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What Is Quality? Advancing Value-Added Approaches to Assessing Law School Bar Exam Performance

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What is Quality? Advancing Value-Added Approaches to Assessing Law School Bar Exam Performance

Working Paper (Updated October 4, 2022)

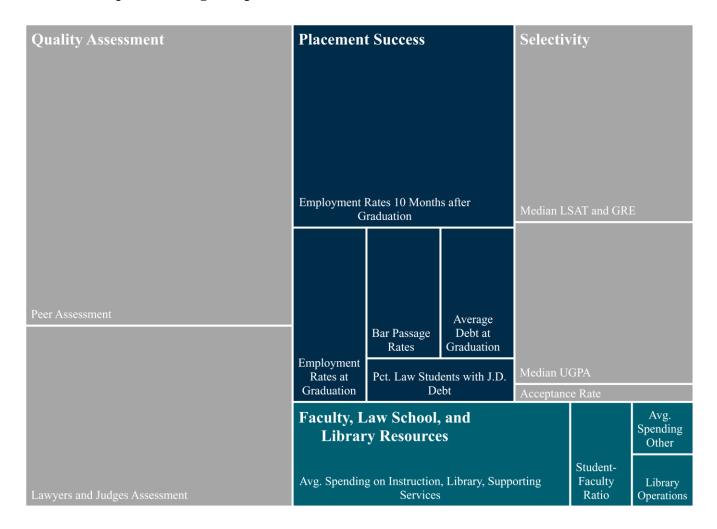
U.S. News & World Report rankings and tier groupings are often used as proxy measures of law school quality. But many of the factors that contribute to both law school outcomes and U.S. News rankings (e.g., undergraduate GPAs (UGPA), LSAT scores, admission rates) do not reflect the impact law schools have on student outcomes, such as bar passage and employment. We propose a method for measuring institutional quality that is based on a school's ability to improve its graduates' likelihood of first-time bar passage while controlling for those students' preadmission characteristics. Using a value-added modeling technique, we first isolate each law school's expected bar performance for the 2013–2018 bar takers given those cohorts' entering characteristics and the school's attrition and transfer patterns, then identify the degree to which this prediction overperforms or underperforms the school's actual bar performance. Additionally, we utilize a bar pass differential rather than a school's first-time bar pass rate, allowing us to account for variation between jurisdictions' grading and cut scores. Finally, we provide a ranked list of law schools based on their added value for each entering cohort.

INTRODUCTION

When evaluating law schools, how is "quality" defined? And just as importantly, how is it measured? The most widely touted assessment of law school quality is the *U.S. News & World Report* "Best Law Schools" rankings; the schools ranked at the top of this list are the most competitive to enter and regularly place their students into the most competitive legal employers upon graduation. These rankings, however, are insufficient for assessing institutional quality, despite the fact that *U.S. News* law school rankings take into consideration a wide range of factors, as shown in Figure 1 (Morse et al., 2022).

FIGURE 1

Only 39 Percent (Represented by Blue and Teal Squares) of a Law School's *U.S. News & World Report* Ranking Comprise Factors Related to Institutional Practices and Outcomes



As others have noted (e.g., Ryan, 2018), the *U.S. News & World Report* rankings are problematic for several reasons—namely their overreliance on peer reputation scores and incoming student characteristics, specifically median LSAT or GRE score¹ and undergraduate GPA. These factors and the rankings they generate do not substantively reflect the educational value students derive from attending the institutions and often lead to the undervaluation of law schools whose institutional missions are focused on educating students from underrepresented backgrounds.

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¹ Some law schools began accepting the GRE in lieu of the LSAT in 2016.

Moreover, the lack of diversity in the legal profession likely leads to inequitable and biased peer scoring among the experts invited to rate law schools. For example, law school deans are among those who supply peer assessments—a plurality of the factors contributing to overall ranking—and alumni of elite law schools are overrepresented among all dean positions in the country.² This potentially creates a pool of assessors who are biased toward elite schools, leading to flaws in how schools are ranked.

The factors assessed in traditional rankings tend to favor predominantly White institutions (those with White student enrollment greater than 50 percent). Those ranked consistently in the top 14 of law schools (colloquially referred to as "T14" schools), on average, enroll far fewer non-Asian students of color than the national average. Conversely, mission-driven institutions (MDIs), such as the six Historically Black College and University (HBCU) law schools—who, on average, enroll Black students at a rate of up to eight times greater than that of T14 schools—are often either near or at the bottom of the rankings (Table A.4). The only exception is Howard University School of Law, which is ranked 91 of 197.

ADMISSIONS, ACCREDITATION, AND TRADITIONAL LAW SCHOOL RANKING

In response to the *U.S. News* rankings as well as American Bar Association (ABA) accreditation standards, law school admissions professionals are tasked with delivering classes that represent the highest median LSAT and GRE scores and undergraduate GPAs from their applicant pool. But achievement gaps, which are well-documented in preschool and K–12 education research (e.g., Brooks-Gunn et al., 2003; Reardon, 2011), persist through undergraduate studies ultimately making their way onto the law school application. For example, ABA Standard 503 requires that "each applicant for admission as a first-year J.D. degree student...take a valid and reliable admission test to assist the school and the applicant in assessing the applicant's capability of satisfactorily completing the school's program of legal education" (American Bar Association [ABA], 2022a, p. 35). At this time, the LSAT is the only exam generally accepted among ABA-approved law schools. There are, however, racial disparities in LSAT scores. According to the Law School Admission Council, Caucasian and Asian/Pacific Islander test takers had the highest LSAT scores whereas "African American test takers and Puerto Rican test takers had the lowest mean LSAT scores" (Dalessandro et al., 2014).

Further, the "best" law schools retain their rankings via the exclusivity of their admissions processes (Johnson, 2006), which shuts out many minority applicants. Performance gaps on the LSAT and GRE among racial/ethnic student groups often disqualify Black, Hispanic/Latine, and Indigenous students from admission to any law school, let alone those favored by the *U.S. News* rankings methodology. And recent ABA data also shows these performance gaps persist on the bar exam among underrepresented law graduates of color (ABA, 2022b).

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² U.S. News & World Report's ranking methodology states that the most influential factor in its weighting system is Peer Assessment Score, which involves surveying law school deans, deans of academic affairs, and recently tenured faculty (Morse et al., 2022). Rosenblatt's Deans Database (n.d.) of all law school deans shows that an outsized proportion went to elite law schools. Unfortunately, no specific information on who is surveyed is offered.

³ As seen in Table A.4, the enrollment share of Black students at T14 schools is between 4 and 10 percent, while it is between 45 and 70 percent at HBCUs.

⁴ The ABA is weighing alternatives to the LSAT and seeking public comment (Ward, 2022).

Performance on both admission tests and the bar exam accounts for 23 percent of a school's U.S.News ranking—but, more significantly, it affects their accreditation status. ABA Standard 501 stipulates that law schools "only admit applicants who appear capable of satisfactorily completing its program of legal education and being admitted to the bar" and ABA Standard 316 requires that "at least 75 percent of a law school's graduates in a calendar year who sat for a bar examination must have passed a bar examination administered within two years of their date of graduation" (ABA, 2022a, pp. 27, 33). The implicit link between Standards 501, 503, and 316 is that the LSAT predicts a student's ability to pass the bar exam, which therefore places undue pressure on schools to improve or maintain high bar passage rates by admitting students with higher LSAT scores and excluding those with lower scores. Not only is this unlikely to yield the desired results,⁵ but it also directly conflicts with the core missions of MDIs and HBCUs who are concerned with diversifying the legal profession for historically excluded students. Rather than focus solely on admissions criteria, these schools enroll students who often have relatively low LSAT scores and undergraduate GPAs, but who nonetheless deserve a chance at law school. Out of the ten schools cited for noncompliance in May 2020, two are HBCUs (there are only six HBCU law schools) and three have total enrollments comprising 40 percent or more Black students (Ward, 2020). Imperiling the accreditation of these law schools thwarts their efforts to diversify the legal field and potentially disincentivizes similar efforts at other law schools.

While we do not question the repute of the T14 schools, we challenge how "best" is defined in the *U.S. News* methodology. Particularly troubling is that rankings such as those published by *U.S. News* are, to a large extent, self-perpetuating; deans and legal professionals who weigh in on law school reputation scores that comprise 40 percent of the total ranking score are often graduates of the highest ranked law schools. Assessments and determinations of law school quality should examine the added value of the institutions. Despite the correlation between LSAT score and bar passage, prior research has found that much of the variation in first-time bar exam performance is unexplained when estimated using LSAT score alone or in combination with undergraduate GPA (Taylor et al., 2021). This is to be expected given that the law school experience—course taking, student engagement, etc.—does and should influence how law graduates fare on the bar exam. In fact, when examining the relationships between law school GPA and bar passage, Taylor et al. (2021) found that law school GPA trumps both LSAT score and undergraduate GPA in magnitude of effect.

Accordingly, law schools who are trying to diversify the legal profession by admitting higher numbers of underrepresented students should not be penalized in quality assessments by virtue of those students' incoming characteristics. These underrepresented students (i.e., Black, Hispanic/Latine, and Indigenous students) have historically faced barriers in education that contribute to lower average LSAT scores, undergraduate GPAs, and law school enrollment, and traditional rankings do not measure much of how these students are performing once enrolled in law school. Schools admitting those students most likely to pass should not be lauded for simply enrolling students with the highest LSAT scores and UGPAs; rather, and to the extent possible, all law schools should be evaluated based on how well they educate and exceed the expected outcomes of the students they enroll.

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⁵ Taylor, Scott, and Jackson (2021) find that only large increases (approximately six points) in LSAT score are associated with meaningful increases in the odds of first-time bar passage.

A NEW VALUE-ADDED MODEL AND ITS APPLICATIONS

Hence, we propose an alternative measure of law school quality that captures a school's ability to mold and develop its students into graduates who pass the bar exam at higher rates than their entering class profile (and thus their *U.S. News* rankings) would suggest. In essence, we shift the focus of quality assessment away from external opinions and pre-law school metrics, to one that focuses on the law school enterprise of developing and preparing students for the bar exam.

Our goal is to provide a metric, based on rigorous empirical methods, that gives insight into how well law schools are preparing their students to become practicing attorneys. This alternative conception of law school quality should also be useful for schools when responding to notification of noncompliance with Standard 316. Today, the Standard can only be satisfied by meeting the 75-percent two-year bar passage threshold. If a school falls below this threshold, it could respond to the ABA's notice of noncompliance with results from this model. This would be powerful evidence that the school is adding value if it can show it exceeded expectations for a cohort when their passage rate dips below 75 percent.

We also hope this work helps to proliferate the idea, which is sometimes understated, that what law schools do *matters*. In many cases, schools overperform their expectations but lag in the *U.S. News* rankings or struggle to meet ABA bar passage requirements. We hope this study spotlights the efforts and impact of those schools and the value they bring to their students.

FOUNDATIONAL RESEARCH ON LAW SCHOOL VALUE-ADDED AND INSTITUTIONAL BAR PASSAGE OUTCOMES

Recent research has attempted to quantify the extent to which law schools prepare their students for the bar exam, taking into consideration students' LSAT scores or UGPAs (Ryan, 2018; Kinsler & Usman, 2018; Kinsler, 2021). Ryan (2018) finds that *U.S. News* rankings change only slightly over time, and thus do not provide much information on time-varying factors within schools that affect bar passage rates (e.g., section size, part-time enrollment percent). After discussing the need for an alternative ranking system, he proposes a value-added model that uses a combined measure of schools' median LSAT score and mean undergraduate GPA for enrollees. Our research design is largely borrowed from this approach, although we include other factors in our models.

The most widely referenced value-added approach is that of Kinsler and Usman (2018), which was updated in 2021 to include more years of data. The authors' approach uses either LSAT score or UGPA to predict bar passage rates for a given year. For example, the authors use each school's median LSAT score for those students entering in 2015 to predict bar passage rates in 2018. As Ryan et al. (2021) explain, modeling bar performance at the school level is a complex endeavor that must account for the wide variety of factors that explain bar performance in addition to LSAT and UGPA, something that Kinsler and Usman's approach does not achieve.

As Bahadur et al. (2021) describe, modeling bar passage rates using LSAT score and UGPA alone leads to heterogeneity in the residuals, a violation of general ordinary least squares (OLS) assumptions, likely leading to understated standard errors.⁶

While all linear models must avoid violating these assumptions, it is particularly important to do so with respect to value-added models. Value-added approaches emphasize the *residuals*, or the amount of error between a given school's actual bar passage rate and its predicted passage rate. One of the most serious violations of OLS is *omitted variable bias*, wherein a variable that has a non-negligible statistical relationship with the response variable is not included in the model. This not only leads to biased estimates; it also leads to incorrect residuals, upon which value-added models rely.

ANALYTICAL APPROACH AND METHODOLOGICAL ENHANCEMENTS TO PRIOR RESEARCH

This study carefully examines the factors related to first-time bar passage and academic performance (e.g., attrition, percent of students enrolled part-time) to determine which should be included in value-added models of bar passage. Since value-added models rely on accurate residuals to generate reliable measures of under- and overperformance, it is crucial to ensure that the models are defined appropriately. We advance previous scholarship by providing evidence of how to define value-added models, in addition to demonstrating which schools are adding the most value, on average and per cohort.

Data

We use publicly available cohort and school-level data on students who attended ABA-accredited law schools and sat for the bar exam in 2013 through 2018. Law schools submit these data annually to the ABA in accordance with ABA Standard 509, and publicly available Standard 509 reports date back to the 2010 entering cohort of J.D. students. The reports include various law school data elements, including the admissions statistics of each incoming class (LSAT scores and undergraduate grade point averages), the racial and ethnic composition of the faculties and student bodies, cost of attendance, class sizes, and attrition and transfer rates, as well as details on experiential course offerings such as clinic courses, simulation courses, and field placements.

The COVID-19 pandemic resulted in an anomalous administration of the July 2020 exam (National Conference of Bar Examiners, 2020). Some jurisdictions canceled the administration of the bar exam entirely, and others temporarily adopted diploma privilege. This led to a different national composition of students sitting for the bar exam, which resulted in atypical bar passage rates at many schools that year. We therefore do not include the cohort that entered law school in 2017 and took the bar exam during the July 2020 administration.⁷

⁶ Ryan and Muller (2022) construct a value-added model that only includes an LSAT/UGPA index. The authors initially include a variety of controls in their models, but ultimately elect to exclude them all because they did not add predictive value (pp. 13–14).

⁷ Although we have bar pass differential data for bar takers in 2019, these results are not included in our models due to a lack of 2019 data for the percentage of part-time J.D. students enrolled.

Methods

Our dependent variable for all models is bar pass differential, which is calculated as the difference between:

- A school's weighted average first-time pass rate across all jurisdictions in which its students took the bar exam for the first time (the weights being the proportion of the school's students who sat for the exam in each jurisdiction); and
- The weighted average pass rate for those same jurisdictions (as above, the weights being the school's proportion of graduates who sat for the exam in a given jurisdiction).

Using bar pass differential rather than a school's first-time bar pass rate allows us to account for variation between the various jurisdictions and their bar exam requirements, grading, and cut scores. For example, a "difficult" jurisdiction such as California has a cut score of 139 whereas an "easier" jurisdiction such as Oklahoma utilizes a cut score of 132. By focusing on the bar pass differential, a law school with primarily California bar exam takers will not be penalized for having a lower baseline bar passage rate than a law school with the majority of graduates sitting for the Oklahoma bar exam. Similarly, this approach accounts for changes in cut scores or grading practices within and across schools.

We condition a school's pass differential on its:

- Selectivity, created by weighting and combining into one variable LSAT score (25th percentile, median, and 75th percentile), undergraduate GPA (25th percentile, median, and 75th percentile), and admission rate according to how much each covaries as a function of bar pass differential.⁸ Including selectivity is important given the relationships between LSAT score, undergraduate GPA, and admission rate on bar passage. Moreover, the selectivity variable allows us to account for the entering abilities of a school's students.
- Percent of students enrolled who are underrepresented students of color. This percentage does not include Asian American students as they are not underrepresented (relative to the U.S. population) in law schools or the legal profession. Including student of color enrollment is important for several reasons. First, schools with greater proportions of students of color, particularly HBCUs, are typically more underfunded (Charnosky, 2022). Second, these schools are more likely to examine other applicant characteristics when making admission decisions and rely less on LSAT scores and undergraduate GPA.
- Percent of students enrolled who are part-time. Including part-time enrollment is important because the experience of part-time students is considerably different than that of full-time students. Part-time students often take fewer courses in a given semester and are more likely to be employed while enrolled, among other things.

⁸ When admission rate, median LSAT score, and mean UGPA are included as separate variables in our models, collinearity issues arise. Given the established importance of including both predictors in models of bar passage, we combine them (along with admission rate) into a single variable by scaling each independently, then adding them into a single index variable.

⁹ Asian/Asian American students are relatively well-represented in J.D. enrollment and tend to have higher admission rates and bar passage rates than other minoritized groups.

• Number of first-year (1L) J.D. students that attrited for non-transfer reasons (e.g., dismissal for academic performance) and number of students transferring from another institution. Including these factors is important because attrition and transferring in students are two factors modestly related to a school's pass differential (Scott & Jackson, 2022) but unrelated to pedagogy and learning. Thus, controlling for these variables better allows us to isolate what schools do to improve their students' chances of passing the bar from those procedures and mechanisms that alter the composition of the student body.

Selectivity and enrollment variables are lagged by two years to reflect estimates of when each respective entering cohort would take the bar exam, on average. We lag by two years instead of three because ABA Standard 509 data (as reported in Analytix by AccessLex®) aligns its Calendar Year variables with the spring term of a given academic year. For example, admissions data marked Calendar Year 2017 would describe the 1L class of Fall 2016–Spring 2017. Most of that cohort would sit for their first bar exam in 2019; therefore, a two-year reporting lag suffices to account for what is, in reality, the passage of three years.

All variables are at the school level—they represent values for a particular school, rather than individual students or jurisdictions. The unit of analysis is the school year, meaning that each piece of information used to generate predictions, and the predictions themselves, are values for a particular school in a given year. For example, if a given law school has values for all independent variables and the dependent variable for six cohorts (one cohort for every year in our sample), then we generate a value-added prediction for that law school for each of the six years. We refer to data like these (where we have multiple observations from the same schools over time) as panel data.

Our sample includes panel data for cohorts entering in the years 2010–2015, at 187 ABA-accredited schools. Given the structure of our data, we construct two ordinary least squares regression models. This allows us to treat each school as its own counterfactual, enabling us to condition out the time-invariant differences between schools. In other words, our models account for the changes in the independent variables (e.g., selectivity) and the dependent variable (pass differential) over time, allowing us to generate value-added measures for each school for each cohort year. At the same time, school characteristics that do not change over time (e.g., physical location, number of law schools in jurisdiction) are accounted for since we are only interested in school factors that vary over time.

Our preferred model was derived through a systematic process of adding and removing variables and comparing model fit statistics (primarily R^2 and adjusted R^2). In the absence of standardized measures of how law schools educate and prepare their students for the bar exam, the preferred model accounts for several of the observable time-varying factors that influence a school's bar pass rate.

To estimate a school's value added (VA), we use the residual (i.e., the difference between a given school's predicted pass differential and its actual pass differential) generated from the preferred model for each school for each year. This measure indicates the extent to which a particular school over- or under-performed its expected bar passage performance for a given year.

FINDINGS AND RESULTS OF VALUE-ADDED MODELS

Figure 2 shows the schools with the 25 greatest VAs for each year from 2013 through 2019. Most notably, only thrice does a T14 law school appear on one of these lists (University of Chicago and Georgetown, both in 2016; and Northwestern University, in 2018). As would be expected, we see year-to-year variation in value added for each school, with a few schools showing a relatively flat trend line across six years (see Figure A.1). Fluctuations between positive and negative value added are attributable to a number of factors, such as variations in cohort characteristics year-to-year or programmatic changes at the institution (e.g., a new bar preparation course, the loss/gain of key faculty). These fluctuations are a benefit of this approach, compared to *U.S. News* rankings which are largely static, because they reflect that what happens within individual law schools changes year-over-year.

Since some degree of variation within schools is essentially guaranteed each year, Figure A.1 includes two thresholds that represent a meaningful amount of variation. When analyzing data, researchers often calculate the *standard deviation*, which is a measure of the degree of variation in the data. Higher standard deviations mean there is a wider spread of possible values for a given metric. One standard deviation for value added in our sample is 4.6 percentage points, so we consider a meaningful over- or under-performance to be 4.6 percentage points above or below their predicted value of bar pass differential. Meaningful overperformance is represented by the blue line, while meaningful underperformance is represented by the red line.

Since there are factors affecting bar pass differential that we are not modeling, either because we do not have a direct measure (e.g., teaching quality) or because we are choosing not to model it (e.g., section size), there are various other possible reasons for pass differential's fluctuation within schools. For example, pass differential (as a dependent variable) accounts for differences in the bar exam between jurisdictions; however, it also conditions a given school's performance on how other schools' graduates perform on the bar exam because pass differential is a measure of bar performance relative to the average in that jurisdiction. Thus, if another school in a jurisdiction has graduates that perform exceedingly well on the bar exam, particularly if it is a larger school with many graduates sitting for the bar exam in that jurisdiction, then the average for that jurisdiction will increase, putting downward pressure on other schools' pass differential values in that jurisdiction.

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¹⁰ In Figure 2 and our discussion throughout, we discuss the results achieved from our model that includes the number of students that attrited for non-transfer reasons and the number of students transferring from other law schools. The results are largely the same whether or not the counts of attrition and transfer are included in the model. This is in keeping with our earlier work, Scott and Jackson (2022), in which we find that attrition and transfer rates, overall, have little substantive effect on pass differential. For most schools, attrition and transfers remain relatively consistent over time, it is only when looking between schools that variation is apparent. Our fixed effects approach compares schools to themselves (within school variation), and thus attrition and transfer rates that vary so little year-over-year within an institution are unlikely to influence our results in a meaningful way.

¹¹ Most schools irregularly alternate between positive and negative value added but tend to stay within a few percentage points of zero. This means that schools typically do not add value in similar amounts year after year; rather, their performance preparing their students for the bar exam varies over time.

To capture an overall picture of value added, we rank each school by its VA for each year and then average those ranks. Sorting these average ranks, the top 25 schools are listed in Box 1. Most notably, not one of the T14 schools is present on the list. While this does not mean that T14 schools are not deserving of their reputations, it does suggest that other schools are having a more significant impact on their students' likelihood of bar passage, relative to how those students were predicted to perform on the bar exam when they matriculated. T14 schools admit students with the highest UGPAs and LSAT scores and are the most selective in terms of admission rates, so their students are already predicted to pass the bar exam at very high rates.

BOX 1 **Top 25 Value-Add Schools** Based on Average Rank of Value Add 2013-2018 1 Nova Southeastern University 15 University of Tennessee 2 Widener Commonwealth Hamline University 16 3 Willamette University Saint Louis University 17 4 Florida International University University of Arkansas-Little Rock 17 5 Roger Williams University University of Missouri-Kansas City 17 Texas Southern University 6 20 University of St. Thomas (Minnesota) University of Illinois Atlanta's John Marshall Law School 21 8 University of South Dakota 21 Quinnipiac University 9 Northern Illinois University 21 UNT Dallas College of Law 10 Brooklyn Law School Washington and Lee University 24 11 Campbell University 24 Mississippi College 12 University of Toledo 24 University of Arizona 13 Ohio Northern University 24 University of Wyoming 14 District of Columbia

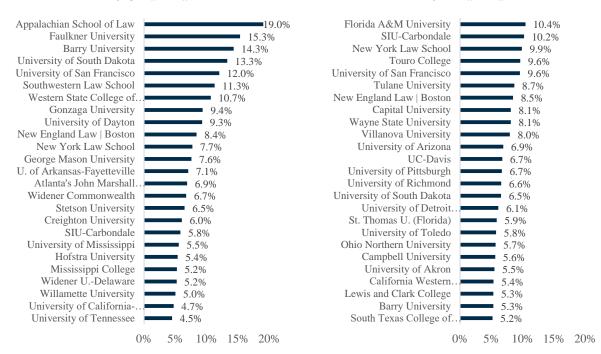
It is also noteworthy that two of the six HBCU law schools are listed in Box 1 (Texas Southern University, 5th; and District of Columbia Law, 14th). Two others are in the top two-thirds of the average rankings: Southern University, 96th, and Howard University, 128th.

FIGURE 2

25 Schools with Highest Value Added, By Graduating Cohort (2013–2018) Percentage-Point Increase in Pass Differential

2013 Bar Exam

2014 Bar Exam



2015 Bar Exam

2016 Bar Exam

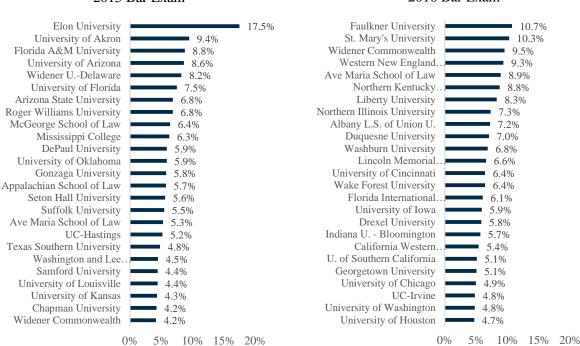
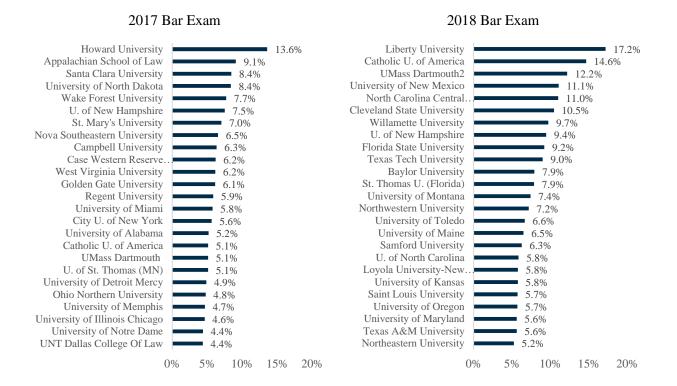


FIGURE 2, CONT.

25 Schools with Highest Value Added, By Graduating Cohort

Percentage-Point Increase in Pass Differential



APPLYING VALUE-ADDED APPROACHES TO LAW SCHOOL ASSESSMENT

As we note above, *U.S. News* rankings are widely cited descriptors of law school quality. However, as Figure 1 shows, 61 percent of a school's ranking is determined by its selectivity and prestige (factors which tend to favor predominantly White institutions—and penalize MDIs). We argue that quality should be measured not by the characteristics of the admitted students or the reputation of the school, but instead by the ability of schools to prepare their students for the bar exam, a required step on the path to being a legal professional.

Although schools with higher median LSAT scores and median UGPAs tend to have greater pass differentials, this does not mean that students possessing lower LSAT scores or UGPAs are preordained or predisposed to pass or fail the bar exam. Quite the contrary, our results show that law schools and what they do on a day-to-day basis are responsible for driving student success on the bar exam.

Notwithstanding, it is critical to recognize the relationships that exist between bar exam success and a school's median LSAT scores and UGPAs when attempting to ascertain whether the school's bar performance is "good" or "bad." Too often and too quickly, mission-oriented schools that seek to broaden access to the legal profession are negatively characterized based on their lower bar pass rates. However, in line with their mission, these schools often intentionally

enroll students with lower LSAT scores and UGPAs. As we note above, law schools with the most selective admission practices often exclude a large proportion of students from underrepresented racial/ethnic backgrounds.

Our models, therefore, not only provide a fairer assessment of law schools—taking into consideration the entering characteristics of their students—but a more equitable one. Additionally, our models are generally immune to minor increases in median LSAT scores or UGPAs of an admitted class, unlike traditional rankings which are more sensitive to these changes — usually resulting in any newsworthy jumps and tumbles of law schools' rankings in a given year. Based on our model, for example, a school might increase its median LSAT score by three points and three years later see a small bump in its bar passage rates. *U.S. News* rankings would reward this school twice, once when it increases its median LSAT score and once when it sees an increase in its pass rate. ¹² Our approach, however, accounts for the change in LSAT score when it calculates a predicted pass differential for that school, resulting in a higher predicted bar pass outcome. Since the value added is calculated as the difference between the actual pass differential and the predicted pass differential, increasing admission selectivity would not increase a school's value add. Our approach similarly accounts for first-year attrition and transfers in, recognizing that changes to the 1L class composition could yield nominal fluctuations in bar performance down the line.

Law schools could use their value add as a metric of achievement if facing non-compliance with ABA Standard 316. The ten schools cited for non-compliance with ABA Standard 316 mostly admit students with below-average admissions criteria, and most enroll and graduate racially/ethnically underrepresented students at rates higher than the national average. Unfortunately, Standard 316 does not directly consider whether a law school intentionally enrolls a relatively high proportion of students who face barriers to entering law school. These mission-driven law schools are at higher risk of falling short of the 75 percent two-year bar passage benchmark. And if they do fall short of this ABA benchmark, they must provide evidence to the ABA of steps they are taking to meet the ultimate bar passage threshold to avoid losing their accreditation. Our value-added assessment potentially provides schools with powerful evidence that they are providing significant value to their students and the profession, even if their overall two-year pass rate falls short of 75 percent.

For example, Atlanta's John Marshall Law School was noncompliant with Standard 316 for its 2017 graduating cohort. Despite falling short of the 75 percent bar passage threshold, it met its predicted pass differential and ranked 102 out of 186 schools for the same cohort. Likewise, Mississippi College was also noncompliant for its 2017 graduating cohort but had a positive value add, ranking 24 out of 186 schools for the same cohort.

rates are equal to the national weighted pass rates) to 0.09. Our model would estimate that this increase in selectivity would produce this increase in pass differential, so the predicted pass differential would also be 0.09 and the resulting value added would equal zero. Overall, provided Law School X did not make any other substantial changes, its value added would be unaffected by adjusting who it admits.

¹² For example, Law School X increases its median LSAT score by the aforementioned three points, which increases its selectivity variable by 0.2. Three years later, its pass differential increases from 0 (meaning its weighted pass

This value-added ranking holds potential for those schools who periodically register a negative value add. For example, District of Columbia School of Law had a negative value add for its 2017 graduating cohort, with a value-added ranking in the bottom 15 schools. However, for its 2018 graduating cohort, its value add was positive, outperforming its predicted pass differential by 4 percent and ranking in the top 40 of value-added law schools for that year. Moreover, across all six years in the analysis, District of Columbia School of Law ranks 14 out of 186 in terms of average rank of value added. Our value-added model illustrates the larger trend and impact of District of Columbia School of Law's work and should prove to be a compelling response to ABA Standard 316 non-compliance.

Schools can leverage this value-added analysis to contextualize their bar passage performance relative to the admission profiles of their incoming students. In particular, Figure A.1 shows the value added for each school across all years of the analysis. We have added horizontal lines to denote a half standard deviation above and below zero. Schools within these bounds should be considered to be performing as expected. By demonstrating consistent value-added measures within or above these bounds, schools should be able to defend their ongoing efforts and results to the ABA, subject to ABA Standard 501 compliance. To that end, the value-added method and the results presented here should not be interpreted as a blank check to admit unqualified applicants. It should, however, be treated as a tool by which access-oriented, mission-driven law schools can more effectively measure and demonstrate their success while yet affording opportunities to students with lower LSAT scores and undergraduate GPAs who otherwise demonstrate potential for academic and bar exam success.

Our value-added rankings model and its application illuminates several important findings. First, many non-T14 schools are performing as well as or better than their bar passage rates or *U.S. News* rankings would suggest. In fact, even the schools cited for noncompliance with ABA Standard 316 are achieving bar performance that is in line with many of the T14 schools, when taking into consideration the characteristics of each school's entering cohorts, full-time enrollment, and enrollment of underrepresented students, as well as the school's number of 1L non-transfer attriters and students transferring in from other law schools.

Second, what are commonly considered the "best" law schools do not have the greatest value added. In fact, most perform about as well as expected, given their cohort's entering LSAT and undergraduate academic performance, admission rates, percent of students of color, proportion of students enrolled part-time, number of 1L students that attrit, and number of students that transfer in from other law schools. This does not suggest that these are not "good" law schools; rather our results highlight that "best" can and should be better defined when assessing law school quality.

Third, measuring law school quality more holistically may advance efforts to increase equity in law school admission and diversify the legal profession. The value-added approach shifts responsibility for student outcomes so that it does not rest predominantly on the admissions office and academic support staff, but is more evenly distributed across the classrooms, clinics, and offices of the law school enterprise. Centering law school quality and accountability on value-added measures could incentivize some schools to admit more students, particularly those

¹³ Among the T14, Duke University is an exception; it ranked 40th in terms of average rank of value added.

of color, who demonstrate promise and potential for law school and bar exam success, despite what their LSAT scores or UGPAs might otherwise suggest, while continuing to invest in impactful practices that elevate their student population.

CONCLUSION

Traditional rankings, most notably and most recognizably those by *U.S. News & World Report*, underemphasize characteristics that reflect a law school's educational contributions to its graduates' likelihood of bar passage. Our attempt to capture the value law schools add to their graduates—or the work law schools *do* to improve their students' chances on the bar exam—builds upon important earlier work by Jeffrey Kinsler, as well as Christopher Ryan and Derek Muller. This approach provides a holistic assessment of law school quality that is divorced from factors such as prestige and selective—and at times, exclusionary—admissions practices. Instead of considering selectivity as a proxy for law school quality, we use it as a starting point (among other factors) to generate expectations about how well a school's students should perform on the bar exam, then compare that prediction to their actual performance. It does not penalize schools for admitting candidates with relatively low admission test scores and likewise does not privilege those that mainly admit students with academic backgrounds of high achievement. Rather, it grants schools, particularly those with lower bar passage rates, robust analytical leverage they can use to measure, assess, and demonstrate their educational impact, particularly in years when their bar passage rates may fall short of ABA Standard 316.

REFERENCES

- AccessLex Institute. (2021a). *Attrition* [Data set]. Analytix by AccessLex. https://analytix.accesslex.org/download-dataset
- AccessLex Institute. (2021b). *Law student transfer pathways*. https://accesslex.shinyapps.io/law_student_transfer_pathways/
- American Bar Association. (2019). *Revisions to Standard 316: Bar passage*.

 https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/council_reports_and_resolutions/may19/may-7-19-316-memo.pdf
- American Bar Association. (2020). *ABA profile of the legal profession*. https://www.americanbar.org/news/reporter_resources/profile-of-profession/
- American Bar Association. (2022a). *ABA standards and rules of procedure for approval of law schools 2022–2023*. https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions to the bar/standards/2022-2023/2022-2023-standards-and-rules-of-procedure.pdf
- American Bar Association. (2022b). Summary bar pass data: Race, ethnicity, and gender: 2021 and 2022 bar passage questionnaire.

 <a href="https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_and_administrative/legal_education_administrative/legal_educatio
- American Bar Association, Young Lawyers Division. (2020). 2020 law school student loan debt: Survey report.

 https://www.americanbar.org/content/dam/aba/administrative/young_lawyers/2020-student-loan-survey.pdf
- Austin, K. A., Christopher, C. M., & Dickerson, D. (2016). Will I pass the bar exam?: Predicting student success using LSAT scores and law school performance. *Hofstra Law Review*, 45(3), 753–784. https://doi.org/10.2139/ssrn.2832835
- Bahadur, R. D., Ruth, D., & Jones, K. T. (2021). Reexamining relative bar performance as a function of non-linearity, heteroscedasticity, and a new independent variable. *New Mexico Law Review*, *52*(1), 119–213.
- Bolus, R. (2018). *Performance changes on the California Bar Examination: Part* 2. https://www.calbar.ca.gov/Portals/0/documents/admissions/Examinations/Bar-Exam-Report-Final.pdf
- Brooks-Gunn, J., Klebanov, P. K., Smith, J., Duncan, G. J., & Lee, K. (2003). The black-white test score gap in young children: Contributions of test and family characteristics. *Applied Developmental Science*, 7(4), 239–252. https://doi.org/10.1207/S1532480XADS0704_3

- Carrell, S. E., & West, J. E. (2010). Does professor quality matter? Evidence from random assignment of students to professors. *Journal of Political Economy*, 118(3), 409–432.
- Charnosky, C. (2022, June 14). *HBCU law schools face severe underfunding: "Do we have a belt" left to tighten?* Law.com. https://www.law.com/2022/06/14/hbcu-law-schools-face-severe-underfunding-do-we-have-a-belt-left-to-tighten/
- Chingos, M. M. (2016). Instructional quality and student learning in higher education: Evidence from developmental algebra courses. *The Journal of Higher Education*, 87(1), 84–114.
- Curcio, A. A., Jiang, H., Bilek, M. L., Cino, J. G., & Robbins, A. (2019). *Measuring law student success from admissions through bar passage: More data the bench, bar and academy need to know*. https://www.airweb.org/docs/default-source/documents-for-pages/accesslex/curcioscholarlypaper-1.pdf
- Dalessandro, S. P., Anthony, L. C., & Reese, L. M. (2014). *LSAT performance with regional, gender, and racial/ethnic breakdowns:* 2007–2008 through 2013–2014 testing years. https://www.lsac.org/data-research/research/lsat-performance-regional-gender-and-racialethnic-breakdowns-2007-2008
- Ewing, J. (2011). Mathematical intimidation: Driven by the data. *Notices of the AMS*, 58(5), 667–673.
- Farley, A. N., Swoboda, C. M., Chanvisanuruk, J., McKinley, K. M., & Boards, A. (2018). Law student success and supports: Examining bar passage and factors that contribute to student performance. https://doi.org/10.2139/ssrn.3237546
- Georgakopoulos, N. L. (2013). *Bar passage: GPA and LSAT, not bar reviews.* SSRN. https://doi.org/10.2139/ssrn.2308341
- Johns, S. (2017). A statistical exploration: Analyzing the relationship (if any) between externship participation and bar exam scores. *Oklahoma City University Law Review*, 42(3), 281–308.
- Johnson, A. M., Jr. (2006). The destruction of the holistic approach to admissions: The pernicious effects of rankings. *Indiana Law Journal*, 81(1), 309–358.
- Kelchen, R., & Harris, D. N. (2012). Can "value added" methods improve the measurement of college performance? Empirical analyses and policy implications.

 http://www.hcmstrategists.com/contextforsuccess/papers/KELCHEN_HARRIS_PAPER.pdf
- Kinsler, J. S. (2021, February 1). *The best law schools for passing the bar exam*. TaxProf Blog. https://taxprof.typepad.com/files/2015-19-article.pdf
- Kinsler, J. S., & Usman, J. O. (2018). Law schools, bar passage, and under and over-performing expectations. *Quinnipiac Law Review*, *36*(2), 183–230.

- Kuehn, R. R., & Moss, D. R. (2019). A study of the relationship between law school coursework and bar exam outcomes. *Journal of Legal Education*, 68(3), 623–649.
- Laffey, A. E., & Ng, A. (2018, May 2). Diversity and inclusion in the law: Challenges and initiatives. *American Bar Association*.

 https://www.americanbar.org/groups/litigation/committees/jiop/articles/2018/diversity-and-inclusion-in-the-law-challenges-and-initiatives/
- Meyer, R. H. (1996). Value-added indicators of school performance. In E. A. Hanushek, & D. W. Jorgenson (Eds.), *Improving America's schools: The role of incentives* (pp. 197–223). National Academy Press. https://www.nap.edu/read/5143/chapter/11#200
- Morse, R., Hines, K., Brooks, E., & Lara-Agudelo, D. (2022, March 28). *Methodology: 2023 Best Law Schools Rankings*. U.S. News & World Report.

 https://www.usnews.com/education/best-graduate-schools/articles/law-schools-methodology
- National Conference of Bar Examiners. (2020). *July 2020 bar exam: Jurisdiction information*. https://www.ncbex.org/ncbe-covid-19-updates/july-2020-bar-exam-jurisdiction-information/
- Reardon, S. F. (2011). The widening academic achievement gap between the rich and the poor: New evidence and possible explanations. In G. J. Duncan, & R. J. Murnane (Eds.), *Whither opportunity?: Rising inequality, schools, and children's life chances* (pp. 91–116). Russell Sage Foundation.
- Rosenblatt's Deans Database. (n.d.). *Law schools deans attended*. Retrieved October 4, 2022, from https://lawdeans.com/results.php?s=6
- Rush, D. K., & Matsuo, H. (2007). Does law school curriculum affect bar examination passage? An empirical analysis of factors related to bar examination passage during the years 2001 through 2006 at a midwestern law school. *Journal of Legal Education*, 57(2), 224–236.
- Ryan, C. J., Jr. (2018). A value-added ranking of law schools. *University of Florida Journal of Law & Public Policy*, 29(3), 285–308.
- Ryan, C. J., Jr., & Muller, D. T. (2022). *The secret sauce: Examining law schools that overperform on the bar exam.* (Legal Studies Research Paper No. 2022-4). University of Louisville School of Law. https://dx.doi.org/10.2139/ssrn.4021458
- Ryan, C. J., Muller, D. T., & Scott, J. M. (2021, May 17). Not so fast: Predicting law school bar success is more complicated than you might think. AccessLex Institute.

 https://www.accesslex.org/news-tools-and-resources/not-so-fast-predicting-law-school-bar-success-more-complicated-you-might

- Scott, J. M., & Jackson, J. (2022). *Are Law Schools Cream-Skimming to Bolster Their Bar Exam Pass Rates?* AccessLex Institute. https://www.accesslex.org/research-and-data-tools-and-resources/are-law-schools-cream-skimming-bolster-their-bar-exam-pass
- Taylor, A. N., Scott, J. M., & Jackson, J. (2021). It's not where you start, it's how you finish: Predicting law school and bar success. *Journal of Higher Education Theory and Practice*, 21(10), 103–142.
- Trujillo, L. A. (2007). The relationship between law school and the bar exam: A look at assessment and student success. *University of Colorado Law Review*, 78(1), 69–114.
- Wightman, L. F. (1998). LSAC national longitudinal bar passage study. Law School Admission Council.
- Ward, S. F. (2020, May 28). 10 law schools are out of compliance with bar passage standard, ABA legal ed section says. ABA Journal. https://www.abajournal.com/news/article/legal-ed-posts-public-notice-for-schools-out-of-compliance-with-bar-passage-standard
- Ward, S. F. (2022, May 20). ABA Legal Ed council seeks comment on proposed revision to law school admissions test requirement. ABA Journal.

 https://www.abajournal.com/web/article/legal-ed-again-votes-on-law-school-admissions-test-requirement
- Wilson, P., Nobles, T., & Scott, J. M. (2021, May 12). *Equitable access to the legal profession requires greater transparency*. AccessLex Institute. https://www.accesslex.org/news-tools-and-resources/equitable-access-legal-profession-requires-greater-transparency

APPENDIX

TABLE A.1

Sample Overview

(n = 1109)	Mean	St. Dev.	Min	Max
Average Pass Rate Differential	0.01	0.11	-0.44	0.27
Average First-Time Pass Rate	0.79	0.12	0.30	0.99
Selectivity (lagged; scaled 0-1)	0.46	0.19	0.00	1.00
Percent Part-Time (lagged)	0.09	0.13	0.00	0.92
Percent Students of Color Enrolled	0.22	0.14	0.03	0.96
Number of Non-Transfer Attriters	11.22	11.32	0.00	70
Number of Transfer-In Students	9.08	14.27	0.00	113

Note: Lagged variables are lagged by two years. Selectivity is a combination of 25th, 50th, and 75th percentile LSAT score and final UGPA, and admission rate, created by regressing the combined LSAT score, combined UGPA, and admission rate on pass differential, and using the relative explanatory power of each (determined by their coefficients) as weights when combined into a single variable.

TABLE A.2

VA Values

By Graduating Cohort

School	2013	2014	2015	2016	2017	2018	Avg. VA Rank
Albany Law School of Union University	2%	3%	-5%	7%	-5%	-2%	114
American University	2%	5%	-4%	-2%	-2%	1%	165
Appalachian School of Law	19%	-8%	6%	-11%	9%	-15%	92
Arizona State University	-1%	2%	7%	2%	-2%	-8%	33
Atlanta's John Marshall Law School	7%	2%	1%	1%	0%	-10%	21
Ave Maria School of Law	-8%	-4%	5%	9%	-6%	4%	107
Barry University	14%	5%	-4%	-7%	3%	-12%	157
Baylor University	-2%	0%	-5%	-3%	1%	8%	157
Belmont University			1%	-4%	0%	4%	169
Boston College	-3%	-2%	1%	2%	1%	0%	117
Boston University	-5%	0%	2%	1%	-1%	3%	85
Brigham Young University	-4%	-6%	2%	3%	2%	3%	42
Brooklyn Law School	4%	4%	1%	3%	-4%	-8%	24
California Western School of Law	-2%	5%	-2%	5%	-3%	-4%	157
Campbell University	0%	6%	1%	-5%	6%	-9%	11
Capital University	4%	8%	0%	-9%	-4%	1%	98
Cardozo School of Law	-2%	4%	1%	-4%	2%	-2%	53
Case Western Reserve University	2%	-6%	2%	-2%	6%	-2%	29
Catholic University of America	-2%	-2%	-13%	-3%	5%	15%	124
Chapman University	-2%	4%	4%	-4%	-4%	1%	98

TABLE A.2

VA Values

By Graduating Cohort

School	2013	2014	2015	2016	2017	2018	Avg. VA
							Rank
Charleston School of Law	4%	2%	-1%	3%	-7%	-2%	60
Chicago-Kent College of Law-IIT	2%	0%	1%	3%	-3%	-3%	44
City University of New York	-3%	-1%	3%	-1%	6%	-3%	55
Cleveland State University	0%	-7%	0%	-2%	-2%	10%	182
Columbia University	-2%	-2%	-1%	1%	0%	3%	153
Cornell University	-2%	-1%	3%	0%	-1%	1%	128
Creighton University	6%	0%	-2%	-6%	0%	2%	124
DePaul University	2%	3%	6%	0%	-4%	-6%	33
District of Columbia	-1%	-2%	2%	3%	-7%	4%	14
Drake University	1%	0%	-2%	3%	-4%	2%	96
Drexel University	-5%	3%	1%	6%	-5%	1%	128
Duke University	-1%	0%	-5%	1%	2%	2%	40
Duquesne University	-5%	4%	-6%	7%	1%	0%	121
Elon University	-2%	0%	17%	0%	-9%	-7%	186
Emory University	4%	0%	1%	-2%	-5%	1%	70
Faulkner University	15%	-7%	-2%	11%	-11%	-5%	187
Florida A&M University	0%	10%	9%	-6%	-6%	-8%	153
Florida International University	-8%	-9%	4%	6%	2%	5%	4
Florida State University	-1%	-5%	-2%	1%	-2%	9%	184
Fordham University	-2%	-1%	0%	0%	1%	2%	128
George Mason University	8%	-9%	-5%	2%	3%	1%	53
George Washington University	0%	0%	-3%	2%	1%	0%	92
Georgetown University	-4%	-3%	-3%	5%	2%	3%	144
Georgia State University	-2%	0%	1%	1%	-3%	2%	60
Golden Gate University	2%	0%	-5%	-2%	6%	-1%	88
Gonzaga University	9%	-2%	6%	-1%	-7%	-5%	165
Hamline University	2%	-2%					16
Harvard University	-3%	0%	1%	1%	-1%	2%	114
Hofstra University	5%	5%	1%	-3%	-2%	-6%	65
Howard University	-6%	-1%	2%	-11%	14%	2%	128
Indiana University - Bloomington	-1%	-3%	0%	6%	-1%	-1%	133
Indiana University - Indianapolis	-1%	-1%	1%	2%	0%	-1%	75
Lewis and Clark College	-2%	5%	0%	1%	-2%	-2%	157
Liberty University	-8%	-15%	-3%	8%	1%	17%	182
Lincoln Memorial University				7%	-7%	1%	128
Louisiana State University	4%	3%	0%	-3%	-7%	4%	42
Loyola Marymount University	0%	3%	0%	0%	-3%	0%	144
Loyola University-Chicago	1%	-3%	-2%	0%	-1%	5%	153
Loyola University Chicago Loyola University-New Orleans	1%	-3%	2%	-5%	-1%	6%	75

TABLE A.2

VA Values

By Graduating Cohort

McGeorge School of Law Mercer University Michigan State University Mississippi College New England Law Boston New York Law School New York University	-4% -1% 0% 5% 8%	-3% -1% 4% -2%	6% 1% -2%	3% -4%	3%	-4%	Rank
Mercer University Michigan State University Mississippi College New England Law Boston New York Law School	-1% 0% 5% 8%	-1% 4%	1%			-4%	റാ
Michigan State University Mississippi College New England Law Boston New York Law School	0% 5% 8%	4%		-4%			83
Mississippi College New England Law Boston New York Law School	5% 8%		-2%		2%	2%	40
New England Law Boston New York Law School	8%	-2%		-4%	3%	0%	57
New York Law School			6%	-3%	2%	-8%	24
	Q 0/-	8%	1%	-3%	-4%	-11%	60
New York University	070	10%	-2%	-3%	-8%	-4%	180
	-4%	1%	2%	0%	-1%	3%	92
North Carolina Central University	-3%	2%	2%	-3%	-9%	11%	153
Northeastern University	0%	-4%	-1%	-2%	2%	5%	60
Northern Illinois University	1%	2%	-4%	7%	3%	-10%	9
Northern Kentucky University	1%	2%	-7%	9%	-4%	0%	140
Northwestern University	-1%	-5%	-1%	-3%	2%	7%	117
Nova Southeastern University	3%	0%	1%	4%	7%	-15%	1
Ohio Northern University	1%	6%	-3%	1%	5%	-10%	13
Ohio State University	-3%	-1%	0%	4%	0%	-1%	144
Oklahoma City University	2%	4%	-4%	-3%	1%	1%	110
Pace University	1%	-3%	2%	0%	2%	-2%	33
Pepperdine University	2%	5%	-1%	2%	-8%	0%	50
Quinnipiac University	-2%	-2%	3%	-6%	2%	5%	21
Regent University	-7%	-3%	0%	2%	6%	2%	80
Roger Williams University	3%	2%	7%	-2%	1%	-11%	5
Saint Louis University	1%	-7%	-7%	3%	4%	6%	17
Samford University	1%	-3%	4%	-7%	-1%	6%	65
Santa Clara University	-3%	-9%	2%	0%	8%	2%	73
Seattle University	1%	-2%	-2%	5%	2%	-4%	46
Seton Hall University	-1%	-3%	6%	-5%	1%	2%	78
South Texas College of Law	2%	5%	-1%	-2%	-4%	1%	136
Southern Illinois University-Carbondale	6%	10%	-3%	-1%	-6%	-7%	180
Southern Methodist University	-4%	-4%	1%	4%	0%	3%	149
Southern University	-2%	-4%	-3%	4%	3%	4%	96
Southwestern Law School	11%	1%	-1%	-9%	-3%	2%	175
St. John's University	-1%	4%	1%	-5%	0%	1%	103
St. Mary's University	-1%	-6%	-6%	10%	7%	-5%	174
St. Thomas University (Florida)	-1%	6%	-3%	-11%	1%	8%	31
Stanford University (Florida)	-3%	-2%	-1%	1%	1%	4%	103
Stetson University	6%	1%	1%	2%	-5%	-6%	28
Suffolk University	3%	4%	5%	-1%	-5%	-7%	29
Syracuse University	-3%	3%	0%	0%	1%	-2%	136
Temple University	4%	-3%	-2%	4%	-1%	-2%	157

TABLE A.2

VA Values

By Graduating Cohort

School	2013	2014	2015	2016	2017	2018	Avg. VA
							Rank
Texas A&M University	1%	-1%	1%	-4%	-2%	6%	98
Texas Southern University	-2%	3%	5%	1%	3%	-9%	6
Texas Tech University	-4%	-6%	0%	0%	2%	9%	176
Touro College	-3%	10%	1%	4%	0%	-12%	33
Tulane University	0%	9%	-1%	-6%	0%	-1%	170
UMass Dartmouth	3%	-3%	-14%	-3%	5%	12%	38
University of Akron	0%	6%	9%	-3%	-2%	-10%	75
University of Alabama	-1%	-4%	-3%	3%	5%	0%	110
University of Arizona	-1%	7%	9%	-3%	1%	-12%	24
University of Arkansas-Fayetteville	7%	-5%	-2%	1%	4%	-6%	98
University of Arkansas-Little Rock	-5%	1%	3%	2%	3%	-4%	17
University of Baltimore	0%	3%	-4%	-2%	0%	3%	140
University of Buffalo-SUNY	4%	4%	1%	-3%	-1%	-6%	65
University of California-Berkeley	-6%	1%	0%	0%	0%	4%	117
University of California-Davis	-2%	7%	-2%	-4%	-2%	3%	179
University of California-Hastings	5%	2%	5%	-6%	-6%	0%	55
University of California-Irvine	-3%	-2%	3%	5%	0%	-3%	65
University of California-Los Angeles	-2%	-4%	2%	2%	0%	2%	82
University of Chicago	-3%	-4%	0%	5%	3%	-1%	103
University of Cincinnati	-3%	-1%	1%	6%	1%	-4%	107
University of Colorado	0%	-6%	3%	-3%	4%	1%	33
University of Connecticut	-3%	-1%	-2%	0%	2%	4%	98
University of Dayton	9%	-1%	4%	-9%	-2%	0%	124
University of Denver	-1%	-2%	2%	5%	-2%	-1%	80
University of Detroit Mercy	-4%	6%	-1%	-7%	5%	1%	107
University of Florida	-4%	3%	7%	3%	-3%	-7%	121
University of Georgia	-2%	-2%	1%	3%	2%	-1%	70
University of Hawaii	3%	-4%	2%	-6%	-1%	5%	47
University of Houston	-3%	1%	-6%	5%	2%	1%	57
University of Idaho	-2%	2%	-2%	1%	0%	2%	172
University of Illinois	-2%	-9%	0%	4%	3%	3%	7
University of Illinois Chicago	-4%	5%	-2%	0%	5%	-3%	140
University of Iowa	-6%	-1%	-1%	6%	1%	2%	151
University of Kansas	-3%	-6%	4%	-2%	2%	6%	50
University of Kentucky	0%	0%	-3%	-4%	2%	5%	78
University of Louisville	-4%	-3%	4%	-2%	2%	4%	85
University of Maine	3%	-5%	-6%	2%	-1%	6%	144
University of Maryland	-2%	-5%	0%	-1%	3%	6%	73
University of Memphis	3%	-3%	-2%	2%	5%	-4%	64

TABLE A.2

VA Values

By Graduating Cohort

School	2013	2014	2015	2016	2017	2018	Avg. VA
							Rank
University of Miami	-6%	1%	-7%	2%	6%	5%	49
University of Michigan	-4%	-1%	2%	4%	-2%	1%	124
University of Minnesota	3%	-3%	-3%	0%	1%	2%	149
University of Mississippi	6%	-2%	1%	3%	-3%	-5%	85
University of Missouri	-1%	0%	-2%	1%	0%	2%	88
University of Missouri-Kansas City	1%	3%	0%	2%	1%	-6%	17
University of Montana	-4%	0%	-3%	-1%	0%	7%	185
University of Nebraska	1%	3%	-3%	-1%	0%	-1%	163
University of Nevada - Las Vegas	-2%	-4%	2%	-1%	4%	2%	57
University of New Hampshire	-3%	-7%	-8%	2%	7%	9%	164
University of New Mexico	-8%	0%	0%	-3%	1%	11%	176
University of North Carolina	-7%	2%	0%	-1%	0%	6%	114
University of North Dakota	2%	-4%	-6%	-3%	8%	2%	172
University of Notre Dame	-3%	-5%	0%	-2%	4%	5%	138
University of Oklahoma	-4%	-4%	6%	0%	1%	1%	165
University of Oregon	-1%	3%	-6%	0%	-2%	6%	117
University of Pennsylvania	-3%	3%	-3%	4%	0%	-1%	157
University of Pittsburgh	-4%	7%	-3%	-4%	1%	3%	178
University of Richmond	0%	7%	0%	5%	-8%	-3%	32
University of San Diego	-3%	-1%	-3%	4%	2%	2%	133
University of San Francisco	12%	10%	-3%	-10%	2%	-10%	133
University of South Carolina	-2%	-3%	2%	3%	0%	0%	121
University of South Dakota	13%	7%	0%	2%	-20%	-2%	8
University of Southern California	-4%	0%	2%	5%	-1%	-2%	110
University of St. Thomas (Minnesota)	1%	-1%	4%	-7%	5%	-2%	20
University of Tennessee	4%	3%	2%	-5%	1%	-5%	15
University of Texas at Austin	-1%	-2%	1%	3%	-3%	3%	83
University of Toledo	1%	6%	-8%	-7%	2%	7%	12
University of Tulsa	-2%	0%	-2%	-1%	2%	3%	92
University of Utah	-1%	-1%	-2%	4%	0%	0%	144
University of Virginia	-4%	0%	1%	-1%	1%	3%	103
University of Washington	2%	-8%	-1%	5%	-3%	4%	48
University of Wyoming	3%	-1%	-1%	4%	2%	-7%	24
UNT Dallas College of Law					4%	-4%	21
Vanderbilt University	-3%	-1%	-5%	2%	2%	4%	88
Vermont Law School	2%	-3%	1%	0%	-5%	5%	70
Villanova University	0%	8%	4%	0%	-8%	-4%	44
Wake Forest University	-6%	-4%	0%	6%	8%	-3%	170
Washburn University	-2%	2%	-3%	7%	0%	-5%	168

TABLE A.2

VA Values

By Graduating Cohort

School	2013	2014	2015	2016	2017	2018	Avg. VA Rank
Washington and Lee University	-11%	1%	4%	3%	0%	2%	10
Washington University	-2%	0%	-2%	-1%	1%	4%	140
Wayne State University	3%	8%	2%	-4%	-5%	-4%	88
West Virginia University	3%	-6%	-1%	-6%	6%	4%	50
Western New England University	-7%	4%	3%	9%	0%	-8%	38
Western State College of Law	11%	1%	-6%	-6%	3%	-3%	151
Widener Commonwealth	7%	3%	4%	10%	-6%	-18%	2
Widener University-Delaware	5%	0%	8%	-10%	-4%	0%	65
Willamette University	5%	-2%	1%	-15%	1%	10%	3
William and Mary Law School	-3%	-2%	-4%	4%	1%	4%	110
Yale University	-3%	-3%	1%	3%	-1%	3%	138

TABLE A.3

Regression Outputs for Fixed Effects Models
Linear and Panel Linear Models

	Bar Pass Differential <i>OLS</i>				
	Model 1 n = 1109	Model 2 n = 1109			
Selectivity (lagged; scaled 0-1)	0.44 ***	0.41 ***			
	(0.07)	(0.07)			
Percent Part-Time Enrolled (lagged)	0.05	0.04			
	(0.06)	(0.06)			
D (0, 1) (0, 1 E 11 1/1 1)	-0.10 *	-0.09 *			
Percent Students of Color Enrolled (lagged)	(0.04)	(0.04)			
Non-transfer Attrition (logged)		0.00 **			
Non-transfer Attrition (lagged)		(0.00)			
Number of Chilante Transferming In (1999)		-0.00			
Number of Students Transferring In (lagged)		(0.00)			
Interaction: Non-Transfer Attrition (lagged)		-0.00			
*Number of Students Transferring In (lagged)		(0.00)			
\mathbb{R}^2	0.828	0.830			
Adjusted R ²	0.791	0.793			

Note: *p**p***p<0.01; Robust standard errors reported.

TABLE A.4
Comparison of T14 Schools to HBCUs and Standard 316 Noncompliant Schools

			Enrollment (%)				Ultimate		
	Median UGPA	Median LSAT	Asian	Black	Hispanic	White	Bar Pass Rate (2019 cohort)	Average Value-Added Rank	U.S. News Rank (2021)
T14 Schools	<u></u>								
Columbia University	3.82	172	14.7	9.1	6.6	51.3	95.6	153	5
Cornell University	3.86	168	14.0	6.7	12.4	43.3	97.9	128	13
Duke University	3.80	169	7.5	6.3	8.4	64.9	99.5	40	10
Georgetown University	3.78	168	7.4	10.2	6.3	63.2	96.4	144	14
Harvard University	3.88	173	14.8	8.8	11.2	51.7	99.3	114	3
New York University	3.82	170	11.8	8.5	11.5	58.4	98.1	92	6
Northwestern University	3.85	169	11.6	5.6	11.6	55.8	98.7	117	10
Stanford University	3.89	171	9.8	9.8	18.5	49.1	98.9	103	2
University of California-Berkeley	3.81	168	16.8	7.1	12.5	45.5	99.7	117	10
University of Chicago	3.89	171	12.7	7.9	19.6	52.4	99.5	103	4
University of Michigan	3.76	169	12.9	4.5	7.4	61.4	98.3	124	9
University of Pennsylvania	3.89	170	11.2	8.8	8.8	55.0	98.0	157	7
University of Virginia	3.90	170	11.7	6.0	6.4	68.9	99.3	103	8
Yale University	3.94	173	15.3	7.7	17.7	47.4	99.0	138	1
HBCUs									
District of Columbia ¹	3.09	150	11.3	45.1	18.3	23.9	66.7	14	147-193
Florida A&M University ¹	3.30	147	1.8	50.9	15.2	18.8	78.9	153	147-193
Howard University	3.41	153	0.6	70.1	3.2	3.9	83.5	128	91
North Carolina Central University	3.24	145	2.9	55.3	6.5	30.0	88.4	153	147-193
Southern University	2.98	144	0.3	60.9	8.7	20.8	85.3	96	147-193
Texas Southern University	3.17	148	4.9	51.9	29.2	13.5	77.0	6	147-193
Standard 316 Noncompliant Schools									
Atlanta's John Marshall Law School	2.93	150	4.7	43.0	14.1	30.5	81.8	21	147-193
Charleston Law School	3.20	150	0.5	5.3	4.3	82.9	82.9	60	147-193
Florida Coastal School of Law ²	3.12	149	4.9	13.6	12.6	58.3	_	_	147-193
Mississippi College	3.22	148	3.3	9.3	4.6	80.8	78.4	24	147-193
University of South Dakota	3.56	149	0.0	1.6	3.2	82.5	93.6	8	134
Western Michigan University	2.94	147	4.3	16.0	4.0	56.3	59.5		147-193
National Average	3.49	157	6.7	7.9	13.4	61.5	79.6	93	_

¹ School was also Standard 316 non-compliant; ² School closed in 2021, 2019 cohort ultimate bar passage rate not recorded by American Bar Association

FIGURE A.1

Changes to Value Added for All Schools in Sample

Graduating Cohorts, 2013–2019













