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Far Fewer Law School Conditional Scholarship Programs In 2016-17 Than In 2011-12

By Jerry Organ

This blog posting highlights the much smaller number of law schools with conditional scholarship programs in 2016-17 compared to 2010-11. It also looks at the smaller number and smaller percentage of first-year students with conditional scholarships in 2016-17 compared with 2011-12, and the extent to which the number and percentage of rising second-year students whose scholarships were reduced or eliminated has changed since 2011-12. Next, it analyzes both the prevalence of conditional scholarship programs among law schools across different rankings categories and the extent to which scholarship retention rates differ among law schools across different rankings categories. In this regard, it notes both that there are almost no conditional scholarship programs among top-50 law schools as of 2016-17, and that the concentration of conditional scholarship programs in law schools ranked 101 and lower probably means a disproportionate number of women students and minority students are dealing with conditional scholarships. Finally, it looks at how the distribution of retention rates by decile has changed since 2011-12.

1. Introduction

Several years ago, the Council for the Section of Legal Education and Admissions to the Bar approved revisions to Standard 509, requiring that law schools post a chart identifying the number of conditional scholarships given to incoming first years and the number of those scholarship recipients whose scholarships were reduced or eliminated at the end of the first year. As a result, there is now a much greater universe of publicly available information about law school scholarship programs. In the summer of 2013, I posted to SSRN an article entitled Better Understanding the Scope of Conditional Scholarship Programs among American Law Schools, summarizing the first year of available data on conditional scholarship programs, covering the 2011-12 academic year. Law schools have now published this data for six years, with data covering the 2016-17 academic year having just been released as of December 15.

2. Number of Law Schools with Conditional Scholarship Programs Declines by 36.4%

As shown in Chart 1 below, excluding the three law schools in Puerto Rico, there were 140 fully-accredited ABA law schools with conditional scholarship programs in 2011-12. For the 2016-17 academic year, however, the number of fully-accredited ABA law schools with conditional scholarship programs had dropped to 89, a decline of over 36%.

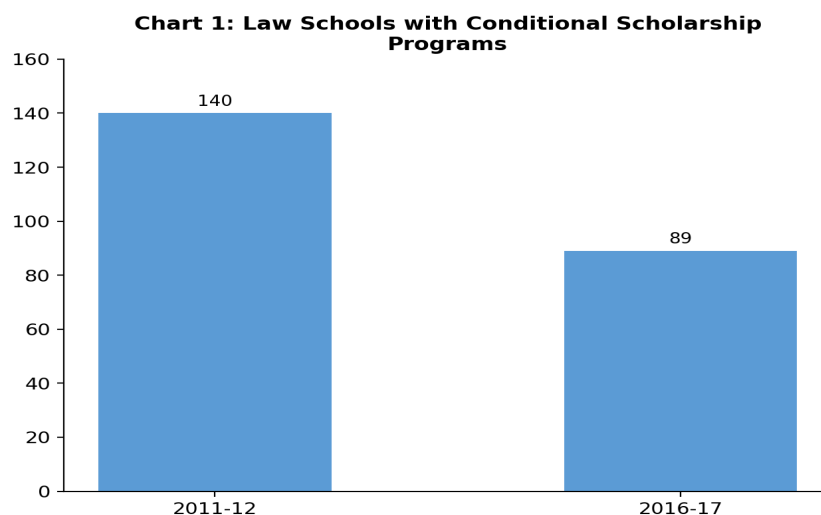


Chart recreated from the data labels on the source chart -- exact figures, matching the text.

This is a somewhat remarkable transition over the last six years, which may be reflective of increased attention to conditional scholarships, increased competition to attract students in which conditional scholarships have been seen as less valuable, or both. In any event, we have now reached a point at which conditional scholarship programs no longer are the norm. More than half of the fully-accredited ABA law schools no longer have conditional scholarship programs.

3. Average Conditional Scholarship Retention Rate Increases Modestly

In 2011-12, the average scholarship retention rate across the 140 law schools with conditional scholarship programs was 69%. In total, 12,681 students who entered law school in the fall of 2011 and continued into their second year of law school at the same school entered with conditional scholarships and 4,332 of those students had their scholarships reduced or eliminated, a retention rate across individual students of roughly 66%.

For the 2016-17 academic year, the average retention rate across the 89 law schools with conditional scholarship programs increased to 74%. In total, 8,570 students who entered law school in the fall of 2016 and continued into their second year of law school at the same school entered with conditional scholarships and 2,437 of those students had their scholarships reduced or eliminated. Thus, the retention rate across individual students also increased to roughly 72%.

4. The Percentage of First-Year Students with Conditional Scholarships Declined Along with the Percentage of Rising Second-Year Students Whose Scholarships were Reduced or Eliminated

Chart 2 presents changes in the percentage of first-year students with conditional scholarships and changes in the percentage of rising second-year students whose conditional scholarships were reduced or eliminated.

Across the law schools fully accredited by the ABA outside Puerto Rico on which I compiled data for the 2011-12 academic year, the fall 2011 entering first-year class totaled 46,388, of whom 12,681 (27.3%) had conditional scholarships, and of whom 4,382 (9.4%) had their conditional scholarship reduced or

eliminated as they moved into the second year of law school.

Across the law schools fully accredited by the ABA outside of Puerto Rico on which I compiled data for the 2016-17 academic year, the fall 2016 entering first-year class totaled 36,265, of whom 8,570 (23.6%) had conditional scholarships, and of whom 2,437 (6.7%) had their conditional scholarship reduced or eliminated as they moved into the second year of law school.

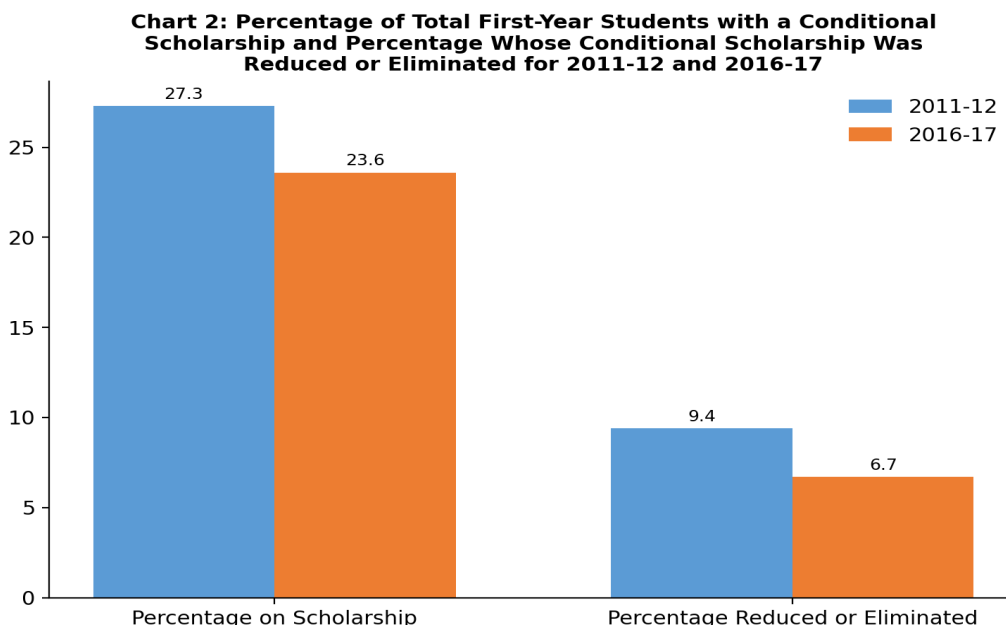


Chart recreated from the data labels on the source chart -- exact figures, matching the text.

Thus, with far fewer law schools now using conditional scholarships, we see a decline in the percentage of first-year students who have conditional scholarships (roughly 23.6% in 2016 down from 27.3% in 2011). And with higher average retention rates, we also see a decline in the percentage of first-year students who have seen their conditional scholarships reduced or eliminated (roughly 6.7% for those entering in fall 2016 down from 9.4% for those entering in fall 2011.)

5. Differences in Conditional Scholarship Programs across Law School Rankings Categories

Chart 3 and Chart 4 show that across different rankings categories, the biggest change associated with conditional scholarship programs occurred among law schools ranked in the top 50. While law schools ranked in the top 50 in 2012 showed the fewest law schools with conditional scholarships and the fewest students with conditional scholarships, the 2017 results demonstrate an even starker contrast between law schools ranked in the top 50 and all other law schools. Between 2011-12 and 2016-17, the number of law schools in the top 50 with conditional scholarship programs declined from 20 to 4, and the number of students in those law schools with conditional scholarships declined from 1,656 to 72 (from just under 13% to less than 1%).

By contrast, while the number of law schools with conditional scholarship programs also fell in all three other rankings categories, the percentage of students on conditional scholarships among law schools

ranked 51-100 fell only from 36% to 32.3%, while the percentage of students on conditional scholarships among law schools ranked 101 and lower actually increased. The data supporting Chart 3 and Chart 4 can be found in Table 1, which follows.

Chart 3: Number of Law Schools with Conditional Scholarship Programs Across Different Rankings Categories in 2011-12 and 2016-17

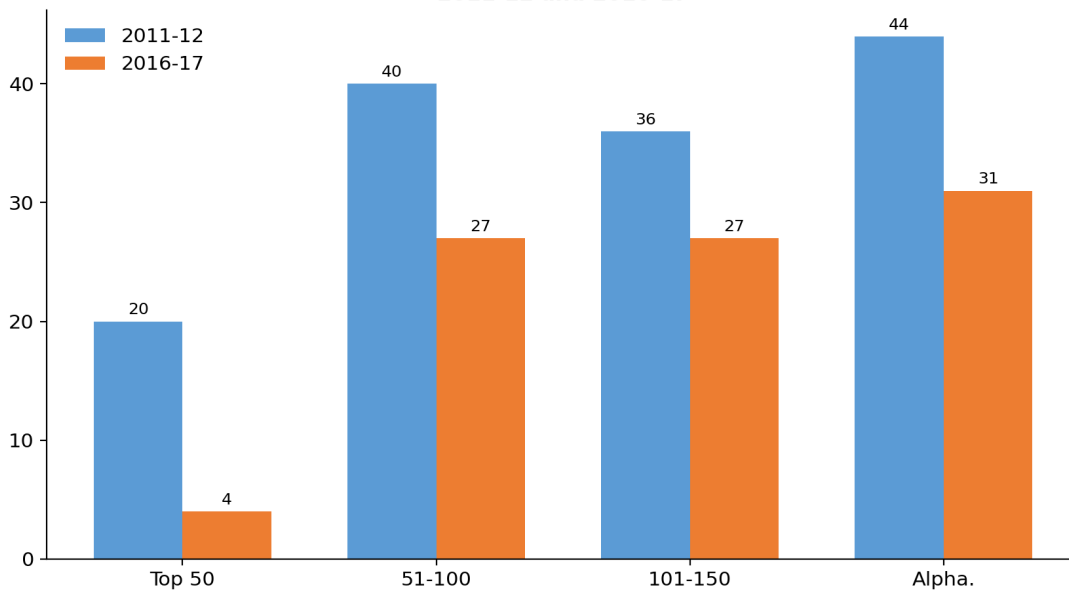


Chart recreated from Table 1's figures -- exact.

Chart 4: Percentage of First-Years with Conditional Scholarships Across Law Schools in Different Rankings Categories in 2011-12 and 2016-17

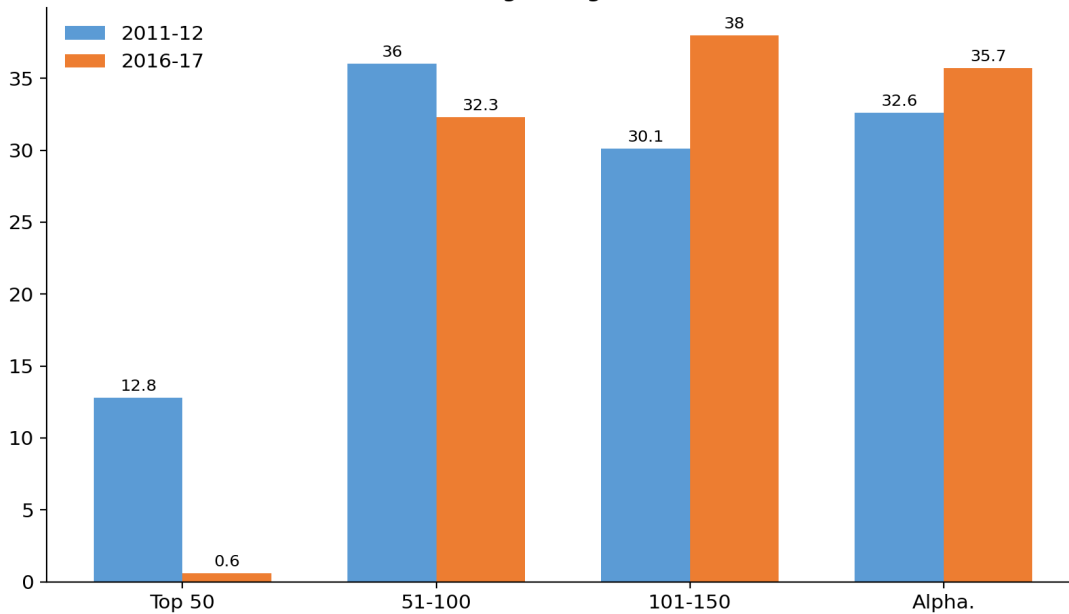


Chart recreated from Table 1's figures -- exact.

Table 1 – Changes in Number and Percentage of First-Year Students with Conditional Scholarships across Different Categories of Law Schools Based on U.S. News Rankings for 2012 and 2017

Rank	# Schools '12	'17	# w/ Cond. Schol. '12	'17	% Schools w/ Cond. '12	'17	# 1Ls '12	'17	# 1Ls w/ Cond. Schol. '12	'17	% 1Ls w/ Cond. '12	'17
Top 50	50	50	20	4	40	8	13109	11592	1656	72	12.8	0.6
51/100	50	55	40	27	80	49	11592	10219	4179	3302	36	32.3
101/150	46	44	36	27	78	61	9293	6381	2803	2422	30.1	38
Alpha.	48	47	44	31	92	66	12394	8073	4043	2774	32.6	35.7
TOTAL	194	196	140	89	72	45	46388	36265	12681	8570	27.3	23.6

Table 2 shows that the percentage of students on conditional scholarships whose scholarships were reduced or eliminated in 2016-17 consistently climbs as one moves down the rankings categories. The percentage of students on conditional scholarship who saw their conditional scholarship reduced or eliminated goes from 12.5% (0.06% of all students) among law schools ranked in the top 50, to 19.4% (6.3% of all students) for law schools ranked 51-100, to 31% (11.8% of all students) for law schools ranked 101-150, to 37.3% (12.8% of all students) for law schools ranked alphabetically. This is a shift from 2011-12 when all law schools outside the top-50 saw conditional scholarship reduced or eliminated for between 34.7% and 40.2% of their first-year students with conditional scholarships (and saw conditional scholarships reduced or eliminated for between 11.5% and 13.1% of all first-year students).

Table 2 – Changes in Retention Rates of Conditional Scholarship Recipients across Different Categories of Law Schools Based on U.S. News and World Report Rankings for 2012 and 2017

Rank	# Cond. Schol. '12	'17	# Reduced or Elim. '12	'17	% Reduced or Elim. '12	'17	% All 1Ls w/ Reduced/Elim. '12	'17
Top 50	1656	72	186	9	11.2	12.5	1.4	.06
51/100	4179	3302	1452	642	34.7	19.4	12.5	6.3
101/150	2803	2422	1069	752	38.1	31	11.5	11.8
Alpha.	4043	2774	1625	1034	40.2	37.3	13.1	12.8
TOTAL	12681	8570	4332	2437	34.2	27.7	9.4	6.7

More significantly, however, Table 2 shows that there has been almost no change in the percentage of students seeing scholarships reduced or eliminated among law schools ranked 101 or lower, while there has been a significant decline in the percentage of students seeing scholarships reduced or eliminated among top 100 law schools. This not only reflects fewer law schools and fewer students on conditional scholarships among top-100 law schools, it also reflects that the top-100 law schools with conditional scholarships have tended to have higher retention rates. Indeed, as shown in Chart 5 below, in the 2016-17 academic year, 25 of the 31 (80.6%) law schools with conditional scholarship programs among law schools ranked in the top 100 have retention rates of 75% or higher. By contrast, in the 2016-17 academic year, only 20 of the 58 (34.5%) law schools with conditional scholarship among law schools ranked 101 or lower had retention rates of less than 75%. The other reality reflected in the data presented in Table 2 concerns the impact of conditional scholarship programs on women students and minority students. Across all alphabetically-ranked law schools in spring 2017, women made up 54% of the student body in fall 2016 and minority students made up 44% of the entering first-year class. Thus, to have conditional scholarship programs with lower scholarship retention rates manifested most strongly among students at alphabetically-ranked law schools means a disproportionate burden of conditional scholarship programs is being borne by women students and minority students.

Chart 5: Percentage of Law Schools with Conditional Scholarship Programs That Have Retention Rates above 75% Across Different Rankings Categories in 2016-17

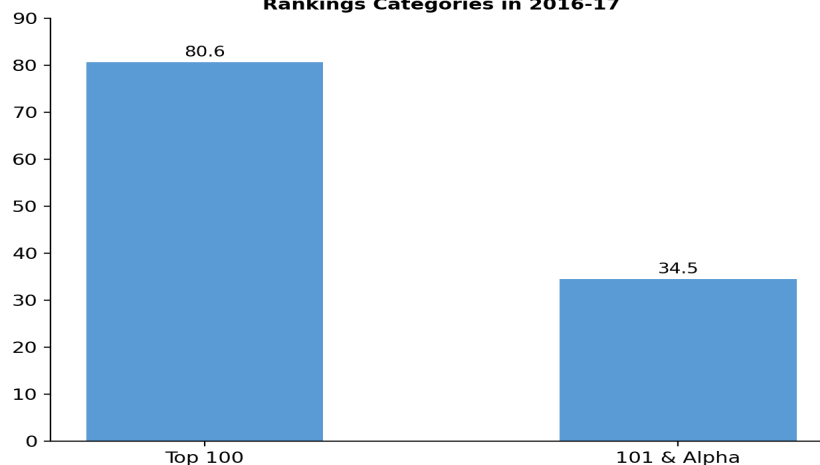


Chart recreated from the data labels on the source chart, matching the 80.6% figure stated in the text; the second bar reproduces the chart's own plotted value of 34.5%, though the text's wording of that figure (as a percentage below 75% retention) doesn't square neatly with the chart's title -- reproduced as-is from the original.

6. Distribution of Retention Rates by Decile Shows Fewer Schools with Lower Retention Rates

Chart 6 shows retention rates by decile across all 140 law schools reporting conditional scholarship programs for 2011-2012 and all 89 law schools reporting conditional scholarship programs for 2016-17. The biggest change reflected in Chart 6 is the decrease in the number of law schools with retention rates of less than 70%, falling by more than 50%, from 73 (over 52% in 2011-12) to 36 (less than 41% in 2016-17). By contrast, the number of law schools with retention rates of 70% or greater only declined by roughly 21%, from 67 to 53 (increasing from roughly 47% in 2011-12 to over 59% in 2016-17). This helps explain the increase in the overall retention rates reflected in items 3 and 4 above.

Chart 6: Number of Law Schools with Retention Rates in Different Deciles in 2011-12 and in 2016-17

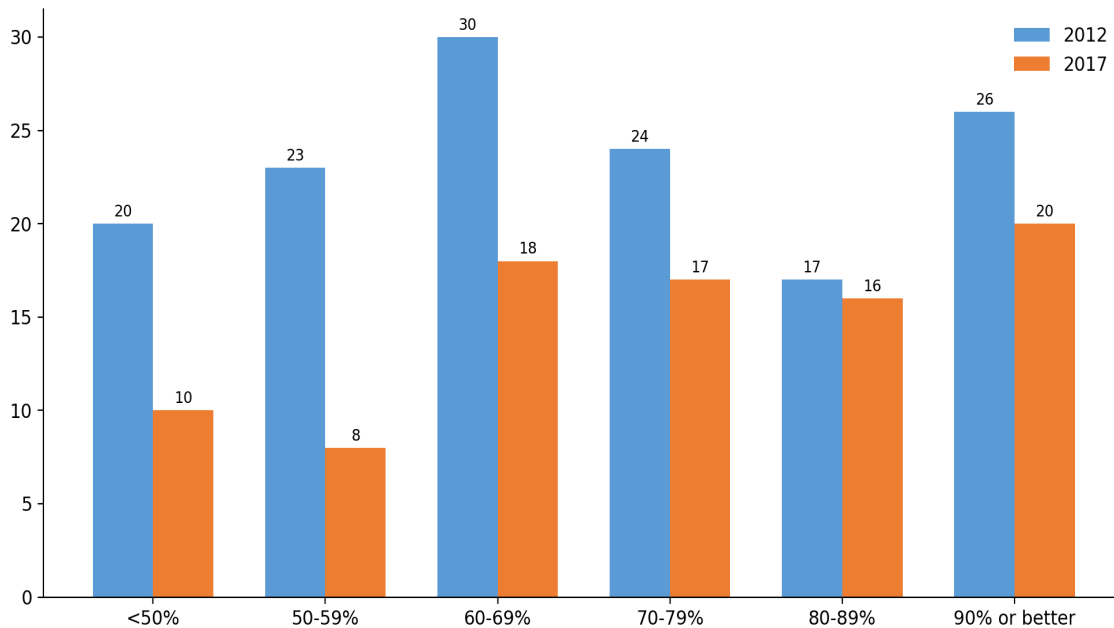


Chart recreated from the data labels on the source chart; the six decile totals sum to exactly 140 (2012) and 89 (2017), and the sub-totals for <70% (73/36) and 70%+ (67/53) match the figures stated in the text exactly.

7. Conclusion

As of 2016-17, 59 fewer law schools had conditional scholarship programs – a decline of over 36%. Law schools ranked in the top 100 with conditional scholarship programs, saw a decline of nearly half, from 60 to 31, while those ranked from 101 onward with conditional scholarship programs declined by a little more than a quarter, from 80 to 58. The most striking change between 2011-12 and 2016-17 is the almost nonexistent use of conditional scholarships among law schools ranked in the top 50. By contrast, among the 91 fully-accredited ABA law schools outside of Puerto Rico that are ranked 101 or lower, for the 2016-17 academic year, 58 still have conditional scholarship programs. Across those 91 law schools ranked 101 or lower, more than 35% of first-year students had conditional scholarships, a larger percentage than in 2011-12. Perhaps most significantly, because the alphabetically-ranked law schools have disproportionate numbers of women students and minority students, the prevalence of conditional scholarship programs with lower retention rates among alphabetically-ranked law schools means conditional scholarship programs likely are having a disproportionate impact on women students and minority students.