

# **Pervasive Preferences 2.0: Undergraduate and Law School Admissions Statistics Since *Grutter***

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And thanks to Rudy Gersten for handling the many tasks related to releasing this review and other past reports, especially getting the reports up on the website in a timely fashion.

Years ago, Robert Lerner and I produced many studies of racial and ethnic preferences in public higher education for the Center for Equal Opportunity (CEO). In 2001, we summarized these individual statistical reports in “Pervasive Preferences.”<sup>1</sup>

This report, “Pervasive Preferences 2.0,” is a statistical compilation of the undergraduate and law school reports that I have done since *Grutter v. Bollinger* (2003).<sup>2</sup> Part I covers preferences in undergraduate admissions. Part II summarizes the findings of preferences in law school admissions.<sup>3</sup>

## **Part 1 Racial and Ethnic Preferences in Undergraduate Admissions to Public Universities**

As evidence of pervasive preferences, I present the summary statistics for disparities in academic qualifications among admittees and the odds ratios of admissions comparing blacks, Hispanics, and Asian Americans to whites. For individual schools, there are also tables displaying the disparities for each school and year analyzed, by race, SATs, ACTs, high school GPAs, and high school class rank. These summary statistics are taken from the original reports.<sup>4</sup>

### **Disparities in Undergraduate Test Scores and Grades**

Table 1 tallies the disparities in SATs, ACTs, high school GPAs, and high school class rank. The cases consist of five Virginia public universities using one year’s worth of data, the University of Oklahoma,<sup>5</sup> and other public universities with multiple years of data: two years for Wisconsin (2007, 2008), Miami University of Ohio (2006, 2007), and Ohio State (2005, 2006); and four years for the University of Michigan (1999, 2003, 2004, 2005).

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<sup>1</sup> Robert Lerner and Althea K. Nagai, “Pervasive Preferences: Racial and Ethnic Discrimination in Undergraduate Admissions Across the Nation,” Center for Equal Opportunity, February 22, 2001, <http://www.ceousa.org/attachments/article/1369/Pervasive%20Preferences.pdf>. Back then, we also produced a multi-state study of medical schools. Robert Lerner and Althea K. Nagai, “Preferences in Medical Education: Racial and Ethnic Preferences at Five Public Medical Schools,” Center for Equal Opportunity, June 14, 2001, <https://www.ceousa.org/attachments/article/659/multimed.pdf>.

<sup>2</sup> *Grutter v. Bollinger*, 539 U. S. 306 (2003), <https://www.law.cornell.edu/supct/pdf/02-241P.ZO>.

<sup>3</sup> I also did a study of the University of Oklahoma’s medical school as part of a large report of preferences at the University of Oklahoma and on the University of Michigan Medical School. See Althea K. Nagai, “Racial and Ethnic Preferences in Admissions to the University of Oklahoma,” October 22, 2012, [http://www.ceousa.org/attachments/article/624/Oklahoma\\_Study.pdf](http://www.ceousa.org/attachments/article/624/Oklahoma_Study.pdf); Althea K. Nagai, “Racial and Ethnic Admission Preferences at the University of Michigan Medical School,” Center for Equal Opportunity, October 17, 2006, <http://www.ceousa.org/attachments/article/543/UMichMedFinal.pdf>.

<sup>4</sup> Statistics from different reports have been rounded in the tables for consistency.

<sup>5</sup> Oklahoma analyses combined data from 2005 to 2007 and were done using the ACTs only.

Table 1 Differences in Undergraduate Admittees' Median Test Scores, GPAs, and Class Rank

	White> Black	White> Hispanic	Hispanic> White	White> Asian	Asian> White	Asian= White
SATs	15	15			15	
ACTs	16	16			9	7
GPAs	12	12		2	7	3
H.S. Rank	4	2	2		2	2

In all cases, the average (median) SAT and ACT test scores for white admittees were greater than those of black and Hispanic admittees.

There were no cases of white admittees' test scores exceeding those of Asian admittees.

Additionally, in 12 cases, the average white admittee GPA exceeded those for black and Hispanic admittees. In 2 instances white admittee GPAs were greater than those for Asians.

In the 4 cases with class rank, the median class rank for whites was higher than those for black admittees.

Comparing whites and Hispanics, the high school rank was higher for whites in 2 cases, but higher for Hispanics in the other two.

There were no cases where the white admittee high school rank was higher than the median for Asians.

## Odds Ratios in Undergraduate Admissions

An odds ratio is a ratio of the odds of an event happening to Group A compared to the same event happening to Group B.

“The [odds ratio] represents the odds that an outcome will occur given a particular exposure, compared to the odds of the outcome occurring in the absence of that exposure.”<sup>6</sup>

The odds ratio is somewhat like a correlation coefficient and allows for statistically controlling for the effects of other variables in predicting the outcome. The odds ratio measures the magnitude of the preference given relative to a baseline group. An odds ratio equal to or greater than 3.0 to 1 is often thought to reflect a strong association, an odds ratio equal to or greater than 1.5 to 1 but less than 3.0 to 1 reflects a moderate

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<sup>6</sup> See Magdalena Szumilas, “Explaining Odds Ratios,” *Journal of Canadian Academic Child and Adolescent Psychiatry* 19(3) August 2010: 227–29, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2938757/#:~:text=What%20is%20an%20odds%20ratio,the%20absence%20of%20that%20exposure.>

association, while a relative odds ratio of less than 1.5 to 1 indicates a weak association. Odds ratio of less than 1.0 to 1, e.g., 0.7 to 1, favors whites, calculated by taking its inverse. Of course, an odds ratio of 1.0 to 1 indicates no relationship.<sup>7</sup>

For these CEO studies, odds ratios were calculated for the odds of admissions of black, Hispanic, or Asian American versus white applicants. The statistical procedure of logistic regression allowed for controlling the effects of in-state residency, gender, legacy connections, test scores (SATs or ACTs) and high school GPAs or class rank. Where we reported on two or more years of data (e.g., the University of Wisconsin), the year of admission was also used as a control variable. The exception was the University of Michigan, where odds ratio analyses were done separately for each of the four years.<sup>8</sup>

Table 2 below shows the odds ratios for various schools plus the University of Michigan for four separate years. Controlling for multiple factors, statistical analyses found 18 cases where black applicants were given preference over whites, 1 case where white applicants were favored over blacks, and 1 case with no significant difference in black-white odds of admissions. There were 16 cases where Hispanic applicants were favored over whites, 1 case where whites were favored over Hispanics, and 3 with no significant difference. For the Asian-white comparisons, 4 favored Asian applicants over whites, 10 favored white applicants over Asians, and 6 cases had no statistically significant difference.

Table 2 Undergraduate Admissions' Odds Ratios\*

Schools	Black-White	Hispanic-White	Asian-White	White-Asian
University of Virginia	6.8 to 1	2.1 to 1	0.8 to 1	1.2 to 1
William & Mary	19.8 to 1	6.7 to 1	0.5 to 1	2.0 to 1
Virginia Tech	1.2 to 1	1.0 to 1 <sup>ns</sup>	0.5 to 1	2.1 to 1
James Madison	1.0 to 1 <sup>ns</sup>	1.0 to 1 <sup>ns</sup>	0.7 to 1	1.4 to 1
George Mason	0.7 to 1	0.6 to 1	0.7 to 1	1.3 to 1
Wisconsin with SAT	576 to 1	504 to 1	1 to 1 <sup>ns</sup>	
Wisconsin with ACT	1330 to 1	1494 to 1	1 to 1 <sup>ns</sup>	
Oklahoma	2.2 to 1	1.2 to 1 <sup>ns</sup>	0.9 to 1 <sup>ns</sup>	
Miami University with SAT	8.0 to 1	2.2 to 1	2.1 to 1	
Miami University with ACT	10.2 to 1	2.2 to 1	1.6 to 1	
Ohio State with SAT	3.3 to 1	4.3 to 1	1.5 to 1	
Ohio State with ACT	7.9 to 1	6.5 to 1	2.1 to 1	
Michigan, 1999 with SAT	26.9 to 1	11.8 to 1	0.8 to 1	1.3 to 1

<sup>7</sup> See David E. Lilienfeld and Paul D. Stolley, *Foundations of Epidemiology*, 3<sup>rd</sup> edition (New York: Oxford University Press, 1994): 200-202.

<sup>8</sup> Logistic regression has been used to calculate the odds ratio of smokers versus non-smokers getting lung cancer, controlling for demographic variables, daily cigarette consumption, and years smoked. In Szumilas, "Explaining Odds Ratios," an example was given of odds ratios/logistic regression analysis of the association of age, sex, presence of psychiatric disorder, previous hospitalizations, and drug and alcohol use, with suicide. The effect of each of these factors on adolescent suicide could be assessed by controlling for the other demographic and health factors.

Michigan, 2003 with SAT	24.8 to 1	16.4 to 1	0.6 to 1	1.7 to 1
Michigan, 2004 with SAT	26.0 to 1	14.8 to 1	0.7 to 1	1.4 to 1
Michigan, 2005 with SAT	70.8 to 1	46.3 to 1	0.7 to 1	1.5 to 1
Michigan, 1999 with ACT	48.7 to 1	32.5 to 1	0.9 to 1 <sup>ns</sup>	
Michigan, 2003 with ACT	29.1 to 1	25.6 to 1	1.0 to 1 <sup>ns</sup>	
Michigan, 2004 with ACT	23.7 to 1	17.2 to 1	0.9 to 1 <sup>ns</sup>	
Michigan, 2005 with ACT	62.8 to 1	47.8 to 1	0.8 to 1	1.2 to 1

\*All odds ratios are statistically significant unless noted; “ns”=not statistically significant.

Black-white odds ratios were large in 15 cases (and largest at the University of Wisconsin). Odds ratios were moderate in size at the University of Oklahoma (2.2 to 1) and small in size at Virginia Tech and George Mason (where the 0.7 to 1 black-white odds ratio equals a white-black odds ratio of 1.4 to 1). There was no difference at James Madison (i.e., the black-white odds ratio was 1.0 to 1 and not statistically significant).

Hispanic-white odds ratios were large in 12 cases, (and largest also at the University of Wisconsin). In 4 cases, odds ratios were moderate in size—Virginia at 2.1 to 1, George Mason at 0.6 to 1 (the inverse being a white-Hispanic odds ratio of 1.7 to 1), Miami University with the SAT at 2.2 to 1, and Miami University with the ACT also at 2.2 to 1. The odds ratios at Virginia Tech, James Madison, and Oklahoma were not statistically significant, meaning there was no preference granted Hispanics over whites when controlling for other factors.

There were no large odds ratios favoring Asians over whites or whites over Asians. 4 odds ratios were moderate in size and favored Asians over whites (Miami University with the SAT and the ACT, Ohio State with the SAT and the ACT) while 4 moderate odds ratios favored whites over Asians (William and Mary, Virginia Tech, Michigan in 2003 and 2005 using the SAT). The rest were either not statistically significant or small white-Asian odds ratios.

Preferences are also illustrated in comparisons of test scores and grades. In the next three sections, I lay out the disparities in median SAT and ACT test scores, high school GPAs and rank, for individual universities. Each table compares black and white admittees, Hispanic and white admittees, and Asian American and white admittees

## Undergraduate Black-White Admittee Differences

Table 3 below displays the median combined critical reading and math scores for the SAT.

Table 3 Undergraduate Black-White Admittee Differences (Medians)

<b>SATs</b>	<b>Black</b>	<b>White</b>	<b>Difference</b>
University of Virginia	1240	1420	180
William & Mary	1260	1450	190
Virginia Tech	1200	1300	100
James Madison	1130	1220	90
George Mason	1130	1230	100
Wisconsin, 2007	1190	1330	140
Wisconsin, 2008	1190	1340	150
Miami University, 2006	1080	1220	140
Miami University, 2007	1090	1220	130
Ohio State, 2005	1100	1210	110
Ohio State, 2006	1110	1220	110
Michigan, 1999	1170	1310	140
Michigan, 2003	1180	1340	160
Michigan, 2004	1160	1340	180
Michigan, 2005	1160	1350	190
<b>ACTs</b>	<b>Black</b>	<b>White</b>	<b>Difference</b>
University of Virginia	28	33	5
William & Mary	28	33	5
Virginia Tech	25	29	4
James Madison	22	27	5
George Mason	24	28	4
Wisconsin, 2007	24	29	5
Wisconsin, 2008	25	29	4
Oklahoma	22	26	4
Miami University, 2006	23	27	4
Miami University, 2007	23	27	4
Ohio State, 2005	22	26	4
Ohio State, 2006	23	27	4
Michigan, 1999	24	28	4
Michigan, 2003	24	29	5
Michigan, 2004	24	29	5
Michigan, 2005	24	29	5
<b>High School GPAs</b>	<b>Black</b>	<b>White</b>	<b>Difference</b>
University of Virginia	4.16	4.32	0.15
William & Mary	4.23	4.37	0.15
Virginia Tech	3.93	4.03	0.10
James Madison	3.76	3.86	0.10
George Mason	3.64	3.75	0.11
Oklahoma	3.53	3.68	0.15
Miami University, 2006	3.45	3.73	0.28
Miami University, 2007	3.40	3.74	0.34
Michigan, 1999	3.4	3.8	0.4
Michigan, 2003	3.5	3.9	0.4



Michigan, 2004	3.5	3.8	0.3
Michigan, 2005	3.4	3.9	0.5
<b>HS Rank</b>	<b>Black</b>	<b>White</b>	<b>Difference</b>
Wisconsin, 2007	85	93	8
Wisconsin, 2008	85	93	8
Ohio State, 2005	85.6	87.0	1.4
Ohio State, 2006	88.2	88.3	0.1

In all 15 cases, the median SATs of white admittees were greater than the medians of black admittees. The largest differences were found at the College of William & Mary and at the University of Michigan in 2005 (190 for both), followed by the University of Virginia and the University of Michigan in 2004 (180 for both). The smallest difference in medians was at James Madison (90 points) and at George Mason (100 points).

Table 3 also displays the median composite ACT scores for admittees. Composite ACT scores range from 1 to 36. A 1-point difference in ACT scores is roughly a 30-to-40-point difference in SAT scores.<sup>9</sup>

White admittees' median ACT scores exceeded those of black admittees in all 16 cases. White admittee median ACTs were 5 points greater than black admittee medians in 7 cases (Virginia, William and Mary, James Madison, Wisconsin-2007, and Michigan 2003, 2004, and 2005). In the other 9 cases, there was a 4-point difference.

White median high school GPAs also exceeded those for black admittees in all 12 cases. The largest difference was at the University of Michigan in 2005 (0.5 of a point difference), followed by Michigan in 1999 and 2003 (0.4 of a point). The smallest differences were at George Mason, Virginia Tech, and James Madison, of roughly a tenth of a point.

White class ranks also exceeded those of black admittee medians in all 4 cases. At Wisconsin, white admittees outranked black admittees by an average of 8 points. At Ohio State, median ranks were much closer. In 2005, the white admittee median rank was roughly 1.4 points higher than the black admittee median rank. In 2006, the white-black medians differed by roughly a tenth of a point.

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<sup>9</sup> See the ACT's "ACT-SAT Concordance Tables," 2018, <https://www.act.org/content/dam/act/unsecured/documents/ACT-SAT-Concordance-Tables.pdf>; see also PrepScholar, "Table 1, SAT-ACT Conversion Chart." <https://blog.prepscholar.com/act-to-sat-conversion>.

## Undergraduate Hispanic-White Differences

Table 4 Undergraduate Hispanic-White Admittee Differences (Medians)

<b>SAT</b>	<b>Hispanic</b>	<b>White</b>	<b>Difference</b>
University of Virginia	1350	1420	70
William & Mary	1360	1450	90
Virginia Tech	1270	1300	30
James Madison	1150	1220	70
George Mason	1170	1230	60
Wisconsin, 2007	1240	1330	90
Wisconsin, 2008	1250	1340	90
Miami University, 2006	1185	1220	35
Miami University, 2007	1190	1220	30
Ohio State, 2005	1170	1210	40
Ohio State, 2006	1110	1220	110
Michigan, 1999	1240	1310	70
Michigan, 2003	1260	1340	80
Michigan, 2004	1260	1340	80
Michigan, 2005	1260	1350	90
<b>ACT</b>	<b>Hispanic</b>	<b>White</b>	<b>Difference</b>
University of Virginia	32	33	1
William & Mary	31	33	2
Virginia Tech	28	29	1
James Madison	24	27	3
George Mason	26	28	2
Wisconsin, 2007	26	29	3
Wisconsin, 2008	26	29	3
Oklahoma	24	26	2
Miami University, 2006	26	27	1
Miami University, 2007	26	27	1
Ohio State, 2005	25	26	1
Ohio State, 2006	25	27	2
Michigan, 1999	26	28	2
Michigan, 2003	26	29	3
Michigan, 2004	26	29	3
Michigan, 2005	27	29	2
<b>HS GPA</b>	<b>Hispanic</b>	<b>White</b>	<b>Difference</b>
University of Virginia	4.26	4.32	0.06
William & Mary	4.30	4.37	0.07
Virginia Tech	3.98	4.03	0.05
James Madison	3.76	3.86	0.10
George Mason	3.69	3.75	0.06
Oklahoma	3.61	3.68	0.07
Miami University, 2006	3.61	3.73	0.12
Miami University, 2007	3.63	3.74	0.11
Michigan, 1999	3.5	3.8	0.3
Michigan, 2003	3.5	3.9	0.4
Michigan, 2004	3.6	3.8	0.2

Michigan, 2005	3.6	3.9	0.3
<b>HS Rank</b>	<b>Hispanic</b>	<b>White</b>	<b>Difference</b>
Wisconsin, 2007	86	93	7
Wisconsin, 2008	87	93	6
Ohio State, 2005	88.2	87.0	-1.2
Ohio State, 2006	88.6	88.3	-0.3

As Table 4 reflects, there were 15 cases where the white admittee median SAT scores exceeded those of Hispanic admittees. The largest difference was at Ohio State in 2006 (110 points), followed by a difference in medians of 90 points at the College of William and Mary, the University of Wisconsin in 2007 and 2008, and the University of Michigan in 2005.

White admittees' ACT medians also exceeded Hispanic admittee medians in 16 cases. The largest difference was 3 points (at James Madison, Wisconsin in 2007 and 2008, and Michigan in 2003 and 2004). 6 cases had a gap of 2 points (William and Mary, George Mason, Oklahoma, Ohio State in 2006, and the University of Michigan in 1999 and 2005). The remaining five (Virginia, Virginia Tech, Miami University in 2006 and 2007, and Ohio State in 2005) had a Hispanic-white difference of 1 point.

The median high school GPA for white admittees also exceeded those of Hispanic admittees for all 12 cases. The differences were largest at Michigan in 2003 (0.4 of a point) followed by Michigan in 1999 and 2005 (0.3 of a point) and Michigan in 2004 (0.2 of a point). 8 cases were roughly a tenth of a point or less. The smallest gaps were at Virginia Tech (0.05 of a point), George Mason, and Virginia (0.06 of a point).

For 2 cases, the median class rank of whites was greater than that of Hispanic admittees (Wisconsin in 2007 and Wisconsin in 2008). For Ohio State in 2005 and 2006, Hispanic admittees' class rank exceeded that of white admittees (1.2 in 2005 and 0.3 in 2006).

## Undergraduate Asian American-White Differences

Table 5 Undergraduate Asian-White Admittee Differences (Medians)

<b>SATs</b>	<b>Asian</b>	<b>White</b>	<b>Difference</b>
University of Virginia	1480	1420	-60
William & Mary	1500	1450	-50
Virginia Tech	1340	1300	-40
James Madison	1240	1220	-20
George Mason	1260	1230	-30
Wisconsin, 2007	1360	1330	-30
Wisconsin 2008	1370	1340	-30
Miami University, 2006	1250	1220	-30
Miami University, 2007	1250	1220	-30
Ohio State, 2005	1280	1210	-70
Ohio State, 2006	1280	1220	-60
Michigan, 1999	1360	1310	-50
Michigan, 2003	1380	1340	-40
Michigan, 2004	1380	1340	-40
Michigan, 2005	1400	1350	-50
<b>ACTs</b>	<b>Asian</b>	<b>White</b>	<b>Difference</b>
University of Virginia	33	33	0
William & Mary	33	33	0
Virginia Tech	31	29	-2
James Madison	28	27	-1
George Mason	29	28	-1
Wisconsin, 2007	30	29	-1
Wisconsin 2008	30	29	-1
Oklahoma	26	26	0
Miami University, 2006	28	27	-1
Miami University, 2007	27	27	0
Ohio State, 2005	27	27	0
Ohio State, 2006	27	27	0
Michigan, 1999	29	28	-1
Michigan, 2003	30	29	-1
Michigan, 2004	29	29	0
Michigan, 2005	30	29	-1
<b>HSGPA</b>	<b>Asian</b>	<b>White</b>	<b>Difference</b>
University of Virginia	4.35	4.32	-0.03
William & Mary	4.31	4.37	0.06
Virginia Tech	4.11	4.03	-0.08
James Madison	3.9	3.86	-0.04
George Mason	3.81	3.75	-0.06
Oklahoma	3.74	3.68	-0.06
Miami University, 2006	3.79	3.73	-0.06
Miami University, 2007	3.76	3.74	-0.02
Michigan, 1999	3.7	3.8	0.1
Michigan, 2003	3.9	3.9	0
Michigan, 2004	3.8	3.8	0
Michigan, 2005	3.8	3.9	0.1

<b>HS Rank</b>	<b>Asian</b>	<b>White</b>	<b>Difference</b>
Wisconsin, 2007	93	93	0
Wisconsin, 2008	93	93	0
Ohio State, 2005	89.2	87.0	-2.2
Ohio State, 2006	92.2	88.3	-3.9

Unlike white-black and white-Hispanic admittee differences, the Asian-white SAT differences all favored Asian Americans over whites. As Table 5 reflects, the largest difference in median SAT scores was at Ohio State in 2005 (70 points), favoring Asian American admittees, followed by Virginia and Ohio State in 2006 (60 points). The smallest gap in median SATs was at James Madison (20 points), favoring Asian American admittees.

Differences in admittee median ACT scores favored Asian admittees over white admittees in 9 cases, with the largest difference at Virginia Tech (2 points). In 8 cases (James Madison, George Mason, Wisconsin in 2007 and 2008, Miami University in 2006, and Michigan in 1999, 2003, and 2005), the difference was 1 point. In 7 cases (Virginia, William and Mary, Oklahoma, Miami University in 2007, Ohio State in 2005 and 2006, and Michigan in 2004), there was no difference.

In 7 cases, median high school GPAs favored Asian admittees over whites, but all were less than a tenth of a point (Miami University in 2006 and 2007, Virginia, James Madison, George Mason, Oklahoma, and Virginia Tech). In 3 cases, white admittees had higher median GPAs (Michigan in 1999 and 2005 and the College of William and Mary), while in 2 cases (Michigan in 2003 and 2004), the Asian and white admittee medians were the same.

In 2 cases (Ohio State 2005 and 2006), Asian admittees had a higher class rank than whites, while in 2 other cases (Wisconsin 2007 and 2008), the Asian and white admittee medians were the same.

## **Conclusion: Undergraduate Preferences**

A comparison of admittees' median SAT and ACT test scores favored white scores greater than those of black and Hispanic admittees.

All Asian-white comparisons of admittees' median test scores favored Asians.

The gaps were not only for test scores, however. Grades also favored whites over blacks and Hispanics. The median white admittee GPA exceeded those for black and Hispanic admittees for all 12 cases.

A comparison of high school grades was more mixed when comparing Asians and whites. In 7 cases, median high school GPAs were slightly higher for Asian admittees. In 3 cases, white admittees had higher median GPAs, while the Asian and white admittee medians were the same in 2 cases.

In 4 cases with class rank, the median class rank for white admittees was higher than those for black admittees. In 2 cases, the median admittee rank was higher for whites compared to Hispanics, but in 2 cases, the Hispanic rank was higher.

There were no cases where the white admittee high school rank was higher than the median for Asians. In 2 cases, Asian admittees had a higher rank than whites, while in 2 others, the Asian and white admittee median ranks were the same.

Controlling for other factors, logistic regression analyses produced 18 odds ratios where black applicants were given preference over whites, 1 case where white applicants were favored over blacks, and 1 case with no significant difference in black-white odds of admissions. There were 16 cases where Hispanic applicants were favored over whites, 1 case where whites were favored over Hispanics, and 3 with no significant difference. For the Asian-white comparisons, 4 favored Asian applicants over whites, 10 favored white applicants over Asians, and 6 cases had no statistically significant difference.

In Part 2, I present summary statistics for 15 cases of law school admittee differences. Preference in admissions favoring blacks and Hispanics (and Asians to a lesser extent) is especially true at the law school. Evidence of this preferential treatment is found in gaps in LSAT scores and undergraduate grades among those admitted, and—more precisely—by calculating the odds ratios.

## **Part 2 Racial and Ethnic Preferences in Law School Admissions**

### **Disparities in LSAT Scores<sup>10</sup> and College Grades**

Table 6 below is a summary of the disparities in test scores and college GPAs. The cases consist of the University of Oklahoma and the University of Utah, and several other public universities with multiple years: 2 years for Wisconsin, the University of Nebraska, and Arizona State, 3 years for the University of Arizona, and 4 years for the University of Michigan.

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<sup>10</sup> The Law School Admission Test (LSAT) is administered by the Law School Admission Council. LSAT scores range from 120 to 180 (plus or minus 2.6 points per individual score). “LSAT Scoring,” <https://www.lsac.org/lsat/taking-lsat/lsat-scoring>.

Table 6 Differences in Law School Admittees' Median Test Scores and Grades

Test/Grades	White>Black	White>Hispanic	White>Asian	Asian>White	Asian=White
LSATs	15	15	8	1	6
College GPAs	15	15	9		6

In all cases, the average (median) LSAT scores of white admittees were greater than those of black and Hispanic admittees. There were 8 cases where white admittee scores were greater than Asian scores, while 6 scores were the same.

The same was the case for college grades. In all cases, the average (median) college GPAs of white admittees were greater than those of black and Hispanic admittees.

In 8 cases, white admittees' median scores exceeded those of Asians. They were the same in 6 cases, while Asian median scores exceeded white scores in 1.

In 9 cases, white college GPAs were greater than those of Asians, while in 6 cases, the college GPAs were the same.

## Odds Ratios in Law School Admissions

To calculate odds ratios of law school admissions, logistic regression analyses used LSAT scores, colleges grades, residency, gender, and race as variables. Where the university provided data for two or more years, year was also used as a variable. The exception was the University of Michigan, where logistic regression analysis was done separately for each of the four years, resulting in four odds ratios.<sup>11</sup>

Table 7 below shows that black applicants were given preference over white applicants at 10 law schools, controlling for test scores, year, grades, gender, legacy, and residency. All black-to-white odds ratios were large, and some such as Arizona State, Nebraska, and Arizona were extremely large.

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<sup>11</sup> Large ratios were defined as those greater than 3.0 to 1, moderate odds ratios were defined as equal to or greater than 1.5 but less than 3.0 to 1, small odds ratios were those less than 1.5 to 1. See prior discussion of odds ratios in Part 1 on undergraduate admissions.

Table 7 Odds Ratios of Law School Admissions\*

Schools	Black to White	Hispanic-White	Asian-White	White-Asian
Oklahoma	5.5 to 1	1.1 to 1 <sup>ns</sup>	0.7 to 1 <sup>ns</sup>	
Wisconsin	61.4 to 1	14.2 to 1	1.7 to 1	
Nebraska	442 to 1	90 to 1	6 to 1	
Utah	163 to 1	7 to 1	4 to 1	
Arizona	250 to 1	18 to 1	3 to 1	
Arizona State	1,115 to 1	85 to 1	2 to 1	
Michigan, 1999	36.1 to 1	3.9 to 1	0.4 to 1	2.3 to 1
Michigan, 2003	24.3 to 1	1.8 to 1	0.8 to 1	1.3 to 1
Michigan, 2004	28.2 to 1	3.5 to 1	0.7 to 1	1.4 to 1
Michigan, 2005	18.5 to 1	3.3 to 1	0.8 to 1 <sup>ns</sup>	

\*All odds ratios are statistically significant unless noted (“ns”=not significant).

Hispanics were granted large preferences over whites at 9 law schools. 7 were large Hispanic-over-white odds ratios. 2 (Nebraska and Arizona State) were extremely large but not as large as Nebraska and Arizona State odds ratios favoring blacks over whites. 1 case was moderate in size (Michigan 2003), and 1 case (Oklahoma) showed no favoring of Hispanics over whites.

Odds ratios also show Asians favored over whites in 5 cases. 3 were large preferences (Nebraska, Utah, and Arizona), while 2 were moderate in size (Wisconsin and Arizona State). In 3 cases, there were small odds ratios favoring whites over Asians (Michigan in 1999, 2003 and 2004), while odds ratios showed no statistically significant difference in 2 (Oklahoma, Michigan 2005).

The next sections present further evidence of preferences of blacks and Hispanics over whites, and Asians to a lesser extent. The sections display the disparities in LSAT scores and college GPAs for individual universities, comparing medians for black and white admittees, Hispanic and white admittees, and Asian American and white admittees.

## Black-White Law School Admittee Differences

Table 8 below displays the median LSAT scores and college GPAs for law school admittees. LSAT scores range from 120 to 180.

Table 8 Black-White Law School Admittee Differences (Medians)

LSAT	Black	White	Difference
Oklahoma	153	159	6
Wisconsin, 2005	156	163	7
Wisconsin, 2006	152	163	11
Nebraska, 2006	146	158	12



Nebraska, 2007	148	158	10
Utah	155	163	8
Arizona, 2005	155	164	9
Arizona, 2006	156	164	8
Arizona, 2007	156	164	8
Arizona State, 2006	156	162	6
Arizona State, 2007	157	162	5
Michigan, 1999	159	167	8
Michigan, 2003	160	169	9
Michigan, 2004	160	169	9
Michigan, 2005	162	169	7
<b>College GPA</b>	<b>Black</b>	<b>White</b>	<b>Difference</b>
Oklahoma	3.3	3.6	0.3
Wisconsin, 2005	3.3	3.7	0.3
Wisconsin, 2006	3.4	3.7	0.3
Nebraska, 2006	3.1	3.7	0.6
Nebraska, 2007	3.3	3.6	0.3
Utah	3.4	3.7	0.3
Arizona, 2005	3.5	3.6	0.1
Arizona, 2006	3.3	3.7	0.4
Arizona, 2007	3.4	3.6	0.2
Arizona State, 2006	3.3	3.7	0.4
Arizona State, 2007	3.4	3.7	0.3
Michigan, 1999	3.4	3.7	0.3
Michigan, 2003	3.5	3.7	0.2
Michigan, 2004	3.4	3.8	0.3
Michigan, 2005	3.5	3.8	0.3

In all 15 cases, the median LSATs of white admittees were greater than the medians of black admittees. The largest differences were found at Nebraska in 2006 (a 12-point difference), Wisconsin in 2006 (11 points), and Nebraska in 2007 (10 points). The smallest gap in median LSAT scores between white and black admittees was at Arizona State in 2007 (5 points).

In all 15 cases, the college GPAs of white admittees were greater than those of black admittees. Here too the largest black-white difference was found at Nebraska in 2006 (a 0.6-point difference), followed by Arizona in 2006 and Arizona State (0.4 of a points). The smallest difference was at Arizona in 2005 (a 0.1-point difference).

## Law School Hispanic-White Admittee Differences

Table 9 Law School Hispanic-White Admittee Differences (Medians)

LSAT	Hispanic	White	Difference
Oklahoma	154	159	5
Wisconsin, 2005	161	163	2
Wisconsin, 2006	154	163	9

Nebraska, 2006	151	158	7
Nebraska, 2007	154	158	4
Utah	159	163	4
Arizona, 2005	158	164	6
Arizona, 2006	159	164	5
Arizona, 2007	159	164	5
Arizona State, 2006	157	162	5
Arizona State, 2007	158	162	4
Michigan, 1999	163	167	4
Michigan, 2003	166	169	3
Michigan, 2004	166	169	3
Michigan, 2005	166	169	3
<b>College GPA</b>	<b>Hispanic</b>	<b>White</b>	<b>Difference</b>
Oklahoma	3.6	3.6	0.0
Wisconsin, 2005	3.5	3.7	0.2
Wisconsin, 2006	3.6	3.7	0.1
Nebraska, 2006	3.4	3.7	0.3
Nebraska, 2007	3.5	3.6	0.1
Utah	3.6	3.7	0.1
Arizona, 2005	3.5	3.6	0.1
Arizona, 2006	3.6	3.7	0.1
Arizona, 2007	3.5	3.6	0.1
Arizona State, 2006	3.5	3.7	0.2
Arizona State, 2007	3.4	3.7	0.3
Michigan, 1999	3.6	3.7	0.1
Michigan, 2003	3.6	3.7	0.1
Michigan, 2004	3.6	3.8	0.2
Michigan, 2005	3.6	3.8	0.1

Table 9 reflects that all median admittees' LSAT scores and college GPAs were larger for white admittees than those for Hispanics, but Hispanic-white differences were generally smaller than black-white disparities. The largest Hispanic-white difference was at Wisconsin in 2006 (a 9-point gap), followed by Nebraska in 2006 (a 7-point difference), and Arizona in 2005 (a 6-point gap). The smallest difference was at Wisconsin in 2005 (a 2-point difference).

There were also 14 cases where the college GPAs of white admittees were greater than those of Hispanic admittees and 1 case (Oklahoma) of no difference in admittee college GPAs between whites and Hispanics. The largest Hispanic-white difference was found at Nebraska in 2006 and Arizona State in 2007 (a 0.3-point difference in both cases).

## Law School Asian-White Admittee Differences

Table 10 Law School Asian-White Admittee Differences (Medians)

<b>LSAT</b>	<b>Asian</b>	<b>White</b>	<b>Difference</b>
Oklahoma	157	159	2
Wisconsin, 2005	164	163	-1
Wisconsin, 2006	161	163	2
Nebraska, 2006	156	158	2
Nebraska, 2007	156	158	2
Utah	161	163	2
Arizona, 2005	163	164	1
Arizona, 2006	164	164	0
Arizona, 2007	163	164	1
Arizona State, 2006	160	162	2
Arizona State, 2007	162	162	0
Michigan, 1999	167	167	0
Michigan, 2003	169	169	0
Michigan, 2004	169	169	0
Michigan, 2005	169	169	0
<b>College GPA</b>	<b>Asian</b>	<b>White</b>	<b>Difference</b>
Oklahoma	3.6	3.6	0.0
Wisconsin, 2005	3.6	3.7	0.1
Wisconsin, 2006	3.5	3.7	0.2
Nebraska, 2006	3.5	3.7	0.2
Nebraska, 2007	3.6	3.6	0.0
Utah	3.7	3.7	0.0
Arizona, 2005	3.6	3.6	0.0
Arizona, 2006	3.6	3.7	0.1
Arizona, 2007	3.6	3.6	0.0
Arizona State, 2006	3.6	3.7	0.1
Arizona State, 2007	3.5	3.7	0.2
Michigan, 1999	3.6	3.7	0.1
Michigan, 2003	3.7	3.7	0.0
Michigan, 2004	3.6	3.8	0.1*
Michigan, 2005	3.7	3.8	0.1

\*Difference due to rounding of medians and of GPA difference.

Table 10 reflects that white admittee median LSATs were greater than those for Asians in 8 cases. The largest was a 2-point difference in Oklahoma, Wisconsin (2006), Nebraska (2006 and 2007), Utah, and Arizona State (2006).

In 6 other cases, there was no difference in median LSAT scores, and in 1 case (Wisconsin, 2005), the Asian admittee median was larger.

For college GPAs, white admittee medians were larger than Asian medians in 9 cases. The largest difference was 0.2 of a point at Nebraska (2006), Arizona State (2007), and Wisconsin (2006).

In 6 cases, there was no difference in college GPAs between Asian and white admittees.

## **Conclusion: Law School Admissions**

There is considerable evidence that law schools award blacks and Hispanics significant preference over whites in admissions. Extremely large odds ratios favoring blacks and Hispanics over whites is proof of preferential treatment. There are also differences in the LSAT scores and college GPAs of those admitted, where blacks and Hispanics were generally admitted with lower scores and grades.

The situation of Asian Americans is more mixed. In some cases, odds ratios show preferences awarded Asians over whites, while other cases show whites given preference over Asians. For the most part, the preferences are small. The exceptions were Nebraska, Utah, and Arizona, where large odds ratios favored Asians over whites.

## List of Undergraduate Studies

Althea K. Nagai, "Racial and Ethnic Preferences in Undergraduate Admissions at the University of Michigan," Center for Equal Opportunity, October 17, 2006,  
[http://www.ceousa.org/attachments/article/548/UM\\_UGRAD\\_final.pdf](http://www.ceousa.org/attachments/article/548/UM_UGRAD_final.pdf).

Althea K. Nagai, "Racial and Ethnic Preferences in Undergraduate Admissions at Two Ohio Public Universities," February 14, 2011, <http://www.ceousa.org/attachments/article/547/OHIO3.7.pdf>.

Althea K. Nagai, "Racial and Ethnic Preferences in Undergraduate Admissions at the University of Wisconsin-Madison," Center for Equal Opportunity, September 13, 2011,  
<https://www.ceousa.org/attachments/article/546/U.Wisc.undergrad.pdf>.

Althea K. Nagai, "Racial and Ethnic Preferences in Admissions to the University of Oklahoma," October 22, 2012, [http://www.ceousa.org/attachments/article/624/Oklahoma\\_Study.pdf](http://www.ceousa.org/attachments/article/624/Oklahoma_Study.pdf).

Althea K. Nagai, "Preferences in Virginia Higher Education," September 10, 2019,  
<https://www.ceousa.org/attachments/article/1329/Preferences%20in%20Virginia%20Higher%20Education%20-%20September%202019.pdf>.

## List of Law School Studies

Althea K. Nagai, "Racial and Ethnic Admission Preferences at the University of Michigan College of Law," Center for Equal Opportunity, October 17, 2006,  
<http://www.ceousa.org/attachments/article/542/UM%20LawFinal.pdf>.

Althea K. Nagai, "Racial and Ethnic Preferences in Admission at the University of Arizona College of Law," Center for Equal Opportunity, October 1, 2008,  
[http://www.ceousa.org/attachments/article/577/AZ\\_Law.pdf](http://www.ceousa.org/attachments/article/577/AZ_Law.pdf).

Althea K. Nagai, "Racial and Ethnic Preferences in Admission at Arizona State College of Law," Center for Equal Opportunity, October 1, 2008,  
[http://www.ceousa.org/attachments/article/541/ASU\\_LAW.pdf](http://www.ceousa.org/attachments/article/541/ASU_LAW.pdf).

Althea K. Nagai, "Racial and Ethnic Preferences in Admission at the University of Nebraska College of Law," Center for Equal Opportunity, October 8, 2008,  
[http://www.ceousa.org/attachments/article/544/NE\\_LAW.pdf](http://www.ceousa.org/attachments/article/544/NE_LAW.pdf).

Althea K. Nagai, "Racial and Ethnic Preferences in Admission at the University of Wisconsin Law School," Center for Equal Opportunity, September 13, 2011,  
<http://www.ceousa.org/attachments/article/545/U.Wisc.law.pdf>.

Althea K. Nagai, "Racial and Ethnic Preferences in Admission to the University of Oklahoma," Center for Equal Opportunity, October 12, 2012.

[http://www.ceousa.org/attachments/article/624/Oklahoma\\_Study.pdf](http://www.ceousa.org/attachments/article/624/Oklahoma_Study.pdf)

Althea K. Nagai, "Racial and Ethnic Preferences in Admission to the University of Utah College of Law," Center for Equal Opportunity, August 2013,

<http://www.ceousa.org/attachments/article/880/Utah%20Law%20School.pdf>



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