

LSAC STATEMENT OF GOOD ADMISSION AND FINANCIAL AID PRACTICES

A Publication of the Law School Admission Council

Introduction

This Statement of Good Admission and Financial Aid Practices is designed to focus attention on principles that should guide law school admission and financial aid programs. No attempt has been made to develop “legislative” guidelines, because no absolute rules apply to every situation. The statement is intended to improve the admission and financial aid processes in law schools and to promote fairness and the highest standards of professional conduct for all participants.

General Principles

1. The primary purpose of the law school admission process is to serve applicants, law schools, and the legal profession by making informed judgments about those who seek legal education. The responsibility that role carries with it demands the highest standards of professional conduct.
2. Law school admission professionals should avoid impropriety and the appearance of impropriety, as well as any conflict of interest or the appearance of conflict. They should not accept anything for themselves or the law school, or pursue any activity that might compromise or seem to compromise their integrity or that of the admission process.
3. Law schools should strive to achieve and maintain the highest standards of accuracy and candor in the development and publication of print, electronic, and other materials designed to inform or influence applicants. A law school should provide any applicant or potential applicant with information and data that will enable the applicant to assess his or her prospects for successfully (1) seeking admission to that school, (2) financing his or her education at that school, (3) completing the educational program at that school, and (4) seeking employment with a degree from that school. If statistics are provided regarding admission, financial aid, and placement, law schools should provide the most current information and should present it in an easily understood form. Significant errors of fact, as well as errors of omission, should be corrected promptly and prominently.
4. Law schools should establish application procedures that inform applicants of relevant criteria, processes, and deadlines, respect the confidentiality of student records and admission data, and provide for timely notification of admission decisions. Law schools should also ensure that all parties concerned with the admission process are familiar with and observe relevant laws, accreditation standards, and institutional guidelines, including the Cautionary Policies Concerning LSAT Scores and Related Services developed by Law School Admission Council (LSAC).
5. In making admission decisions, law schools should give equal opportunity to applicants who are members of cultural, ethnic, or racial groups that have not had adequate opportunities to develop and demonstrate potential for academic achievement and would not otherwise be meaningfully represented in the entering class. Schools

should also make reasonable accommodations to the special needs of applicants with disabilities. Law schools should make a special effort to provide the information noted in Number 3 above to those applicants who are members of minority groups or who have disabilities.

Admission Policy

1. Law schools should develop coherent and consistent admission policies. The admission policies should serve law school applicants by clearly setting forth the criteria on which admission decisions are made and the manner in which the criteria will be applied. Law schools should develop and promulgate concise and coherent admission policies designed both to regularize the admission process and to inform fully prospective applicants and prelaw advisors of the means used to select new law students. The policies should include consideration of the various criteria and processes used to make admission decisions, such as the Law School Admission Test (LSAT), prior academic performance, professional and other work experiences, equal opportunity considerations, disability status, geographical diversity, letters of recommendation, evaluations, personal statements, and personal interviews, if required. These and other considerations related to a law school’s institutional mission or objectives may result in a preference for certain applicants. Each law school’s admission policies should be adequately disclosed to all prospective applicants at the outset of the admission process.

Scores obtained on the LSAT and undergraduate grade-point averages are factors by which applicants are judged by virtually all law schools. Law schools should ensure that all application materials accurately describe the manner in which LSAT scores, prior academic performance, and other factors are used in the admission process.

The LSAT is designed to measure some, but certainly not all, of the mental and academic skills that are needed for successful law study. Within limits, it provides a reasonable assessment of these factors. LSAT scores provide at best a partial measure of an applicant’s ability and should be considered in relation to the total range of information available about a prospective law student. Thus, the LSAT score should be used as only one of several criteria for evaluation and should not be given undue weight.

Use of cut-off LSAT scores below which no candidate will be considered is explicitly discouraged in the LSAC Cautionary Policies. However, a particular law school may discover evidence that applicants scoring below a certain point have substantial difficulty in performing satisfactorily in its program of studies. Based on that evidence, the law school may rationally choose to implement a policy of discouraging applications with LSAT scores below a certain point. Should a law school make that determination, applicants should be informed of that fact.

Similar considerations govern the evaluation of the applicant's prior academic record. Undergraduate grades are a significant indicator of potential success in law school. In addition to being one measure of academic ability, a strong scholastic record may indicate perseverance, organization, and motivation, all important factors which have few direct measures. There are, of course, measures of intellectual ability other than the cumulative grade-point average. Unusual creativity, exceptional research skills, analytical prowess, and other factors may not be reflected on a candidate's college transcript.

In evaluating the academic record, law schools may choose to consider factors such as grade inflation, the age of the grades, discrepancies among the applicant's grades, the quality of the college attended, difficulty of coursework, and time commitments while attending college.

Law schools may also take into consideration additional factors when choosing among various candidates. Letters of recommendation often have a significant impact on admission decisions. Some schools believe that letters of recommendation are usually more candid when the subject of the letter waives access to them and recommend that applicants limit their rights to inspect this portion of their admission files. However, waiver of access to letters of recommendation or of any part of the student's record should not be made a prerequisite to admission. The Buckley Amendment specifically mandates that U.S. law schools must not require such a waiver.

As with members of cultural, ethnic, and racial groups, law schools should also recognize the importance of providing equal educational opportunity for individuals with disabilities.

Admission of applicants from a wide variety of academic, cultural, ethnic, and racial backgrounds, and the resulting diversity, enhances and enriches the educational experience of all students and faculty.

It is proper to prefer students who have taken courses such as those that develop skills in both written and oral communications, develop analytical and problem-solving skills, or promote familiarity with the humanities and social sciences to understand the human condition and the social context in which legal problems arise. The decision to prefer either a classical liberal arts education or a more narrowly focused one should rest within the sound discretion of the law school.

2. Law schools that accept transfer applications should not make unfounded comparisons with a student's existing school. Transfer application materials should state clearly the application procedures for transfer applicants and inform them of all relevant deadlines, necessary documents and records, courses accepted for credit, and, to the extent possible, course equivalency. Schools should also provide incoming transfer students with information concerning the programmatic implications of transferring, including eligibility for law review, scholarship aid, and other factors relevant to a transfer decision before requiring a commitment.

Recruitment and Promotion

1. Law schools are responsible for all people they involve in admission, promotional, and recruitment activities (including graduates, students, and faculty), and for educating them about the principles of good practice outlined in this Statement, as well as all relevant laws, accreditation standards, and institutional policies. Law schools that use admission management firms or consulting firms are

responsible for assuring that these firms adhere to sound admission practices.

The oversight role entrusted to law schools includes supervision of all personnel involved in the admission process. Law school personnel, students, and graduates who represent the law school at recruitment and other promotional activities should be informed of current law school programs and activities. They should be knowledgeable about the academic and financial requirements of attending the law school, and they should honestly and forthrightly respond to inquiries.

Professional recruiting organizations, though not formally affiliated with law schools, nonetheless are part of the admission process when they are engaged by law schools. Law schools engaging outside services are responsible for ensuring the integrity and the accuracy of the work performed for them. For example, errors or misleading statements appearing in recruitment brochures and law school catalogs may not be ascribed to the company performing the service. Law schools cannot abdicate the responsibility for accuracy by shifting blame to third parties.

2. Admission publications should contain an accurate and current admission calendar and information about financial aid opportunities and requirements.

In addition to containing a complete listing of all relevant admission and financial aid deadlines, admission material should also convey accurate information about optimum dates, if any, for submitting admission materials. Among the items that might usefully be included are: dates for taking the Law School Admission Test; dates for submission of financial aid applications, including the best time for submission of materials to a financial aid need analysis service, if used; and the most useful date for submission of letters of recommendation to either the LSAC or directly to the law school. This information is particularly useful when law schools begin to make admission decisions prior to the deadline date for receipt of application materials under a "rolling" admission system.

3. Law school admission professionals should be forthright and accurate in providing information about their institutions. Law school publications and any statements submitted for publication should contain current and accurate descriptions and representations of law school programs, campus life, and the surrounding community. Law schools should provide accurate, candid, and comprehensive information with respect to the law school opportunities sought by students and available to them.

Law school recruitment activities, e.g., law school forums, prelaw days, caravans, and law school fairs, provide an opportunity for law school representatives to engage in personal contact with applicants. In many instances, these activities are not only the first, but often the only direct contact applicants have with law schools until registration. In all of these instances, law school representatives should conduct themselves in a professional manner. Representatives attending these activities have an obligation to familiarize themselves with all aspects of the admission process at their respective schools. Recruitment activities should not include unreasonable and unfounded comparisons with other law schools. The use of surveys and rankings that purport to compare the quality of law schools may be misleading to applicants, and, for that reason, is discouraged.

4. Law schools should provide prelaw advisors and other educational and career counselors with accurate and appropriate information to assist them in counseling applicants about law school opportunities.

Issues of law school recruitment and enrollment require the cooperative efforts of college and university personnel working with law school admission counselors. Prewlaw colleagues and other college counselors daily encounter students who are or may be interested in pursuing legal education. To serve the undergraduate population effectively, law schools should keep interested prelaw advisors, minority and other counselors informed of their admission requirements and institutional programs.

Application Procedures

1. Law schools should promptly notify applicants of admission decisions.
2. Law schools should respect the confidential nature of information received about applicants.

While a policy of openness and accessibility should form the basis for all communications with applicants, law schools should be scrupulous in maintaining the privacy of applicants. Without the expressed consent of the applicant involved and the author of the material in question, admission information relating to an applicant, such as LSAT scores, prior academic record, letters of recommendation, and dean's reports, should not be released to persons other than admission decision makers, the candidate, and others with a legitimate interest in the admission process. This restriction would not prevent schools from sharing information that is not in a personally identifiable form, but even in this case, law schools should take care that the information is released with appropriate discretion.

From time to time, information about law school applicants at a particular law school is provided by LSAC. Information contained in many of these periodic reports is also confidential and should not be released to persons outside of the admission process, except as required by law.

3. A law school application should state clearly what information is being sought. The application should also state the applicant's obligation continually to provide accurate, current, and complete information. Further, the application should define the consequences of providing false, misleading, or incomplete information.

If the law school believes that false or misleading information has been provided by an applicant, then the information should be submitted to the LSAC Subcommittee on Misconduct and Irregularities in the Admission Process for investigation under the Law School Admission Council Rules Governing Misconduct and Irregularities in the Admission Process. If misconduct or an irregularity is determined as a result of the investigation, all law schools to which the applicant has applied, or may apply, will be notified.

4. Except under binding early decision plans, law schools should not require applicants or other persons to indicate the order of applicants' law school preferences.

Law schools should allow applicants the freedom to explore as many opportunities to pursue legal education as possible. To

preserve applicant options, law schools should not base admission decisions on the order of applicants' law school preferences, unless the school has established a binding early decision plan. A binding early decision plan is one under which an applicant and a law school mutually agree at the initial point of application that the applicant will be given an admission decision at a date earlier than usual in return for the applicant's commitment, at that date, to attend the school and withdraw all applications pending at other law schools, and not initiate new applications.

5. Except under binding early decision plans or for academic terms beginning in the spring or summer, no law school should require an enrollment commitment of any kind to an offer of admission or scholarship prior to April 1. Admitted applicants who have submitted a timely financial aid application should not be required to commit to enroll by having to make a nonrefundable financial commitment until notified of financial aid awards that are within control of the law school.
6. After April 1, except under binding early decision plans, every accepted applicant should be free to accept a new offer from a law school even though a scholarship has been accepted, a deposit has been paid, or a commitment has been made to another school. To provide applicants with an uncoerced choice among various law schools, no excessive nonrefundable deposit should be required solely to maintain a place in the class. Beginning on May 15 of each year, law schools that participate in the Commitment Overlap Service will be provided with information concerning all enrollment commitments to any law school made by those applicants who have indicated an intention to enroll in that school's entering class. A law school should clearly communicate its policies on multiple enrollment commitments upon admission.
7. Law schools should maintain a waiting list of reasonable length and only for a reasonable length of time.

Law schools using waiting lists should ensure that final decisions about applicants placed on the waiting lists are made and communicated to the applicant as soon as possible.

Financial Aid

For many, access to a legal education often depends on access to financial assistance. It is critical that law school admission officers have an understanding of the financial aid process in order to present accurate, coherent, and complete information to candidates. Law schools should address the financial need of applicants in a fair, timely, and responsible manner. This statement is not intended to regulate this process, but rather to define good practices that will serve the needs of both students and law schools.

- A. The Admission Office should work with the Office of Financial Aid to:
 1. Establish and maintain realistic and accurate cost-of-attendance budgets that are based upon reasonable and current costs for tuition and fees, textbooks and supplies, room and board, transportation, as well as other costs and expenses related to attending law school. The cost-of-attendance budget should be based on an assessment of where students typically live. Cost-of-attendance budgets should be updated regularly to accurately reflect changes and to avoid unrealistically high, low, or misleading costs of attending law school.

2. Keep abreast of institutional and federal financial aid policies on scholarships and grants, loans, and cost-of-attendance budgets in order to discuss and provide this information knowledgeably and candidly with prospective applicants. Law schools should notify applicants about deadlines for financial aid applications and the criteria used in awarding aid. To the extent reasonably practicable, law schools should disclose how parental income will affect the financial aid determination. Similarly, the availability of need-based and of merit-based aid should be disclosed.
 3. Provide and be able to discuss candidly, as part of the admissions and enrollment process, current and accurate information on the availability of financial aid. This information should include full and fair disclosure about the availability of funds, the average debt of graduating students, and information on the existence of loan repayment assistance programs (LRAP). The information on LRAPs should include the percentage of graduating students who are recipients, eligibility requirements, and the terms and conditions of maintaining eligibility.
 4. Provide information about educational debt management as part of the admissions and enrollment process. This should include information regarding loan repayment and implications of high debt on employment options and admission to the bar.
- B. When extending institutional scholarship or grant offers the law school should:
1. Establish a fair, coherent, and consistent process in selecting candidates for scholarship awards. It should also disclose if it has a policy or practice in which a candidate may appeal the offer or amount of a scholarship award, as well as the school's process, procedures, and criteria.
 2. Permit applicants to choose among offers of admission, scholarships, grants, and loans without an enrollment commitment of any kind, binding or non-binding, until April 1. Law schools should not require a candidate to make a binding commitment to accept an offer of institutional aid prior to April 1 (except under a bona fide early decision plan). Other than seat or tuition deposits required of all candidates, scholarship and grant recipients should not be required to submit an additional deposit to accept a scholarship or grant.
 3. Law schools that have not made institutional financial aid awards (for funds within the control of the law school) by April 1, should not require a nonrefundable financial commitment from applicants who have submitted timely financial aid applications until after such awards are made.
 4. Provide clear information about the requirements and/or expectations of aid recipients (e.g., academic or service requirements). In the case of renewable or multi-year scholarships, maintain reasonable eligibility requirements and fully inform candidates, at the time the offer is made, of the criteria he or she must satisfy to maintain or renew eligibility for the institutional aid.
- C. Many law school admission officers maintain a dual responsibility within the program or institution as the financial aid professional or as the direct supervisor for the law school's financial aid administrator. In order to provide effective service to their students and the institution, a financial aid professional must work collaboratively with state and federal agencies and with private entities such as student loan providers. The NASFAA Board of Directors adopted a Code of Conduct for Institutional Financial Aid Professionals and has granted permission for the following sections of it to be included in the *Statement*:
- An institutional financial aid professional is expected to always maintain exemplary standards of professional conduct in all aspects of carrying out his or her responsibilities, specifically including all dealings with any entities involved in any manner in student financial aid, regardless of whether such entities are involved in a government sponsored, subsidized, or regulated activity. In doing so, a financial aid professional should:
1. Refrain from taking any action for his or her personal benefit.
 2. Refrain from taking any action he or she believes is contrary to law, regulation, or the best interests of the students and parents he or she serves.
 3. Ensure that the information he or she provides is accurate, unbiased, and does not reflect any preference arising from actual or potential personal gain.
 4. Be objective in making decisions and advising his or her institution regarding relationships with any entity involved in any aspect of student financial aid.
 5. Disclose to his or her institution, in such manner as his or her institution may prescribe, any involvement with or interest in any entity involved in any aspect of student financial aid.
- Any inquiries concerning the LSAC Statement of Good Admission and Financial Aid Practices should be directed to: LSAC, Office of Education and Prelaw Programs, 215.968.1152.*

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