



AMERICAN BAR ASSOCIATION

Legal Education and Admissions to the Bar

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Dear First-Year Law Student,

The Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association wants and needs to understand the composition of your school’s student body and of first-year law students nationally to enforce its Standards and to provide accurate consumer information.

Please fill out the survey link here:

<https://accreditation.abalegaled.org//Survey/TakeGeneralSurvey/7>. This survey should take about five minutes to complete.

We hope these FAQs will answer questions you may have about the survey and your participation in it.

**Who is the “Council of the Section of Legal Education and Admissions to the Bar?”
What do they have to do with me or my school?**

The “Council” is recognized by the US Department of Education as the national accrediting agency for programs leading to the juris doctor degree. Because an accrediting agency within a professional association must operate separately and independently of the association of which it is a part, it is the Council, and not the American Bar Association, that is the formally recognized accreditor. Nonetheless, for ease of reference, law schools accredited by the Council are referred to as “ABA-approved.” Graduates of ABA-approved law schools are eligible to sit for the bar examination in all fifty U.S. states and in the District of Columbia and Puerto Rico.

As the accreditor of J.D. programs, the Council is charged with ensuring that law schools maintain a high level of quality to protect current students, prospective students, and the public. The Council does this by requiring law schools to comply with [the Standards for Approval of Law Schools](#). The Standards contain the requirements a law school must meet to obtain and retain Council approval. Review and improvement of the Standards is an ongoing process. Input from stakeholders is a part of the process. We receive input from students through the Law Student Division of the ABA; a student delegate sits on the Council as a voting member.

What’s this survey?

The Council is seeking answers to identity and other demographic questions regarding new first-year law students. The questions ask about race, ethnicity, and gender identity in ways that differ from the government’s IPEDS forms (Integrated Postsecondary Education Data System). We understand that you have already been asked some of these questions when you registered for a law school

admissions exam and that your university likely has already asked you some of these questions again. We are also asking you questions about disability, sexual orientation, and gender identity separately because we want to be sure we accurately reflect the identity of the students in law schools for several reasons, including: (1) to enhance the possibility that a current student will see themselves reflected in the identity choices, (2) to enable enforcement of our Standards related to non-discrimination, equality of opportunity, and inclusion, (3) to provide accurate consumer information to future law school applicants about the composition of each law school's student body, and (4) to more fully understand and track the progress of the profession in diversifying its composition to reflect the communities it represents and serves.

The questions being asked are new, and we plan to only ask them of first-year students this year and next while we transition to the longer-term goal of asking them of all law students. Because this is a pilot, none of the data will be published in this first year.

Why has the ABA changed the race and ethnicity categories from others we've seen?

For several years, deans and others have reported problems to the ABA with the IPEDS categories the government uses with universities, including: Latine students were not able to identify as having more than one race/ethnicity; Middle Eastern and North African students had to identify as white or Black; all Asian students were placed in a single category, even though China and India are the two most populous countries in the world. The IPEDS categories were causing students to be forced into categories that didn't truly reflect their identities and undercounting a school's diversity. Using the new categories will provide better information to law school applicants about whether their identity is shared by others in the schools they are considering attending.

Why is the ABA collecting information about disability?

Disability rights advocates and the ABA's Commission on Disability Rights have been urging the ABA to collect this information for some time. They persuasively make the point that understanding how many people with disabilities are attending law school is important information for everyone to fully count a law school's diversity, especially because this group is underrepresented in the profession. The number of students who receive accommodations from law schools is only a subset of the total number of students who have a disability. This new information will help trace the progress of the profession including individuals with disabilities and will provide better information to students with disabilities about the composition of the student body at schools they are considering attending.

Please note: Because we are not providing any information contained in your answers about you individually to your school, identifying here as having a disability will not lead to an accommodation. All law schools are required to provide you with information about how to seek accommodations.

Why is the ABA collecting information about sexual orientation and gender identity and using new categories?

LGBTQA+ groups – both at law schools and in the ABA – have asked us to count our students from these underrepresented groups using categories that reflect modern understanding of sexuality, gender, gender identity, and gender expression. While identity as transgender is often swept into the sexual orientation category for advocacy purposes, our categories seek to distinguish between gender and sexual orientation for identity purposes.

This is very sensitive and personal information. How will it be used? Who will see it? Should I be worried about misuse of data about disability, sexual orientation, gender identity, and race by my school or by bar admission authorities?

Because this data is anonymized, it cannot, and it will not, be used in connection with any school's evaluation of you, nor will the data be used in any way to affect your status as a matriculated student at your law school or in connection with admission to practice. Neither the ABA, nor anyone else, will publish any data retrieved from this form in a way that reveals or compromises the identity of any individual student, nor will the ABA (or anyone else) know or connect names to the data collected on this form. Published data will be reported on either a school-by-school basis or a national aggregate basis. Moreover, after the first two questions, you may select "prefer not to report" as an answer to every question on the survey. Please note that the Council does not publish any data the first year it collects a new set of data.

The submitted data will be used for the purpose outlined above. The data provided in this form will only be available to ABA employees, Council members, and third parties contracted for the purpose of creating and implementing the survey, research, analysis, or improvement of data collection. The ABA may share the data in the following ways: 1) the data may be shared with law schools in aggregate form and 2) the data may be published in aggregate form. The data will be stored with the ABA on its servers or third-party servers contracted by the ABA. By submitting this form, you agree to share the data with the ABA and for the ABA to use, process, store, and share the data as outlined here.

What if I don't want to answer these questions?

After the first two questions (law school attending and part-time/full-time), every question asked includes an option of "prefer not to report."

What was the process the ABA used to determine whether to change its data collection and what data to collect?

The ABA began to consider changing its data collection categories when urged to do so by groups in legal education, in the profession, and within the ABA. The Council's Data Policy Committee began work on this initiative in 2021. Its process included consultation with experts; meetings with LSAC, NALP, and ETS about their data collection processes and categories; a Roundtable in July [2021](#); and a Worktable in [March 2023](#).

Again, please fill out the survey link here:

<https://accreditation.abalegaled.org//Survey/TakeGeneralSurvey/7>

We appreciate you filling out the survey as soon as you can, so we can begin tabulating data. The survey will close on February 1, 2024, at 9:30 am Central.

Thank you in advance for your help in providing an accurate snapshot of our nation's future lawyers in furtherance of the goals of ensuring that current students have a chance to identify themselves using categories that accurately reflect their identities, that future applicants have accurate and comprehensive information about the schools they are considering, and that the ABA can assess a law school's progress in creating inclusive learning environments for all its students.

Sincerely,

ABA - Council of the Section on Legal Education and Admissions to the Bar