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Law School Academic Support Programs—A Survey of Available Academic Support Programs for the New Century

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LAW SCHOOL ACADEMIC SUPPORT PROGRAMS—A SURVEY OF AVAILABLE ACADEMIC SUPPORT PROGRAMS FOR THE NEW CENTURY

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I. INTRODUCTION

Academic support programs (ASP)¹ are relatively new phenomena at United States law schools.² Academic support programs in law schools began as an attempt to emulate undergraduate programs which began in the early 1960s to assist “high-risk” students

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1. Academic support refers to programs which are intended to improve the academic performance of traditionally at-risk students and to provide “early academic assistance” to those who actually are “at risk” of not succeeding. See Kathy L. Cerminara, *Remembering Arthur: Some Suggestions for Law School Academic Support Programs*, 21 T. MARSHALL L. REV. 249, 251 (1996); see also Paul T. Wangerin, *Law School Academic Support Programs*, 40 HASTINGS L.J. 771, 772-74 (1989).

2. See Wangerin, *supra* note 1, at 773-77 (describing the history of academic support programs in higher and legal education, many of the latter just coming into existence during the 1980s).

or students on probation.³ The initial focus of the law school programs was for admitted students who experienced academic difficulty.⁴ One primary exception is the long-available summer program offered by the Council for Legal Education Opportunity (CLEO).⁵

Academic support programs in law schools often began as part of an affirmative action effort and many of the programs were initially targeted at minority students.⁶ However, the past twelve to fifteen years have been a period of great growth in law school ASP.⁷ This growth has prompted, within the last five years, the formation and full accreditation of an Academic Support Programs Section of the Association of American Law Schools (AALS).⁸

II. THE SURVEY

This report is the result of a survey that was taken over a two and one-half year period. This Academic Support Programs Survey began with an initial mailing of a questionnaire to all ABA-accredited U.S. law schools in Fall 1996.⁹ A second mailing, telephone and electronic mail contacts followed commencing in October 1998. Ultimately, 175 law schools were contacted and 152 responded with study data.

3. *See id.*

4. *See id.*

5. *See id.* at 774-77; *see also* Cerminara, *supra* note 1, at 250 n.3, 262-63 (describing CLEO as intended for "economically and educationally disadvantaged" students).

6. *See* Cerminara, *supra* note 1, at 252 (stating that a number of programs developed as part of "special minority admissions programs"); *see also* LAW SCHOOL ADMISSIONS COUNCIL, *Summary Report on the LSAC Questionnaire on Special Law School Programs for Minority Students* (1988) [hereinafter LSAC Report] (reporting that 180 LSAC member schools, including Canadian schools, were polled and 128 schools responded; fewer than half offered ASP for minority students); Leslie G. Espinoza, *Empowerment and Achievement in Minority Law Student Support Programs: Constructing Affirmative Action*, 22 J. OF L. REFORM 281, 281-82 nn.4-5 (reporting that, of the 128 schools responding in the LSAC Report, 97 gave school-specific information and only 50 of those had no *academic* support program for minorities though many more had minority-directed admissions programs).

7. *See* survey results, *infra* Part II.A.

8. The new section first met to receive provisional status in January, 1995, at the AALS Annual Meeting in New Orleans, Louisiana. Full accreditation was obtained in time for the January, 1998, AALS Annual Meeting in San Francisco, California.

9. The mailing included 174 schools, in contrast to the 1988 LSAC study of 180 schools. Canadian and Puerto Rican law schools were not polled for our survey. William Mitchell was the 175th school in the study.

There were three purposes for conducting this study. The first simply was to count our AALS ASP Section ranks. The second was to answer frequent questions from faculty and others involved in academic support programs. William Mitchell College of Law faculty and ASP administrators were concerned with how to offer, improve and measure programs in the future. In particular, this involved inquiries into the frequency of mandatory programs and the nature of programs that ASP commonly offered.

The third inquiry involved one of the basic purposes for starting ASP at William Mitchell.¹⁰ That purpose was to benefit incoming disadvantaged students who then were identified as members of minority groups. We wanted to see if our change in focus to avoid stigma for academic support students generally was reflected in the ASP community. We did not measure the effectiveness of ASP.¹¹ Anecdotal data indicate that William Mitchell ASP have had their share of successes, and that ASP are succeeding¹² and necessary in today's law schools.¹³

The survey was based on three categories of questions:

1. Does your law school have an academic support program?
2. What are the selection criteria for the program; is the program mandatory or voluntary; and what are the components of the

10. Academic support began as a separate program at William Mitchell in 1987.

11. See Cerminara, *supra* note 1, at 264 (noting that with the exception of the multi-year, multiple regression study done at the University of California-Los Angeles, "meaningful empirical data on the effectiveness of . . . [programs] . . . is lacking").

12. See, e.g., David P. Leonard, *Personal and Institutional Benefits of Offering Tutorial Services to Students Experiencing Academic Difficulty*, 37 J. LEGAL EDUC. 91, 95-96 (1987) (noting that "a tutorial program is clearly worth the effort" because whether grades improve, tutored students enjoy some intangible benefits, the program creates a valuable learning environment for all participants and the institution enjoys strong secondary benefits from improved student performance). A one-to-one tutorial program at Indiana has improved and expanded since 1987. See telephone interview with Debbie McGregor, ASP Director, Indiana University School of Law-Indianapolis (April 23, 1999). The program includes various group skills sessions as well as individual tutorial work and is considered a great success. See *id.*

13. See, e.g., Katherine S. Mangan, *Students' Odds of Getting Into Law School Improve, but Their Qualifications Drop*, CHRON. OF HIGHER EDUC., January 23, 1998, at A41 (stating that in the current law school market, non-traditional and other law students "are being channeled into programs that help them succeed—programs that were once reserved for minority and disadvantaged students"). See also Cerminara, *supra* note 1, at 250 ("[S]ome schools are recognizing the value of providing academic support to a wider range of students, often to the entire student body.").

program?

3. Does the academic support program target minorities?

A. *Schools with ASP*

The results of the ASP survey were enlightening. Of the 152 responding schools, one refused to participate in the survey.¹⁴ Of 151 law schools participating, only fourteen (9.2% of 151) did not have *some* form of ASP. However, of those fourteen schools that said “no” to having ASP, six also indicated that they *did* have a support program or two. Those programs, regardless of whether their institutions chose to call them ASP, were included in our study. This survey, therefore, is based on 137 (90.7% of 151) responding schools, plus data from the six schools with “no” ASP.

The number of component programs, in what is now the ASP Section of the AALS, has grown since starting ASP at William Mitchell.¹⁵ The study found 322 ASP among the responding schools. Ten schools had five or more programs. Forty-two schools had three or four programs and ninety-one schools had one or two programs.¹⁶

B. *Criteria, Compulsion and Components*

The response to the second inquiry was mixed. The responses were placed in several categories, noted below.

1. *Criteria*

First, selection criteria for inclusion in a law school ASP included each student’s age, undergraduate school, undergraduate major, undergraduate grade-point-average (GPA) or Law School

14. However, the 1994 LSAC DIRECTORY OF ACADEMIC ASSISTANCE FACULTY AND ADMINISTRATORS listed this school as having ASP at that time.

15. See *supra* note 10. In 1987, few ASP existed. The 1988 LSAC report listed only about 60 programs. See LSAC Report, *supra* note 6, at 5. These numbers compare with more than 130 respondents and 322 programs found by our survey.

16. A number of successful models for ASP include programs which have multiple components. As an example, UCLA’s successful ASP has seven components: a first-year summer program, fellow-led study groups, exam workshops, outlining workshops, second semester special substantive class for first-years who performed poorly first semester, a special substantive class for second-year students with a GPA lower than 2.1, and a special substantive class that second-year and third-year students with a GPA lower than 2.5 are encouraged to attend. See Cerminara, *supra* note 1, at 262-67.

Admissions Test (LSAT) score or both taken as Projected First-Year Average, ethnic status, disability status, years out of undergraduate education, disadvantaged status and law school GPA.¹⁷ These criteria are not listed in any particular order. Some law schools used several of the criteria to qualify students for ASP services. A number of programs were open to all students without regard to these factors.

2. *Compulsion*

Some schools had programs that were *both* voluntary and mandatory, while other programs were mandatory only. Overall, about thirty-nine (12.1%) of the 322 ASP reported in our survey are mandatory. Fourteen ASP (4.3%) are both voluntary and mandatory. Nine schools (6.5% of 137) offered only mandatory programs. The remaining 128 schools offered primarily voluntary programs.

3. *Components*

Following, in descending order of frequency, are the categories and the number of programs (voluntary or mandatory) existing in each category:

(1) tutoring/study groups (both individual and group study of substantive material), ninety-eight programs;

(2) study/exam skills (first year programs on the fundamentals of studying law and preparation for law school exams), eighty-five programs;

(3) summer programs (programs of various lengths, from a few days to nearly two months, which concentrate on preparation of admitted students for the forthcoming fall semester by presenting preparatory classes in study skills, substance or both, with academic credit being given in a few instances), thirty-three programs;

17. See Pamela Edwards, *The Culture of Success: Improving the Academic Success Opportunities for Multicultural Students in Law School*, 31 NEW ENG. L. REV. 739, 741 (1997) (listing the following standards used to analyze performance and experience of students entering law school in 1991: ethnic group, sex, age, socioeconomic status and previous education). See Kathleen Patchel, *The LSAC Academic Support Program Workbook from the Perspective of a Novice User*, 12 N. ILL. U. L. REV. 341, 345 n.14 (1992), for a definition of non-traditional students as ethnic groups with minority status in the United States and "older students, disabled students, and single parents." See also Mangan, *supra* note 13, at A41 (defining non-traditional students as those who have been out of college for years or who have marginal grades and test scores).

(4) counseling (usually academic counseling, though sometimes personal counseling as well, on a one-to-one basis which included coaching and suggestions for improvement), thirty-two programs;

(5) special classes (including small sections of regular substantive classes during the first year of law school, with increased individual attention to students, or special and intensive small group instruction in procedural or substantive issues), twenty-five programs;

(6) orientation programs (including traditional orientations, as well as special, short programs, either pre-orientation or at the regular orientation, which introduce the law school experience to students about to commence their first semester of law school), sixteen programs;

(7) bar exam preparation (programs varying in length from one class to a series, primarily teaching bar exam preparation skills and not substantive material), eleven programs;

(8) advising/mentoring (programs encouraging one-on-one meetings with alumni, faculty or senior students to help guide students through law school and, in some cases, into the job market), eight programs;

(9) pre-admission programs (separate from other summer programs, these provide a new or prospective student the opportunity to do law school-level work prior to entering school. This includes programs for which admission to the law school is conditioned on some level of successful performance in this program), five programs;

(10) resource library (a collection of study aids and other materials to help first-year students), four programs;

(11) dinners/socializing (occasions to meet other incoming students and possibly members of the bench and bar in order to form practical networks and mentoring relationships), two programs;

(12) summer internship (a summer employment program for law students), one program.

C. *Minority Programs*

Finally, the third question asked about minority-targeted programs. Of the responding schools, three historically black colleges and universities did not respond to that question and thirty-four other schools did target minorities to one degree or another.

These three schools were placed in this category, resulting in thirty-seven (27%) of 137 schools paying special attention to the needs of minority students.

III. WILLIAM MITCHELL COLLEGE OF LAW

This study proved valuable for William Mitchell College of Law in that it confirmed the propriety of some of the choices in offering ASP, to whom and through which programs.

School faculty and administrators determined by 1990 that stigma for students of color must be eliminated at William Mitchell. Rather than provide ASP only for students of color, the school opened the programs to all students.¹⁸ The target, but not the only focus for ASP, became students in the broader “at-need” categories noted earlier.¹⁹

William Mitchell’s ASP grew from the short list of two or three offerings in 1987-88. The school began with a summer program and first-year tutorial services, as well as personal counseling. Then ASP expanded to include skills training, concentrating on first-year study and exam skills. Various experiments were made with group study or review sessions as recommended by the Law School Admissions Council.²⁰ These efforts are under assessment because the programs suffer from low and inconsistent student participation. William Mitchell also added a bar exam preparation workshop, which grew from a short lecture to a set of six classes and a mini-bar exam.

We learned from the study that more programming at multi-

18. See Jacquelyn H. Slotkin, *An Institutional Commitment to Minorities and Diversity: The Evolution of a Law School Academic Support Program*, 12 T. M. COOLEY L. REV. 559, 564 n.20 (finding that not all minority students have academic problems, lack confidence, or face family pressure; “[m]any do quite well and do not need, and are not eligible for, academic support”).

19. See Components, *supra* Part II.B.3; see also Kristine S. Knaplund & Richard H. Sander, *The Art and Science of Academic Support*, 45 J. LEGAL EDUC. 137, 159 (1995) (goals identified for academic support include: (1) improving general well-being of minority students by assuring them the school wants them to succeed and showing that they are an important part of the student body, and (2) giving ASP students the help to “catch up with their classmates” and to “equip them for success”); Cerminara, *supra* note 1, at 250-53 (stating that limiting academic support to minorities, all of whom may not need it, is too limiting and others who are at-risk ought to be included).

20. See LAW SCHOOL ADMISSIONS COUNCIL, AN INTRODUCTION TO ACADEMIC ASSISTANCE PROGRAMS, 2, 27-28 (1992) (listing, among recommended academic support programs, “bi-weekly seminars to clarify and expand on class discussions [and] monthly small-group” sessions to synthesize information).

ple levels and (because we are a day and evening school) at varying times would be effective in improving ASP for students.²¹ The school is working toward this end.

Finally, more evaluation is needed to quantify ASP success. The next step is to create a database to track ASP students through the bar exam. Faculty and administrators hope to measure students' progress through the various levels of academic support programming that William Mitchell offers and measure their success against their predicted averages or initial low first-year performance.

IV. CONCLUSION

First, those programs surveyed that are limited to one or two offerings might consider growing and adding multiple levels of academic support programs to their available offerings.²² Second, a focus for future ASP conferences might be to establish a programs data bank. This effort would allow all schools to have access to information on the most successful ASP, and enable those schools to use that data to improve services offered to students in the twenty-first century.

The increased number and wide variety of ASP available in American law schools today is encouraging. If the survey's raw data are any indication, ASP are well-prepared to serve law students into the next century.

21. See Slotkin, *supra* note 18, at 576 (stating that successful programs cover not only skills training but involve multiple learning systems); see also Knaplund & Sander, *supra* note 19, at 204.

22. See *id.* See generally Cathaleen A. Roach, *A River Runs Through It: Tapping Into The Informational Stream To Move Students From Isolation To Autonomy*, 36 ARIZ. L. REV. 667, 694-99 (1994) (stating that multiple criteria are critical for the best support programs).