**Annual Departmental Assessment Report**

**Department or Program:** School of Law

**Academic Year of Report:** August 2020-May 2021

**Department Contact Person for Assessment:** Stuart Chinn, Associate Dean for Academic Affairs

**Section 1: Learning Objectives Assessed for this Report**

*Learning Outcomes & Assessments*

In AY 20-21, per the UO Law Assessment Plan,[[1]](#footnote-1) the Assessments and Outcomes Committee (AOC) collected and reviewed data, considered the performance measures, and made recommendations for Learning Outcomes 3 and 4. (See Appendix A.)

*Academic Success & Bar Passage*

For academic success, the goal is to support students as they develop fundamental skills in their credit bearing courses. Because the support is for fundamental skills for each class of students, the learning objectives don’t really change year over year. The learning objectives are not unique to the AEP but instead supplemental to the objectives that other professors are setting in their courses. Generally, the goals are for students to be able to: (1) critically read and extract rules of law from cases and statutes, (2) apply the law to novel facts, and (3) write that legal analysis in an organized and clear way.

The bar exam also remains largely unchanged from year to year so the fundamental learning objectives remain constant. The goal is for students to be able to do the following with sufficient competence to pass the bar exam: (1) identify issues of law in test questions, (2) recall rules of law, (3) apply rules of law to novel fact patterns, (4) write their legal analysis in an organized way where appropriate, and (5) extract rules from legal authorities where appropriate.

**Section 2: Assessment Activities**

*Learning Outcomes & Assessments[[2]](#footnote-2)*

In October, Academic Affairs compiled the data available for learning outcomes 3 and 4 for the AOC. The committee grappled with the validity of the performance measures and worked to revise the performance measures. In January, the AOC requested faculty engagement to complete a curriculum map. (See Appendix B.)[[3]](#footnote-3)

With AY 20-21 as the first year of implementation, Academic Affairs began collecting data on the writing requirement through the writing rubric. (See Appendix C.)[[4]](#footnote-4)

*Academic Success & Bar Passage*

Because the AEP is a support program, it relies on assessment activities and data largely from outside sources.

For academic success, the primary assessment activities are exams given by professors in students credit bearing classes. In some courses, that includes midterm assessments (with professors then referring students to the AEP) and in some classes it includes only a final exam and grade, with the grade serving as the primary metric that the AEP has access to assess whether learning objectives are met.

For bar success, there are three forms of assessment. First, through a Bar Prep Fundamentals Course (now the sole course for credit bearing bar preparation), students are assessed regularly with bar exam style questions, including weekly multiple-choice quizzes, regular essay assessments, and a midterm and final exam. After graduation, during the bar exam study period, the AEP has access to assessment data through Barbri, the national company that Oregon Law partners with to provide a bar preparation course to graduates. This assessment data includes scores on multiple-choice assessment and essay exams as well as a simulated exam. Finally, the bar exam itself serves as an assessment but is assessed simply on a Pass/No Pass basis, which is the metric that the AEP has access to.

**Section 3: Actions Taken Based on Assessment Analysis**

*Learning Outcomes & Assessments*

In March, Professor Manesh, AOC Chair submitted the committee’s findings and recommendations. (See Appendix D.). For learning outcome 3, the committee recommended the law school continue to track and record MPRE results, amend its Assessment Plan to eliminate participation rates in Law School events discussing professional ethics as a performance measure, and add feedback from field placement supervisors as a relevant performance measure. For learning outcome 4, the AOC recommended the law school amend its Assessment Plan to add the faculty feedback captured in the writing requirement rubric as a relevant performance measure for Learning Outcome #1, #2, and #4 and, where applicable, to the other of the Law School’s Learning Outcomes. In addition, the committee recommended that the law school prioritize the production of a curriculum map by expressly identifying it as an institutional priority and providing additional administrative resources and personnel to the AOC or a separate workgroup to ensure the completion of a curriculum map as soon as practicable.

*Academic Success & Bar Passage*

Based on the 2019-2020 data, the AEP did the following:

First, provided increased one-on-one support to students who were not meeting the learning objectives in their courses.

Proposed and taught a more rigorous academic support course for upper division students, open to all but primarily targeting students whose assessments suggested that they weren’t meeting the learning objective.

Second, combined the credit bearing bar preparation into a single course that data and anecdotal information suggested was more beneficial to students in meeting the learning objectives set out by the bar examiners.

**Section 4: Other Efforts to Improve the Student Educational Experience**

*Preorientation*

This year's pre-orientation week also served a novel function: to provide students (and faculty) the opportunity to transition to a new remote learning environment. Because the program was the first to launch under the university's new guidelines, students and program leaders were pioneers in the ongoing effort to create safe, engaging, and effective learning and community-building opportunities.

*Experiential Learning*

The inaugural Director of Experiential Education, Laurie Hauber, joined the Law School in August 2020. Director Hauber improved the program’s field supervisor final evaluation to include performance measures based on the law school’s institutional learning outcomes. The annual Clinics and Field Placements Fair was also enhanced to respond to our remote learning requirements. This year’s remote Fair included video presentations for students to watch in advance and the event itself, which was held over zoom on February 22, 2021, consisted of breakout rooms led by the instructors of each of our clinics and the faculty supervisors of each of our field placement umbrellas. We continued the practice we began in AY 18-19 of linking the Fair to the required IL professional planning course.

*Modified Grading Policy*

In the spring 2020 semester, the Law School faculty voted and approved a mandatory pass / no pass grading policy for all J.D. and LL.M courses. Given continuing concerns about the pandemic ahead of the fall 2020 semester, but in recognition of the majority of schools moving back to letter grading, the Law School faculty voted and approved an optional pass / no pass grading policy for all J.D. and LL.M. courses. Under the fall policy, students were given the option to elect a pass / no pass grade in any course so long as they completed some mandatory academic advising. Under both modified grading policies, courses taken for pass / no pass grades that would otherwise count as “graded” credits would still count as graded credits for the purpose of our graduation requirements. Finally, consistent with guidance from the Order of the Coif, we modified our policy on Coif eligibility so that students graduating in the spring of ‘21 and spring of ‘22 would be eligible for Coif election based upon their coursework over five semesters.

*Frohnmayer Leadership Program*

Like all initiatives on campus, the FLP adapted this year to the online format, but was still able to offer a robust menu of educational experiences. In light of the national movement and moment, the FLP chose to emphasis inclusive leadership as a theme for its programming this year. A signature event was offered by an outside organization called “The Defamation Experience” – our students watched a play set in a courtroom about a case involving issues of race, gender discrimination, class, and religious stereotyping. Students then had an intense discussion with actors from the play to debrief the issues in order to learn more about systems of oppression and the dynamics of privilege in society. Other event topics this year included: the Clifton Strengths assessment, controversial conversations, calling in versus calling out, inclusive leadership, leading in dominant white cultures, and the importance of gratitude.

In response to the impact of the Covid-19 pandemic on the job market, we created the Oregon Law Litigation Lab and the Oregon Law and LawMeets® M&A Boot Camp to offer students meaningful skill-building opportunities during the summer of 2020.

*Litigation Lab*

The Oregon Law Litigation Lab was an intensive, ten-week online litigation workshop series facilitated by United States Magistrate Judge John V. Acosta.  The program taught students effective litigation skills with the goal of making them better and more confident new lawyers.  Those skills included working with colleagues and clients, investigating and developing cases, drafting and responding to pleadings, initiating and responding to discovery, interviewing and deposing witnesses, conducting motion practice, and writing and arguing motions.  The program hosted ten student participants, all of whom received $2000 stipends and complimentary textbooks to support their engagement.  Students gave very positive feedback about their experiences and employers reported being impressed with the breadth of training offered by the program.  We intend to provide this program again during the summer 2021 break.

*M&A Boot Camp*

The Oregon Law and LawMeets® M&A Boot Camp was a robust, ten-week online program designed to teach deal skills to law students.  Participants worked in teams of two to draft, mark-up, and negotiate an acquisition agreement between a private equity investment firm and a software company in connection with a simulated leveraged buyout transaction.  Teams were provided with a volunteer coach who was both a practicing attorney and expert in transactional law.  Coaches met with their teams regularly to offer both initial guidance and substantive feedback as the students completed various exercises.  Students then participated in negotiations with law students from across the country and had the benefit of receiving feedback from volunteer judges with transactional expertise.  The program model gave each participant a meaningful opportunity to develop their skills and make valuable professional connections with experienced transactional practitioners throughout the United States.  Last year, we hosted a total of twenty students and provided $2000 stipends to each. Although LawMeets® has discontinued its national program, Oregon Law intends to offer a similar transactional boot camp featuring an intraschool competition this summer.

*LLM Program*

In January 2021, the Law Faculty approved programmatic learning outcomes for the LLM program.[[5]](#footnote-5) (See Appendix E.)

**Section 5: Plans for Next Year**

*Learning Outcomes & Assessments*

In Fall 21, the AOC will review the writing rubric data collected for AY 20-21 (the first full year of the use of this institutional rubric).

In AY 21-22, the AOC will collect data and review the performance measures for Learning Outcomes 5 and 6.

*Academic Success & Bar Passage*

For next year, our goal is to hire additional staffing in the AEP, which will allow us to expand our offerings in order to serve a greater population of students in achieving the learning objectives related both to law school casebook courses and the bar exam.

*Academic Affairs*

The Academic Affairs team will prepare for the transition to in-person and hybrid learning for the upcoming academic year.

Formerly, the Faculty Support Team has been managed by the Business Office at the Law School. To better align instructor support with the Academic Affairs team, the Faculty Support team will begin reporting to the Associate Dean for Academic Affairs in AY 21-22.

**Appendix A**

**UO School of Law**

**Assessment Plan**

Last year, we adopted performance measures for each of our eight learning outcomes. ABA Standard 315 requires us to “conduct ongoing evaluation of the law school’s program of legal education, learning outcomes, and assessment methods.”[[6]](#footnote-6)

**Next Steps**

The next step is for us to adopt an assessment plan and a timeline for evaluating our efforts. To do this work we will need to set a schedule for evaluating learning outcomes. Option 1 has us working through all eight learning outcomes before our next site visit. Option 2 has us evaluating all the ABA-mandated learning outcomes before the next site visit. The data gathering will be our annual process and the assessment work can occur in a cycle where not every learning outcome is evaluated every year.

**Annual Data Collection Process**

*Fall*

* In late August, the Associate Dean for Academic Affairs meets with the Chair of Outcomes and Assessments to share the data that has been collected with regard to the learning outcome being evaluated.
* Through September and October, the Assessments and Outcomes Committee (AOC) evaluates the data and discusses possible implications.
* In November, the AOC submits a report to DFAC summarizing their findings, any suggested changes to the learning outcomes or performance measures, and possible implications.

*Spring*

* In January, DFAC reports out to faculty and facilitates discussion on possible implications, leading to the actionable items for the academic year.
* Through February – April, the AOC works to forward the actionable items identified by the faculty.
* In May, the AOC captures the academic year’s activities in the UO Departmental Annual Report.

**Schedule for Evaluating Learning Outcomes**

|  |  |  |  |
| --- | --- | --- | --- |
| *Academic Year* | *Activity* | *~~Option 1~~* | *Option 2* |
| AY 19-20 | AOC gathers data and evaluates | ~~Learning Outcomes 1-4~~ | Learning Outcomes 1-2 |
| AY 20-21 | AOC gathers data and evaluates  *Prepare report for ABA site visit.* | ~~Learning Outcomes 5-8~~ | Learning Outcomes 3-4 |
| AY 21-22 | AOC gathers data and evaluates  *ABA Site Visit* | ~~Learning Outcomes 1-2~~ | Learning Outcomes 5-6 |
| AY 22-23 | AOC gathers data and evaluates | ~~Learning Outcomes 3-4~~ | Learning Outcomes 7-8 |
| AY 23-24 | AOC gathers data and evaluates | ~~Learning Outcomes 5-6~~ | Learning Outcomes 1-2 |
| AY 24-25 | AOC gathers data and evaluates | ~~Learning Outcomes 7-8~~ | Learning Outcomes 3-4 |
| AY 25-26 | AOC gathers data and evaluates | ~~Learning Outcomes 1-2~~ | Learning Outcomes 5-6 |
| AY 26-27 | AOC gathers data and evaluates | ~~Learning Outcomes 3-4~~ | Learning Outcomes 7-8 |

**UO School of Law**

**Assessment Plan**

**Appendix**

**Purpose**

The goal of the UO School of Law assessment activities is to regularly examine performance measures associated with our adopted learning outcomes and to evaluate iterative improvement in a consistent, conscious, and curious manner, consistent with ABA Standards 301, 302, 314, 315.[[7]](#footnote-7)

**Guiding Principles**

Early in the process, we discussed a set of guiding principles for our work.

* There is value in being intentional in our teaching and student learning and in thinking clearly about our academic mission.
* We need to capture what we are doing and regularly assess the impact of our offerings on student performance.
* Faculty members may have differences in how they want to teach and engage in the learning outcomes and assessment process. We do not all have to do the same things, but it is worth coordinating our efforts.
* Collaboration is key. This process has to take into account costs, including the opportunity costs of faculty time. We want to avoid needless bureaucratization and standardization. The process should rely heavily on disclosure to students rather than mandates to faculty.
* We will benefit from and increase efficiency by aligning our annual process with annual ABA and UO Departmental reporting obligations.

**Learning Outcomes**

As a community, we have adopted eight learning outcomes listed below.

*The University of Oregon School of Law expects that our graduates should be able to:*

(1) demonstrate the knowledge and ability necessary to practice substantive and procedural law and to understand the dynamic processes through which law is created, developed, and changed.

(2) employ sound and articulate legal reasoning to identify, research, and analyze legal problems.

(3) engage in and appreciate the importance of their professional and ethical responsibilities towards clients, the local community, our nation, and the world.

(4) communicate effectively with clients, decision makers, and other relevant stakeholders.

(5) recognize the responsibility of lawyers to serve as informed and professional leaders.

(6) understand and appreciate diversity, equity, and inclusion as components of their personal and professional success.

(7) appreciate the critical role that lawyers play in ensuring meaningful access to the legal system, promoting the just application of its laws, and serving their clients and the community.

(8) understand the interrelationship between the creation, development, reform, and practice of law, the natural and social sciences, the humanities, and the arts.

**Performance Indicators and Performance Measures**

Over the last two years, we have further elaborated and articulated performance indicators and performance measures for each learning outcome. The definitions, performance indicators, and performance measures below were adopted by the law faculty last May.

**Learning Outcome #1**

The University of Oregon School of Law expects that our graduates should be able to demonstrate the knowledge and ability necessary to practice substantive and procedural law and to understand the dynamic processes through which law is created, developed, and changed.

* 1. Understand, recall, and apply substantive law, including specialized terminology, fundamental principles and core legal concepts, appropriate doctrinal rules or framework, exceptions, and relevant defenses.
  2. Understand, recall, and apply procedural law, including the structures and institutions of the legal system, applicable procedural rules or frameworks, and exceptions thereto.

1.3 Appreciate the dynamic processes through which law is created, developed and changed.

*Students will demonstrate achievement of this learning outcome by doing the following:*

* Completing degree requirements.
* Completing pre-graduation employment that involves substantive or procedural law.
* Completing a bar preparation course.
* Participating in or observing law or policy reform initiatives.
* Participating in student law journals.

*Institutional efforts and opportunities to facilitate this learning outcome include:*

* Providing a rigorous curriculum taught by knowledgeable faculty and practitioners.
* Academic Excellence Program.
* LRW and ACE Tutor Programs.
* Funding student bar preparation course through tuition.
* Supporting student law journals.
* Providing opportunities for students to observe or participate in law reform measures, through their classes, externships, and co-curricular opportunities.

*Performance Measures*

* Grades in law school courses.
* Performance on the bar exam.
* Employment in JD-required or JD-preferred positions.

**Learning Outcome #2**

The University of Oregon School of Law expects that our graduates should be able to employ sound and articulate legal reasoning to identify, research, and analyze legal problems.

2.1. Identify Legal Problems: spotting issues.

2.2. Research Legal Problems: locating relevant primary and secondary authority; marshalling relevant evidence.

2.3. Analyze Legal Problems: carefully and critically reading primary and secondary authorities to ascertain and explain their relevance, validity, and meaning; identifying key facts that satisfy or undermine the elements of legal claims or defenses; evaluating the strengths and weaknesses of legal arguments; synthesizing, summarizing, questioning, and applying legal principles and policies.

*Students will demonstrate achievement of this learning outcome by doing the following:*

* Completing law school examinations.
* Completing six credits of Legal Research and Writing.
* Completing a rigorous, faculty-supervised writing experience that demonstrates extensive research, analysis, original thought, organization, thorough editing, and a sound understanding of the topic.
* Engaging in class.
* Collaborating with peers in small groups inside and outside of class.
* Discussing course materials with professors and tutors outside of class.
* Supporting peers’ analysis as tutors and peer research librarians.
* Participating in clinics and externships.
* Working as research assistants.

*Institutional efforts and opportunities to facilitate this learning outcome include:*

* Encouraging students to pursue voluntary legal research projects by writing research papers and publishable pieces; enrolling in advanced research courses; working as research assistants; and participating in moot court competitions.
* Creating opportunities for students to engage in such research and analysis.
* Incentivizing teaching methods that increase opportunities for all students to participate in classroom dialogue and to receive meaningful feedback regarding issue identification and analysis skills.
* Academic Excellence Program.
* LRW and ACE Tutor Programs.
* Law Library Peer Research Assistants Program.
* Supporting student law journals.

*Performance Measures*

* Bar passage rates.
* MPRE passage rates.
* Data from bar preparation providers (% of completion data and quality of performance).
* Grades.
* Participation in, and completion of, clinics and externships.
* Tracking performance on interim hypotheticals, quizzes, examinations, research projects, group projects, and drafting projects.
* Feedback from externship supervisors and employers.

**Learning Outcome #3**

The University of Oregon School of Law expects that our graduates should be able to engage in and appreciate the importance of their professional and ethical responsibilities towards clients, the local community, our nation, and the world.

*Students will demonstrate achievement of this learning outcome by doing the following:*

* Completing Legal Profession, the law school’s professional responsibility degree requirement.
* Passing the MPRE.
* Conducting legal research on issues related to legal ethics.
* Completing the upper-level writing requirement on ethics-related topics.
* Working as Research Assistant on projects involving legal ethics.
* Participating in clinics or externships that include instruction in legal ethics.
* Participating in professional responsibility aspects of law school orientation.

*Institutional efforts and opportunities to facilitate this learning outcome include:*

* Discussing issues of legal ethics and professionalism in courses beyond the Legal Profession course, including the idea of lawyers as officers of the court, and their obligation to promote the rule of law.
* Supporting student groups in organizing and sponsoring events related to professional responsibility.
* Including professionalism in law school orientation.

*Performance Measures*

* Grades in the Legal Profession course.
* Successful passage rates of MPRE.
* Rates of participation in law school events discussing professional ethics.
* Graduates’ discipline and disbarment rates.

**Learning Outcome #4**

The University of Oregon School of Law expects that our graduates should be able to communicate effectively with clients, decision makers, and other relevant stakeholders.

4.1 Producing written communication that is clear, concise, and appropriate to the audience and context:

* Making appropriate judgments with respect to tone, thoroughness, relevance and focus.
* Organizing the document in an order and format suitable to the audience and context.
* Applying correct rules of grammar and spelling.
* Using proper citation format in all documents.

4.2 Employing professional oral communication skills appropriate to various contexts such as interviewing, counseling, negotiation, mediation, arbitration, formal advocacy, and legal project management:

* Speaking in a manner appropriate to the audience and context.
* Practicing active listening and empathy to determine audience needs and them appropriate response.
* Employing self-awareness and management, social awareness, and relationship management when communicating with various audiences.

*Students will demonstrate achievement of this learning outcome by successfully doing the following:*

* Completing courses that teach interpersonal or communication skills.
* Completing the experiential learning requirement.
* Completing six credits of Legal Research and Writing.
* Completing the writing requirement.
* Participating in clinics and externships.
* Participating in events and groups that focus on developing communication skills.

*Institutional efforts and opportunities to facilitate this learning outcome include the following:*

* Providing a robust curriculum for teaching communication skills.
* Facilitating and coaching moot court competitions.
* Facilitating and coaching mediation and negotiation competitions.
* Providing classroom simulations and role plays.
* Providing guidance and feedback in classroom settings.
* Providing guidance and feedback through the Career Center.

*Performance Measures*

* Grades in experiential and writing courses.
* Grades in Legal Research and Writing.
* Enrollment and performance in upper level courses that teach interpersonal and communication skills.
* Feedback from the Career Center.
* Feedback from employers and prospective employers.
* Feedback from clinic and externship supervisors.
* Bar passage rate.

**Learning Outcome #5**

The University of Oregon School of Law expects that our graduates should be able to recognize the responsibility of lawyers to serve as informed and professional leaders.

*Students will demonstrate achievement of this learning outcome by successfully doing the following:*

* Assuming a formal leadership position at the law school, on the wider campus, or in the community (e.g. student bar association, public interest, community board).
* Completing a course in leadership at the law school, or offered elsewhere on campus.
* Completing courses that examine and discuss the leadership-related roles and responsibilities of lawyers.
* Completing a course in professional responsibility.
* Researching and writing on a leadership-related topic for their writing requirement.
* Modeling professional behavior among peers and colleagues.
* Participating in externships and clinics.
* Membership in a civic organization.
* Participating in the Frohnmayer Leadership Program.

*Institutional efforts and opportunities to facilitate this learning outcome include the following:*

* Providing opportunities for students to receive mentoring by alumni and other lawyers in the community.
* Maintaining the Frohnmayer Leadership Program.
* Inviting students to participate or attend community events and educational programs where administrators, faculty, or attorneys serve a leadership role.
* Encouraging faculty to provide opportunities for students to make presentations, work in teams and groups, and facilitate discussions.

*Performance Measures*

* Number of students appointed or elected to leadership roles in campus or national organizations, as reported by students in the climate survey.
* Student participation in Frohnmayer Leadership Program.
* Enrollment in courses with leadership-related content.

**Learning Outcome #6**

The University of Oregon School of Law expects that our graduates should be able to understand and appreciate diversity, equity, and inclusion as components of their personal and professional success.

Dimensions of diversity, equity and inclusion include, without limitation, race, religion, national or ethnic origin, gender, sexual orientation, disability, age, socio-economic status, and political ideology.

6.1 Thoughtfully engage in discussions on legal questions that implicate socially contested issues, including the ability to:

* Listen and demonstrate understanding;
* Identify, articulate, and assess the strength of arguments;
* Challenge, correct, respond, or concur; and
* Provide and consider social and historical context.

6.2 Articulate the social and historical context that influence legal rules and contemporary debates, such as:

* the influence of cultural assumptions, cultural differences, and cultural rights on current and historical legal structures and disputes;
* the history of power, privilege and biases based on race, ethnicity, socio-economic class, nationality, religion, culture, gender, sexual orientation, age, mental or physical disability, immigration status, history of incarceration, or membership in a disadvantaged or underrepresented group; and
* current forms of discrimination, oppression or systemic bias.

6.3 Evaluate the ways in which the application of law achieves or fails to achieve equity, inclusion, or other aspects of social justice.

*Students will demonstrate achievement of this learning outcome by successfully doing the following:*

* Completing the law school’s diversity course requirement.
* Enrolling in courses addressing diversity as a significant component of the covered materials.
* Completing the writing requirement on a diversity, equity or inclusion-related topic.
* Working as Research Assistant on projects examining equity-related issues.
* Participating in class discussions that involve socially contested issues or social, cultural and historical context.
* Participating in moot court competitions that involve socially contested issues or implicate social, cultural and historical context.
* Participating in clinics or externships whose primary concern involves social justice and equity.
* Completing the Legal Profession course.

*Institutional efforts and opportunities to facilitate this learning outcome include the following:*

* Implementing the law school’s diversity course requirement.
* Developing robust course offerings that satisfy the diversity requirement.
* Facilitating class discussions that engage socially contested issues or provide social, cultural and historical context.
* Sponsoring and organizing events that engage socially contested issues or provide social and historical context.
* Supporting student affinity groups.
* Hiring and supporting a Director of Diversity, Inclusion and Leadership Development.

*Performance Measures*

* Grades in courses that satisfy the law school’s diversity course requirement.
* Rates of participation in law school events that involve socially contested issues or implicate social, cultural and historical context.
* Responses to student climate survey.

**Learning Outcome #7**

The University of Oregon School of Law expects that our graduates should be able to appreciate the critical role that lawyers play in ensuring meaningful access to the legal system, promoting the just application of its laws, and serving their clients and the community.

*Students will demonstrate achievement of this learning outcome by successfully doing the following:*

* Participating in 1L Orientation, which includes professionalism programming.
* Completing 1L professional planning program.
* Completing Legal Profession course during 2L or 3L year.
* Completing other doctrinal courses that incorporate this learning outcome, for example, by including information about the need, opportunities, and strategies for law reform; public interest attorneys and private attorney general; and client-centered lawyering.
* Participating in clinics, externships (including judicial externships), and simulation-based courses.
* Interacting with formal and informal mentors who are members of the bench and bar.
* Working or volunteering for legal services organizations.
* Attending extracurricular events on access to justice and related topics.

*Institutional efforts and opportunities to facilitate this learning outcome include the following:*

* Giving the Outstanding Pro Bono Service Awards.
* Giving the Nicole Richardson Outstanding Public Service Award.
* Inviting guest speakers and sponsoring or planning special events involving access to justice.
* Creating and facilitating formal mentor-matching programs.
* Promoting clinics and externships.
* Supporting student organizations, including Oregon Law Student Public Interest Fund.

*Performance Measures*

* Law student pro bono hours.
* Participation in mentoring programs.
* Grades in courses that incorporate this learning outcome.
* Enrollment and performance in clinics and externships.
* Applications for public interest professional opportunities.
* Attendance at events relating to access to justice and related topics.

**Learning Outcome #8**

The University of Oregon School of Law expects that our graduates should be able to understand the interrelationship between the creation, development, reform, and practice of law, the natural and social sciences, the humanities, and the arts.

The threshold for “significant focus” is defined as:

* One of more readings that explores a concept, theory, or framework from another discipline
* A course level learning outcome that explores a concept, theory, or framework from another discipline
* A portion of the student assessment is related to demonstrating understanding of a concept, theory, or framework from another discipline

*Students will demonstrate achievement of this learning outcome by doing the following:*

* Completing dual degrees.
* Enrolling in relevant courses offered by other units at the university.
* Enrolling in law courses, clinics, or internships/externships in which a significant focus\* of the covered materials consists of materials from other disciplines.
* Working on interdisciplinary research projects for at least twenty hours, including as a research assistant or a fellow.
* Writing interdisciplinary research papers.

*Institutional efforts and opportunities to facilitate this learning outcome include:*

* Encouraging participation in scholarly events organized by other university units.
* Encouraging participation in interdisciplinary scholarly events organized by the law school.

*Performance Measures*

* Events relevant to learning outcome
* Concurrent degree students
* Enrollment in courses in other units at UO or at another University
* Annual Student Survey
* To what extent do you think law depends on other discipline?
* In which of your classes?
* Research papers?
* What did you attend?
* Annual Faculty Survey
* Do you teach any of your courses in a way that satisfies or approximates this learning outcome?
* Do you engage in interdisciplinary research and hire research assistants or fellows?
* What interdisciplinary opportunities did you make available to your students?

**Learning Outcomes and Assessments Resources**

Learning Outcomes and Assessments page on MyLaw: <https://mylaw.uoregon.edu/academic-affairs/learning-outcomes-assessment>

Learning Outcomes and Assessments Research Guide: <http://researchguides.uoregon.edu/learning-outcomes-and-assessment>

**Appendix B**

**UO School of Law**

**Course Level Learning Outcomes and Assessments Worksheet**

*Replace sample information with your own.*

**Instructor name:** *Carl Bjerre*

**Course Title:** *Secured Transactions*

1. Please add the following information to the table below:

**A.** What are your **course-level learning outcomes**?

*Feel free to cut-and-paste learning outcomes from your course syllabus.*

**B.** Identify the **law school’s learning outcome(s)** (see Appendix) to which your course-level learning outcome applies.

|  |  |  |
| --- | --- | --- |
| **#** | **Course-level Learning Outcomes** | **Applicable Law School Learning Outcome (e.g. 1.1)** |
| 1 | *Understand the rules of borrowing and lending* | *1.2; 1.4; 2.1; 6.0* |
| 2 | *Apply Article 9 of the Uniform Commercial Code* | *2.3* |
| 3 | *Learn to structure financial transactions* | *3.0; 4.0* |
| 4 |  |  |
| 5 |  |  |
| 6 |  |  |
| 7 |  |  |

1. What form(s) of assessment do you use in this class?
2. **Final Summative Assessment for Course**

What is the final summative assessment for this course (final exam/ final paper)?

* *final exam*

What kind of feedback are the students provided on the final assessment? Please describe.

* *Nothing formal. Respond to individual student questions.*

1. **Kinds of Formative Assessment in Course[[8]](#footnote-8)**

* *Problems in casebook; problem sets from professor*
* *Informal classroom feedback*

**Appendix**

**UO School of Law Institutional Learning Outcomes and Subparts**

**Learning Outcome #1**

The University of Oregon School of Law expects that our graduates should be able to demonstrate the knowledge and ability necessary to practice substantive and procedural law and to understand the dynamic processes through which law is created, developed, and changed.

* 1. Understand, recall, and apply substantive law, including specialized terminology, fundamental principles and core legal concepts, appropriate doctrinal rules or framework, exceptions, and relevant defenses.
  2. Understand, recall, and apply procedural law, including the structures and institutions of the legal system, applicable procedural rules or frameworks, and exceptions thereto.

1.3 Appreciate the dynamic processes through which law is created, developed and changed.

**Learning Outcome #2**

The University of Oregon School of Law expects that our graduates should be able to employ sound and articulate legal reasoning to identify, research, and analyze legal problems.

2.1. Identify Legal Problems: spotting issues.

2.2. Research Legal Problems: locating relevant primary and secondary authority; marshalling relevant evidence.

2.3. Analyze Legal Problems: carefully and critically reading primary and secondary authorities to ascertain and explain their relevance, validity, and meaning; identifying key facts that satisfy or undermine the elements of legal claims or defenses; evaluating the strengths and weaknesses of legal arguments; synthesizing, summarizing, questioning, and applying legal principles and policies.

**Learning Outcome #3**

The University of Oregon School of Law expects that our graduates should be able to engage in and appreciate the importance of their professional and ethical responsibilities towards clients, the local community, our nation, and the world.

**Learning Outcome #4**

The University of Oregon School of Law expects that our graduates should be able to communicate effectively with clients, decision makers, and other relevant stakeholders.

4.1 Producing written communication that is clear, concise, and appropriate to the audience and context:

* Making appropriate judgments with respect to tone, thoroughness, relevance and focus.
* Organizing the document in an order and format suitable to the audience and context.
* Applying correct rules of grammar and spelling.
* Using proper citation format in all documents.

4.2 Employing professional oral communication skills appropriate to various contexts such as interviewing, counseling, negotiation, mediation, arbitration, formal advocacy, and legal project management:

* Speaking in a manner appropriate to the audience and context.
* Practicing active listening and empathy to determine audience needs and them appropriate response.
* Employing self-awareness and management, social awareness, and relationship management when communicating with various audiences.

**Learning Outcome #5**

The University of Oregon School of Law expects that our graduates should be able to recognize the responsibility of lawyers to serve as informed and professional leaders.

**Learning Outcome #6**

The University of Oregon School of Law expects that our graduates should be able to understand and appreciate diversity, equity, and inclusion as components of their personal and professional success.

Dimensions of diversity, equity and inclusion include, without limitation, race, religion, national or ethnic origin, gender, sexual orientation, disability, age, socio-economic status, and political ideology.

6.1 Thoughtfully engage in discussions on legal questions that implicate socially contested issues, including the ability to:

* Listen and demonstrate understanding;
* Identify, articulate, and assess the strength of arguments;
* Challenge, correct, respond, or concur; and
* Provide and consider social and historical context.

6.2 Articulate the social and historical context that influence legal rules and contemporary debates, such as:

* the influence of cultural assumptions, cultural differences, and cultural rights on current and historical legal structures and disputes;
* the history of power, privilege and biases based on race, ethnicity, socio-economic class, nationality, religion, culture, gender, sexual orientation, age, mental or physical disability, immigration status, history of incarceration, or membership in a disadvantaged or underrepresented group; and current forms of discrimination, oppression or systemic bias.

6.3 Evaluate the ways in which the application of law achieves or fails to achieve equity, inclusion, or other aspects of social justice.

**Learning Outcome #7**

The University of Oregon School of Law expects that our graduates should be able to appreciate the critical role that lawyers play in ensuring meaningful access to the legal system, promoting the just application of its laws, and serving their clients and the community.

**Learning Outcome #8**

The University of Oregon School of Law expects that our graduates should be able to understand the interrelationship between the creation, development, reform, and practice of law, the natural and social sciences, the humanities, and the arts.

**Appendix C**

**Upper-Level Writing Requirement**

Faculty Assessment of Individual Demonstration of

Oregon Law Institutional Learning Outcomes & Writing Requirement Objectives

**Context for project: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

(e.g., publishable piece for journal; paper for seminar course; independent study)

**Core Competencies (applicable to all projects)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Not Applicable** | **Unsatisfactory** | **Developing**  (Does not yet meet standard) | **Proficient** (Meets Standard) | **Exemplary**  (Exceeds Standard) |
| Points | N/A | 0 | 1 🡨🡪 2 | 3 🡨🡪 4 | 5 🡨🡪 6 |
| **Learning Outcome 1** |  |  |  |  |  |
| * Demonstrates sound understanding of the paper topic (WR criteria) |  |  |  |  |  |
| * Demonstrates original thought (WR criteria) |  |  |  |  |  |
| * Demonstrates understanding of relevant substantive legal principles |  |  |  |  |  |
| * Demonstrates understanding of relevant procedural legal principles |  |  |  |  |  |
| * Demonstrates understanding of dynamic processes through which law is created, developed, and changed |  |  |  |  |  |
| **Learning Outcome 2** |  |  |  |  |  |
| * Demonstrates extensive research of relevant law (WR criteria) |  |  |  |  |  |
| * Demonstrates extensive analysis of legal issue (WR criteria) |  |  |  |  |  |
| * Appropriately identifies legal issue |  |  |  |  |  |
| * Employs sound and articulate legal reasoning to analyze legal problem |  |  |  |  |  |
| **Learning Outcome 4** |  |  |  |  |  |
| * Final paper demonstrates appropriate response to feedback received on draft(s) (WR criteria) |  |  |  |  |  |
| * Demonstrates good organization (WR criteria) |  |  |  |  |  |
| * Demonstrates thorough editing (WR criteria) |  |  |  |  |  |
| * Communicates clearly in writing |  |  |  |  |  |

**Other Competencies (applicable to some projects)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Not Applicable** | **Unsatisfactory** | **Developing**  (Does not yet meet standard) | **Proficient** (Meets Standard) | **Exemplary**  (Exceeds Standard) |
| Points | N/A | 0 | 1 🡨🡪 2 | 3 🡨🡪 4 | 5 🡨🡪 6 |
| **Learning Outcome 3** |  |  |  |  |  |
| * Demonstrates appreciation for importance of lawyers’ professional and ethical responsibilities towards clients |  |  |  |  |  |
| * Demonstrates appreciation for importance of lawyers’ ethical responsibilities towards the local community, nation, and/or world |  |  |  |  |  |
| **Learning Outcome 5** |  |  |  |  |  |
| * Demonstrates recognition of lawyers’ responsibility to serve as informed and professional leaders |  |  |  |  |  |
| **Learning Outcome 6** |  |  |  |  |  |
| * Demonstrates thoughtful engagement with legal questions that implicate socially contested issues |  |  |  |  |  |
| * Articulates the social and historical context that influence legal rules and debates |  |  |  |  |  |
| **Learning Outcome 7** |  |  |  |  |  |
| * Demonstrates appreciation for critical role that lawyers play in ensuring meaningful access to the legal system |  |  |  |  |  |
| * Demonstrates appreciation for critical role that lawyers play in promoting the just application of laws |  |  |  |  |  |
| * Demonstrates appreciation for critical role that lawyers play in serving their clients and the community |  |  |  |  |  |
| **Learning Outcome 8** |  |  |  |  |  |
| * Understands relationship between law and other discipline(s) (e.g., natural and social sciences, humanities, arts) |  |  |  |  |  |

**Appendix D**

To: Dean’s Faculty Advisory Council (“**DFAC**”)

From: Mohsen Manesh, Chair, Assessments & Outcomes Committee (“**AOC**”)

Re: Summary of Work, Findings, and Recommendations

Date: March 2021

The Assessment Plan (the “**Assessment** **Plan**”) of the University of Oregon School of Law (the “**Law School**” or “**Oregon Law**”), adopted by the Law School faculty in August 2019, provides that the AOC shall submit a report to DFAC annually summarizing the AOC’s work, findings, and recommendations concerning the Law School’s institutional learning outcomes and performance measures.

Pursuant to the Assessment Plan, during the AY 2020-21, the AOC evaluated the Law School’s institutional Learning Outcomes #3 and #4, respectively, based upon a review of the performance measures associated with each. This memorandum, submitted on behalf of AOC, summarizes the AOC’s work, findings, and recommendations.

**Learning Outcome #3**

Learning Outcome #3 states the Law School’s expectation that “our graduates should be able to engage in and appreciate the importance of their professional and ethical responsibilities towards clients, the local community, our nation, and the world.”

1. **Relevant Performance Measures**

To assess the Law School’s performance with respect to Learning Outcome #3, the AOC attempted to gather data on the following performance measures identified in the Assessment Plan:

* Grades in the Legal Profession course
* Successful passage rates of MPRE
* Rates of participation in Law School events discussing professional ethics
* Graduates’ discipline and disbarment rates

1. **Analysis of Performance Measures**

Below is a discussion of each of the foregoing performance measures.

1. ***Grades in the Legal Profession***

The AOC was provided with grade distributions for the three sections of Legal Profession offered during AY 2019-20.

During fall 2019, total Law School enrollment in Legal Profession totaled 41, and the aggregate grade distribution for those courses was as follows:

During spring 2020, all courses were graded P/NP due to the pandemic. During the spring 2020 semester, total Law School enrollment in Legal Profession was 87, and all enrolled students earned a Pass grade.

Given that all Law School students enrolled Legal Profession during AY 2019-20 passed the course, and that the vast majority of students earned a “B” grade or better during fall 2019, the Oregon Law students appear to be achieving Learning Outcome #3, at least based on this performance measure

1. ***MPRE Passage Rates***

The AOC was provided with the scores of Oregon Law students who took the MPRE in March 2020 and August 2020. For the Oregon State Bar (“**OSB**”), a passing score is 85. MPRE results for Oregon Law students as compared to all test takers nationally are summarized below:

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | **Oregon Law Students** | **All**  **Test Takers** |
| **March 2020** | *Mean score* | 103.4 | 95.8 |
| *Median score* | 102.0 | 94.0 |
| *Passing* | 94.3%  (50/53) | - |
| **August 2020** | *Mean score* | 111.2 | 98.6 |
| *Median score* | 107.0 | 97.0 |
| *Passing* | 96.0%  (24/25) | - |

Based on both (i) the overall MPRE pass rate of Oregon Law students under OSB standards as well as (ii) the relative performance of Oregon Law students as compared to the broader population of all test-takers, the vast majority of Oregon Law students appear to be achieving Learning Outcome #3, at least as assessed by this performance measure.

But the AOC also offers some caveats on this conclusion. First, the MPRE tests minimum competency. Law School’s MPRE passage rates do not provide insight as to anything beyond the minimum competency of the Law School’s students as it relates to Learning Objective # 3.[[9]](#footnote-9) Second, the Law School’s passage rates reported above are based on the results of only two MPRE tests. To assess whether there are any longer-term trends (upward or downward) in the minimum competency of Law School students as it relates to Learning Outcome #3, the AOC recommends the Law School to continue tracking and recording MPRE results and, at appropriate intervals, making those results available to the AOC.

1. ***Participation Rates in Law School Events discussing Professional Ethics***

The AOC recommends the elimination of this performance measure. The Law School does not currently code or track the substance of events in a manner that would allow the AOC to readily identify which Law School events discuss professional ethics. Even if the Law School did code events in such a manner, the Law School does not track student attendance or participation rates in any Law School event. Accordingly, there is no data available to the AOC related to this performance measure. Considering the significant administrative resources that would be required to track the substance of and attendance at all Law School events, it is infeasible to operationalize this performance measure as a basis of assessment.

1. ***Graduates’ Discipline and Disbarment Rates***.

The AOC has likewise identified multiple impediments to operationalizing this performance measure as a basis of assessment and is, therefore, reassessing its viability as a performance measure.

First, although information on attorney discipline and disbarment is generally publicly available, the AOC is unaware of any centralized or searchable database that collects such information. Instead, such information is typically provided on individual state bar association websites or publications. Given the Law School’s administrative resources, it would be infeasible to hand-collect such information from every individual state bar association. Instead, the AOC has considered limiting its focus to the discipline and disbarment records of the OSB, assuming that Law School graduates who are OSB members are representative of the broader population of Law School graduates practicing in other jurisdictions.

Second, attorney discipline and disbarment proceedings do not typically identify the accused attorney’s law school alma mater. Therefore, to determine discipline and disbarment rates of Law School graduates will require administrative resources to compare the names of disciplined and disbarred attorneys against a database of known Law School alumni.

Third, even if it were feasible to identify those Law School graduates who have been the subject of disciplinary or disbarment proceedings in any given year, the Assessment Plan’s performance measure focuses on the *rate* of discipline and disbarment, which requires the AOC to identify a relevant denominator. One obvious denominator would be the total population of living Law School alumni, but that number continuously fluctuates as students graduate and graduates pass away.[[10]](#footnote-10) As an alternative, the AOC could simply attempt to identify the total number of Law School alumni subject to discipline or disbarment during a given time period, but that number would provide limited information without knowing the size of the broader population of Law School’s graduates.

AOC members are currently investigating the feasibility of hand-collecting the relevant data and the utility of the information such data would provide as it relates to Learning Outcome # 3. Therefore, the AOC is not currently prepared to make an assessment or recommendation as to this performance measure.

1. **Assessment and Recommendations**

Based on the foregoing discussion and the data available, the AOC finds that Oregon Law students are achieving Learning Outcome #3. In addition to this finding, the AOC also makes the following recommendations:

* As noted in section B.2 above, to assess whether there are any longer-term trends (upward or downward) on the minimum competency of Law School students as it relates to Learning Outcome #3, the **Law School should continue to track and record MPRE results and, at appropriate intervals, making those results available to the AOC**.
* As noted in section B.3 above, the **Law School should amend its Assessment Plan to eliminate as a performance measure with respect to Learning Outcome #3 participation rates in Law School events discussing professional ethics**. It is infeasible to operationalize this performance measure as a basis of assessment.
* During AY 2020-21, AOC member and Law School Director of Experiential Learning, Laurie Hauber, in consultation with others, developed a new form to solicit feedback from field placement supervisors. The form was designed to align with the Law School’s Assessment Plan, by asking field placement supervisors to specifically assess student performance as it relates to various relevant institutional learning outcomes, including Learning Outcome #3. Accordingly, the **Law School should amend its Assessment Plan to add the feedback from field placement supervisors as a relevant performance measure for Learning Outcome #3**.

**Learning Outcome #4**

Learning Outcome #4 states the Law School’s expectation that “our graduates should be able to communicate effectively with clients, decision makers, and other relevant stakeholders.” Learning Outcome #4 elaborates that effective communication includes (1) “written communication that is clear, concise, and appropriate to the audience and context” and (2) “professional oral communication skills appropriate to various contexts such as interviewing, counseling, negotiation, mediation, arbitration, formal advocacy, and legal project management.”

1. **Relevant Performance Measures**

To assess the Law School’s performance with respect to Learning Outcome #4, the AOC attempted to gather data on the following performance measures identified in the Assessment Plan:

* Grades in experiential and writing courses
* Grades in Legal Research and Writing
* Enrollment and performance in upper level courses that teach interpersonal and communication skills
* Feedback from the Career Center
* Feedback from employers and prospective employers
* Feedback from clinic and externship supervisors
* Bar passage rate

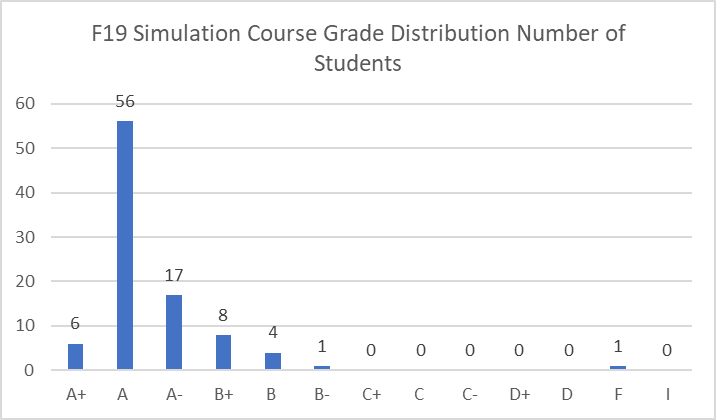
1. **Analysis of Performance Measures**

Below is a discussion of each of the foregoing performance measures.

1. ***Grades in Experiential and Writing Courses***

The AOC was provided with the aggregate grade distribution for the simulation courses offered during AY 2019-20 that satisfy the Law School’s experiential learning graduation requirement.[[11]](#footnote-11) Almost all Law School clinics and all field placements are graded P/NP and, therefore, were excluded from consideration (though feedback from clinic and field placement supervisors is separately addressed as a performance measure below). Likewise, because work on a curriculum map is ongoing (see below), the AOC was unable to determine which Law School courses would be considered “writing courses” for the purposes of this performance measure.

During fall 2019, total Law School enrollment in simulation courses totaled 93, and the aggregate grade distribution for those courses was as follows:



For spring and summer 2020, all courses were graded P/NP due to the pandemic. During spring 2020, total Law School enrollment in simulation courses was 151, and all enrolled students earned a Pass grade. During summer 2020, the Law School offered one simulation course, which enrolled 18, and all enrolled students earned a Pass grade.

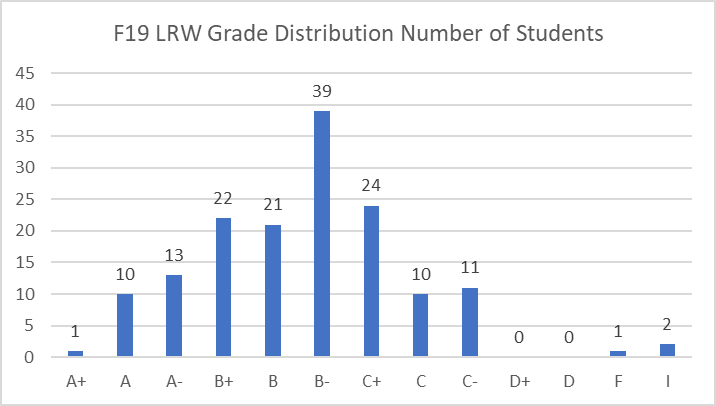
Given that only one student failed to pass a simulation course during AY 2019-20 and that a substantial majority of students earned an “A” or better in simulation courses during fall 2019, the vast majority of Oregon Law students appear to be achieving Learning Outcome #4, at least based on this performance measure.

But the AOC also offers two caveats on this conclusion. First, the data available for this performance measure is limited, particularly in light of the move to P/NP grading due to the pandemic. Second, because the work on a curriculum map is ongoing (see below), the AOC was unable to determine which of the Law School’s simulation courses assess student performance on the basis of written communication, oral communication, or both.

1. ***Grades in Legal Research and Writing***

The AOC was provided with the aggregate grade distribution for all sections of first-year Legal Research and Writing offered during AY 2019-20.

During fall 2019, total Law School enrollment in first-year Legal Research and Writing totaled 154, and the aggregate grade distribution for all sections was as follows:



During spring 2020, all courses were graded P/NP due to the pandemic, total Law School enrollment in first-year Legal Research and Writing totaled 151, and all enrolled students earned a Pass grade.

Given that only three students failed to pass a first-year Legal Research and Writing during AY 2019-20, and that a third earned a “B” grade or better during fall 2019, the vast majority of Oregon Law students appear to be achieving Learning Outcome #4, at least based on this performance measure

1. ***Enrollment and Performance in Upper Level Courses that teach Interpersonal and Communication Skills***

In order to operationalize this performance measure, the AOC must first complete work on a curriculum map, identifying the learning outcomes and modes of assessment for each course offered by the Law School. With a curriculum map, the AOC can determine which courses have a learning outcome that maps onto institutional Learning Outcome #4 as well as the ways in which each such course assesses student performance with respect to that learning outcome.

Unfortunately, a curriculum map remains an unfinished project of the AOC, one that has been hampered again during AY 2020-21 due to the disruptions and dislocations caused by the pandemic. To make steps toward a curriculum map, the AOC approved a form to be completed by each member of the Law School faculty, asking faculty to identify the learning outcomes and modes of assessment for each course they teach. The form was circulated to faculty during a January 2021 faculty meeting. Completed forms have been collected from several faculty members and entered into a database by the Law School’s Academic Affairs team. What remains is the tedious and time-consuming task of individually following up with each faculty member who either failed to submit forms or submitted forms that require further clarification or inquiry.

1. ***Feedback from the Career Center, Employers, and Prospective Employers***

The Career Center regularly provides guidance and coaching to Law School students with respect to their interactions from employers, especially in connection with students’ written application materials and interviewing skills. For first-year students, the Career Center facilitates a mandatory professional development program, requiring each student to participate in a one-on-one appointment with a member of the Career Center staff, participate in a mock interview with a volunteer attorney and receive feedback from that attorney, initiate and participate in at least one informational interview with an attorney, and attend at least on professional networking event. In addition, the Career Center requires all first-year students to prepare a resume and cover letter approved by the Career Center. After the first year, the Career Center continues to work with upper-level students on their written applications and job interviewing. Indeed, in the previous year, the Career Center conduct over 900 one-on-one counseling appointments with Law School students and reviewed over 1800 application documents.

The Career Center does not, in any systematized fashion, track for itself or collect from employers feedback regarding Oregon Law students’ writing or oral communication skills. However, the Career Center was able to offer the following anecdotal and qualitative feedback with respect to Learning Outcome #4.

As would be expected, first-year students require more assistance and coaching—both with respect to tone and substance—in their written application materials and interviewing. But over the course of their Law School careers, students improve markedly. As compared to 1Ls, the Career Center interacts with far fewer 2Ls and, particularly, 3Ls. But the relatively robust employment statistics of Law School graduates indicate that the vast majority of upper-level students have sufficiently polished their written application materials and interviewing skills to secure post-graduation employment in some capacity. This inference is supported by anecdotal feedback the Career Center has received from prospective employers, who have commended the Career Center for our students’ standout application materials and confident, comfortable interviewing skills.

Given the foregoing Career Center feedback, the vast majority of Oregon Law students appear to be achieving Learning Outcome #4, at least based on this performance measure.

1. ***Feedback from Clinic and Field Placement Supervisors***

With respect to clinics, historically, the Law School has not systematically collected feedback from clinic supervisors regarding student achievement in connection with Learning Outcome #4, other than the grades that clinic supervisors assign to students at the end of a semester. As noted above, however, almost all clinics are graded P/NP, which means clinic grades do not convey much information in terms of student achievement in connection with Learning Outcome #4.

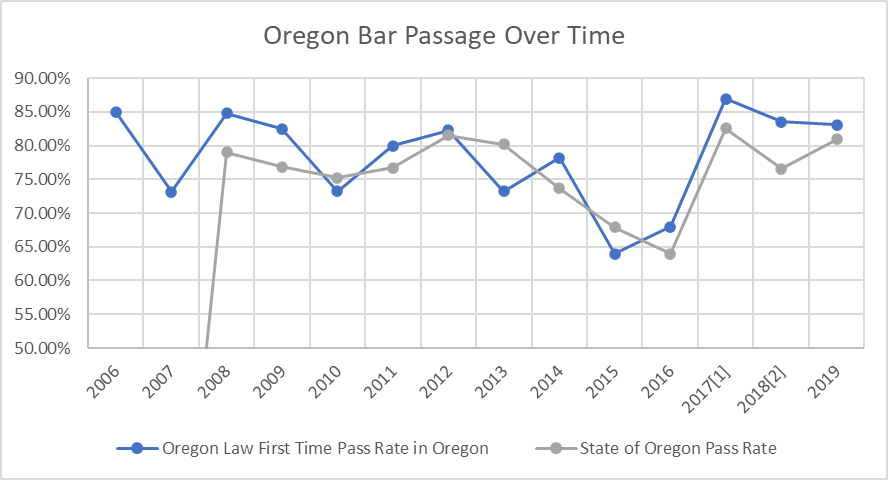
With respect to field placements, the Law School asks field placement supervisors to complete feedback forms twice each semester to assess their students’ performance. The Law School’s Academic Affairs team endeavors to collect these forms centrally and provided the AOC a high-level summary of the feedback forms it collected during AY 2019-20. However, because the existing field placement feedback forms do not specifically ask field placement supervisors about student achievement with respect to Learning Outcome #4, the feedback provided on these forms do not always or specifically address students’ written or oral communication abilities.

In part to address this issue, as noted above, during AY 2020-21, AOC member and Law School Director of Experiential Learning, Laurie Hauber, in consultation with others, developed a new form to solicit feedback from field placement supervisors. The form was designed to align with the Law School’s Assessment Plan by asking field placement supervisors to specifically to assess student performance as it relates to various relevant learning outcomes, including Learning Outcome #4.

Circling back to clinics, Prof. Hauber’s next step will be to design and implement a similar feedback form, again aligned with the Law School’s Assessment Plan, asking clinic supervisors to assess student performance as it relates to various relevant learning outcomes, including Learning Outcome #4. Going forward, the feedback solicited through the use of these forms will afford the AOC better insight as to the Law School’s performance with respect to Learning Outcome #4 (in addition to other learning outcomes).

1. ***Bar Passage Rates***

The AOC was provided with the pass rate of Law School graduates on their first attempt at the Oregon state bar exam:



|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Law School** | | |  |
| **Class of** | **First Time Takers** | **First Time Passers** | **First Time Pass Rate** | **State Pass Rate** |
| 2006 | 87 | 74 | 85.00% |  |
| 2007 | 93 | 68 | 73.12% |  |
| 2008 | 105 | 89 | 84.76% | 79.00% |
| 2009 | 114 | 94 | 82.46% | 76.85% |
| 2010 | 112 | 82 | 73.21% | 75.22% |
| 2011 | 115 | 92 | 80.00% | 76.68% |
| 2012 | 79 | 65 | 82.28% | 81.52% |
| 2013 | 71 | 52 | 73.24% | 80.19% |
| 2014 | 101 | 79 | 78.22% | 73.64% |
| 2015 | 75 | 48 | 64.00% | 67.86% |
| 2016 | 75 | 51 | 68.00% | 63.97% |
| 2017 | 69 | 60 | 86.96% | 82.55% |
| 2018 | 85 | 71 | 83.53% | 76.57% |
| 2019 | 65 | 54 | 83.08% | 80.90% |

In addition, the AOC was provided with the first-time and ultimate pass rates of Law School graduates on the bar exam of any jurisdiction:

|  |  |  |
| --- | --- | --- |
| **Class of** | **First Time Pass Rate** | **Ultimate Pass Rate**  **(within 2 years of graduation)** |
| 2010 | 75.00% |  |
| 2011 | 73.66% |  |
| 2012 | 76.33% |  |
| 2013 | 78.43% |  |
| 2014 | 80.33% |  |
| 2015 | 67.39% | 86.61% |
| 2016 | 68.42% | 77.24% |
| 2017 | 79.81% | 91.67% |
| 2018 | 83.18% | TBD |
| 2019 | 85.86% | TBD |

Notably, as the data above reflect, Oregon Law students’ bar exam passage appears to have improved markedly starting around 2017, which was also the first year Oregon Law had contracted with Barbri to offer bar prep to all graduating 3Ls. Considering these data altogether, the vast majority of Oregon Law students appear to be achieving Learning Outcome #4, at least as assessed by this performance measure. This conclusion is based on (i) the first time pass rates of Law School graduates on the Oregon state bar exam, especially in recent years, (ii) the typically positive difference between the first-time pass rate of Law School graduates on the Oregon state bar exam as compared to all first-time takers of that exam; (iii) the first time pass rates of Law School graduates on all bar exam nationally, especially in recent years, and (iv) the ultimate pass rate (within two years of graduating) of Law School graduates on a bar exam.

But the AOC also offers some caveats on this conclusion. First, bar passage rate is an imprecise measure of the writing and oral communication skills identified in Learning Outcome #4. In most jurisdictions, the bar exam is comprised in large part on multiple choice questions, which tests neither writing nor oral communication. In most jurisdictions, only the MEE and MPT portions of the bar exam involve any writing. And no portion of the bar exam involves oral communication. The AOC considered the viability of seeking and examining Oregon Law students’ performance on only the MEE and MPT portions of the bar exam. But a preliminary consultation with the Academic Excellence Program Director, Megan McAlpin, suggested that seeking more granular data on bar performance may not be worthwhile, because a student’s performance on the MPT and MEE portions would likely be highly correlated with that student’s bar passage. Second, as with the MPRE, the bar exam tests minimum competency. Therefore, the Law School’s bar exam passage rates do not provide insight as to anything beyond the minimum competency of the Law School’s students as it relates to Learning Objective # 4. Finally, some AOC members expressed concern that bar passage may be a problematic performance measure for any Law School learning outcome in light of evidence suggesting a disparity in pass rates between white test-takers and test-takers of color. At the same time, however, other AOC members acknowledged that though the bar exam may have shortcomings, bar passage is still a necessary step to law practice and therefore relevant in any self-assessment of learning outcomes of Oregon Law students.

1. **Assessment and Recommendations**

Based on the foregoing discussion and the data available, the AOC finds that Oregon Law students are achieving Learning Outcome #4.

In addition to this finding, the AOC also makes the following:

* As noted in section B.3 above and elsewhere in this memorandum, the completion of a curriculum map remains a key impediment to operationalizing various performance measures identified in the Assessment Plan. To resolve this impediment, the Law School **should prioritize the production of a curriculum map by expressly identifying it as an institutional priority and providing additional administrative resources and personnel to the AOC or a separate workgroup to ensure the completion of a curriculum map as soon as practicable**.
* During AY 2019-20, the AOC developed, and the Law School faculty approved, a rubric to be used by all faculty supervising any student in connection for the Law School’s upper-level writing graduation requirement. The writing requirement rubric was designed to align with the Law School’s Assessment Plan by asking faculty to specifically to assess student performance as it relates to the Law School’s various learning outcomes. Faculty assessments captured using this rubric would be directly relevant to Learning Outcomes #1, #2, and #4 and, depending on the topic of the student’s paper, also relevant to the other of the Law School’s Learning Outcomes. Accordingly, the **Law School should amend its Assessment Plan to add the faculty feedback captured in the writing requirement rubric as a relevant performance measure for Learning Outcome #1, #2, and #4 and, where applicable, to the other of the Law School’s Learning Outcome**s.

**Appendix E**

**University of Oregon School of Law**

**Master of Laws (LL.M.) Learning Outcomes**

*The University of Oregon School of Law expects that our LLM graduates should be able to:*

1. Demonstrate the knowledge and ability necessary to practice substantive and procedural law and understand the dynamic processes through which law is created, developed, and changed by completing an organized program of courses in a selected specialization.
2. Employ sound and articulate legal reasoning to identify, research, and analyze legal problems.
3. Communicate effectively with clients, decision-makers, and other relevant stakeholders.
4. Recognize the responsibility of lawyers to serve as informed and professional leaders.
5. Appreciate the critical role that lawyers play in ensuring meaningful access to the legal system, promoting the just application of its laws, and serving their clients and the community.
6. Learn how lawyers work together by demonstrating team lawyering skills, managing conflict, and forging relationships.

1. See Assessment Plan August 2019, located on MyLaw here: <https://mylaw.uoregon.edu/academic-affairs/learning-outcomes-assessment>. [↑](#footnote-ref-1)
2. See <https://mylaw.uoregon.edu/academic-affairs/law-learning-timeline>. [↑](#footnote-ref-2)
3. See <https://mylaw.uoregon.edu/academic-affairs/law-learning-timeline>. [↑](#footnote-ref-3)
4. See Writing Requirement Rubric AY 20-21

   <https://mylaw.uoregon.edu/academic-affairs/learning-outcomes-assessment> [↑](#footnote-ref-4)
5. See <https://provost.uoregon.edu/school-law#assessment>. [↑](#footnote-ref-5)
6. ABA Standard 315 “The dean and the faculty of a law school shall conduct ongoing evaluation of the law school’s program of legal education, learning outcomes, and assessment methods; and shall use the results of this evaluation to determine the degree of student attainment of competency in the learning outcomes and to make appropriate changes to improve the curriculum.” Available at https://www.americanbar.org/groups/legal\_education/resources/standards/. [↑](#footnote-ref-6)
7. ABA Standards, Chapter 3, available at https://www.americanbar.org/groups/legal\_education/resources/standards/. [↑](#footnote-ref-7)
8. Examples of formative assessment include: hypos with sample answers, self-scoring computer quizzes, scored (not graded) practice exams, grading rubric, and peer evaluation.

   Examples of informal formative assessment include: classroom exercises/engagement checking for knowledge, recall, understanding check or classroom exercises/engagement for analysis, and critical thinking skills check. [↑](#footnote-ref-8)
9. By contrast, the fact that the MPRE scores of Law School students significantly exceeds both the national average and the passing score for Oregon suggests that, on aggregate, Law School students are demonstrating more than mere minimum competency with respect to Learning Outcome # 3. [↑](#footnote-ref-9)
10. Similarly, the number of Law School graduates actively engaged in the practice of law, in Oregon or elsewhere, is in continuous flux. [↑](#footnote-ref-10)
11. For fall 2019, the simulation courses included the following: Advanced Legal Research, Negotiation,

    Trial Practice, and Environmental Policy Practicum. For spring 2020, the simulation courses included the following: Advanced Appellate Advocacy, Advanced Legal Research, Corporate Finance, Dispute Systems Design, Mediation, Start Up Businesses, and Trial Practice. For summer 2020, the sole simulation course was Advanced Legal Research. [↑](#footnote-ref-11)