

AGENDA ITEM

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DATE: April 21, 2014

TO: Members, Stakeholder Relations Committee
Members, Board of Trustees

FROM: Hon. Cynthia Loo, Chair, Council on Access & Fairness
Patricia D. Lee, Special Assistant for Diversity & Bar Relations

SUBJECT: Letter to U.S. News and World Report

EXECUTIVE SUMMARY

The Council on Access & Fairness (COAF) initiated dialogue in 2008 with U.S. News & World Report (U.S. News) to encourage the addition of diversity as a factor in the overall law school rankings. After various opportunities for additional dialogue, U.S. News has responded that it has no plans to consider including diversity as a factor in its rankings. COAF asks the Stakeholder Relations Committee to recommend that the full Board of Trustees authorize COAF to send the attached letter to U.S. News. The letter summarizes the dialogue and U.S. News' final decision on diversity. Following the sending of this letter, COAF will re-focus its efforts to address the barriers to law school admissions for diverse students.

BACKGROUND

In 2008, COAF recognized the significant influence of the U.S. News Rankings on law school admissions practices and policies. Even though law schools value increased diversity programming and flexibility in diverse student admissions, these diversity factors are absent from the U.S. News ranking criteria. While COAF understands that law schools are critical of these rankings, law schools are under pressure from their boards and alumni to meet U.S. News ranking criteria (e.g., GPA, LSAT scores, etc.) to remain competitive in the rankings. COAF initiated dialogue with Robert Morse, U.S. News Editor, to impress upon him the importance of diversity as integral to the law student learning experience, preparation for the successful practice of law, and the overall administration of justice.

Following these initial discussions, COAF researched the U.S. News methodology in order to propose diversity factors for inclusion in the overall rankings. In 2011, the

Board of Governors, now Trustees, approved sending a letter signed by then COAF Chair, Craig Holden, to U.S. News. Again, the letter summarized the importance of law student exposure to and an understanding of diversity as better preparing students to practice in an increasingly diverse setting and to respond to the needs of the global economy. COAF suggested adding diversity and revising/realigning existing factors in the overall methodology for a more objective evaluation of participating law schools.

On February 15, 2013, COAF members contacted Robert Morse, the General Counsel, Director of Communications, and other editorial staff at U.S. News. The discussion appeared to be productive. Mr. Morse acknowledged the importance of diversity in law school curriculum and programming and discussed how diversity as evaluated in corporate America could be used by U.S. News. At the conclusion of the meeting, U.S. News suggested that it would convene an advisory group of bar representatives to explore implementation of diversity within the U.S. News rankings. Following the meeting, COAF made numerous attempts to reach Mr. Morse. When COAF finally contacted Mr. Morse, he informed COAF that U.S. News decided not to create an advisory group on diversity .

COAF has drafted the attached letter for review by the Committee on Stakeholder Relations. COAF wishes to send the letter to U.S. News summarizing its discussions and U.S. News' ultimate decision. Should the letter be approved by the Board of Trustees and sent to U.S. News, COAF will continue to focus its efforts to address the barriers to law school admissions for diverse students.

FISCAL / PERSONNEL IMPACT:

None

RULE AMENDMENTS:

None

BOARD BOOK IMPACT:

None

RECOMMENDATION

It is recommended that the Stakeholder Relations Committee approve submission of the attached letter to the full Board of Trustees, recommending that the Board authorize COAF to send the attached letter to U.S. News and World Report.

PROPOSED BOARD COMMITTEE RESOLUTION:

Should the Stakeholder Relations Committee agree with the above recommendation, the following resolution would be appropriate:

RESOLVED, that the Stakeholder Relations Committee recommends that the Board authorize the Council on Access & Fairness to send the attached letter to U.S. News and World Report.

PROPOSED BOARD OF TRUSTEES RESOLUTION:

Should the Board concur with the Stakeholder Relations Committee's recommendation, the following resolution would be in order:

RESOLVED, that upon the recommendation of the Stakeholder Relations Committee, the Board hereby authorizes the Council on Access & Fairness to send the attached letter to U.S. News and World Report.