



Learning Outcomes Assessment Plan

2016-2023

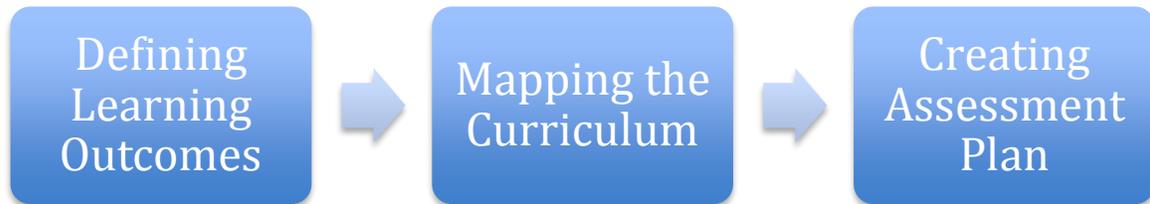
Proposed by the Ad Hoc (Assessments) Committee, August 25, 2016

Adopted by the Law School Faculty, September 22, 2016

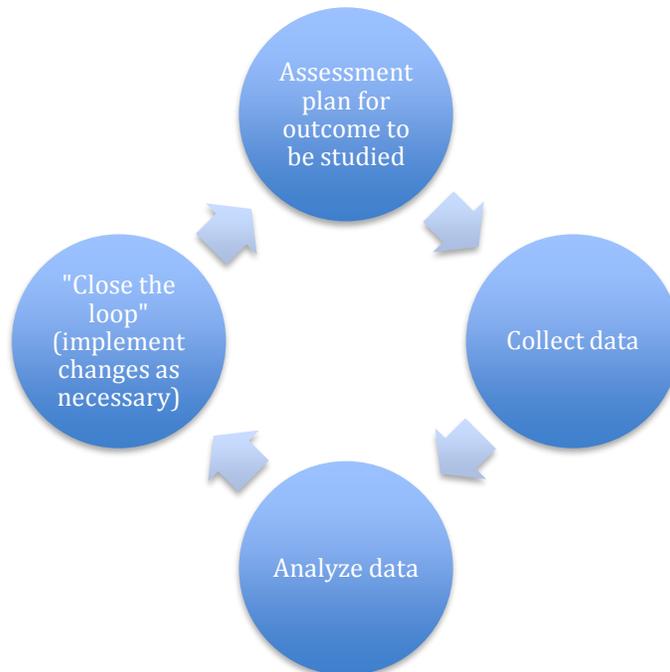
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Design Phase



Implementation Phase



Introduction

This assessment plan is the final step in the design phase of our assessment process. It articulates a process for the ongoing “implementation phase” of assessment at FIU Law that will commence in the spring of 2017.

Overview of Assessment

Briefly stated, “assessment” refers to a process of (1) defining student learning outcomes (“SLOs”) for a course, course cluster, department, or degree program; (2) measuring whether students are achieving the identified SLOs; (3) analyzing the results; and (4) using the results to “close the loop” by making changes as necessary in the teaching pedagogy, and other aspects including the structure, contents and design of a particular course or set of courses, curriculum, program, or department. This is an ongoing process designed to improve student learning and to demonstrate the “value added” of an education. At the course level, faculty should use assessment information to improve how they teach, and how they can improve. After SLOs for a degree program are identified, assessment usually proceeds in yearlong cycles.

At the beginning of a cycle, a group (typically an assessment “team” working with the Assessment Committee¹) identifies one or two SLOs to be studied within the cycle. Evidence of student learning for those outcomes is then collected from at least three sources. The data is analyzed and the findings are included in a report. The report is used to recommend changes to improve outcomes, and employed as a baseline for subsequent cycles. After a few years of assessment, the institution will have conducted assessment activities on all of the SLOs and the process can begin again.

Regulatory Background

In 2014, the ABA Council on Legal Education – the national accrediting body for the Juris Doctor (J.D.) degree recognized by the Department of Education – adopted sweeping changes to the Standards and Rules of Procedure for Approval of Law Schools. The changes were the result of a seven-year process led by a special committee charged with “determining whether and how output measures, *other than bar passage and job placement*,”² might be used for accreditation. The Committee recommended adoption of an outcomes-based philosophy after review of relevant research on higher education and a

¹ The Assessment Committee inherits the work of the Ad Hoc Assessment Task Force, formed during the “development” phase of the law school’s assessment plan. The Assessment Committee may overlap with the Curriculum Committee. Assessment “teams,” made up of two or three faculty members, outline a plan, collect data, and report the data to the Assessment Committee for analysis. The process is described within this memo.

² ABA Managing Director’s Guidance Memo: Standards 301, 302, 314 and 315, June 2015, available at http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/governancedocuments/2015_learning_outcomes_guidance.authcheckdam.pdf.

study of regional and professional accrediting body practices. With the adoption of this approach, the ABA's new Standards and Rules use outcomes and assessment as the driving forces behind the accreditation process.

Also, as part of a University accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), the law school must effectuate the following:

“...3.3 Institutional Effectiveness

3.3.1 The institution identifies expected outcomes, assesses the extent to which it achieves these outcomes, and provides evidence of improvement based on analysis of the results in each of the following areas: (Institutional Effectiveness)

3.3.1.1 educational programs, to include student learning outcomes ...³”

Goals of the Institutional Learning Outcomes (ILO) Assessment Plan

This assessment plan has the following purposes:

1. To strengthen this law school's academic programs by gathering data about student learning in relation to a set of pre-identified Student Learning Outcomes (SLO), analyzing the data to determine whether students are achieving the identified learning outcomes, preparing a report with the results and recommendations, and adopting changes where necessary to respond to identified problem areas and improve the overall quality of the programs.
2. To articulate an effective, workable, faculty-driven, and efficient process to assess student learning outcomes at an institutional level over a seven-year period (the ABA's sabbatical site visit schedule).
3. To identify the roles of faculty and relevant administrators in conducting institutional assessment.
4. To demonstrate compliance with the ABA's requirement that, by the 2017-2018 academic year, every accredited Law School has a publicly available assessment plan.
5. To ensure that the students acquire the requisite knowledge, skills, and values expressed in the law school's Mission Statement, which our institution deems important for the legal profession and the practice of law.
6. To demonstrate compliance with SACSCOC (the university accrediting body).

Learning Outcomes for the J.D. degree

On September 22, 2016, the Law School Faculty adopted a set of seven learning outcomes for the J.D. degree, including performance indicators for each outcome:

³ SACSCOC, *The Principles of Accreditation: Foundations for Quality Enhancement* (available at <http://www.sacscoc.org/pdf/2010principlesofaccreditation.pdf>).

<p style="text-align: center;">LEARNING OUTCOMES</p> <p>Upon conferral of the Juris Doctor degree, students will be able to:</p>	<p style="text-align: center;">PERFORMANCE CRITERIA</p> <p>Students demonstrate they have achieved this outcome by:</p>
<p>1. Demonstrate knowledge and understanding of substantive and procedural law.</p>	<p>Criterion 1: Identifying and applying foundational concepts of civil procedure, constitutional law, contracts, criminal law, property, torts, and international & comparative law, and the manner in which the law, both statutory and judge-made, evolves.</p> <p>Criterion 2: Identifying and applying concepts of other core areas of law, such as administrative law, business organizations, evidence, tax, and wills & trusts.</p> <p>Criterion 3: Identifying and applying concepts in areas of law not otherwise required by the Law School curriculum.</p>
<p>2. Employ legal analysis and reasoning, undertake research and demonstrate problem-solving skills.</p>	<p>Criterion 1: Identifying relevant legal issues raised by clients' legal problems.</p> <p>Criterion 2: Identifying relevant legal rules applicable to each issue, including synthesizing multiple authorities into a cohesive rule.</p> <p>Criterion 3: Identifying legally significant facts applicable to each issue.</p> <p>Criterion 4: Analogizing the facts to and distinguishing the facts from those of the precedent cases in specific and helpful ways to determine the likely outcome of the case.</p> <p>Criterion 5: Applying the relevant legal rules to the legally significant facts and, as necessary, analogizing and distinguishing authorities, and responding to counterarguments.</p> <p>Criterion 6: Drawing appropriate conclusions based on the facts, taking into account the clients' interests, goals, and objectives.</p> <p>Criterion 7: Locating, analyzing, and synthesizing primary sources relevant to the legal issue at hand.</p> <p>Criterion 8: Locating, analyzing, and synthesizing secondary sources relevant to the legal issue at hand.</p>
<p>3. Communicate effectively within the legal context in both written and oral form.</p>	<p>Criterion 1: Drafting and editing documents that objectively analyze a legal problem.</p>

	<p>Criterion 2: Drafting and editing documents designed to persuade a reader.</p> <p>Criterion 3: Drafting and editing documents that create legal rights and obligations.</p> <p>Criterion 4: In all documents, writing in a clear, concise, and effective manner.</p> <p>Criterion 5: In all documents, employing rules of grammar, spelling, and citation.</p> <p>Criterion 6: Making persuasive oral arguments or presentations.</p>
<p>4. Exercise proper professional and ethical responsibilities toward clients and the legal system.</p>	<p>Criterion 1: Listing the sources of the laws governing lawyers.</p> <p>Criterion 2: Identifying and explaining the applicable law that governs lawyers.</p> <p>Criterion 3: Using the laws governing lawyers to recognize ethical and other professional dilemmas.</p> <p>Criterion 4: Applying the laws governing lawyers to help resolve ethical and other professional dilemmas.</p> <p>Criterion 5: Exercising professional judgment to help resolve ethical and other professional dilemmas.</p>
<p>5. Demonstrate the knowledge and skills for competent and ethical participation within the domestic and the global legal contexts.</p>	<p>Criterion 1: Identifying and effectively engaging in appropriate dispute resolution processes.</p> <p>Criterion 2: Being aware of their own strengths and weaknesses as they relate to the legal profession.</p> <p>Criterion 3: Capably managing a legal project – interaction with client, case, research, memorandum, negotiation, and dispute resolution processes such as litigation, mediation, or arbitration – from its inception to its conclusion.</p> <p>Criterion 4: Effectively planning and controlling their use of time.</p> <p>With respect to the global context in particular, graduates will demonstrate achievement of this learning outcome by,</p> <p>Criterion 5: Exhibiting civility and awareness about cultural differences, and treating others with respect and consideration.</p> <p>Criterion 6: Displaying diversity skills, including</p>

	<p>awareness about different legal cultures and institutions, and sensitivity to social, economic, political, and cultural differences.</p> <p>Criterion 7: Identifying and effectively engaging in appropriate dispute resolution processes involving international or foreign clients, issues that affect more than one national legal system, and different fora including courts and arbitration tribunals.</p> <p>Criterion 8: Recognizing the interconnectedness of societies and cultures locally and throughout the world, and demonstrate a commitment to helping find solutions to problems that impact peoples, institutions, and society in general.</p>
<p>6. Illustrate the value of community and public service.</p>	<p>Criterion 1: Contributing to the profession’s fulfillment of its responsibility to ensure that adequate and high quality legal services are provided to those who cannot afford to pay for them.</p> <p>Criterion 2: Participating in school and outreach activities designed to improve the profession, especially in programs involving community and public service.</p> <p>Criterion 3: Contributing to the profession’s fulfillment of its responsibility to enhance the capacity of law and legal institutions to do justice.</p> <p>Criterion 4: Assisting in the training and preparation of new community and public service oriented lawyers.</p> <p>Criterion 5: Advancing the local, national and international legal community’s commitment to socially responsible stewardship of the environment.</p>
<p>7. Demonstrate cultural literacy as a commitment to cultural diversity within the legal context.</p>	<p>Criterion 1: Exhibiting an awareness of cultural differences that may impact representation of one’s clients, one’s role as a legal professional, and one’s relationship with society and the different legal systems of the world.</p> <p>Criterion 2: Exhibiting an awareness of social differences that may impact representation of one’s clients, one’s role as a legal professional, and one’s relationship with society and the different legal systems of the world.</p> <p>Criterion 3: Striving to rid the legal profession and our society of prejudice based on race, religion, national or ethnic origin, gender, sexual orientation, disability, age, or socio-economic status, and to help rectify the effects of</p>

	those prejudices. Criterion 4: Communicating effectively with peoples across cultures and legal systems. Criterion 5: Thinking critically about one's own culture and its potential global influences.
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Curriculum Map

In the fall 2016, a curriculum mapping survey was distributed to all faculty who have taught courses at the law school within the past two academic years, asking them to identify which of the learning outcomes they covered in their courses and whether they employed any assessment tools to measure student competency as to those outcomes. The results of the mapping survey will be made available on the assessment website. The Curriculum Map identifies where each of the learning outcomes is being covered in the required, core, and elective curricula.

Implementation Phase: Overview and Roles



Assessment is the responsibility of the faculty as a whole. Nonetheless, the Plan envisions that the Assessment Committee (AC) will play a leading role in coordinating our institutional assessment activities. During each year of this Plan, the AC will (1) develop a plan for the *following* year's assessment activities; (2) monitor progress with implementing the *previous* year's "closing the loop" recommendations, and (3) report on assessment activities and results to the faculty.

Concurrently during the year, an *ad hoc* "Assessment Team" (AT) appointed by the Dean, will assess a learning outcome, reporting its results to the AC in the spring semester. The Dean will select the AT with consideration towards expertise and interest by its prospective members, and may appoint faculty who are not members of the AC. Throughout the seven-year assessment cycle, it is anticipated that every full time faculty member will serve at least once on an AT. Naturally, faculty members may serve more than once on the AT.

The Associate Dean for Academic Affairs, who also chairs the Curriculum Committee *ex-officio*, will lead the process and chair the AC.

Annual Cycle

April: The Dean charges an *ad hoc* AT to adopt/implement a plan for studying the SLOs during the following academic year in accordance with the schedule set forth within this Plan.

May: The AT begins work refining the assessment plan developed by the AC the year before.

September: The AT identifies the direct and indirect measures it will use to collect data and develop rubrics, surveys, focus groups, or other instruments as necessary. Progress reports are submitted to the AC and to the Associate Dean for Academic Affairs.

October/November: Data collection by the AT. (It reports its findings to the AC at the end of the cycle.)

[*Applicable to 2018-2019.* In the fall of the semester following the "final report to the faculty" of the results of the analysis for the *previous* academic year, the AC meets to monitor "close the loop" actions recommended, as necessary, by that prior year report.]

December/January/February: The AT collects and makes an initial evaluation of the data.

[*Applicable in 2018-2019.* In the spring semester, the AC identifies an assessment plan for the learning outcome to be assessed in the *following* year, including identifying recommended assessment tools.]

March: The AT reports its data and initial evaluation to the AC. The AC reviews and makes recommendations to "close the loop." Recommendations may be directed to administrative departments, faculty committees, the whole faculty, or the Dean.

April. The AC delivers the annual report on assessments to the full faculty. The AC, with the faculty, reviews the assessment process and proposes modifications if necessary.

Assessment Timeline: 2016-2023

Learning Outcome/Year	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
1. Demonstrate knowledge and understanding of substantive and procedural law	Plan	Collect & analyze data, propose follow-up	Follow-up			Plan	Collect & analyze data, propose follow-up
2. Employ legal analysis and reasoning, undertake research and deploy problem-solving skills		Plan	Collect & analyze data, propose follow-up	Follow-up			Plan
3. Communicate effectively within the legal context in both written and oral form			Plan	Collect & analyze data, propose follow-up	Follow-up		
4. Exercise proper professional and ethical responsibilities toward clients and the legal system				Plan	Collect & analyze data, propose follow-up	Follow-up	
5 (a). Demonstrate the knowledge and skills for competent and ethical participation within the domestic and the global legal contexts					Plan	Collect & analyze data, propose follow-up	Follow-up

5(b). Demonstrate the knowledge and skills for competent and ethical participation within the domestic and the global legal contexts					Plan	Collect & analyze data, propose follow-up	Follow-up
6. Illustrate the value of community and public service						Plan	Collect & analyze data, propose follow-up
7. Demonstrate cultural literacy as a commitment to cultural diversity within the legal context.							Plan

Conducting Assessment

Before each annual cycle, the AC will create a working plan for assessment of the learning outcome identified for the following year. The purpose is to create a rough draft of a plan that the AT can use to gather and analyze the data. The working plan should identify potential data and how it may be collected and analyzed. The AT is free to change the working plan as necessary.

For each learning outcome that is assessed, the AT must use at least three measures, two of which will be “direct,” and triangulate the results. A direct assessment measure is based on students’ actual work; typically, a sample of student work is evaluated against a rubric. The advantage of direct measures is that they involve examples of what students have actually produced, which tend to be the strongest evidence of learning. In contrast, indirect measurements are based on reports of *perceived* learning.

It is preferable to examine work product that is already being created as part of the course-level assessment, rather than creating a new exam or project to be administered solely for the purpose of programmatic assessment.

Examples of Measures of Student Learning	
Direct Measures	Indirect Measures
Review of samples of exam answers against a common rubric	Surveys of students
Review of samples of papers against a common rubric	Surveys of faculty, alumni, employers
Entry/exit tests	Student evaluations of teaching
Capstone projects/experiences coupled with	Law School Survey of Student Engagement

ratings/evaluations	results
Embedded questions in exams	Placement rates
Videos of skills exercises, such as oral arguments, client interviews, or negotiations	Grades earned in applicable courses
Bar exam results	Focus groups
Portfolios	Retention and graduation rates

Assessment data will be analyzed and reported in an aggregated fashion. Identifiable student information will be redacted. Since the purpose of assessment is not to evaluate individual faculty members, assessment data should also, to the extent feasible, not identify the faculty members who taught the students whose data is being analyzed.

Results and Reports

The AC and AT will keep minutes and document findings. To the extent practicable, reports will be made public on the assessment webpage. The AC is responsible for following up on “close the loop” recommendations made from year to year.

Evaluating the Assessment Process

In accordance with ABA Standard 315, the AC is charged with conducting an ongoing evaluation of the assessment process at this law school, including whether to accelerate the timetable such that two or more learning outcomes are assessed per year. It will report, on at least an annual basis, progress under this plan, recommending changes to the learning outcomes or assessment process when it considers such changes necessary.

Amendments to this Assessment Plan

The faculty defers to the AC to amend this plan as necessary.