

To: Doctrinal Faculty
From: Evan Lee, Acting Provost & Academic Dean
Date: September 15, 2016
Re: "Individualized Feedback"

Dear Colleagues,

At our first faculty meeting, I urged you to provide more "individualized feedback" in doctrinal classes and said that future resource allocation decisions would be based in part on how much individual instructors do this. I now want to explain what I mean by individualized feedback and to offer a (non-exhaustive) menu of methods for providing such feedback.

Before plunging into the substance, I would also like to encourage you to enroll in the "Faculty Resource Page" on Canvas that Morris Ratner has established, and to which you have all received invitations. Over time we will add to our shared examples of faculty efforts to give students chances to practice legal writing and analysis; my hope is that this will become a highly collaborative effort.

What do we mean by "individualized feedback"? At the recommendation of Morris Ratner, and following the lead of a recent empirical study, we are defining individualized feedback as **"feedback tailored to and directly communicated to each student orally or in writing."** This includes instructor-provided written or oral comments on individual students' exams or exam-like assignment. It does not include generalized in-class instructor discussion of mock exams or assigned problems, nor does it include feedback on "practical" writing assignments, such as contract- or complaint-drafting exercises. The most valuable feedback comes prior to the final exam, when students are most receptive to reviewing and acting on feedback.

Examples of methods for providing individualized feedback:

- Exercises requiring students to perform the constituent parts of legal analysis, such as distilling rules from a line of cases or linking rule elements to relevant facts, where you inform each student what s/he did or did not do correctly and how s/he can improve.
- Mini-essays (e.g., 500-750 words) that call on students to apply IRAC to a factual hypo; to identify the issues; to state the rules, to apply elements of rules to hypo facts; to analogize the hypo to relevant decisions; and to state a conclusion.
- Longer writing exercises, including graded or ungraded midterms with individualized feedback on each midterm (or as many as is practicable).

Thus, individualized feedback can take multiple forms. It can be oral (e.g., conveyed in individual student meetings) or written. If written, the feedback can be in the form of comments written in the margins or at the end of student answers in narrative form, focusing on the students' grasp of the law, legal writing, and/or legal analysis. The feedback can also take the form of references to portions of a grading rubric, so that the student can match up rubric references with specific issues on which the student needs to work. As an example of the latter, one of our colleagues assigns a number to each box in a rubric, and puts numbers on the students' papers at the points where the rubric feedback is relevant.

Our hope is that to the extent practicable all faculty also provide some measure of individualized feedback on final exam answers. We also hope that faculty reviewing papers meant to fulfill the writing requirement give extensive individualized feedback.

Please don't let the perfect be the enemy of the good. Although there is no denying that individualized feedback takes more time, the worst thing that could happen is for faculty members to become intimidated and give up before they start. If you cannot provide feedback to all your students, please accept our offer of funds to hire a teaching assistant or assistants to help you give feedback. (You would train and supervise the teaching assistant, for example, by providing evaluation rubrics.) If not every student gets feedback on every exercise, that is better than none at all.

We invite you to share your innovations by posting them on the Canvas Faculty Resource Page so that the rest of us may benefit from your ideas and experimentation. If you have not yet received your invitation to enroll in the Canvas Faculty Resource Page, please reach out to Katey Mason, (masonk@uchastings.edu).

If you have additional ideas or suggestions, please contact Morris Ratner. He is collecting and organizing faculty resources for the Canvas page. On behalf of our students, thank you!

Best,

A handwritten signature in cursive script, appearing to read "Evan T. Lee".

Evan T. Lee