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## SALT Survey: Minority Group Persons in Law School Teaching

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**Table 1**  
**Minorities in Law Teaching in 1981**  
**Persons in Tenured or Tenure-Track Positions**

	Number of Black Faculty	Number of Other Racial or Ethnic Minority Faculty	Total Percentage of Minority Faculty
Akron (McDowell)	0	0	0%
Alabama	0	0	0
Arizona	0	0	0
Arkansas/Little Rock	1	0	5%
Boston University	0	0	0
Bridgeport	1	1	10%
Brooklyn	0	0	0
California/Berkeley (Boalt)	2	1	6%
California/Davis	1	0	4%
California/Hastings	2	0	4%
California/UCLA	2	2	8%
California Western	0	4	14%
Capital	1	0	4%
Case Western Reserve (Backus)	0	0	0
Chicago	0	0	0
Colorado	1	0	4%
Columbia	1	0	2%
Connecticut	1	0	3%
Cornell	1	0	4%
Creighton	0	0	0
Dayton	0	0	0
Detroit College	0	0	0%
Drake	0	2	9%
Duke	0	0	0
Emory	1	0	3%
Florida State	1	0	4%
Georgetown	3	0	6%
Golden Gate	2	1	12%
Hamline	0	0	0
Harvard	2	0	3%
Hawaii	0	1	9%
Howard	25	1	84%
Illinois	0	0	0
Chicago-Kent	0	0	0
Indiana/Bloomington	1	0	4%
Indiana/Indianapolis	0	0	0
Iowa	2	1	9%
Kansas	1	1	8%
Kentucky	1	0	4%
Lewis & Clark (Northwestern)	0	0	0
Loyola/Chicago	1	0	5%
Maine	1	0	7%
Maryland	3	1	9%
Michigan	2	0	4%
Minnesota	1	0	4%
Missouri/Columbia	0	0	0

Missouri/Kansas City	0	0	0
William Mitchell	1	0	4%
Nebraska	0	0	0
New Mexico	0	4	16%
New York/St U Buffalo	0	0	0
New York University	2	0	3%
North Carolina	3	0	10%
North Dakota	0	0	0%
Northeastern	1	0	6%
Northern Illinois	1	0	5%
Northern Kentucky (Chase)	2	0	10%
Northwestern	2	0	5%
Nova	0	1	4%
Ohio Northern (Pettit)	0	1	5%
Ohio State	1	0	3%
Oregon	3	0	11%
Pennsylvania	2	0	6%
Franklin Pierce	0	0	0
Pittsburgh	2	1	10%
Puget Sound (Clapp)	0	0	0
Rutgers-Camden	1	0	3%
Rutgers-Newark	3	0	7%
St. Louis	1	2	10%
San Francisco	1	1	10%
Santa Clara	1	1	6%
Seton Hall	3	2	17%
Southern Illinois	1	1	10%
Southern Methodist	0	0	0
Stanford	1	1	4%
Syracuse	1	0	3%
Tennessee	0	1	3%
Texas	2	0	4%
Texas Southern (Thurgood Marshall)	16	2	82%
Tulane	1	1	8%
Utah	0	1	4%
Valparaiso	0	0	0
Villanova	0	0	0
Virginia	2	0	4%
Washburn	1	1	8%
George Washington (National)	1	0	3%
Washington Univ.	1	0	4%
Washington & Lee	1	0	5%
Wayne State	2	0	5%
West Virginia	1	0	4%
Western New England	0	0	0
Willamette	0	1	6%
William & Mary (Marshall-White)	0	0	0
Wisconsin	2	0	4%
Yale	3	0	7%
Yeshiva (Cardozo)	1	0	4%

## SALT SURVEY MINORITY GROUP PERSONS IN LAW SCHOOL TEACHING

*by David Chambers  
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In the summer and fall of 1981 we sent questionnaires to faculty members<sup>1</sup> at all 172 law schools accredited by the AALS, asking questions about current numbers of minority group members and women on their faculties and about numbers of offers made and offers accepted, tenure decisions and denials, and resignations. Our principal goal was to measure the progress that has been achieved in adding minorities and women to law faculties. In this issue, we report on our findings about minority groups. In the next issue, we will report on women.

Faculty members at 96 law schools responded to our questionnaire, after follow-up letters in the winter of 1982. Table 1 reports the numbers of minority group members in teaching at these schools as of the end of the 1980-81 school year. We have no responses for 77 schools. Unfortunately it is probable that the schools for which we lack responses are different in some respects from the 96 for which we have data with regard to their experience in adding minorities and women. We thus really cannot claim our sample is representative. Our group does include the great majority of the older and larger law schools.

**Table 2**

**Numbers of Minority Group Faculty Members  
at 94 Schools<sup>2</sup>**

Number of Schools with:

		percentage
No minority members	28	30%
1 minority member	32	34%
2 minority members	20	21%
3 minority members	10	11%
4 or more minority members	4	4%
Total	94	100%

As Table 2 reveals, in 1981, 66 of the 94 law schools for which we had information had one or more minority group members on their faculties and 34 had two or more members. To many readers, these numbers will seem discouragingly low. Nonetheless, considerable progress was made during the period from 1975 to 1981.<sup>3</sup> Most of the schools that are listed in Table 2 as having one minority group faculty member in 1981 had no minority group members in 1975. Indeed several of the schools listed as having two minority group members in 1981 had none in 1975. Thus, the number of faculties with at least some minority group representation rose very substantially during the period.

On the other hand, as Table 2 also reveals, as of 1981, 28 schools had no minority group members on their faculties. Very few of these 28 had had a minority

member at any point during the five-year period we studied. For 24 of the 28 schools without minorities we had information about offers made during the period. Slightly more than half, 13 of 24, had made at least one offer to a minority person, but eleven schools neither had minority members nor had made any offers to minority-group members.

In our reporting so far, we have grouped together blacks and members of other minority groups. Viewed separately, their experiences are somewhat different for our purposes. Three quarters of the minority group members on law-school faculties are black. Of the 66 schools that have at least one minority member, 56 had at least one black faculty member. Twenty-eight schools have faculty members from other racial or ethnic minorities, primarily, we believe, Hispanic and Asian-American. The number of persons from other racial or ethnic minorities has doubled during the period. Most of the schools with such members are in the western part of the country.

Among minority group faculty members, there are also notable gender differences among groups. In 1975, nearly all the black members of law faculties were males. By 1981, at the assistant professor level, there were almost as many black women on the 96 faculties as black men. Today, about a quarter of all black faculty members are women, whereas only one-eighth of white faculty members are women. Among persons from other minority groups, nearly all are male.

Most persons of all races who come on to law faculties enter at the assistant professor level. Given the substantial growth in recent years in the number of minority group members on law faculties, it is not surprising that a high proportion of them still face a decision on tenure. (Over a third of all minority group members in teaching at the 90 schools are assistant professors, whereas only one-seventh of whites in teaching are assistant professors. In a similar manner, as will be discussed in the next issue, white women on law faculties today are far less likely than white males to have obtained tenured status.)

Because of the large number of minority group members who have not yet attained tenure, much of the modest progress of the last few years in increasing the numbers of minority group members in teaching stands at risk in the tenure decisions of the next few years. How much ground there is for concern, however, is unclear. Encouraging is the fact that in the recent past (that is, during the six-year period from 1975-81 about which we inquired) there were very few decisions adverse to minorities at the schools for which we have data. In fact, in over half of our schools, there were no adverse tenure decisions of any sort against whites or minorities. At the schools for which we had information about tenure deci-

sions, there were 46 decisions made during the period about black faculty members. Only two of these 46 decisions were adverse. The average rate of favorable decisions for blacks was fully as high as the rate of favorable decisions for whites.

That's the bright side. On the other hand, we asked on our questionnaire whether there had been any change in tenure standards in recent years. The respondent at about a third of the schools indicated that tenure standards had been generally toughened or that standards of quality or quantity of scholarship had been tightened. Given the disproportionate numbers of minority group members in untenured positions, if there is an increase in adverse tenure decisions over the next few years, the proportion of minority group members on faculties may decline, even assuming that an identical proportion of blacks and whites are granted tenure.

People leave law teaching positions for reasons other than denial of tenure. Many minority group persons who have come into teaching have left the reporting schools and the rate at which minority faculty have left is higher than it is for white faculty persons. On the other hand, movement is higher in general for untenured than tenured people and minority persons are concentrated in untenured positions. Thus, at least on our preliminary analysis, there does not seem to be a substantially higher rate of leaving teaching or moving to other schools among untenured minority members than there is for untenured white members.

<sup>1</sup>Information for the survey was collected by faculty members (typically SALT members) at each institution and is not the "official" response of the institution.

<sup>2</sup>For the rest of this report, we are reporting primarily on 90 of the 96 schools. For most purposes in our analysis we have excluded Howard and Texas Southern because our principal purpose in this survey was to measure the progress in adding minority teachers to previously all-white faculties.

<sup>3</sup>For the rest of this report, we are reporting primarily on 90 of the 96 schools. For most purposes in our analysis we have excluded Howard and Texas Southern for reasons explained in the preceding footnote. Four other schools are excluded, the information for which arrived in time to be included in Table I but not in time for inclusion in the rest of the analysis.