

HOLLORAN COMPETENCY ALIGNMENT MODEL

Stages of Development of Learning Outcome Competencies:
A Continuum from Entry into Law School Throughout a Career¹

During Law School



After Law School

¹ This model builds on the Dreyfus and Dreyfus Model of development from novice to expert. Stuart Dreyfus, *The Five-Stage Model of Adult Skill Acquisition*, 24 BULL. SCIENCE, TECH. & SOC. 177-81 (No. 3, June 2004).

² The "Competent Learner" is ready to take the bar exam and begin to practice law after passing the bar exam.

Assessment of Student's Ownership of Continuous Professional Development (Self-Directedness)
March 2019 draft

Sub-competencies of Ownership/Self-Directedness	Novice Learner (Level 1)	Advanced Beginner Learner (Level 2)	Intermediate Learner (Level 3)	Competent Learner (Level 4)	Exceptional Learner (Level 5)
1. Delivers work on time using calendaring and project management systems	Often misses timetables/deadlines with calendaring and project management systems not yet developed.	Occasionally misses timetables/deadlines with calendaring and project-management systems under development.	Almost always meets timetables/deadlines with functional calendaring and project-management systems developed and tested.	Always delivers work within deadlines and has anticipated possibility of unforeseen obstacles with excellent systems developed and tested.	Always delivers work on time and regularly delivers in advance of assigned timeframe to allow for completion of other tasks.
2. Commits to excellence and high quality work (work that meets expectations and demonstrates complete effort)	Often submits less than high-quality work.	Occasionally submits less than high-quality work.	Almost always submits high-quality work.	Always submits high-quality work.	Always submits high-quality work and regularly delivers beyond assigned tasks to exceed expectations.
3. Understands full range of competencies legal employers and clients want and diagnoses learning needs	Expects faculty/staff to identify student's goals. Limits engagement to tasks assigned by faculty in graded courses. Rarely seeks to independently understand the full range of competencies legal employers and clients want.	Occasionally seeks to understand the competencies needed by legal employers and clients and how student's strengths fit with those needs. Takes initial steps toward reaching student's goals by diagnosing learning needs and resources available to reach them. Begins to see value in non-graded opportunities.	Regularly seeks to understand the competencies needed by legal employers and how student's strengths fit with those needs. Student is in process of taking ownership over the path to reach student's goals by employing appropriate resources to meet learning needs. Sees value in non-graded opportunities.	Understands the competencies that clients and legal employers need and how student's strengths fit with those needs. Tries to understand and anticipate senior lawyers' and clients' wider context/business needs. Takes full ownership over the path to reach student's goals by creatively seeking resources to meet learning needs.	Meets Student at Graduation criteria and, in addition, is proactively learning: (1) how clients consume legal services and why and when legal services are needed by clients; (2) the business of law and how to provide better service to the employer; and (3) the competencies that practice experience now makes clear are needed.
4. Meets learning needs by defining SMART Goals: Specific—clear goals including what, why, and how; Measurable—including a clear method for evaluation of progress; Achievable—including obstacles and realistic solutions;	Needs significant assistance to identify and articulate a SMART Goal. Rarely articulates goals to meet learning needs that meet all five SMART Goals criteria.	Can describe what SMART Goals are and can articulate a goal that all meets all five elements with some coaching. Occasionally articulates goals to meet learning needs that meet all five SMART Goals criteria.	Can apply the SMART Goals framework and articulates goals that meet all five elements. Frequently articulates goals to meet learning needs that meet all five SMART Goals criteria.	Can explain the reasons for setting SMART Goals and is able to do so in a variety of situations. Almost always articulates goals to meet learning needs that meet all five SMART Goals criteria.	Can teach others how to apply the SMART Goals framework to goal-setting. Always articulates goals to meet learning needs that meet all five SMART Goals criteria.

Relevant—including connection to core values; and Time-bound—including a clear timeline of steps.					
5. Creates and implements a written professional development plan reflecting SMART goals	Needs to take steps to develop a written professional development plan.	Has outline of and begins to develop a written professional development plan. Begins to understand all resources available to realize the plan. Seeks coaching help on the plan.	Develops a written professional development plan to reach student's goals. Understands all resources available to realize the plan. Revises the plan as student gains experience and has sought coaching help. Begins to develop and implement a plan to build the professional relationships needed to carry out the plan.	Creates, implements, and regularly revises a written professional development plan. Develops and implements a strategic plan to build the professional relationships needed to carry out the student's plan.	Meets Student at Graduation criteria and, in addition, includes and implements a plan to develop business through client relationships.
6. Actively seeks opportunities and experiences to develop competencies outlined in written professional development plan	Rarely if ever takes steps to seek opportunities and experiences outlined in the plan.	Begins to seek opportunities and experiences outlined in the plan.	Regularly seeks opportunities and experiences outlined in the plan. Begins to develop portfolio of evidence demonstrating student is at later stages on competencies employers want.	Actively seeks challenges and opportunities to develop competencies further. Develops a portfolio of evidence that demonstrates student is at later stages on competencies employers want.	Meets Student at Graduation criteria and, in addition, seeks leadership roles and opportunities to handle difficult legal and client situations. Has portfolio of experiences on all needed competencies.
7. Seeks and Incorporates Feedback	Rarely seeks feedback.	Occasionally seeks feedback and makes improvements based on the feedback.	Regularly seeks feedback and makes improvements based on the feedback. Begins to proactively develop mentor relationships to receive feedback.	Creates and uses a cyclical feedback loop to evaluate the effectiveness of activities and makes improvements. Proactively develops mentor relationships to receive feedback and often meets with mentors.	Meets Student at Graduation criteria and, in addition, meets with existing mentors in regular intervals to receive feedback.
8. Uses reflective practice: reflects on own performance (what?); contemplates lessons learned (so what?); and identifies how to apply lessons learned to improve in the future (now what?)	Needs significant guidance on the necessary components of reflective practice. Rarely engages in reflective practice.	Can describe what reflective practice is but needs significant coaching on its necessary components. Occasionally engages in reflective practice and applies lessons learned.	Regularly incorporates all necessary components of reflective practice. Frequently engages in reflective practice and applies lessons learned.	Can explain the reasons for reflective practice and is able to use it in a variety of situations. Almost always engages in reflective practice and applies lessons learned.	Can coach others on how to engage in reflective practice. Continuously engages in reflective practice and applies lessons learned.

Adapted from “A Developmental Model of Intercultural Sensitivity” by Milton J. Bennett (1986, 1993, 2004, 2013)

Stage of Cultural Competence	Description of Knowledge, Behaviors, and Values	Examples Of Statements a Person in this Stage Might Make
Chauvinism about a Particular Culture	I recognize broad, general categories of culture. But not only do I believe that my culture is superior to other cultures, I believe that members of other cultures have no or only a limited place/role in my community.	Whites are just smarter than other people. Women don’t have the ability to do math and science the way men do. Brown and black people are on every street corner, selling their babies for drugs. You’re taking a seat meant for an able-bodied student. Foreign students come here to have US-born anchor babies. Affirmative action is stopping Asian Americans from being accepted in law school based on merit.
Unawareness of Cultural Differences	I don’t have personal assumptions and biases based on culture. I may recognize broad, general categories such as “foreigners,” “gays,” and “people of color.” I prefer to be with people who are like me.	I don’t have a culture. People are different because of personality, intelligence, or experience. I treat everyone – students, faculty, staff, clients – the same. I spoke with John and Jack (fellow white male faculty) before the meeting, and they agree that we don’t need a diversity proposal. I don’t understand why the students of color don’t volunteer as much in my class. I find it more satisfying and effective to work in a group of people like me.
Preference for a Particular Culture	I know there are other cultures, but my culture is better than other cultures. Other cultures just aren’t as moral. I sort	This is America. Everyone should speak English and accept Jesus Christ as their savior.

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	people by whether they belong to my culture or not. OR I think another culture is better than mine. So, I try to belong to that culture.	Immigrants are changing our country too much. People in other countries should try to be more like us. We do not want to change our law school's culture; we need students/faculty who are the right "fit." Law school is hard; women and students of color have trouble making it. Like the United States, our law school is a melting pot. Americans abroad are so embarrassing. I try to hang out only with the locals.
Minimization of Cultural Difference	I believe that cultural differences are superficial, like food, music, and clothing. All people share universal human traits and values, (like the ones at the heart of my culture). Because we are all the same inside, I act like myself, no matter whom I'm with, and I treat everyone the same. In my country, I don't believe that anyone has an advantage due to culture.	There are some differences in the details, but human values are universal. People are really all the same inside. Everyone has an equal opportunity to make it in this country. There is nothing special about culturally competent lawyering; clients simply need good lawyers. We [admit students/hire faculty] based on merit; we are not going to lower our standards. Cultural intolerance does not explain the problems women and students of color have; they just need to work harder. Writing about race/gender/LGBTQ/faith/poverty/ etc. is not "real" scholarship; serving on committees dedicated to diversity issues is not a serious contribution to the school.

Stage of Cultural Competence	Description of Knowledge, Behaviors, and Values	Examples Of Statements a Person in this Stage Might Make
		I do not see a need to adjust my teaching methods to be more inclusive because cultural differences are exaggerated; good students will always do well.
Appreciation of Cultural Differences Acknowledgement of Cultural Diversity / Equity	I believe that all behaviors and values, including my own, are constructed in distinct and observable cultural contexts that are equally authentic human experiences (cultural relativism). I try to understand how general cultural context and patterns affect my own and other people's specific behavior and values. That doesn't mean that I agree with or prefer another culture's values. Rather, I try not to judge another culture based on my own culture's values, even when I don't like the behavior or value of the other culture. Sometimes, trying to be nonjudgmental can feel as though I'm not being true to my own cultural values. Being aware of general cultural context and patterns means I have to be careful to focus on the specific people I'm interacting with. I try not expect them to follow all the general values and behaviors of their culture. I know that systematic privilege for dominant cultural groups exists. If I'm a member of a dominant group or in a role that gives me power or authority over someone who is different from myself I try to be careful about how I act. I don't want	When I travel or study abroad, I try to learn about the culture of the country I'm going to. I try to learn about the cultures of my colleagues/clients/adversaries so that I can better understand their perspectives. When I saw how my client addressed his wife, I believed she didn't mind, as I know their home country is more patriarchal than ours. But I worried that my unconscious body language made me look as though I was judging them. I believe it is important for my students to develop culturally competent lawyering skills. I know students have raised concerns about diversity/inclusion but do not feel that I am right person to address those concerns; I have no credibility because I am white/male/straight/etc. I try to get to know each of my students as individuals and learn about their cultural backgrounds. We celebrate the diversity of our school through various events such as Black History Month and Women's History Month. I recognize the course text may not be effective at including issues of race/gender/LGBTQ/faith/poverty/etc. but I do not feel empowered to discuss these issues in class myself.

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	to be blind to privilege or seem as though I'm judging their culture. I don't want to offend someone else.	I know we have faculty who write about race/gender/LGBTQ/faith/poverty/etc. but do not feel equipped to digest that scholarship.
Responsiveness to Cultural Differences/Diversity/Inclusion	I learn about cultural difference before working with others, including by seeking out cultural informants and researching cultural difference. I consciously shift my perspective and behavior in response to another's culture. That means I practice empathy, withholding judgment, and cultural frame-of-reference shifting in working with others. I use tools such as The Five Habits of Cross-Cultural Lawyering. I am motivated to practice because, the more I practice, the more fluid and authentic my adaptations become, and the more effective I become in making an experience more culturally accessible for other people. I apply my own cultural and professional values in culturally relative ways.	To work with these opposing lawyers, I have to remember that their culture is more status-oriented; so I have to use their titles and ask for permission more often. When I schedule meetings with clients who are religious, I pay attention to their days of worship and holidays. I'm beginning to feel that I can maintain my own values and still work effectively in this law firm. The more I understand this culture, the better I get at following their jokes. I recognize that I must be a culturally competent legal educator in order to cultivate culturally competent lawyering skills in my students. I try to get to know each of my students as individuals and learn about their cultural backgrounds; I am trying to be more inclusive in my teaching methods. I understand that the cultural background of my students may affect their experience in law school; when faced with a concern, I try to be an ally. I participate in the cultural celebrations in the law school (e.g. Women's History Month) but realize inclusivity requires a deeper commitment. One of my priorities in choosing a course text is how well the text incorporates issues of race/gender/LGBTQ/faith/poverty/etc.

Stage of Cultural Competence	Description of Knowledge, Behaviors, and Values	Examples Of Statements a Person in this Stage Might Make
Fluency in Cultural Inclusion	I see all people as culturally unique because we each create our own cultural and personal identities, based on the more general cultural contexts and patterns that we experience. I like being able to integrate the different cultures that I belong to into a positive whole. I use power in culturally appropriate ways, with an emphasis on reconciling differences. I look for and create opportunities for multicultural interactions. I support others in creating their own multicultural or intersectional identities.	I am a better interviewer because I can draw on different cultural frames of reference. I am comfortable working in teams. I enjoy finding cultural connections to and among all the members even when some differences seem to outweigh similarities. I like that in this community newcomers and existing residents work together to continuously change our community to fit all of us. I recognize that faith and science can be compatible. I enjoy having students from different backgrounds in class because diversity enriches classroom discussion. I am learning how to handle conflicts or disagreements that may arise during class instead of dismissing or cutting of the discussion. Having more students of race/gender/LGBTQ/faith/poverty/etc. is better for our school and I prioritize the work it takes to maintain an inclusive environment. I am committed to the continuing work of cultural competence and know that it will be a lifelong journey of learning for me and my students.

Sources:

http://www.idrinstitute.org/allegati/IDRI_t_Pubblicazioni/47/FILE_Documento_Bennett_DMIS_12pp_quotes_rev_2011.pdf

<http://transculturalcare.net/the-process-of-cultural-competence-in-the-delivery-of-healthcare-services/>

https://utahculturalalliance.files.wordpress.com/2015/10/stages_and_levels_of_cultural_competency_development.pdf



Activities, including some assessments, which could be used:

http://www.uh.edu/cdi/diversity_education/resources/activities/pdf/diversity%20activities-resource-guide.pdf

<https://www.pakeys.org/uploadedcontent/docs/Higher%20Ed/2011%20Conference/S%20Hoang-Phuong%20Cultural%20Competence%20Handouts.pdf>

How to use this Continuum for Setting a Program Outcome and Assessing the Outcome:

- Looking at the continuum, decide which stage the school would like students to reach by the time they graduate. The stage should be a realistic one based on the curriculum and other activities the school requires/provides to students.
- Draft a program outcome that identifies what graduates would know, be able to do, or value in order to achieve the chosen stage.
- Identify in the required curriculum and other courses and activities where the knowledge, skills, and values needed for cultural competence are introduced, practiced, and mastered to the desired stage.
- Use the continuum to develop an assessment tool or tools that will allow students to demonstrate whether they have achieved the desired stage by graduation. This tool might be a self-reflection and assessment by students, an exam, or a simulation that requires the use of knowledge, skills, and values that underlie cultural competence.

Ex: IU has as a program goal the broad category “Professionalism,” which encompasses cultural competence: “Our students will empathize with and respect those affected by their work.” The corresponding program outcome states that students will be able to: “Identify, appreciate, and navigate cultural, social, political, and viewpoint differences in both personal and professional interactions.”

- A comparison of the key verbs in this outcome – “identify, appreciate, and navigate” – puts this outcome on the continuum in the Acceptance, Adaptation, and Integration stages.
- IU has not mapped outcomes onto the curriculum yet.

Teamwork Sub-Competencies 1-7
March 2019 Draft

Sub-Competency	Novice Learner	Advanced Beginner Learner	Intermediate Learner	Competent Learner	Exceptional Learner
1. Prepares for team engagements	Occasionally prepared for team discussion and occasionally contributes.	Frequently prepared for team discussion, and frequently contributes.	Almost always is prepared for team discussion, and almost always contributes.	Always prepared enough to actively engage in the material and contribute to the team discussion.	Has mastery of the material, enabling a leadership role in helping the team to pursue its goals.
2. Complies with team rules	Occasionally recognizes team rules, but frequently does not follow them.	Recognizes and accepts team rules, but occasionally does not follow them.	Recognizes and accepts team rules, and almost always complies with them.	Helps create effective team rules and always complies with them.	Has mastery of team rules and actively assists team members in complying with them to serve team goals.
3. Makes individual contributions outside of team meetings	Occasionally completes assigned tasks by the deadline.	Frequently completes all assigned tasks by the deadline; work accomplished is usually adequate and occasionally serves to advance the team project.	Almost always completes all assigned tasks by the deadline; work accomplished is adequate and serves to advance the team project.	Always completes all assigned tasks by the deadline; work accomplished is thorough and comprehensive, and serves to substantially advance the team project.	Always completes all assigned tasks by the deadline; work accomplished is thorough, comprehensive, and serves to substantially advance the team project; proactively helps other team members complete their assigned tasks to a similar level of excellence.
4. Facilitates the contributions of team members	Occasionally engages team members by taking turns and listening to others without interrupting.	Frequently engages team members by taking turns and listening to others without interrupting.	Almost always engages team members by taking turns and listening to others without interrupting; facilitates team members' contributions by re-stating their views and/or asking questions for clarification.	Always engages team members by taking turns and listening to others without interrupting; Engages and leads team members in ways that facilitate their contributions by building upon or synthesizing those contributions.	Always engages and leads team members in ways that facilitate their contributions by both constructively building upon or synthesizing those contributions, and noticing when someone is not participating and inviting them to engage; allocates work to take advantage of team members' strengths.
5. Fosters a constructive team climate	Occasionally treats team members respectfully by being polite/constructive in communication; uses neutral vocal/written tone, facial expressions, or body language; occasionally exhibits	Frequently treats team members respectfully by being polite/constructive in communication; uses neutral vocal/written tone, facial expressions, or body language; is silent	Almost always treats team members respectfully by being polite/constructive in communication; uses neutral vocal/written tone, facial expressions, or body language; assists and/or encourages team members	Always treats team members respectfully by being polite/constructive in communication; uses positive vocal/written tone, facial expressions, and/or body language to convey a positive attitude	Always treats team members respectfully by being polite/ constructive in communication; uses positive vocal/written tone, facial expressions, and body language to convey a supportive attitude about the

	anger and hostility when team members fail to meet their obligations.	when team members fail to meet their obligations.	only if asked; if a team member fails to meet obligations, does not give feedback to the team member but comments on problem to other team members.	about the team and its work; assists and encourages team members freely; may give feedback to team member who fails to meet obligations.	team and its work; motivates teammates by expressing confidence about the importance of the task and the team's ability to accomplish it; leads the team by assisting and/or encouraging team members freely; approaches team member shortcomings and failures with understanding but gives direct feedback.
6. Communicates effectively	Occasionally is mentally present during group meetings, and occasionally listens actively and contributes to group discussion; occasionally communicates status of assigned tasks or responds in a timely way when asked about assigned tasks.	Frequently is mentally present during group meetings, and frequently listens actively; frequently contributes to group discussion; frequently provides timely status updates on tasks when asked, but does not proactively communicate when task will be late or incomplete by agreed-upon deadlines.	Almost always is mentally present during group meetings, and listens actively; will almost always discuss alternate viewpoints/ideas/opinions; almost always provides timely status updates on tasks, and sometimes proactively communicates when task will be late or incomplete by agreed-upon deadlines.	Always is mentally present during group meetings, and listens actively; usually discusses alternate viewpoints/ideas/opinions; affirmatively provides status updates on assigned work and always proactively communicates when task will be late or incomplete by agreed-upon deadlines	Always is mentally present during group meetings, and actively listens; regularly contributes to team discussions in highly productive ways through clear, respectful communication; proactively provides status updates on assigned work and always proactively communicates when task will be late or incomplete by agreed-upon deadlines
7. Responds to conflict	If conflict within the team, occasionally redirects focus toward common ground and the substantive task at hand; usually does not personalize the conflict; largely refrains from "tit-for-tat" behavior that increases conflict; occasionally recognizes other parties' underlying concerns and needs.	If conflict within the team, frequently redirects focus toward common ground and the substantive task at hand; usually does not personalize the conflict; largely refrains from "tit-for-tat" behavior that increases conflict; frequently recognizes other parties' underlying concerns and needs.	If conflict within the team, almost always directs focus toward common ground and the substantive task at hand; almost always does not personalize the conflict; almost always refrains from "tit-for-tat" behavior that increases conflict; almost always recognizes other parties' underlying concerns and needs.	If conflict within the team, always identifies and acknowledges conflict and stays engaged with it by focusing the team on the substantive issues, not people; always appropriately recognizes other parties' needs and concerns in the conflict; is flexible as to possible solutions.	Always identifies and acknowledges conflict and stays engaged with it by focusing the team on the substantive issues, not people; uses face-saving strategies to encourage team members' continued engagement and deescalates anger and frustration; appropriately recognizes other parties' needs in the conflict; is highly flexible as to possible solutions as long as other parties' needs and concerns are met.

* Sub-competencies 1 and 2 are borrowed in significant part from a rubric created by Lindsey Gustafson at the Bowen School of Law in Little Rock, Arkansas. Sub-competencies 3 through 5 are borrowed in significant part from the Association of American Colleges & Universities (AAC&U) Value Rubric on Teamwork. All seven competencies are synthesized also from the competency models on teamwork from ten large law firms.