

DISCUSSION DOCUMENT

As alumni we are being asked to support the Law School from which we are proud to have graduated. I, for one, am willing to pay it forward with both dollars and effort if provided with an assurance that my efforts and contribution will help address the serious and growing problem of student debt. We are all grateful for having received the best legal education available without having to saddle our parents or ourselves with indebtedness so serious that it severely restricted our career or family choices. Things have changed dramatically since our time. The cost of a U of T legal education has increased so dramatically that those from families of modest means do not have the opportunities or choices that we had. It's just not possible.

As the Backgrounder demonstrated the opportunity and impetus for this increase can be dated to the 1997 provincial decision to deregulate law school tuition, followed by below inflationary increases in provincial funding for post-secondary education in general. Ontario law school tuition is much higher than that in any other province. Relative to U of T, McGill is 93% less; U Vic. is 70% less; with Dal closest at 62% less. But U of T is also out of line with the other law schools in the province, with Osgoode closest at 25% less followed by Western at 37%. The disparity is a direct result of a decision U of T made following tuition deregulation to increase it dramatically. Before the others could follow, the province reimposed caps. Even though all the law schools in the province have increased their tuition by the capped amount annually ever since, because U of T acted decisively at the outset, the disparity grows wider every year.

U of T was able to take this dramatic step for two reasons: (1) because it was already attracting the top students [GPA/LSAT]; and (2) it was reputed to place its students in the highest paying jobs following graduation. These achievements pre-date the massive tuition increase and can be attributed to a number of non-budgetary factors including: (1) a long tradition of recruiting and retaining outstanding faculty; (2) cross-disciplinary connections within a major university; (3) proximity to downtown courts and the provincial government; (4) proximity to sources of top adjuncts engaged in downtown practices and (5) drawing a high proportion of students from the GTA who could save money by living at home.

With high tuition [$\$33.3 \times 3 = \$100,000$], students fees and expenses [$\$10.0 \times 3 = \$30,000$] and transportation and living expenses [$\$15.0 \times 3 = \$45,000$] it is not difficult to see why students are graduating with more than \$100,000 in law school debt. Last month the Dean received a letter signed by 47 grads, each of whom accumulated more than \$100,000 in debt while at U of T Faculty of Law. They called on the Dean to take action. This amount does not include debt accumulated pre- and post-J.D.,

and during the Bar Ad/LPP/articling period during which students are ineligible for CSLP/OSAP, must pay substantial new LSUC fees and may have little or no work income.

I've heard conflicting things, all said to be based on "reliable" data, suggesting: (1) students from families with modest incomes are turning away from U of T; (2) that some of those with substantial law school debt come from wealthy families and (3) that receiving a law school education assures high paying employment following graduation. In my view the data supporting either side of these debates is woefully inadequate to support drawing any such conclusions.

What is absolutely clear is that those of modest income, both during law school and following graduation, have been severely disadvantaged by the tuition increases. Unlike in most leading private American schools, only a very small proportion of the increased tuition revenue was redistributed from students coming from wealthy families to relieve the burgeoning burden on those of more modest means. Instead the windfall went into stunning faculty salary increases coincident with significant across the board reductions [25%] in their teaching loads, which have not been introduced at any other school in the country. Students are paying for this through increased tuition and through an increasing reliance upon instruction being received from sessional and adjunct lecturers.

According to research done by a person given access to U of T financial assistance data, since 2007 the average increase in "effective tuition" [ie. the actual amounts] paid by students from wealthier families was 5% per year. Over the same period the "effective tuition" for students applying to the law School for financial aid has increased 10% per year. In other words, over the last 9 years the actual tuition paid by students from low income families has increase by 90%, while that paid by students from higher income has only increased 45%.

HOW IS THIS POSSIBLE? It is only possible if 100% of all additional funds raised through annual tuition increases is going into faculty salaries, and may indicate that funds previously allocated for student financial aid is being redirected into increasing faculty salaries as well.

Compounding each year, the problem is clearly getting worse; far exceeding what grateful alumnae can hope to address and begging the question of whether even targeted donations for student aid are not in reality subsidies for inflated salaries and reduced teaching loads.

It was discouraging to work on our last campaign, which by all accounts was a great success, only to find that things over the intervening period had gotten worse. I would be willing to work on a fundraising campaign that can demonstrably be shown to be solving the problem of economic hardship for students with modest incomes. I would not be willing to work to perpetuate the *status quo*.

The Solution

My contribution and efforts would be part of the "solution" if the Law School would commit that 50% of every annual tuition increase would go into targeted student financial aid resulting in either tuition or post-graduate debt reductions for those in financial need. This allocation be phased in and incrementally achieved over three years. This solution is extremely modest, and asks no more than that going forward the School do what it should have been doing all along. When and if this target is achieved, it could truthfully be said that the School is committed to moving towards being a publicly funded law school which is accessible to students regardless of family income.

That would obviate any need for an accounting of what has gone before, and allow alumnae to focus on increasing the School's endowment for the specific purpose of redressing its accumulated access and excessive student debt problems.

David Baker

Class of '75

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