The Application of Student Development Theory in Legal Education: Using the Undergraduate Learning Environment Theories of Chickering, Reisser, and Gamson to Develop Law Students

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Since July 2008, Mr. Faltin has served as the director of student affairs at Marquette University Law School. In addition to handling many of the day-to-day operations with regard to financial aid, academic assistance, and student organization operations, much of Director Faltin’s time is spent counseling students with personal problems that impact their academic experience. Over the past several years, he has conducted research on undergraduate transition strategies, stress relief for first-year law students, and adaptation of undergraduate student development theory for use in legal education.
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Introduction

• Student Development Theory (SDT)
• Millennial Theory v. Gen. NeXt Theory
• Learning Environment Theory
• Application to Today’s Legal Education
• Best Practices Discussion
Caveats

1. Not a call for broad-based reform

2. Not meant to be controversial

3. Do not abandon your values!
### Student Development Theory

- Newer academic study
- Explores cognitive and social student growth
- Nevitt Sanford developed **Challenge and Support**.

**Challenge and Support** = **Quality Dissonance**

- Challenge requires proportional support.

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Evans, Forney, Guido-DiBrito, 1998, p. 7; Love and Guthrie, 1999, p. 88; Stage, Downey, and Dannells, 2000, p.18
Types of SDT

• **Psychosocial**  
  – How people identify themselves

• **Cognitive Structural**  
  – How people grow in their understanding of the world

• **Typology**  
  – How people perceive/process the world

• **Person Environment**  
  – How social and physical environments shape people

Evans et al., p. 12; Pascerella and Terenzini, 2005, p. 33-35; Komives, Woodard, and Associates, p. 207-208
Howe and Strauss Millennial Student

• **Positive** view that students born around 1980 are:
  – Sheltered
  – In need of structure
  – Made to feel special
  – Motivated to achieve
  – Cooperative
  – Accepting of differences
  – Reverent and respectful of adult authority
  – Not politically uniform individuals

Howe and Strauss, 2003; Seider and Gardner, 2009
Howe and Strauss Millennial Student

• Working with Millennial Students requires:
  – Providing structure and safety
  – Utilizing technology
  – Being mentors
  – Providing group activities in and out of class
  – Providing diverse achievement opportunities

Howe and Strauss, 2003; Seider and Gardner, 2009
Taylor Generation NeXt Theory

• More negative view that students born around 1980 are:
  – Needy
  – Lacking in motivation
  – Not civil
  – More concerned about grading goals than learning
  – Consumer minded
  – Distrusting of authority and established methods
  – Not politically uniform individuals
  – Unhappy with constructive criticism
  – Unable to enter the work place

Taylor, 2006; Seider and Gardner, 2009
Taylor Generation NeXt Theory

• Working with Gen. NeXt requires:
  — Articulating and reinforcing expectations
  — Making character a clear priority
  — Utilizing technology
  — Offering many interpersonal opportunities

Taylor, 2006
Application to Legal Education

• Development is variable and incomplete.

• SDT needs to address:
  – Academic rigor
  – Diverse students
  – A complex generation
  – Employer needs
  – Real solutions
Learning Environment Theory
Chickering, Reisser, and Gamson

• Arthur W. Chickering, Professor, George Mason University

• Linda Reisser, Dean of Students, Rockland Community College

• Zelda Gamson, former Professor, University of Massachusetts
Chickering, Reisser, and Gamson

- Chickering and Gamson wrote a 1987 article on undergraduate learning.
Learning Environment
Theory Advantages

1. Educational environments develop students in all areas (Chickering and Reisser, p. 265).

2. Easy to implement and accept

3. Applies to all generations
Learning Environment Components

• Clear and Consistent Objectives
• Good Institutional Size
• Student/Faculty Relationships
• Understandable Curriculum

Chickering and Gamson, 1987; Chickering and Reisser, 1993, p. 265
Learning Environment Components

• Quality Teaching emphasizing:
  – **Time on task**
  – **Communication of high expectations**
  – Active learning
  – Respect for diverse learning methods
  – Prompt feedback

• **Student Friendships and Communities**

• **Student Development Programs and Services**

Chickering and Gamson, 1987; Chickering and Reisser, 1993, p. 265
Clear and Consistent Objectives

• “As institutional objectives remain salient and are clearly expressed...a community of shared values...comes into being” (Chickering and Reisser, p. 267).

• Why is this necessary:

  1. Objectives set a uniform direction.

  2. Students should challenge and discuss objectives.

  3. Value commitments, clearly conveyed, are more easily shared by students and faculty (Myers, 2008, p. 56).
Clear and Consistent Objectives

• Application to Legal Education:
  – Does a mission drive discussions and strategies?
  – Are some objectives shared by most faculty?
  – Are goals, strategies, and challenges discussed?
  – Do meaningful opportunities exist for students to challenge the school’s direction and objectives?
Good Institutional Size

• “For as the number of persons outstrips the opportunities for significant participation and satisfaction, the developmental potential of available settings is attenuated for all” (Chickering and Reisser, p. 269).

• Why is this necessary?

1. Few activities and assistance reduces dissonance.

2. Addressing student needs requires resources.
Good Institutional Size

• Application to Legal Education:
  – What are students’ needs?
  – Can student concerns be acted on promptly?
  – Are there intramural and writing opportunities available to all students?
  – Do all employees know their duties to students?
Student/Faculty Relationships

- “With them, the actions and reactions learned during childhood and habitual with parents or other authorities can be reexamined, and alternative behaviors can be tested” (Chickering and Reisser, p. 269).

- Why is this necessary?
  1. Teaching also happens out of class.
  2. Values and norms need to be transmitted.
  3. The more they work together, the more cognitive growth students experience (Myers, p. 57).
Student/Faculty Relationships

• Application to Legal Education:

  – Is there a faculty advisor program? What is its role?

  – Are relationships discussed by faculty and students?

  – Are faculty members transmitting values to students?
Understandable Curriculum

“Curriculum, properly understood, includes the full range of activities and investments that a student’s college experience comprises” (Chickering and Reisser, p. 269).

Why is this necessary?

1. Discussions keep the curriculum current and relevant.

2. Student understanding will help fulfill personal goals.

3. Courses and extracurriculars complement one another.
Understandable Curriculum

• Application to Legal Education:

  – Do students know why courses are required?

  – Is student feedback on the curriculum solicited?

  – Do faculty know why/where their courses fit?

  – Do faculty explain why/where their courses fit?
Teaching

• “When grades are based on integrating diverse materials and applying principles, students will try to develop such abilities” (Chickering and Reisser, p. 273).

• What does good teaching include?
  – **Time on task**
  – **Communication of high expectations**
  – Active learning
  – Respect for diverse learning methods and talents
  – Prompt feedback
Teaching

• Why is this necessary?

1. Students need to know what is wanted.

2. Students can be transformed.

3. Study time has been dramatically reduced by real and perceived pressures (Fried, 2006, p. 3).
Teaching

• Application to Legal Education:

  – Do students know that there are high expectations and what that means?

  – Is more material assigned than is covered?

  – Is material current, relevant, or put in context?
Student Friendships and Communities

• “The personal connections developed during college can have lifelong ramifications... students often learn more from each other than from teachers” (Chickering and Reisser, p. 275).

• Why is this necessary?

1. Professional relationships must start early.

2. Empathizing and listening can be enhanced.
Student Friendships and Communities

• Application to Legal Education:
  – Are group activities encouraged?
  – Do some activities include friends and family?
  – Are students taught how to study together?
  – Are barriers to group formation discussed?
Development Programs and Services

• “Using student development concepts to evaluate everything done outside the classroom can facilitate both large and small changes. Together, they add up to a lively, inviting, stimulating, friendly place that fosters student success” (Chickering and Reisser, p. 279).

• Why is this necessary?

1. SDT provides a vehicle to analyze programs.

2. Humans are constantly developing.

3. Programs mindful of SDT can fill gaps.
Development Programs and Services

• Application to Legal Education:

  – Does the law school examine the services offered?

  – Do faculty encourage students to utilize services?

  – Are students asked what they need and want?

  – Do you know what others are doing?
Millennial v. Gen. NeXt

Millennial Relevance

1. Programs and relationships help students feel special/protected.

2. Objectives and curriculum create structure.

3. Students love working in diverse groups.

Millennial v. Gen. NeXt

Gen. NeXt Relevance

1. Students expect/need services.

2. Students need lessons in character/civility.

3. Challenges to mission and curriculum provide constructive challenges to authority.

4. Assigning work not covered lowers motivation.

5. Students are “ends focused”.
Conclusions

1. Individuals are constantly developing.

2. SDT can be applied to legal education.

3. Quality learning environments help develop all students.
Take Away Points

1. Discuss your mission and how it guides the school.

2. Consistently reiterate that top effort is expected.

3. State often what is appropriate/expected behavior.

4. Ensure everyone understands the curriculum and how other activities complement it.

5. Ensure everyone understands available services.
References


What works for you?

- Developing and conveying a mission
- Modeling and explaining appropriate conduct
- Enforcing high standards
- Developing and explaining your curriculum
- Developing faculty/student relationships
- Assessing student needs in designing services