the deconstruction of a learning outcome

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1. Articulate the difference between a learning outcome and an instructional objective.

2. Identify “fuzzy” words in instructional goals and outcomes that make those statements incapable of measurement or otherwise subject to different interpretations.

3. Write measurable instructional objectives that support course (and broader programmatic) learning outcomes.
why “deconstruction”? 

• Learning outcomes for a program of education, or individual courses within that program, are great as overarching educational goals, **but they are not measurable as written**.

• Discrete instructional objectives, when written a certain way, **can be measured (quantified)**.  
  • As fundamental building blocks of a course (and, collectively, of a program), these measurable objectives allow for measurement of the broader learning outcomes.
<table>
<thead>
<tr>
<th>Goals are:</th>
<th>Objectives are:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broad, generalized statements about what is to be learned</td>
<td>Narrow, specific statements about what is to be learned</td>
</tr>
<tr>
<td>General intentions</td>
<td>Precise intentions</td>
</tr>
<tr>
<td>Intangible</td>
<td>Tangible</td>
</tr>
<tr>
<td>Abstract</td>
<td>Concrete</td>
</tr>
<tr>
<td>Cannot be validated</td>
<td>Can be validated or measured</td>
</tr>
<tr>
<td>Long term</td>
<td>Short term</td>
</tr>
<tr>
<td>Defined before analysis</td>
<td>Written after analysis</td>
</tr>
<tr>
<td>Written before objectives</td>
<td>Prepared before instruction is designed</td>
</tr>
</tbody>
</table>

Goals should be written from the instructor’s point of view

Objectives should be written from the student’s point of view
Standard 302. LEARNING OUTCOMES

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

(a) Knowledge and understanding of substantive and procedural law;

(b) Legal analysis and reasoning, legal research, problem-solving, and written and oral communication in the legal context;

(c) Exercise of proper professional and ethical responsibilities to clients and the legal system; and

(d) Other professional skills needed for competent and ethical participation as a member of the legal profession.
examples of learning outcome stems we’ve all seen

• Students will
  • Learn...
  • Appreciate...
  • Know...
  • Recognize...*
  • Evaluate...*
  • Become familiar with...
  • Have acquired the skill of ________
  • Be conversant about ________
  • Be proficient at ______
  • Apply their knowledge of _____ to a legal problem
  • Ponder _____
Learning outcomes must consist of clear and concise statements of knowledge that students are expected to acquire, skills students are expected to develop, and values that they are expected to understand and integrate into their professional lives.

Standard 302 outlines the minimum outcomes that a law school must identify for its program of legal education.

Other outcomes will vary depending upon the stated mission of a law school or any concentrations it may have.
outcomes/goals vs. objectives

Programmatic learning outcomes

Course learning outcomes

Instructional objectives
but before we get to writing measurable instructional objectives...
Today’s method (one, but definitely not the only)...

An element of Criterion Referenced Instruction (CRI), created by Robert Mager
  • CRI is based upon the ideas of mastery learning and performance-oriented instruction
  • It is compatible with most theories of adult learning because it emphasizes learner initiative and self-management.

Useful instructional objectives under CRI contain 3 elements:
  • A Performance
  • A Condition
  • A Criterion of competency or success (unless implied)
Given $x$, students will $y$, at a degree of competency defined by $z$.

- Where $x$ includes any performance conditions
- Where $y$ describes an observable performance
- And where $z$ describes the success measure
performance

VERB: THAT'S WHAT'S HAPPENING
performance

- This is the heart of the instructional objective.
  - What must the learner “do”?  
    - What can we **see** the learner do?  
    - What can we have the learner **do** to represent tasks that cannot be directly observed?
“bad” and better performance examples

<table>
<thead>
<tr>
<th>Words open to many interpretations</th>
<th>Words open to fewer interpretations</th>
</tr>
</thead>
<tbody>
<tr>
<td>To know</td>
<td>To write</td>
</tr>
<tr>
<td>To understand</td>
<td>To recite</td>
</tr>
<tr>
<td>To <em>really</em> understand</td>
<td>To identify</td>
</tr>
<tr>
<td>To appreciate</td>
<td>To sort</td>
</tr>
<tr>
<td>To <em>fully</em> appreciate</td>
<td>To solve</td>
</tr>
<tr>
<td>To grasp the significance of</td>
<td>To construct</td>
</tr>
<tr>
<td>To enjoy</td>
<td>To build</td>
</tr>
<tr>
<td>To believe</td>
<td>To compare</td>
</tr>
<tr>
<td>To have faith in</td>
<td>To contrast</td>
</tr>
<tr>
<td>To internalize</td>
<td>To smile</td>
</tr>
</tbody>
</table>
Whenever the main intent of your objective is unobservable, add an indicator behavior in a parenthetical to reveal how the performance can be directly detected.

- An indicator is simple, direct, and always something that every student already knows how to do.

**Examples:**
- Identify or recognize = circle, label, underline
- Recall = list
- Discriminate = sort into columns
- Understand = define
Bloom's Taxonomy

- Remember
- Understand
- Apply
- Analyze
- Evaluate
- Create
<table>
<thead>
<tr>
<th>Remember</th>
<th>Understand</th>
<th>Apply</th>
<th>Analyze</th>
<th>Evaluate</th>
<th>Create</th>
</tr>
</thead>
<tbody>
<tr>
<td>Choose</td>
<td>Associate</td>
<td>Classify</td>
<td>Analyze</td>
<td>Appraise</td>
<td>Assemble</td>
</tr>
<tr>
<td>Define</td>
<td>Categorize</td>
<td>Complete</td>
<td>Arrange</td>
<td>Assess</td>
<td>Compose</td>
</tr>
<tr>
<td>Describe</td>
<td>Convert</td>
<td>Compute</td>
<td>Break down</td>
<td>Compare</td>
<td>Construct</td>
</tr>
<tr>
<td>Identify</td>
<td>Defend</td>
<td>Demonstrate</td>
<td>Categorize</td>
<td>Conclude</td>
<td>Create</td>
</tr>
<tr>
<td>Label</td>
<td>Discuss</td>
<td>Discover</td>
<td>Classify</td>
<td>Contrast</td>
<td>Design</td>
</tr>
<tr>
<td>List</td>
<td>Estimate</td>
<td>Divide</td>
<td>Develop</td>
<td>Criticize</td>
<td>Generate</td>
</tr>
<tr>
<td>Match</td>
<td>Explain</td>
<td>Examine</td>
<td>Diagram</td>
<td>Critique</td>
<td>Hypothesize</td>
</tr>
<tr>
<td>Quote</td>
<td>Extend</td>
<td>Interpret</td>
<td>Distinguish</td>
<td>Determine</td>
<td>Improve</td>
</tr>
<tr>
<td>Recall</td>
<td>Extrapolate</td>
<td>Modify</td>
<td>Differentiate</td>
<td>Evaluate</td>
<td>Invent</td>
</tr>
<tr>
<td>Recognize</td>
<td>Generalize</td>
<td>Operate</td>
<td>Discriminate</td>
<td>Grade</td>
<td>Plan</td>
</tr>
<tr>
<td>Repeat</td>
<td>Give examples</td>
<td>Prepare</td>
<td>Illustrate</td>
<td>Interpret</td>
<td>Predict</td>
</tr>
<tr>
<td>Reproduce</td>
<td>Infer</td>
<td>Produce</td>
<td>Relate</td>
<td>Judge</td>
<td>Prepare</td>
</tr>
<tr>
<td>Select</td>
<td>Paraphrase</td>
<td>Solve</td>
<td>Research</td>
<td>Justify</td>
<td>Reconstruct</td>
</tr>
<tr>
<td>State</td>
<td>Summarize</td>
<td></td>
<td>Separate</td>
<td>Measure</td>
<td>Revise</td>
</tr>
<tr>
<td>Underline</td>
<td></td>
<td></td>
<td>Use</td>
<td>Rank</td>
<td>Synthesize</td>
</tr>
</tbody>
</table>

Action Verbs tied to Bloom’s Taxonomy
So what about the AALL Legal Research Competencies?

- Adopted by AALL in 2013, it is a collection of Principles, Standards, and Competencies
- Many of the competencies are already written with performance verbs in place.
  - Differentiates between primary and secondary sources...
  - Articulates the precise legal issues that need to be researched, whether in the context of...
  - Records all pertinent information for future reference, such as...
- But still lots of “fuzzies”:
  - Understands the necessity of validating case holdings through the use of citators...
  - Knows how to appropriately use available resources to research and understands...
  - Demonstrates cognizance of the intersection of cost and efficiency in the selection of information format...
• Add conditions to objectives to avoid misunderstandings about the performance context.

• Describe the givens and/or limitations within which the performance is expected to occur.

• Here are some questions you can ask yourself to guide you in identifying key conditions:
  • What will the learner be expected to use when performing (e.g., tools, forms, etc.)?
  • What will the learner not be allowed to use while performing (e.g., checklists or other aids)?
  • What will be the real-world conditions under which the performance will be expected to occur (e.g., in a certain time period, only using free Internet resources, in front of a large audience, etc.)?
examples of conditions

- **Given a hypothetical fact pattern**, students will identify (write) the relevant state and federal appellate jurisdictions.

- **Given three cases**, students will synthesize the rules of law on topic X into a concise written statement.

- **Using only KeyCite on Westlaw**, students will identify (list) five jurisdictionally relevant appellate court opinions to include in their appellate brief.*

- **Starting with a federal statutory citation**, students will locate and cite at least one related House or Senate committee report.

- **Given the open memo assignment**, students will write a legal research plan.

- **Relying only on a distributed case**, students will employ the “one good case” method on Lexis Advance to locate at least three jurisdictionally relevant cases to include in their open memo assignment.*
• Conditions should be based on a **performance context**, not on the instructional context or other instruction-specific criteria:

• “Givens” to avoid:
  • Given three days of instruction...
  • Given that the student has completed a clinical experience,
  • Give that the student is a 3L,

• These are words or phrases that describe something other than the specific conditions the learner must have or be denied when demonstrating achievement of the objective.
This component of an instructional objective tells students how well they will have to perform to be considered competent. **This is the success measure. This is where we get quantitative measurement.**

By adding information about the yardstick by which accomplishment of the objective will be measured, you will enormously strengthen the usefulness of your objectives.

You will have gained several advantages:

- You will have a standard against which to test the success of the instruction.
- Students will know how to tell when they have met or exceeded the performance expectations.
- You will have the basis for proving that your students can, in fact, do what you set out to teach them.
where do criteria come from?

- **Job requirements**
  - Those who derive objectives from real world needs will observe and interview competent and/or exemplary performers and describe what the performers do and how well they do it. They will then use this information as the basis for deriving objectives and criteria.

- **Improvement requirements**
  - Acceptable minimums/baselines that will improve over time with enough practice and exposure.

- **Academic requirements**
  - Prerequisites for the next class are good criteria of success for the current class

- **Personal experience**
  - Maybe not optimal if you haven’t been part of the relevant “community” for quite some time; ask those currently in the field
Much like there are “bad” performance words, and “false” givens, there are also “false” criteria:

- “To the satisfaction of the instructor”
- Must be able to make 80% on a multiple choice exam
- In accordance with an answer key or pre-selected list of acceptable answers.
- Without errors (a/k/a the perfection criterion)*
• Given three cases, students will synthesize the rules of law into one concise written statement, with no more than one grammar, spelling, or punctuation error.

• Using only KeyCite on Westlaw, students will identify (cite) five jurisdictionally relevant appellate court opinions to include in their appellate brief with no more than two Bluebook citation errors among all cited cases.

• Using Shepard’s on Lexis Advance, students will verify whether a list of ten cases are still good law with 100% accuracy.

• Given the documents constituting the appellate brief assignment, students will write a legal research plan, scoring at least a 3 or higher in all categories on the accompanying scoring rubric.
is a criterion required?

• No 😊

• There are at least 3 ways to indicate a criterion without actually describing the criterion in the objective.
  • If an intended criterion has been made explicit in some document, the thing to do in the objective is to add words that tell where to find the criterion.
  • If the desired performance consists of a number of steps and if an evaluation checklist exists, you might point to that checklist as a description (or partial description) of the criteria.
  • On rare occasions you might find it appropriate to point to competent performance shown on a piece of film, videotape, CD, etc., saying, on effect, “Do it like that.” This might be useful if the performance involves complex movements difficult to describe.

• Sometimes successful completion of the objective is identifiable by the completion of the performance alone.
• **Learning outcomes** are broadly written, and that’s the point.
• But the underlying **instructional objectives** of any course-level learning outcome can be measured and are your proxy for having met the broader learning outcomes.
• There is a **formula** to help you write measurable instructional objectives:
  - Conditions + observable performance + criterion of success*
• Performance words need to be observable; avoid **fuzzies**.
• Conditions need to relate to **performance conditions**, not external, instructional context conditions.
• Criterion of success is important, but not always required if implied or available from an external source learners can access.