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Professional Learning Communities and Collaborative Teams: Tools to Jump-Start the Learning Outcomes Assessment Process

Sharon Sandeen
Mitchell Hamline School of Law, sharon.sandeen@mitchellhamline.edu

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Abstract
The legal community has talked for years about proposed changes to the American Bar Association's (ABA) standards for the accreditation of law schools to include some form of learning outcomes assessment (LOA). Although it is still unclear if and when comprehensive new standards will take effect and, more importantly, when law schools will be required to fully implement LOA processes, it is never too early to help law students meet their full potential since the essential purpose of LOA is to improve student learning. Moreover, current ABA Standard 203 (Strategic Planning and Assessment) requires law schools to regularly assess their program-level learning objectives. In part, Standard 203 states: “a law school shall demonstrate that it regularly . . . assesses its success in realizing [its] established goals and periodically re-examines and appropriately revises its established goals.”

As further described below, LOA processes involve a series of steps at both the course-level and program-level that mirror the language of ABA Standard 203. Significantly, the question that LOA asks is not simply whether students have passed their respective courses, but whether the overall course of instruction enables students to learn the knowledge, skills, and values that are required of the educational institution.

This article begins in Section I with a brief summary of LOA theory and practice, including a discussion of formative and summative assessments and the feedback-loop that is a central feature of LOA. In Section II, the purpose and value of LOA, particularly with respect to law schools, is discussed. Section III then describes some of the practical challenges of implementing LOA processes. Building upon the discussion of the theory, practice, and struggles of LOA, Section IV examines the meaning and purpose of a PLC and how PLC processes can be used to plan for and implement LOA. The article concludes with a summary of the key features of collaborative teams.

Keywords
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Professional Learning Communities and Collaborative Teams: Tools to Jump-Start the Learning Outcomes Assessment Process

Sharon K. Sandeen

I. Introduction

The legal community has talked for years about proposed changes to the American Bar Association’s (ABA) standards for the accreditation of law schools to include some form of learning outcomes assessment (LOA). Although it is still unclear if and when comprehensive new standards will take effect and, more importantly, when law schools will be required to fully implement LOA processes, it is never too early to help law students meet their full potential since the essential purpose of LOA is to improve student learning. Moreover, current ABA Standard 203 (Strategic Planning and Assessment) requires law schools to regularly assess their program-level learning objectives. In part, Standard 203 states: “a law school shall demonstrate that it regularly . . . assesses its success in realizing

[its] established goals and periodically re-examines and appropriately revises its established goals.”

As further described below, LOA processes involve a series of steps at both the course-level and program-level that mirror the language of ABA Standard 203. Significantly, the question that LOA asks is not simply whether students have passed their respective courses, but whether the overall course of instruction enables students to learn the knowledge, skills, and values that are required of the educational institution. For law schools, ABA Standard 302 (Curriculum) specifies that at a minimum these requirements must include:

1. the substantive law generally regarded as necessary to effective and responsible participation in the legal profession;
2. legal analysis and reasoning, legal research, problem solving, and oral communication;
3. writing in a legal context, including at least one rigorous writing experience in the first year and at least one additional rigorous writing experience after the first year;
4. other professional skills generally regarded as necessary for effective and responsible participation in the legal profession; and
5. the history, goals, structure, values, rules, and responsibilities of the legal profession and its members.

As those who have embraced LOA theory and practice—also known as outcomes-based education (OBE)—know, it takes time, often years, to implement a fully-functioning process. One of the impediments to the implementation of LOA is a perception that it is an edict by accreditation authorities and school administrators who do not know the first thing about teaching. Thus, a top-down approach to the implementation of LOA is apt to fail unless there is a significant pre-existing cohort of faculty who are willing to give it a try. In the absence of such a cohort, one must be developed. Typically, this is attempted through the development of university-

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level “Teaching and Learning Centers” and through the formation of university and program-level committees. Although these efforts are useful, change tends to be incremental and slow because the foregoing strategies are not directly related to what is happening in individual classrooms and tend to be dominated by LOA believers. This article explains how the development of a Professional Learning Community (PLC) and the use of collaborative teams can be used to jump-start and speed up LOA processes. It is based both upon relevant literature about PLC’s and my experiences in forming a PLC with a colleague in the fall semester of 2012.

This article begins in Section I with a brief summary of LOA theory and practice, including a discussion of formative and summative assessments and the feedback-loop that is a central feature of LOA. In Section II, the purpose and value of LOA, particularly with respect to law schools, is discussed. Section III then describes some of the practical challenges of implementing LOA processes. Building upon the discussion of the theory, practice, and struggles of LOA, Section IV examines the meaning and purpose of a PLC and how PLC processes can be used to plan for and implement LOA. The article concludes with a summary of the key features of collaborative teams.

II. Learning Outcomes Theory and Practice

Learning outcomes theory and practice is not new. Rather, as one commentator has noted, “assessment has conceptually been occurring for hundreds, and perhaps thousands, of years.” Amy Driscoll and Swarup Wood date outcomes-based assessment as starting more than thirty-five years ago. PLCs emerged as a specific LOA strategy

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3 Generally, the term “Professional Learning Community” refers to the development within an educational institution of a collaborative culture that is focused on student learning. Richard DuFour defines PLCs as “educators committed to working collaboratively in ongoing processes of collective inquiry and action research to achieve better results for the students they serve.” Richard DuFour et al., Revisiting Professional Learning Communities 14 (2008). “A PLC is composed of collaborative teams whose members work interdependently to achieve common goals . . .” Id. at 15.

4 Catherine M. Wehlburg, Promoting Integrated and Transformative Assessment: A Deeper Focus on Student Learning 19 (2008).

5 Amy Driscoll & Swarup Wood, Developing Outcomes-Based Assessment for Learner-Centered Education 4 (2007).
What is new, or relatively so, is the development in the middle of the twentieth century of "the concept of a long-term, value-added approach to studying student learning." For the past fifty-plus years, numerous scholars have studied student learning at both the K–12 level and within institutions of higher learning, and scores of books, articles, and studies have been written on the topic. Thus, there is no shortage of literature that can provide law schools with useful information on the purpose and meaning of LOA and how best to implement LOA processes. The following is a summary of some of the most salient points about LOA.

A. A Focus on Student Learning

The first, and perhaps most important, thing to notice about LOA is its student-centeredness. The central purpose of LOA processes is to determine whether students are actually learning what is being taught. Although the teaching abilities of educators are an obvious part of the equation, the knowledge, skills, and values of the students are also critical factors. For example, if a student is not proficient in reading, the superior teaching abilities of a professor of literature are meaningless. In terms that law professors should appreciate, LOA questions the assumption that "if you teach it, they will

7 Wehlburg, supra note 4, at 20–21.
9 Maki, supra note 8, at xvii. ("Assessing for learning is a systematic and systemic process of inquiry into what and how students learn over the progression of their studies and is driven by intellectual curiosity about the efficacy of collective educational practices.")
Learn” and instead demands empirical evidence that learning is actually occurring.

The essential principle of learning outcomes theory and practice is a shift from a teaching paradigm to a learning paradigm. While traditional methods of teaching law, such as the Socratic or case methods, can still be used, LOA focuses attention on outcomes rather than inputs. Pursuant to LOA theory and practice, it is not just the “final” outcome of a course or program of instruction that matters; LOA is about periodically assessing how students are progressing throughout a course of instruction so that adjustments can be made to ensure that learning is occurring.

As used in LOA circles, “student learning” has a broad meaning that is consistent with the goals of legal education. “Learning . . . encompasses not only knowledge leading to understanding but also abilities, habits of mind, ways of knowing, attitudes, values, and other dispositions that an institution and its programs and services assert they develop.”

LOA involves the systematic assessment of student learning with the goal of improving such learning over time through the collection and sharing of information that, contrary to the beliefs of some LOA critics, need not be based upon objective or standardized measures.

B. The Feedback Loop and Formative Assessments

A classic way to think about LOA is as a four step feedback loop. The first step in the loop is for the educational institution (or any program or course of instruction) to identify what it wants to teach or, to use more refined and broader terms, its “learning objectives” or

11 MAKI, supra note 8, at 3. See also Carol Geary Schneider, Introduction to GEORGE D. KUH, HIGH-IMPACT EDUCATIONAL PRACTICES 2 (2008) (“[T]he long-term ‘college success’ question encompasses not only whether students have earned a degree, but also whether graduates are in fact achieving the level of preparation—in terms of knowledge, capabilities, and personal qualities—that will enable them to both thrive and contribute in a fast-changing economy and in turbulent, highly demanding global, societal, and often personal contexts.”).
12 WALVOORD, supra note 8, at 2.
13 The literature includes numerous diagrams of this loop. See, e.g., MAKI, supra note 8, at 5 Figure 1.2.
“learning targets.” Importantly, this process does not simply involve identifying the subjects to be taught (e.g., Torts), but requires the educational institution to identify the core knowledge, skills, and values that it wants its students to learn in a given course or program of instruction. For instance, a law school might decide that its first-year Torts course should cover: (1) all of the subjects that are tested on the Torts portion of the Multi-state Bar Exam (the MBE); (2) legal analysis and reasoning; and (3) case briefing.

The second step in the feedback loop requires an assessment of whether the identified learning objectives for each course or program of instruction are being met. While assessments—in the form of tests, quizzes, essay exams, and the like—have long been a part of educational practice, the scope and nature of LOA assessments are different. At the course-level, LOA relies heavily upon the use of “formative assessments” rather than “summative assessments.” One definition of a formative assessment is that “it involves testing students in the midst of an ongoing instructional sequence and then using the test results to improve instruction.” The point of such assessments is to provide timely feedback to teachers and students so that learning can be improved during a course of instruction.

Assessments designed for ranking are generally not good instruments for helping teachers to improve their instruction or modify their approach to individual students. Students take these assessments at the end of the school year, when most instructional activities are near completion. Teachers do not receive the results until many months lat-

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14 Learning objectives can be broader than what is taught in a classroom because LOA theory recognizes the role that students play in their own learning, separate and apart from what is actually taught in the classroom. Given the nature of legal education, particularly the fact that law students are required and expected to engage in a lot of self-learning, this is a very important distinction to keep in mind when developing LOA processes.


16 Numerous books provide examples of course-level assessment tools. For law schools with experiential learning courses. See, e.g., Assessing Our Students, Assessing Ourselves: Vol. 3 in Rethinking Negotiation Teaching Series (Noam Ebner et. al. eds., 2012).

er, and by that time their students have usually moved on to other classrooms with different teachers.  

Formative assessments are not just tests, they are instructional tools. As Greg Munro explains, “[a]ssessment is not only a means of determining what and how a student is learning, but is itself a learning tool,” both for students and their professors. In addition to assessing how students are progressing in their learning, formative assessment tools are also useful for determining whether the teaching techniques of a professor are actually working with a given group of students. An ancillary benefit of such assessments is that they teach students the importance of constant improvement and how to self-reflect about their own work, leading to an appreciation for life-long learning.

Formative assessments can take many forms, ranging from the use of exit cards or clicker technology to quickly test student comprehension of important concepts to more formal mid-term exams. Accordingly, there is not one set of preferred formative assessments for any given course, and the number and choice of formative assessment tools can vary from year to year and course to course. The goal of each assessment is simply to determine whether students are progressing as expected and whether there are any deficiencies in their learning to date.

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19 The term “tests” is used broadly and should not be interpreted to require that formal exams be given. Formative assessments that are designed to measure student learning can take many forms, including the simple act of asking students if they understand certain principles and concepts.

20 *POPHAM*, supra note 17, at 3.


22 See Barbara Glesner Fines, *Classroom Assessment Techniques for Law School Teaching*, in *ASSESSMENT, FEEDBACK, AND EVALUATIONS: EIGHTH ANNUAL CONFERENCE OF THE INSTITUTE OF LAW SCHOOL TEACHING* 1 (2001) (“Frequent assessment can also result in metacognitive gains, as students develop the skills for self-assessment of learning. As awareness of learning motivates further learning, a cycle of success can increase student learning in sometimes dramatic fashion.”).

23 *Id.* For additional information on how to design assessments and examples of formative assessment methods, see *MAKI*, supra note 8, at 85–118.
Once assessments are conducted and the resulting information and data is collected, the third step in the feedback loop is for the information and data to be analyzed to determine whether the courses and programs that were assessed are meeting applicable learning objectives. If not, the fourth step in the process requires that changes in the course of instruction or teaching methods be made to address any gaps in learning. For instance, at the course-level, this may be accomplished by re-teaching material that most students did not understand. At the program-level, it may be necessary to change course offerings, specify more required courses, or clarify the essential material that is to be taught in specific courses.

C. Developing a Culture of Learning

Another way to think about LOA, and a perspective that is important for understanding the purpose and value of a PLC, is that it is a process by which an educational institution develops a culture that is focused on student learning. This may seem like an odd statement since the principal purpose of educational institutions is to advance the knowledge of their students, but it goes back to the point that was made earlier: LOA is about what students learn, not about what teachers teach. Most law schools already have a culture of inquiry and discovery with respect to faculty scholarship. LOA asks that a similar culture of inquiry and discovery be created and applied with respect to student learning; what Driscoll and Wood refer to as a “scholarship of teaching.”24 In a culture that is focused on student learning, the knowledge and scholarship of individual teachers and professors is obviously important for determining what subjects individual professors may be called upon to teach and for honing their abilities to teach those courses, but it does not directly address the question of what students learn. The only way to determine what students learn is to regularly assess their progress.

A criticism or misconception of LOA is that it results in a “dumbing-down” of the curriculum or the content of individual courses. Concerns are also expressed that LOA is a rigid and inflexible process that interferes with academic freedom.25 Neither concern is warranted. Rather, when properly understood and applied, LOA provides

24 DRISCOLL & WOOD, supra note 5, at 220.
the context for faculty to work together to enrich and deepen the curriculum and the content of individual courses. It also provides additional spaces in which to exercise academic freedom. Instead of working alone to determine what should be taught in a given course, LOA enables faculty to collectively determine the essential content of individual courses—particularly required courses—so that the program-level learning objectives of an institution (e.g., a law school’s objectives) are met. In practice, LOA moves the assessments that law professors have been engaging in for years in the privacy of their own homes and offices into collaborative spaces where faculty can learn from one another. Among other benefits, LOA processes ensure that all students receive comparable instruction in the core competencies of their chosen field of study and that “grades and credit hours have a commonly agreed-upon meaning and, ultimately, credibility.”

LOA is the antithesis of a rigid process because, when implemented correctly, it facilitates and rewards changes that are deemed necessary to improve student learning. Driscoll and Wood describe the development of a “culture for faculty learning and empowerment.”

Can you imagine a faculty member admitting that he doesn’t know much about the topic of his curriculum? It’s just not something we do at universities. The academy, with its policies and practices, has not fostered such trust or intimate sharing among its members. In such a culture, the pressure not to ever admit that you do not know something comes in all forms.

It is ironic that although law professors live and work in a culture of inquiry, and strive to teach law students to be critical thinkers, there is not a culture of inquiry about student learning within most law schools. Developing a culture that is focused on student learning means that teachers and professors would not be afraid to question the effectiveness of their teaching because such questioning would be valued more than the results of the assessments. In a culture focused on student learning, there is no shame in being a less-than-perfect teacher; the shame is in assuming that there is no room for improvement.

26 Driscoll & Wood, supra note 5, at 38.
27 Id. at 18.
28 Id. at 24.
29 To fully implement this cultural shift, it will be necessary to alter the way that teaching is evaluated both at the law school level and by the ABA during the
III. Why Learning Outcomes Assessment?

If and when the ABA’s standards for the accreditation of law schools are amended to explicitly require LOA processes, the implementation of such processes will not be automatic or easy. Anyone who has worked at an institution of higher learning, particularly a law school, knows that change is difficult. There are many reasons for this. Some people simply do not like change, particularly if the current system seems to benefit them. Other people are convinced that the current system is the best, particularly (like law professors) if they were a product of that system. (Wouldn’t advocating for or accepting change in an educational program suggest that there was something deficient about the old system and, therefore, something deficient about me?) Professors are often resistant to changes to the curriculum or to teaching requirements because they have spent years, perhaps decades, perfecting their teaching materials and fear having to re-examine or alter those materials. Ironically, with respect to LOA, some educators are skeptical that they can learn anything from the education professionals who have developed LOA theory and practice. Driscoll and Wood explain: “For many educators, outcomes-based assessment triggers an image of rigid rubrics, behavioral objectives, tightly contained curricula, and reduction to quantitative measures.”

accreditation process. If LOA marks a shift in focus from teaching to learning, then the evaluation of teacher performance should focus on whether students are learning what the course is designed for them to learn. It should not be based upon common proxies for teaching ability, such as mastery of the Socratic Method or student engagement. More importantly, law professors have to be given the freedom to experiment with new approaches to teaching, even if their experiments result in poor student evaluations.

30 See Howard Gardner, Changing Minds: The Art and Science of Changing Our Own and Other People’s Minds 1 (2004) (noting as a central premise of the book that minds are hard to change); id. at 93–94 (describing the resistance to change in higher education); John O. Sonsteng, A Legal Education Renaissance: A Practical Approach for the Twenty-First Century; the History and Status of Legal Education 35–77 (2008) (describing the “road blocks” to change within the legal academy); see generally John P. Kotter, Leading Change (1996).

31 See DuFour et al., supra note 3, at 21 (quoting Anais Nin for the observation, “we don’t see things as they are, we see things as we are.”).

32 Driscoll & Wood, supra note 5, at 9.
A. Solving the “Wicked Problem”

Drawing upon scholarship from other disciplines, Judith Welch Wegner characterizes legal education reform efforts as a “wicked problem.” As she explains:

[A] “wicked problem” is one that cannot be definitively described or understood (since it is differently seen by differing stake-holders, has numerous causes, and is often a symptom of other problems) . . . . “Wicked problems” occur when the factors affecting possible resolution are difficult to recognize, contradictory, and changing; the problem is embedded in a complex system with many unclear interdependencies, and possible solutions cannot readily be selected from competing alternatives.

By definition, “wicked problems” cannot be solved in the same ways that “tame problems” can be solved. Instead, “intensive attention [must] be devoted to building shared understanding of complex problems, drawing in the full range of shareholders.” LOA processes are a means to solve the wicked problem of legal education reform by building shared understanding of: (1) the core elements of a law school’s program of instruction; (2) how to assess and improve student learning; and (3) best practices for teaching. In particular, the development of a PLC and the use of collaborative teams are designed to build shared understanding through a process of discussion and evaluation over an extended period of time.

B. Improving Student Learning

Given the resistance to LOA in many areas of higher education, including law schools, it is worth examining why the ABA and other accrediting bodies think that LOA is important. One obvious answer (or at least obvious to those who believe in LOA theory and

34 Wegner, supra note 33, at 872–73 (defining “tame problems” as “those that are more readily susceptible to traditional solutions using standard techniques: defining the problem, understanding it, gathering information, crafting and evaluating solutions, choosing a solution and assessing the result.”).
35 Id. at 873 (citing E. Jeffrey Conklin, Wicked Problems & Social Complexity, in DIALOGUE MAPPING: BUILDING SHARED UNDERSTANDING OF WICKED PROBLEMS 3 (2006)).
practice) is that LOA improves student learning. Among other findings, studies by experts in the field of student learning have found that students achieve “deeper learning” when they are told up-front what they are expected to learn. The reason is simple: If students understand what they are expected to learn, they will focus on learning those topics and will not become distracted by irrelevant matter.

If you don’t know what is important to focus on . . . you skim, you cram, and you stay on the surface. If you have a priority or focus, you are able to dig, to expand, and to achieve depth of understanding.

Thus, the simple act of specifying anticipated learning outcomes for a program, course, or individual class session (the first step in the LOA process) has been shown to improve student learning. But, as noted above, LOA theory and practice goes beyond the simple act of specifying anticipated learning outcomes to inquire whether students are actually learning what is being taught, known as course-level and program-level assessment.

As law professors, it is impossible for us to teach our students everything about the law. If we pause to think about the essence of a legal education, it is to provide our students with the knowledge and skills they need to find, understand, and apply relevant legal theories and principles to solve problems. LOA broadens and deepens the educational experiences of students in ways that are fully consistent with the goals of legal education.

Our tendency is to focus on what learners do while they are with us—in classes, in a major program of courses, or on the campus. That tendency keeps our focus on our pedagogy (teaching and learning approaches) and keeps us in the teaching paradigm. Instead, authentic outcomes push us to think differently, to describe those departures skills, understandings, and so on, and then to focus our planning on how to promote them during our time with the learners.

37 Driscoll & Wood, supra note 5, at 13.
38 For an example of a casebook that uses this strategy by specifying anticipated learning outcomes at the beginning of every chapter, see Elizabeth A. Rowe & Sharon K. Sandeen, Cases and Materials on Trade Secret Law (2012).
39 Driscoll & Wood, supra note 5, at 6.
LOA provides a framework for identifying “the bigger picture” and enables us to be intentional about the departure skills and understandings that we want law students to learn before they graduate.

C. Meeting Accreditation Requirements

The less obvious answer to the question posed—Why LOA?—is that LOA is important to accrediting bodies (such as the ABA) and it is important to accrediting bodies because it is important to the U.S. Department of Education (DOE). In this regard, it is important to understand that the educational programs of most law schools are subject to review by two accreditors: the ABA and the entity that is responsible for the accreditation of the university with which the law school is affiliated. Thus, even if ABA accreditation standards are not amended to require LOA processes, the various university accreditors (such as the Higher Learning Commission in Hamline University’s case) are likely to demand program-level assessment data from law schools.

The U.S. DOE has taken an interest in LOA, not only because a central part of its mission is to improve education in the United States, but also because, with respect to post-secondary education, there are concerns that some educational institutions misrepresent the nature and quality of the education they provide. Among other reasons, the DOE wants to make sure that the vast amounts of federal subsidies for higher education (in the form of student loans and grants) are being spent on worthwhile programs. Although not stated this bluntly, if a federally-subsidized institution of higher learning promises to educate students in a particular field, the U.S. government has an interest in making sure it is getting its money’s worth. Since DOE does not directly accredit institutions of higher learning, one way to ensure the quality of post-secondary education is to nudge the various accrediting bodies to institute effective evaluative processes such as LOA.

The foregoing observations regarding the interests of accrediting bodies and the DOE in LOA processes inevitably leads to the assertion that law schools know what they are doing and cannot, and

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should not, be accused of breaking their promises to educate students. After all, most law students who graduate from ABA-accredited institutions pass a Bar Exam and go on to successful professional careers. There are, however, two responses to this refrain: (1) How do law schools know that they are not breaking their promises to their students if they do not periodically assess student learning outcomes?; and (2) Is the Bar Exam the most legitimate, or the only legitimate, means of measuring the effectiveness of a law school’s educational programs? Given that many in legal education lament a curriculum that appears to “teach to the Bar Exam,” it is ironic that the Bar Exam is often cited as a reason why LOA processes are not needed in law schools.

It is precisely because law schools do not merely teach to the Bar Exam that LOA processes are needed to assess whether law schools are meeting the “extra-Bar Exam objectives” of their curriculum and programs. In his ground-breaking book, Greg Munro explains:

[C]entral to the assessment program for legal education and critical to the achievement of a law school’s mission is the identification of goals and objectives which can be stated in terms of student outcomes and institutional outcomes for assessment purposes. Student outcomes are the abilities, knowledge base, skills, perspective, and personal attributes which the school desires the students to exhibit on graduation . . . . Institutional outcomes are those goals and objectives which a law school has set for itself in serving the people it has chosen to serve.

LOA provides law schools with the means to: (1) clearly identify the core knowledge, skills, and values that they seek to teach; and (2) assess whether their students are actually meeting those objectives.

D. Refining the Measures of Success

Ultimately, the establishment of goals and objectives and the use of LOA processes can lead to a shift in the way students are taught and how student progress is measured. Education becomes less about sorting students into groups according to their performance on summative exams, and more about improving student learning throughout a given course of instruction.43

42 MUNRO, supra note 21, at 17–18.
43 Guskey, supra note 18, at 15, 21. See also MUNRO, supra note 21, at 33 The need for effective assessment in law schools is masked by a set of unchallenged
The fundamental premise of this new vision is a rejection of the determinism inherent in the bell curve and the embrace of the essential truth that teachers and school leaders make a difference. When we take this perspective, we stand on the shoulders of giants . . . who believe that teaching is not merely the act of transmitting knowledge, but an inherently collaborative, interactive, and relationship-based enterprise.\textsuperscript{44}

Thus, for the legal academy and legal employers, LOA means that where a student attends law school or where he is ranked in his class will mean less than what he learned and achieved when he was there.

Admittedly, law schools are in a much better position than K–12 institutions, or even colleges, to assume that their students possess the basic knowledge and skills to get the most out of their legal education. After all, with rare exceptions, every law school student graduated from college and usually earned a grade point average of 3.5 or above.\textsuperscript{45} The more selective law schools are, the stronger the assumption is that their students are learning what they need to know to become effective entry-level lawyers because their students are “smart enough” to figure it out on their own. This air of superiority may explain some of the negative discourse surrounding LOA in legal education; if some law students are not learning what they need to know, it must be because some law schools are letting in unqualified students. In my opinion, this sentiment misses the point. There is no question that law schools should have high admissions stan-


\textsuperscript{45} This is an estimate of the median GPA of admitted law students based upon the GPAs of entering students as reported to U.S. News and World Reports and as detailed in the Law School Admission Council (LSAC), U.S. National Decision Profiles.
dards. The point is that not all law students (no matter how smart or skilled) come to law school with the same prior knowledge, skills, or experience. For law students to get the most out of their legal education, a program of legal education must be able to adapt to the actual needs of its students. The best way to do this is by embracing LOA.

IV. Challenges to Implementing LOA

There are many challenges to the implementation of LOA processes that will vary depending upon the existing culture and personalities of a law school. One common challenge is a general reluctance to change, particularly among members of the faculty who have been teaching for many years. There are also the challenges of learning a new vocabulary and developing and implementing new assessment tools. The following steps in the LOA process provide a framework for addressing the challenges that arise.

A. Developing a Law School’s Program-level Learning Objectives

When embarking on the implementation of LOA processes, the logical approach is to mirror the feedback loop described above. The first thing to determine is the learning objectives for a given program of instruction, such as a law school. This can be a lengthy, drawn-out, and draining process. Not only might law schools encounter stiff resistance to LOA generally, individual faculty members are bound to have disparate views on the goals of a law school. Often, these views will align with their own scholarship and reflect an understandable desire to honor their work and interests. The only way to overcome this resistance is to work collaboratively, and as long as it may take, to develop a collective vision of the core knowledge, skills, and values that the law school wants to instill in its students. In doing so, it is important to involve both LOA believers and LOA skeptics in the process. Because LOA believers may be bloodied in the process, it is also important for there to be a strong institutional commitment to LOA. An occasional pat on the back, and timely intervention, would help too.

Proposed ABA Standard 302 provides some basic guidelines for law school learning objectives that can be copied and tweaked to
provide the foundation for a good list of objectives. In addition, as Greg Munro emphasizes, law schools should feel free to tailor their learning objectives to the particular needs of the community in which the law school is located and to the particular mission of the law school. For instance, if a law school sees its mission as preparing its students for careers as law professors or as advancing understanding of the field of law and economics, learning objectives should be drafted to reflect those goals. At Hamline University School of Law, we place great importance on the role of lawyers as problem-solvers and emphasize in our course of instruction the myriad ways that problems can be solved both inside and outside the judicial system. Thus, a key feature of our learning objectives is its emphasis on dispute resolution skills.

B. Developing Assessment Tools

Once a law school determines what its learning objectives are, the next step in the LOA process is to assess whether those objectives are being met. Not every course has to satisfy each of an institution's program-level objectives; rather, the entire program of instruction (particularly the required courses, but potentially including extra-curricular activities) should be designed to meet all the program-level objectives. In contrast, course-level assessments are designed to ascertain whether students are attaining the learning objectives of individual courses. Thus, full-implementation of LOA processes requires the development of both course-level (described above) and program-level assessment tools, but not necessarily all at once or across the curriculum.

46 See Proposed Standard 302, AM. BAR ASS'N., SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR, STANDARDS REVIEW COMM., CHAPTERS 1 TO 7 – POST NOVEMBER 2011, supra note 1.
47 Munro, supra note 21, at 15–16.
49 It is also important to note that what is taught in individual courses is never limited to the designated learning objectives. Rather, the learning objectives are simply the core of the program or course and students should always be challenged to learn more. A focus on specific "core" or "essential" objectives will provide students the foundational knowledge and skills that they need to achieve deeper learning.
Program-level assessments are what accrediting bodies are most interested in and are intended to measure whether students—usually graduating students—have acquired the knowledge, skills, and values that are specified in the institution’s learning objectives. For instance, program-level assessments would examine whether students have acquired sufficient legal writing skills, not whether they did well in their first-year legal writing course. As such, the best program-level assessments are devised by a group of faculty (and perhaps administrators) who work collectively to determine both what should be assessed and how best to conduct the assessments. At its core, program-level assessment is not just the collection of data; it is a collaborative process to reach “consensus about shared expectations for student learning, followed by collaborative strategies that explore the curricular and co-curricular coherence that contributes to these expectations.”

Although the development of assessment tools tends not to be as contentious as the initial development of learning objectives, there is a steep learning-curve that makes the creation, adoption, and implementation of course-level and program-level assessments difficult and time-consuming. The first challenge is to get law faculty used to a new vocabulary that includes such terms as “formative and summative assessment” and “rubrics.” In the same way that first-year law students become disoriented and confused by the vocabulary

50 MAKI, supra note 8, at 31–58 (describing the role and processes of program-level assessment).
51 Id. at 31.
52 In the book, Transformative Assessment, W. James Popham describes the transformative power of formative assessments, noting that the terminology is drawn from a 1967 essay by Michael Scriven. “According to Scriven, if the quality of an early-version educational program is evaluated while the program is still malleable—capable of being improved because of an evaluation’s results—this constitutes formative evaluation. In contrast, when a mature, final-version educational program is evaluated in order to make a decision about its continuation or termination, this constitutes summative evaluation.” For student evaluations, Popham states that the “by and large” definition of formative assessment is that “it involves testing students in the midst of an ongoing instructional sequence and then using the test results to improve instruction.” POPHAM, supra note 17, at 3.
53 As with formative and summative assessments, rubrics can take many forms but are generally defined as tools for assessing student work that include descriptions and expectations for the work as well as of the levels of performance for each component. DRISCOLL & WOOD, supra note 5, at 107. “Rubrics clarify how to appraise a student’s performances, and they can be
of the law, law professors are often uncomfortable with having to learn new and unfamiliar vocabulary. The fact that LOA is perceived as being a time-consuming process imposed from on high does not make the task any easier. The only way to overcome this challenge is to be patient and to infuse the ordinary and normal discourse with talk of LOA.

The second challenge is to overcome decades of tradition that favors summative over formative assessment and that views the purpose of grades as the sorting of students. Law schools, like other institutions of higher learning, have a long history of assessing student learning. As noted above, however, the summative nature of the typical law school exam makes them ineffective assessment tools for LOA purposes because they do not provide timely feedback to students and faculty alike. Although many law professors take the time to write written comments on exam answers, students do not always receive that feedback. Part of this may be blamed upon students who are too busy or too lazy to pick-up their exam answers or otherwise request feedback, but I suspect that a large part of the problem stems from a culture that does not value feedback. Policies that require mandatory-curves and anonymous grading are likely to blame for giving law students the sense that there is little value in obtaining feedback. Without timely feedback, law students may conclude that the principal purpose of law school exams is to identify law clerk and big firm worthy students, not as a means to improve their learning.

In order to overcome the natural resistance to new forms of assessment, the process of developing new assessment tools should take a two-pronged (or multi-pronged) approach. Most directly, individual professors should be encouraged to implement formative assessment tools in their individual courses. Second, program-level or institution-level assessments must be devised and implemented. The development of program-level assessments generally requires the input of multiple professors and administrative staff. It might take the form of simply collecting and analyzing assessments and data that already exists (like the essay exam answers from all Torts professors), or involve the development of new assessment tools (such as a survey of graduating students). In either case, the work that is required to develop and implement assessments is likely to require the time and attention of law professors who would rather be researching and remarkably useful in helping students understand the nature of the curricular aim being sought.” POPHAM, supra note 17, at 80.
writing. Although a common observation among LOA participants is that it makes the job of teaching easier and more rewarding, admittedly there is the proverbial “hump” that must be ascended before the benefits of LOA can be reaped.

C. Analyzing and Using LOA Data

The third and fourth steps in the LOA process require the collection and analysis of information and data for the purpose of determining how student learning can be improved.\textsuperscript{54} One part of this process is to assess whether there are any gaps in the curriculum or in the subject matter that is taught in individual courses. For instance, if proficiency in oral advocacy is a learning objective of a law school, then it should identify all the places where oral advocacy skills are taught and determine whether all or most students receive such instruction. If gaps are found, steps should be taken to fill those gaps, or the learning objectives should be modified.

With respect to gaps in the curriculum, the principal challenge is the strong preference for the status quo. Although the curriculum at most law schools was probably developed over decades through a process of accretion rather than planning, fear of change means there is a reluctance to carefully examine the curriculum anew to determine if it meets the learning needs of current students. With respect to the failure of individual courses to teach expected subject matter, vociferous cries of academic freedom are likely to be heard from those individuals who do not appreciate that specifying the basic subject matter to be taught in a course is different from specifying how the course will be taught.\textsuperscript{55}

Where there are no gaps in a program or course of instruction when compared to an institution’s learning objectives, but there is evidence that students are not learning the required material, then an examination must be made into possible impediments to student learning. This can be a difficult process because it necessarily involves an examination of teaching effectiveness, and some teachers are reluctant to admit that they might be deficient in some areas. Too often in institutions of higher learning like a law school (and sadly K–12 institutions), the tendency is for the teachers to blame the stu-

\textsuperscript{54} See MAKI, supra note 8, at 4–5 Figures 4 & 5.

\textsuperscript{55} See DRISCOLL & WOOD, supra note 5, at 5 (noting that learning outcomes “do not specify teaching strategies, learning activities, assignments, readings and resources, or assessment” or otherwise interfere with faculty creativity).
dents for any deficiencies. Who among us has not heard colleagues complain about the inability of law students to write well? If students are not learning then it must because they did not study hard enough or they do not know how to express themselves in writing. The challenge here is (1) to convince law professors that they have to take personal responsibility for student learning and (2) to create a culture in which intelligent, hard-working, and accomplished legal scholars are comfortable enough to acknowledge that their teaching can be improved. This involves a process of trust-building.  

D. Strategies for Overcoming the Challenges of Implementing LOA

There are a number of ways that institutions of higher learning (and K-12 districts) have attempted to meet the above-described challenges and help their faculty to learn and implement LOA processes. This includes educational efforts in the form of internal and external lectures, seminars, and workshops. It may include the hiring of consultants and the establishment of centers for teaching and learning, including the hiring of staff whose sole responsibility is to assist faculty to learn and implement LOA processes. Both negative and positive incentives may also be used. For instance, faculty may be required to report in their annual self-evaluations the steps they have taken to implement LOA processes or be given extra compensation or a course release in exchange for a promise to develop a new assessment tool. While all of these efforts advance LOA, anyone who has engaged in them knows that unless they are mandatory, they tend to always involve the same group of LOA believers. The challenge is in how to convert the non-believers.

Driscoll and Wood describe the resistance to LOA in painstaking detail from the perspective of a newly formed institution of higher-learning that had the benefit of starting fresh. Even within an institution that was not required to change decades of entrenched

56 "There is no easy way to overcome the obstacle of mythology when engaged in school improvement. It involves making thinking explicit and calling upon people to engage in the difficult task of articulating and examining their assumptions. It calls for building shared knowledge and learning by doing." DuFOUR ET AL., supra note 3, at 24.

57 See, e.g., DRISCOLL & WOOD, supra note 5 (detailing a variety of LOA efforts instituted by California State University, Monterey Bay).

58 See generally id.
policies, and which had dedicated sufficient staff and financial resources to its Teaching, Learning and Assessment Center, it was difficult for LOA to gain traction. What they discovered is that resistance to LOA is largely the result of intrinsic factors: namely, faculty who are afraid of what they do not know. The problem is that institution-level (top-down) LOA training programs are usually not enough to overcome this fear of the unknown. For one reason, they take time to attend and may be scheduled at times when professors are not available. For another reason, what is learned at LOA training programs must still be implemented, and lack of confidence or time constraints can make implementation difficult.

After several years of frustration trying to impose LOA using a top-down approach, I believe that the key to implementing LOA processes in law schools involves a bottom-up approach that leads to "a culture for faculty learning and empowerment." The development of a PLC, including the formation of collaborative teams, is a promising means for developing such a culture because it is a way to develop a shared understanding of the problems facing legal education and the challenges of law student learning. As collaborative teams are formed around specific courses or groupings of courses, and more and more law faculty learn the vocabulary of LOA and the benefits of sharing ideas about student learning, the conversations about student learning that once took place only at meetings of collaborative teams (such as the one I formed with my colleague concerning the teaching of Torts) will begin to occur informally at faculty meetings, in individual faculty offices, and near water coolers. A PLC will have been created.

V. Professional Learning Communities

A. Why develop a PLC?

Before getting into the details of what a PLC is and how PLC processes can be used to jump-start and speed-up LOA processes, it is worth considering why PLCs are a promising means for developing a culture of inquiry regarding student-learning. In their book, Revisiting Professional Learning Communities, the authors advocate for PLCs by first detailing the history of educational reform at the K–12 level

59 Id. at 2.
60 Id. at 24.
and then identifying various reasons why such reforms—including No Child Left Behind—failed.61 In their opinion, K–12 reform efforts did not fail due to substantive deficiencies in the theories underlying such reforms. Rather, they failed because of: (1) unrealistic expectations; (2) the complexity of the task; (3) misplaced focus; (4) a lack of clarity on intended results; (5) a lack of perseverance; and (6) a failure to appreciate and attend to the change process. A common feature of all of the stated reasons is the lack of teacher buy-in. This is most clearly expressed in the following narrative regarding the last of the stated reasons for failure:

Most educators have not been trained in initiating, implementing and sustaining change . . . . They have neglected the process of creating a “critical mass” of support or have failed to proceed because of the mistaken notion that they needed unanimous support before launching an initiative. They have regarded conflict as a problem to avoid rather than an inevitable and valuable byproduct of substantive change. They have failed to anchor the change within the culture of the school. They have considered a change initiative as a task to complete rather than an ongoing process.62

The authors conclude that if real educational reform is to occur, “educators must break from the industrial model upon which they were created and embrace a model that enables them to function as professional learning communities.”63 By the “industrial model” they mean the assumption—prevalent in the late 19th and early 20th centuries—that there is “one best system” for completing any task or solving any problem.64 Studies of learning have shown that there is no one “best way” to teach or to learn.65

Although legal education does not suffer from the magnitude of challenges faced by K–12, there are similarities between the calls for reform in K–12 education and the legal education reform movement. As with the K–12 system, there have been frequent and repeated

61 DUFOUR ET AL., supra note 3, at 31–66.
62 Id. at 66.
63 Id.
64 Id. at 32.
65 See generally BENJAMIN S. BLOOM, HUMAN CHARACTERISTICS AND SCHOOL LEARNING (1976) (challenging the prevailing teaching and learning constructs and advocating for more learner-specific approaches).
calls for the reform of legal education. In the past five years, these calls have taken the form of a Carnegie Foundation Report, *Educating Lawyers,* and the book, *Best Practices for Legal Education: A Vision and Road Map.* More recently, it has also taken the form of scathing critiques of legal education, including the recent book *Failing Law Schools.* A general point of all of these critiques is that law schools can and should do a better job of preparing law graduates for the jobs of the twenty-first century. In response, many law schools have engaged in efforts to refine and improve their programs, curriculum, and teaching, but the bulk of legal education remains as Christopher Columbus Langdell envisioned it over 140 years ago. As with efforts to reform K–12 education, the problem seems to be the failure to build a critical mass of support for a fundamental reform of legal education.

The literature about organizational change supports the notion that fundamental change can only occur if there is buy-in from key stakeholders. As Shirley Hord has noted, advocates of educational reform have realized that “educators must come to an intimate understanding of the process of change in order for implementation to be successful and for the promises of new [educational] practices to be realized.” To achieve buy-in requires time, education, and dialogue. The establishment of a PLC and the use of collaborative teams provides a bottom-up and faculty-centered framework in which this

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67 *Id.*


69 See, e.g., Stuckey et al., * supra* note 1, at 18 (“The unfortunate reality is that law schools are simply not committed to making their best efforts to prepare all of their students to enter the practice settings that await them.”).


72 Hord, * supra* note 6, at 2.
education and dialogue can occur. In this regard, DuFour defines professional learning communities as:

Educators committed to working collaboratively in ongoing processes of collective inquiry and action research to achieve better results for the students they serve. Professional learning communities operate under the assumption that the key to improved learning for students is continuous, job-embedded learning for educators.  

Similarly, Thomas Angelo states that “[L]earning communities work] collaboratively toward shared, significant academic goals in environments in which competition . . . is . . . de-emphasized . . . [E]veryone has both the opportunity and the responsibility to learn from and help teach everyone else.”

Although the original vision of a PLC is as an agent for change in K-12 education, my suggestion for the establishment of a PLC within law schools is more modest. I suggest that the processes that underlie PLCs—particularly the establishment of collaborative teams—be used to facilitate discussions about student learning and the development of both course-level and program-level assessments. If the establishment of a PLC also results in fundamental changes to the traditional law school curriculum, so be it, but this is not the “hidden agenda” of either PLCs or LOA. The principal purpose of PLCs is to foster a culture that is focused on student learning. If this is accomplished, use of the specific features of LOA (e.g., learning objectives, formative assessments, and data collection and review) will naturally follow.

B. An Overview of PLCs

The idea of learning communities is not new to the field of education. In the early part of the twentieth century, the scholarship of John Dewey and others led to the idea that student learning communities could be used to improve student learning. The belief that learning could be improved through the use of collaborative group activities has since expanded to include a variety of possible learning communities, including faculty and student communities,

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74 DuFour et al., supra note 3, at 14.
75 Thomas A. Angelo, Seven Powerful Shifts and Seven Powerful Levers, Developing More Productive Learning Communities, 6 Nat’l Teaching & Learning Forum 1 (1996).
76 See Dewey, supra note 44.
faculty-centered learning communities, stakeholder communities, and professional learning communities. As used herein, the term “professional learning communities” refers to a learning community that is designed to bring together the faculty, administrators, and staff of a law school (also known as an all-staff learning community). However, the establishment faculty-only learning communities (also known as Faculty Learning Communities or PLCs) or learning communities that are built around specific educational goals, such as experiential learning objectives, can also serve to jump-start LOA processes.

Among PLC professionals and experts, it is generally understood that there are six characteristics of successful PLCs and four critical questions that PLCs should routinely explore. The six characteristics of successful PLCs are:

1. Shared mission, vision, values, and goals—all focused on student learning;
2. A collaborative culture with a focus on learning;
3. Collective inquiry into best practices and current reality;
4. An action orientation based upon principles of learning by doing;
5. A commitment to continuous improvement; and
6. Results orientation.

The four questions that PLCs should routinely explore with respect to student learning are summarized as: (1) What do we want our students to learn?; (2) How will we know if each student is learning the essential skills, concepts, and dispositions?; (3) How will we respond when some students do not learn?; and (4) How will we enrich and extend learning for students who are already proficient? In short, PLCs exist for the purpose of attaining a shared understanding of common problems and common solutions, thereby solving the “wicked problems” of education reform.

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77 HORD, supra note 6, at 6 (citing T.A. ASTUTO ET AL., ROOTS OF REFORM: CHALLENGING THE ASSUMPTIONS THAT CONTROL EDUCATION REFORM (1993)).
78 DUFOUR ET AL., supra note 3, at 15–17.
79 Id. at 183–87.
C. The Key Features of PLCs

1. Collaborative Teams

While it would be great for all administrators, faculty, and staff of a law school to simply agree to form a PLC for the purpose of improving student learning, the impediments to educational reform that were referenced earlier make this dream improbable. However, it is not unrealistic for law schools to begin a dialogue that is focused on the foregoing questions, particularly among faculty who are either committed to or interested in LOA theory and practice, by forming one or more collaborative teams. As explained by the authors of Revisiting PLCs, “[w]e believe that the first step in breaking free of the traditional norm of educators working in isolation is to establish a new image of the fundamental structure of the school, one that is based on a communal gathering of high-performing collaborative teams that share collective responsibility for the learning of their students.”

The essence of a collaborative team is that of a group of two or more teachers (or professors) who meet regularly to discuss teaching and learning and who commit to “working together interdependently to achieve a common goal for which they are mutually accountable.” Collaborative teams can be configured in myriad ways, involving collaboration of faculty either vertically or horizontally. For instance, they can be built vertically around a specific required course (such as all first-year Torts sections) or horizontally around a broader grouping of courses (such as all experiential learning courses). As Driscoll and Wood note, they might even have a cross-disciplinary focus, involving professors from different disciplines within a law school or a university. The collaboration that already occurs at many law schools among clinicians and legal writing instructors, albeit not necessarily labeled as “collaborative teams,” provide ready examples for how the same approach can be used for doctrinal courses.

The work of collaborative teams need not be complicated or time-consuming and, in fact, is likely to lead to a sharing of workload. Members of a team can begin the process simply by meeting...
regularly to talk about their courses, their approaches to teaching, the required materials, and student progress. The weekly meetings can be scheduled around normal coffee or lunch breaks so as not to interfere with time normally devoted to writing. Initially, the purpose of such meetings is simply to share information, but such discussions can lead to specific ideas that each member of the collaborative team agrees to implement, such as formative assessments.

2. **Learning Objectives**

Consistent with the LOA processes that were described earlier, a priority of every collaborative team should be to identify the learning objectives for a given course or program of instruction. While each professor is free to dictate the outer parameters of each course they teach and to determine their preferred methods of instruction, the members of the collaborative team should be able to reach agreement on the “essential” or “common core” knowledge, skills, and values that students must learn in a given course. Ideally, such objectives will be consistent with the program-level objectives of the law school and the skills, knowledge, and values that graduating law students need to possess to be successful first-year attorneys.

Once the core learning objectives of a course are determined, the work of a collaborative team should focus on how to ensure that students are learning those core objectives. In large part, discussions regarding the progress of student learning will focus on the content of instruction, but invariably members of a collaborative team (at least those that are open to learning themselves) will begin to discuss the approaches and methods they use to teach the objectives. In this way, each member of the collaborative team will learn from their colleagues and a variety of “best practices” for teaching different content will emerge over time. As these discussions occur, adjustments can be made to the learning objectives for specific class sessions and for courses as a whole.

3. **Common Formative Assessments**

Given the important role that formative assessments play in the LOA process, one of the functions of a collaborative team, and by extension the broader PLC, is to share ideas and methods for
assessing students learning. A benefit of a collaborative approach to formative assessment, as opposed to a singular approach, is that the members of a collaborative team can (and should) develop “common formative assessments” that are designed to ensure that students are achieving identified learning objectives. In this regard, although legal educators are not always explicit in describing the “scaling-up” of learning about the law, the typical progression of the law school curriculum from foundational courses such as Torts and Contracts to elective courses, as well as the progression of content within a single course, involves a process of building a strong foundation of basic concepts and then driving students toward deeper learning. The collaborative team process and discussions concerning common formative assessments provide an ideal forum in which to explore the proper sequencing and depth of instruction. The formative assessments themselves allow law professors to assess their students on a periodic basis to determine if the necessary foundational knowledge has been achieved before moving on to other topics.

4. Collective Improvement

Ultimately, the purpose of a PLC is to share ideas and information so that student learning can be improved. The more collaborative teams that are created within a law school and the more information that is shared among faculty, the greater the benefits of the process. As collaborative teams begin to form and faculty share ideas, each collaborative team will naturally want to learn about what other professors are doing and information will begin to be shared among members of different collaborative teams. As an example, if during

84 Common formative assessment is defined as:
An assessment typically created collaboratively by a team of teachers responsible for the same grade level or course. Common formative assessments are used frequently throughout the year to identify (1) individual students who need additional time and support for learning, (2) the teaching strategies most effective in helping students acquire the intended knowledge and skills, (3) program concerns—areas in which students generally are having difficulty achieving the intended standard—and (4) improvement goals for individual teachers and the team.
Id. at 464.

85 This by-product of collaborative teams is described in Driscoll and Wood’s book about the experiences of faculty at California State University Monterey Bay. Driscoll & Wood, supra note 5, at 119–22.
orientation someone lectures students on how to brief a case, the members of a collaborative team may want to learn what was said so that they can reinforce the message. This sharing of information, in turn, is likely to lead to a discussion concerning the essential features of a good case brief.

There are a number of other reasons why collective improvement is likely to occur. First, if a law school has program-level objectives and a particular collaborative team is not teaching to one or more of those objectives, the collaborative team will want to ensure that some other course is covering that content. Second, if a collaborative team has a long list of learning objectives, some of which it determines cannot be covered in their courses, that collaborative team may seek out another collaborative team to cover one or more of those objectives. Third, some learning objectives may be so important and foundational that it is important for the material to be taught in more than one course. Or a collaborative team might decide that it is important to reinforce and re-teach content that was first introduced to law students during orientation, such as how to brief a case.

The process of collective improvement of student learning can and should be enhanced with program-level (administrative) initiatives, such as workshops and programs on teaching methodologies and assessments. Such efforts should prove more fruitful once collaborative teams are created because the members of the collaborative teams will be more familiar with the vocabulary of LOA processes and will better understand the purpose and value of LOA.

VI. Conclusion

Legal education reform is not easy, but it is not impossible. The development of a PLC through the use of collaborative teams provides a pathway for creating a culture focused on student learning and it is an effective and relatively painless means of complying with an accreditor’s demands for a process of course-level and program-level assessment. For law schools that have not yet adopted a list of learning outcomes, the formation of collaborative teams will also help them to identify and define learning outcomes that are appropriate for their school’s curriculum, focus, and culture. An added benefit of collaborative teams is that law faculty will learn from each other, thereby enriching their teaching and their scholarship. Most importantly, however, the development of a PLC will help law students to learn more and more deeply.
APPENDIX:
HAMLINE UNIVERSITY SCHOOL OF LAW LEARNING OUTCOMES FOR LAWYER ACHIEVEMENT (LOLA)

As adopted by the law faculty on May 8, 2008.

GOAL #1 (KNOWLEDGE): Acquire the conceptual frameworks and substantive knowledge needed for competent professional service as a new attorney and as a basis for lifelong learning.

HUSL graduates should be able to...
1. Demonstrate competence in key foundational areas of U.S. law, including areas of substantive law tested on bar examinations. (University Outcome #6, see below)
2. Demonstrate competence in other student-elected areas of substantive law. (University Outcome #6)
3. Demonstrate knowledge of the structure, components, and functioning of the U.S. legal system, including the markets for legal services. (University Outcome #6).
4. Demonstrate an understanding of the operation of law in a global context. (University Outcome #3)
5. Demonstrate an understanding of the ethical rules that govern the legal profession. (University Outcome #2)

GOAL #2 (SKILLS): Learn, practice, and apply the skills and methods that are essential for effective lawyering.

HUSL graduates should be able to...
1. Identify and apply strategies to discover and achieve client objectives. (University Outcome #6)
2. Master appropriate strategies and technologies to retrieve, use, and manage research materials and information effectively and efficiently. (University Outcome #4)
3. Comprehend and synthesize the reasoning and rules contained in legal authorities and apply them to a variety of client situations. (University Outcome #6)
4. Communicate effectively in writing and in speaking with diverse audiences in a variety of formal and informal settings. (University Outcome #5)
5. Demonstrate the capacity to understand and appreciate the diverse backgrounds and perspectives of clients, colleagues,
adversaries, and others while dealing sensitively and effectively with the issues presented. (University Outcome #3)

6. Advocate, collaborate, and problem-solve effectively in formal and informal dispute resolution processes. (University Outcome #2)

**GOAL #3 (PROFESSIONALISM):** Develop the personal attributes, attitudes, and practices befitting an honorable and respected profession.

HUSL graduates should be able to...

1. Acquire the knowledge and skills required to competently represent one’s clients (see the lists above).
2. Articulate the roles lawyers play in promoting justice, improving the legal profession, and serving the community. (University Outcome #1)
3. Exercise professional decorum consistent with a lawyer’s professional responsibilities and leadership roles. (University Outcome #2)
4. Reflect on one’s own work and professional development. (University Outcome #7)
5. Engage in effective time management. (University Outcome #4)

**HAMLINE UNIVERSITY LEARNING OUTCOMES**
(From Hamline University Initiative 2.2.A):
Implement learning outcomes that ensure a Hamline graduate will be able to...

1. Serve, collaborate, and lead in a community
2. Solve problems in innovative, integrative, analytical, and ethical ways
3. Work and create understanding across cultural differences locally, nationally, and internationally
4. Use information and technology competently and responsibly
5. Communicate effectively in writing and in speaking
6. Apply the theories and methods of a field of expertise
7. Engage independently and reflectively in lifelong learning
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