








# THURGOOD MARSHALL SCHOOL OF LAW: INSTITUTIONAL ASSESSMENT IN ACTION

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# Strategic Plan Progress Report

KEY:  IN PLANNING  STARTED  SUBSTANTIAL PROGRESS MADE  COMPLETED

## STRATEGIC PLAN GOAL 1 - ACADEMIC PRIORITIES

Help students successfully demonstrate the competencies needed to be successful in the profession	
Systematically measure and document that our students are developing these competencies	
Foster in students a sense of professionalism and professional identity as lawyers	
Assess our curriculum to ensure it addresses the knowledge, skills and values to prepare students for success in the profession	

# Assessment Plan Document

Goals	Student Learning Outcome/Objectives	Metric (how the SLOs will be measured?)	Target (what is the level achievement? )	Findings (what does the data show?)	Action Plan (what to do with the information?)
Goal 1 Develop and Enhance Students' Foundational Lawyering Skills	SLO 1.1 Students will demonstrate ability to think critically by accurately synthesizing, formulating, and applying principles of law to resolve a legal issue.	1L Multistate Performance Test (MPT)  2L Business Associations MPT  3L Texas Practice MPT and/or MPT Bar Review Course	Median score of 3 or better (competent performance)		
	SLO 1.2 Students will demonstrate ability to express ideas in writing with precision, clarity, logic, and economy.	Uniform 1L Spring semester uniform writing project  2L Appellate Litigation writing exercise	Median score of 3 or greater on writing project using standardized rubric		
	SLO 1.3 Students will demonstrate understanding of core technical requirements for effective legal research.	Results of uniform examination of general research knowledge	80% of students score 75% or better on examination		

# What data do you find most useful and why?

- Depends on what you are trying to assess
- Answer dictates assessment protocol and the particulars tools used
- In general:
  - ▣ Large response numbers that reach a cross section of concerned communities/cohorts
  - ▣ Different sources that might yield different perspectives
    - Data from student work
    - Data from student experiences
    - Data from alumni
    - Data from current or potential employers

# Our TMSL Projects: Legal Writing

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- 1 Ls—Lawyering Process Assessment
  - Client Letter Project
  - MPT

# TMSL Projects Cont'd: Doctrinal Courses

- 2Ls—Business Associations Assessment
  - Common question embedded in final exam
  - MPT
  
- 3Ls—Texas Practice Assessment
  - MPT

# TMSL Projects Cont'd: Clinics

- 3Ls—Client interview simulations
  - ▣ Observed and assessed by outside attorneys
  - ▣ Focused on key markers such as establishing rapport and identifying and asking relevant questions (as part of developing legal and fact analysis)

# TMSL Projects: Summary

- Common focus: legal analysis/fact analysis
- Will compare students' progress on identified skills over 3 years of law school
  - ▣ Compare performance in 3L year with performance in 1L year
- Pro: Tying administration of large scale testing to particular courses which helps with student engagement



# Some Other TMSL Projects

- Student Focus Groups
  - ▣ Asked to reflect on their experiences and learning
  - ▣ Wanted to know if students thought they were learning what we thought we were teaching
- Alumni Survey
  - ▣ Asked to identify key legal skills necessary for new attorneys and how well these skills were developed at TMSL
- LSSSE
  - ▣ Receive information on students' attitudes and perceptions about their learning

# Back to Projects in Legal Writing

- 1 Ls—Lawyering Process Assessment
  - ▣ Client Letter Project
    - External evaluators graded 1 Ls' final client letter assignments, focusing on fact and legal analysis and organization/format
    - Norming process involved Lawyering Process professors


## □ 1 Ls—Lawyering Process Assessment Cont'd

### □ MPT

- Administered pre- and post-MPT (a persuasive brief)
  - Some years, only a post-MPT
- External evaluators graded both, focusing on analysis, format, and adherence to examiner's instructions
- Concern: Keeping 1 Ls engaged with process since performance isn't part of Lawyering Process grade
  - But participation and completion of MPT is part of Lawyering Process grade

# Client Letter Assessment—A Closer Look

- Evaluated a writing project from the first year Lawyering Process (LP) course—a client letter
- Institutional/Program learning goals to be assessed:
  - Legal Analysis (identification of legal principles, ability to synthesize and/or integrate multiple sources of law, ability to apply law to facts)
  - Factual Analysis (skillful use of facts derived from multiple sources of information; identify key facts; separate relevant from irrelevant facts)
  - Written Communication (ability to address the client’s problem in proper form, using appropriate language)

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- Looking at—Level of Competence
    - ▣ Wanted to know what percentage of students were performing at or above competency level 3 on the scoring rubrics – overall and by categories
    - ▣ On scale of 1-5, with 5 being excellent
  
  - Had outside reviewers take a second look at student work product to see what evidence it reveals about student performance on specified student learning outcomes

# The Process

- LP professors graded client letter as part of course
  - ▣ Ensured students committed best efforts
  - ▣ LP professor were familiar with the assignment
- Assessment team collected all client letters
  - ▣ Randomly selected half of the students' client letters from all of the LP sections (approximately 100 letters)

# Process Cont'd

- Abbreviated norming process conducted with LP professors
  - Assessment team asked professors to submit 1 letter from each competency category (1-5)
  - Assessment team selected representative letter from each category (1-5) and kept category confidential
  - Assessment team sent group of representative letters to professors and asked them to rank each letter, 1-5
  - Assessment team used professors' rankings & follow-up meetings to identify anchor paper for each category

# Process Cont'd

- Outside reviewers (3) were selected among practicing alumni and friends of the school
- All student client letters and 5 anchor letters (for categories 1-5) were given to outside reviewers along with competency rubric for scoring
  - ▣ Provided anchor letters to help guide the external graders
  - ▣ Anchor letters represented LP professors' community norms
- Met with outside reviewers to discuss process and scoring
- Data from outside reviewers collected and reviewed



# Client Letter Rubric (External Graders)

Description of Skills Being Assessed	Level of Quality				
	5 High Degree of Competency (see attached MPT rubric)	4 Clear Competency (see attached MPT rubric)	3 Acceptable Competency (see attached MPT rubric)	2 Some Competency (see attached MPT rubric)	1 Limited Competency (see attached MPT rubric)
<u>Legal Analysis</u> Demonstrates knowledge and understanding of area of law forming the substance of the letter Includes clear application of relevant law to client's facts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Factual Analysis</u> Demonstrates an ability to separate irrelevant facts from relevant facts Includes all relevant facts in letter with accuracy and clarity of description, using clear, straight forward organization	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Organization/Format</u> Demonstrates an understanding of basic formal presentation of a simple legal letter (e.g., name, address, date, subject line, etc.) Demonstrates an understanding of basic structure of the substance of a simple legal letter (attorney to client style) (e.g., <u>beginning</u> - referring to recent communication; <u>middle</u> - confirming facts and appropriately structured advice to client; <u>end</u> - indicating what the client needs to do.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

# Client Letter Assessment—End Result

- Data shows, while there's improvement, still some weakness with fact and legal analysis (whether struggle with identifying all legal issues or providing superficial analysis) and legal drafting
- Same result across the board with other TMSL program/institutional assessment projects

# MPT Project—A Closer Look

- Performance based test - part of the bar examination in most states
  - ▣ Test consists of a File (with instructions and factual information – transcripts, interview notes, etc.) and a Library (with cases and statutes)
  - ▣ Students instructed to produce a legal document based on materials provided
- Used to measure TMSL institutional learning outcome: “Students should demonstrate ability to think critically by accurately synthesizing, formulating, and applying principles of law to resolve a legal issue”

# MPT Cont'd

- In collaboration with faculty, administered during Lawyering Process (LP) in the 1L year
  - Administered MPT practice pre-test in August during 1L student orientation
    - Note: Later, decided to forego pre-test during Orientation
  - Administered MPT practice post-test in late March to all 1Ls in LP
  - Students required to draft a persuasive brief (for both pre-test and post-test)

# MPT Cont'd

- Value of connecting the exam with a course:
  - Students more engaged with the assessment
  - Students able to see connection between the assessment and coursework
    - Gave overview of MPT in LP
    - Assessment Team gave brief talk in LP course
  - Provided a preview of the bar examination
  - Also administered MPT in Business Associations in 2L year and in our capstone Texas Practice course in 3L year

# MPT Cont'd

- Identified 4 experienced practicing attorneys to serve as graders
- Both MPT practice pre- and post-tests were graded
- Graders participated in group norming session
- Used common rubric
  - ▣ Similar to rubric used for client letter
  - ▣ Also used adapted NCBE MPT scoring rubric
- Held year-end debriefing session for students
  - ▣ Wanted to provide requested feedback to students
  - ▣ Could review scores
  - ▣ One year, had a grader attend the session

# Using the Data

- As impetus to add more fact development and writing exercises to doctrinal courses
- To continue to develop “wish list” of new courses, experiential learning projects, and partnerships
- To continue robust conversations among faculty/staff
  - Use identified senior faculty and tenured faculty in leadership roles
  - Hold teaching forums where share ideas and keep reform at forefront
  - Share regular updates with Curriculum Committee

# Using the Data Cont'd

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- To receive students' perspectives on educational experience and efforts to strengthen core skills
- To inform donors and alums about student successes and program enhancements



# Advice as embark on assessment and reform?

- Recognize faculty concerns
  - ▣ Academic freedom
  - ▣ Workload
  - ▣ Lack of assessment expertise
- Need faculty buy-in
  - ▣ Leadership is key
    - Identify individual(s) to lead the charge of developing outcomes, assessment plans/protocols, and evaluating results
    - Assessment officer or interested and committed faculty/staff
    - Find allies to serve as assessment ambassadors early on

# Advice Cont'd

- Need faculty buy-in cont'd
  - ▣ Start with small groups and report successes and collaborations to larger faculty
  - ▣ Provide incentives for assessment work, whether lighter faculty load or stipends/teaching enhancement grants
  - ▣ Host teaching/assessment forums (if possible, as often as host scholarship sessions or invited speakers on research)
  - ▣ Introduce different types of assessment—faculty, peer, and self assessment
    - Find ways to make institutional assessment manageable

# Advice Cont'd

- Explore the use of technology to capture, organize, and tabulate institutional assessment data
  - ▣ ExamSoft, for example, is currently working with law schools to provide assessment support
  - ▣ ExamSoft has what is called a “tagging” function that allows professors to associate learning outcomes with specific test items or projects
  - ▣ Software also contains a rubrics function that allows professors to create rubrics to evaluate student work

# Advice Cont'd

- Use external resources
  - Enlist the support of those who could help with evaluating the students' work product (consider using alums who are practitioners)
    - Schedule group meetings to ensure inter-rater reliability
  - Enlist the support of University Institutional Research to encode and tabulate the data, or decide who will do this.
- Think big picture
  - Administration dates—remember overall school testing/assignment schedule
  - How many assignments will be graded—sampling or all?
  - Ensure student engagement and accountability



- Don't sit on data

- ▣ Be sure to include a post-assessment meeting in the timeline where results are shared with faculty
- ▣ Have conversations about the data
- ▣ Don't forget to follow up with students

- Be patient

- ▣ The work can be hard but the pay off can be worth it

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