



# Learning Outcomes Assessment Plan

## INTRODUCTION

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Vermont Law School's Learning Assessment Plan represents the culmination of several years of work designing our learning assessment process. To that end, this Plan sets out a process for the ongoing implementation of the process that began in the 2017-2018 academic year.

## OVERVIEW OF LEARNING ASSESSMENT

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The process of "assessment" includes: (1) defining student learning outcomes for a course, degree program, or certificate; (2) measuring whether students are achieving the identified learning outcomes; (3) analyzing the results of those measurements; and (4) using the results to make changes to pedagogy, and other aspects of the law school's education, including the structure, contents and design of a particular course or set of courses, curriculum, program, or department. The process of assessment is ongoing and continuous, as it is designed to improve student learning and demonstrate the value provided by a law school education. At the course level, faculty should use assessment information to analyze how they deliver education and the means by which they might improve. Once a law school has identified a set of learning outcomes for a degree program and/or certificates, assessment typically proceeds in yearlong cycles.

At the beginning of an assessment cycle, a group designated by the law school (typically an assessment team or committee<sup>1</sup>) identifies one or two learning outcomes to address during the cycle. The law school then collects evidence of student learning for those outcomes from at least three sources. Once collected, the assessment committee will analyze the data and include any findings in a report. The law school uses the report to recommend changes to improve outcomes and develop a baseline for subsequent assessment cycles. After a few years of assessment, the law school likely will have conducted assessment activities on each of its learning outcomes and will begin the process anew to consistently improve the education it is providing.

## REGULATORY OVERVIEW

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In 2014, the ABA's Section on Legal Education and Admissions to the Bar – the national accrediting body for the Juris Doctor (J.D.) degree recognized by the Department of Education – adopted a set of sweeping changes to the Standards and Rules of Procedure for Approval of Law Schools. The changes were the result of a seven-year process led by a special committee charged with "determining whether and how

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<sup>1</sup> At Vermont Law School, the Assessment Committee replaced an Assessment Working Group, which was initially formed as the law school developed its assessment plan. Under the Vermont Law School Faculty Handbook, the Committee's purpose is: To organize, monitor, evaluate, and implement the Vermont Law School's efforts to assess learning outcomes. The Committee's membership consists of: a Committee Chair, Associate Dean for Environmental Programs, Director of Online Learning, directors of academic programs (including, but not limited to, Legal Writing Program, Center for Agriculture and Food, Institute for Energy and the Environment, International and Comparative Law, Restorative Justice, and General Practice Program), at least one experiential faculty member, and at least one full-time faculty member. The Committee's mission is to: provide Vermont Law School with the opportunity to identify its unique strengths and to provide students, faculty, alumni, accreditors and other stakeholders with outcomes-based evidence of achievement of those strengths. Under the direction of the Dean and faculty, the Committee will assist in and promote the iterative process of collection and interpretation of, and action upon, evidence to continuously improve programs, curriculum, and services to support strategic planning, budgeting, and allocation of resources.

output measures, other than bar passage and job placement,"<sup>2</sup> might be used for accreditation. The Committee recommended adoption of an outcomes-based philosophy after review of relevant research on higher education and a study of regional and professional accrediting body practices. With the adoption of this approach, the ABA's new Standards and Rules use outcomes and assessment as the driving forces behind the accreditation process.

Additionally, because Vermont Law School offers a number of Master's degrees, it is accredited by the New England Commission on Institutes of Higher Education (NECHE) (formerly the New England Association of Schools and Colleges), which requires the following for accreditation: "The school engages in forms of programmatic assessment consistent with fulfilling its mission and core values. This data is used to inform decision-making and planning."<sup>3</sup>

## GOALS OF VERMONT LAW SCHOOL'S ASSESSMENT PLAN

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Vermont Law School's assessment plan has the following goals: (1) to strengthen the law school's academic programs by gathering data about student learning in relation to a set of programmatic learning outcomes for each of the law school's degrees and professional certificates, analyzing the data to determine whether students are achieving the identified learning outcomes, prepare a report with the results and recommendations, and adopt necessary changes in response to identified problem areas to improve the overall quality of the programs; (2) to articulate an effective, workable, faculty-driven, and efficient process to assess student learning outcomes at an institutional level; (3) to identify the roles of faculty and relevant administrators in conducting institutional assessment; (4) to demonstrate compliance with the ABA's requirement that every accredited Law School has a publicly available assessment plan; (5) to ensure that Vermont Law School students acquire the requisite knowledge, skills, and values expressed in the law school's Mission Statement; and (6) to demonstrate compliance with NECHE accreditation requirements.

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<sup>2</sup> ABA Managing Director's Guidance Memo: Standards 301, 302, 314 and 315, June 2015, available at [http://www.americanbar.org/content/dam/aba/administrative/legal\\_education\\_and\\_admissions\\_to\\_the\\_bar/governancedocuments/2015\\_learning\\_outcomes\\_guidance.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/governancedocuments/2015_learning_outcomes_guidance.authcheckdam.pdf).

<sup>3</sup> NEASC lists the following as suggested indicators for programmatic assessment: (1) The school conducts annual program review and revision based on assessment of student performance; (2) The school uses some form of longitudinal assessment of student performance (such as portfolio assessment); (3) The school conducts exit interviews of students and faculty and uses the data to inform admissions and program planning; (4) The school has procedures to follow-up on the experiences of alumni/ae and uses the data to inform admissions and program planning; (5) The school brings in consultants and/or visitors from other schools to participate in the periodic evaluation of programs; (6) The vitality/influence of the mission in the life of the school is assessed; (6) The school participates in state sponsored learning results activities, as appropriate; (7) The school carries out programs for supervision and evaluation of all personnel that are understood by all concerned; (8) Those responsible for leadership engage in periodic self-evaluation of their performance; (9) The school develops and publishes a policy and plan on diversity and difference, derived from its mission and core values that it uses to evaluate the status of the school in this regard and to guide planning to achieve goals; and (10) If applicable, the school's plans for developing, sustaining, and expanding online courses are integrated into the overall planning and evaluation procedures of the school. New England Association of Schools and Colleges, Independent Schools, Standards, available at: [https://cis.neasc.org/sites/cis.neasc.org/files/Standards\\_Indicators/Standards\\_and\\_Indicators%20-%20new%20website%20link.pdf](https://cis.neasc.org/sites/cis.neasc.org/files/Standards_Indicators/Standards_and_Indicators%20-%20new%20website%20link.pdf)

## CURRICULUM MAPPING

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In the 2014-2015 academic year, the Curriculum Mapping Working Group distributed a set of questions to all faculty asking them to identify which of the learning outcomes they covered in their courses and whether they employed any assessment tools to measure student competency as to those outcomes. Once the faculty responded to the surveys, the members of the working group met individually with each member of the faculty. The results of the Working Group's survey and follow up meetings will be available on the law school's website.

The Curriculum Map identifies where each of the learning outcomes is covered in the required, core, and elective curricula. It helped to inform the development of the learning outcomes for each of Vermont Law School's degrees and professional certifications. The Assessment Committee will use this information in our assessment process to inform faculty in their teaching and create a consistent educational experience for students at the law school.

Vermont Law School is firmly committed to the principle that learning outcomes assessment is the responsibility of the faculty as a whole. However, recognizing that assessment needs focused and consistent attention, this Plan envisions that the Assessment Committee takes a lead role in coordinating the law school's assessment activities. During each year of this Plan, the Committee will: (1) develop a plan for the following year's assessment activities; (2) monitor progress by implementing the previous year's recommendations; and (3) regularly report on assessment activities and results to the faculty and seek their input on recommendations.

Each year, the Assessment Committee will assess a learning outcome, report the findings and results to the faculty, seek input from the faculty on recommendations, develop a set of recommendations, and create a plan for implementation. The Vice Dean for Faculty will select the Assessment Committee taking into account the expertise of the faculty and their responsibility with regard to the law school's degree programs and certificates. It is anticipated that every full-time faculty member will serve on the Committee at some point.

## LEARNING OUTCOMES FOR VERMONT LAW SCHOOL'S JD PROGRAM AND MASTER'S PROGRAMS

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In 2017, Vermont Law School adopted learning outcomes for its JD, Masters, and LLM Degrees.. In 2018, Vermont Law School adopted learning outcomes for its new Masters in Restorative Justice and Certificate in Restorative Justice.

Learning outcomes for the JD, Masters, LLM Programs, and Professional Certificate in Restorative Justice are included as Appendix A.

## ANNUAL CYCLE

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May: The Assessment Committee begins refining the assessment plan developed the prior year to finish the year with a plan for the upcoming academic year. Faculty members report on course level outcomes in their annual reviews to discuss with the Dean and Vice Dean for Faculty.

August: The Vice Dean for Faculty reviews the membership of the Assessment Committee and appoints new members to adopt/implement a plan for studying the learning outcomes to assess during the following academic year in accordance with the schedule set forth within this Plan.

September: The Assessment Committee identifies the direct and indirect measures it will use to collect data and develop rubrics, surveys, focus groups, or other instruments. The Committee welcomes and orients new members. Reports on progress will be presented to the faculty.

October/November: The Assessment Committee begins the process of data collection. At the end of each collection cycle, the Committee reports on its findings to the faculty.

December/January/February: The Assessment Committee evaluates data collected during the fall semester and begins collecting data for the spring semester.

March: The Assessment Committee develops a set of recommendations based on input from the faculty and students. These recommendations may be directed to administrative departments, faculty committees, the faculty, or the Dean.

April: The Assessment Committee presents an annual report on assessments to the full faculty. With the faculty, the Assessment Committee reviews the assessment process and proposes modifications if necessary.

## ASSESSMENT TIMELINE

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This document is attached as Appendix B.

## ASSESSMENT PROCESS

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Prior to each annual cycle, the Assessment Committee will develop a working plan to assess the learning outcome identified for the following year. The working plan is intended to serve as a guide for the Assessment Committee to gather and analyze data. The Assessment Committee should identify potential data and the manner in which it may be collected and analyzed. The Assessment Committee should change the working plan, as needed, based on its own assessment.

For each learning outcome assessed, the Committee must use at least three measures, two of which will be direct measures. A direct assessment measure is based on students' actual work; typically, a sample of student work is evaluated against a rubric. The advantage of direct measures is their consideration of work students have actually produced, which tend to be the strongest evidence of learning. In contrast, indirect measurements are based on reports of perceived learning.

It is preferable to examine work product that is already being created as part of the course level assessment included in individual faculty syllabi, rather than creating a new exam or project to be administered solely for the purpose of programmatic assessment.

The Assessment Committee will analyze and report data in an aggregated fashion. Identifiable student information will be redacted. Since the purpose of assessment is not to evaluate individual faculty members, assessment data should also, to the extent feasible, not identify the faculty members who taught the students whose data is being analyzed.

## RESULTS AND REPORTS

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The Assessment Committee meets monthly and will keep minutes, as well as document its findings with regard to the data. To the extent practicable, the law school will make reports public on the assessment webpage. The Assessment Committee is responsible for following up on recommendations made from year to year and implementing the recommendations.

## EVALUATING THE ASSESSMENT PROCESS

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In accordance with ABA Standard 315, the Assessment Committee will conduct an ongoing evaluation of the assessment process at the law school, including whether to accelerate the timetable such that two or more learning outcomes are assessed per year. The Committee will report, on at least an annual basis, progress under this plan, recommending changes to the learning outcomes or assessment process when it considers such changes necessary.

## AMENDMENTS TO THE LEARNING ASSESSMENT PLAN

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The faculty defers to the Assessment Committee to amend this plan, as necessary, without a faculty vote.

(Last updated 11/30/20)



# Learning Outcomes Assessment Plan

## APPENDIX A

# LEARNING OUTCOMES FOR VERMONT LAW SCHOOL'S JD PROGRAMS AND MASTER'S PROGRAMS

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## JURIS DOCTOR (JD)

Professional Responsibility and Ethics: Graduates will be able to work respectfully, ethically, and productively with diverse clients and legal professionals. They should possess the skills needed to recognize and resolve dilemmas in an ethical manner.

Foundational and Substantive Legal Knowledge: Graduates will demonstrate knowledge and understanding of substantive and procedural law, and the role of law in society.

Foundational Legal and Advocacy Skills: Graduates will be able to independently and collaboratively engage in legal research, legal analysis and reasoning, and problem solving and communicate effectively and persuasively.

Bar Exam Preparedness and Skills: Graduates will possess the skills needed to successfully perform on the bar examination taken.

Service to Society: Graduates will understand an attorney's obligation to engage in community and public service.

## MASTER OF ENVIRONMENTAL LAW & POLICY (MELP)

Legal Literacy: Graduates will be able to evaluate environmental law and policy.

Legal Institutions: Graduates will be able to effectively engage the institutions and individuals that influence environmental law and policy.

Ecological Literacy: Graduates will be able to assess the social and ecological impacts of environmental law and policy.

Problem Solving: Graduates will be able to formulate solutions to environmental law and policy problems.

Professionalism: Graduates will be able to work effectively in a professional work environment within and across diverse groups of people with varying backgrounds and perspectives.

Communications, Advocacy, and Leadership: Graduates will be able to communicate effectively as advocates, leaders, and problem-solvers.

## MASTER OF ENERGY REGULATION & LAW (MERL)

Legal Literacy: Graduates will be able to evaluate energy and environmental law and policy.

Legal Institutions: Graduates will be able to effectively engage the institutions and individuals that influence energy law and policy.

Historical Context: Graduates will be able to apply historical context knowledge to address current issues and trends in energy regulatory policy.

Social, Economic, and Ecological Influences: Graduates will be able to analyze the social, economic, and ecological impacts of energy law and policy.

Problem Solving: Graduates will be able to formulate solutions to energy law and policy issues.

Professionalism: Graduates will be able to work effectively in a professional work environment within and across diverse groups of people with varying backgrounds and perspectives in the energy sector.

Project Management: Graduates, through the exposure to applied writing, integrated project and experiential learning opportunities, will be able to devise and implement solutions to energy law and policy issues.

## MASTER OF FOOD AND AGRICULTURE LAW & POLICY (MFALP)

Legal Literacy: Graduates will be able to evaluate food and agriculture law and policy.

Legal Institutions: Graduates will be able to effectively engage the institutions and individuals that influence food and agriculture law and policy.

Historical Context: Graduates will be able to apply historical context knowledge to address current issues in agriculture law and policy.

Social, Economic, and Ecological Influences: Graduates will be able to differentiate the social, economic, and ecological impacts of food and agriculture law and policy, domestically and internationally.

Problem Solving: Using systems thinking and other frameworks, graduates will be able to formulate solutions to food and agriculture law and policy issues.

Professionalism: Graduates will be able to work effectively in a professional work environment within and across diverse groups of people with varying backgrounds and perspectives in the food and agriculture sector.

Communications, Advocacy, and Leadership: Graduates will be able to communicate effectively as advocates, leaders, and problem-solvers

## MASTER OF ARTS IN RESTORATIVE JUSTICE (MARJ)

Restorative Justice Literacy: Adapt restorative justice historical and original principles and practices to address contemporary problems.

Legal Literacy: Evaluate the relationship between restorative justice laws and policy and prevailing legal systems.

Legal Institutions: Engage institutions and individuals that influence restorative practices.

Problem Solving: Devise solutions and approaches to infuse restorative values and practices into existing systems and institutions.

Professionalism: Collaborate ethically within and across diverse groups.

Values: Facilitate inclusivity, tolerance, empathy, patience, and respect.

Communication, Advocacy, and Leadership: Persuade orally and in writing as advocates, problem solvers, and catalysts for change.

## MASTER OF LAWS (LLM) IN ENVIRONMENTAL LAW

Legal Literacy: Graduates will be able to evaluate environmental law and policy.

Legal Institutions: Graduates will be able to effectively engage the institutions and individuals that influence environmental law and policy.

Ecological Literacy: Graduates will be able to assess the social and ecological impacts of environmental law and policy.

Problem Solving: Graduates will be able to formulate solutions to environmental law and policy problems.

Professionalism: Graduates will be able to work effectively in a professional work environment within and across diverse groups of people with varying backgrounds and perspectives.

Specialization: Graduates will produce a capstone project, research paper, scholarly article, or other work product that demonstrates expertise in specific area(s) of environmental law and policy.

## MASTER OF LAWS (LLM) IN ENERGY LAW

Legal Literacy: Graduates will be able to evaluate energy and environmental law and policy.

Legal Institutions: Graduates will be able to effectively engage the institutions and individuals that influence energy law and policy.

Historical Context: Graduates will be able to apply historical context knowledge to address current issues and trends in energy regulatory policy.

Social, Economic, and Ecological Influences: Graduates will be able to analyze the social, economic, and ecological impacts of energy law and policy.

Problem Solving: Graduates will be able to formulate solutions to energy law and policy issues.

Professionalism: Graduates will be able to work effectively in a professional work environment within and across diverse groups of people with varying backgrounds and perspectives in the energy sector.

Project Management: Graduates, through the exposure to applied writing, integrated project and experiential learning opportunities, will be able to devise and implement solutions to energy law and policy issues.

Specialization: Graduates will produce a capstone project, research paper, scholarly article, or other work product that demonstrates expertise in specific area(s) of energy law and policy.

## MASTER OF LAWS (LLM) IN FOOD AND AGRICULTURE LAW

Legal Literacy: Graduates will be able to evaluate food and agriculture law and policy.

Legal Institutions: Graduates will be able to effectively engage the institutions and individuals that influence food and agriculture law and policy.

Historical Context: Graduates will be able to apply historical context knowledge to address current issues in food and agriculture law and policy.

Social, Economic, and Ecological Influences: Graduates will be able to differentiate the social, economic, and ecological impacts of food and agriculture law and policy, domestically and internationally.

Problem Solving: Using systems thinking and other frameworks, graduates will be able to formulate solutions to food and agriculture law and policy issues.

Professionalism: Graduates will be able to work effectively in a professional work environment within and across diverse groups of people with varying background and perspectives in the food and agriculture sector.

Specialization: Graduates will produce a capstone project, research paper, scholarly article, or other work product that demonstrates expertise in specific area(s) of food and agriculture law and policy.

# LEARNING OUTCOMES FOR VERMONT LAW SCHOOL'S NON-DEGREE CERTIFICATES

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## PROFESSIONAL CERTIFICATE IN RESTORATIVE JUSTICE

Upon satisfactory completion of the Professional Certificate in Restorative Justice, Certificate recipients should be able to:

Restorative Justice Theory: Assess restorative justice laws and policy.

Legal Literacy: Evaluate restorative justice historical and original principles and how they might be modified to address contemporary problems.

Legal Institutions: Engage institutions and individuals that influence or could influence restorative practices.

Problem Solving: Analyze opportunities to infuse restorative values and practices into existing systems and institutions.

Professionalism: Collaborate in a professional work environment within and across diverse groups.

Values: Promote inclusivity, tolerance, empathy, patience, and respect.

Communication, Advocacy, and Leadership: Demonstrate an ability to communicate orally and in writing as advocates, problem solvers, and catalyst for change.



# Learning Outcomes Assessment Plan

## APPENDIX B

Core Competency	Program	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
Bar Exam Preparedness and Skills	JD	Continuous	Continuous	Continuous	Continuous	Continuous	Continuous	Continuous
Communications, Advocacy & Leadership	MELP MFALP MARJ PROF RJ		Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan			
Ecological Literacy	MELP LLM ENV			Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan		Planning
Historical Context	MERL MFALP LLM ENERGY LLM FOOD/AG			Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan		Planning
Foundational Legal and Advocacy Skills	JD					Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan
Foundational and Substantive Legal Knowledge	JD			Planning Collect & Analyze Data	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan		Planning
Legal Institutions	MELP MERL MFALP MARJ LLM ENV LLM ENERGY LLM FOOD/AG PROF RJ	Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan		Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan
Legal Literacy	MELP MERL MFALP MARJ LLM ENV LLM ENERGY LLM FOOD/AG PROF RJ		Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan		Planning	Collect & Analyze Data Propose Follow-up Plan

Core Competency	Program	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
Problem Solving	MELP MERL MFALP MARJ LLM ENV LLM ENERGY LLM FOOD/AG PROF RJ		Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan		Planning	Collect & Analyze Data Propose Follow-up Plan
Professional Responsibility and Ethics	JD MELP MERL MFALP MARJ LLM ENV LLM ENERGY LLM FOOD/AG PROF RJ	Planning	Planning Collect & Analyze Data	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan		Planning	Collect & Analyze Data Propose Follow-up Plan
Project Management	MERL LLM ENERGY		Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan		Planning	
Restorative Justice Theory	PROF RJ							
Service to Society	JD				Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan	
Social, Economic, and Ecological Influences	MERL MFALP LLM ENERGY LLM FOOD/AG			Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan		Planning
Specialization	LLM ENV LLM ENERGY LLM FOOD/AG					Planning	Collect & Analyze Data Propose Follow-up Plan	Implement Follow-up Plan
Values	MARJ PROF RJ							
Core Competency	Program	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025