DOWNWARD TREND CONTINUES FOR ACADEMIC REPUTATION SCORES: ADDENDUM TO 2013 LONGITUDINAL STUDY

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The purpose of this short essay is to summarize the results of the most recent U.S. News & World Report (“U.S. News”) law school rankings with respect to the academic reputation scores that I analyzed in a longitudinal study published last year.¹

Consistent with the prevailing downward trend in academic reputation scores observed in the 2013 study, the academic reputation scores for law schools continued to decline in 2014.² Fifty-eight out of the 172 law schools in the data set (34%) saw their academic reputation scores decline in 2014.³ In contrast, only fourteen law schools in the data set (8%) enjoyed an improvement to their academic reputation scores in 2014.⁴ In the aggregate, law schools suffered a decline of 4.6 points (an average of .026 per law school) in 2014. This year’s results constituted the fourth worst decline for academic reputation scores in the last seventeen years, coming directly on the heels of the 2013 results that constituted the largest annual decline since

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2. See Jones, supra note 1, at 728 – 753.

3. The longitudinal study encompassed the 172 law schools that received an academic reputation score for every year during the sixteen-year period between 1998 and 2013. Jones, supra note 1, at 725 & n.12. In terms of all law schools, sixty-four out of the 194 law schools (33%) in the current U.S. News rankings saw their academic reputation scores decline in 2014.

4. In terms of all law schools, sixteen institutions experienced an improvement to their academic reputation scores in 2014 (8% of the 194 total).
U.S. News adopted the current format for academic reputation scores in 1998.\(^5\)

The results of the 2014 U.S. News rankings have been incorporated into Charts D, E, and F from the 2013 study and are reproduced below.

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\(^{5}\) See Jones, supra note 1, at 728 – 737. The four worst years for academic reputation scores between 1998 and 2014 were: 2013 (9.3 aggregate decline); 2002 (5.2 aggregate decline); 2011 (4.9 aggregate decline), and 2014 (4.6 aggregate decline).
Chart E

Number of Schools that Declined Each Year

Chart F

Number of Schools that Improved Each Year
There are now 118 law schools (69% of all law schools in the data set) that possess academic reputation scores that are lower than the ones they possessed in 1998. Only twenty-six law schools (15% of the data set), by contrast, currently enjoy academic reputation scores that are higher than the ones they possessed in 1998. A total of twenty-eight law schools currently retain the same academic reputation score they possessed in 1998. These figures are represented below in a revised version of Chart B.

Chart B

Academic Reputation Score Changes
1998 - 2014

- Number of Schools that Finished the Period Higher
- Number of Schools that Finished the Period Level
- Number of Schools that Finished the Period Lower

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6. This figure is up from the 108 total reported in last year’s study. See Jones, supra note 1, at 729.
7. This figure is down from the total of thirty-three reported in last year’s study. See id.
8. This figure is also down from last year’s study, where the total was thirty-one. See id.
The number of schools that have suffered substantial declines to their academic reputation scores since 1998 has also increased. At the time of last year’s study, a total of twenty-seven law schools in the data set had experienced a decline of .3 or more to their academic reputation scores for the period between 1998 and 2013.\(^9\) After 2014, that number has grown to thirty-three law schools (19% of the data set).\(^{10}\) The number of law schools that have declined by .2 since 1998 has increased to forty-nine (28% of the data set and up from forty-three in last year’s study). A revised pie Chart C incorporating the 2014 data is reproduced below, illustrating the breakdown of the movement in academic reputation scores since 1998.

**Chart C**

**Academic Reputation Score Changes 1998 - 2014**

\(^9\) Those twenty-seven law schools were listed in Table 10 of last year’s study. See id. at 774.

\(^{10}\) Nine law schools joined the ranks of those that have declined by .3 or more, whereas three law schools listed in Table 10 last year saw their scores improve sufficiently in 2014 to remove them from the table. The nine law schools are: Capital University, Catholic University of America (Columbus), University of Cincinnati, Cornell University, Hofstra University (Deane), University of Southern California (Gould), University at Buffalo - SUNY, Valparaiso University, and Western New England University. The three law schools no longer encompassed by Table 10 are: Baylor University, University of Nebraska - Lincoln, and Whittier College.
To reiterate a point made in the 2013 study, the pronounced trend downward in academic reputation scores is troubling because it appears to be the product of the zero-sum nature of the U.S. News rankings and the influence of strategic considerations on the voting patterns of academics.\footnote{See id.at 752 – 53 (“The fact that strategic considerations have influenced the voting process does not necessarily imply that any of the voting has been disingenuous. The data demonstrates, however, that the voting academics are employing increasingly stringent standards in their evaluations and, perhaps most importantly, the data strongly suggests that the voting academics are particularly stringent in their grading with respect to those schools that pose the greatest obstacles to the advancement of the institutions with which they are associated.”).} To illustrate that point, the 2013 study observed that the period between 1998 and 2013 was characterized by an inverse correlation between academic reputation scores and U.S. News ranks on the one hand and the likelihood that academic reputation scores would improve on the other.\footnote{Id. at 741 - 53.} With respect to the law schools that possessed the twenty-five highest academic reputation scores in 1998, for example, not a single one of those top schools had been able to improve its academic reputation score between 1998 and 2013.\footnote{Id. at 741 - 44.} The study observed that only two of those law schools (Stanford and Emory) had even been able to maintain their academic reputation scores since 1998. Both Stanford and Emory, however, saw their academics reputation scores decline in 2014. As a result, every one of the top law schools has now suffered a decline to its academic reputation score relative to when the period began in 1998. The average decline for these top schools for the period between 1998 and 2014 was -.222, approximately twice the average decline suffered by all law schools in the data set for the same period (-.115).

It is worth considering, furthermore, whether the recent acceleration of the downward trend in academic reputation scores is correlated to the increased competition law schools have been facing by
virtue of the decline in applications that began in the Fall of 2011. As Chart D illustrates, three of the four sharpest declines to academic reputation scores since 1998 have occurred in the last four years. Since 2011, the average result for all law schools in the data set has been a decline of approximately .1.

Any law school whose academic reputation score has not gone down the last four years, therefore, is atypical. Of the 172 law schools in the data set, 117 now have a lower academic reputation score than the one they possessed four years ago. Only nine law schools in the data set now have a higher academic reputation score than the one they possessed four years ago.

In short, it is difficult to have confidence in a form of assessment that increasingly seems untethered to the actual performances of the schools being assessed. One could try to argue that the influence of strategic considerations on the voting patterns in the U.S. News surveys is not problematic in so far as all law schools are subject to the same influences. The truth, however, is that all law schools are not subject to these influences in the same ways and to the same degrees. I would like nothing more than to ignore everything about the U.S. News rankings and the academic reputation scores associated with them. In light of the importance placed upon those rankings by students, alumni, and employers, however, such a course does not seem feasible. At some point, U.S. News must be willing to address the methodological problems related to the formulation of the academic reputation scores. In the interim, those academics tasked with the responsibility of completing

14. See End of Year Summary 2003–Present (ABA applicants, applications, admissions, matriculants, enrollment, tests, CAS), LAW SCHOOL ADMISSION COUNCIL, http://www.lsac.org/lsacresources/data/lsac-volume-summary (statistical table revealing that applications to ABA accredited law schools peaked in 2010 and then fell 10.9% in 2011, 12.5% in 2012, and 17.9% in 2013) (last visited March 13, 2014); see also Jones supra note 1, at 737 & n.53 (discussing enrollment drops and possible correlation to downward trend in scores).

15. The second worst aggregate decline during the period occurred in 2002.

16. Since 2011, the academic reputation scores for the 172 law schools in the data set have declined 15.9 points in the aggregate. That aggregate result constitutes an average change of -.092 per school.

17. See id. at 741 (“Once the scores cease to be reflections of meaningful criteria, there simply is no reason to think that strategic considerations will affect all schools to the same degree. In fact, there is every reason to think that strategic considerations will affect law schools in very unequal ways.”).

18. See id. at 788 – 90 (advocating that U.S. News adopt four specific changes to the survey process).
the surveys can seek ways to rationalize the assessment of law schools in order to minimize the influence of factors that should be extraneous to the process.