

# **Florida A&M University College of Law**

## **Response to Accreditation Committee Decision**

**May 2014**

### **Introduction**

The mission of the Florida A&M University College of Law, as stated in the statute authorizing its existence, is to provide opportunities for minorities to attain representation within the legal profession proportionate to their representation in the general population.<sup>1</sup> This mission was not born out of a sense of entitlement but rather the state of Florida's determination "that the legal profession must not only reflect the diversity of the society it serves, but also embrace the belief that fair representation and equal access are essential to ensure a system of justice that is unbiased."<sup>2</sup> As a result, the College of Law's admission policies wholly embrace the goal of increasing the number of minorities, particularly African Americans, who become members of the practicing bar.

The Law School Admissions Test (LSAT), which was never intended to be the sole determinant of law school admissions,<sup>3</sup> is not the exclusive barometer for determining an applicant's suitability for legal study. Given the historic and unresolved truth of a persistent scoring gap between African American/Hispanic law applicants and white applicants, it would defeat the shared goal of diversity to misuse the LSAT as the sole factor for admission. The LSAT is nonetheless a critical factor in admissions. It is appropriately used for admission decisions, however, only when used in combination with quantifiable factors such as undergraduate and graduate grade point averages, as well as unquantifiable factors (recognized as permissible in *Grutter v. Bollinger*<sup>4</sup>) such as life experiences, contribution to diversity, and the nature of the undergraduate and graduate work. While the College's reasonable risks assumed by offering quality legal education to diverse students has been borne out by success, there are of course students who despite the support provided do not succeed. It is both foreseeable and consistent with the traditional law school pedagogical demands that the rate of failure will often be higher for students at the lower end of the quantifiable scale. That lack of success, however, does not indicate that the opportunity for success should not have been offered. In addition to a consideration of how many lower LSAT score recipients do not succeed, the numbers and account of those who succeed – many of whom would not have had an opportunity to succeed

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<sup>1</sup> Florida Statutes § 1004.40.

<sup>2</sup> Minorities in the Legal Profession, Paper prepared by the Florida Bar Public Information and Bar Services Department with assistance from the Public Services Programs Department. (Available online at <http://www.floridabar.org/DIVCOM/PI/BIPS2001.nsf/1119bd38ae090a748525676f0053b606/13b38d1d00f79d65852567c4007004b2!OpenDocument>)

<sup>3</sup> Law School Admission Council, *Cautionary Policies Concerning LSAT® Scores and Related Services* (December 2005) ("Do not use the LSAT score as a sole criterion for admission. . . cut-off LSAT scores (those below which no applicants will be considered are strongly discouraged.")

<sup>4</sup> 539 U.S. 306 (2003).

without the commitment of FAMU -- must be considered. The College maintains that its record is reasonable and consistent with the standards of the ABA in both fact and spirit.

Additionally, if bar passage and admission to practice are key indicators of successful admissions practices, there can be no other conclusion but that the College's admissions practices are successful. As noted in the College's most recent Self Study, the bar passage rate for FAMU students was approximately 55% in 2008 when Dean LeRoy Pernell assumed his duties shortly before initial ABA approval in 2009. Since that time, the College's bar passage rate has increased steadily and remarkably (i.e., by at least 22% since 2009). Indeed, in the last bar exam, FAMU student's placed 6<sup>th</sup> out of eleven law schools in the state with a bar passage rate virtually equal to the state average. The state average was 72.9% and the College's bar passage rate was 72.2%<sup>5</sup>. For the second time in the last three bar exams, the College's graduates passed at a rate higher than students from the University of Florida. For the last two consecutive bar examinations, a FAMU student was honored for achieving one of the top five scores in the state.

The dearth of African American attorneys, combined with the fact that LSAT scores for African American students are, on average, ten points lower than for white students, and the historical exclusion of African Americans from the legal profession necessarily implies that the College has a difficult mission. Accomplishing that mission requires the College to extend its admissions further into the applicant pool where students are found who normally would not be given opportunity to complete a program of legal education, while at the same time assessing whether each applicant can complete the College's educational program. Students at the lowest tier of the class, by reference to quantifiable metrics, have found success at FAMU and indeed on the bar exam. In 2010 students within the lowest tier of FAMU's class attrited at relatively higher rates than other students grouped by reference solely to LSAT scores – in 2010 the two students (of 288 matriculating) with LSAT scores of 140 both attrited. Although the Committee's current focus begins with the 2010 entering class, those two students were admitted in the wake of a clearly improving record of success by students with similar credentials (i.e., LSAT scores at 140 or below) in prior years not the subject of the Committee's current focus.<sup>6</sup> In 2011, 1 of 2 such students (of 281 matriculating) attrited; in 2012, 2 of 4 such students (of 216 matriculating) attrited. Thus, the attrition rate was halved since 2010. That lower attrition rate continues. In the current academic year, three of six students (out of 147 matriculants) with LSAT scores of 140 or less have attrited. That admitted students with an LSAT score of 140 or less comprise average less than 1 percent of each entering class indicates that the College is careful yet steadfastly determined to accomplish its mission of extending legal education to those students historically disadvantaged by legal education in particular, and formal education in general. The College's commitment to meet its mission of providing opportunities to underrepresented minorities to attain representation within the legal profession proportionate to their representation in the general population is fully supported by the University. This support

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<sup>5</sup> See Attachment 1

<sup>6</sup>The College discusses admitted students with LSAT scores less than 141 in years 2007 – 2009 in response to question 1(f) below.

is evidenced by the fact that the University provides the College funding over and above what is generated in tuition in order to help students succeed. Although, as a state institution, the University has limited resources, the University allocates the additional resources in order to provide the academic support programs to help students succeed and become productive members of the legal profession.

The College of Law's commitment does not come without substantial challenges. According to the most recent data compiled by the Law School Admissions Council, the number of law school applicants for 2013 nationally decreased by more than 12.5% from the previous year. As Table 1 reflects, that decrease greatly affects the number of African American and Hispanic applicants available to matriculate. Of the 59,400 applicants, only 8,750 (14%), were Black/African American and only 6,450 (6%) were Hispanic.

**Table 1 LSAC - Applicants By Ethnicity**

	2010 LSAT	2011 LSAT	2012 LSAT	2013 LSAT
<b>All Applicants</b>	87,900	78,500	67,900	59,400
<b>White/Caucasian</b>	54,540	46,180	42,800	37,850
<b>Black/African American</b>	10,330	10,040	9,390	8,510
<b>Hispanic/Latino</b>	7,210	7,280	6,990	6,450

To make matters even more difficult, and as discussed above, the data prove a quantifiable credential gap exists between White law school applicants and Non-White applicants – particularly African American and Hispanic. According to LSAC, the scoring gap for 2010, 2011 and 2012 respectively is:

**Table 2 LSAC - LSAT By Ethnicity**

	2010 LSAT	2011 LSAT	2012 LSAT	2013 LSAT
<b>White/Caucasian</b>	156	156		N/A
<b>Black/African American</b>	145	145		N/A
<b>Hispanic/Latino</b>	150	150		N/A

Despite these significant and difficult challenges, the College continues to achieve its goals while also complying with Standard 501. In the pages that follow, the College answers the Committee's specific requests in the order those requests were presented in the Decision.

## **SPECIFIC REQUESTS**

### **1(a) Please describe any changes in the academic support program since the Law School's last response to the Committee;**

The fundamental aspects of the Academic Support Program have been described in great detail in the self study and in prior requested responses. Naturally, the College constantly evaluates its Academic Success Program (the ASP) to ensure its greatest effectiveness and has continued to do so throughout this re-accreditation process. This response will summarize the changes made since the last response.

In fall 2013, the College added several new initiatives to the program. The College added a “Critical Skills Laboratory” component and an “Analysis Tournament,” both of which are described in detail below. In addition, the College undertook a curriculum overhaul in response to the latest “Best Practices” in academic success research. As with the ASP in general, these new initiatives were carefully calibrated to enhance the Program of Legal Education. It is neither the College’s position nor intent that its entire Program of Legal Education consists of remediation efforts, or that the entire student body is in need of remediation. The College makes individual assessments in every case designed to holistically evaluate each student’s particular needs and potential for success. This holistic assessment is made both in the admissions decision and then throughout each student’s tenure at the College.

To facilitate this individualized assessment, the faculty has mandated that all students complete Introduction to Analytical Skills in small sections, as well as a individualized course of study comprising the legal research and writing curriculum (also previously described in the self study). Nevertheless, for students who do not meet the academic requirements, as measured by their semester by semester academic performance, all ASP resources are effectively mandatory, as they are brought to bear through conditions of probation.

Through individual interaction and diagnostic evaluation of students beginning in the first semester of law school, the ASP faculty is able to determine those students most in need of additional academic assistance. While the ASP is made available to the entire student body, its resources are focused on those students identified as being most at risk based on actual academic performance in the Program of legal Education. Students who fail to achieve at least a 2.0 in their first semester are absolutely required to fully engage the ASP, including the resources described here, as determined appropriate through individual counseling responsive to each student’s unique abilities and actual academic performance. Likewise, students whose law school grade point average is at least 2.0 but not more than 2.4 are individually identified and counseled first by the Academic Dean, and then offered further skills enhancement exercises through the ASP.

In fall 2013, the ASP initiated a Critical Skills Laboratory. The Critical Skills Laboratory is designed to give students another opportunity to practice and improve the skills taught in Introduction to Analytical Skills (IAS) I and II. In fall 2013, the ASP faculty offered three labs covering (1) issue spotting, (2) the IRAC method, and (3) the beginning of analysis. Each fifty-minute lab complemented IAS course lecture material and gave students an additional

opportunity to complete an exercise that measured their comprehension and ability to apply those skills introduced in IAS. After completing an exercise highlighting each skill, students participated in a deconstruction of the exercise guided by the IAS faculty. Students were also given an additional opportunity to pose questions about the skills required for success in law school. The skills labs were offered both during the day and in the evening to ensure that each student that desired to attend had an ample opportunity to do so.

In addition to the Critical Skills Labs, the ASP also instituted an “Analysis Tournament” for the first time in fall 2013. Over two class periods, students completed legal analysis of a hypothetical contracts problem utilizing the skills learned in IAS. The tournament required students to work collaboratively with classmates to strengthen their individual analysis and compete in an oral analysis competition judged by their classmates. The class was designed with the following learning goals and objectives in mind for first-year students: (1) critically read hypothetical client problem and identify legal issues, (2) write an analysis of each legal issue by applying relevant facts to applicable law, (3) effectively collaborate with classmates, (4) evaluate analysis using guidelines and provide constructive criticism, and (4) effectively communicate a legal argument supporting their client’s position. In addition to being well received by students enrolled in IAS, the analysis tournament classes provided an additional opportunity for IAS faculty to assess student comprehension of the skills taught in IAS during class and in individual, student meetings regarding their written analysis.

In spring 2014, the entire IAS curriculum was overhauled with the goal of providing students with additional assessment and feedback, self-reflection, and enhanced analytical skill development opportunities. Specifically, the curriculum now includes written assignments styled after the Multistate Performance Test (MPT). The goal is to strengthen the key analytical skills of first-year students. The exercises completed in each class were designed to strengthen students’ ability to read critically, effectively issue spot, synthesize rules from various sources of law, utilize writing protocols to better organize written work product, extract relevant facts from a client file, and apply relevant facts to the law in a manner that provides a resolution to a client problem. After reviewing the analytical skills learned in the fall and learning a step-by-step approach to completing an MPT, students completed an MPT exercise over three class periods. The first class focused on critical reading and synthesis. The second class focused on writing protocols and written, legal analysis. The third class focused on collaboration, self-assessment and effective oral communication of written analysis. By working with a fictitious client file, students were exposed to a “real world” practical application of the skills learned in IAS. Further, as a part of the deconstruction of the exercise, students were given the opportunity to collaborate with classmates in small groups of 3 to 4 students. Each group was tasked with orally communicating their persuasive arguments supporting their client, while anticipating the arguments of the opposing side. The final written work product was submitted by each student for review and feedback from the IAS faculty. These multifaceted assessments provided an additional opportunity for instructors to assess student comprehension of the skills taught in IAS.

**1 (b) Describe the Law School's assessment of the overall impact of the academic success program on the program of legal education;**

The most comprehensive assessment of the ASP would include an examination of multi-year academic progress data and graduation success rates. As stated in prior responses, however, the mandatory Introductory Analytical Skills course has been in effect only since fall 2012. The students entering in fall 2012 will not be candidates for graduation until May 2015. As a result, academic progress is the only current metric by which to gauge the effectiveness of the program. The College previously noted that preliminary data indicated that students in the first mandatory IAS course – students matriculating in fall 2012 -- earned median grade point averages one tenth of one point higher than students in the immediately previous class. This is true even though students in the earlier class, not subject to the mandatory class, had slightly higher average LSAT and undergraduate grade point averages.

The College continues to closely monitor the academic performance of each entering class in an effort to gain insight into the impact of the ASP. As the table below indicates, the most recent matriculating class has slightly lower average LSAT and undergraduate grade point averages than the two previous classes. Nevertheless, the most recently matriculating class earned a median grade point average equal to or better than the prior two classes. This allows a tentative conclusion that the academic success program is at least maintaining the slight academic gains made since the implementation of the mandatory IAS class.

**Table 3**

<b>Incoming Classes of 2011 - 2013 OVERALL AVERAGES</b>	<b>LSAT</b>	<b>Undergrad GPA</b>	<b>LSAC Index</b>	<b>First Semester GPA</b>	<b>Second Semester GPA</b>
Incoming Class of 2013	146	3.03	2.5	2.48	
Incoming Class of 2012	147	3.079	2.59	2.48	2.51
Incoming Class of 2011	148	3.083	2.68	2.33	2.47

**1 (c) The attrition to date of the 2013 entering class based on undergraduate GPA, LSAT, and law school grade point average (LGPA);**

**Academic Attrition**

The Committee requested academic attrition to date of the 2013 entering class based on undergraduate GPA, LSAT, and law school grade point average (LGPA). The table below shows the data. As of May 1, nine (9) of the hundred and forty-seven (147) first year entering students were dismissed from the College of Law. The student’s LSATs ranged from 140 to 147. All students, except one, had an undergraduate grade point average above 3.00.

<b>Table 4. 1<sup>st</sup> Year Academic Attrition to Date for the Fall 2013 Entering Class<sup>7</sup></b>					
<b>Name</b>	<b>Program</b>	<b>Credits</b>	<b>LGPA</b>	<b>LSAT</b>	<b>UGPA</b>
1.	Full-Time	15	0.530	142	3.710
2.	Full-Time	15	1.000	145	3.640
3.	Full-Time	15	1.530	140	3.210
4.	Full-Time	15	1.600	143	3.510
5.	Full-Time	15	1.530	140	3.500
6.	Full-Time	15	1.470	145	2.670
7.	Full-Time	15	1.330	140	3.590
8.	Full-Time	15	1.330	147	3.490
9.	Full-Time	15	1.200	142	3.010

The College recognizes that retention of first year students from initial enrollment to the beginning of the second year is increasingly used as a key measure of programmatic effectiveness. As stated in previous responses, one of the anticipated consequences of the revised minimum GPA requirement (pertaining to continued enrollment) was an increase in academic dismissals; in fact, academic dismissals increased from 9.7% in 2010-2011 to 11.9% in 2011-2012 and 13.2% in 2012-2013.<sup>8</sup> While creating the new policies, the College of Law was mindful of the potential effects, but was and continues to be confident that the policies are

<sup>7</sup>The statistics for the entering Class of 2013 represent academic dismissals ONLY through May 1, 2014.

<sup>8</sup> In 2011, when the Faculty adopted the revised academic good standing requirements, as the requirements pertaining to eligibility to appeal an academic dismissal, it anticipated, discussed and accepted the prediction that more students would be dismissed as result of the revised standards.

consistent with the intent of ABA Standard 303(c)<sup>9</sup>. Those new requirements strike a careful balance between the College’s determination to provide opportunities to underrepresented, lower scoring students without allowing those students who, despite academic support are unable to complete the program of legal education, to linger in the program, unnecessarily dilute resources, and accumulate unnecessary debt, all in compliance with Standard 303(c). Thus the College provides students who may not otherwise have had the opportunity to enter the legal profession, at least one opportunity and provides the academic support necessary for success. If students do not succeed in spite of these supports, they are dismissed early in the program.

**Non-Academic Attrition (Voluntary Withdrawals)**

Table 5 reflects the non-academic attrition (excluding transfers) to date of the 2013 entering class based on undergraduate GPA, LSAT, and law school grade point average (LGPA). As of May 1, five (5) of the one hundred and forty-seven (147) first year entering students withdrew from the College of Law. The student’s LSATs ranged from 143 to 152.

**Table 5. 1<sup>st</sup> Year Voluntary Withdrawals to Date for the Fall 2013 Entering Class**

Name	Program	Credits	LGPA	LSAT	UGPA	Reason for Withdrawal
1.	Full-Time	0	-	147	2.64	Husband received a new military assignment
2.	Part-Time	0	-	143	3.17	Personal
3.	Full-Time	0	-	145	3.36	Student did not disclose
4.	Full-Time	0	-	145	2.20	Student did not disclose
5.	Full-Time	0	-	152	3.03	Needed to handle family obligations

Table 6 and its accompanying summary show “academic attrition,” “attrition other than transfers,” and the percentages for each type, for first year students for the 2010, 2011, 2012 and 2013 academic years. Since the Self Study the College of Law has paid particular attention to the number of students withdrawing from the College of Law. Acting proactively, as early as orientation, the College makes every student aware of the opportunity to consult with relevant administrators when faced with any circumstance affecting their ability to successfully complete

<sup>9</sup> Standard 303(c) states A law school shall not continue the enrollment of a student whose inability to do satisfactory work is sufficiently manifest that the student’s continuation in school would inculcate false hopes, constitute economic exploitation, or detrimentally affect the education of other students.



the program of legal education. In fact, Table 6 below shows a 4.2% decrease in non-academic withdrawals in 2012 over the previous year. We anticipate a similar decline in 2013.

**Table 6. First Year Academic and Other than Transfer Attrition from 2010-2013**

Entering Academic Year	#Academic	Academic %	Other Than Transfer	Other Than Transfer %	Total %
2010	28	9.7%	16	5.5%	15.2%
2011	31	11.9%	27	10.3%	22.2%
2012	28	13.2%	13	6.1%	19.3%
2013 <sup>10</sup>	9	6.1%	5	3.4%	9.5%

Standard 501, as it relates to the Committee Decision and this response, requires that a law school admit only those students who appear capable of completing the program and entering the legal profession. The College does not admit any student who does not have the potential to complete the program and become practicing members of the bar. The number of academic dismissals and non-academic withdrawals do not support the notion that the College admits apparently incapable students.

The College of Law recognizes the Committee’s concerns regarding attrition, however, it maintains that its overall attrition numbers are comparable to a number of similarly positioned Florida law schools. In fact, Saint Thomas University School of Law (29.5%) and Florida Coastal School of Law (28.6%) have a higher overall first year attrition than Florida A&M University College of Law.

The College of Law finds similar attrition percentages with the other HBCU law schools. More specifically, the academic attrition for Florida A&M University College of Law (13%), Thurgood Marshall School of Law (12%), North Carolina Central University College of Law (17%) and the Southern Law Center (11%) are quite comparable. Table 7 provides the academic and non-academic other than transfer attrition percentages for all six (6) HBCU law schools.

<sup>10</sup>The statistics for the entering Class of 2013 represent attrition ONLY through May 1, 2014.

**Table 7. First Year Academic and Non-Academic Attrition for  
All HBCU Law Schools for the Class of 2012**

Entering Academic Year	# Academic	%	# Other	%	Total %
1. North Carolina Central University School of Law	42	17%	11	5%	22%
2. Florida A&M University College of Law	28	13%	13	6%	19%
3. Thurgood Marshall School of Law - Texas Southern University	22	12%	1	1%	12%
4. Southern Law Center	30	11%	1	0%	12%
5. Howard University School of Law	3	2%	4	3%	5%
6. The UDC David Clarke School of Law			-		

**1 (d) All students currently on academic probation correlated to each student's year of entering class, whether the student is full-time or part-time, undergraduate GPA, LSAT, and LGPA;**

The following tables represent all students currently on academic probation correlated to each student's year of entering class, whether the student is full-time or part-time, undergraduate GPA, LSAT, and LGPA as of May 1.

**Table 8. Fall 2013 Entering Students on Probation as of January 15**

	Entering Semester	Program	Cum GPA	Term GPA	LSAT	UGPA
1.	Fall 2013	Part-Time	1.000	1.000	142	2.750
2.	Fall 2013	Full-Time	1.800	1.800	145	2.800
3.	Fall 2013	Part-Time	1.500	1.500	143	3.030
4.	Fall 2013	Full-Time	1.670	1.670	142	3.020
5.	Fall 2013	Full-Time	1.930	1.930	141	3.525
6.	Fall 2013	Full-Time	1.930	1.930	148	3.220
7.	Fall 2013	Full-Time	1.870	1.870	148	2.940
8.	Fall 2013	Part-Time	1.500	1.500	139	2.370
9.	Fall 2013	Full-Time	1.670	1.670	149	2.940
10.	Fall 2013	Full-Time	1.870	1.870	144	2.710
11.	Fall 2013	Part-Time	2.250	1.500	146	2.810
12.	Fall 2013	Full-Time	1.870	1.870	145	2.760
13.	Fall 2013	Full-Time	1.600	1.600	144	2.720
14.	Fall 2013	Full-Time	1.730	1.730	142	2.030
15.	Fall 2013	Part-Time	1.670	1.670	152	2.480
16.	Fall 2013	Full-Time	1.730	1.730	142	3.650
17.	Fall 2013	Part-Time	1.500	1.500	146	3.080
18.	Fall 2013	Full-Time	1.800	1.800	146	2.810

**Table 9. Fall 2012 Entering Students on Probation as of January 15**

	Entering Semester	Program	Cum GPA	Term GPA	LSAT	UGPA
1.	Fall 2012	Part-Time	1.960	1.170	148	2.760
2.	Fall 2012	Part-Time	2.270	1.000	152	2.970
3.	Fall 2012	Part-Time	2.170	1.500	152	2.460
4.	Fall 2012	Part-Time	2.130	1.980	144	3.030
5.	Fall 2012	Part-Time	2.520	1.840	148	3.850

6.	Fall 2012	Part-Time	2.100	1.670	148	3.200
7.	Fall 2012	Full-Time	2.060	1.920	144	2.450
8.	Fall 2012	Part-Time	2.620	1.840	153	2.490

**Table 10. Fall 2011 Entering Students on Probation as of January 15**

	Entering Semester	Program	Cum GPA	Term GPA	LSAT	UGPA
	Fall 2011	Full-Time	2.600	1.950	145	2.710
	Fall 2011	Part-Time	2.100	1.840	145	2.830
	Fall 2011	Full-Time	2.150	1.930	144	3.070
	Fall 2011	Part-Time	2.560	1.000	147	3.090
	Fall 2011	Part-Time	2.220	1.370	156	3.410
	Fall 2011	Full-Time	2.090	1.910	147	2.190
	Fall 2011	Full-Time	2.430	1.930	143	3.090
	Fall 2011	Full-Time	2.340	1.980	147	2.310
	Fall 2011	Part-Time	2.790	1.870	150	2.950
	Fall 2011	Full-Time	2.460	0.670	145	2.720
	Fall 2011	Full-Time	1.940	1.170	149	2.590

Below, the College of Law has included for the Committee's review a comparative view of the number of students on probation from spring 2009 to Fall 2013. The table below shows a consistent decline in the number of students on probation.

**Table 11. Entering Students on Academic Probation by Semester**

Academic Year	Semester	# of Students		Semester	# of Students
2009	Spring			Fall	50
2010	Spring	27		Fall	51
2011	Spring	25		Fall	31
2012	Spring	23		Fall	25
2013	Spring	21		Fall	18

**1 (e) Whether and how the Law School evaluates the success of its admissions program for those law students admitted in the lowest two quartiles of the LSAT range; and**

The College of Law maintains sound admission policies and practices and does not admit applicants who do not appear capable of satisfactorily completing our educational program and being admitted to the bar. Interpretation 501-3 states that among the factors to consider in assessing compliance with Standard 501(b) are (1) the academic and admission test credentials of the law school's entering students, (2) the academic attrition rate of the law school's students, (3) the bar passage rate of its graduates, and (4) the effectiveness of the law school's academic support program. The College of Law evaluates its admissions program for those law students admitted in the lowest two quartiles of the LSAT range around those criteria:

**(1) Academic And Admission Test Credentials of The Law School's Entering Students**

Each year the Law School's Admissions Committee members receive information regarding the credentials and profiles of first year students. The Committee members, all of whom are faculty members, consider factors that influence student outcomes including applicant LSAT scores and undergraduate grade point averages, the academic attrition rate of the Law School's students, the bar passage rates of the Law School's graduates, and the effectiveness of the Law School's academic success program. The decision to admit students, including those in the lowest two quartiles, is informed by these factors, the Law School's prior admissions experiences, and the mandate of the Florida Legislature. Decisions on entering classes are made through the lens of the faculty Admission's Committee members' beliefs regarding a particular applicant's ability to succeed. This analysis would of course include LSAT and GPA considerations, and be influenced by other factors such as the nature and strength of the undergraduate major, strength of the undergraduate institution, successful graduate school work, personal statement, writing sample, work experience, and contribution to diversity. The personal statement is considered to see if the student fits the mission of the school and the writing sample provides good insight into the applicant's writing ability.

While evaluating the candidate's individual credentials, the Committee also considers additional variables to help to provide some indication of the applicants potential to complete the program of legal education, pass a bar examination and become a member of a practicing bar. Those variables include, but are not limited to:

- Academic Performance of Students with like Profiles
- Graduation Percentages of Students with like Profiles
- Bar Passage Rate of Students with like Profiles
- Matriculation of Students with like Profiles

As the Committee assesses these additional variables, it is mindful that profiles and statistics are not always the best indicators of non-quantifiable traits like "determination" and "fortitude." As such, we remain confident that past performance is an important but not absolute factor. The following two actual examples of students admitted with low LSAT scores demonstrate, even if anecdotally, the success of this holistic admissions method.

In 2010, the Law School admitted Mr. John Doe.<sup>11</sup> Mr. Doe's LSAT score was within the lowest quartile. However, his personal statement and writing sample presented potential for success in law school and he indeed was successful. While in law school, Mr. Doe was an active member of Law Review and Moot Court. Participation in Law Review is the highest honor that can be bestowed upon a student at the Law School. Mr. Doe's professional accomplishments include a cumulative law school grade point average that exceeded 3.0, passing the Florida Bar on his first attempt, and earning a prestigious judicial clerkship. If the LSAT score had been the sole determining factor, Mr. Doe may have been denied access to a legal education and career. The Law School's legislative mandate and its holistic approach to the admissions process added a well-qualified minority to the legal profession. This success story and others like it precludes the Law School from the luxury of only admitting applicants in the top two quartiles.

The 2011 entering class provides another salient example. Ms. Jane Doe's<sup>12</sup> LSAT scores placed her in the 25th percentile of the entering class. Despite this low credential Ms. Doe's undergraduate academic record and passionate personal statement indicated untapped potential. In addition, Ms. Doe demonstrated above-average initiative when, out of concern for her low LSAT score, she wrote to provide additional support for her application. In her letter, she pleaded for an opportunity to prove she would fulfill her dream of obtaining a legal education. She did so in grand fashion, earning academic accolades throughout her law school career. Ms. Doe earned a place on the Dean's List in her first semester. Ms. Doe earned the highest grade in two of her section's classes in her second semester, which helped her to again earn a place on the Dean's List. Ms. Doe's performance in the second year was equally impressive. She was one of two students to earn the highest grade in one of her section's classes and again earned a place on the Dean's List in the fall 2012 semester. Ms. Doe followed this performance by earning grades worthy of inclusion on the Dean's List in the spring 2013 semester for a fourth straight time, and earning the highest grades in one of her classes. In her last academic year, she earned the highest grade in two classes. As the final achievement in her storied law school career, on May 10, 2014, Ms. Doe graduated at the top of her class having earned the highest academic honors in the spring 2014 graduating class. If the Law School did not consider students in the bottom quartile, Ms. Doe's story would never have been told. This record of achievement would never have been established and the world may likely have lost a passionate law student who has the potential to do great good in her community as well as domestically and internationally.

These students are not alone. Many others have succeeded as well. In 2007, the Law School admitted nine students with LSAT scores of 140 or below. Of those nine students, six of them graduated and four are known to have sat for a Bar examination. Three of the four who sat for the Bar examination passed it successfully. In 2008, the Law School admitted sixteen students with LSAT scores of 140 or below. Nine of these students graduated and of those nine, six are known to have passed a Bar examination including five who passed on the first attempt. In 2009, the College admitted four students with LSAT scores of 140 or below; two of those students are known to have sat for a bar examination with one passing and the other non-persisting. These statistics along with the success stories of the two students above provide

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<sup>11</sup> Not his real name. The student's name has been changed to protect his identity.

evidence that FAMU law school continues to admit qualified candidates consistent with its mission to increase the number of minorities in the legal profession who are capable of matriculating through law school successfully. It is imperative that admissions criteria look beyond just the LSAT score to determine if an individual would be a viable candidate for law school. As the stories and statistics have shown, using a holistic approach to admissions can better serve the students we are seeking.

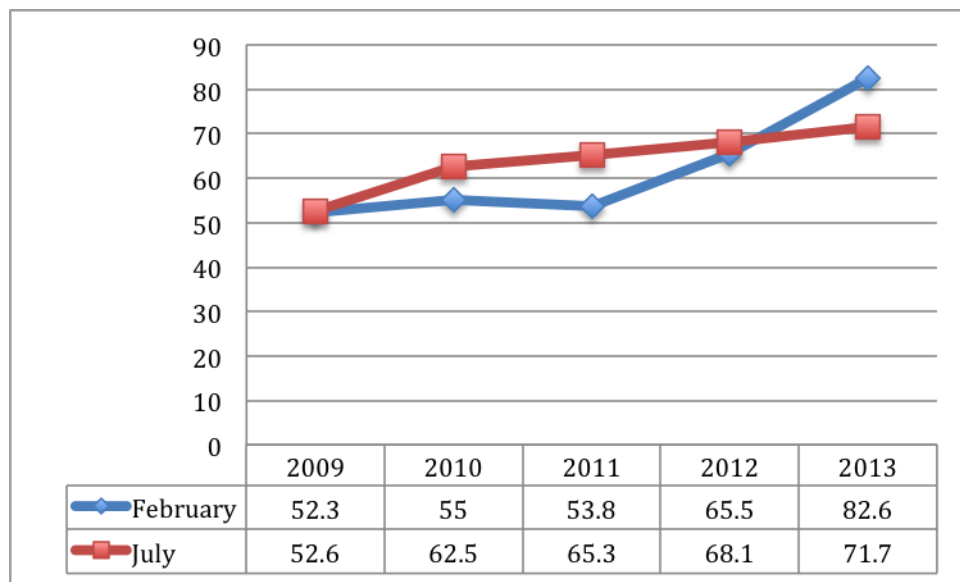
**(2) The Academic Attrition Rate of The Law School’s Students**

This and previous reports address the admissions policy as it relates to academic attrition. The College will not repeat that discussion but notes that the College considers academic attrition in the evaluation of its admissions policies.

**(3) The Bar Passage Rate of Its Graduates**

As noted in the Self Study and previous responses, the College’s efforts have produced positive results with regards to first time bar passage percentages. The table below provides an overview of the College of Law bar passage rate for the past five years.

**Florida A&M University College of Law  
First Time Florida Bar Examination Results**



As mentioned earlier, in the last bar exam, FAMU student’s placed 6<sup>th</sup> out of eleven law schools in the state with a bar passage rate of 72.2%. We think is worth mentioning again as well that for the last two consecutive bar examinations, a FAMU student was honored for achieving one of the top five scores in the state.

#### **(4) The Effectiveness Of The Law School's Academic Support Program**

Previous reports and section 1(b) above address the Academic Support Program. The College will not repeat that discussion but notes that the effectiveness of the Academic Support Program is also taken into account in the evaluation of the College's admissions policies.

#### **1(f) Any other information not previously submitted that demonstrates that the Law School admission policies and practices are such that the Law School does not admit applicants who do not appear capable of satisfactorily completing its educational program.**

Minority applicants to US law schools score, on average, less than their white counterparts. Data from the Law School Admission Council indicate that in the 2011-2012 testing year the mean score of all US Law School Admission Test (LSAT) takers was 150.42. The mean score for Caucasians was 152.80, the corresponding mean of African American LSAT examinees was 141.84. Hispanic/Latino LSAT takers fared only slightly better with a mean score of 146.32.<sup>13</sup> These numbers are especially significant for the Law School in that a majority of its student body is comprised of African American and Hispanic/Latino students. For example, in 2010 the entering class consisted of 44% African American, 38% Caucasian, and 10% Hispanic/Latino; the 2011 entering class was comprised of 35% African American, 35% Caucasian, and nearly 20% Hispanic/Latino; similarly in 2012 the percentages were 40% African American, 31% Caucasian, and 21% Hispanic/Latino. The LSAT scores of one half of all African American LSAT takers fell below 141.84.<sup>14</sup> Thus, the Law School's mission to "provid[e] opportunities for minorities to attain representation within the legal profession proportionate to their representation in the general population"<sup>15</sup> necessitates that the Law School consider, and accept, applicants with LSAT scores that fall within its bottom two quartiles. To do otherwise is incongruent with the Law School's established purpose and would unreasonably deny opportunities to deserving applicants. The Law School's admissions experiences have shown that students in the lowest quartiles can and do succeed in law school and the legal profession.

The College of Law recognizes the importance of all qualifiers for admission – both objectively quantifiable and non- objectively quantifiable. It is continually engaged in adapting its program of education to meet the success needs of all students, including those in the lowest quantifiable range. Consideration of all factors has occasionally resulted in the afore-mentioned admission of students with LSAT scores less than 141. These admissions have been and will

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<sup>13</sup> Source: The LSAT Technical Report Series. Data retrieved from: [http://www.lsac.org/docs/default-source/research-\(lsac-resources\)/tr-12-02.pdf](http://www.lsac.org/docs/default-source/research-(lsac-resources)/tr-12-02.pdf) on May 12, 2014 at 6:28 pm.

<sup>14</sup> Ibid.

<sup>15</sup> Sec. 1004.40(6), Fla. Stat. (2013).



continue to be a very small percentage of the entering class and only occurring in the face of other strong indicators of potential academic success. Developing additional programs to meet the needs of these students is an on-going commitment of the College. The Admission Committee is currently considering the implementation of an experimental model summer based additional academic preparation for select in-coming students. Additionally, FAMU, along with other HBCUs is currently seeking LSAC funding for a consortium based summer transitional law school skills program. A description of this proposal (LawBridge) and related correspondence is attached.

2. That the Law School has a link on its homepage titled "ABA Required Disclosures" that connects directly to each of the mandated disclosures.

The required link has been added and the homepage updated. A screen shot of the College of Law homepage is attached.





## PROSPECTIVE STUDENTS

- ▼ Prospective Students
  - Accreditation
  - Contact Information
  - **Consumer Information**
  - Applying to the College of Law
  - FAQ
  - Law School Viewbook
  - 1L Class Profile
  - > Plan a Visit
  - FAMU College of Law Virtual Tours
  - Non-Discrimination Policy
  - > Paying for Law School
  - Transfer Student
  - Visiting Student

### Consumer Information

#### Consumer Information

In compliance with the American Bar Association Standard 509, we are providing the data below to assist prospective law students in making an informed decision regarding where to attend law school. We encourage each prospective student to compare our information with that obtained from other law schools. Please do not hesitate to contact our admissions staff if you have any additional questions.

#### General Information

- [About the Florida A&M University College of Law](#)
- [Administration](#)
- [Faculty](#)
- [Library Resources](#)
- [Physical Facilities](#)

#### Admissions, Enrollment, Attrition and Graduation Data

- [ABA Required Disclosures](#)
- [J.D. Entering Class Statistics](#)
- [Profile of the 2013 Entering Class](#)

#### Financial Aid

- [Tuition and Fees / Cost of Attendance](#)
- [Financial Preparation for Law School](#)
- [Merit Scholarships & Scholarship Retention](#)

#### The Spotlight



FAMU College of Law Dean LeRoy Pernel discusses Trayvon Martin case on Arise TV [Click here to watch the clip.](#)

[Campus Calendar](#)

[Faculty & Staff Directory](#)

#### News & Events



Entering Students Day 2013 ...  
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College of Law Brick Campaign ...  
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