Grading of Legal Writing for Spring 2007

This memorandum provides information about the grading of Legal Writing and how it may be affected by the creation of the two new Legal Writing sections as part of the Academic Support Program for the Spring 2007 semester.

All first-year courses are graded using a system known as normalization. The normalization of grades imposes strict controls on the average grade and on the range and spread of the grades. Many people think of normalization as a “mandatory curve” that forces grades in all first-year sections and courses to be roughly comparable from course-to-course and from section-to-section. The goal of normalization is to achieve fairness and consistency across sections and instructors—to avoid the situation where one section has significantly more high or low grades than another section. To help ensure fairness across the first-year sections, students are assigned to sections based in part on the strength of the numerical predictors of performance they presented as applicants to law school. USC LAW grades have been normalized using essentially this same system for decades.

Several years ago the faculty approved creation of an Academic Support Program to help students improve their performance in law school. One aspect of the Academic Support Program was the creation of an option for first-year students to request to enroll in one particular section of one of the existing courses in the Spring semester curriculum. The goal was to use Fall semester performance to identify students who would benefit most from the opportunity to spend extra time and effort in class devoted to the fundamentals of legal analysis, with the specific goal of assisting those students to improve their performance. Because students could request to enroll in the Academic Support sections of the Spring semester course, that meant that the normalization of grades in all of the sections of those courses needed to be adjusted to ensure fairness across all of the sections. For two years, the Academic Support section was one section of Legal Profession. This semester, the Academic Support sections are the two new sections of Legal Research, Writing and Advocacy. In all three years, we used the same method to address this issue of applying grade normalization fairly to the first-year sections when at least one of the sections is composed of students whose Fall semester performance was not spread evenly across the full range of grades.

When we created the Academic Support sections of a course in the first-year curriculum, we faced two concerns about how to adapt our grade-normalization policies to ensure fairness. First, we needed to determine a fair method to grade students in the academic-support sections. Second, we needed to address whether and how to adapt the grade-normalization policies for the remaining (non-Academic Support) sections. After careful review and consultation, we implemented the following approach: for the academic-support sections, we relaxed the spread constraint on the grades and allowed the mean grade to
fluctuate from the target mean. Specifically, rather than requiring the mean grade to be exactly 3.2, we set 3.2 as the maximum allowable mean grade for the academic-support sections.

For the original (non-Academic-Support) sections, we used the standard first-year normalization curve adjusted to take into account the students who had left their original section to join the Academic-Support section. To adjust for the missing students, we created shadow grades based on the first-semester GPA of the actual students who changed sections. Grades were calculated for all students in the non-academic-support sections by operating as if the students had remained in their original sections and had received the shadow grade. That substitution allowed the regular normalization process to create a fair result. This same approach will result in fair normalization of the Legal Writing sections this semester.

For the two new Legal Writing sections, the spread constraint will be relaxed and the mean grade will be limited to a maximum of 3.2. For the remaining Legal Writing sections, shadow grades will be entered for the students who left their original sections. Those shadow grades will be based on the students’ grades in Legal Writing from the Fall semester. As in prior years, this approach will result in fair normalization of grades across all sections of Legal Research, Writing and Advocacy.

Students with questions about this matter should contact Dean Rob Saltzman.