

BUILDING STUDENT CAPACITY FOR SELF-EVALUATION

Using self-assessment as a teaching tool



Robert Dinerstein, Associate Dean for Experiential Education
Lauren Onkeles-Klein, Practitioner-in-Residence
Disability Rights Law Clinic
American University, Washington College of Law

Polling the Room

Go to:

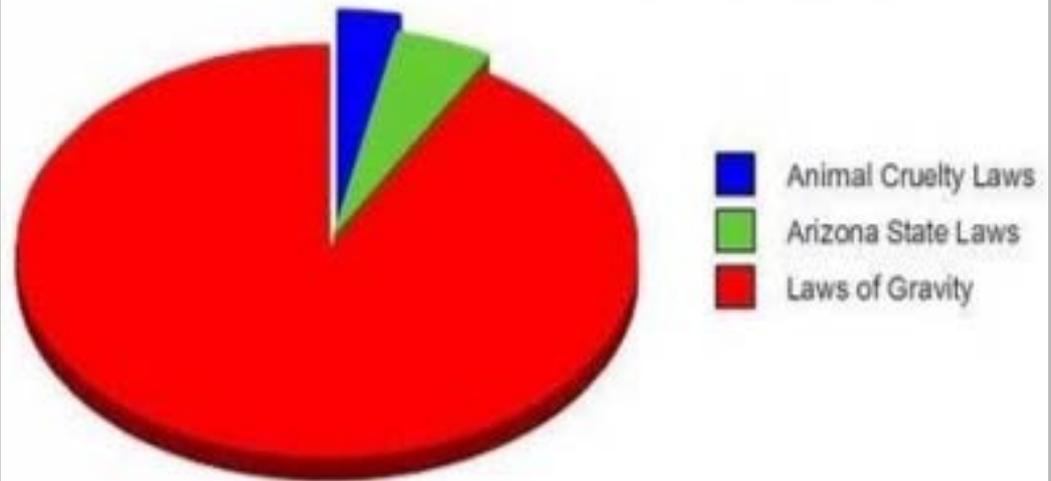
www.menti.com

Use code:

709181



Laws Broken by Wile E. Coyote



Why student self-evaluation?

“[T]he essential goal of professional schools must be to form practitioners who are aware of what it takes to become competent in their chosen domain and to equip them with the reflective capacity and motivation to pursue genuine expertise. They must become ‘metacognitive’ about their own learning”

William M. Sullivan et al., *Educating Lawyers: Preparation for the Profession of Law* (2007) [a.k.a. the Carnegie Report]

Why student self-evaluation?

ABA Standard 302. LEARNING OUTCOMES

A law school shall establish learning outcomes that shall, at a minimum, include competency in the following:

...

(d) Other professional skills needed for competent and ethical participation as a member of the legal profession.

Interpretation 302-1

For the purposes of Standard 302(d), other professional skills are determined by the law school and may include skills such as, interviewing, counseling, negotiation, fact development and analysis, trial practice, document drafting, conflict resolution, organization and management of legal work, collaboration, cultural competency, and self-evaluation.

Teaching is not Learning*

- External v. Internal
- Results v. Process
- Internal Process = Metacognition
 - The knowledge of one's own thought process and how one learns.

*Shamelessly stolen from the first line of Patti Alleva & Jennifer A. Gundlach, *Learning Intentionally and the Metacognitive Task*, 65 J. Legal Educ. 710 (2016).

Thinking About Self-Evaluation

- Quick Write (3 minutes):
 - Identify a difficult legal skill, issue, or theme you teach.
 - Describe how you teach it and how you know whether your students have learned it.

Disability Rights Law Clinic

- Structure
- Cases
- Supervision

A difficult concept to teach?



Student Self-Evaluation

- Historically
 - Narrative self-reflection
 - Mid- and End-of-Year Meetings
 - Instructor collaboration
- Changes
 - Criteria-Focused Assessment Tool
 - Reframing the Connection between Self-Assessment & Grades
 - Create a common language around measuring skill

Goals for Self-Evaluation Tool

- Provide a frame for students' own understanding of their learning goals and clinic expectations.
- Assist in faculty supervision and assessment of student performance and progress.
- Build student capacity to conduct honest and useful self-assessments of work output to enhance case work and inform professional development.

AREAS OF IMPROVED STUDENT ENGAGEMENT

Support for Learning and Supervision
Common Language for Skill Assessment
Student Engagement

Supervision/Learning Support

- Established a common set of expectations between student and instructor
- Highlighted patterns within students self-assessment
- Clarified conflict between partners

Student Engagement

- Demonstrated improvement in student self-assessment over time
- Increased maturity in student assessment of case work over time
 - For individual clients
 - Systemic assessment

Areas where Instructors Needed Improvement...

Overly Repetitive & Binary Goals and Criteria
Forward-Looking Narrative

Original Criteria: Research, Writing, Crafting Legal Arguments

Allocated sufficient time to exchange multiple drafts w/clinic partner and supervisor in advance of submission deadline

Each subsequent draft showed progress in the development of substantive legal arguments and quality of written product

Considered the comments of clinic partner & supervisor & incorporated their comments into the writing process (either directly through suggested edits and/or by disagreeing with edits & providing reasons for disagreement)

Identified the universe of potential legal arguments available

Used knowledge of legal arguments to effectively counsel client on advocacy options.

Constructed the best legal argument on client's behalf given the choices irrespective of whether student believed the client would win or lose

Wrote persuasively and succinctly in non-litigation forms of advocacy – e.g., e-mails, letters.

Understood the relevant legal, regulatory, and policy authority

Condensed Criteria: Research, Writing, Crafting Legal Arguments

Understood relevant legal, regulatory, and policy authority. Used that knowledge and the facts available to identify the universe of potential legal arguments and construct the best legal argument for my client, irrespective of whether I believed the client would win.

Allocated sufficient time to exchange multiple drafts of written output with clinic partner and supervisor before submission deadline

For all written output, considered clinic partner & supervisor comments, researched relevant areas of law, & incorporated changes. Each subsequent draft showed improved quality & development of substantive legal arguments.

Used knowledge of legal arguments to effectively counsel client on advocacy options.

Feedback Structure

■ Original Structure

Criteria	Overall Asmnt.	Examples	Comments
Used knowledge of legal arguments to effectively counsel client on advocacy options.			

■ Revised Structure

Criteria	Novice	Adv. Novice	Competent	Proficient	Mastery
Used knowledge of legal arguments to effectively counsel client on advocacy options.					

Comments/Examples/Thoughts Moving Forward:

Exercise #2

- Quick Write (3-5 minutes)
 - Think about the issue, concept, theme that you identified in the first quick-write and draft:
 - A prompt or series of prompts and/or a process you could implement that would allow a student to assess whether the way in which s/he was engaging with the material was helping her/his understanding of the material.

**What ideas might you take
with you into the classroom?**

