

Workshop 4C

Beyond the Black Letter: Promoting the Learning Profess through Continual Assessment in the First-Year Curriculum

Mary Margaret Giannini
Florida Coastal School of Law

Jana R. McCreary
Florida Coastal School of Law

BEYOND THE BLACK LETTER: PROMOTING LEARNING PROCESSES THROUGH CONTINUAL ASSESSMENT IN THE FIRST-YEAR CURRICULUM

Continual Assessment: Through Our Eyes and Theirs

Professor Jana R. McCreary
Florida Coastal School of Law
June 18, 2010

GRADING INTERIM ASSIGNMENTS: SAMPLE SYLLABUS LANGUAGE

- **CPS & Assignments.** The below points (after dropping the lowest three CPS Class Scores) will be totaled then converted to standardized z-scores to be computed as part of the final grade.
 - CPS Class Scores. Clicker questions will be used in most classes; these questions will be based on material as assigned for that class. Questions will be a combination of substantive information from the reading and application of that material. (Note: Should Clickers be used for “polling” type questions, those answers will not be included in the points for that class.)
 - Your CPS Class Score for each class will be based on a 10-point score. (i.e., if a class has two questions, they are worth 5 points each; if a class has four questions, they are worth 2.5 points each.)
 - If you do not have your Clicker or it is not working, you will receive no credit.
 - The lowest three CPS Class Scores will be dropped.
 - ➔ *Note: dropping the three lowest scores was critical. Sometimes clickers don't work, or batteries die, or students are late registering them. Dropping the*

three lowest scores freed me from having to handle those individualized issues.

→ *I used an excel formula to calculate the sum with the three lowest dropped:*

→ *In summing a range of grades over the range of cells from cell I53 through V53 (fourteen cells), I used this formula to drop the three smallest numbers:*

*=(SUM(I53:V53)-SMALL(I53:V53, 1)-
SMALL(I53:V53,2)-SMALL(I53:V53,3))*

- Writing Assignment. Students will have the opportunity to submit an additional writing assignment during the semester. This assignment is optional; it is not required to complete or pass the course. It is, however, part of the total used in calculating the final grade.

- When the semester begins, students may choose to participate in the writing assignment with Group A, Group B, or Group C. Once a student selects a group, the student cannot change groups. Students may work on these assignments individually or in pairs.

→ *Most students worked in pairs. I allowed them to select their partner. This cut down on the number of papers I had to grade.*

- **The window during which you may sign up for this assignment is January 8 at 8:00 a.m. until January 16 at 8:00 a.m. You must indicate if you will be working in a pair when you sign up.**

→ *I frequently impose deadlines on my students. I remind them that they must be organized in their work and expectations. I remind them also the value of having and using a calendar system.*

→ *In this situation, students had over a week to sign up. All they had to do was to read the syllabus and/or attend the first day of class to be reminded. Yes, one student failed to sign up in time. No,*

I did not make an exception. Yes, he got over it and accepted his responsibility.

- Assignments will be given on a rotating basis as noted on TWEN.
 - ➔ *I told them that the first assignment would be emailed to them (with a two-day period to complete it) at some time during weeks 2, 3, 4, or 5. The second group knew to expect the assignment during the following four weeks. And the third group knew to expect the assignment during the final four weeks of school.*
- The assignment will be based on material we have covered to date. The question will be styled in the manner of a short essay question. Students will have seventy-two hours after the assignment is made available to submit the written answer.
 - ➔ *I used this to remind students that they can expect, in practice, to have tasks given to them with little warning and with a short period of time to complete it.*
- The submitted answers will be awarded either 0 points (little to no effort demonstrated), 10 points (effort made but lacks depth or writing is so poor, analysis difficult to understand), 25 points (average), or 40 points (well reasoned and extremely well written. Almost no typos or grammatical errors). Grammar and organization will count in the grading.
 - ➔ *Note: Next time I will use 10, 20, 30, and 40 (D, C, B, and A) for grades. Too many students qualified for 25 points, but there was a significant range of quality within that group.*
- To receive the full points, the student must sign up for and then attend a review of that question to be held at a knowledge bar. Students who do not attend the knowledge bar session will receive 50% credit for the assignment.

- *I gave more detailed feedback on these assignments than any other. After grading all within a group, I copied the top three papers, removing students' names. I also wrote a "here are the issues/here were the most common problems" memo to the students. Students picked up that and signed up for a review time with my assistant.*
- *I met with students in groups of 6 (a group of 8 would work as well, but more than that would lose the one-on-one feel of the smaller group). I went over the top papers and the most common mistakes, taking and encouraging questions throughout. I allotted 30 minutes for each group of 6. Thus, you can meet with 24 to 32 students in the span of two hours. Doing this three times in the semester is manageable.*
- All students will have the opportunity to attend a review session before the end of the semester during which the question will be reviewed; thus, all students may benefit from each question.
 - *All students had access to every essay question, even if they were not in the writing group. I encouraged all students to sit down and write an essay answer as if under exam conditions.*
 - *After I did my small-group reviews with the students who were in that writing group, I gave the same handout to my TA, and he held a review session for the entire class.*
- Research Assignment. Students will have the opportunity to submit a response to an additional research assignment during the semester on at least one occasion. This assignment is optional; it is not required to complete or pass the course. It is, however, part of the total used in calculating the final grade.

- Up to four students may work on the research together for joint credit. Any research assignment turned in by the deadline will be worth up to 10 points. The turn-around time for this assignment will be short.

➔ *I had not had the intention to, but I made this assignment difficult. Now I realize that in the future, I will do so intentionally.*

➔ *The grades ranged from 1 to 10 points, with the majority of students earning between 3 and 5 points. These low “grades” were initially viewed as harsh by the students, but once they saw the law and where they went wrong in their research, they seemed to have appreciated the valuable lesson.*

CPS & Assignments Points (worth 15% of total grade)

Category	Maximum Points
CPS Class Scores	$(10 * Y) - 30$ (Y = # of classes in which we have CPS questions) (worth ~10.25%)
Writing Assignment	40 (worth 3.75%)
Research Assignment	at least 10 (worth ~1%)
Possible Total Points (with CPS Questions in all 14 classes)	40+ 10+ $((10*14)-30)$ = 160

GRADING MIDTERM ESSAYS: SAMPLE SYLLABUS LANGUAGE

(Midterm: worth 20% of final Grade)

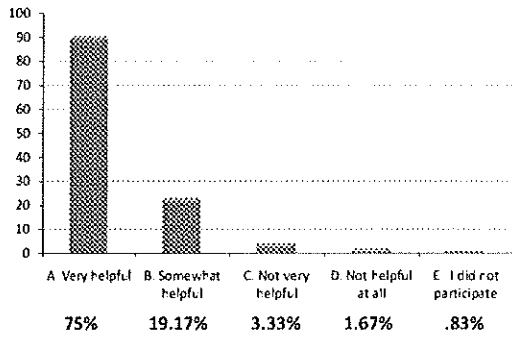
The **Mid-Term Exam** will be a closed-book, 60-minute exam, comprehensive through our September 22 class meeting. The exam will be given in class on **September 25**. The exam will consist of twenty-five application-style multiple-choice questions. You will be eligible to receive up to three extra raw points on the mid-term grade if you participate in the Mid-Term Essay and its Review. (See below for details.)

MIDTERM ESSAY: After the Midterm Exam, an optional essay question will be available to answer on Friday, **September 25 at 3:00 p.m. in** Room 515. Students may elect to attend that essay administration and submit the completed answer during that session. (SGNs will be used for these essays; anonymous grading will apply.) Turned-in essays will not be graded but will be assessed. Up to three extra points are available to be added to the multiple choice raw score based on your answer to the practice essay question. (A student could receive three points for a thorough, well-reasoned answer (generally, B+ to A work), two points for an answer that addresses most points even if lacking in depth (generally, C+ to B work), and one point for a good-faith effort (generally, C- to C work). No points will be given for inadequate answers and attempts.) In order to receive the points, the student must also attend the Midterm Review on October 2.

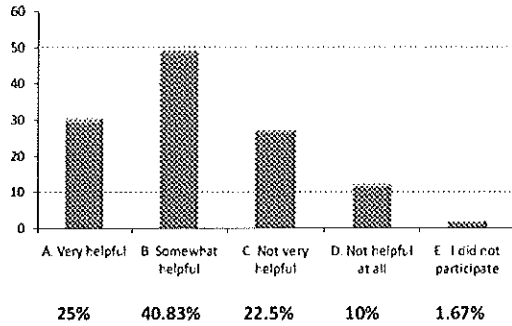
MIDTERM REVIEW: A midterm exam review will be held on **Friday, October 2 at 1:30 p.m.** Essay answers will be returned to students, and multiple choice questions and the essay question will be reviewed. (Students need not participate in the essay administration on September 25 in order to receive essay pointers during the October 2 review.) If, after attending that review session, you wish to review your exam in person with me, you must request an appointment via email no later than **October 9, 2009 at 5:00 p.m.**

→ *Note: This worked out very well. The students got to write an essay answer under exam conditions without this being a large portion of their grades. I did not write individual feedback on the essays because I covered all of that in the review. It was relatively easy to read first-semester students' essays and assign 1, 2, or 3 points as a holistic score; I completed reading each class in one (long) day.*

Mid-term exam



Mid-term exam review



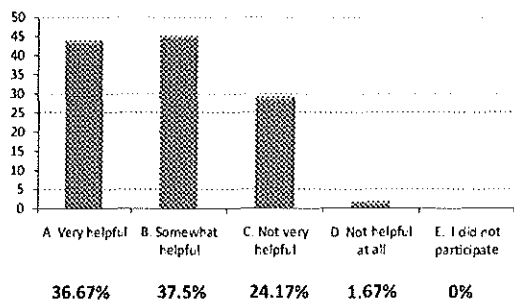
Mid-term exam review

- Student comments
 - "The peer review was miserable, but it was helpful."
 - "I . . . should work on making my mini-IRAC conclusions a little bit more clear to the reader."
 - "I recognized that I need to come up with many more issue statements than only one."
 - "I really need to work on developing and stating the rule, and most importantly, the analysis for each one."
 - "I fell into the trap of making conclusory statements and that my analysis section was the weakest point of my essay."
- Reflections/feedback

Random written assignments

- Reading comprehension
 In *Moore v. Regents of the University of California*, how did Mr. Moore lose his possessory rights to his cells? How did the doctors gain possessory rights to the cells?
- Rule synthesis
 How does the *Loretto* decision fit with the analytical framework created by the Court in the *Penn Central* decision?
 The courts in *Fulkerson* and *Hoag Coal* approach the adverse possession element of hostility differently. How would you describe each court's articulation of this element? Which do you think better serves the purposes of the adverse possession doctrine, and why?
- Policy
 How would you define "family" for the purposes of a "single-family dwelling" zoning ordinance?

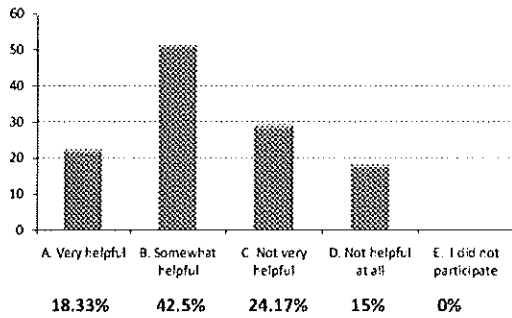
Random written assignments



Random written assignments

- Student comments
 "The random turn in assignments . . . kept me on my toes and assured I was ready for class. I also appreciated the feedback throughout the semester. The assignments were thought invoking and helped me to make sure I understood the material. I really liked that there were thinking questions, helped me to pick out the important facts of the cases."
 More directly incorporate "things to think about questions" into class discussion
 Students were less prepared in Property II because of no random assignments
- Reflections/feedback

Group (team?) assignments



52

Group (team?) assignments

• Student comments

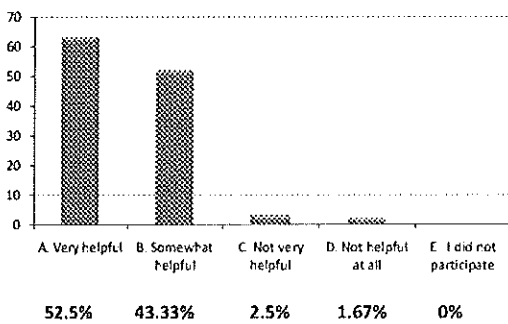
“Although I thoroughly dislike group assignments, I understand why they are useful since it comes up in the real world.”

“I . . . dislike [group assignments] but am learning to be patient and to work more effectively with the members to draw out their best work and participation.”

• Reflections/feedback

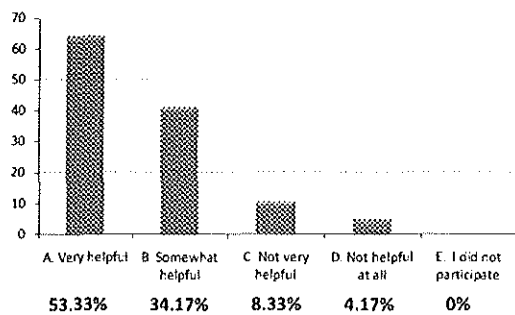
53

Random quizzes



54

Random clicker questions



55

- Questions
- Comments
- Feedback

Jana R. McCreary – jmccreary@fcsf.edu
Mary Margaret Giannini – mgiannini@fcsf.edu

56

BEYOND THE BLACK LETTER: PROMOTING LEARNING PROCESSES THROUGH CONTINUAL ASSESSMENT IN THE FIRST-YEAR CURRICULUM

Professor Mary Margaret Giannini
Florida Coastal School of Law
June 18, 2010

Continual assessment syllabus language

Giannini Property I – Fall 2009

Review quizzes and randomly assigned written exercises (5% of course grade):

Review quizzes (5)	Lowest score will be dropped
Randomly assigned written exercises (3)	Lowest score will be dropped

Five times during the semester, I will administer random in-class quizzes. You will need your CPS clickers to take these quizzes. If, on the day a quiz is administered, you are absent from class for some reason other than the observance of a recognized religious holiday, or you forgot to bring your clicker to class on that day, you will receive a zero on the quiz. Each quiz will be worth five points. The best four out of five quiz scores will be used toward calculating this portion of your course grade.

Additionally, three times throughout the semester, I will randomly ask each of you to turn in some portion of your class preparation materials. This might include your brief for a given case or a response to one of the “things to think about” questions. At least fifteen minutes before each class, I will e-mail those students who must turn in their materials to me. The e-mail will indicate what should be submitted (i.e., a case brief, a response to a things to think about question, answers to text hypotheticals). For those students who do not have access to the internet during the fifteen minutes prior to class, I will bring a list to each class of those students who are required to turn in their class preparation materials. Students are required to either e-mail or turn in a hard copy of their work to me *prior* to the start of the class hour.

Failure to turn in a randomly assigned written exercise, or a late submitted exercise, will result in a score of zero for that assignment. You are permitted to work together in writing your briefs and completing the different “things to think about” questions. However, you must turn in a copy of your own work. Each submitted exercise will be worth five points. The best two out of three scores from these submitted written exercises will be combined with your quiz scores to calculate this portion of your course grade.

I will provide you with comments on your written submissions (whether received timely or untimely), so that you and I can gauge how well you are mastering the course material.

Giannini Property II – Spring 2010

Random closed-book clicker quizzes (2.5% of course grade):

Five (5) times during the semester, I will administer random closed-book quizzes using the CPS clickers. Each quiz will be worth five points and will last no longer than five minutes. The best four out of five quiz scores will be used toward calculating this portion of your course grade (each individual quiz is worth .625% of your grade). If, on the day a quiz is administered, you are absent from class for some reason other than the observance of a recognized religious holiday, or you forgot to bring your clicker to class on that day, you will receive a zero on the quiz.

Random open-book clicker questions (2.5% of course grade):

Throughout the semester, I will ask the entire class to answer random open-book clicker questions based on the reading for that specific class. If you fail to have your clicker with you during that class, you will receive a zero for the individual clicker questions you missed.

Group written assignments (5% of course grade):

Five (5) times throughout the semester, you will be required to work in pre-assigned groups to complete certain projects. In a separate memo on TWEN, I will identify the members of each group and the dates for each assignment. That memo will also detail the pedagogical goals of these group assignments, the responsibilities of each group member for the assignments, how the assignments should be turned in, and how the assignments will be graded. The best four (4) out of five group assignments will be used to calculate this portion of your grade.

More information regarding group written assignments, Property II Spring 2010

Group project objectives and learning outcomes

These group projects exist to serve a variety of goals. First, they provide you with the opportunity to apply your substantive knowledge of doctrinal property law to practical settings through a series of lawyering exercises. Second, they provide you the opportunity to act in a professional manner as you work in small groups. Third, they will provide you with the opportunity to hone your legal writing and analytical skills as you formulate responses to the group assignments.

In the course of your professional life, you will inevitably have to work in a group. This group work may arise in the course of serving on a trial team, a work committee, or a professional organization. Some of this work will require a final end-product, like an appellate brief or a closing argument at a trial. Other work projects may require a product upon which other colleagues and clients will later rely, such as a position paper, advice letter, or memorandum to a supervising attorney.

On occasion, such work will also require that you collaborate with people you do not like or whose work habits and communication styles are different from yours. Nonetheless, part of being a competent professional is predicated on your ability to work well with others, to meet required deadlines, to sufficiently delegate tasks, to seek resolution when there is conflict, to honestly reflect with one another about your group's work, to call one another to be accountable to the group, and when necessary, to compensate for another's shortcomings.

Required tasks for each group project

As with any group project, it is often useful to delegate specific tasks to different members. Hence, for each project, you should decide, as a group, who will be responsible for the following tasks: (1) communicating and organizing the group meetings; (2) drafting the group assignment answer; (3) proof reading and editing the group assignment answer; and (4) posting the answer on TWEN at the required time. Over the semester, every student in the group should fulfill each task at least once. However, any research and/or formulation of the answer should be shared collectively by the group members.

When posting the group assignment on TWEN, the subject heading should be your group number (e.g., PIIA/B-7), and the assignment should include a section identifying which group members performed which tasks for the given assignment along with an assessment of the level of contribution members made to the assignment. Students are reminded that they are bound by the honor code to honestly report the contributions by group members.

Grading of group assignments

The group assignments are worth five percent (5%) of the course grade. Each assignment will be worth five (5) points. The best four out of five (4/5) scores will be used to calculate each group member's individual class grade. Hence, each assignment will be worth 1.25 % of your course grade. If, in reviewing the group submissions, I note that there are group members who are not acting in a professional manner by failing to sufficiently contribute to the work of the group, I reserve the right to lower that student's class participation score.