

# Academic Assessment Report

LL.M. Program in Agricultural & Food Law  
University of Arkansas School of Law  
May 2016

## Program Goals (3-4)

*(Program goals are broad general statements of what the program intends to accomplish and describes what a student will be able to do after completing the program. The program goals are linked to the mission of the university and college.)*

1. To recruit well-qualified attorneys to the integrated study of agricultural and food law
2. To introduce our students to the wide-ranging and complex law and policy issues associated with food and agricultural systems
3. To educate our students in a way that allows them not only to master an understanding of current agricultural and food law issues, but also prepares them to address these issues in a changing legal landscape
4. To graduate students who will use the education they received to serve at the highest professional level, enhancing the reputation of the Program, the School of Law, and the University of Arkansas

## Student Learning Outcomes (6-8)

*(Student Learning Outcomes are defined in terms of the knowledge, skills, and abilities that students will know and be able to do as a result of completing a program. These student learning outcomes are directly linked to the accomplishment of the program goals.)*

1. Complete 24 credit hours pursuant to a course of study approved by the Program Director.
2. Demonstrate professional competency in a full range of designated areas of agricultural and food law expertise. Maintain a cumulative grade-point average of 2.50 or better (on a 4.00 scale).
3. Conduct research in a specialized area of agricultural law and produce a written product for graded credit. The required written product can be of the sort that is published in a law journal or, with the permission of the director of the graduate law program, a less traditional product that demonstrates rigorous legal analysis, significant academic content, and quality legal writing skills.
4. Develop professional lawyering skills, including experiential learning, creative projects, and advanced analysis of agricultural and food law and policy.
5. Develop a professional reputation through publication, public speaking, professional counseling and advising.
6. Career placement in positions that allow candidates “to serve at the highest professional level, enhancing the reputation of the LL.M. Program, the School of Law,

and the University of Arkansas.” The Program’s ultimate educational objective is the placement of our alumni in rewarding jobs.

### **Process for Assessing each Student Learning Outcome**

*(A process must be defined and documented to regularly assess student learning and achievement of student learning outcomes. The results of the assessment must be utilized as input for the improvement of the program.)*

1. Complete a total of 24 credit hours pursuant to a course of study approved by the Program Director.
  - a. Means of assessment and desired level of student achievement
    - i. The Program Director is responsible for approving each LL.M. candidate’s course schedule. At least twelve credits of specialized agricultural or food law courses are offered each semester in the Program. Most candidates take these specialized courses. The Program provides an integrated study of the overlapping areas of agricultural and food law and a consideration of the way that law and policy influence our overall food system. The Program Administrator registers candidates and monitors their academic records. Student learning is assessed through frequent interaction with professors and the Program Director, the evaluation of student presentations, the evaluation of written products, and written examinations.
    - ii. With the permission of the Director, candidates may substitute up to 6 credits of graduate level courses or law school courses for LL.M. credit. Each candidate meets individually with the Program Director to develop his or her course schedule.
    - iii. There is some variation in the Program curriculum each year. The courses that are offered in a given year depend upon the emerging issues in legal practice; the availability of the visiting condensed-course professors; the preferences and availability of the tenured faculty; and spring semester, the preferences of the candidates.
    - iv. There are areas of agricultural and food law that are considered essential to the degree and the candidates are introduced to these areas each year in one course format or another. These areas are:
      1. Agriculture & the Environment
      2. Food Law & Policy
      3. A Survey of Agricultural Law (highlighting areas where law is unique to the agricultural sector)
      4. Historical Context of American Agriculture
    - v. Optional coursework is provided to cover a wide range of agricultural and food law issues, including Agricultural Labor Law, The Right to

Food, Business Human Rights & Corporate Social Responsibility, Federal Nutrition Law & Policy, Federal Regulation of Food Labeling, and a variety of other classes.

b. Timeline for assessment and analysis

- i. LL.M. candidates meet frequently with the Director to discuss their progress and issues related to their studies. Candidates are encouraged to meet with their professors if they have any questions or wish to discuss matters related to their courses. At the close of each term, the Program Administrator prepares a progress report detailing each candidate's graded performance. This report is reviewed by the Program Director.

c. Analysis/Results of Current Assessment

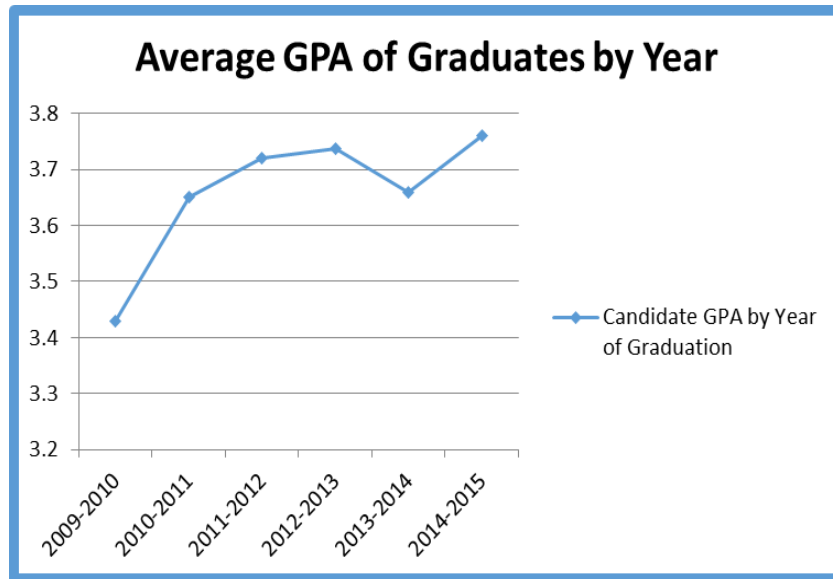
- i. Exercises are incorporated into the curriculum for distance candidates, so that instructors may better gauge a student's interaction with and understanding of the material. Exercises vary by instructor, ranging from in class presentations (via live video conference), written summaries, discussion board exercises, and blog posts.
- ii. The Program Administrator maintains an annual reporting system to assess student progress toward degree completion and provides an annual report to the Program Director and as needed, to the student.
- iii. The Program Administrator maintains records on student performance, including individual grades and overall graduation rates. The list below reflects recent graduation percentages per class. Note, however that because each student is allotted 4 years from the time of matriculation to complete the Program requirements, candidates from 2012 forward are still within the available time period. Most candidates begin their final writing requirement after completing their coursework, submitting their final writing requirement within this 4 year window. We expect the graduation rates from 2012 forward to increase significantly.

1. 2009-2010 – 100%
2. 2010-2011 – 100%
3. 2011-2012 – 100%
4. 2012-2013 – 93%
5. 2013-2014 – 53%
6. 2014-2015 – 8%

- d. Planned/suggested changes to program
    - i. None
  - e. Changes to the assessment process made or planned
    - i. None
2. Demonstrate professional competency in a full range of designated areas of agricultural and food law expertise. Maintain a cumulative grade-point average of 2.50 or better (on a 4.00 scale).
- a. Means of assessment and desired level of student achievement
    - i. The specialized LL.M courses follow testing procedures that are similar to law school examinations, with several exceptions. Like typical law school procedures, most examinations are graded anonymously. Most are administered at the end of the semester. Unlike most J.D. classes, LL.M. course examinations are generally “open book,” allowing the candidates to consult their course materials and notes. Exam questions are drafted accordingly. This format is designed to encourage the preparation of resource materials that will be useful in practice, and it more accurately reflects the actual practice of law, in which attorneys are most likely to refer to written materials and other resources.
    - ii. Professors who teach in the Program have individual flexibility in developing testing strategies for assessing the student learning achieved in their specific course. The range of testing strategies includes the typical law school exam, with one or more complex essay question or question; competency exams that test a foundational level of knowledge necessary to have mastered the course; open-ended essays that allow students to develop their own thoughts on matters of policy; research papers; and oral class presentations. In addition, students are sometimes asked to write short articles, some of which later appear in professional blogs or in newsletters. In most classes, classroom attendance and participation can be factored into final course grades at the Professor’s discretion.
  - b. Timeline for assessment and analysis
    - i. Additional exercises are incorporated into the curriculum for distance candidates, so that instructors may better gauge a student’s interaction with and understanding of the material. Exercises vary by instructor, ranging from in class presentations (via live video conference), written summaries, discussion board exercises, and blog posts.

- ii. At the close of each term, the Program Administrator prepares a progress report for each candidate. The Program Director reviews the progress report for each candidate. Very few students have needed any counseling for poor graded performance, and within the last five years, all have exceeded the 2.5 G.P.A. minimum necessary for graduation.

c. Analysis/Results of Current Assessment



i.

d. Planned/suggested changes to program

- i. None

e. Changes to the assessment process made or planned

- i. None

3. Conduct research in a specialized area of agricultural law and produce a written product for graded credit. The required written product can be of the sort that is published in a law journal or, with the permission of the director of the graduate law program, a less traditional product that demonstrates rigorous legal analysis, significant academic content, and quality legal writing skills

a. Means of assessment and desired level of student achievement

- i. Each LL.M. candidate must complete the Research & Writing requirement for graded credit. The successful completion of this requirement evidences advanced legal research and writing ability in

an area of agricultural or food law. The written requirements for the article that candidates must produce in order to meet the Research and Writing requirement are as follows:

1. Each degree candidate shall do research in a specialized area of agricultural or food law and produce a written product for graded credit. The written product shall
    - a. be a scholarly paper of such quality that it is publishable in a reputable law journal; or
    - b. with the advance approval of the director of the graduate law program, be a written product that, while not adhering to the traditional law review format, demonstrates rigorous legal analysis, significant academic content, and quality legal writing skills.
- b. Timeline for assessment and analysis
- i. Drafts are submitted to the candidate's faculty advisor throughout the writing process. In practice, candidates continue working on their article until they achieve either an A or B for the final grade. Candidates are encouraged to complete their writing requirement during their final term in residence. Candidates are given up to 4 years from the date of matriculation to complete the requirement.
- c. Analysis/Results of Current Assessment
- i. A listing of the most recent articles submitted in accordance of the research & writing requirement is included below. The Program Administrator maintains a cumulative listing which is available upon request.
    1. Trevor Findley, *The Courts Have Done All They Can Do, Now Congress Must Regulate Biotechnology*
    2. Elizabeth Mashie Gunsaulis, *Recall It All: Evaluating the Impact of Food Safety and Social Attitudes on Food Waste and How We Can Change Them*
    3. Erin Shirl, *Arkansas Food Recovery: An Informative Guide to State & Local Law*
    4. Lauren Bernadett, *Farming Shellfish Carbon: The Feasibility of Incorporating a Shellfish Aquaculture Offset Program Into the Voluntary Carbon Market*
    5. Teresa Christina Garcia, *Vertical Integration Agribusiness Contracts in Brazil*
    6. Mark Cohen, *Criminal Prosecutions for Food Adulteration: A Guide for Farmers, Food Processors, and their Counsel*

7. Jeremy Baker, *Closing the Loop: State Landfill Bans as Part of the Solution to the Food Waste Problem*
8. Wesley Ward, *Estate Planning: General Information for Young and Beginning Farmers and Ranchers*
9. Cathy Franck, *New Methods & Technology in Agriculture*
10. Adam Lichtenberger, *Towards a Just Food Regime: Consumption, Ideology, and Democratic Strategy*

- d. Planned/suggested changes to program
  - i. None
- e. Changes to the assessment process made or planned
  - i. None

4. Develop professional lawyering skills through experiential learning, creative projects, and advanced analysis of agricultural and food law and policy. Beyond the traditional curriculum, the LL.M. Program provides opportunities for advanced legal research, writing, and creative projects that explore advanced areas of agricultural and food law and policy, along with experiential learning opportunities. These opportunities foster the development of the professional lawyering skills needed for excellent in practice.

- a. Means of assessment and desired level of student achievement
  - i. All opportunities are supervised by a professor, professional mentor and/or the Director of the Program. Regular monitoring of student performance is done throughout the semester, with a final report on performance provided informally and through graded credit.
- b. Timeline for assessment and analysis
  - i. Proposals for independent study projects, externships, and other special opportunities developed between the student and the Program Director at the start of the term. The proposals define the anticipated outcome or deliverable. The student then meets with the Director or other faculty supervisor frequently during the semester to assess progress. The Director or other faculty supervisor grades the final product at the end of term.
- c. Analysis/Results of Current Assessment
  - i. Examples of approved projects in recent years include:
    1. Work with the School of Architecture and the Community Design Center to explore legal issues associated with its Food City Scenario, a nationally recognized project on urban planning which incorporates local food systems;
    2. A summary of options for legal relief for labor trafficking victims, with a focus on the Trafficking Victims Protection Act

- (TVPA) and the Racketeer Influenced and Corrupt Organizations Act (RICO).
3. A comprehensive legislative history of federal food assistance programs in the United States, collected in the form of an annotated research notebook.
  4. Walmart Externships; see, e.g., <http://www.agfoodllm.com/2015/04/llm-walmart-externs-receive-food-safety.html>
- d. Planned/suggested changes to program
    - i. We are working to add additional experiential learning opportunities to the program. A new “practicum” program that will connect our students to organizations, agencies, and businesses has been approved by the faculty.
  - e. Changes to the assessment process made or planned
    - i. None
5. Develop a professional reputation through publication, public speaking, professional counseling and advising.
- a. Means of assessment and desired level of student achievement
    - i. LL.M. candidates are encouraged to publish short articles involving legal or policy analysis in a variety of online publications and newsletters. The Program Director maintains a network of such publication opportunities. Publication improves the students’ legal analysis and legal writing, and it enhances their reputation. Acceptance for publication provides evidence of student achievement.
    - ii. LL.M. candidates are required to make presentations in some of their classes. They practice these presentations ahead of time, with an opportunity to record and view their own performance. Their performance is critiqued by their professor and their classmates.
    - iii. LL.M. externs are assessed by their externship supervisor for their work in a professional setting.
  - b. Timeline for assessment and analysis
    - i. Expectations are provided to candidates at the beginning of any project. Assessments are provided in meetings with their mentor or the Program Director during and at the conclusion of the project.
  - c. Analysis/Results of Current Assessment
    - i. Candidates’ employment prospects are improved as a result of professional skill development that is evident from publications listed on their resume, recordings of their presentations, and related enhancement of their professional reputation. Examples include numerous candidate publications in the national online news service,



- Food Safety News (foodsafetynews.com), in ABA section newsletters, candidate-run blogs such as FoodLawToday.blogspot.com.
    - ii. Candidate and alumni activities are reported on the Program blog (agfoodllm.com) and in a monthly newsletter to candidates, alumni and professional colleagues.
  - d. Planned/suggested changes to program
    - i. We are always attempting to incorporate more profession-building exercises in to our individual classes.
  - e. Changes to the assessment process made or planned
    - i. None
- 6. Career placement in positions that allow candidates “to serve at the highest professional level, enhancing the reputation of the LL.M. Program, the School of Law, and the University of Arkansas.” The Program’s ultimate educational objective is the placement of our alumni in rewarding jobs.
  - a. Means of assessment and desired level of student achievement
    - i. Current employment is tracked through an Alumni Directory updated by the Program Administrator based on outreach to Alumni and reported changes. Alumni placement and career development news from our graduates are reported in the LL.M. Program Blog (<http://www.agfoodllm.com/>).
    - ii. Beginning summer 2015, we implemented a process to track candidate employment by graduation year. The program administrator maintains a database with employment data for each candidate upon degree conferral. Since summer 2015, we have conferred 1 LL.M. degree. At the time of conferral, that graduate was employed as a Licensing Compliance Senior Strategy Manager with Walmart Corporate Offices.
  - b. Timeline for assessment and analysis
    - i. See above; ongoing process
  - c. Analysis/Results of Current Assessment
    - i. The majority of our alumni practice law, working in large, mid-sized, and small firms. They also serve as in-house counsel to industry, including positions at Tyson Foods, Rabo AgriFinance, and AdvoCare International, and in professional positions at Walmart, Monsanto, and with the Retail Industry Leaders Association. In addition to practicing law, our alumni have risen to leadership positions in the federal government, with many serving in leadership positions at USDA and others serving as counsel and staff for members of Congress and Congressional Committees. On the state level our alumni serve as Commissioner of Agriculture and Deputy

Commissioner of Agriculture in Arkansas; General Counsel to the State Departments of Agriculture in Oklahoma and Illinois, and with other state positions throughout the United States. In academia, our alumni employment includes law professors at the University of Missouri, the University of West Virginia, Penn State, and the University of Arkansas; professors at the University of Georgia, the University of Ottawa, the University of Saskatchewan, the University of Foggia in Italy, the University of Iasi in Romania, the University of Central Arkansas, and Marian College; a Research Associate and Research Assistant at the University of Maryland's Center for Agricultural and Natural Resource Policy; and a Fellow in the Food Policy Clinic at Harvard Law School. Some of our alumni work for non-profit organizations such as the Federation of Southern Cooperatives, the Heifer Foundation, and the ASPCA (Farmed Animal Welfare). We have judges, state senators, district attorneys, and special masters in our alumni ranks.

- d. Planned/suggested changes to program
  - i. None
  
- e. Changes to the assessment process made or planned
  - i. None

### **Use and Reporting of Results**

Because our Program can be completed in just two academic semesters, most of our reporting and assessments are conducted at the conclusion of each semester, with a final assessment and report at the end of the academic year. The Program Administrator, the Professors who teach in the Program, and the Program Director work closely together to assemble information and interpret the results. A year end report is made annually to the Dean of the Law School.