SCIENCE AND SUPERHEROES: IMPACTS OF REQUIRED ACADEMIC SUPPORT COURSE FOR LAW STUDENTS ON GROWTH MINDSET, SELF-REGULATED LEARNING, AND ACADEMIC SELF-EFFICACY

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ABSTRACT

The pre-start summer entry course for law students often serves as a foundational component of an Academic Support program in legal education. The goals of the pre-start summer entry course include both academic and non-academic objectives. Improved academic performance, particularly in the first year of law school, is a primary objective. Non-academic goals include building a community of support and easing the transition to law school. This study was designed to examine the experiences of students required to participate in the developmental pre-start summer entry course and determine how enrollment and participation in the course is impacting the student experience and academic performance in the first semester of law school. This research also explores the ways in which a required pre-start summer entry program for law students might impact the fostering and development of metacognitive skills, including growth mindset, self-regulated learning, and academic self-efficacy.

The results showed limited evidence of measurable impact on academic performance in the first semester of law school based on comparison of Law School Admission Council (LSAC) predictors and first-semester GPA. However, participants indicated a positive impact on metacognitive skill development, including academic self-efficacy based on a recognition of need, increased confidence, and perceived competitive advantage. In addition, significant non-academic outcomes, including building a community of support and easing apprehension, were reported by all students who participated in the study.

> *"We like to think of our champions and idols as superheroes who were born different from us. We don't like to think of them as relatively ordinary people who made themselves extraordinary."*
> – Carol Dweck, Mindset: The New Psychology of Success[1]

INTRODUCTION

With a renewed call for practice-ready attorneys and an increased emphasis on skills-based education, the legal academy has begun exploring how findings of cognitive science may inform teaching methods in law school.[2] Metacognition refers to both the knowledge of strategies that impact thinking and learning and the regulation of an individual's own thinking and learning.[3] This metacognitive approach can potentially enhance every student's intellectual capacity and academic success, regardless of prior academic credentials or performance.[4] Because the metacognitive approach is focused on capacity, potential, and the ability to improve future performance, Academic Support professionals are uniquely positioned to foster the development of metacognitive skills to support student success.[5]

"Academic Support" in the legal academy is a comprehensive term that includes a diverse collection of techniques and strategies to support law students' academic success beginning before law school orientation and continuing through the bar examination.[6] Academic Support Programs often focus on both substantive and skills-based instruction; components of modern Academic Support Programs include pre-start programs, first-year academic support, upper-level academic support, and post-graduation bar preparation support.[7] However, Academic Support Programs can also deliver less objectively measurable learning outcomes, including instilling students with a growth mindset and creating support structures for students by enhancing communication between students and faculty.[8] These learning outcomes can serve to build community within the law school and enhance the learning experience for students. An understanding of how students perceive their enrollment and experience in pre-start Academic Support Programs and the ways in which these experiences impact metacognitive skills, self-

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1. CAROL S. DWECK, MINDSET: THE NEW PSYCHOLOGY OF SUCCESS 89 (2016).
2. Elizabeth Adamo Usman, *Making Legal Education Stick: Using Cognitive Science to Foster Long-Term Learning in the Legal Writing Classroom*, 29 GEO. J. LEGAL ETHICS, 355, 357 (2016).
3. Jennifer A. Gundlach & Jessica R. Santangelo, *Understanding the Metacognitive "Space" and Its Implications for Law Students' Learning*, 50 HOFSTRA L. REV. 769, 770 (2022).
4. Jaime Alison Lee, *From Socrates to Selfies: Legal Education and the Metacognitive Revolution*, 12 DREXEL L. REV. 227, 230 (2020).
5. Gundlach & Santangelo, *supra* note 3, at 771.
6. Antonia Alice Badway Miceli, *From a Distance: Providing Online Academic Support and Bar Exam Preparation to Law Students and Alumni During the COVID-19 Pandemic,* 65 ST. LOUIS U. L. J. 585, 587 (2021).
7. Louis N. Schulze, Jr., *Alternative Justifications for Law School Academic Support Programs: Self-determination Theory, Autonomy Support, and Humanizing the Law School*, 5 CHARLESTON L. REV. 269, 278 (2011).
8. Miceli, *supra* note 6, at 588.

regulated learning skills, and academic self-efficacy is important to evaluating the overall effectiveness of pre-start programs and courses. Further, the lessons learned about fostering metacognitive skills in a pre-start Academic Support course can inform teaching and learning in other Academic Support courses, doctrinal courses, legal writing courses, and bar preparation.

Some Academic Support professionals claim that the existence of a special Academic Support admissions program, like a pre-start summer entry course, communicates to students that they are valued, supported, and worthy of the challenges of law school.[9] However, there are also concerns about the ways in which legal education conflates student struggle with failure and the pervasiveness of academic unpreparedness, rather than a singular and individualized issue appropriately addressed through Academic Support programming.[10] Legal educators should acknowledge that students struggle to learn lawyering skills and that lawyers are also learning and struggling throughout their careers.[11]

Further, there are additional concerns specific to required Academic Support courses and programming, including the resentment students may feel when required to enroll in developmental courses and the resulting lack of enthusiasm and effort.[12] Students' beliefs that they are less capable of academic success in law school can be reinforced when those students are placed in required academic courses that have a remedial or developmental focus.[13] As a result, it is potentially more important in Academic Support courses to foster students' metacognitive skills, including growth mindset, self-regulated learning skills, and academic self-efficacy.

This paper explores how law students' attitudes and opinions regarding enrollment and required participation in a pre-start Academic Support course potentially impacts academic self-efficacy and self-regulated learning. Part I discusses a brief history of Academic Support Programs and issues specific to pre-start summer entry programs and courses. Part II discusses the opportunities for fostering metacognitive skills in a required pre-start Academic Support course, specifically with respect to growth mindset, self-regulated learning, and academic self-efficacy. Part III is focused on the results of a study by the author focused on examining the experiences of students in a required pre-start summer entry Academic Support course and the ways in which enrollment and participation in the course might be impacting the student experience, academic performance, and self-efficacy. Part IV discusses implications for Academic Support professionals and how teaching metacognitive skills throughout the law school and Academic Support curriculum can help prepare students for success in law school and the practice of law.

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9. *See id.* at 586-87.

10. Catherine Martin Christopher, *Normalizing Struggle*, 73 ARK. L. REV. 27, 29-32 (2020); Susan Stuart & Ruth Vance, *Bringing a Knife to the Gunfight: The Academically Underprepared Law Student & Legal Education Reform*, 48 VALPARAISO U. L. REV. 41, 46 (2013).

11. Christopher, *supra* note 10, at 28.

12. John F. Murphy, *Teaching Remedial Problem-Solving Skills to a Law School's Underperforming Students*, 16 NEV. L. J. 173, 180 (2015).

13. Kathy L. Cerminara, *Remembering Arthur: Some Suggestions for Law School Academic Support Programs*, 21 T. MARSHALL L. REV. 249, 256 (1996).

PART I: BRIEF HISTORY OF ACADEMIC SUPPORT PROGRAMS

Academic Support Programs in the legal academy began as affirmative action admission programs in the late 1960s.[14] One of the earliest Academic Support initiatives was the Harvard Summer Program which recruited students from southern black colleges and introduced these students to specific skills for success in law school.[15] While the program was successful, concerned leaders recognized the tremendous need to address the dearth of members of disadvantaged and underrepresented groups in the legal field.[16] The Office of Economic Opportunity hosted a series of meetings with leaders in legal education which led to the creation of a nationwide program, the Council on Legal Education Opportunity (CLEO).[17]

CLEO originally established seven programs throughout the nation each summer, and admission was based on criteria that included "undergraduate grade point average, Law School Admission Test (LSAT) score, and personal back-ground."[18] While both CLEO and individual institutions' minority recruitment programs helped minority students gain admission to law school, these students were often unprepared to compete with their classmates who had been objectively more academically successful in their undergraduate experiences.[19] In response, law schools began to develop Academic Support Programs.[20] Academic Support Programs were originally intended to improve the academic performance of traditionally at-risk students, and program participants were identified based on a number of various factors including LSAT score, undergraduate GPA, or other demographic classification.[21] One of the earliest Academic Support Program components was a "pre-start" program based on CLEO's model.[22]

As law school Academic Support Programs continued to grow and develop, educators in the field recognized that academic counseling needed to be individualized to meet each student's unique needs in the context of the institution and available resources.[23] In addition, Academic Support professionals recognized that these programs should be regularly assessed to determine whether they are meeting the needs of the current student population.[24] Components of modern Academic Support Programs include pre-start programs, first-year Academic

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14. Leslie Yalof Garfield, *The Academic Support Student in the Year 2010*, 69 UMKC L. REV. 491, 492 (2001).

15. *Id.*; Russell A. McClain, *Bottled at the Source: Recapturing the Essence of Academic Supp-ort as a Primary Tool of Education Equity for Minority Law Students*, 18 U. MD. L. J. RACE, RELIGION, GENDER, & CLASS 139, 141 (2018).

16. Garfield, *supra* note 14, at 492.

17. *Id.*

18. *Id.* at 492-93.

19. *Id.* at 494.

20. *Id.*

21. *Id.*

22. *Id.* at 494-95.

23. Schulze, *supra* note 7, at 277.

24. Melissa J. Marlow, *It Takes a Village to Solve the Problems in Legal Education: Every Fac-ulty Member's Role in Academic Support*, 30 U. ARK. LITTLE ROCK L. REV. 489, 508 (2008).

Support, upper-level Academic Support, and post-graduation bar preparation support.[25]

Academic Support Programs are designed to diversify the legal profession by supporting more diverse students in graduating from law school, passing the bar examination, and entering the legal profession.[26] Academic Support Programs are often also focused on serving "non-traditional students," a comprehensive term that includes students with learning and physical disabilities, students outside of the typical age range for law students, or students representing some other diversity outside of racial background.[27] Achieving this purpose requires law schools to build a diverse culture and community, both within the institution itself and the law school curriculum, by having diverse faculty and students and utilizing inclusive teaching methods.[28]

A.   *Pre-Start Academic Support Programs and Courses*

Pre-start programs and courses have been a core component of Academic Support Programs; however, the research regarding the impact of a required pre-start developmental Academic Support course on learning outcomes and metacognitive skills for law students is very limited. One study of the "Summer Institute" pre-start summer entry program at Loyola Law School of Los Angeles focused on non-traditional law students and concluded that pre-start programs should be offered at all law schools to support non-traditional law students.[29] The premise of this study was that non-traditional law students are not culturally prepared for the law school classroom because they have had limited, if any, exposure to the legal field or legal professionals.[30] The "Summer Institute" focuses on skills instruction, including case briefing, note taking, preparing for law school lectures, writing skills, and time management techniques.[31] The program also includes a "Community Night," where students bring guests to learn more about the law school student experience by participating in a mock class lecture.[32] The results of the student surveys showed that 76% of students believed that the "Summer Institute" program helped them succeed in law school.[33] Interestingly, however, 38% of students surveyed stated that they would not have attended the program if it had not been required.[34]

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25.   Schulze, *supra* note 7, at 278.

26.   Paula Lustbader, *From Dreams to Reality: The Emerging Role of Law School Academic Support Programs*, 31 U.S.F. L. Rev. 839, 841-44 (1997).

27.   Rebecca Flanagan, *The Kids Aren't Alright: Rethinking the Law Student Skills Deficit*, 2015 BYU. Educ. & L.J. 135, 172 (2015).

28*.   See* Lustbader, *supra* note 26, at 840-41.

29.   Jean Boylan, *The Admission Numbers Are Up: Is Academic Support Really Necessary?,* 26 J. Juv. L. 1, 7 (2006).

30*.   Id.*

31.   Jean Boylan, *Crossing the Divide: Why Law Schools Should Offer Summer Programs for Non-Traditional Students,* 5 Scholar 21, 31 (2002).

32*.   Id.* at 31-32.

33*.   Id.* at 35.

34*.   Id.*

Another study involved the "Summer College to Assess Legal Education Skills" (SCALES) pre-admissions summer program at The John Marshall Law School-Chicago designed to provide access and opportunity to "at-risk" students with low indicators for success in law school, including many non-traditional students.[35] The seven-week program included two graded courses, an ungraded legal writing course, and an ungraded academic achievement course.[36] Because this program was a pre-admissions program, as opposed to a pre-start program for admitted students, just over 60% of the SCALES students completed the program requirements, achieved the requisite exam scores, and were admitted to law school.[37] Of those students ultimately admitted to law school, the involuntary attrition rate for this group of students was 15%, which is higher than the overall school attrition rate of approximately 10%.[38] The study also showed that the majority of these students did not graduate in the top quarter of their class, and a larger-than-average percentage of these SCALES students were placed on academic probation while in law school.[39]

All thirteen of the SCALES students who graduated and took a bar exam passed the exam.[40] Also, when asked about the impact of the SCALES program on academic success in law school, a strong majority responded overwhelmingly that they believed it helped them succeed in law school and specifically in their first-year doctrinal courses.[41] Understanding expectations and a base of knowledge were cited as specific reasons that the program was helpful to students in their first year of law school.[42] This study also focused on student perceptions of academic and bar failure risk due to their status as SCALES students.[43] The answers to this question varied widely, with about half of the students reporting that they were not concerned about being at risk for bar failure.[44]

There are three notable assessments of the CLEO summer program, one of the earliest summer entry programs created by the Office of Economic Opportunity and leaders in legal education.[45] The first assessment was conducted in 2006 by Keeling & Associates, LLC, and this study found that students reported increased self-efficacy and a positive experience in the program; however, students did not report significant development of critical-thinking skills.[46] In the more recent studies of the CLEO summer program, assessing the 2011 and 2012 CLEO

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35. Sonya Bychkov Green et al., *Sailing Against the Wind: How a Pre-Admission Program Can Prepare At-Risk Students for Success in the Journey Through Law School and Beyond*, 39 U. MEM. L. REV. 307, 310-11 (2009).

36. *Id.* at 311-12.

37. *Id.* at 320.

38. *Id.* at 321.

39. *Id.* at 322-23.

40. *Id.* at 312.

41. *Id.* at 341-42.

42. *Id.*

43. *Id.* at 337-38.

44. *Id.*

45. Michael Hunter Schwartz, *50 More Years of CLEO Scholars: The Past, the Present, and a Vision for the Future*, 48 VALPARAISO U. L. REV. 621, 628 (2014); Garfield, *supra* note 14, at 492.

46. Schwartz, *supra* note 45, at 628-29.

summer programs, students responded to a series of twenty Likert-scale questions regarding their development of various skills associated with academic success in law school, including issue spotting, writing essay exams, outlining, identifying legal issues, and predicting judicial holdings.[47] The survey results indicated that at least 95% of the students surveyed either agreed or strongly agreed that they had developed skill sets related to these skills.[48] In addition, a pre-test and post-test analysis indicated students' self-regulated learning skills and general civics knowledge improved as a result of participation in the program.[49] However, the researcher noted that this evidence does not suggest that students participating in the CLEO Summer Institute consistently use these skills once law school begins; and, therefore, there is no evidence that CLEO Summer Institute participants succeed at a greater rate than other law students.[50]

Current studies of pre-start programs show mixed results, with shorter programs showing little evidence of impact on students' academic performance in law school and more expansive programs, like the CLEO Summer Institute, showing better results for students.[51] A study of the "Access Admissions" program at Seattle University School of Law showed that after the first-year fall semester, 88% of students who participated in the intensive seven-week summer program outperformed traditional predictors based on LSAT score and Undergraduate GPA in the first semester.[52] However, leaders in the Academic Support community recognize that these pre-start programs often have other important results, including community-building, eased apprehension, a substantive head start for students, and support for non-traditional law students.[53] Balancing these goals with a more traditional focus on academic performance as reflected by law school grades presents a challenge and opportunity for pre-start programs.

Additionally, the manner in which students are selected for participation in a pre-start program and the way in which that selection process is communicated to students can create unintended consequences. A program that selects students based solely on lower academic predictors, like LSAT scores or undergraduate GPA, could risk messaging to the students that the law school believes they are not likely to succeed in law school. However, participation in a pre-start program also presents an opportunity to teach students to develop a growth mindset and successfully engage in self-regulated learning.[54] An understanding of how students perceive and experience their enrollment and experience in pre-start programs is important to ensure the programs are achieving their learning outcomes, other non-

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47. For example, students ranked their level of agreement from "Strongly Agree" to "Strongly Disagree." *Id.* at 629.

48. *Id.*

49. *Id.*

50. *Id.* at 630; *see* Amy H. Soled & Barbara Hoffman, *Building Bridges: How Law Schools Can Better Prepare Students from Historically Underserved Communities to Excel in Law School*, 69 J. LEGAL EDUC. 268, 279 (2020).

51. Schulze, *supra* note 7, at 279.

52. Jeffrey J. Minneti, *A Comprehensive Approach to Law School Access Admissions*, 18 U. MD. L.J. RACE, RELIGION, GENDER & CLASS 189, 232 (2018).

53. *Id.* at 206-07.

54. Usman, *supra* note 2, at 372.

academic objectives, and avoiding unintended consequences for students. A thoughtful review of this experience can also help inform teaching and communication with students in these pre-start programs.

PART II: METACOGNITIVE SKILLS IN ACADEMIC SUPPORT COURSES

Metacognition is the awareness and knowledge regarding strategies that impact an individual's thinking, learning, and the regulation of an individual's thinking and learning.[55] Metacognition includes two interdependent components: (1) metacognitive knowledge and (2) metacognitive regulation.[56] Metacognitive knowledge includes the knowledge of various available learning strategies in addition to how and when to most effectively use those strategies.[57] The skills that are fundamental for success in law school and in the practice of law are closely related to both the metacognitive knowledge and metacognitive regulation components.[58] Particularly in the Academic Support context, intentional instruct-tion on metacognitive skills can enhance the learning experience and help students become practice ready.[59]

A. Opportunities for Fostering Growth Mindset in Pre-Entry Academic Support Course

Carol Dweck's research exploring mindset posits that people fall on a spectrum with respect to their belief about whether abilities or traits are changeable.[60] People with a fixed mindset perceive an ability as immutable.[61] People with a growth mindset perceive an ability as changeable.[62] In academic settings, students with a growth mindset are more likely to persist in the face of challenge, seek help and support, and learn from mistakes.[63] In the law school context, law students with a growth mindset are more likely to welcome and embrace new challenges inherent in the study and practice of law, seek meaningful help from professors and mentors, and accept valuable feedback for improve-ment.[64]

Dweck proves that growth mindset can be taught, and law schools and law professors can help students make the shift from a fixed mindset to a growth mindset.[65] Academic Support courses and programs throughout the law school

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55. Gundlach & Santangelo, *supra* note 3 at 770.

56. *Id.* at 773-74.

57. *Id.* at 774.

58. *Id.* at 777-78.

59. *Id.* at 778.

60. Sue Shapcott et al., *The Jury Is In: Law Schools Foster Students' Fixed Mindsets*, 42 L. & PSYCH. REV. 1, 8 (2017).

61. *Id.*

62. *Id.* at 8.

63. *Id.* at 9.

64. *Id.* at 10.

65. Sarah J. Adams-Schoen, *Of Old Dogs and New Tricks—Can Law Schools Really Fix Students' Fixed Mindsets?*, 19 J. LEGAL WRITING INST. 3, 48 (2014).

experience provide an opportunity to teach growth mindset; however, pre-start summer entry courses are a particularly important opportunity for teachers to recognize fixed mindset and induce a growth mindset in law students. Recognizing that placement in a pre-start summer entry Academic Support course may be based on past performance on a single, high-stakes, standardized test may trigger or reinforce maladaptive responses in students who have a fixed mindset.[66]

B. Impact of Pre-Start Summer Entry Course in Fostering Self-Regulated Learning

A student's confidence level in their ability to engage in self-regulated learning is critical in the context of higher education, which often places increased emphasis on self-directed learning.[67] Self-regulated learning is particularly important in the law school context given the research that incoming law students are less prepared for law school than in previous years, lacking analytical, research, writing, and study skills.[68] In teaching students the skills to become self-regulated learners, the goal is for students to feel a sense of control over their own learning and view learning in a more proactive way.[69] In addition, law school admission is traditionally based on LSAT scores and undergraduate GPA, which measure the current abilities of the applicant; however, these admission criteria fail to consider whether the applicant has the ability to develop the learning skills and strategies necessary to achieve academic success in law school.[70] When students are placed in a required pre-start summer entry Academic Support course based on these measurements of current ability, working with these students to help them take responsibility for their own learning and actively engage in the learning process is critical to build confidence in their abilities as self-regulated learners.[71] Further, efforts to teach law students to become self-regulated learners better support a diverse group of students, which is a foundational principle for Academic Support programming.[72]

Self-regulated learning is viewed as a cycle with three phases, including forethought, performance, and reflection.[73] In the forethought phase, the student plans for the learning task.[74] Self-regulated learners set mastery-oriented learning goals during this phase, rather than performance-oriented learning goals.[75] Self-regulated learners are more likely to set mastery goals, and these goals focus on

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66. *Id.* at 17.

67. *See* Dave Putwain et al., *Academic Self-Efficacy in Study-Related Skills and Behaviours: Relations with Learning-Related Emotions and Academic Success*, 83 BRIT. J. EDUC. PSYCH. 633, 635 (2013).

68. Elizabeth M. Bloom, *Teaching Law Students to Teach Themselves: Using Lessons from Educational Psychology to Shape Self-Regulated Learners*, 59 WAYNE L. REV. 311, 313 (2013).

69. *Id.* at 325.

70. *Id.* at 315.

71. *Id.* at 325.

72. *Id.* at 315.

73. *See id.* at 318.

74. *Id.*

75. *See id.* at 319.

learning to master the course material.[76] The performance phase of self-regulated learning includes the processes and activities in which the student engages while attempting to learn the material that take place during the learning attempt.[77] This phase also includes the student's self-assessment and self-monitoring of the effectiveness of the strategies used in attempting to achieve the learning task.[78] The third phase is reflection, which includes self-evaluation, attribution, self-reaction, and adaption.[79] Teaching students to become self-regulated learners, intentionally engaging in each of the three phases, increases motivation and academic performance.[80]

Elizabeth Bloom advocates for three primary objectives in teaching self-regulated learners.[81] First, Bloom notes the importance of setting expectations for mastery-oriented and self-regulated learning.[82] This includes focusing on mastery goals and articulating how skills will support students in the practice of law.[83] Bloom further advocates for the humanization of legal education and creating connections to a teacher who cares about their success.[84] In the context of a required pre-start Academic Support course, this would involve explicit discussion of mastery-oriented goals versus performance-oriented goals, ensuring students understand how the skills emphasized in the course will support success in practice, and creating individual connections with students. A pre-start Academic Support course is well-suited for achieving these objectives.

Second, Bloom advocates for modeling self-regulation of behaviors which supports students in managing the resources that will support their academic success.[85] These strategies include time management skills, understanding various approaches to new material and learning tasks, and seeking faculty assistance.[86] A required pre-start summer entry course provides a unique opportunity to discuss each of these skills and strategies.

Third, Bloom discusses self-regulation of cognition, including identifying active learning strategies and effectively utilizing formative feedback.[87] Active learning exercises that improve writing skills also provide an opportunity for formative feedback in the context of a pre-start Academic Support course. Bloom emphasizes four tools helpful in achieving this objective: establishing and communicating clear criteria for performance, encouraging self-assessment activities that require students to evaluate their performance, sharing diagnostic information

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76. *See id.*
77. *Id.* at 320.
78. *Id.*
79. *Id.* at 321.
80. *Id.* at 322.
81. *Id.* at 323.
82. *Id.* at 328.
83. *Id.*
84. *Id.* at 329-30.
85. *Id.* at 330.
86. *Id.* at 334-35.
87. *Id.* at 338.

regarding student performance, and providing practice opportunities for students to help support improved writing skills.[88]

C. Academic Support Programming and Academic Self-Efficacy

We must also consider the impact of the successes and failures students experience in a required pre-start Academic Support course and the ways in which those impact academic self-efficacy. Self-efficacy relates to an individual's beliefs about his or her ability to perform the actions required to achieve desired results.[89] As students engage in the forethought phase of self-regulated learning, academic self-efficacy influences their preparation and choice of strategy for the learning attempt.[90] Bandura's theory of self-efficacy notes that personal accomplishments require both skills and the self-belief of efficacy to use those skills well.[91] In order to increase academic self-efficacy, students need to learn the skills and strategies for academic success and believe in their own ability to use those skills well. A student's perceived self-efficacy is a significant factor in their academic success, and this concept is related to developmental education because many students enrolled in developmental courses have doubts regarding their ability to succeed academically.[92] Academic self-efficacy can refer to mastery of academic subject knowledge, but it can also refer to the student's beliefs about their study skills and behaviors as they relate to self-regulated learning.[93] Bandura's theory also recognizes how comparative evaluations in educational settings impacts students' self-efficacy.[94] Bandura states that a learning environment that highlights ability as an acquirable skill and emphasizes personal progress, rather than competitive social comparison, can foster self-efficacy and academic success.[95]

Understanding the factors that impact academic self-efficacy in the context of required developmental courses is important because students need to feel that they have the skills required to achieve a goal before they are willing to work in pursuit of that goal.[96] Self-efficacy is critical for motivation and persistence in the face of challenges.[97] A student's past academic performance, both their successes and failures, can determine their academic self-efficacy.[98] As a result, focusing on

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88. *Id.* at 340.
89. Kimberly Martin et al., *Developmental Education's Impact on Students' Academic Self-Concept and Self-Efficacy*, 18 J. COLL. STUDENT RETENTION: RSCH., THEORY & PRAC. 401, 404 (2017).
90. Bloom, *supra* note 68, at 319.
91. Albert Bandura, *Perceived Self-Efficacy in Cognitive Development and Functioning*, 28 EDUC. PSYCH.117, 119 (1993).
92. Bevan Koch et al., *Perceptions of Students in Developmental Classes*, 18 CMTY. COLL. ENTER. 62, 66 (2012).
93. Putwain et al., *supra* note 67, at 634.
94. Bandura, *supra* note 91, at 122-23.
95. *Id.* at 125.
96. E. Scott Fruehwald, *How to Help Students from Disadvantaged Backgrounds Succeed in Law School*, 1 TEX. A&M L. REV. 83, 94 (2013).
97. *Id.*
98. *Id.* at 95.

ways in which law school teachers and Academic Support professionals can help develop students' metacognitive skills, including growth mindset and self-regulated learning, is important for increasing academic self-efficacy.

In a study of student experiences in developmental programs at community colleges in Texas, researchers interviewed students to examine their perceptions about the impact of developmental programs on academic skills and the achievement of academic goals.[99] Several themes were identified through the analysis of the student interviews, including affective perceptions, academic perceptions, and perceived benefits.[100] With respect to affective perceptions, the researchers identified three subthemes in how the students' emotions changed throughout the developmental course experience.[101] Each participant indicated negative feelings in response to learning that they would be required to enroll in developmental coursework.[102] With respect to participation in the course, students reported both positive and negative feelings regarding the course experience; however, each participant also reported increased self-confidence in their academic capabilities.[103] Upon reflection on the experience at the conclusion of the course, the students reported generally favorable results.[104] Despite the initial negative feelings experienced and reported by the students upon learning they would be required to enroll in the course, all three participants in the study ultimately identified some positive outcomes with respect to the experience.[105] With respect to academic perceptions and perceived benefits, students indicated their belief that their academic skills and academic confidence improved as a result of participation in the developmental course.[106] The findings of this study were aligned with Bandura's theory of self-efficacy showing that students' beliefs about themselves and their abilities impacted their motivation and behavior.[107]

In addition to student beliefs about their own ability to succeed, labeling students may negatively affect a student's educational outcomes and academic success.[108] When students are negatively labeled, students may develop a self-concept with low expectations of academic success and resulting disengagement from the school environment.[109] Despite significant research showing that labeling has a negative effect on students' self-concept, it continues to be used for convenience.[110] When law students are required to enroll in a developmental pre-start course, they are, in a sense, "labeled" by the institution before classes begin.

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99. Koch et al., *supra* note 92, at 71.

100. *Id.*

101. *Id.* at 72.

102. *Id.*

103. *Id.* at 72-73.

104. *Id.* at 73.

105. *Id.*

106. *Id.*

107. *Id.* at 76.

108. Tammie May et al., *The Impact of Developmental Course Enrollment on Self, Identity, and College Success of First-Generation College Students*, Learning Assistance Rev., Fall 2021, at 107, 108.

109. *Id.* at 139.

110. *Id.*

The ways in which this labeling may negatively affect students' self-concept and academic success warrants consideration in the context of any measurable learning outcomes.

D. Other Potential Impacts of Required Developmental Course Enrollment

In addition to a substantive head start for students, leaders in the Academic Support community recognize that pre-start programs often have other important benefits, including community-building, eased apprehension, and access to resources for non-traditional law students which may also contribute to increased academic self-efficacy.[111] Research shows that when students form supportive peer networks with other students, these positive peer relationships can enhance individual academic performance.[112] Peer networks in the academic setting are used to exchange academic resources and personal matters.[113] When students engage with one another, study together, and help support each other academically, they experience positive learning outcomes.[114]

The self-perceived level of academic and social integration may be important for actual integration in support networks.[115] Perceptions of social support often have a greater impact on positive adjustment than actual support efforts; however, students who perceive higher levels of social support may be more likely to have positive perceptions about the availability and value of institutional support.[116] Results from one study showed that the more students are perceived as helpful to others from the start of the semester, the more likely they are to be integrated into a new and challenging environment.[117]

A learning environment that highlights ability as an acquirable skill and emphasizes personal progress can foster self-efficacy and academic success.[118] Required Academic Support courses that focus on skills and strategies for success in law school can positively impact academic self-efficacy through increased self-confidence with respect to self-regulated learning.

Leaders in the Academic Support community recognize that these pre-start programs often have important results in addition to support for achieving academic grade-related goals, including community-building and eased apprehension.[119] These additional outcomes may also ultimately positively impact academic grade-related goals.[120] In addition, these outcomes may foster increased

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111. *See* Schulze, *supra* note 7, at 279.

112. Lysann Zander et al., *Academic Self-Efficacy, Growth Mindsets, and University Students' Integration in Academic and Social Support Networks*, 62 LEARNING & INDIVIDUAL DIFFERENCES 98, 98 (2018).

113. *Id.* at 99.

114. Sivan George-Levi et al., *Perceptions of Family Support and College Support: The Mediating Roles of Hope and Peer Support*, 46 J. FURTHER & HIGHER EDUC. 272, 274 (2021).

115. Zander et al., *supra* note 112, at 103-04.

116. George-Levi et al., *supra* note 114, at 275.

117. Zander et al., *supra* note 112, at 103.

118. Bandura, *supra* note 91, at 121.

119. Schulze, *supra* note 7, at 279.

120. *See* Zander et al., *supra* note 112, at 104.

academic self-efficacy and self-regulated learning, and balancing these goals with a more traditional focus on academic performance as reflected by law school grades presents a challenge and opportunity for required developmental pre-start programs.

Research indicates that positive peer relationships can enhance individual academic performance, and these peer networks are used to exchange both academic resources and personal matters.[121] The self-perceived level of academic and social integration may be important for actual integration in support networks.[122] Participation in a pre-start course provides students an opportunity to build relationships with classmates, meet other students, including the teaching assistants for the course, meet professors, and gain a familiarity with campus. Students can rely on these established relationships for both academic and social support.

One concern when placing students in required Academic Support courses, like the required pre-start summer entry course, is potentially reinforcing students' beliefs that they are less capable of academic success in law school.[123] However, peer support networks created as part of the summer course experience may play a role in countering this belief in two important ways. First, participants may be more likely to engage with familiar and proven institutional support.[124] Second, because participants may perceive themselves as helpful to others, this likely increased their ability to integrate academically and socially, positively impacting their belief in their own ability to succeed in a new and challenging environment.[125]

In addition, students who perceive higher levels of social support may be more likely to have positive perceptions about the availability and value of institutional support.[126] Awareness of the available institutional support, including teaching assistants, office hours, and library resources, and the utilization of those resources can increase engagement with institutional support as the result of the increased social support that students perceive as a result of the support networks established during a pre-start course.

PART III: RESULTS OF PRE-START SUMMER ENTRY PROGRAM STUDY

Exploring the ways in which required enrollment in a pre-start developmental course impacts academic metacognitive skills, including growth mindset, self-regulated learning, and academic self-efficacy involves complex questions that require an understanding of both student perceptions and student performance. Current studies of pre-start programs have shown mixed results with respect to impact on academic performance, and the length of the program may influence the extent of that impact, with longer and more extensive programs showing better

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121. *Id.* at 98.
122. *Id.* at 99.
123. *See* Cerminara, *supra* note 13, at 256.
124. Zander et al., *supra* note 112, at 99.
125. *Id.* at 103.
126. George-Levi et al., *supra* note 114, at 273.

results.[127] The overall purpose of the study was to determine how participation in a required four-week developmental pre-start summer entry course impacted the student experience and academic performance in the first semester of law school. The convergent mixed-method approach utilized in this research provided an opportunity to understand any correlation between how the required course impacts student beliefs about their ability to be academically successful and any actual academic advantage in the first semester of law school as represented by exceeding predicted first-semester academic performance.

For the quantitative data collection, de-identified student academic data for all first-year students was analyzed. This data included the Law School Admission Council (LSAC) predictor and corresponding fall semester GPA and indicated which students participated in the required pre-start summer entry course. The LSAC predictor score is based on a weighted composite of an LSAT score and an Undergraduate Grade Point Average (UGPA).

A 2022-2023 study by the author was designed to explore students' attitudes and opinions regarding enrollment in a required pre-start summer entry course. The ultimate goal of the study was to determine whether any potential academic or non-academic benefits overcome any potential issues related to self-esteem, motivation, and confidence created by required participation in the course. The quantitative data shows that 42.8% of students enrolled in the pre-start summer entry course outperformed their LSAC predicted GPA in the first semester of law school.

For the qualitative data collection, the population included all students who participated in a required pre-start summer entry course in the summer of 2022. This population included twenty-nine (29) students who were invited to participate in the interviews. Eight (8) students participated in the individual interviews. The researcher conducted an in-depth semi-structured interview with study participants. This interview consisted of nine (9) open-ended questions focused on student perceptions and experiences with respect to the required pre-start summer entry course. The first subset of questions focused on non-academic course learning outcomes, including building a community of support and easing the transition to law school. Students were also asked about their expectations regarding the course and how they were utilizing the skills and strategies introduced in the course during the first semester of law school. The second subset of questions focused on student perceptions regarding how participation in the summer course might provide a benefit or academic advantage over students who did not participate in the course. The final subset of questions was focused on student perceptions and experiences regarding required enrollment in the course. Students were asked about how they felt when they were notified of their required enrollment and how those feelings may have changed or shifted during the course.

Students who were not enrolled in the summer entry course outperformed the LSAC predictor at a higher rate of 56.6%. This is indicated in the following table, which compares LSAC predictor with first semester GPA for summer entry students.

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127. Schulze, *supra* note 7, at 279.

Non-Summer - Entry Course Students Outperforming LSAC Predictor	Percent of Non-Summer-Entry Students Outperforming LSAC Predictor	Summer-Entry Course Students Outperforming LSAC Predictor	Percent of Summer-Entry Course Students Outperforming LSAC Predictor
51/90	56.6%	12/28	42.8%

However, for those students who did outperform the LSAC predictor, students who participated in the summer entry course outperformed the LSAC predictor at a significantly higher rate than students who did not participate. Students who participated in the required pre-start summer entry course and outperformed the LSAC predictor did so at an average score of 0.5. Students who did not participate in the required pre-start summer entry course outperformed the LSAC predictor by an average score of 0.32.

Utilizing the LSAC predictor score as a prediction of law school academic performance and comparing that predictor to actual academic performance, 42.8% of students in the required summer entry course outperformed their LSAC predicted GPA in the first semester of law school. However, students who were not enrolled in the summer entry course outperformed the LSAC predictor at a higher rate of 56.6%.

It is possible that the length of the program, which meets for three hours each weekday for four weeks, is closer in length to the shorter programs that have shown little evidence of impact.[128] However, it is worth recognizing that for those students who did outperform the LSAC predictor, students who participated in the summer entry course outperformed the LSAC predictor at a significantly higher rate than students who did not participate. Students who participated in the required pre-start summer entry course and outperformed the LSAC predictor did so at an average score of 0.5. Students who did not participate in the required pre-start summer entry course outperformed the LSAC predictor by an average score of 0.32. The results show that for those students who benefitted most from the pre-start summer entry course, the impact was fairly significant.

A.   *Recognition of Need*

The first theme that emerged was recognition of need. Most participants recognized and acknowledged the need for additional developmental Academic Support prior to entering law school. This recognition typically resulted from poor academic performance in undergraduate, poor performance on the LSAT, or concerns about returning to the academic environment from the workforce. The acknowledgment of need appeared to make students more open to the potential benefits of the course and more understanding and amenable to enrollment in the course. Contrary to expectations, students did not express feeling defined by their required enrollment in the course, but rather, students understood and appreciated the intention of the course. As a result, the required enrollment does not appear to have negatively impacted their beliefs about their ability to succeed in law school.

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128.   *See id.*

With respect to how students felt about their own academic abilities as a result of required enrollment in the course, students generally recognized and acknowledged their own academic needs and the ways in which a developmental course might benefit them. When the admissions department identifies certain students as requiring additional support before the semester begins, Interview Question 7 really focused on how this identification and assignment to the required course may have impacted student beliefs about their own abilities as they began the course.[129] While students felt different emotions in response to their enrollment, a recurrent theme was that most participants recognized and acknowledged their need for additional academic support. Several participants noted that based on their LSAT score, they quickly understood that the course could benefit them with respect to their ability to succeed in law school. Other students noted that returning to school from the workforce made them feel grateful for the additional support provided through the course.

Participant 1 stated:

I felt like I didn't do too well on my LSAT, so it was like…I think, you know, I might need to come in and touch up on some skills before you start.

With respect to returning to an academic environment, Participant 3 stated:

I know it was a class I was required to take for acceptance, but I'm glad that I was given that opportunity to take the course because I was out of the school. I completed my master's and I went to work for about 10 months and I was kind of not in school mode, so this really put me back into school mode.

Participant 2, who was returning to the academic environment from the workforce, shared:

Like for me, my biggest, I guess thing that I wanted to take out of it was that like getting back into being in the school setting. And it definitely did that for me. Um, and kind of helped me figure out how to study. Because I honestly am not sure if I knew how to study in college. So then like coming in, having none of those skills, and having not even used them in so long, like yeah, the course really helped me get back into that.

Finally, with respect to some of the specific concerns about returning to the academic environment as a non-traditional student who had been in the workforce, Participant 8 shared:

I'm a non-traditional student. I've been out of school a long time, so for me to come back and that's something that I'm grateful for, to come back to school. So later on in life, like I forgot how to study, just being honest. Like, like I didn't have to study for a long time. I didn't have to take notes and I was kind of afraid that my brain

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129. The exact language of Interview Question 7 follows: "7. Do you recall how you felt when you were told that you were required to enroll in the summer entry course?"

wasn't going to be able to, you know, catch on as fast as other people who just got out of undergrad. But because of the class, I was able to get my brain back in the motions of having to learn certain things like that. But I know how to read with purpose now because that school, because of the class, not just reading, just to be reading, but reading to comprehend, reading to be able to participate in class. Like, I'm not afraid to get called cold call because I know how to prepare for class. Like, I was prepared the first day. I really was like, it was a good thing.

B. *Increased Confidence*

The second emergent theme was increased confidence in ability to be successful in law school. Building on student recognition of need and potential benefit from the course, participants unanimously reported that participation in the course increased their confidence. This increased confidence was based on a variety of reasons, including proof of performance in the summer course. All participants stated that participation in the required pre-start summer entry Academic Support course increased their confidence about their ability to succeed in law school. However, the reasons for this increased confidence differed among the participants. Some students gained confidence because of the positive feedback they received in terms of the awarding of a high grade in the course. These students' proven performance in a law school course increased their academic self-efficacy. Participant 3 stated:

It kind of just gave me that confidence and that motivation. Yeah. That I know I can do it. And just every day I just try. It is stressful. Some days are better than others so I just try and remind myself that I can do this and that definitely helped. So academically I think it benefited me a lot.

Participant 8 stated:

Like I said, I have an advantage. We're just going to call what it is. We, and it's like I stated when I, when I first heard about the class…I felt like it was a remedial class, just being honest, but it really wasn't, it really helped us have us foot in the door ahead of everybody else. Like, it really helped us, preparing us for school and I just feel like I…I know what I'm going to do here. I just feel like I'll do a lot better than someone that didn't take the class. Like I said, I was familiar with briefing before them. I knew how to read a case I was familiar with just, just more than other people were. I feel more confident going in compared to somebody that just came out of school or didn't even, you know, had the whole summer up. I just honestly felt like that.

C. *Competitive Advantage*

The third theme that emerged was a sense of competitive advantage over students who were not enrolled in the pre-start summer entry course. Many participants identified experience with proven skills and strategies for success in law school as an advantage, evidencing another past performance indicator of

increased academic self-efficacy. Specifically, the ability to begin implementing these strategies from day one of the fall semester made participants feel that they had a distinct advantage over other students. However, participants also noted that this advantage would be limited to the first several weeks of school as other students would be able to learn and implement these strategies as well.

Participants consistently noted that they felt that the course provided a general competitive advantage over those students who did not participate in the summer entry course. Participant 1 stated:

> My first thought was 'why do I have to do this course, you know.' But ultimately, I'm glad that I was in the course because I had a step up for sure on a lot of the students that came in in the fall.

Many participants noted that experience in the course with the skills and strategies for success in law school made them feel that they were better prepared for their other law school classes, particularly in comparison to their 1L peers who did not participate in the course. Participant 4 shared:

> It gave me an idea of how to manage my time and prepare for classes in law school.

In response to whether the course offered students a competitive advantage, Participant 4 added:

> Yes, because it's not as unknown. Let me clarify what that means. I feel like having that summer course in terms of its benefit would be that the level of knowledge that we learned in terms of how to prepare and how to do the classwork, I think gave a little bit of a leg up in the race so since law school, essentially a marathon and we have to take it one mile at a time. I think we're already over the first mile so now it's just becoming more of a, just maintain the constant speed and just maintain what you're doing and just put forth in your effort. And I feel that students who did not have that summer advantage don't necessarily have a disadvantage because I think they can catch up.

With respect to the students' sense of a competitive advantage and experience with the skills and strategies to prepare for law school exams, Participant 3 shared:

> I know there's always like, you don't want to feel over-confident about it, but I feel better than other students in my class. For example, because I've already taken a final exam, I know what to be ready for, and we have midterms coming up so I'm even prepared for midterms.

D.   *Community of Support*

One of the non-academic goals for the summer entry course includes community building. Leaders in the Academic Support community have recognized that pre-start summer entry courses can often benefit students in the

transition to law school by helping students build a community of support.[130] Several participants felt that they were able to establish this community of support, particularly through meeting classmates and building relationships with those classmates, teaching assistants, and professors in advance of the fall semester. Participant 8, who indicated that she did not know anyone at the law school prior to the summer course, stated:

> Even with the teaching assistants over this summer, they've been really, they were really helpful. Um, just seeing students, upperclassmen around campus during the summer, they were very helpful. You know, just giving us like, you know, just breathe, come, you know, it's going to be okay. But I do feel like I formed a community, the people in my class, it's like we're the summer crew, so we kind of still stick together, things like that. It also made coming in less stressful because I already knew people. I already formed relationships with people outside of, you know, my old friends. But now I'm in law school and I see these people more than I see my family and friends. So that community does help and it makes us feel, it made me feel better because we're having the same emotion. So I don't feel like I'm doing this by myself.

In addition to knowing other students, participants indicated that the familiarity with campus and campus resources helped ease apprehension. Participant 8 further shared:

> I got an advantage of already understanding how it works. Being in the summer class, I was able to, you know, come to the campus every day, get familiar with the area, understand like where everything is. Some people didn't know where the library was on the first day. I already knew that, so I feel like it did give me an advantage. The transition wasn't as difficult because I was here literally every day for the summer, so it kind of eased my anxiety in regards to going to professional school. It really did.

One unexpected aspect of this community of support was the maintenance of these relationships even after students were separated into different sections with different professors. Many participants indicated that they carried these relationships into the fall semester and continued to work together and support one another, both with respect to academic issues and social-emotional issues.

Participant 5 stated:

> I think it was really nice to be able to go ahead and meet like people that are not in my section and in my section because having people in your section is great. But it's, you know, it's very difficult now like to like interact with people from the other sections, unless you already knew them. And it is an advantage. It really is because I mean the other interesting thing though, is like talking, I mean, with them having different professors though, they have different perspectives on how we're all learning the materials.

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130. Minneti, *supra* note 52, at 194.

In addition, the results confirmed the findings of Zander et al., showing that the more students are perceived as helpful to others from the start of the semester, the more likely they are to be integrated into a new and challenging environment.[131] Participants indicated that they were often consulted by students who were not in the summer entry course for their advice, guidance, and support and were generally perceived as helpful and collaborative. This academic and social encouragement increased their belief in their own ability to be successful, increasing academic self-efficacy.

PART IV: IMPLICATIONS FOR ACADEMIC SUPPORT PROFESSIONALS

Academic Support Programs serve an important goal to diversify the legal profession by supporting more diverse students in graduating from law school, passing the bar examination, and entering the legal profession.[132] As law school Academic Support Programs, including pre-start programs, continued to grow and develop, educators in the field recognized that these programs should be regularly assessed to determine whether they are meeting the needs of the current student population.[133] Previous studies of pre-start programs have shown mixed results, with shorter programs showing little evidence of impact on students' academic performance in law school and more expansive programs, like the CLEO Summer Institute, showing better results for students.[134] However, leaders in the Academic Support community recognize that these pre-start programs often have other important results, including community-building and eased apprehension.[135]

An understanding of how students perceive and experience their enrollment and experience in pre-start programs is important to ensure the programs are achieving their learning outcomes, other non-academic objectives, and avoiding unintended consequences for students. The results of this study show that Academic Support professionals should continue to assess and evaluate summer entry programs to determine which academic goals and non-academic learning outcomes are supported by the program and how students are impacted by their enrollment and experience in the program. While this specific required pre-start summer entry program appeared to increase academic self-efficacy and provide important non-academic learning outcomes in building a community of support and ease the transition to law school for students enrolled in the course, there is limited evidence of increased academic outcomes.

Some Academic Support professionals claim that the existence of a special Academic Support admissions program, like a pre-start summer entry course, communicates to students that they are valued, supported, and worthy of the challenges of law school.[136] There are additional concerns specific to required Academic Support courses and programming, including the resentment students

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131. Zander et al., *supra* note 112, at 103.
132. Lustbader, *supra* note 26, at 840.
133. Marlow, *supra* note 24, at 508.
134. Schulze, *supra* note 7, at 279.
135. *Id.*
136. Lustbader, *supra* note 26, at 842-43.

may feel when required to enroll and the resulting lack of enthusiasm and effort.[137] Finally, students' beliefs that they are less capable of academic success in law school can be reinforced when those students are placed in required academic courses that have a remedial or developmental focus.[138] However, students indicated that they understood the reasons they were required to enroll in the course and ultimately felt supported in their preparation for law school through participation in the course. Further, the positive impact of academic and social integration resulting from the peer support networks created during the summer course could potentially be fostered in new and continued ways throughout Academic Support programming. It is likely that these connections helped students feel increased academic self-efficacy during the first semester.

A required pre-start Academic Support course provides a unique opportunity to utilize findings from cognitive science to teach students metacognitive skills, increasing growth mindset, self-regulated learning skills, and increasing academic self-efficacy. However, these strategies should also be considered in the context of other Academic Support courses and would likely be particularly effective in bar preparation. Students often approach bar preparation feeling discouraged based on law school performance, specifically with respect to past performance on summative assessments or high-stakes tests. Focusing on growth mindset and self-regulated learning strategies can help students increase their academic self-efficacy and potentially improve bar exam performance. Strategies for setting mastery-oriented learning goals in bar preparation might include a facilitated discussion on goal-setting and self-assessment throughout the bar preparation period. Modeling self-regulation behaviors can include helping students with a bar exam study schedule to enhance their time management. Finally, encouraging self-regulation of active learning strategies in bar preparation could include providing additional active learning writing activities to prepare for both the written and multiple-choice sections of the bar exam and helping students understand the implications of formative assessment throughout the bar preparation period.

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137. Murphy, *supra* note 12, at 180.
138. Cerminara, *supra* note 13, at 256.