

# 2020 IU McKinney School of Law PRAC Report

Submitted by: IU McKinney School of Law Program Teaching, Assessment & Evaluation Committee

Date: July 10, 2021

## I. Introduction

### A. Accreditation, Bar Passage, and Assessment Strategy

The IU Robert H. McKinney School of Law is accredited by the American Bar Association. Traditionally, law schools have used bar passage rates as the primary assessment mechanism used by law schools. For this reason, the law school's JD Program Teaching, Assessment, and Evaluation Committee has generally adopted a two-pronged assessment strategy that targets the school's bar passage rates as well as assessment of program learning outcomes.

### B. 2020 Covid-19 Related Adjustments and Assessment

Beginning in March 2020, much of the assessment-related work of the Teaching, Assessment, and Evaluation Committee was put on hold and/or had to be altered due to the Covid-19 pandemic and changes in teaching and learning. As noted below, all jurisdictions in 2020 changed the format and content of their respective bar exams for July 2020. Thus, much of the preparation and work that had gone into bar preparation and passage became somewhat obsolete and/or had to be adjusted on short notice. Moreover, as to assessment of program learning outcomes, discussed below, our committee had just barely obtained faculty buy-in to an assessment strategy that involved assessing every first-year law student (1L) at the completion of their first year on the Legal Knowledge, Reasoning, and Analysis Rubric. However, right after getting approval from the faculty of this initiative at the beginning of March 2020, the Covid-19 pandemic began and all classes went entirely online, the format of all Spring 2020 finals was required to be changed to online and open book, and the faculty and Deans determined that it was not feasible to undertake this initiative in Spring 2020 under such circumstances, which circumstances remained through Spring 2021. We plan to resume this initiative for 1L students in Spring 2022.

Despite these temporary setbacks to our work, our committee undertook new assessment initiatives during 2020. Importantly, over the past several years, the law school has been expanding and working to create quality online legal courses—although the online offerings have been relatively few in number. But with Covid-19, the law school had to adapt to moving

much of its programming online. We decided as a committee that this situation created an opportunity to assess learning outcomes from both professor and student perspectives for online coursework and instruction—especially in courses that had previously only been taught in person.

### **C. Degree programs**

The IU Robert H. McKinney School of Law offers four degree programs:

1. The Juris Doctor (J.D.) degree: A three-year full-time or four-year part-time program that requires 90 credits to complete.
2. A Masters of Jurisprudence (M.J) degree: A 30 credit program designed for working professionals who do not wish to practice law or to pursue a J.D. degree.
3. A Masters of Law (L.L.M) degree: A 24 credit program designed for three target groups:
  - a. Individuals who have earned a foreign law degree and would like to improve their knowledge of U.S. law and, in some cases, take a U.S. bar exam.
  - b. Currently practicing U.S. lawyers a chance to hone their skills and deepen their knowledge of a specialized area of law.
  - c. Legal scholars who hope to proceed to a Ph.D. or S.J.D. degree in hopes of pursuing an academic career.
4. A Doctorate in Juridical Science (S.J.D.) degree: A research-based degree culminating in a dissertation.

### **D. A.B.A. Assessment Requirements**

ABA Standard 302 requires law schools to identify learning outcomes consistent with the law school's stated mission and goals in its J.D. program. Standard 304 requires that law schools:

- (1) identify, define, carry out and disseminate methods used for assessment about the attainment of its learning outcomes and determine the pedagogical effectiveness of the assessment activities;
- (2) employ a variety of assessment methods and activities, consistent with effective pedagogy, systematically and sequentially throughout the curriculum to assess student attainment its learning outcomes; and
- (3) provide feedback to students periodically and throughout their studies about their progress in achieving its learning outcomes.

The interpretation notes for Standard 304 anticipate that law schools will use both internal measures to determine attainment of program learning objectives as well as external methods such as bar passage rates and alumni surveys. For this reason, this report includes information on bar passage success initiatives as well as the law school's work on program assessment.



## 2. Bar Passage and Academic Success Programs

Support for McKinney alums taking the February 2020 bar exam was consist with years past. Alums had the opportunity to participate in four PASS (Practice and Supplemental Strategy) Programs offering practice, strategies, and feedback on each component of the Indiana bar exam. One-on-one support was offered to repeat and first-time takers alike, with support to repeat takers tailored based upon prior performance on the exam.

With Covid-19 mandating shut-downs and quarantines beginning in March of 2020, jurisdictions began making drastic changes to what their bar exams would look like in Summer of 2020. The majority of states rely upon testing materials provided by the National Conference of Bar Examiners (NCBE). NCBE was slow to announce that it would make online testing materials available. The Indiana Supreme Court made an early decision to move its bar exam to an online format, and to change the structure and scope of the exam by eliminating the exam components provided by the NCBE and instead offering the traditional Indiana Essay Exam with short answer questions drafted by the Indiana Board of Law Examiners covering the areas of law that are traditionally tested on the NCBE's Multistate Bar Exam.

The PASS Program, which is the main source of structured support for our bar takers, had to make quick adjustments because of the change in format as well as the inability to host sessions in person. The four traditional practice sessions were moved to Zoom and adjusted for the change in format. In addition, additional practice essays were sent out each week because the essay portion of the exam was worth significantly more than usual. As with all PASS programming, alums could send their answers to the Director of the Academic and Bar Success Program for review and feedback. To take the place of the debrief that naturally occurred at the end of the in-person sessions, video walk-throughs were prepared for each practice question sent out that covered both the specific questions as well as general tips and strategies for the subject matter.

While the majority of McKinney alums take the Indiana bar exam, there were alums sitting in other jurisdictions which mean supporting students taking a traditional in-person exam in July, a traditional in-person exam at the beginning of September, a traditional in-person exam at the end of September, and a truncated online exam at the beginning of October (with some other variations thrown in). Those alums were given separate PASS Program sessions and support based upon their specific exam.

Bi-weekly Zoom check-ins were scheduled to take the place of the office drop-ins, conversations in the hall, or conversations after practice sessions that naturally occur when most everyone is studying in the same space. These sessions allowed alums to come together and ask questions, vent, commiserate, and generally connect in a way that was otherwise quite difficult last summer. As exam dates got closer, these sessions were tailored to the alums taking the specific upcoming exam.

February 2020 (Comparative)

	Taking (McKinney)	Passing (McKinney)	Passing % (McKinney)	Taking (IN)	Passing % (IN)
<b>1st Time Takers</b>	40	15	37.50%	118	61.86%
<b>Repeat Takers</b>	65	22	33.85%	128	35.94%
<b>Total Takers</b>	105	37	35.24%	246	48.37%

July 2020 (Comparative)

	Taking (McKinney)	Passing (McKinney)	Passing % (McKinney)	Taking (IN)	Passing % (IN)
<b>1st Time Takers</b>	165	141	85.45%	343	86.01%
<b>Repeat Takers</b>	87	60	68.97%	168	61.31%
<b>Total Takers</b>	252	201	79.76%	511	77.89%

### 3. JD Program Assessment: JD Learning Outcomes

#### A. JD Learning Outcomes

As part of the law school's reaccreditation effort five years ago, the faculty adopted a set of eight learning outcomes for the JD program. In 2019, the Assessment Committee has recommended that the law school focus its data collection and assessment efforts on four of the eight outcomes. Those outcomes are most directly related to the law school's academic program and include:

1. Build upon an existing base of legal knowledge to succeed in the graduate's chosen career path.
2. Work with others in a variety of legal contexts, and exercise skills as interviewing clients, counseling clients, serving on attorney teams, preparing witnesses, negotiating with adversaries, engaging in alternative dispute resolution, and persuading judicial and other decision-makers.
3. Exhibit a high degree of competence in legal analysis, reasoning, and writing.
4. Exhibit a high degree of competence in legal research.



## **B. Rubric Development for JD Learning Outcomes**

The Teaching, Assessment, and Evaluation Committee has developed rubrics for each of these primary program objectives. The rubrics for program objectives 1, 3, and 4 were developed over the course of 2018-2019 and include the following rubrics: 1) Legal Knowledge, Reasoning, and Analysis Rubric, attached as Exhibit A; 2) Legal Research Rubric, attached as Exhibit B; and 3) Legal Writing Rubric, attached as Exhibit C.

During Spring and Fall 2020, the committee spent considerable time developing a rubric for assessing program objective 2, which is the Experiential Learning Rubric, attached as Exhibit D. Development of this rubric was time-consuming, given that program objective 2 covers so many differing skills and the committee wanted to create something that could be uniform and understood relatively quickly by externship supervisors who would be assessing student attainment of these skills. Originally called the Skills Rubric, it was changed to the Experiential Learning Rubric and underwent numerous adjustments, many at the recommendation of Professor Cynthia Baker, who served as the Law School's Director of Experiential Learning throughout 2020.

## **C. Implementation of Rubrics**

One of the primary goals of the Teaching, Assessment, and Evaluation Committee at the beginning of 2020 was to work to implement the use of the rubrics (in addition to finishing the Experiential Learning Rubric). Although we had successfully created rubrics for assessing attainment of our primary program objectives, these rubrics were only being used by a handful of professors in a couple of classes. We decided to focus on implementation of the rubrics on a broader basis, with the hope of starting meaningful collection of data. Our goals were (and still are, as we have not yet accomplished this initiative) as follows: First, to have all students assessed on the Legal Knowledge, Reasoning, & Analysis Rubric at two points of their studies—at the completion of the first year, and then again during a required second or third year course. Second, to assess all students on the Legal Research Rubric when taking required Legal Research courses. Third, to assess all students taking an externship to be assessed by their externship supervisors on the Experiential Learning Rubric at least once (and perhaps twice—mid-way and upon completion of their externship). While we initially made major headways in early 2020 on these initiatives, the Covid-19 pandemic undermined implementation of the rubrics during 2020-2021. We are working to again undertake these initiatives during 2021-2022.

### **1. Assessment under the Legal Knowledge Rubric for all First Year Students**

The Teaching, Assessment, & Evaluation Committee worked with the professors who teach the required first year (1L) law courses to see if we could get every student in the entire 1L class evaluated on the Legal Knowledge, Reasoning, and Analysis Rubric. We planned to collect the data for each student. We presented this plan to the entire faculty at the March 2020 faculty

meeting. All except one professor of 1L courses agreed to participate and was willing to evaluate a portion of the 1L class (about 25-30 students for each professor) on the rubric based on that student's final exam in that professor's course. By having each 1L professor evaluate a different portion of the 1L class, we would be able to have each student in the class evaluated on the rubric. Regrettably, due to Covid-19—and the required change of all final exams to an open book, online format—this plan was undermined and was tabled until a future year. The Law School Deans have expressed their support of the committee's plan to undertake this initiative for Spring 2022, so we can begin gathering data. The committee plans ultimately to evaluate every student on the Legal Knowledge, Reasoning, and Analysis Rubric at the end of the first year and again at a later point in the JD program.

The Legal Knowledge, Reasoning, and Analysis Rubric is attached as Exhibit A.

## **2. Assessment under the Legal Research Rubric in required Legal Research Course**

All law students are required to take Legal Research during their 1L year. The 1L Legal Research sections are taught a common curriculum. The learning objectives of that course align with the Legal Research Rubric. Legal Research is taught by the Law School's librarians, who agreed and planned to assess all students' final examinations using the rubric starting in the 2020-2021 academic year. Unfortunately, COVID restrictions made 2020-2021 an outlier and the examinations were not assessed with the rubric. Nevertheless, the librarians intend to begin assessing the Legal Research course under the rubric in Fall 2021 and Spring 2022, and the Advanced Legal Research course in Summer 2022.

The Legal Research Rubric is attached as Exhibit B.

## **3. Assessment under the Experiential Learning Rubric for All Student Externships**

During 2020, the Teaching, Assessment, and Evaluation Committee completed the Experiential Learning Rubric. We worked with Professor Cynthia Baker, who was then the Director of Experiential Learning during 2020-2021, to try to get this rubric implemented as an evaluation tool used in all student externships. Each student extern would then be assessed on this uniform rubric, which would allow our committee to gather data regarding both individual student competencies and also, over time, the merits of specific externship opportunities. Professor Baker recommended converting the paper version of the rubric into an electronic Qualtrics survey that could be emailed to externship supervisors. Our committee is planning on undertaking that step this year. Additionally, while Professor Baker was willing to share the rubric with externship supervisors, she also wanted our committee to host meetings with all teachers of experiential courses in the Law School to encourage the adoption of the rubric for such courses as well as in externships. Because of Covid-19, the rubric was not adopted into the externship program during 2020-2021, but our committee is continuing to work to bring this initiative about.

The Experiential Learning Rubric is attached as Exhibit D.



## 4. Assessment Measures & Findings

### A. 3L Learning Outcomes Survey

In August 2020, the Teaching, Evaluation, and Assessment Committee sent out to recent graduates a “3L Student Satisfaction Survey,” that asked students to self-assess learning outcomes as to legal knowledge and training they received during their three years of schooling and to identify areas where they felt they had insufficient instruction or opportunity for instruction or experience. Although this is indirect data, it is data that indicates from a student viewpoint whether they achieved specific learning outcomes. From a student perspective, this data indicates that students feel competent in their mastery of issue spotting and legal synthesis. However, they are much less confident in their ability to select and recommend specific legal strategies to a client or to make policy-based arguments.

The full results from the survey are attached hereto as Exhibit E.

### B. Online Learning and Teaching Surveys

Given the Covid-19 pandemic, the Teaching, Evaluation, and Assessment Committee recognized a unique opportunity to assess and evaluate online teaching and learning. Nearly all classes during Fall 2020 and Spring 2021 were taught partially or entirely online. Some courses for 2020-21 were fully asynchronous online instruction, some synchronous online instruction, some hybrid instruction (partially in-person and partially online), and some courses were in person with some online components. This movement of instruction from in-person classrooms to online created an opportunity to evaluate the effectiveness of and tools used in online instruction—especially for courses that normally would not be candidates for online instruction in the Law School. Consequently, throughout the Fall 2020 semester, the committee worked on creating two new Qualtrics surveys, which were administered in December 2020 and January 2021 for students and professors, respectively. Both surveys were aimed at assessing student and professor experiences in teaching and learning online. Additionally, both surveys asked students and professors to evaluate various online teaching tools as to their perceived effectiveness in achieving learning objectives of the class. Both surveys inquired whether more formative assessment was being used in online teaching than had been used for in-person instruction (and encouraged professors to incorporate such formative assessments into their classes when they moved back to in-person instruction). Further, both surveys asked about learning outcomes comparatively between online and in-person instruction—specifically, whether from the respondent’s perspective, students had performed as well, the same, or better with online instruction as when taught in person.

Despite our Committee’s best efforts in creating and administering these surveys, the data attained must be considered with the following caveats. Notably, neither students nor professors chose to opt-into online learning/teaching, but were forced by the pandemic to use it. Many of the professors lacked training in online instructional design and/or lacked sufficient

time to build a quality online course in advance of the course going live. Similarly, students who did not want to take online courses were required to do so. Some students had Covid-specific circumstances that interfered with their success in online courses. For example, students were often not able to study away from their homes due to quarantining, social distancing, and the closure of public spaces. A student's home environment (including reliability of internet connection, distractions, etc.) consequently affected ability to succeed. Students with children were more likely to have children at home during the day also engaging in online instruction rather than attending in-person school or daycare because of Covid-19. If there had not been a pandemic, students could have gone to a library or other quiet environment outside their home to properly participate in online instruction.

### **1. Findings from the Student Online Learning Survey Fall 2020**

Response Rate: 196 law students took the survey after completing their Fall 2020 semester. The survey was available to students between the end of finals and New Years. Our committee obtained approval to raffle off twenty Amazon \$25 gift cards to students who completed the survey.

The student online learning survey results are attached hereto as Exhibit F. Some findings of note include the following:

- 77% of student respondents reported that their professors used more formative assessments for online instruction than are used in teaching in-person courses.
- 61% of student respondents reported that they found the increased formative assessments aided their learning.
- 74% of student respondents believed that they performed well in their online courses (4% extremely well, 22% very well, and 48% moderately well).
- 10% of student respondents believed that they performed poorly or "not well at all" in their online courses
- 56% of student respondents reported that they believed they performed worse in online courses than in-person courses.
- 28% of student respondents reported that they believed they performed about the same in online courses as in-person courses.
- 10% of student respondents reported that they believed they performed better in online courses than in-person courses.
- Student respondents identified quizzes as the most effective online formative assessment tool, followed by assignments.
- The main challenges that student respondents reported for success in their online courses were lack of a good online learning environment at home and internet issues.
- The main opportunities that student respondents reported were flexibility in schedule and pace, and the ability to rewatch online lectures multiple times in whole or in part.



## 2. Findings from the Professor Online Teaching Survey Fall 2020

Response Rate: 40 Professors took the survey between the grading deadline and two weeks following that deadline.

Perhaps the most notable findings from the professor survey are the following:

- 50% of professor respondents reported that students performed better on the final in their online courses than students had performed when teaching this same class in person.
- All professors respondents reported that overall, students performed well in the online course (20% said students performed extremely well, 41% said students performed very well, and 39% said students performed moderately well).
- 30% of professor respondents reported that they were able to track individual student performance and understanding of materials better than when they taught this same class in person, and 33% of respondents reported that they were able to track student performance the same as when teaching in person.
- 45% of professor respondents reported that they would incorporate into their future in-person classes the formative assessments that they created for their online courses during the pandemic.

The professor online learning survey results are attached hereto as Exhibit G, although there was an error in the Qualtrics report, which did not allow the following questions to be included in the report, but are reproduced here:

**Question:** From your perspective, overall how do you think your students did in this online course?

- Extremely well 20%
- Very well 41%
- Moderately well 39%
- Slightly well 0%
- Not well at all 0%

**Question:** On the final exam, how well did students perform compared to when you taught this course in-person?

- Online performance better 50%
- Online performance same 39%
- Online performance worse 11%

## 5. Action Taken in Response to Findings

For both of our primary areas of assessment in normal years (bar passage success and JD learning outcomes), the Covid-19 pandemic undermined moving forward with initiatives. Action was taken, but not in response to findings from surveys, assessments, or prior data, but from the necessities of changing bar exams and altered teaching and learning environments and exigencies.

As to the Online Learning and Teaching surveys, we repeated both the student and professor surveys at the end of Spring 2021, and we just finished administering the professor online teaching survey in the latter part of June 2021. We have not yet analyzed the data obtained from the Spring surveys. Nevertheless, with the data from both the Fall 2020 surveys and the Spring 2021 surveys, our committee will be able to help inform the online curriculum development and programming at the Law School. Several trends are notable in the surveys and will certainly lead to action, including that student respondents overwhelmingly appreciated formative assessments throughout the semester (which is not a standard practice for teaching traditional in-person law school doctrinal courses).

## 6. Efforts to Expand Collection of Direct Measures

As discussed above, the Teaching, Assessment, and Evaluation Committee has devoted significant effort to implement the rubrics for our program objectives and thus expand the collection of direct data, including:

1. Assessing all 1L students at the end of their first year under the Legal Knowledge, Reasoning, and Analysis Rubric;
2. Assessing all students taking required legal research courses under the Legal Research Rubric;
3. Assessing all students in externships under the Experiential Learning Rubric.

Unfortunately, the Covid-19 pandemic stifled these efforts to collect assessment data of the learning outcomes specified in our program objectives. However, we intend to pursue these initiatives throughout the upcoming 2021-2022 academic year.

Ultimately, the committee would like to expand the collection of assessment data to include assessing students under the Legal Knowledge, Reasoning, and Analysis Rubric not only in the first year, but again in the second and/or third year—preferably in a required upper level doctrinal course. Further, the committee still needs to determine how to implement the Legal Writing Rubric and assess learning outcomes for our program objective of achieving competence in legal writing.



## Exhibit A

Exam No. \_\_\_\_\_

Shorthand	Competency	Practice-Ready	Proficient	Developing	Deficient
Overarching Issue Spotting	Identifying relevant legal issues raised by clients' legal problems	SELECTS and ANALYZES all relevant legal issues and does not select irrelevant legal issues	SELECTS and ANALYZES most relevant legal issues and rarely selects irrelevant legal issues	SELECTS and ANALYZES some relevant legal issues and some irrelevant legal issues	SELECTS and ANALYZES few relevant legal issues and many irrelevant legal issues
Understanding and Analysis of Law	Identifying relevant legal rules applicable to each issue. Synthesizes multiple authorities into a cohesive rule and understands how statutory, common law, and constitutional law interplay and evolve.	FORMULATES/CONSTRUCTS all relevant legal rules. SYNTHESIZES multiple authorities into a cohesive rule. DEMONSTRATES a thorough understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS most relevant legal rules. SYNTHESIZES most authorities into a cohesive rule. DEMONSTRATES an adequate understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS some relevant legal rules. SYNTHESIZES some authorities into a cohesive rule. DEMONSTRATES a partial understanding of how statutory, common law, and constitutional law interact	SUMMARIZES/IDENTIFIES some relevant legal rule. Either fails to SYNTHESIZE authorities or does so in a manner that is not cohesive. Poorly understands how statutory, common law, and constitutional law interact.
Use of Legally Significant Facts and Recognition of Missing Facts	Identifying legally significant facts applicable to each issue; recognizing and identifying relevant missing facts, including demonstrating an understanding of methods for discovering such facts and dealing with factual gaps where facts are unavailable.	CHOOSES all legally significant facts and no legally irrelevant facts. IDENTIFIES all relevant missing facts and DEMONSTRATES an understanding of how to discover such facts or appropriately deal with factual gaps.	CHOOSES most legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES most relevant missing facts and DEMONSTRATES some understanding of how to discover such facts or appropriately deal with factual gaps.	IDENTIFIES many legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES some relevant missing facts and recognizes the need to discover them.	Fails to DIFFERENTIATE between legally significant and insignificant facts. Fails to identify relevant missing facts and/or assumes missing facts into existence.



COMPETENCIES FOR LEGAL KNOWLEDGE, REASONING, AND ANALYSIS: PROGRAM OBJECTIVE ONE

Shorthand	Competency	Practice-Ready	Proficient	Developing	Deficient	N/A
Specific application of law to factual Scenarios	Applying the relevant legal rules to the legally significant facts and, as necessary, analogizing and distinguishing authorities, and responding to counterarguments.	JUSTIFIES selection of legally significant rules and facts. EVALUATES the strength of opposing viewpoints/arguments. SUPPORTS arguments with persuasive analysis.	Mostly JUSTIFIES selection of legally significant rules and facts. Makes some arguments concerning the strength of opposing viewpoints/arguments. SUPPORTS some arguments with persuasive analysis.	Partially JUSTIFIES selection of legally significant rules and facts. Sometimes makes arguments concerning the strength of opposing viewpoints/arguments. Fails to support arguments with persuasive analysis.	Makes a mostly unsupported statement about the relevant law that is largely devoid of critical analysis.	N/A
Selecting an appropriate Strategy	Drawing and presenting appropriate conclusions based on the facts, taking into account the clients' interests, goals, and objectives.	SELECTS an effective strategy and PRESENTS A CONVINCING OPINION to the client to achieve client's realistic objectives and resources.	SELECTS an appropriate strategy and PRESENTS A GOOD OPINION to the client to achieve client's realistic objectives and resources.	SELECTS a plausible strategy and PRESENTS that recommendation to the client.	RECOMMENDS a course of action to the client that is unrealistic or likely to be ineffective.	N/A

**COURSES:** Doctrinal Courses and any other course focused on legal knowledge, reasoning and analysis.

**Definitions:**

**Practice-Ready:** Could be used in practice as written [only minor edits/changes needed]

**Proficient:** Could be used in practice with some editing by a supervising attorney

**Developing:** Could be used in practice with substantial editing/re-writing

**Deficient:** Could not be used in practice

## Exhibit B



LEGAL RESEARCH RUBRIC: PROGRAM OBJECTIVE THREE

Competency	Practice-Ready	Proficient	Developing	Deficient
Develop legal research questions and appropriate research strategies	DEVELOPS specific legal research questions and strategies that are very likely to identify relevant sources efficiently.	DEVELOPS specific legal research questions and strategies that are somewhat likely to identify relevant sources efficiently.	DEVELOPS vague research questions and strategies that may lead to relevant sources.	Fails to DEVELOP research questions or research strategies are likely to be fruitless or misleading.
Identify appropriate primary and secondary sources for a legal research question.	SELECTS appropriate primary and secondary sources.	Mostly SELECTS appropriate primary and secondary sources.	Sometimes confuses primary and secondary sources, or sometimes fails to SELECT appropriate sources.	Confuses primary and secondary sources, and fails to SELECT appropriate sources.
Use search tools and finding aids to find materials relevant to legal research question.	UTILIZES search tools and finding aids to effectively and efficiently find relevant materials.	Mostly UTILIZES search tools and finding aids to effectively and efficiently find relevant materials.	Sometimes UTILIZES search tools and finding aids to effectively find relevant materials.	Fails to UTILIZE search tools and finding aids to find relevant materials.
Considering jurisdiction and weight of authority, selects relevant and appropriate sources	SELECTS relevant and appropriate sources, and ANALYZES differences in jurisdiction and weight of authority.	Mostly SELECTS relevant and appropriate sources, and ANALYZES differences in jurisdiction and weight of authority.	Sometimes SELECTS relevant and appropriate sources, but fails to ANALYZE articulates differences in jurisdiction and weight of authority.	Fails to SELECT appropriate or relevant sources, or correctly ANALYZE differences in jurisdiction and weight of authority.
Evaluate a source's validity, currentness, and authority	Correctly EVALUATES a source's validity, currentness, and authority.	Mostly correctly EVALUATES a source's validity, currentness, and authority.	Sometimes correctly EVALUATES a source's validity, currentness, and authority.	Fails to EVALUATE or incorrectly EVALUATES a source's validity, currentness, or authority.
Comments				

COURSES:

Baseline	Advanced	Capstone
1L legal research		Advanced writing requirement

## Exhibit C



## Competencies for Legal Writing

Competency	Practice-Ready	Proficient	Developing	Deficient
<b>Overarching Issue Spotting</b>	SELECTS and ANALYZES all relevant legal issues and does not select irrelevant legal issues.	SELECTS and ANALYZES most relevant legal issues and rarely selects irrelevant legal issues.	SELECTS and ANALYZES some relevant legal issues and some irrelevant legal issues.	SELECTS and ANALYZES few relevant legal issues and many irrelevant legal issues.
<b>Demonstrates Proper Use of Authority</b>	SELECTS AND UTILIZES all sources wisely and appropriately. Properly ATTRIBUTES all ideas to correct sources.	SELECTS AND UTILIZES most sources wisely and appropriately. Properly ATTRIBUTES most ideas to correct sources.	SELECTS AND UTILIZES some sources wisely and appropriately. Properly ATTRIBUTES some ideas to correct sources.	Fails to UTILIZE sources wisely and appropriately. FAILS to properly ATTRIBUTE ideas to correct sources.
<b>Demonstrates Effective Organization</b>	PRESENTS all ideas and supporting information in logical order. Always UTILIZES an appropriate paradigm and without unnecessary repetition.	PRESENTS most ideas and supporting information in logical order. Mostly UTILIZES an appropriate paradigm and without unnecessary repetition.	PRESENTS some ideas and supporting information in logical order. Somewhat UTILIZES an appropriate paradigm and without unnecessary repetition.	PRESENTS few ideas and supporting information in logical order. Fails to UTILIZE an appropriate paradigm or does so with unnecessary repetition.
<b>Understanding and Analysis of Law</b>	FORMULATES/CONSTRUCT S all relevant legal rules. SYNTHESIZES multiple authorities into a cohesive rule. DEMONSTRATES a thorough understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS most relevant legal rules. SYNTHESIZES most authorities in to a cohesive rule. DEMONSTRATES an adequate understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS some relevant legal rules. SYNTHESIZES some authorities into a cohesive rule. DEMONSTRATES a partial understanding of how statutory, common law, and constitutional law interact.	SUMMARIZES/IDENTIFIES some relevant legal rules. Either fails to SYNTHESIZE authorities or does so in a manner that is not cohesive. Poorly understands how statutory, common law, and constitutional law interact.
<b>Use of Legally Significant Facts and Recognition of Missing Facts</b>	CHOOSES all legally significant facts and no legally irrelevant facts. IDENTIFIES all relevant missing facts and DEMONSTRATES an understanding of how to discover such facts or appropriately deal with factual gaps.	CHOOSES most legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES most relevant missing facts and DEMONSTRATES some understanding of how to discover such facts or appropriately deal with factual gaps.	IDENTIFIES many legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES some relevant missing facts and recognizes the need to discover them.	Fails to DIFFERENTIATE between legally significant and insignificant facts. Fails to identify relevant missing facts and/or assumes missing facts into existence.

## Competencies for Legal Writing

<p><b>Specific Application of Law to Factual Scenarios</b></p>	<p>JUSTIFIES selection of legally significant rules and facts. EVALUATES the strength of opposing viewpoints/arguments. SUPPORTS arguments with persuasive analysis.</p>	<p>Mostly JUSTIFIES selection of legally significant rules and facts. Makes some arguments concerning the strength of opposing viewpoints/arguments. SUPPORTS some arguments with persuasive analysis.</p>	<p>Partially JUSTIFIES selection of legally significant rules and facts. Sometimes makes arguments concerning the strength of opposing viewpoints/arguments. Fails to support arguments with persuasive analysis.</p>	<p>Makes a mostly unsupported statement about the relevant law that is largely devoid of critical analysis.</p>
<p><b>Legal Analysis: Policy</b></p>	<p>Always USES policy arguments where applicable.</p>	<p>Sometimes USES policy arguments when applicable.</p>	<p>Rarely USES applicable policy arguments.</p>	<p>Does not MAKE policy arguments.</p>
<p><b>Demonstrates Appropriate Tone</b></p>	<p>Always ADAPTS tone and detail to audience, purpose, and context.</p>	<p>Often ADAPTS tone and detail to audience, purpose, and context.</p>	<p>Sometimes ADAPTS tone and detail to audience, purpose, and context.</p>	<p>Rarely ADAPTS tone and detail to audience, purpose, and context.</p>
<p><b>Demonstrates Appropriate Style</b></p>	<p>Always EMPLOYS clear and precise communication tools. Always DEMONSTRATES attention to detail. Always UTILIZES proper citation, language, grammar, punctuation, and/or style convention.</p>	<p>Often EMPLOYS clear and precise communication tools. Often DEMONSTRATES attention to detail. Often UTILIZES proper citation, language, grammar, punctuation, and/or style conventions.</p>	<p>Sometimes EMPLOYS clear and precise communication tools. Often DEMONSTRATES attention to detail. Often UTILIZES proper citation, language, grammar, punctuation, and/or style conventions.</p>	<p>Rarely EMPLOYS clear and precise communication tools. Rarely DEMONSTRATES attention to detail. Rarely UTILIZES proper citation, language, grammar, punctuation, and/or style conventions.</p>
<p><b>Demonstrates Compliance with Formal Requirements</b></p>	<p>Always MEETS deadlines. Always FOLLOWS provided instructions. Always OBSERVES applicable rules. Always INCLUDES all relevant components.</p>	<p>Consistently MEETS deadlines. Consistently FOLLOWS provided instructions. Consistently OBSERVES applicable rules. Consistently INCLUDES all relevant components.</p>	<p>Often MEETS deadlines. Often FOLLOWS provided instructions. Often OBSERVES applicable rules. Often INCLUDES all relevant components.</p>	<p>MISSES deadlines. Rarely FOLLOWS provided instructions. Rarely OBSERVES applicable rules. Rarely INCLUDES all relevant components.</p>



## **Competencies for Legal Writing**

**COURSES:** 1L Legal Communication and Analysis, Contract Drafting, Clinics

**Definitions:**

**Practice-Ready:** Could be used in practice as written [only minor edits/changes needed]

**Proficient:** Could be used in practice with some editing by a supervising attorney

**Developing:** Could be used in practice with substantial editing/re-writing

**Deficient:** Could not be used in practice

## Exhibit D

## Experiential Learning Rubric

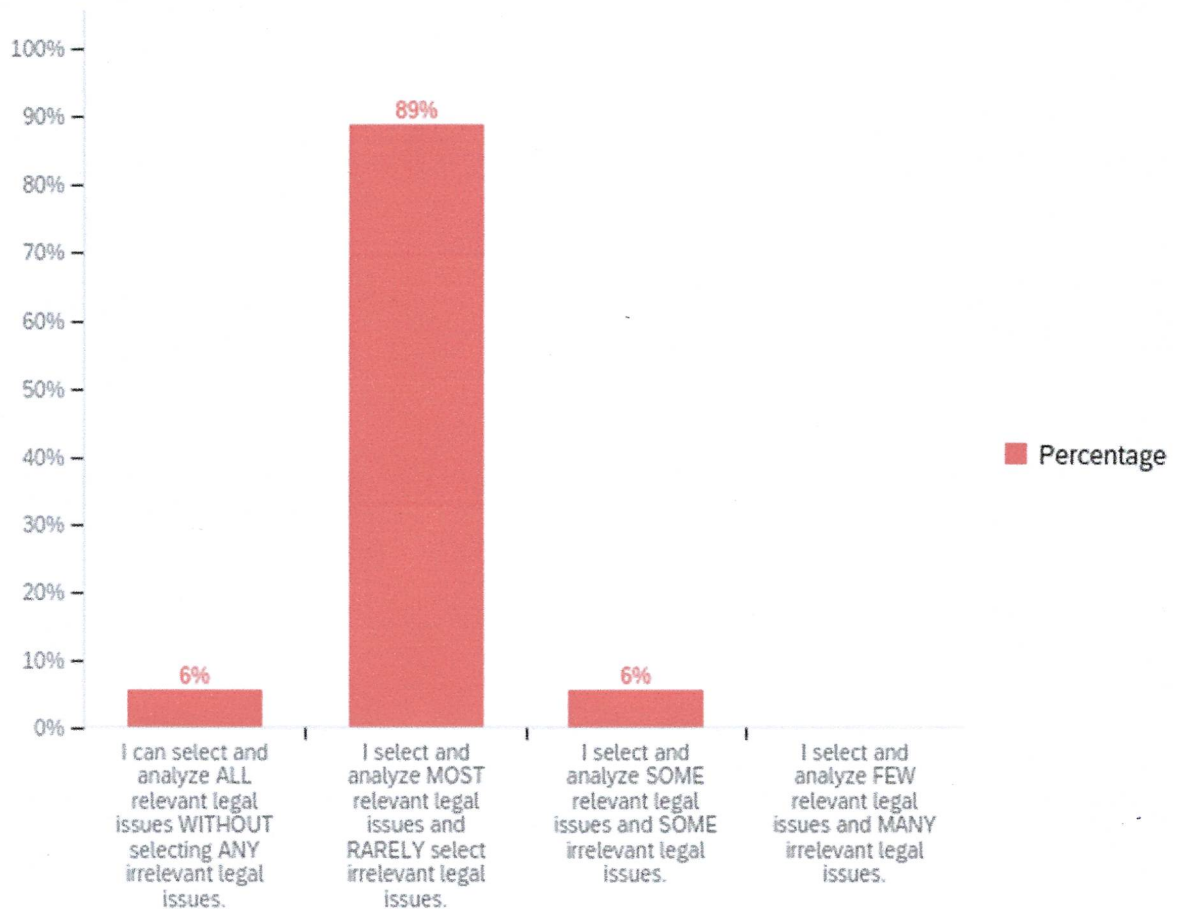
Basic Legal Skills	Level 1: Needs considerable development of this competency	Level 2: Needs substantial direction from faculty member or supervising attorney	Level 3: Needs some direction from faculty member or supervising attorney	Level 4: Needs minimal or no direction	N/A
<p><b>Legal Knowledge, Analysis, and Reasoning:</b> <i>Identifies relevant legal issues; synthesizes multiple authorities; identifies legally significant facts and applies law thereto, analogizing to and distinguishing authorities.</i></p>	<p><b>RARELY</b> demonstrates appropriate legal knowledge, analysis, and reasoning.</p>	<p><b>SOMETIMES</b> demonstrates appropriate legal knowledge, analysis, and reasoning.</p>	<p><b>OFTEN</b> demonstrates appropriate legal knowledge, analysis, and reasoning.</p>	<p><b>CONSISTENTLY</b> demonstrates appropriate legal knowledge, analysis, and reasoning.</p>	<p>N/A</p>
<p><b>Legal Research:</b> <i>Uses research tools effectively and efficiently to find relevant materials and evaluates a source's relevance, validity, currentness, and authority.</i></p>	<p><b>RARELY</b> uses research tools effectively to find necessary legal authority.</p>	<p><b>SOMETIMES</b> uses research tools effectively to find necessary legal authority.</p>	<p><b>OFTEN</b> uses research tools effectively to find necessary legal authority.</p>	<p><b>CONSISTENTLY</b> uses research tools effectively to find necessary legal authority.</p>	<p>N/A</p>
<p><b>Legal Writing:</b> <i>Writes clearly and persuasively, relying on relevant law and fact; follows provided instructions; understands and observes applicable rules, formats, and conventions; includes all relevant components; employs appropriate tone.</i></p>	<p><b>RARELY</b> writes clearly, persuasively, and in compliance with instructions, rules, and/or convention.</p>	<p><b>SOMETIMES</b> writes clearly, persuasively, and in compliance with instructions, rules, and/or convention.</p>	<p><b>OFTEN</b> writes clearly, persuasively, and in compliance with instructions, rules, and/or convention.</p>	<p><b>CONSISTENTLY</b> writes clearly, persuasively, and in compliance with instructions, rules, and/or convention.</p>	<p>N/A</p>
<p><b>Ethical Knowledge and Behavior:</b> <i>Understands and able to fulfill core fiduciary duties to clients and ethical responsibilities; identifies and analyzes ethical issues and informs supervisor of such.</i></p>	<p><b>RARELY</b> demonstrates ethical knowledge and behavior.</p>	<p><b>SOMETIMES</b> demonstrates ethical knowledge and behavior.</p>	<p><b>OFTEN</b> demonstrates ethical knowledge and behavior.</p>	<p><b>CONSISTENTLY</b> demonstrates ethical knowledge and behavior.</p>	<p>N/A</p>
<p><b>Problem Solving:</b> <i>Accurately assesses client and/or legal problem; identifies alternative solution strategies; develops and implements workable plan of action and assesses and revises plan as needed.</i></p>	<p><b>RARELY</b> exhibits effective problem solving.</p>	<p><b>SOMETIMES</b> exhibits effective problem solving.</p>	<p><b>OFTEN</b> exhibits effective problem solving.</p>	<p><b>CONSISTENTLY</b> exhibits effective problem solving.</p>	<p>N/A</p>
<p><b>Professional Communication:</b> <i>Interacts effectively and respectfully when speaking, listening, and/or writing to lawyers, clients, staff, adversaries, judges, and others.</i></p>	<p><b>RARELY</b> interacts with others in a professional manner.</p>	<p><b>SOMETIMES</b> interacts with others in a professional manner.</p>	<p><b>OFTEN</b> interacts with others in a professional manner.</p>	<p><b>CONSISTENTLY</b> interacts with others in a professional manner.</p>	<p>N/A</p>



Basic Legal Skills	Level 1: Needs considerable development of this competency	Level 2: Needs substantial direction from faculty member or supervising attorney	Level 3: Needs some direction from faculty member or supervising attorney	Level 4: Needs minimal or no direction	N/A
<b>Active Listening:</b> Listens and responds appropriately during group and individual exchanges by articulating thoughtful responses to questions and discussions.	<b>RARELY</b> employs active listening.	<b>SOMETIMES</b> employs active listening.	<b>OFTEN</b> employs active listening.	<b>CONSISTENTLY</b> employs active listening.	N/A
<b>Time Management:</b> Meets deadlines; keeps regular and dependable hours; is punctual; implements and communicates clear and efficient timelines.	<b>RARELY</b> exhibits ability to manage time.	<b>SOMETIMES</b> exhibits ability to manage time.	<b>OFTEN</b> exhibits ability to manage time.	<b>CONSISTENTLY</b> exhibits ability to manage time.	N/A
<b>Teamwork:</b> Keeps team members informed; listens to others ideas; contributes ideas; accepts feedback; demonstrates self-motivation; substantially contributes to the final work product.	<b>RARELY</b> contributes to team.	<b>SOMETIMES</b> contributes to team.	<b>OFTEN</b> contributes to team.	<b>CONSISTENTLY</b> contributes to team.	N/A
<b>Fact Investigation:</b> Evaluates known facts and applies law to develop legal strategy; effectively obtains, records, and organizes discovery; reassesses strategy and conclusions based on investigation.	<b>RARELY</b> able to perform effective fact investigation.	<b>SOMETIMES</b> performs effective fact investigation.	<b>OFTEN</b> performs effective fact investigation.	<b>CONSISTENTLY</b> performs effective fact investigation.	N/A
<b>Negotiation:</b> Effectively assesses strengths and weaknesses of case; able to leverage strengths to effectively advance client's interests; understands and utilizes various negotiation strategies.	<b>RARELY</b> able to engage in effective negotiation.	<b>SOMETIMES</b> engages in effective negotiation.	<b>OFTEN</b> engages in effective negotiation.	<b>CONSISTENTLY</b> engages in effective negotiation.	N/A

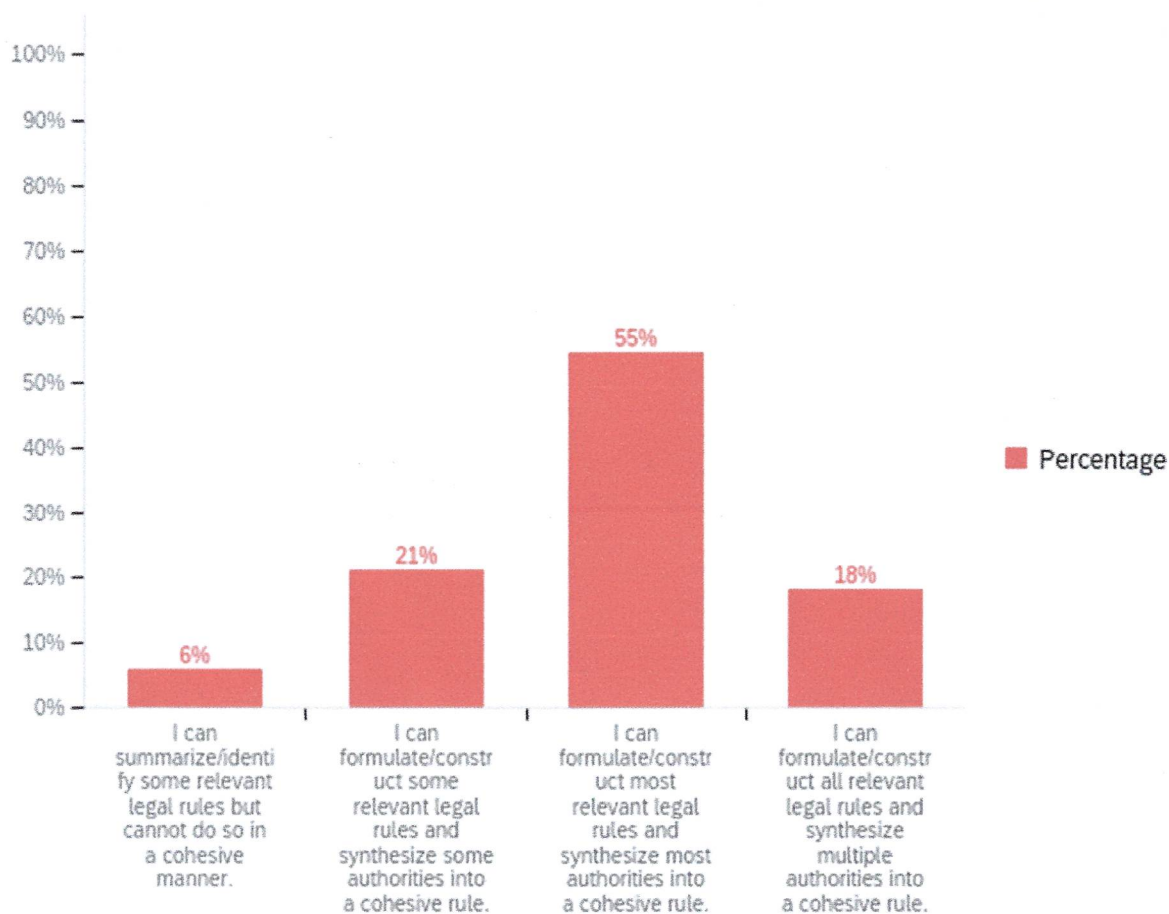
## Exhibit E

One of the goals of the JD program is to improve students' ability to identify relevant legal issues in a factual scenario. Thinking across the courses, clinics, and externships you completed during law school, which of the following statements BEST describes your proficiency level with respect to "issue spotting?"

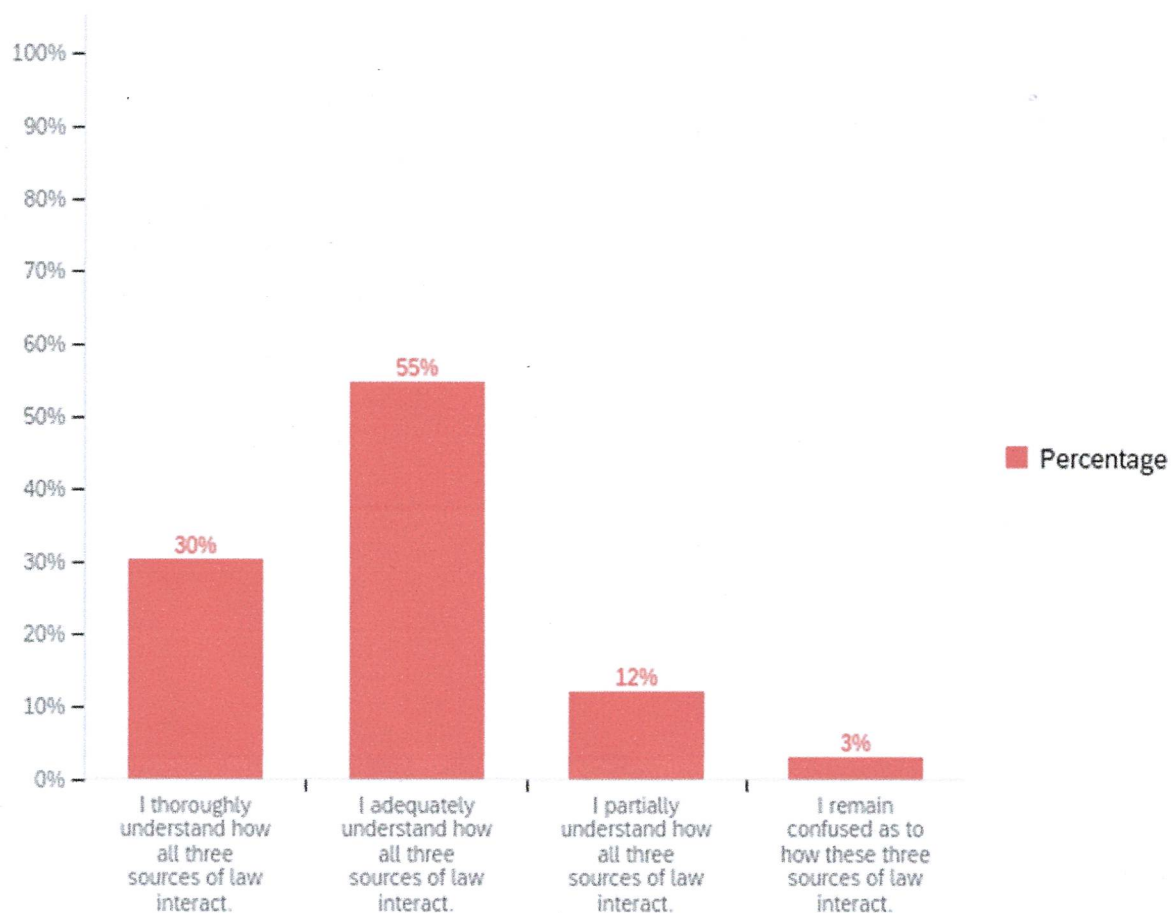




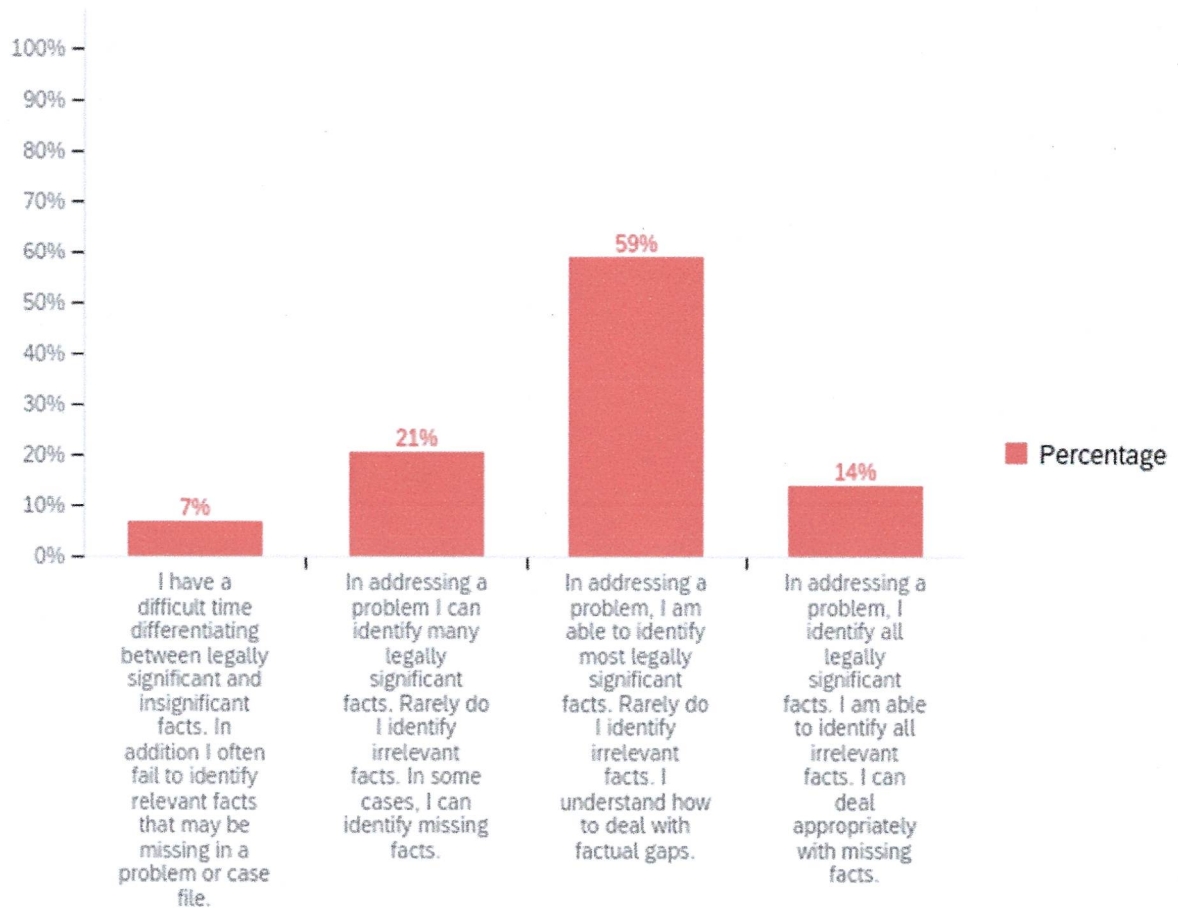
Another goal of the JD program is to train students to identify relevant legal rules raised by an issue and to be able to synthesize multiple authorities of law into a cohesive rule. Which of the following statements BEST describes your ability to understand and analyze law?



Thinking back on all of your coursework at IU McKinney, how would you rate your ability to understand how statutory, common law, and constitutional law interact?

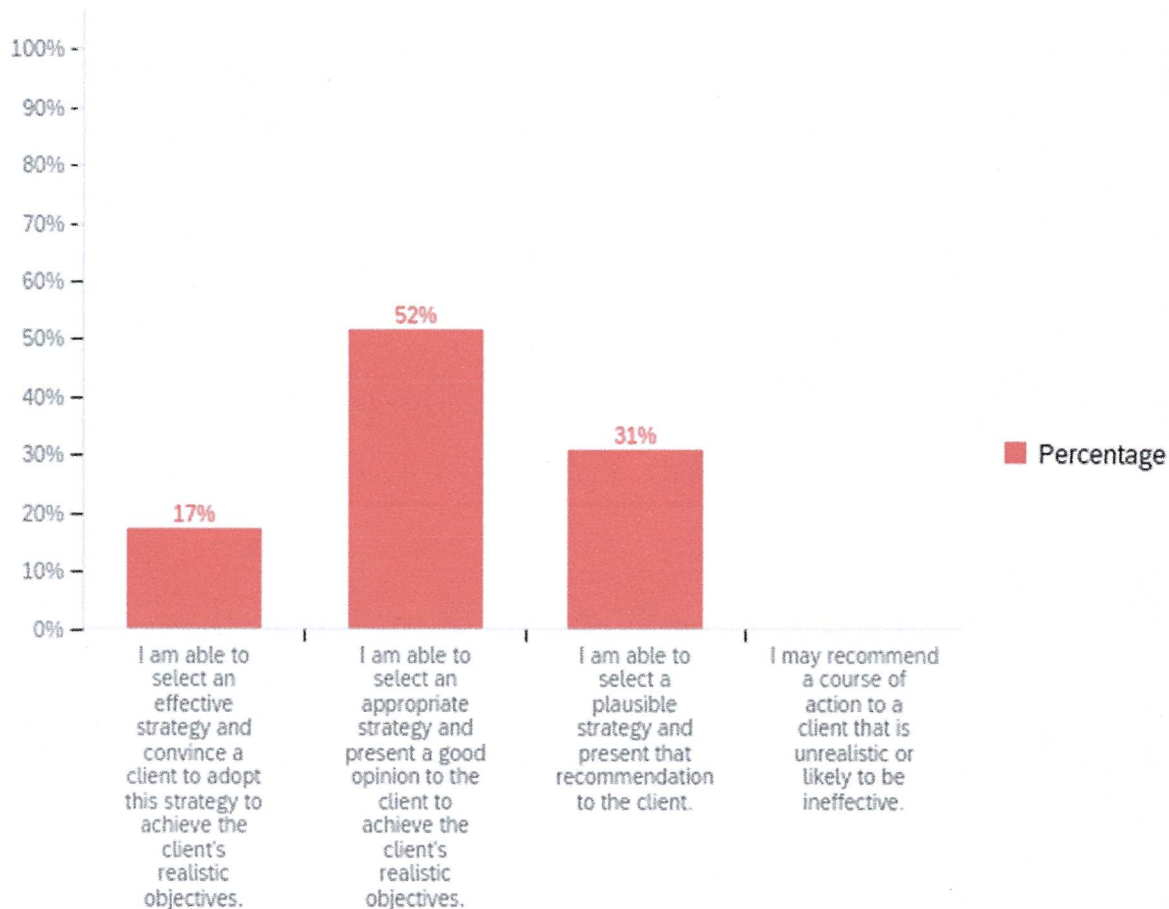


A key lawyering skill is the ability to work with the facts of a specific case. This involves identifying which facts are legally significant, identifying what facts may be missing, and knowing how to handle factual gaps in a case. Which of the following statements best describes your ability with respect to working with facts?

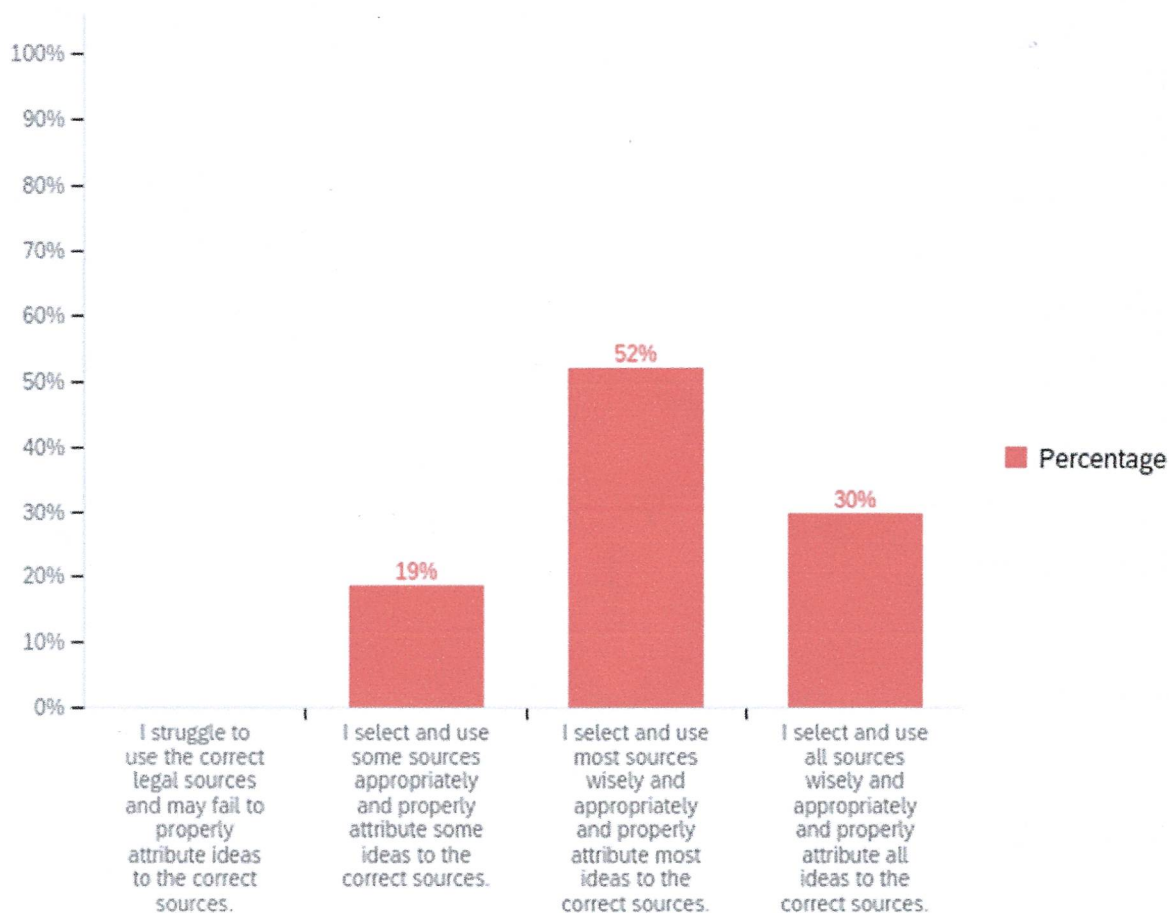




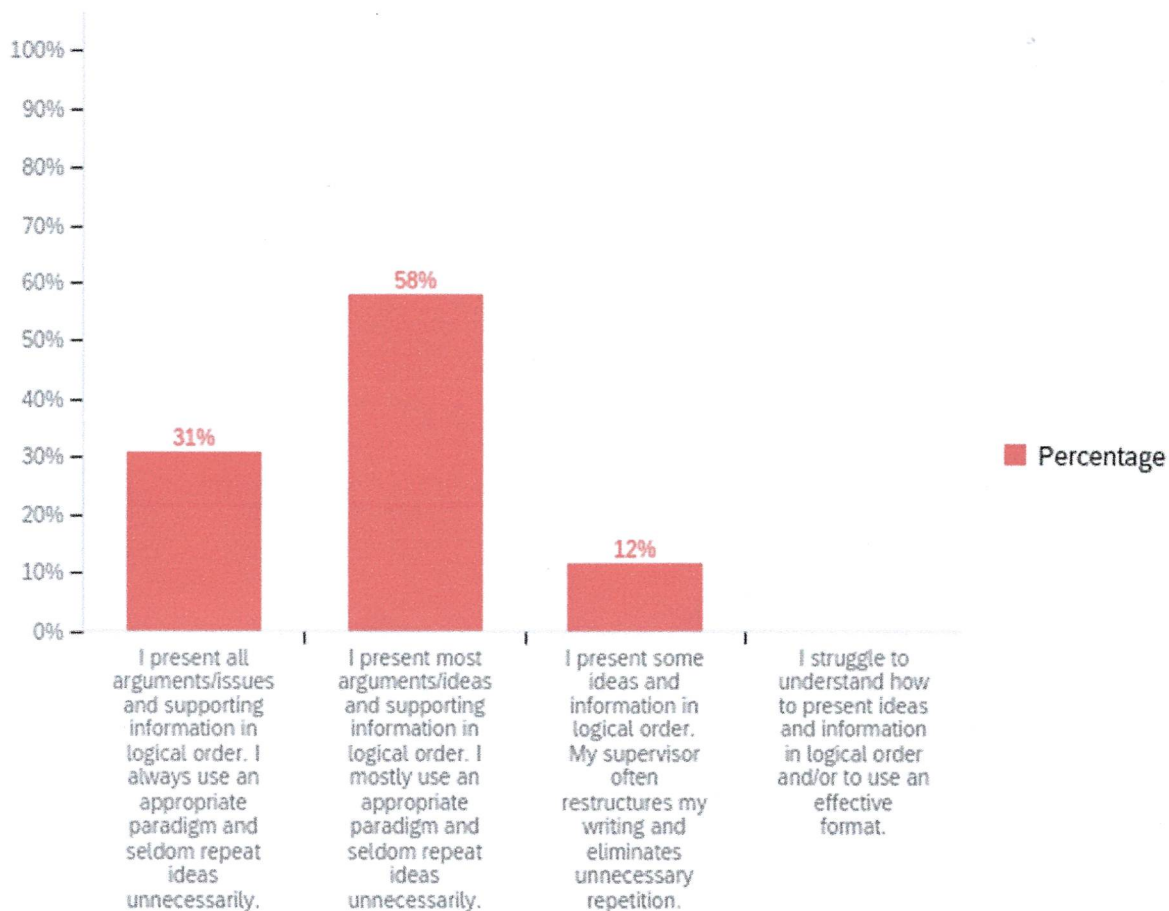
A key role that an attorney plays in representing a client is to the ability to select an appropriate strategy to use toward achieving the client's goals. Based on your coursework at IU McKinney as well as any clinic, externship, or work experiences you may had during your law school tenure, how would you rate your skill in selecting an appropriate client study?



A key legal writing skill is the ability to select and use the proper legal authority. Which of the following phrases best describes your current ability to find and use legal authorities?

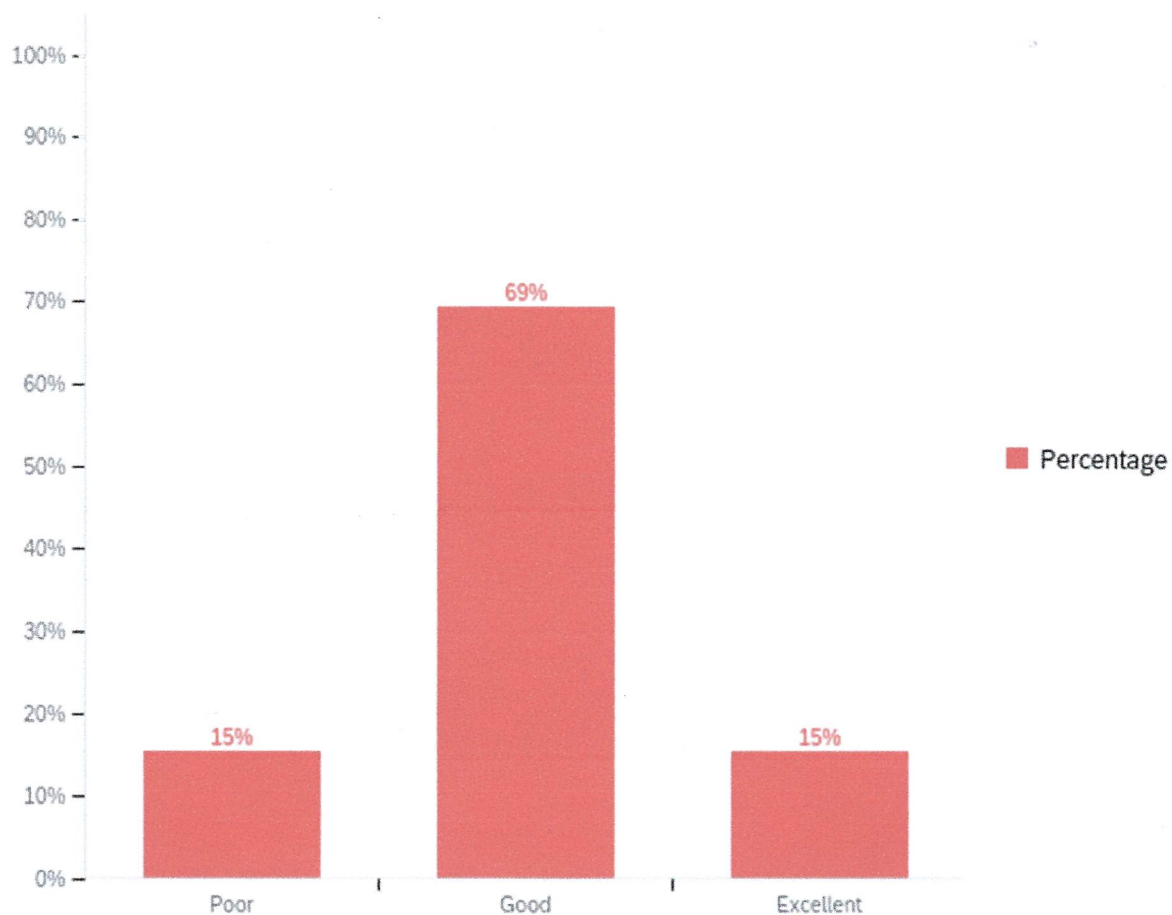


One of the challenges in writing briefs, memos, and motions is figuring out the most effective way to organize your writing. Where would you rate your ability to organize your legal writing at the end of your law school career?

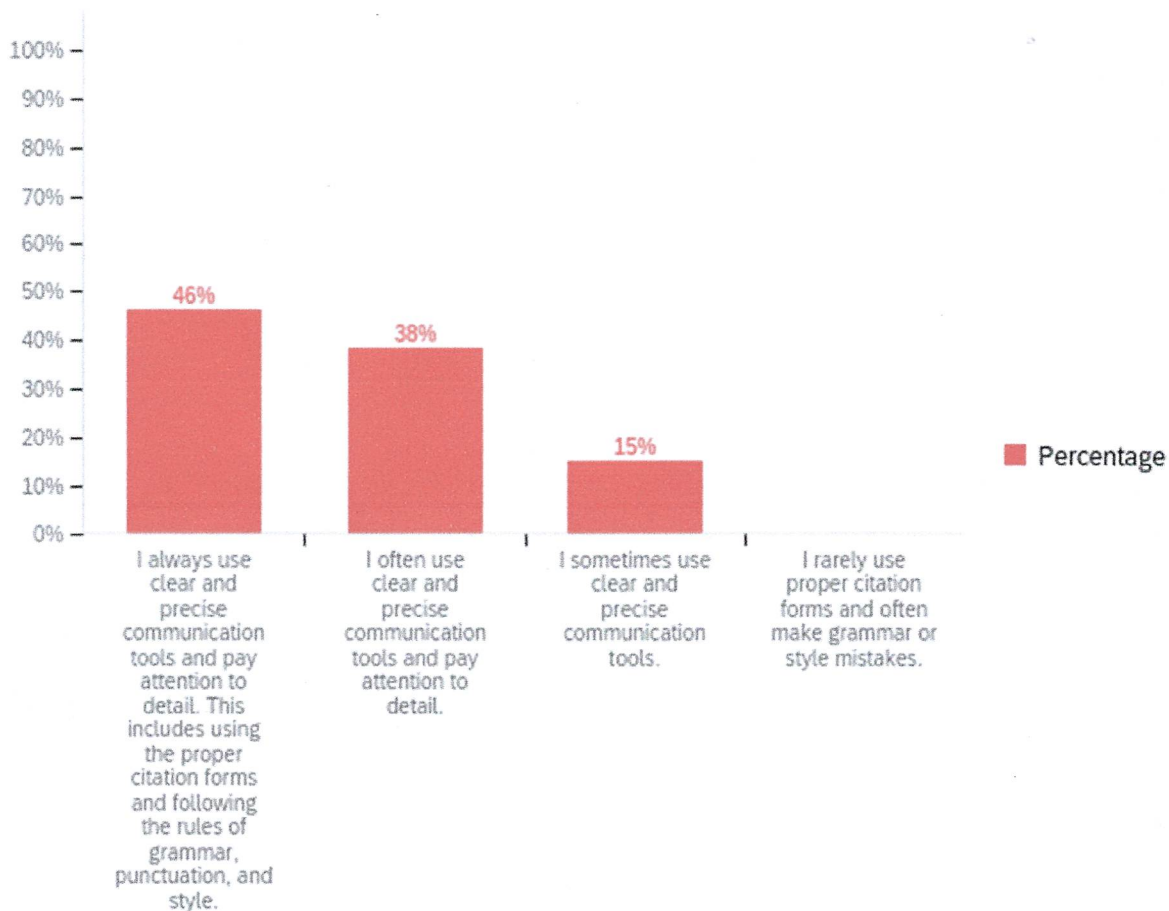




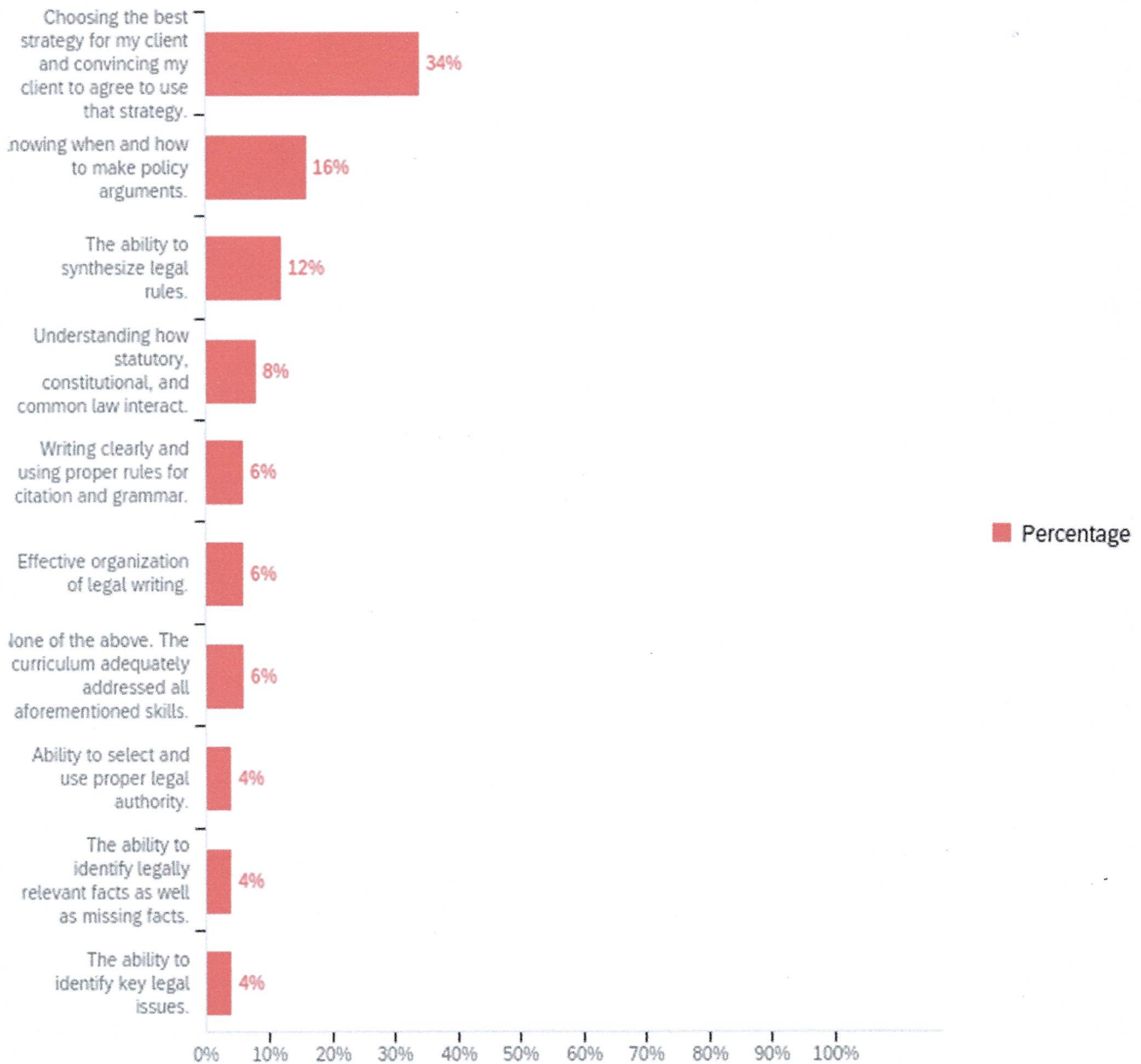
In some cases, it is appropriate to make a policy argument in an attempt to sway the court. How would you rate your ability to determine when and how to raise a policy argument?



One key to writing effectively is to use clear and precise communication tools and to follow proper rules for citation and grammar. Which of the following statements best describes your current legal writing ability?



Consider the legal education you received at IU McKinney. Which of the skills mentioned in this survey do you feel that the curriculum DID NOT adequately address? (select all that apply)





## Exhibit F

# Comparative In-Person/Online Survey for Students

April 23rd 2021, 11:33 am EDT

## Classes respondents took online.

Answer	Count
Accounting for Law Students	1
Administrative Law	11
Appellate Clinic	1
Appellate Practice	1
Art and Museum Law	1
Bar Exam Sub., Strategies, & Tactics	6
Bioethics and Law	1
Child Advocacy Law Clinic	2
Civil Practice Clinic	2
Civil Procedure I	50
Civil Rights	9
Closely Held Business Orgs.	21
Comparative Law	7
Conflict of Laws	2
Constitutional Law	8
Consumer Law	3
Contract Drafting	8
Contract Drafting for LLM Students	1
Contract and Sales I	51
Contract Law for LLM Students	1
Corporate Compliance Overview	2
Criminal Procedure: Adjudication	7
Criminal Procedure: Advocacy Skills	4

Criminal Procedure: Investigation	21
Criminal Sentencing	4
Data Security and Privacy Law	1
Employment Law	13
Environmental Justice	8
ERISA: Retirement Plans	1
Evidence	16
Family Law	6
Federal Courts	5
First Amendment	13
Health, Housing, & the Law	7
Health and Human Rights	11
Immigration Clinic	2
Income Taxation of Corporations	2
Income Taxation of Individuals	14
Indiana Constitutional Law	5
In-House Counsel Seminar	2
Insurance Law	1
Intellectual Property Law	3
International Business Transactions	5
International Law	1
International Trade Law	2
Interviewing and Counseling	2
Intro. to the American Legal System	1
Intro. to Healthcare Law & Policy	7
Law of Medical Malpractice	4
Law of Nonprofit Organizations	4
Law and Public Health	3
Law Practice Management	4
LCA I	50

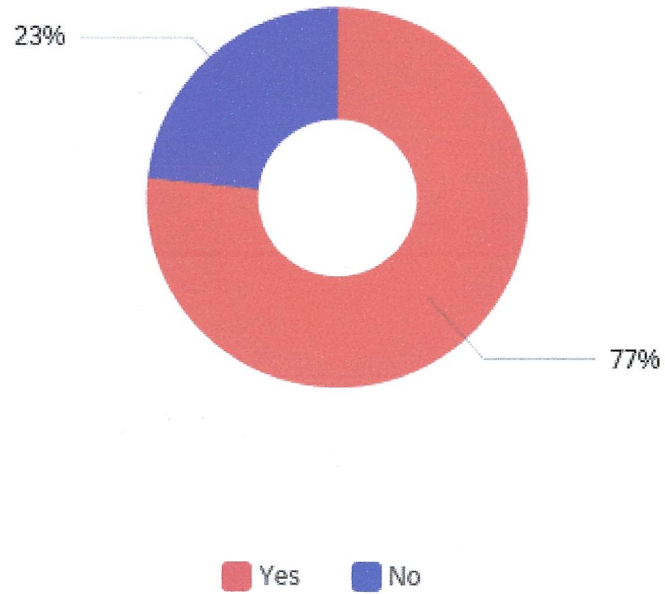


Legal Analysis	1
Legal Research	47
Legal Research for LLM Students	1
Litigation Drafting	3
LLM Legal Writing and Analysis	1
Mediation	7
Mediation Practice	2
Mergers and Acquisitions	3
Negotiations	1
Neuroscience and the Law	8
Oil and Gas Law	3
Patent Prosecution	1
Prison Law	6
Professional Responsibility	13
Property	56
Publicly Traded Corporations	2
Secured Transactions	22
Seminar in American Leg. History	3
Seminar in Health Law Policy & Bioethics	1
Sexual Harassment	3
State and Local Government Law	2
Torts	41
Torts Law for LLM Students	1
Trademark Law	2
Trial Practice	7
Trusts and Estates	21
Wrongful Conviction Clinic	1
Total	677

Please select which of the following online tools were used in your your Fall 2020 class. Then consider how effective you think the online learning tool was, and select the response that most closely matches.

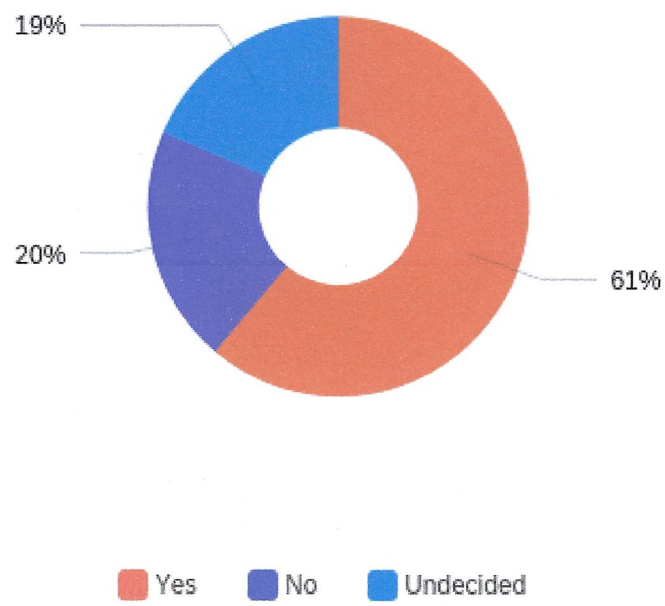
Question	Did not use or N/A	Extremely effective	Very effective	Moderately effective	Slightly effective	Not effective at all
Zoom synchronous meetings	11%	11%	22%	35%	18%	4%
Break-out rooms in Zoom	43%	7%	8%	18%	12%	12%
Polling in Zoom	56%	10%	13%	11%	7%	4%
Whiteboard in Zoom	80%	6%	4%	3%	4%	4%
I was allowed to choose whether to have my camera on or off	31%	15%	17%	19%	13%	4%
Canvas discussion questions	17%	9%	23%	20%	22%	9%
Canvas quizzes	8%	24%	35%	23%	8%	3%
Canvas assignments	8%	18%	33%	23%	9%	8%
Pre-recorded lecture videos	11%	27%	25%	18%	11%	8%
Kaltura video quiz	68%	6%	2%	6%	8%	9%
Camera was required to be on	44%	8%	12%	20%	8%	7%
Attendance checkers (Top Hot, Roll Call in Canvas, Zoom usage reports)	71%	4%	8%	6%	3%	8%
Quick check in Canvas	68%	5%	11%	6%	8%	2%

**Did your professor(s) use more formative assessments in your Fall 2020 online courses than you typically see in an in-person course?**

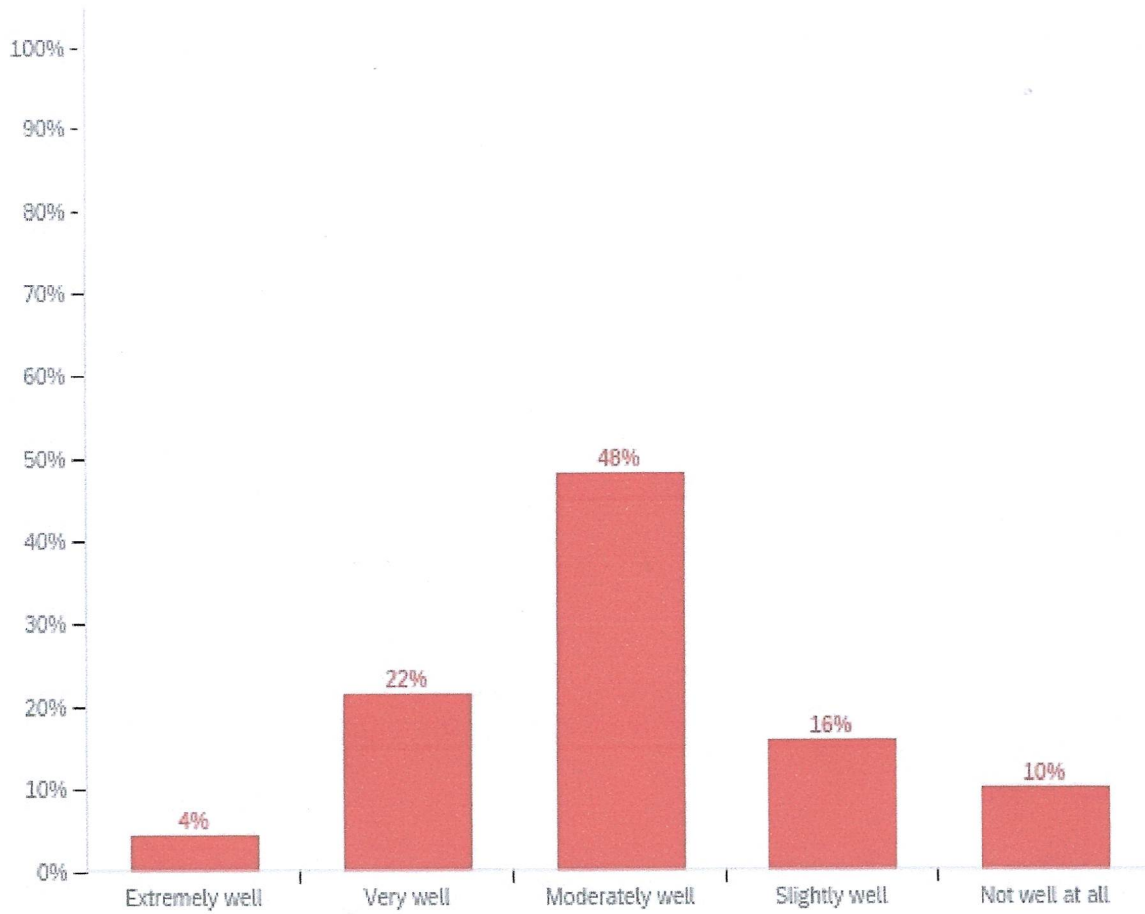




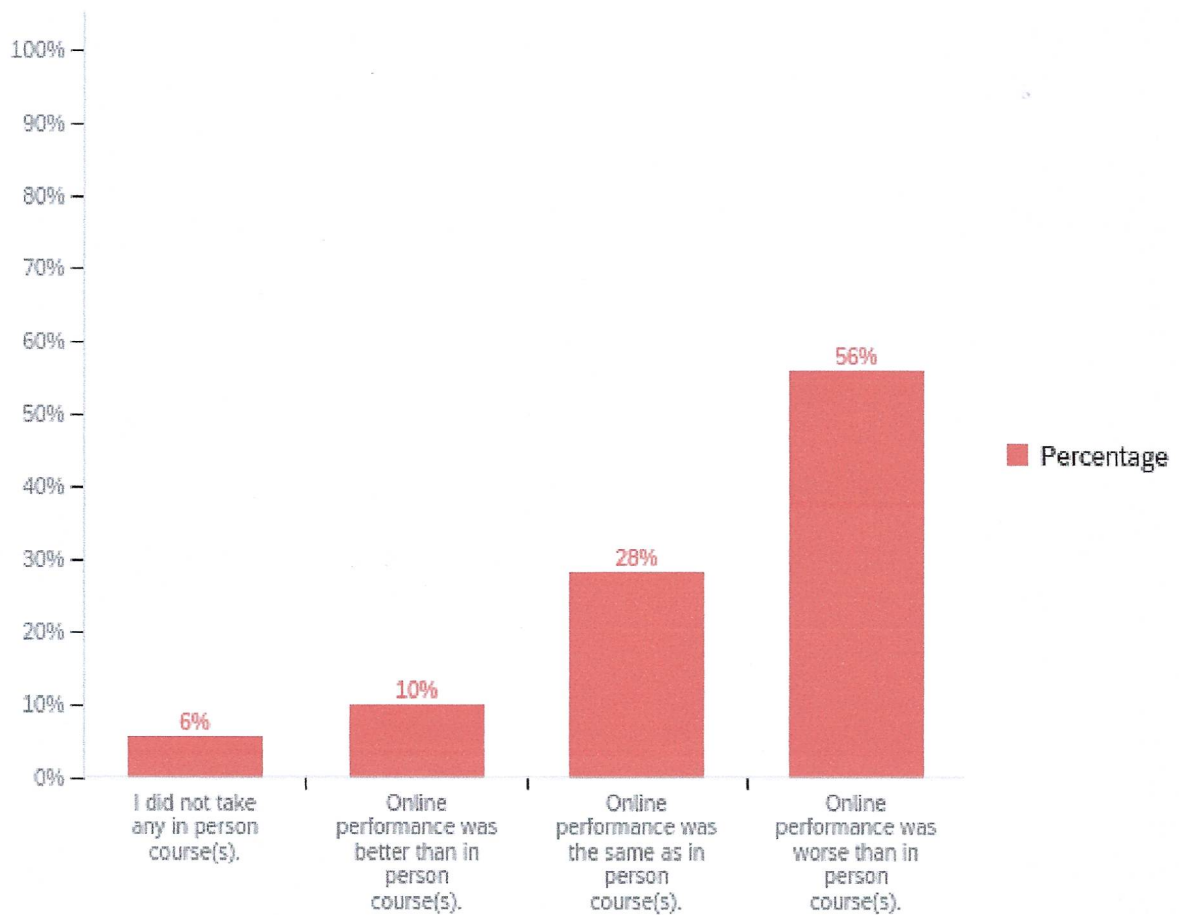
Do you feel that these additional formative assessment aided in your learning?



**From your perspective, overall, how well do you believe you performed in your Fall 2020 online courses?**

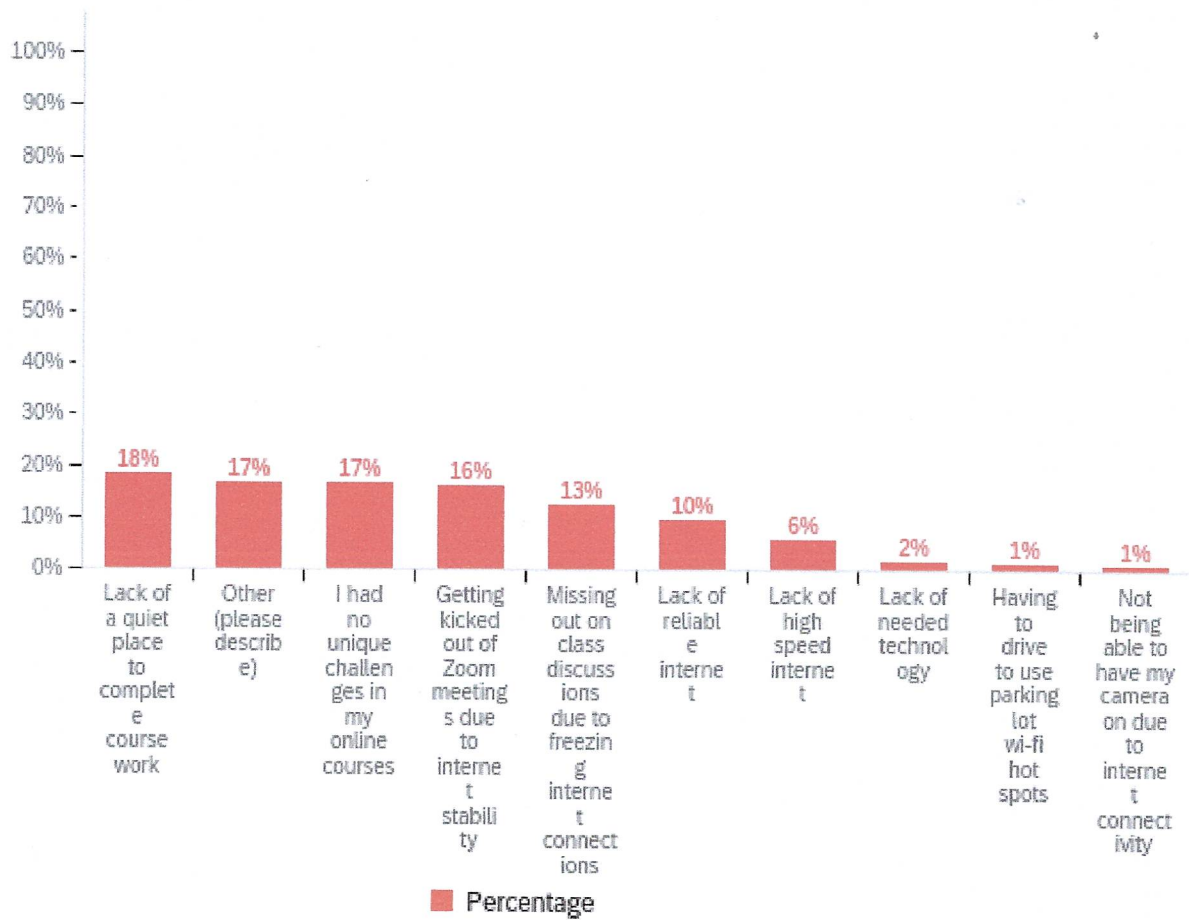


**Overall, do you believe you performed better or worse in your online courses than in person courses for Fall 2020?**

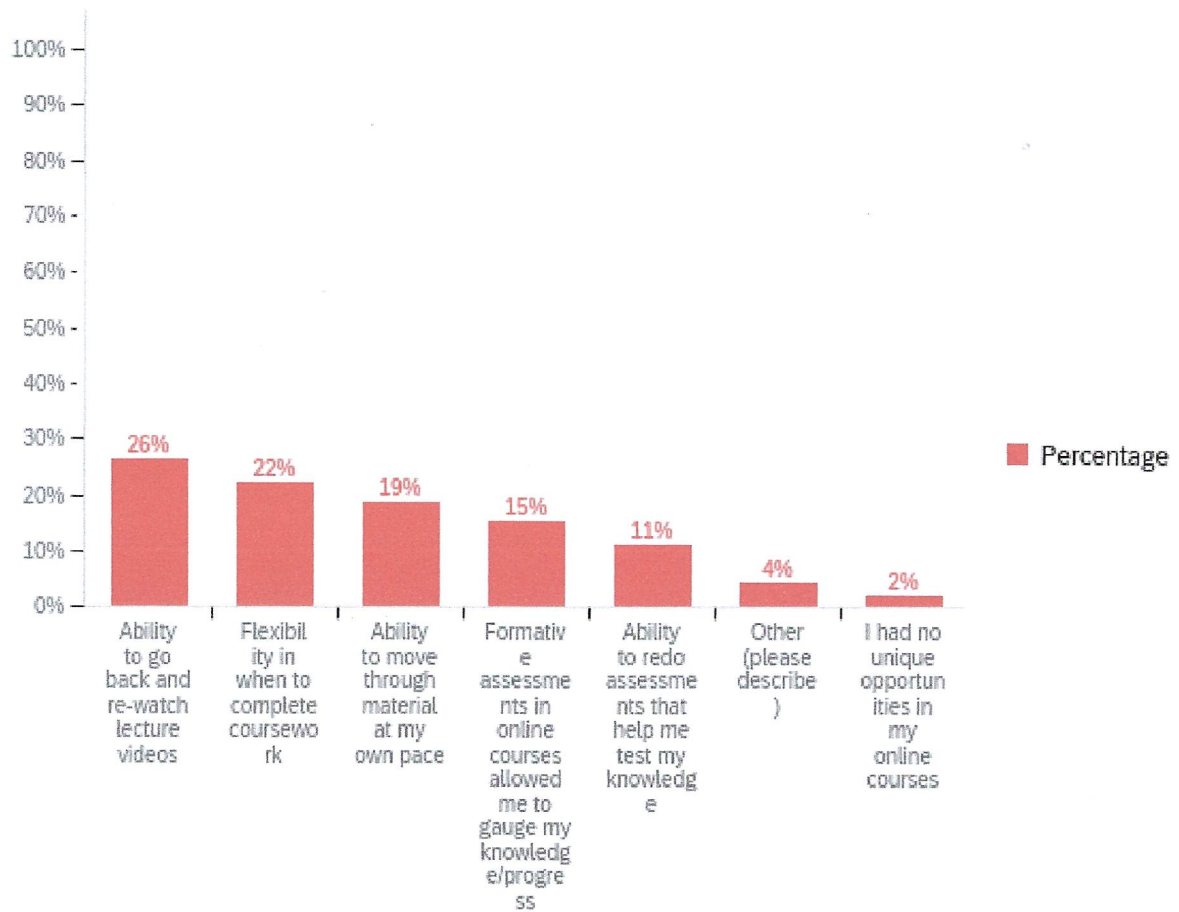




## What unique challenges do online courses present for you?



## What unique opportunities do online courses present for you?



## **What unique challenges do online courses present for you?**

Quality of instruction was subpar compared to in person, motivation to be involved and engaged was much less, time management was an issue as well especially with asynchronous courses

Not having the in-person experience to actually learn. I felt like I performed well in the in-person classes and felt like I did not perform as well as I could have in the online classes had they also been in-person. Given the circumstances, I understand, but I found it to be extremely disheartening to have to learn tough topics that will be on the BAR exam in an asynchronous method.

Synchronous zoom-only courses were very difficult for me. There is little accountability to be fully present during the live lecture and it is difficult to stay focused.

Asynchronous can be difficult to understand material when the lecture videos are lengthy and you don't have the chance to ask questions during the lecture and have to rely on professor response to emails

Difficulty in retaining information via Zoom lectures, difficulty in asking questions via online platforms, difficulty in creating study space and limited access to the library created an overwhelming issue of where and how to study. I was in Moot Court, and several times during my arguments my internet stalled and they were unable to hear me.

Lack of focus and motivation to do online asynchronous course work.

The law school's lack of places for students to attend zoom class. There were many times that I was unable to reserve a study room and because I had to sit in a public area I was not able to openly participate in discussions in zoom format.

Lack of robust classroom discussion. I have yet to see it work in medium to large classes over Zoom.

In general, I very much felt I was at an unfair disadvantage given my home location (very rural) and lack of reliable, high speed internet availability - even in a pandemic

One of my professors did not respond to questions I emailed, and my other online professor hosted optional weekly synchronous meetings but they were not helpful to me and often confused me more. Several other students agreed with me and stopped logging on to them. It was extremely difficult in both classes to gauge my progress and what I needed to improve on.

Not meeting the professor and classmates was extremely challenging for me.

Lack of experience in on-line learning and having too much freedom in the tasks. Also, some professors have better organized courses and modules than others.

The library had shortened hours which was inconvenient. I did most of my studying and working at the library previously.

The distractions of others on video in the class but not really focused on the class - I eventually pulled my notes in front of the others to keep focused on the professor.

Learning online will never be the same or as effective as in person learning. I retain very little information when I am taking courses online. I absolutely hate it and it stresses me out to the extreme.

I have three small children who were required to remain home from school during the pandemic. My wife also works full time and had several Zoom meetings that were required. I had to prepare and administer my First Grader and Fifth Grader. My oldest, a high school student, occasionally needed guidance during remote learning.



Overall, I was exhausted and unmotivated when I had to study, work, teach kiddos, and maintain a clean home. I am beyond exhausted!

Not have a separate school and home environment.

I spent two years of law school learning how NOT to study at home and making it a point to use the library; transitioning to online was a necessity because I wanted to remain safe, but not being able to go to the library was detrimental to my already terrible study habits.

They simply are not as interactive which makes it harder to grasp the material.

I did not have access to quick correspondence with a few professors.

Professor's ignorance of technology. Had to attend online briefly due to a potential covid contact, and the professor lacked the know how to present her ppt on the zoom call and in class at the same time. So I couldn't see anything, and she would frequently walk away from the microphone. You also cannot ask a question effectively when the professor walks away or doesn't monitor the chat. You can't gauge group understanding either to determine whether I misunderstood something or if we all did.

I found it difficult to be as engaged taking online classes at home instead of being in the classroom with peers and face-to-face with a professor. It was also difficult not to have in-person study groups or use my usual methods of studying. I had to take fewer classes than in previous semesters in order to increase my level of engagement and success. I liked the few professors and guest speakers who cold-called to keep the pressure on me to be as prepared as I would normally be for in person classes.

It was uniquely difficult to connect and talk with professors during office hours.

The online courses presented challenges in keeping a schedule because there was no structured class time.

The professors in 2/3 of my online classes seemed to not be putting their best effort into teaching online. One professor completely refused to answer emails, host office hours, or be of any assistance. The other professor had issues figuring out how to work the technology and we essentially did not have class the first two weeks of the semester. These issues persisted for the entire semester. The challenges of the online course were less technologically related and more related to the teaching of the professor or, more accurately, the lack thereof.

It was hard to have a class discussion over zoom lectures (if the professor had zoom lectures). In person class professors were diligent in making sure that students understood the material. I did not have the same experience with online professors.

Lack of communication with the professors and not having a structured time to meet with professors.

Most of my challenges in my online courses were not technological but more substantive, specifically for my asynchronous classes. It was a lot more difficult to understand the material without the opportunity for live discussion, and I often felt like I was teaching myself.

- No real human interaction - have to mix home environment with work

Internet issues are not the primary obstacle in this setting. The disconnect between professor and student is severe and it is much easier to zone out or lose focus when one is not as accountable to a lecture. Law school is particularly ill-suited for online learning, perhaps with the exception of asynchronous lectures.

The busy work was infuriating

Lack of communication with professors. Some would not respond to emails or provide a forum for us to ask questions or clarify.

The use of waiting rooms is only effective when a professor can quickly monitor when a student needs to rejoin. If the professor does not notice the student trying to reconnect, the student misses large chunks of lecture or the entire rest of the lecture after losing connection.

Harder to communicate in natural way with classmates about material.

Inability to participate in an equivalent in-person discussion. No set rules on how to participate without talking over each other. Lack of engagement. Zoom burnout.

Hard to focus and learn over Zoom. It is much easier to learn in person. While the convenience was nice, being at home and trying to focus on a class is a challenge.

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The prior question asked about online courses. I did not take any online courses and already indicated that... not sure what's going on there.

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Lack of interpersonal connection and engagement

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I hate online classes.

## What unique opportunities do online courses present for you?

I would never voluntarily choose to take an online class. As a 1L I hope that the administration compares grades this year's online class of 1Ls received. My online classes took up significantly more time than my in person classes and I think that I did worse in the online classes. In my opinion, the benefit of flexibility in when to complete coursework does not outweigh the benefits of in person classes. However, some professors did offer more class time/meetings because we were online and that was appreciated by many of us students. The ability to move through material did not apply as my classes all had quick deadlines on when material needed to be covered. Not having to pay for as much childcare. Saving time that I would have spent getting ready for and driving to and from class.

Ability to pause lectures to take notes Ability to rewatch lectures during finals prep Ability to visually learn while hearing the lecture and taking notes

As an evening student, the flexibility offered by online courses and the ability to rewatch material is very helpful on nights when I am dragging from a long day of work and my not have fully grasped the lecture material.

I loved the ability to "do school" from anywhere.

Allow me to make a more flexible work schedule.

My attendance is better online.

I really like the online learning environment. I found I was able to do better when learning and studying at my own home.

The lack of a commute allowed me more time to work on study, reading, and spend time with family as well.

Online classes helped me balance school, work, and volunteer activities. I learned the same amount of information and in the same way, but without having to waste countless hours driving to campus, waiting in between classes, and sitting through lectures that could be summed up into a half hour. I would greatly appreciate the ability to take more online courses.

These are unique but not beneficial over in-person classes.

Online is better, especially during a deadly pandemic. The fact that IU and its trustees think we should be having in person classes tells us exactly how valuable administrators thin our lives are. Brace yourself. Lawsuits are coming.

Most of the items above are true of in person lectures when professors record. I usually listen to previous lectures driving to and from the law school to mentally prepare for class. At home, I found I was listening and re-listening to lectures or using as many supplementary study aids as a I normally would. I think part of that was not being able to study as frequently at the law school. It took me longer than normal during the semester to create a new routine to adapt to the new circumstances.

The ability to re-watch videos was insanelly helpful.

Flexibility in taking breaks or re-watching to learn better as needed. Also additional flexibility with my schedule.

This only applies for asynchronous classes. Synchronous classes do not offer the same advantages.

I really struggle with ADHD. A busy classroom of 100 students was SO distracting to me and I struggled with time management and scheduling my first year. Now, after having completed by second year mainly online, I felt a lot



more relaxed since I was able to rewatch lectures and take my time with my reading. I wasn't staying up till midnight reading cases in preparation for a 9am class after a full day of classes- I could get enough sleep, read, re-read, and complete the lecture on my own time. This greatly helped my mental health and really solved a lot what I struggled with my first year.

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**Please briefly describe why you feel these additional formative assessments aided in your learning.**

Allowed me to see if I understood the material and helped keep me on track.

Completely asynchronous and left to essentially teach ourselves was ineffective and a waste. Formative assessments provided guidance and a sense of being "taught" by an actual professor.

For me, additional formative assessments make up for lost engagement that is typical of an in person course. Rather than in class participation, online additional formative assessments help me feel confident that I am learning the material.

Forces you to recap material long before exam. Raises questions to ask professor about.

Helped determine if I was understanding the material being taught

I appreciated taking low-stakes quizzes throughout the semester in my Administrative Law class with Prof. Orenstein because they required me to review the material covered more consistently and get a better grasp on the course concepts.

I appreciated the teachers that added the formative assessments because in online classes there were less chances to participate during class to make sure you were understanding the material. I like to answer questions in class just to make sure I am on the right track, and the quizzes/discussion posts were a good substitute for that opportunity.

I believe that it helped me stay focused on the content and kept me engaged in the course material

I completed quizzes, short answer questions, discussion posts, and practice essays as formative assessments. The discussion posts were completely unhelpful, because my intent is to learn the material and the law, not share opinions with my classmates. This was especially ineffective, because unlike a classroom setting, where students choose to share their opinions or not, there was no way to engage in a "back and forth" and cultivate an argument and counterarguments. It was a wholly static activity that really did not provide me with any challenges or substance. The quizzes, essays, and short questions were extremely helpful. They really helped me see where my strengths were and what areas I needed to go back and review. They also held me accountable. In a traditional class setting where there is only an essay at the end of the semester, it becomes easy to dismiss any gaps in understanding of the material and to put it off to the end of the semester. With formative assessments, I was forced to apply what I learned that very week, and apply it in a practical way. I greatly appreciated the opportunity to put into practice what I was learning. I think it is extremely unhelpful that law school's form of teaching students is making them regurgitate and summarize cases, and I was thankful that the formative assessments focused less on relaying memorized facts (what you get in a normal class setting), but rather on applying the actual law to novel hypotheticals. It was also helpful that my professors (for the most part) offered detailed feedback and actually tracked my progress and read my submissions. This was the first time in law school that I felt like my professors genuinely wanted to help me succeed and noticed when the material was not getting across effectively. Particularly it helped that professors tracked the class as a whole and noted when the class generally was missing certain concepts.

I enjoyed that they were to be completed on our own time, and I thought they were extremely relevant and useful for our final exams in each class. I benefit from having some time to process the info I've learned and being able to complete assignments on our own and receive feedback later was super helpful to my learning.

I felt that these formative assessments kept me on track and prevented me from falling behind in my classes. I appreciated the opportunity to check in with myself because I didn't have in-person classes to facilitate my learning.

I guess the formative assessments were the type of questions that would typically have been asked in an in-person class and the person who was called on would answer it, but here, each of us had to answer the question for ourselves. It helped me to apply the law we learned from the lecture to facts and that was very useful.

Introduction to the American Legal System - the additional formative assessments were a great tool to measure how much I have learned during the semester. International Business Transactions - quizzes to measure how much I have learned during the semester.

It forces focused study on smaller bundles of class subjects - otherwise, students tend to wait until the end of the class to outline the material.

It gave an opportunity for you to get feedback on whether or not you really understood the material since you wouldn't get in person feedback.

It gave us a chance to gauge our learning and helps us understand the material.

It helped me gauge how well I was retaining the information and what I needed to improve on.

It helped me keep up with the course since it wasn't meeting at any certain time

It is shown time and time again that consistent, frequent checks for understanding aid in the learning process. This is a very typical practice for teachers using best practices all around the globe.

It provided feedback on whether I understood the material. Was a good indication of where I needed to focus more/self-remediate.

It was a good check in for us, and I felt that the professors looked at those and adapted to accommodate throughout the semester

It was extremely helpful because it was a great way to get my brain thinking in a manner required for finals before the actual exam. It was great to ease into the process of law school and see how I was understanding the material.

It was great to get feedback along the way to make sure I understood the material and recognize areas where I needed more work.

It was helpful to get immediate feedback about how much I understood about the material instead of figuring it out during the midterm and/or final.

It was nice to have a benchmark to see how I was understanding the material. Normally I would gauge my comprehension from discussions in class, so even though the formative assessments weren't as helpful as class discussions, I did appreciate the opportunity to get some kind of feedback.

Professor quickly incorporated student feedback to better meet our needs for the semester

Provides an incentive to learn the material before the final exam.

Quizzes, feedback on discussion posts

Specifically for Closely Held Business Organizations, Professor Sullivan had weekly quizzes. This class was asynchronous, and I think it was his way of making sure we stayed on top of the readings and prerecorded lecture videos. I found them very helpful.

Taking quizzes weekly for Evidence with Professor Cooper was extremely useful as the answers (whether right or wrong) provided an explanation of the rule in question and provided immediate feedback for my own understanding of a particular rule and its application.

The MOST useful thing any of my professors did was to have weekly quizzes of only 2-3 questions, not worth very many points, but highlighting the most important info from each module. They were perfect ways to make sure I was staying on track, and good review tools.

The additional formative assessments aided in my learning by keeping me on track for the course and tested my knowledge of the materials each week since the asynchronous courses didn't meet enough.

The discussion questions for civil procedure included a grade with an explanation of where we missed any points along with a sample answer that provided details of why the answer was correct. The weekly quizzes in torts we not help in any way. They did not include what the correct answer should have been or an explanation of the missed points.



The feedback was very useful to understand where improvement was needed and what was expected from each assignment

The formative assessments were used in my Civil Procedure and Torts classes. In my Civil Procedure class were extremely effective, although in Torts the assessments did not seem to be nearly as helpful or effective.

The online quizzes were very helpful in evaluating how I am progressing throughout the semester. I found that they helped me gauge where I am at and to ensure that I am studying the material to the degree that the professor is expecting.

The quizzes in Professor Roisman's Property course - gave us an indication if we were learning the key areas she was interested in.

The weekly quizzes for my online classes required me to think critically about the material each week. I appreciated that exercise. However, I wish the quizzes counted for a grade or some how factored in for participation.

There was accountability in learning to be able to do these assignments and quizzes. It helped keep the pace on par with the semester, especially for the asynchronous courses. It was also a good check-in to see my own understanding of the material.

These were helpful to me in understanding which topics I did or did not understand. However sometimes the assessment was only one or two questions and I had a harder time figuring out if I truly understood the material. This also was only helpful if professors gave an answer key after the assignment with at least some explanation as to the right answer.

They allowed me to gauge what I did or didn't understand from the video lectures.

They enabled me to check that I was on track understanding the key points of the material and what my professor's expectations were even when we weren't meeting in person (and it can be harder to pick up on those two things or get lost down rabbit holes in the reading).

They ensured progress and feedback throughout the semester. I was able to change my learning process to ensure I understood the course materials.

They help you keep track of the readings and that you're keeping up with the learning

They helped keep me on track since it is harder to focus on online classes. They also gave me feedback and gave me an opportunity grow.

They helped me gauge how well I knew the material

They helped me know when I was on the right track and also the quizzes provided feedback if I did not answer the questions correctly.

They helped to engage with other students to see how they were doing and their view points on a particular topic. Having contact with other students was helpful to make sure I was not falling behind.

They let me know how I was comprehending each module

They made me stay on top of the reading as there were weekly formative assessments. They helped me learn the material as the course progressed and by the time of finals I only had to review the material and I was less stressed.

They required me to apply the information which helped me solidify it each week. I found I understood the material more quickly and effectively in the courses where I was required to turn in assignments as opposed to courses where participation by attendance was the only consideration.

They were helpful because they showed where I stood as a student. They assisted me in understanding the material, and they also assisted me in realizing what I needed to do/change as a learner.

This allowed me to monitor how well I was understanding the material and possibly why I got something wrong if I did not know. \*Not all my online courses did this, though I believe they all should have because it was beneficial to me in one of my online courses.

Weekly quizzes were a great way to keep me on schedule and prevented me from falling behind in the material.

## Exhibit G



## Universe of Courses with Survey Responses

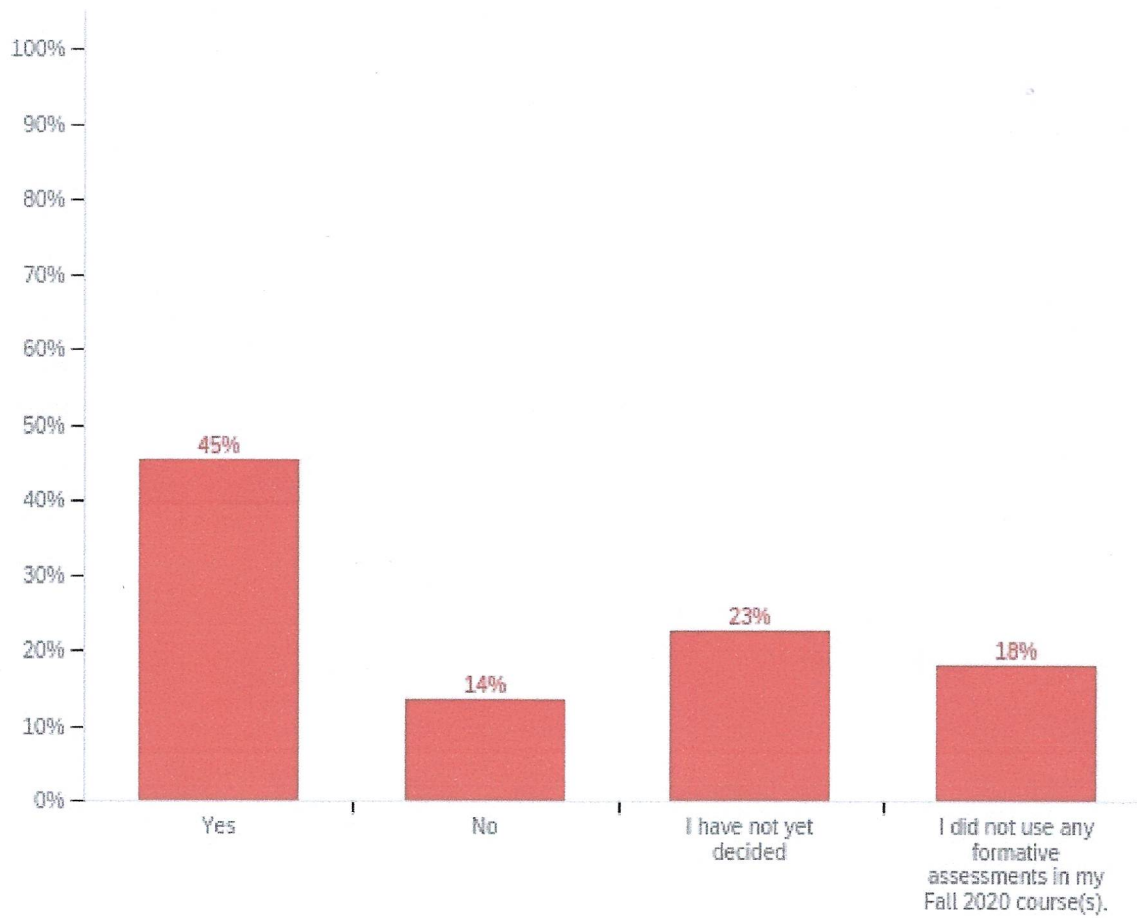
Answer	Count
Administrative Law	1
Antitrust Law	1
Appellate Clinic	1
Bar Exam Sub., Strategies, & Tactics	1
Civil Procedure I	1
Civil Rights	1
Closely Held Business Orgs.	2
Comparative Law	1
Consumer Law	1
Contract Drafting	2
Contract and Sales I	1
Copyright Law	1
Corporate Compliance Overview	1
Criminal Procedure: Investigation	2
Criminal Sentencing	1
Environmental Justice	1
Family Law	1
First Amendment	1
Health, Housing, & the Law	1
Income Taxation of Individuals	1
In-House Counsel Seminar	1
International Business Transactions	1
International Commercial Arbitration	1
International Criminal Law	2

International Law	2
International Trade Law	1
Interviewing and Counseling	1
Intro. to Healthcare Law & Policy	1
Law of Nonprofit Organizations	1
LCA I	7
Legal Research	1
Litigation Drafting	1
LLM Legal Writing and Analysis	1
Mergers and Acquisitions	1
Oil and Gas Law	1
Professional Responsibility	1
Secured Transactions	2
Trusts and Estates	1
Total	50

Please select which of the following online tools you used during the Fall 2020 semester. Then consider how effective you think the online learning tool was, and select the response that most closely matches.

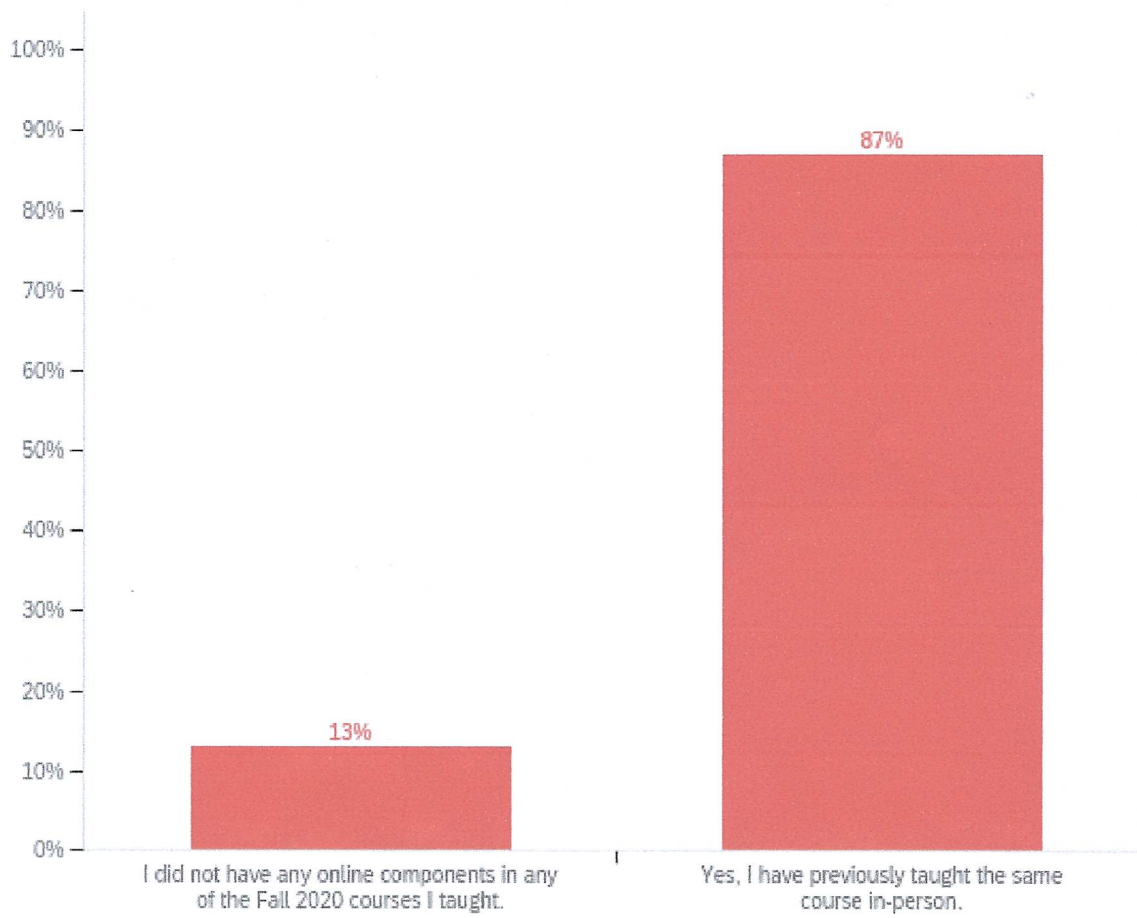
Question	Did not use or N/A	Extremely effective	Very effective	Moderately effective	Slightly effective	Not effective at all
Zoom synchronous meetings	21%	25%	46%	8%	0%	0%
I required cameras to be on	63%	25%	13%	0%	0%	0%
I allowed students to choose whether their cameras were on or off	71%	8%	4%	8%	4%	4%
Break-out rooms in Zoom	71%	13%	4%	13%	0%	0%
Polling in Zoom	71%	8%	13%	4%	4%	0%
Whiteboard in Zoom	92%	4%	4%	0%	0%	0%
Quick check in Canvas	79%	4%	4%	8%	4%	0%
Canvas discussion questions	42%	13%	21%	17%	4%	4%
Canvas quizzes	38%	29%	17%	13%	4%	0%
Canvas assignments	29%	42%	17%	13%	0%	0%
Pre-recorded lecture videos	50%	21%	13%	13%	4%	0%
Kaltura video quiz	88%	8%	0%	0%	4%	0%
Canvas analytics	71%	13%	8%	4%	4%	0%

**If you created formative assessments specifically for any online components in your Fall 2020 course(s), might you incorporate them into your in-person course in the future?**





**If you taught a course with online components during the Fall 2020 semester, have you previously taught the same course in-person?**



Think back to when you taught this course in-person. From the formative assessments and class participation for the Fall 2020 course throughout the semester and prior to the final exam, which of the following would you say is the most accurate statement about tracking student performance throughout the semester (recognizing it's an approximation and overall impression rather than empirical data)?

