

## MEMORANDUM

TO: Cathy Havener Greer, Dean's Diversity Counsel – Pipeline Working Group Chair

FROM: Mike Nosler, Rothgerber Johnson & Lyons LLP

DATE: June 21, 2007

RE: Summary of Statistical Information Relating to Minorities Pursuing College and Professional Degrees

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### Executive Summary:

One of the questions our group was charged with answering is: Why minority students are not pursuing a career in the law? One of our assumptions was that perhaps this phenomenon is a function of lower overall high school and college graduation rates for minorities in the last few years. Thus, there are fewer minorities in the "pipeline." In order to verify this assumption, I undertook a not so scientific review of the statistical data that I could locate relating to this issue on a local and nationwide basis. After reviewing the data (which is summarized below) I have concluded the assumption is invalid. The following is a summary of my conclusions based on the data I've reviewed:

1. A greater percentage of minorities are graduating from high school in the most recent decade compared to the previous ten years.
2. A greater percentage of minorities are matriculating to four year colleges and graduating with undergraduate baccalaureate degrees in the last decade than in previous years.
3. Minority college graduates are pursuing advanced and professional degrees in fields other than the law such as business, engineering, education and the health sciences.
4. Admissions to law schools for African Americans is less than 50% of those who apply. This is the lowest percentage of any minority group.

These conclusions beg more questions than answers. Why is it that our profession is not attracting the minority undergraduate? Are other professions doing a better job of recruiting minorities from undergraduate school for advanced degrees? Is it a question of the financial burden of law school? Is it a lack of communication from our profession to the undergraduate classes? Do the undergraduate pre-law coordinators need help from our profession to promote law school as an alternative? Why are African Americans admitted to law school at a lower percentage rate than other minorities? Is it a function of LSAT or grades? Is it a lack of visibility or success stories for minority (especially African Americans) in our profession? These of course are only some of the questions we must address as a profession, but to blame our

plight on poor graduation rates for minorities at the high school and college level is apparently not the answer.

### Summary of Statistical Observations

#### 1. High School Numbers.

a. High school completion rates for 18 to 24 year olds by race/ethnicity: selected years, 1990 – 1992 to 2000 – 2002.<sup>1</sup>

##### 1990 – 1992

White = 82.5%  
African American = 75.5%  
Hispanic = 54.6%

##### 2002

White = 87.1%  
African American = 77.2%  
Hispanic = 61.5%

#### 2. Percentage of minority high school students in Denver public high schools as of 4/2005.<sup>2</sup>

Latino students = 48.7%  
White = 24%  
African American = 22.5%  
Asian = 3.5%  
Native American = 1.2%

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<sup>1</sup> William B. Harvey, Eugene L. Anderson, Minorities in Higher Education Twenty-first Annual Status Report 2003-2004; American Council on Education Feb. 2005.

<sup>2</sup> The Piton Foundation, School Facts, [www.piton.org](http://www.piton.org).

3. 2003-04 Graduation Rates for U.S. and Colorado:<sup>3</sup>

	<u>Colorado</u>	<u>U.S.</u>
<u>All students</u>	74.6	69.9
By gender		
Male	71.5	66.0
Female	77.6	73.6
<u>By race and ethnicity</u>		
American Indian/Alaska Native	52.8	49.3
Asian/Pacific Islander	80.4	80.2
Hispanic	53.8	57.8
Black	57.9	53.4
White	81.4	76.2

4. College enrollment of recent high school completers (including GEDs) nationwide:

2004:<sup>4</sup>

Total = 66.7%  
Male = 61.4%  
Female = 71.5%  
White = 68.8%  
African American = 62.5%  
Hispanic = 61.8%

5. Excerpts from the report on "Minorities and Higher Education Twenty-First Annual Status Report 2003/2004" prepared by the American Council on Education (ACE).

a. This report analyzes and compares the data for the two decades between 1991-92 and 2001-02.

i. In the 10-year period between 1991 and 2001, African American enrollment in higher education rose by 36.95 to total nearly 1.8 million students.

ii. From 1991 to 2001, growth in Hispanic enrollment led all racial/ethnic groups increasing by 626,000 students, or 75.1%.

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<sup>3</sup> Karen Rouse, "Denver Aurora Grad Rates Lag," *The Denver Post*, June 13, 2007, at 2 B. *See also:* Nancy Mitchel and Burt Hubbard, "Hispanic boys have lowest grad rate in DPS, (only 19% in 8th grade in 2001 finished high school)," *Rocky Mountain News*, May 30, 2007, at 6.

<sup>4</sup> US Center for Educational Statistics, Digest of Education Statistics, Annual; Table 265, US Census Bureau, Statistical Abstract of the U.S. 2007.

iii. In the 10-year period between 1991 and 2001, Asian/American enrollment increased by 328,000 students, a 53.7% expansion.

iv. In 1991, the majority of American Indian students were enrolled in two-year institutions. After a 53% increase in American Indian enrollment in four-year institutions, four year schools became home to the majority of American Indian students by 2001, enrolling 75,000 compared with 74,000 at two-year institutions.

v. From 1991-92 to 2001-02, African Americans doubled the number of masters degrees they earned from 17,000 degrees to 37,000 degrees. African Americans also recorded dramatic gains in the numbers of associate and bachelor degrees earned, which increased by 66.5% and 56.1% respectively.

vi. In the 10-year period between 1991-92 and 2001-02, Hispanics more than doubled the number of degrees they earned at the associate and masters degree levels, earning 32,000 additional associate degrees and 11,000 additional masters degrees. At the bachelors degree level, Hispanics nearly doubled their 1991-92 total, increasing that figure by 96.3%.

vii. Asian/American women earned 128.8% more masters degrees in 2001-02 than they had in 1991-1992, compared with 54.8% growth for Asian/American men.

viii. American Indians achieved gains in all degree categories over the last 10 years with the most significant increase at the masters degree level, at which the number of degrees earned increased by 97.1%

ix. Minority growth in bachelors degrees earned was the greatest in health professions (up by 88.8%), biological/life sciences (up by 82.1%), and business (up by 76.5%). The largest numerical growth in bachelors degrees earned occurred in business; minorities earned 29,000 more business degrees in 2001-02 than they had 10 years earlier.

x. At the masters degree level, the number of degrees conferred increased in all selected fields of study. This growth occurred primarily in the fields: the health professions (up by 89.25%), education (up by 47.4%), and business (up by 42.7%). Sixty-two percent of all additional masters degrees awarded in 2001-02 were in education and business.

xi. In this 10-year period, African American students significantly increased the number of masters degrees they earned in all selected fields. Masters degrees confirmed in education and business had the largest numerical gains with more than 6,000 additional degrees confirmed in both fields during the last decade.

xii. From 1991-92 to 2001-02, Hispanics more than doubled the number of masters degrees they earned in health professions, education, business and social sciences/history and public administration.

xiii. In 2001-02, Asian/Americans earned 18 fewer masters degrees in engineering than in 1991-92. In all other selected fields, Asian Americans saw tremendous growth. They more than quadrupled the number of masters degrees they had earned in health professions, and more than doubled the number of masters degrees they had earned in education, business and public administration.

xiv. From 1991-92 to 2001-02, masters degrees earned by American Indians rose most significantly in the health professions (up by 141.5%), business (up by 131.8%), and education (up by 109%).

b. First professional and doctoral degrees.

i. In the last 10 years, African Americans increased the number of doctoral degrees they earned by 88.9%, increasing from 1,202 in 1991-92 to more than 2,200 in 2000-02. This represented the largest the numerical increase in doctoral degrees earned in among all groups. Both African American men and women contributed significantly to this surge with women outpacing men by a significant margin, 119.5% to 54.3%.

ii. African Americans showed their largest rate of growth in doctoral degrees earned in engineering . . . their largest numerical growth occurred in education, a field in which African Americans earned 197 more doctoral degrees in 2001-02 than in 1991-92.

iii. At the first professional degree level, African Americans earned 52.25 more degrees in 2001-02 than in 1991-92. The increase in degrees earned by African American women was more than twice that by African American men, rising by 72.2% and 28.3% respectively.

iv. The number of African Americans earning first professional degrees at "HBCUs" (historically black colleges and universities) more than doubled in the 10-year period between 1991-92 and 2001-02.

v. Hispanics made dramatic gains in doctoral degrees earned over this 10-year period rising from 798 degrees in 1991-92 to more than 1,300 in 2001-02, a 69.3% gain. In the last 10-year period, Hispanics doubled their number of doctoral degrees earned in humanities. Hispanics increased their number of first professional degrees earned by a more modest 32.7% during this 10-year period.

vi. Asian/American women led Asian/American growth in doctoral degrees earned, with a 103.6% increase, compared with an increase of only 11.7% for Asian/American men. Asian/Americans nearly tripled the number of doctoral degrees they earned in humanities from 1991-92 to 2001-02, increasing by 95

degrees to stand at 147 degrees by the end of that 10-year period. In the last 10-year period, Asian/Americans nearly doubled the number of first-professional degrees that they earned.

vii. American Indians gained 57 additional doctoral degrees in 2001-02 over their total from 10 years earlier an increase of 48.3%. American Indian women were responsible for the rise in doctoral degrees earned increasing their number of degrees by 56.

6. Applicants vs. Admissions of All Law Schools (186) for the fall of 2006:<sup>5</sup>

<i>Minority Groups</i>	<i>Applicants</i>	<i>Admissions</i>	<i>Percentage of Applicants Admitted</i>
All	88,700	56,000	63%
American Indian/Alaskan Native	730	400	54%
Asian/Pacific Islander	7,220	4,560	63%
Black/African-American	9,340	3,920	42%
Caucasian/White	58,070	39,850	68%
Chicano/Mexican-American	1,260	720	57%
Hispanic/Latino	4,510	2,480	54%
Puerto Rican	1,630	820	50%
Other	4,420	2,690	60%

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<sup>5</sup> Volume Summary, Applicants by Ethnic & Gender Group Final End-of-Year Counts of Applicants to ABA Law Schools.