

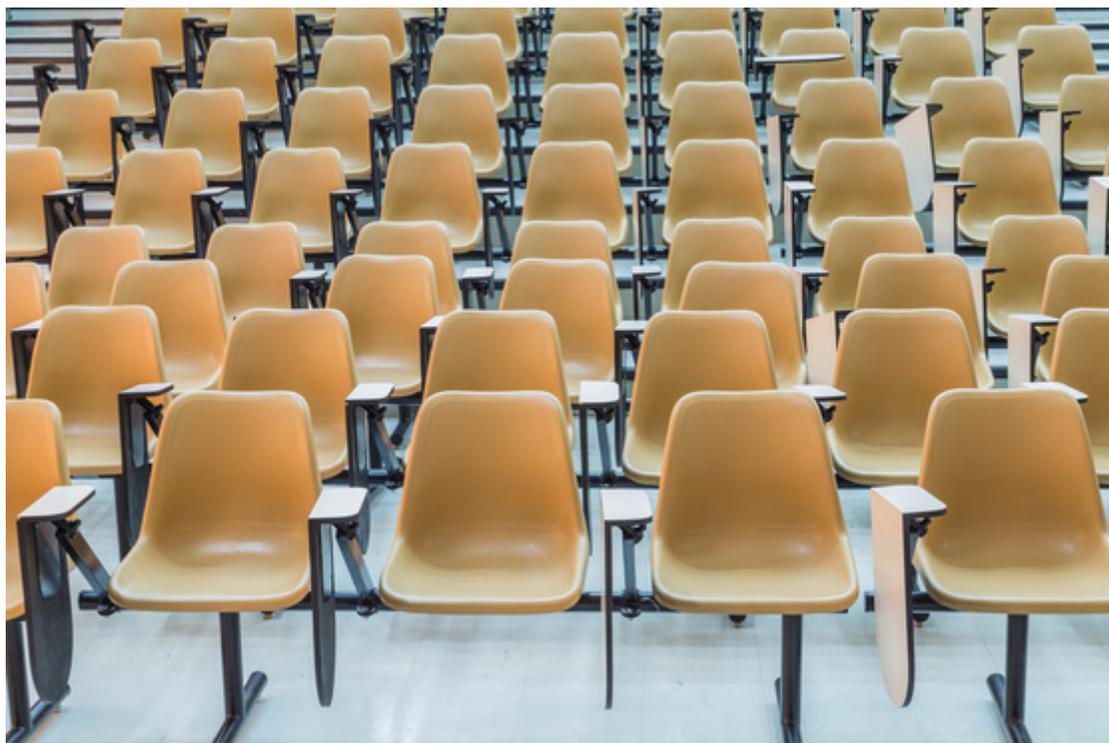
[Click to print](#) or Select '**Print**' in your browser menu to print this document.

Page printed from: <http://www.law.com/sites/almstaff/2017/11/29/can-the-gre-cure-what-ails-law-schools/>

## Can the GRE Cure What Ails Law Schools?

An analysis provides a window into why law school deans are pinning their hopes on the GRE to boost diversity and the sheer number of applicants.

By Angela Morris | November 29, 2017



<http://images.law.com/contrib/content/uploads/sites/292/2017/11/law-school-art.jpg>

As more law schools accept a new admissions test from aspiring law students, debate about their motives and whether they'll meet their goals of diversifying the applicant pool has swirled behind the scenes.

Law deans hope to recruit a new type of law student by accepting applications that use Graduate Record Examination scores, rather than the traditional Law School Admission Test. Law schools, eyeing the extremely large group of GRE test takers, have seen a potential to improve not only the gender, racial and ethnic mix of law students, but also broader metrics such as socioeconomic status, educational backgrounds and professional experience. Particularly,

law schools, which have seen the number of applicants decline and LSAT scores fall, want students who have studied or had careers in science, technology, engineering and mathematics, a cohort that statistically has been shown to perform well in legal education.

Meanwhile, critics of the GRE cast doubts about whether the test is capable of increasing diversity along racial and ethnic lines, and question whether schools are trying to fill seats while gaming the law school ranking system.

Because the trend of law schools accepting the GRE is new, the idea that it can diversify the pool of law students is just a promise—there's no hard data to show it will come true. However, extensive information about the people who take the GRE is available, including their undergraduate majors and their racial, ethnic and gender attributes.

An analysis of the data provides a window into why law school deans are pinning their hopes on the GRE to boost diversity and the sheer number of applicants, at a time when the total number of people applying (<https://www.lsac.org/lisacresources/data/aba-eoy/archive>) to American Bar Association-accredited law schools has plunged by about 61 percent in the last decade, according to the Law School Admission Council's comparable data.

"It's a whole different population, and it represents people who have these diverse attributes," said Simone Pollard, senior director of business development at Educational Testing Service, which administers the GRE. "If you think of funnel building or pipeline building, the more entry points you have—you just have more to chose from."

So far, Marc Miller likes what he's seeing. As the law dean of the University of Arizona James E. Rogers College of Law, the very first to accept GRE scores, Miller said since Arizona started accepting GRE scores, 11 students using GRE scores enrolled the first year, and 13 students in the second year.

The students who used GRE scores are doing well in their studies, he said. Their grades are randomly distributed through their classes. Miller said he believes the GRE has done well to assess their logical skills, ability to work through problems and their success in law school.

"It has reaffirmed our confidence in the decision we made in the program. We have no doubts whatsoever in this being a positive step in legal education," Miller noted.

At least 14 law schools now accept the GRE in addition to the LSAT, according to Educational Testing Service ([https://www.ets.org/gre/revised\\_general/about/law/](https://www.ets.org/gre/revised_general/about/law/)). They include some of the top legal educators in the country such as Columbia Law School, Georgetown University Law Center, Harvard Law School and Northwestern University Pritzker School of Law.

## Boosting Educational Diversity

The lack of STEM diversity among current law school applicants taking the LSAT is profound, and the available data backs up law schools' hopes that using the GRE can help them recruit more of those students.

STEM majors would do very well in law school, according to an analysis (<https://www.law.com/therecorder/sites/therecorder/2017/07/20/types-of-college-grads-nailing-the-lsat-arent-keen-on-law-school/?back=law>) published this year by Pepperdine University School of Law professor Robert Anderson. He found that STEM students on average score 160 or higher on the LSAT.

That's promising information considering that, overall, LSAT scores of more than 160 have dropped 35 percent since 2010, according to research by Pepperdine's dean, Paul Caron. Meanwhile, the average score on the Multistate Bar Exam in February hit the lowest point since the exam was first administered in 1972.

But STEM students don't seem much interested in law school, if judging by the dismal percentages who actually apply. The Law School Admission Council's data for 2016-17 shows that most law school applicants had undergraduate majors in three main categories. Of the 66,700 total applicants, 47 percent studied in the social sciences and helping professions category, including such majors as political science, psychology and criminal justice. The second-most-popular category, comprising 23 percent of applicants, was arts and humanities, which includes the majors of English, philosophy and communications. Looking at STEM majors, only 4 percent, or 2,900, of the applicants studied natural sciences, which includes such things as biology, environmental sciences and mathematics. Only 1 percent—fewer than 1,000—studied engineering and 0.5 percent studied computer science.

Regarding the GRE, a much higher percentages of STEM graduates take that test. For example, from 2015 to 2016, 17 percent of the 584,700 total GRE test takers studied life sciences—such majors as agriculture, biological sciences and health and medical sciences. Engineering majors comprised 13 percent, or nearly 77,000, of GRE takers. Physical sciences majors such as mathematics, chemistry or computer sciences made up 9 percent, or 53,000, of the test takers. The data isn't complete because 35 percent of the test takers didn't report their majors.

The law students who applied at Arizona with GRE scores tend to be older and have a deep grounding in another professional area, Miller said. Some are students from other graduate or doctorate programs, and others are returning to school from substantial careers. Students in the latter group might have brushed up against the legal system in some way and decided to pursue a legal career out of passion.

"We're looking for the same highly qualified students with top scores," Miller said. "It does us and the students no good if they come in and don't succeed."

## **Racial and Ethnic Diversity**

Although it's not the sole aim of the GRE experiment, some law schools hope in addition to STEM students, they'll attract more racially and ethnically diverse students.

Miller said that Arizona has many initiatives specifically to boost racial, ethnic and gender diversity, but its choice to accept the GRE was different. "The GRE is a broader effort," he said, adding that he hopes it can augment traditional diversity efforts.

If so, it's sorely needed.

In 2016, 15 percent of the 56,500 law school applicants were black or African-American, and 11 percent of the 42,800 admitted students were in that cohort. Hispanics made up 13 percent of the applicants and 12 percent of admitted students. Among Asians, 10 percent were in the applicant pool, and 15 percent made up those admitted. Meanwhile, 62 percent of applicants were white, and they made up 68 percent of admitted students.

At first glance, it doesn't seem that the GRE can help solve the racial diversity problem. Indeed, the LSAT has higher percentages of racial and ethnic minority test takers than the GRE. But a different picture emerges when looking at raw numbers, since the GRE has many more total test takers than the LSAT.

For example, 12,100, or 13 percent, of LSAT takers from 2016 to 2017 were black or African-American, compared to 23,600, or 7 percent, of 2015 to 2016 GRE takers. The LSAT counted 12,700, or 13 percent, Hispanic or Latino test takers, while for the GRE, that group numbered 25,700, or 8 percent. On both tests, more than half of the test takers were white.

Still, there is skepticism that any standardized test can improve racial and ethnic diversity in law school. Statistically speaking, most African-Americans and Hispanics don't perform as well as whites on such tests, explained Bernetta Hayes, director of prelaw programs for the Council on Legal Education Opportunity Inc., which works to help minority and low-income students get into law school.

"They're not looking at the whole person, just the LSAT score and GPA. They will do the same—look at the GRE score and GPA," Hayes said. Instead, schools must consider work experience, community volunteerism, leadership skills, ability to think analytically and critically and more, she said.

Cassandra Sneed Ogden, the CEO of the Council on Legal Education Opportunity, said that while it's true that many more racial and ethnic minorities take the GRE every year, the numbers do not show how many would even consider the law as a career.

"We know that when people take the LSAT, they're focused on going to law school. When they take the GRE, law school is not their end goal," Ogden said.

Kellye Testy, president and CEO of the Law School Admission Council, which administers the LSAT, said in an email that the best way to boost diversity is for a school to use the LSAT, but not rely too heavily on LSAT scores.

"There are already far more students of color applying to law school with the LSAT than schools are admitting," Testy said. "This may be due to the influence of U.S. News and schools actually giving outsized weight to LSAT and GPA in an effort to manage those rankings."

## The Rankings

One concern about the GRE is how it will affect the all-important law school rankings on U.S. News & World Report.

Testy has said in the past (<https://www.law.com/newyorklawjournal/sites/newyorklawjournal/2017/08/10/lsat-leader-urges-caution-in-law-schools-use-of-gre/?back=law>) that law schools using the GRE are hoping to manipulate their rankings, because they can accept GRE students but avoid the requirement to report those new students' LSAT scores to U.S. News.

However, U.S. News has already reacted to law schools accepting the GRE. The publication's current law school rankings, released in March, were the first to consider both LSAT and GRE scores.

"U.S. News will continue to factor both scores into the rankings in the future. Our methodology is designed to ensure that if a school admits and enrolls students with GREs, those scores, plus the LSAT scores, are both counted in the law school rankings," according to a statement by Robert Morse, chief data strategist.

Only one school actually submitted GRE scores to U.S. News for the 2016-17 school year—Arizona, which ranked at No. 48.

"U.S. News can do whatever it wants. That's not why we did it," said Miller about Arizona's choice to accept the GRE.

If U.S. News now considers GRE scores too, some law deans hope it could spur the magazine to stop over-relying on LSAT scores.

It hasn't been good for minority students that law schools have relied on the LSAT alone and given it so much influence because of U.S. News, wrote Daniel Rodriguez, dean of Northwestern University Pritzker School of Law, which is accepting GRE scores, in a message to law deans about alternative admissions tests.

Rodriguez, discussing a proposal to change an accreditation standard dealing with admissions tests, wrote that if schools want flexibility in their admissions tests, it would increase the likelihood they'll use holistic admissions practices.

"If the steady increase in alternative tests confounds to some degree U.S. News's ability to put special weight on the LSAT, that is a good thing," he wrote. "The GRE experiment, adopted by a steadily increasing number of law schools, may improve access and opportunity at a time when such values are under unfortunate stress and tension."

*Angela Morris is a freelance reporter. Follow her on Twitter: @AMorrisReports*

---

**Copyright 2017. ALM Media Properties, LLC. All rights reserved.**