

Learning Episode and Reflective Narrative

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Brief Description of the Learning Episode

I often tell students that JOUR-J 300 Communications Law helps them develop knowledge and skills that function as both shields and swords. The shield helps protect them from legal troubles, and the sword helps them use the law to their advantage to better accomplish their goals as professional communicators. Knowledge of libel law and skills to evaluate a potential piece of journalism for defamation “red flags,” for instance, is a shield. Their knowledge of and most importantly their ability to apply open records laws, as another example, is a sword.

However, my teaching of the latter example – open records and freedom of information law – lacked depth and didn’t fully align with those broader “sword” teaching goals. In the first iteration of the class, I assessed knowledge of open records law but didn’t adequately give students an opportunity to apply those laws in ways that might be valuable for their careers.

The process of obtaining a government record can potentially take multiple steps, including researching the record one wants to request, determining the agency that has the record and who in that agency to ask, sending a formal request, and following up on that request. The first iteration of the course included multiple writing assignments, and the prompt for just one was to write a draft of an open records request letter the student *might* send to a public agency to attempt to gain access to records. Students were expected to use knowledge of open records law and connect it to research they had done about the type of record they *could* request and the government agency to which their request *could* be directed. But they *only* submitted the sample letter to me. They were not required to submit the letter to an agency, and most importantly, they were not required to practice the skills necessary to effectively follow up and respond to denials that often come up when applying open records knowledge and skills in real life. This represented a significant deficiency in how I taught this concept.

Need for Change

I recognized a need for change in the early iterations based on two factors: direct assessment of student learning with the open records letter writing assignment, and reflections on how well my course activities and assessments measured the intended outcomes for the class.

Specifically, in the first iteration of the course, students’ work on the open records assignment contained significant errors. For instance, in some cases, students misunderstood the structure of government agencies required to determine the best strategy for obtaining a record or they simply applied the incorrect law, such as referencing the federal freedom of information act instead of state open records laws when requesting state or local records. Though the average grade on this writing assignment was a solid B, the assignment assessed only a very small part of the process of obtaining a record. Moreover, much of the draft letter was based on templates

easily downloaded from open government non-profits organizations, so even students' completion of the draft letter was limited in how much it demonstrated knowledge of the law.

In addition to direct assessment and personal observations, students also commented informally and through SETs that they enjoyed class discussions and wanted more interactive elements in the class. I knew I had to find a more comprehensive activity and assessment to gauge their knowledge of and ability to use open records laws, and I wanted to do so in a way that was interactive and authentically connected to students' lives.

Approach Taken to Improve

In addition to failing to fully meet intended objectives of the course, the initial approach to this course outcome failed to adequately connect to my teaching philosophy, which heavily emphasizes the value of student choice and connectedness among students, their classmates, course content, and the instructor. Therefore, I wanted to revamp some elements of the course to include more interactive application of the law.

Beginning in the spring of 2014, the second time I taught the class, I completely transformed the open records assignment from a simple request letter writing assignment to a semester-long project in which students worked with two or three classmates to actually go through the process of trying to obtain a government document. I moved the open records lessons to the beginning of the semester, right after we covered foundational legal concepts.

The project was scaffolded into different parts, with periodic check-ins throughout the semester. In addition to breaking up the large project into smaller pieces, it also gave students enough time to wait on slow public agencies that typically take long to respond to requests. The project included the following steps:

- In the second week of the semester, while beginning to learn foundational knowledge of open records law and explore examples of interesting documents journalists and citizens have requested in the past, groups were asked to brainstorm and propose some possibilities for records they wanted to try to obtain. I would work with the groups to develop and narrow their ideas to something they could reasonably do in the context of a single semester.
- Shortly thereafter, they submitted a sample request letter to me, which demonstrated their research into the public agency and their ability to specifically tailor their request to a particular document or set of records (because overly broad requests are often denied or ignored). After I approved the letter, potentially after several drafts, they would send it to the public agency.
- Students would follow up with the public agency throughout the semester, trying to get the record. For some students, the process was easy, but for others, they had to persist against non-responsive agencies or respond to denials with questions or explanations of what the law said. In some cases, groups reached out to open records advocacy

organizations to aid in their work. Students were expected to accurately and thoroughly document and log each step of the process.

- At the end of the semester, students had to present *about the process* of getting the record, outlining all their work. For students who got the record without having to respond to denials, they had to explain how they would have responded had they gotten less satisfactory responses from agencies.

This learning activity transformed a very simple writing assignment that only emphasized and assessed very small portions of the process of using freedom of information law into a robust project that got students out into the community applying the law, critically thinking and adjusting strategies as they progressed.

It supported core components of my teaching philosophy as well. This project supported students' autonomy because it gave them the choice of what record they wanted to attempt to obtain. It supported relatedness because it emphasized working collaboratively with other students and working on a project that got them to interact with local communities. And it supported competence because it was multi-part with frequent and substantive feedback from me before they moved on to subsequent steps.

Assessment of Approach Taken to Improve

To come to the change, I looked to course assessment data, personal observations of student performance, and student evaluations of teaching, especially the open-ended comments across two different semesters.

Course assessment data. Though students were already meeting course outcomes as they were assessed in those early iterations of the class, the new approach not only allowed me to assess more about those outcomes but also it showed increased student success.

Though students scored a respectable average of 86.3 percent on that basic writing assignment, the average score on the larger project averaged in the 90s every semester since Spring 2014 when I introduced it. In other words, not only did I assess more and deeper skills by redesigning the way in which I introduced, emphasized, and assessed their application of freedom of information law, but students' performance improved relative to the previous, simpler assignment (see Table 1).

Table 1. Average score on freedom of information writing assignment/project

Semester	Average Score
Spring 2013 (N=18)	86.3%
Spring 2014 (N=16)	92.3%
Spring 2015 (N=13)	93.3%
Spring 2017 (N=26)	99.4%
Spring 2018 (N=23)	93.5%
Spring 2019 (N=23)	96%

Personal observation of student performance. I noticed much greater engagement than the past assignments. For instance, students in that first semester just saw it as a writing assignment to “get through.” When I started doing the open records projects, I saw students start to bring their personal interests to the assignment, working to get records that related to their lives. For instance, one group that had two members who were parents decided to request daycare inspection reports from state agencies in Indiana and Kentucky. Another group noticed that dogs and cats were required to be registered in the City of Louisville and that the form to register them had fields for name, breed, and zip code. They requested a database with more than 100,000 entries that allowed them to calculate the most common pet names and breeds by area of the city. These were projects they found useful or interesting.

Indirect assessment through student evaluation of teaching. Students found the interactive elements in the class useful, especially the open records assignment. In fact, open-ended comments in the SETs for Communications Law regularly mentioned the open records project as one of the “most valuable” aspects of the course. In Spring 2015, one student said, “Learning about open records and how to obtain them will be very beneficial in my future, and I think it was a really interesting thing to study and learn to do.” In Spring 2019, a student said they thought the project was fun and that “going through that process provided me with valuable experience and knowledge.” Many commented that they believe this skill will be one of the most useful in future careers.

Reflection and feedback loop. Comparing assessment data from before and after the changes shows positive improvements in students meeting course outcomes and goals relating to knowing and applying open records law. However, I’ve continued to look to assessment data and reflect on each semester’s work to tweak this project, working to improve student outcomes and satisfaction with the project. For instance, early in the evolution of the open records projects, I did not provide much instruction on working in groups. Based on feedback from students, I added an in-class session for students to brainstorm where I could provide more direct feedback, and I added more informal progress checks throughout the process.

Going forward, I plan to continually improve how I introduce, emphasize, and assess this outcome and how I execute this project. For instance, in spring 2020, I am teaching this course fully online for the first time, so I’m considering ways that I can continue the open records project but give students more practice in responding to denials, since not all students are faced with those challenges in their project work. For instance, I may produce interactive videos that “simulate” denials and ask students to respond to them based on their knowledge of the law. Just as before, I am recognizing a deficiency even in an otherwise successful project to determine if I can more deeply assess other aspects of the associated course outcome.