



Law Faculty

GUIDE FOR CONSTRUCTIVE ALIGNMENT OF LEARNING OUTCOMES WITH LEARNING ACTIVITY AND STUDENT ASSESSMENT

Prishtina, 05.05.2021

TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
1. INTRODUCTION	3
2. ENSURING ALIGNMENT.....	3
3. LINKING LEARNING OUTCOMES TO ASSESSMENT.....	4
4. LINKING OUTCOMES TO TEACHING AND LEARNING STRATEGIES	5
5. DIFFERENCE BETWEEN TRADITIONAL COURSE OUTLINES AND OUTCOME-BASED LEARNING COURSE OUTLINE.....	6
5. CONSTRUCTIVE ALIGNMENT SAMPLE.....	7
6. UTILITY FORMULA IN SELECTION OF ASSESSMENT METHOD.....	8
7. ALIGNMENT EXAMPLE.....	11

1. INTRODUCTION

The present Guide aims at explaining the principle of Constructive Alignment. Constructive alignment refers to an approach to instructional design that integrates Course Learning Outcomes (CLOs), (b) Teaching and Learning Activities (TLAs), and (c) Assessment methods (Ass.). As shown in Figure below the constructive alignment demands optimal coherence between these three elements in a course or curriculum. Moreover, constructive alignment underpins and assures the quality of an educational programme.

Figure 1: Constructive alignment



“[Constructive alignment] makes quite explicit the standards needed if the intended learning outcomes are to be achieved and maintained” (Biggs & Tang, 2015, p. 14).

Constructive alignment at the course level implies that course learning outcomes, student assessment, and learning and teaching activities all act in support of each other. The constructive alignment triangle is symmetrical triangle. If one part of the triangle is absent or is not supportive of the other parts, the triangle will collapse, hence the constructive alignment will not function.

2. ENSURING ALIGNMENT

Student assessment based on well-guided criteria lay down the clear foundation for inclusive learning processes at Law Faculty. If implemented properly, the student assessment with well guided criteria can provide a shared language between students and professors, who serve as assessors at the same time.

In ensuring constructive alignment, course learning outcomes play a primary role. Course learning outcomes guide the selection and design of learning activities and assessments.

Furthermore, assessment is in alignment with the course learning outcomes, when it really assesses whether or not a student can achieve a specific course learning outcome.

In addition, the part of constructive alignment is also the teaching and learning activities and teaching resources, which are in alignment when they provide students the best opportunity to learn what is specified in the learning outcome.

An effective learning outcome contains a verb that can guide the selection or creation of activities that students need to engage with to achieve the outcome. The same verb can guide the selection of student assessment mechanisms, which can measure how well students achieved the outcome and facilitate appropriate feedback.

It is essential that teaching and learning activities, including skills practice, match the learning outcome and that assessments measure what students learned and practiced. Oftentimes, upon course review, the course bearer may discover that teaching and learning activity or student assessment form is not aligned with the specific course learning outcome for which it designed for. To this end, the course bearer should modify the teaching and learning activity or student assessment format in order to reflect the course learning outcome. If this is not applicable, the course bearer may end up revising the learning outcome.

Here is an example of this relationship between these three components affecting each other.

- The *learning outcome*, or *objective* of a lesson is to explain the events that caused war in Kosovo;
- The *learning activity* is to define the historical events that lead to the tensions which sparked the Kosovo War;
- The *assessment* of this lesson comes in the form of an exam question, which asks students to discuss the role of international politics which gave rise to the Kosovo War.

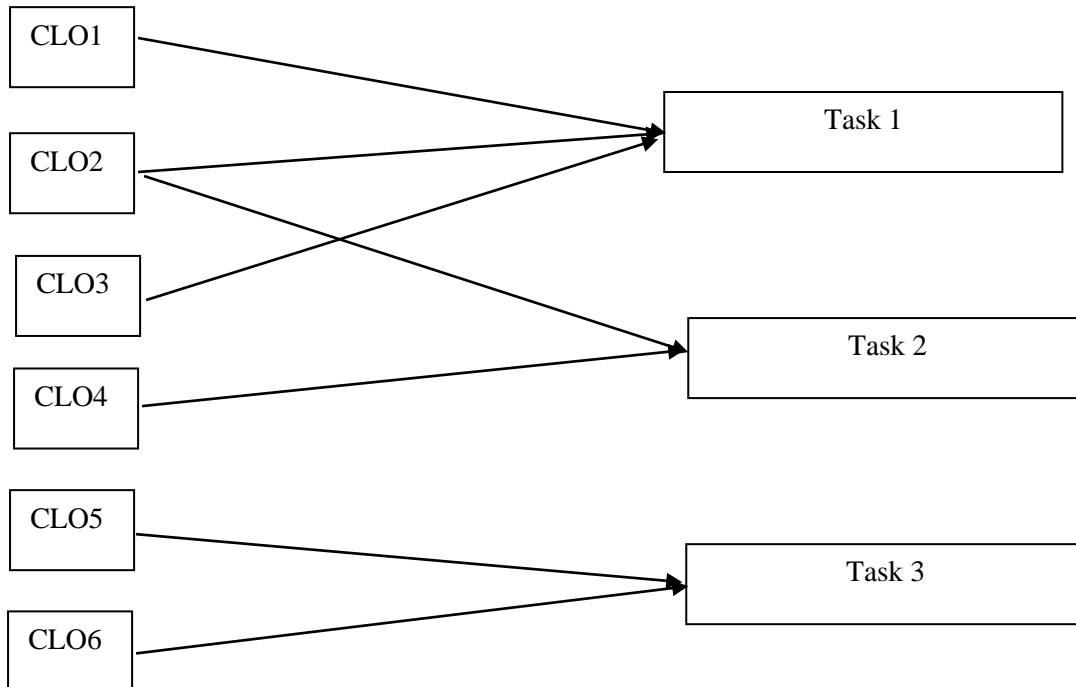
3. LINKING LEARNING OUTCOMES TO ASSESSMENT

The assessment process examines the extent to which students have achieved the course learning outcomes. Therefore in designing an assessment program it is essential that the course learning outcomes form the basis of what is assessed and how it is assessed.

Each course learning outcome should be assessed. If a stated course learning outcome is not assessed, neither the course professor nor the students will know if it has been realized. If the

learning outcome is framed in such a way that assessment is not feasible, the course bearer must reframe it so that demonstration of course learning outcome attainment is possible.

Figure 2: Alignment of CLOs with tasks



4. LINKING OUTCOMES TO TEACHING AND LEARNING STRATEGIES

The action verbs of course learning outcomes will flag the sorts of learning activities that will best lead to their attainment. For example, if one learning outcome is for students to be able to analyze and interpret data, then there should be activities where students are asked to analyze and interpret data, and opportunities for them to monitor, assess and receive feedback on their progress regarding these skills. If, as an outcome, students are expected to be able to construct a written legal argument based on particular law, then they will need to be taught the skills involved and engaged in activities that allow them to practice and refine those skills.

5. DIFFERENCE BETWEEN TRADITIONAL COURSE OUTLINES AND OUTCOME-BASED LEARNING COURSE OUTLINE

Proper constructive alignment between teaching, learning, assessment activities and learning outcomes is crucial for successful implementation of the OBL approach (Barkley & Major 2016; Biggs & Tang 2007).

Table 1: Difference between traditional course outlines and OBL course outlines

Traditional course outline	OBL course outline
Course objectives	Course learning outcomes
<ol style="list-style-type: none"> 1. Introduce students to causes of contractual obligations. 2. Familiarize students with formulation techniques for effective business contracts. 3. Introduce students to methods of formulation, design, interpretation, and dispute of legal contracts 	<p>CLO1: Understand concepts such as contractual obligation, obligation rights, legal transaction, legal and business skills, contract, and legal consequences;</p> <p>CLO1: Apply principles of obligations law in design, formulation, interpretation, and dispute of legal contracts;</p> <p>CLO3: Develop an appropriate contract formulation strategy for business efficiency, taking into consideration the aspects of the law of obligations and commercial aspects.</p> <p>CLO4: Communicate effectively with peers and clients at a high level of proficiency.</p>

Comparison of assessment tasks under the traditional model and outcome-based learning model is shown below:

Table 2: Assessment tasks under old course outline and OBL course outline

Assessment tasks in the old course outline	Assessment tasks in the new OBL course outline
1. Mid-term exam (30%) ^a 2. Final exam (30%) ^a 3. Three assignments (40%) ^a	1. Exam 1 (25%) ^a 2. Take Home Exam 2 (25%) ^a 2. Case study home assignment (20%) ^b 5. Team Role play in writing and verbal form as commercial and contract lawyers do (15%) ^c 6. Research paper and presentation on contract design strategies (15%) ^c

a Individual assessment.

b Group assessment.

c Group assessment for the written document and individual assessment for the presentations.

5. CONSTRUCTIVE ALIGNMENT SAMPLE

Table 3: Constructive alignment sample

Type of course learning outcome	Course learning outcome	Teaching and Learning activity	Assessment task
Cognitive (Demonstrate: Knowledge, Comprehension, Application, Analysis, Synthesis, Evaluation)	CLO1: Apply principles of obligations law in design, formulation, interpretation, and dispute of legal contracts	Lectures Tutorials Case study discussion	Case study home examination
Affective of (Integration)	CLO2:	Legal clinic	Clinical examination

beliefs, ideas and attitudes)	Display a willingness to co-operate with peers.	Group work	Project work
Psychomotor (Acquisition of skills)	CLO3: Demonstrate good legal disputing skills	Simulated contract resolution trial	Mock trial presentation and role play

6. UTILITY FORMULA IN SELECTION OF ASSESSMENT METHOD

Examples of criteria to assess the student achievement of intended learning outcomes are presented below as a form of guidelines for professors of various courses:

Selecting appropriate assessment methods for a course is often a difficult task. Prior to wise selection of assessment method, it is very important to assess the specific function of the respective assessment.

Why measuring the function of respective assessment method is important?

The function that assessment method plays in a study process is influenced by five factors and so-called utility formula.

The functions of assessment method can be the following:

- Provision of feedback to students;
- assigning grades to students;
- selecting students;
- Influencing student's learning behavior like timely starting to study the materials;
- Make student's experience satisfaction for the learning effort they put in, or completing or wrapping up the learning process;
- Be accountable to external stakeholders.

The utility of an assessment method is influenced by five factors such as reliability, validity, educational effects, acceptance of stakeholders, and cost efficiency.

The reliability reflects the extent to which repetitive sessions of an assessment instrument will generate the same results. In other words, if two or more comparable groups of students will be assessed, the same results should come out of it. The reliability is influenced by the length of an exam, the number and the diversity of questions in an exam, the transparency of an assessment, and the clarity of the language used then the clarity of expectations of both students and the course professor.

The next factor is validity. The validity raises the question whether the assessment method really measures what is really intended to measure. In other words, the validity questions whether the assessment method is aligned with the formulated learning outcome and whether the assessment method provides the course professor with the insight about the extent to which the learning outcome has been attained.

The third factor is the educational effects of the assessment method. It measures the extent to which the learning process is influenced by the assessment method and measures whether the effect is positive or negative and does it have a positive or a negative effect.

The assessment method's intentions are as follows:

- stimulate students to put time and effort in the learning process
- assists students to start timely with the learning activities
- provide students information on how well they did in the learning process (feedback);
- offer students information on how to improve next time (feed forward);
- offers students information on how their learning outcomes contribute to achieving the higher level program outcomes (feed up);

The fourth factor that influences the utility of the selected assessment method is acceptance by stakeholders. A chosen assessment methodology needs to be accepted by all crucial stakeholders. This means students, professors, and program management should have enough confidence in the outcomes generated by the assessment. In some cases, this means that before a new assessment methodology is used, effort needs to be put in creating commitment for it especially by students

The final factor influencing the utility of the selected assessment method is better cost efficiency. In all assessment methods, costs are involved, cost for the staff, locations, technology, etc.

The utility equals reliability multiplied by validity multiplied by educational effects multiplied by acceptance and, finally, multiplied by cost efficiency.

For a utility formula to work, none of the factors should be too low or even zero, because in that case, the utility of the assessment will not function.

Table 4: Utility formula factors

Methods of Assessment	Utility Formula Factors				
	Reliability	Validity	Educational Effect	Acceptance	Cost Efficiency
MC Exam	+	+	+/-	+	+
Essay	-	+	+	+/-	-

$$\text{Utility} = \mathbf{R \times V \times E \times A \times C}$$

(R= Reliability, V= Validity, EI= Educational impact, A= Acceptability, C= Cost)

In some cases, the utility formula also includes practicability.

$$\text{Utility} = \mathbf{R \times V \times EI \times P \times A \times CE}$$

(R= Reliability, V= Validity, EI= Educational impact, P = Practicability, A= Acceptability, CI= Cost-effectiveness)

The utility of the assessment method is functional if none of these factors equals or nears zero.

7. ALIGNMENT EXAMPLE

As an example how to link the assessment criteria to learning outcomes by using particular assessment assignments, these Guidelines use one of learning outcomes of the course Obligations Law of the bachelor study program in Law (LLB), for which a team project case study contract is used as an assessment assignment to measure the student achievement of the learning outcome 1: Apply principles of obligations law in design, formulation, interpretation, and dispute of legal contracts.

Table 5: Example of assessment criteria for intended learning outcomes in the courses Obligations Law

Intended learning outcomes	Assessment criterion	Fail descriptor
Apply principles of obligations law in design, formulation, interpretation, and dispute of legal contracts	Demonstrate and apply theoretical and practical knowledge of obligations law principles to contract design, formulation, interpretation and dispute.	Demonstrate partially-developed knowledge of obligations law related to the design, formulation, interpretation and dispute of legal contracts Make insufficient or wrong assumptions about legal contract clauses and partially interpret provisions of law of obligations in justifying the contractual clauses. Partially link to real life practices.

The achievement of learning outcome: Apply principles of obligations law in design, formulation, interpretation, and dispute of legal contracts is measured by the assessment assignment Team Project Legal Contract as described in the following assessment criteria:

1. Demonstrate and apply theoretical and practical knowledge of obligations law principles to contract design, formulation, interpretation, and dispute (35 %);
2. Solve legal disputes arising from large and complex legal contracts (35 %);
3. Communicate in a team in writing in the form of commercial and contract lawyers (30 %);

The standard descriptors used to assess the student achievement of the learning outcome: Apply principles of obligations law in design, formulation, interpretation, and dispute of legal contracts through the assessment assignment (Team Project Contract) are:

- Fail – Grade 5;
- Pass – Grade 6;
- Average credit – Grade 7 and 8;
- Distinction – Grade 9;
- High distinction – Grade 10

The descriptors are explained for each assessment criterion in Table 6.

Intended learning outcomes	Assessment criterion	High Distinction – Grade 10	Distinction – Grade 9	Average credit- Grades 7 and 8	Pass – Grade 6	Fail – Grade 5
Apply principles of obligations law in design, formulation, interpretation, and dispute of legal contracts	Demonstrate and apply theoretical and practical knowledge of obligations law principles to contract design, formulation, interpretation, and dispute (35 %)	Demonstrate and apply comprehensive knowledge of obligations law when thoroughly discussing and describing the main concepts and features related to the design, formulation, interpretation, and dispute legal contracts. Make meaningful assumptions and correctly interpret all of the inherent contract clauses thoroughly justifying the	Demonstrate and apply broad knowledge of obligations law when thoroughly discussing and describing the main concepts and features related to the design, formulation, interpretation, and dispute legal contracts. Make relevant assumptions and correctly interpret all inherent contract clauses thoroughly justifying the use of selected contract	Demonstrate and apply knowledge of obligations law when discussing and describing most of the concepts and features related to the design, formulation, interpretation, and dispute legal contracts. Make assumptions and interpret most expected contract clauses, justifying the use of selected contract clauses. Support most of	Demonstrate and apply basic knowledge of obligations law when discussing and describing some of the concepts and features related to the design, formulation, interpretation, and dispute legal contracts. Make at least half the required assumptions and interpret some of the expected contract clauses partially justifying their use of selected	Demonstrate partially-developed knowledge of obligations law to the design, formulation, interpretation, and dispute of legal contracts. Make insufficient or wrong assumptions and partially interpret contract clauses, occasionally justifying the use of selected contract clauses. Partially link to some industry legal practices.

		use of selected contract clauses. Support all your work with extensive, relevant and current literature, link all of your design and development work to obligations law theory in industry practices.	clauses. Support your work with relevant and current literature, link most of your work to obligations law theory in industry practices	your work with relevant literature, link some of your work to obligations law theory in industry practices.	contract clauses. Support at least half of your work with literature, link some of your work to obligations law theory in industry practices.	
Apply principles of obligations law in design, formulation, interpretation, and dispute of legal contracts	Solve legal disputes arising from large and complex legal contracts (35 %);	Communicate and work effectively in a team and as a leader to efficiently plan the solution of complex contracts. Solve legal contract problems in industry	Communicate and work effectively in a team and as a leader to plan the solution of complex contracts. Solve legal contract problems in industry operations	Communicate and work in a team and occasionally as a leader to plan the solution of complex contracts. Solve legal contract problems in industry operations	Communicate and work regularly in a team to plan the solution of complex contracts. Solve legal contract problems in industry operations phases:	Work mainly as an individual. Partially solve legal contract problems in industry operations: <input type="checkbox"/> provide inaccurate and/or incomplete contract clause solutions,

		operations phases: <input type="checkbox"/> provide accurate, innovative and practical contract formulation and clause solutions,	phases: <input type="checkbox"/> provide accurate and practical contract formulations and clauses most of which are innovative,	phases: <input type="checkbox"/> provide accurate and practical contract clause solutions,	<input type="checkbox"/> provide some accurate and practical contract clause solutions,	
Apply principles of obligations law in design, formulation, interpretation, and dispute of legal contracts	Communicate in a team in writing in the form of commercial and contract lawyers (30%)	Communicate concisely and coherently in a structured and readable contract with comprehensible legal formulations that adheres to the given format	Communicate concisely and coherently in a structured readable contract with comprehensible legal formulations that adheres to the given format.	Communicate coherently in a structured and readable contract with comprehensible legal formulations that adheres to the given format.	Communicate in a structured and readable contract with comprehensible legal formulations that adheres to the given format.	Present information.

