

October 13, 2011

Ms. Kathleen Tighe
Inspector General
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, DC 20202-1500

To help better inform Congress as it prepares to reform the Higher Education Act, we write to request an examination of American law schools that focuses on the confluence of growing enrollments, steadily increasing tuition rates and allegedly sluggish job placement.

Recent media stories reveal concerning challenges for students and graduates of such schools. For example, *The New York Times* reported on a law school that “increased the size of the class arriving in the fall of 2009 by an astounding 30 percent, even as hiring in the legal profession imploded.” *The New York Times* found the same school is ranked in the bottom third of all law schools in the country and has tuition and fees set at \$47,800 a year but reported to prospective students median starting salaries rivaling graduates of the best schools in the nation “even though most of its graduates, in fact, find work at less than half that amount.”¹

Other reports question whether or not law schools are properly disclosing their graduation rates to prospective students. *Inside Higher Ed* recently highlighted several pending lawsuits which “argue that students were essentially robbed of the ability to make good decisions about whether to pay tuition (and to take out student loans) by being forced to rely on incomplete and inaccurate job placement information. Specifically, the suits charge the law schools in question (and many of their peers) mix together different kinds of employment (including jobs for which a J.D. is not needed) to inflate employment rates.”²

Media exposes also reveal possible concerns about whether tuition and fees charged by law schools are used directly for legal education, or for purposes unrelated to legal education. For example, *The New York Times* reports “law schools toss off so much cash they are sometimes required to hand over as much as 30 percent of their revenue to universities, to subsidize less profitable fields.”³ The *Baltimore Sun* recently reported on the resignation of the Dean of the University of Baltimore (UB) Law School, who said he resigned, in part, over his frustration that the law school’s revenue was not being retained to serve students at the school. In his resignation letter, UB’s Dean noted: “The financial data [of the school] demonstrates that the amount and percentage of the law school revenue retained by the university has increased, particularly over the last two years. For the most recent academic year (AY 10-11), our tuition

¹ David Segal, “Law School Economics: Ka-Ching!”, *The New York Times*, July 16, 2011, <http://www.nytimes.com/2011/07/17/business/law-school-economics-job-market-weakens-tuition-rises.html?pagewanted=all>, accessed October 7, 2011.

² Scott Jaschik, “Suing Over Jobs,” *Inside Higher Ed*, August 11, 2011, http://www.insidehighered.com/news/2011/08/11/suits_challenge_veracity_of_job_placement_rates_at_3_law_schools, accessed October 7, 2011.

³ David Segal, “Law School Economics: Ka-Ching!”, *The New York Times*, July 16, 2011, <http://www.nytimes.com/2011/07/17/business/law-school-economics-job-market-weakens-tuition-rises.html?pagewanted=all>, accessed October 7, 2011.

increase generated \$1,455,650 in additional revenue. Of that amount, the School of Law budget increased by only \$80,744.”⁴

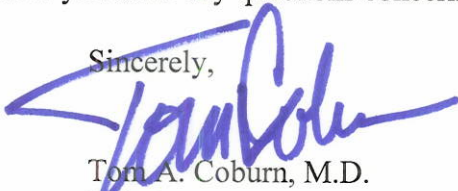
To better understand trends related to law schools over the most recent ten-year window, we request your office provide the following information:

1. The current enrollments, as well as the historical growth of enrollments, at American law schools – in the aggregate, and also by sector (i.e., private, public, for-profit).
2. Current tuition and fee rates, as well as the historical growth of tuition and fees, at American law schools – in the aggregate, and also by sector (i.e., private, public, for-profit).
3. The percentage of law school revenue generated that is retained to administer legal education, operate law school facilities, and the percentage and dollar amount used for other, non-legal educational purposes by the broader university system. If possible, please provide specific examples of what activities and expenses law school revenues are being used to support if such revenue does not support legal education directly.
4. The amount of federal and private educational loan debt legal students carried upon graduation, again in the aggregate and across sectors.
5. The current bar passage rates and graduation rates of students at American law schools, again in the aggregate and across sectors.
6. The job placement rates of American law school graduates; indicating whether such jobs are full- or part-time positions, whether they require a law degree, and whether they were maintained a year after employment.

In your final analysis, please include a description of the methodology the IG employed to acquire and analyze information for the report. Please also note any obstacles to acquiring pertinent information the agency may encounter.

We thank you in advance for your time and attention to this matter. Please feel free to contact us if you have any questions concerning this request.

Sincerely,



Tom A. Coburn, M.D.
U.S. Senator, Oklahoma



Barbara Boxer
U.S. Senator, California

enclosure

⁴ *The Baltimore Sun*, Resignation Letter of Philip Closius, former Dean of the University of Baltimore School of Law, July 29, 2011, http://articles.baltimoresun.com/2011-07-29/news/bs-md-ci-law-dean-letter_1_law-school-law-faculty-university-president-robert-bogomolny, accessed October 7, 2011.