

Law School Teaching Innovations/Tips

Thurgood Marshall School of Law
Texas Southern University

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How to Write Learning Outcomes That Reflect Course Objectives & Student Competencies

INTRODUCTION

Law School Teaching Innovations/Tips No. 3 builds on *Law School Teaching Innovations/Tips No. 1* and *No. 2*. *Law School Teaching Innovations/Tips No. 1* (November, 2004) showed how the SQ3R methodology could be adapted to use a set of sequential syllabus questions with an implicit course objective and a learning outcome. The learning objective could be phrased as: "To enhance the students' critical reading, analysis, and synthesis of course materials, the students will read and use a sequence of 160 interrelated questions." The learning outcome could be phrased as: "Three quarters of the students enrolled in the course will be able to convert three quarters of the syllabus questions into accurate and sequential substantive criminal law rules and policies." *Law School Teaching Innovations/Tips No. 2* (January, 2005) showed how the condition precedent to crafting effective assessment exercises was the development of a thorough set of learning outcomes for the course. *Law School Teaching Innovations/Tips No. 3* (February, 2005) examines how to write learning outcomes that accurately reflect course objectives and student competencies by (1) discussing an approach to systematic instructional design for legal education that was developed by Professor Andrew Pirie and (2) providing an example of Pirie's approach by presenting a 3-step learning objective for a typical Contracts course.

PIRIE'S APPROACH to SYSTEMATIC INSTRUCTIONAL DESIGN

Pirie argues that systematic instructional design (SID) would not only help law-school professors identify the learning objectives of legal education, but result in (1) clearer communication among teachers and students, (2) less uncertainty about the direction of student and teacher efforts, (3) fewer instructional gaps or duplications, (4) more coherent selection of teaching methods and materials, and (5) improved evaluation procedures.

According to Pirie, the SID process consists of: (1) Performance Analysis, (2) Task Analysis, and (3) Skills Analysis.

(1) "Performance Analysis" is the identification of instructional goals, that is, a clear, general statement about what the students will learn, not about what the course or the professor will be doing – e.g., "the student will be able to conduct a client interview," not "the course will discuss and illustrate principles and techniques of client interviewing."

(2) "Task Analysis" is the identification of exactly what the performance involves, that is, exactly what the student has to know or do to achieve the goal. For example, Pirie suggests using a step-by-step flow chart to set out a task analysis.

(3) "Skills Analysis" is the identification of the information, intellectual, and psychomotor skills required to successfully complete each step of a task. That is, while the task analysis identifies the exact steps a student must take to perform a goal, the successful completion of

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each step may also require informational skills (can state the *ratio decidendi* in *Roe v. Wade*), intellectual skills (can apply the reasoning in *Roe v. Wade* to the interpretation of the constitutionality of Canadian abortion laws), and/or psychomotor skills (can exhibit attending behavior in a client interview).

Because skills analysis breaks down each of the identified steps of a task into its component parts, the skills analysis for a step that requires only the mere recall of information is generally not complex. But if the step involves higher-level intellectual skills, such as application, analysis, synthesis, or evaluation, the skills analysis becomes more complex. For instance, a task analysis for drafting a separation agreement would probably include, at some point, the step of assessing appropriate drafting precedents, and Pirie suggests the following skills analysis for such a step:

Skills Analysis: Assess Appropriate Drafting Precedents

- Can locate precedents.
- Can identify substantive and formal rules for drafting the separation agreement.
- Can identify substantive and formal errors in a precedent.
- Can identify drafting conventions for the document.
- Can identify conventional errors in a precedent.
- Can describe the goals, legal issues, and factual issues of the agreement.
- Can interpret the precedent by identifying its goals, legal issues, and factual issues.
- Can identify similarities and differences in goals, legal issues, and factual issues for a precedent and the agreement.
- Can choose precedents or parts of precedents in which there are similarities in goals, legal issues, or factual issues and no substance, formal, or conventional errors.

According to Pirie, well-written “Performance Objectives” can make clear to both the instructor and the student exactly what a student must know or be able to do to reach an instructional goal. Derived from the skills analysis, a performance objective is a detailed description of what students will be able to do when they complete a unit of instruction. Using Mager’s work on preparing objectives, Pirie identifies three essential elements: (1) a performance, (2) conditions under which the performance is to be carried out, and (3) the standards which will be employed to assess acceptability of performance.

For example, effective listening is a step involved in competently completing a number of tasks, such as interviewing a client or preparing to cross examine a witness. For a lawyer to listen effectively, the ability to remember facts that clients communicate is an important skill. A performance objective for this skill could appear as follows:

Performance: The student is able to summarize orally or in writing, the information communicated by a person.

Conditions: A person has communicated information on video or in person for 3-5 minutes.

Standards: No relevant facts are omitted.

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Pirie notes that both examples single out only one of a number of necessary intellectual skills. However, once the other skills are similarly identified, the learning and teaching of the common goal becomes much clearer. Also, the performance objective assumes there are previously learned skills that would require the production of their own series of performance objectives. Also, according to Pirie, the production of clear and organized performance objectives is not the last step in the process. The choice of a teaching methodology and the development and selection of instructional materials must also be completed. But by using a systematic approach to instructional design, these final steps can be accomplished with a clear picture of what is to be learned so that methodology and materials will match learning objectives and inappropriate or ineffective matchings can be avoided.

USING PIRIE'S APPROACH to WRITE a PERFORMANCE OBJECTIVE in a TYPICAL CONTRACTS COURSE

This section presents an example of a 3-step learning objective that may be written for a typical Contracts course by stating a Performance Goal, a Condition, and a Standard:

Performance Goal: After reading course materials and participating in class discussion, a student in Contracts will be able to analyze the facts of a new client's case, and first determine that the issue concerns whether a contract exists. The student will next evaluate the facts to determine if and when an "offer" was made, Finally, the student will evaluate the facts to determine if, when, and which of four alternative legally significant events occurred next - a revocation, a rejection, a counteroffer, or a request to reopen negotiations.

Condition: The next case in the casebook or a case provided by the professor provides facts which require the conclusion that an offer was made, and facts which provide a basis for the student to employ analytic and synthesis skills to determine whether the next legally significant event was a revocation, rejection, counteroffer, or a request to reopen negotiations.

Standard: When the professor asks the students to identify the next legally significant event, three fourths or more of the students can correctly identify the next legally significant event, and can state the rules and the facts upon which they based their conclusion.

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CONCLUSION

According to Pirie, course objectives are of good quality when they are specific and centered on describing student behavior outcomes that should be observable and measurable if the objective or the sequence of teaching/learning objectives is achieved. To write quality learning objectives, the three sequential and interrelated analytic preliminary steps that the professor must perform are based on the professor's experience and expertise with the course content and the skills required to master the content and employ it on behalf of clients: (1) The professor engages in a systematic identification of post-teaching student performance goals. (2) The professor writes out a specific description of the task(s) the student will be able to perform to demonstrate achievement of the performance goals. (3) The professor writes out a description and ordering of the thinking skills required to complete each of the tasks and thereby achieve the performance goals.

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