

SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR
AMERICAN BAR ASSOCIATION

Memorandum

To: Council

From: Barry Currier and Bill Adams

Re: Implementing June 2017 Council actions on EQ and public reporting form

In June, the Council took two actions with respect to the collection and public reporting of employment outcomes. You approved (a) the Employment Questionnaire [EQ] to be completed and submitted by schools next spring; and (b) a revised public report form. Since the meeting, we have thought through the process to make sure that the two actions were compatible. That is, can the data collected in the EQ be translated into the revised public report form? We believe that the answer to that question is yes.

Attached, to refresh everyone's recollection, are: last cycle's public report form; Paul Mahoney's memo from the June meeting suggesting simplification and revision of the form; and the revised public report form included in Paul's memo, which the Council approved.

The revised public report form combines matters that had been separately reported, including several "employment status" categories, and several break-outs in the "employment type" section. The new form also modifies the way in which "law school funded" positions will be reported.

In the last ten days or so, we have heard specifically from several people about the changes in the revised form's reporting of school-funded positions – pro and con. Policy choices to the side, we can implement what the Council approved, and this memo outlines how we intend to proceed.

The revised report form treats some school-funded positions, reported last year "above the line" as school-funded, as jobs that will not be identified as school-funded. These are government or public interest jobs that are long-term, full-time, bar pass required and pay more than \$40,000, even if all or part of the salary is school-funded.

The EQ collects enough information, student-by-student, to generate the data we need to identify school-funded jobs in the categories of government and public service employment that are long-term and pay \$40K/year or more. The current EQ Definitions and Instructions for "long-term" state that a "law school/university funded position that the law school expects to last one year or more may be considered long-term for purposes of this definition only if the graduate is paid at least \$40K per year." A school, then, will be documenting a position as "school-funded," but also asking (a) what kind of job it is (including gov't or public interest) and whether the pay is \$40K year or more. They would do this so that the public reporting of school funded positions in the form used last year would, below the line, sort out jobs into LT or ST to conform to this definition.

On last year's public report of employment outcomes, a government or public interest school-funded job would show up in three boxes: (1) "above the line" as a "Employed - Law School University Funded;"

(2) also above the line, as either a Government or Public Service job in the Employment Type area; and, (3) "below the line" as a FT/PT, LT/ST, BP required/JD Adv; etc. position.

Under the revised public report form, a school funded position would be reported twice: (1) in employment status as whatever it is (bar pass, JD advantage - there are 5 categories; and (2) as either "employed by school," or as "gov't" or "public interest" if it is such a job and it pays more than \$40K/year.

The revised public report form will not provide a number that equals the total of "school-funded" positions, without regard to pay, which last year's form provided "above the line" in the "Employed - Law School/University Funded" box. We will need to clearly explain the changes, but nothing needs to be done in the collection/verification process to be able to use the revised public report form.

It is the case that if we use the EQ that the Council approved, we will generate, at least for this cycle, all the micro-data that the revised form aggregates and makes simpler, including the total number of school-funded positions without regard to salary. That spreadsheet previously was a convenient place to go to get the 509 employment data for all schools, which is also separately reported by each school on its website.

We will create a summary spreadsheet, compiling the school reports using the revised form. But we will still have the more micro-data that the approved EQ collects. We recommend that for this coming cycle we publish both spreadsheets. That would allow those who cared about it to go into the microdata spreadsheet to figure out, if they wanted to do so, how many total jobs were school funded, whether or not they paid more than \$40K/year, but there will still be an easy place to go to look at collection of data reported in the new format.

We also recommend that the Council task the SRC with revising the questionnaire to align the data we collect with the new form so that next year we would ask schools to collect and be responsible for only the data points that are publicly reported. Reducing the amount of work that CSO staff must do collect and document data is one of the benefits of a simpler and streamlined public report.

Absent different directions from the Council, this memo reports how we intend to manage the employment data collection and reporting this year.