but an above median GPA of 3.7).

To put this in perspective, last year we matriculated 18 risk zone students. And the year before, we matriculated 62 risk zone students. (And if you want to better understand at least one of the major causes behind our bar pass problem: in 2005 we matriculated 76 risk zone students; in 2004 we matriculated 117 risk zone students; and in 2003 we matriculated 141 risk zone students.)

The other key indicators of the bar passage prospects for an incoming class are the 25<sup>th</sup> percentile indicators. This year's class has a 25<sup>th</sup> percentile LSAT of 155 (the same as last year and up one point from the prior year). And this year's class has a 25<sup>th</sup> percentile GPA of 3.23 (up from 3.21 last year and 3.11 the prior year).

Corona Research can predict bar passage for each entering class based on their LSAT and GPA profile (subject to an error rate). This year's class is predicted to pass at a rate of 88%. (Last year's entering class was predicted to pass at a rate of 86%, and the prior year's was predicted to pass at a rate of 82%. To put this in perspective, the classes entering in 2005, 2004, and 2003 – with 76, 117, and 141 risk zone matriculants respectively – were predicted to pass at rates of 77%, 75%, and 73% respectively.)

It is also worth noting that we have reason to believe that we may actually outperform these predicted pass rates. These rates are based solely on LSAT and GPA, and assume that we do nothing differently other than reducing risk zone admissions. However, we have done much more than this, including (1) starting our Bar Success Program, (2) raising the GPA required for good standing, and (3) identifying and guiding at-risk students based on their law school GPA, and (4) counseling our students. Accordingly, it seems likely that we will actually outperform Corona's predictions. For example, as noted above, the class entering in 2005 was predicted to pass at a rate of 77%. That class had an actual pass rate of 81% – 4% higher than the predicted pass rate. Thus, we seem to be well on our way to solving the bar pass problem.

### **U.S. News Indicators**

The big news for the year is another one point increase in median LSAT score and another significant increase in median GPA. We increased our class-wide median LSAT score to 159 (from 158 last year and 157 the year before). And we increased our class-wide median GPA to 3.51 (from 3.47 last year and 3.39 the year before). Doing this two years in a row is remarkable.

Keep in mind that, in April 2009, *U.S. News and World Report* announced that it was changing the way in which it calculates LSAT and GPA for ranking purposes. In prior years, only day division scores were counted for ranking; evening division scores were not. Beginning in April, *U.S. News* began counting scores for the entire class, day and evening combined. This was to avoid “gaming” by some schools, which had been admitting low-scoring students into evening divisions to avoid counting their scores, while still collecting tuition from them. We have not used our evening division in this way, and we also anticipated the change in counting by *U.S. News*. Accordingly, we were not hurt by the change in last year's ranking. In fact, we may have been helped by it, as our evening program was ranked 9<sup>th</sup> in the nation.

Given that *U.S. News* is now ranking evening programs, evening division medians are now important. This year's evening division medians rose. The evening division median LSAT increased to 156 (from 155 last year and 154 the year before), and the evening division median GPA rose to 3.40 (from 3.34 last year and 3.27 the year before).

Thus, this entering class should help our rankings.

### **Diversity**

The one aspect of this year's entering class that is not an improvement is overall diversity. This year's entering class has an overall diversity rate of 14%. This is in comparison to 20% last year and 17% the year before. There appear to be three factors contributing to this decline.

First, while overall diversity was 20% last year, the mix of diversity was not all that we might hope. For example, we had only four African Americans and seven Native Americans in last year's class, with significantly higher numbers of Asians and Latinos. We improved the mix of diversity this year, at least with respect to African Americans, of whom there are nine. (Issues regarding Native Americans will be discussed below.) However, in terms of distributing scholarship money, it is more costly to achieve a healthy mix of diversity than it is simply to achieve overall diversity. We are learning about the tradeoffs and hope to try to strike a better balance this upcoming year.

Second, we had particular trouble this year recruiting Native American students. Despite directing significant levels of scholarship money to Native American applicants, our enrollment dropped from seven last year to four this year. From what we can tell, this is largely related to the loss of our one tenure track Indian Law professor (Kristen Carpenter) and CU's building of its Indian Law program, as well as to the loss of a high profile Native American administrator (Forrest Stanford) who was heavily involved in recruiting. These changes appear to have made it significantly more difficult to recruit Native American students (and required us to use more of our scholarship resources to attract the few Native American students we were able to recruit).

Third, while we currently do very little risk zone recruiting (as noted above, we matriculated only 10 risk-zone admits this year), we are not likely using that tool as effectively as we can to achieve diversity. Anti-discrimination laws probably prevent us from reserving risk-zone admits solely for diversity purposes. However, this year, we actually ended up using a majority of our risk zone admits for non-diverse candidates. This was not intentional; rather it was a result of highly disparate yield rates between diverse and non-diverse risk zone admits. When recruiting diverse applicants from what may be thought of as the moderate risk zone (e.g., LSAT of 148-150), we are competing with several other schools for those applicants – including many that offer scholarship money to those applicants. While it is not feasible for us to offer scholarship money to any risk zone applicant, we do need to recognize that this competition will result in a relatively low yield rate for diverse applicants in the moderate risk zone and plan accordingly by admitting more such applicants, as well as maximizing our recruiting of these applicants. We plan to do so in the upcoming year.

It might be tempting to assume that we could increase diversity simply by raising the number of risk zone admits (e.g., from 10 to 18, or higher). However, even if we were prepared to sacrifice our gains in bar passage for this cause, the third lesson discussed above indicates that this would not be an effective strategy. As noted above, several very good schools award scholarships to

diverse candidates in the moderate risk zone (LSAT of 148-150), and some even offer scholarships to better candidates in the high risk zone (LSAT of 147 and below). Yet we are not in a position to offer scholarship money to candidates in the risk zones. Accordingly, even if we were prepared to increase the number of risk zone applicants we matriculated, we would likely end up matriculating primarily those students who are not subject to intense competition from other schools: students who are well into the high risk zone (e.g., applicants with LSAT's in the low 140's, or even the high 130's). In other words, using risk zone recruiting these days means admitting applicants who are extremely likely to fail the bar.

A better solution is to try to increase the amount of scholarship money available to try to recruit non-risk zone students. I am currently working with the Chancellor and Provost, as well as donors, to determine how much additional funding it would take to expand our scholarship recruiting for diversity to the point where we could (1) obtain a reasonably high rate of diversity, (2) a reasonably healthy mix of diversity, and (3) not take on any additional risk of bar failure. I am optimistic that we will be able to do this. But please keep in mind that taking on additional risk of bar failure actually makes it less likely that we will be able to find funding for the first two of these goals.

It is important to remember that the scholarship model of recruiting for diversity does work, as long as we have the resources and apply them correctly. Last year, using the scholarship model, we increased total diversity from 17% to 20%, while at the same time increasing bar pass and *U.S. News* indicators. This strongly suggests that the model works. This year, we learned some hard lessons, which we hope to apply next year to strike a better balance between overall diversity and a healthy mix of diversity, as well as to improve our yield on diverse applicants in the moderate risk zone.

In addition to applying the lessons we have learned, we are undertaking three additional initiatives to improve diversity next year. First, I am working with the University and with donors to try to increase the resources we can use for diversity scholarships next year. Second, this year we received approval to provide stipends – that is, scholarships above the cost of tuition – to certain candidates. This is an important tool in recruiting diverse candidates in the non-risk zones, which we are just learning to use. We anticipate deploying this tool more extensively next year (particularly if we are able to increase the resources we have available for this purpose). Third, we are working on a pipeline project which we hope will increase and improve our diverse applicant pool. Our hope is that, with these initiatives, we can improve diversity in next year's class while maintaining the other gains we have made.