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## USING EXPERIENTIAL EDUCATION TO DEVELOP HUMAN RESOURCES FOR THE NONPROFIT COMMUNITY: A COURSE STUDY ANALYSIS

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### ABSTRACT

*In this era of shrinking resources and increased pressure to produce “practice-ready” lawyers, law schools are seeking new and cost-effective ways to provide experiential education. This Article reports and analyzes the results of a survey of graduates and students from a course in Nonprofit Organizations that incorporated a community-based project designed to develop skills, enhance learning, and encourage post-graduation involvement with nonprofits. Although limited to one course, this course study, like a case study, offers valuable information. Consistent with other research on experiential education, the survey supports the conclusion that such projects, while less resource-intensive and comprehensive than clinics, offer benefits to both the students and to the community.*

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## INTRODUCTION

Recent comprehensive analyses of legal education have urged the incorporation and integration of more practical experiential education into the law school curriculum.<sup>1</sup> According to critics, law schools teach the theoretical far more thoroughly and effectively than they teach the practical.<sup>2</sup> Since these analyses, two related phenomena arising from the economic tsunami that began in 2007 have heightened the emphasis on teaching practical legal skills. First, the market for legal services is changing, reducing the ability and inclination of law firms to invest in associates and their training. Second, as a result of the changing market for legal services, the job market for law graduates has tightened. Both of these factors have intensified the demand for “practice-ready” lawyers.<sup>3</sup> And indeed, in this era of declining law school applications, schools that offer extensive experiential education designed to produce “practice-ready” lawyers are bucking the trend, demonstrating the attractiveness of these programs to prospective students.<sup>4</sup>

At the same time, economic reversals have increased the demand for both community volunteers and public interest lawyers in addition to enhancing the need for effective nonprofit organizations to provide assistance to the needy. Charitable donations have dropped substantially since before the recession and have not bounced back as quickly as expected.<sup>5</sup> As funding has decreased and need has in-

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1. See WILLIAM M. SULLIVAN ET AL., EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW 185–202 (2007) (commonly known as the “Carnegie Report”); A.B.A. SEC. OF LEGAL EDUC. AND ADMISSIONS TO THE B., LEGAL EDUCATION AND PROFESSIONAL DEVELOPMENT—AN EDUCATIONAL CONTINUUM, REPORT OF THE TASK FORCE ON LAW SCHOOLS AND THE PROFESSION: NARROWING THE GAP (1992) (commonly known as the “MacCrate Report”).

2. See SULLIVAN ET AL., *supra* note 1, at 7–14, 115–22.

3. The American Bar Association adopted a resolution in 2011 encouraging “practice-ready lawyers.” See Rachel M. Zahorsky, *ABA Urges Law Schools to Adopt More Practical Training for Students*, A.B.A. J. (Aug. 9, 2011, 9:59 AM), [http://www.abajournal.com/news/article/aba\\_urges\\_law\\_schools\\_to\\_adopt\\_more\\_practical\\_training\\_for\\_students/](http://www.abajournal.com/news/article/aba_urges_law_schools_to_adopt_more_practical_training_for_students/).

4. See Ethan Bronner, *Law Schools’ Applications Fall as Costs Rise and Jobs Are Cut*, N.Y. TIMES, Jan. 31, 2013, at A1, available at [http://www.nytimes.com/2013/01/31/education/law-schools-applications-fall-as-costs-rise-and-jobs-are-cut.html?\\_r=0](http://www.nytimes.com/2013/01/31/education/law-schools-applications-fall-as-costs-rise-and-jobs-are-cut.html?_r=0) (noting that Northeastern, “which has long emphasized in-the-field training, has had one of the smallest decreases” in applications); William D. Henderson, *Washington & Lee Is the Biggest Legal Education Story of 2013*, LEGAL WHITEBOARD (Jan. 29, 2013), <http://lawprofessors.typepad.com/legalwhiteboard/2013/01/biggest-legal-education-story-of-2013.html> (noting the significant increase in applications and yield on admissions offers at Washington & Lee, which has instituted an experiential education program for the third year of law school).

5. See Holly Hall, *Giving by the Rich Dropped \$30-Billion During Recession*, CHRON. OF PHILANTHROPY (Aug. 29, 2012, 10:28 AM), <http://philanthropy.com/blogs/prospecting/giving-by-the-rich-dropped-30-billion-during-recession/34700>.

creased, nonprofits have turned to volunteers to replace laid-off staff, in addition to merging and increasing efficiency.<sup>6</sup> Like other nonprofits, legal services organizations have been overwhelmed by the increasing demand for legal services for low-income individuals, leading to pressure for more pro bono representation from the private bar.<sup>7</sup>

At the confluence of these trends are courses that utilize experiential education both to develop skills and to provide and encourage work benefiting the broader community. These courses involve students in community volunteer work that is integrated into the classroom. The primary model for providing such education in law has been clinical legal education, but it is resource intensive, limiting its availability in many settings. Other models for providing such education are emerging in law schools and will become increasingly important with the combined pressure of lowering the costs of legal education while at the same time preparing more "practice-ready" lawyers. Community-based learning outside of law offers models that provide similar benefits with fewer resources.<sup>8</sup>

This Article analyzes a course in Nonprofit Organizations that used alternative models of experiential education to engage with nonprofits in the community. Similar to a case study in law, this course study provides an opportunity to analyze the dynamics of a case, or course, in a particular context. Although the approach is necessarily limited because it does not answer the question of how broadly the insights apply, it is a valuable analytical tool in law and can provide the same benefits in analyzing legal education.

The impact of the course was assessed by utilizing a survey of students and graduates to determine whether the course met the twin goals of enhancing learning, particularly of practical skills, and of encouraging effective post-graduation involvement in the com-

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6. See Shelly Banjo & S. Mitra Kalita, *Once-Robust Charity Sector Hit with Mergers Closings*, WALL ST. J. (Feb. 2, 2010, 10:29 PM), <http://online.wsj.com/article/SB10001424052748704586504574654404227641232.html>.

7. See LEGAL SERVICES CORP., REPORT OF THE PRO BONO TASK FORCE 1-2 (July 2012), available at <http://www.lsc.gov/sites/default/files/LSC/pdfs/Pro%20Bono%20Task%20Force%20Report%20of%20the%20Legal%20Services%20Corporation.pdf>.

8. Community-based learning is also known as service-learning. JANET EYLER & DWIGHT E. GILES, JR., WHERE'S THE LEARNING IN SERVICE LEARNING? 3-5 (1999). I will use the terms interchangeably in this Article to describe course work where students volunteer with community organizations doing work that is integrated into the classroom. Some service learning courses have begun to emerge in law schools. See generally Laurie Morin & Susan Waysdorf, *The Service-Learning Model in the Law School Curriculum*, 56 N.Y.L. SCH. L. REV. 561 (2011-12) (describing course in disaster law taught with a service-learning component aiding victims of Hurricane Katrina, and the impact of the course on the students and their learning).

munity. Although the sample size for the survey was too small for statistical analysis of the results, the graduates' own assessments of their learning, particularly when viewed with the hindsight of several years of work, provide useful insights regarding the value of experiential education. The survey responses overwhelmingly supported the conclusion that the experiential education projects incorporated in the class enhanced the respondents' learning and developed their skills, in addition to encouraging their involvement in nonprofit organizations after graduation. These results suggest that incorporating community engagement projects into traditional law classes can provide benefits both inside and outside the classroom while requiring fewer resources than the traditional clinical programs.

Part I of this Article describes the class and its goals, which are consistent with the goals of experiential learning in general, and presents the survey methodology. Part II reports and analyzes the survey results to determine whether the course met its goals, and places the results and analysis in the context of the literature and other studies of both legal education and community-based learning outside of law schools. Part III concludes with lessons from the survey results for legal educators interested in incorporating experiential learning into their own classes.

### I. NONPROFIT ORGANIZATIONS CLASS AND SURVEY

To put the Nonprofit Organizations course in context, it is helpful to briefly review the goals and benefits of community-based learning in general and of experiential legal education in particular. The movement in clinical legal education to provide skills-based learning while advancing the public interest and the movement in community-based learning in undergraduate education emerged at roughly similar times and focused on similar goals.<sup>9</sup> Enhancing education through activities that use practical skills to benefit the community is common to both forms of education.<sup>10</sup> Underlying experi-

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9. See EYLER & GILES, *supra* note 8, at 6; Elliott S. Milstein, *Clinical Legal Education in the United States: In-House Clinics, Externships, and Simulations*, 51 J. LEGAL EDUC. 375, 375 nn.4-7 (2001).

10. Not all experiential legal education provides community benefit, as some programs assist private clients who might otherwise have access to legal services. For example, Northeastern Law School's co-op program, which requires students to complete four full-time internships of three months each, includes work for private law firms. See Daniel J. Givelber et al., *Learning Through Work: An Empirical Study of Legal Internship*, 45 J. LEGAL EDUC. 1, 7 (1995).

ential education is a belief that students learn more when they are engaged,<sup>11</sup> and that learning in context is more powerful.<sup>12</sup> In legal education, the development of experiential learning is one response to the widespread criticisms of the traditional curricular model that emphasizes learning doctrine over skills.<sup>13</sup> The Nonprofit Organizations class was designed to incorporate the learning theory and the goals of experiential education.

The following section will describe the class that was the subject of the survey and the experiential projects that were undertaken by the students in each class, which evolved over time. It will then describe the survey methodology that was used to assess the outcomes. Following review of the class and the survey will be an analysis of the survey results, placed in the context of experiential education research.

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Simulations and problem-based courses do not provide any direct community benefit, but focus on skills training.

11. This conclusion is based on the educational theories of John Dewey. See EYLER & GILES, *supra* note 8, at 153-54 (quoting John Dewey). See also Jennifer Erkulwater, *Does It Work?: Assessing Community-Based Learning in Political Science*, at 2-3 (prepared for the Annual Meeting of the American Political Science Association, Toronto, Canada, Sept. 3-6, 2009), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1448974](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1448974) (discussing grounding of community-based learning in Dewey's theories of education).

12. See, e.g., EYLER & GILES, *supra* note 8, at 91, 153-56 (citing various educational theorists who recognized the value of learning through experience); Givelber et al., *supra* note 10, at 1, 9-10; Deborah Maranville, *Infusing Passion and Context into the Traditional Law Curriculum Through Experiential Learning*, 51 J. LEGAL EDUC. 51, 52 (2001). See also Kristen Holmquist, *Challenging Carnegie*, 61 J. LEGAL EDUC. 353, 368-73 (2012) (discussing the insights of cognitive psychology as applied to legal education).

13. For a summary of the criticisms of legal education over the years, see DAVID I.C. THOMSON, *LAW SCHOOL 2.0: LEGAL EDUCATION FOR A DIGITAL AGE* 57-72 (2009); see also Holmquist, *supra* note 12, at 354-56 (detailing history of criticisms of legal education and responses). For more specific criticisms based on the failure to develop skills and contexts necessary for the practice of law, see WILLIAM M. SULLIVAN ET AL., *Summary, EDUCATING LAWYERS: PREPARATION FOR THE PRACTICE OF LAW* 6-11 (2007), [http://www.carnegiefoundation.org/sites/default/files/publications/elibrary\\_pdf\\_632.pdf](http://www.carnegiefoundation.org/sites/default/files/publications/elibrary_pdf_632.pdf). Results from student surveys reflect the criticisms as well. The results from the 2011 survey of law student engagement revealed that "[f]orty percent of law students felt that their legal education had so far contributed only some or very little to their acquisition of job- or work-related knowledge and skills." LAW SCH. SURVEY OF STUDENT ENGAGEMENT (LSSSE), *NAVIGATING LAW SCHOOL: PATHS IN LEGAL EDUCATION* 9 (2011), [http://lsse.iub.edu/pdf/2011/2011\\_LSSSE\\_Annual\\_Survey\\_Results.pdf](http://lsse.iub.edu/pdf/2011/2011_LSSSE_Annual_Survey_Results.pdf). The results from a 2010 survey show that fewer than 60% of the students felt that law school prepared them well for their professional roles, including such tasks as understanding client needs, understanding professional values, and dealing with ethical dilemmas. LAW SCH. SURVEY OF STUDENT ENGAGEMENT (LSSSE), *STUDENT ENGAGEMENT IN LAW SCHOOL: IN CLASS AND BEYOND* 2, 8 (2010), [http://lsse.iub.edu/pdf/2010/2010\\_LSSSE\\_Annual\\_Survey\\_Results.pdf](http://lsse.iub.edu/pdf/2010/2010_LSSSE_Annual_Survey_Results.pdf).

*A. The Class and Its Evolution*

The Nonprofit Organizations class studied here began in 2005 and was created by a full-time faculty member and a practicing attorney who had cofounded a nonprofit organization.<sup>14</sup> The original course goals were to develop a model for the expansion of the nonprofit to new geographic areas and to encourage the students to get involved in nonprofit work, either as volunteers or paid employees. The latter goal parallels the community-based learning goal of encouraging civic participation<sup>15</sup> and the clinical legal education goal of teaching the professional value of serving the underserved.<sup>16</sup> In addition to providing the motivation to work with nonprofits, the course was designed to give students the tools for successful nonprofit work because many nonprofit volunteers and board members lack the knowledge and the skills to guide and represent their organizations effectively.<sup>17</sup> Again, these goals coincide with the goals of experiential learning both inside and outside of law schools. The community-based learning project evolved to support these goals. Additionally, like all experiential educators, we hoped that the experiential component would broaden and deepen the students' learning, enabling them to better apply and retain what they learned.

The course, which is offered to both law and graduate business students, has been taught four times, and each time a significant component of the class has been dedicated to traditional doctrinal education about the law relating to nonprofit organizations. Among the topics regularly covered were: (1) what is a nonprofit organization?; (2) charitable purpose; (3) implications and requirements of tax-exempt status; (4) legal structure of the entity – trusts, corporations and LLCs; (5) financial policies and responsibilities; (6) loss of tax-exempt status; (7) duties of care and loyalty; (8) charitable solicitation and related legal issues; (9) governance and organizational

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14. That organization is the Legal Information Network for Cancer (LINC), founded in 1996 to assist cancer patients and families with the legal issues that result from the diagnosis and treatment of cancer. See LEGAL INFO. NETWORK FOR CANCER, [www.cancerlinc.org](http://www.cancerlinc.org) (last visited Feb. 8, 2014).

15. See EYLER & GILES, *supra* note 8, at 162–63.

16. See Margaret Martin Barry et al., *Clinical Education for This Millennium: The Third Wave*, 7 CLINICAL L. REV. 1, 6–15 (2000).

17. News stories of legal, ethical, and governance problems in nonprofits abound. Perhaps the most recent, highly visible failure is that of the board of the Second Mile charity founded by Jerry Sandusky, recently convicted of numerous counts of child molestation. See Mark Viera et al., *Charity Founded by Accused Ex-Coach May Fold*, N.Y. TIMES, Nov. 19, 2011, at D1, available at <http://www.nytimes.com/2011/11/19/sports/ncaafootball/charity-founded-by-sandusky-plans-to-fold.html>.

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policies; and (10) liability for organizations and directors. To supplement the doctrinal learning, we incorporated an experiential project.

Because of the initial focus on creating a model for expansion of a particular nonprofit, the first class developed a manual for starting and operating a nonprofit in Virginia.<sup>18</sup> The students were divided into groups and each group researched and drafted a report on one aspect of starting and operating a nonprofit organization. The five groups, each of which included both law and MBA students, were assigned to the following topics: (1) needs assessment, market analysis, and mission identification; (2) forming the organization; (3) obtaining and maintaining tax-exempt status and fundraising; (4) operations and governance—employment and volunteers; and (5) operations and governance—board policies and procedures. In the course of developing their reports, the students worked with the existing nonprofit that was the model for expansion, and drafted recommendations for creating a similar organization. The project primarily involved researching and drafting, along with some fact investigation and application of the research to a particular nonprofit “client.” The final product was a manual for founding and operating nonprofits in Virginia that was edited by several students over the summer and posted on the law school’s web site for use by the public.<sup>19</sup>

This manual gave rise to the community-based learning projects during the second offering of the class, when the teachers were contacted by a representative of an informal coalition that wanted assistance starting a nonprofit organization. In the spring of 2007, the students assisted that entity and another in formalizing their organizations and obtaining tax-exempt status. The student groups, consisting of law and MBA students, worked with their clients to gather information about the organization, draft a mission statement, obtain an employer identification number from the IRS, draft articles of incorporation and bylaws, and complete IRS Form 1023—the application for tax-exempt status. During the second half of the semester, the students switched clients and drafted operational policies and recommendations for the organizations on liability, political activity and lobbying, ethics and conflicts of interest, and financial

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18. See Ann Hodges et al., *Starting a Nonprofit: What You Need to Know*, U. RICH. SCH. LAW (2005), [http://law.richmond.edu/people/PDF/HowToFormANonprofit\\_1st\\_ed.pdf](http://law.richmond.edu/people/PDF/HowToFormANonprofit_1st_ed.pdf) (last visited Feb. 9, 2014).

19. See the manual online at <http://law.richmond.edu/people/initiatives/nonprofit.html> (last visited Feb. 9, 2014).

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and accounting practices. Among the skills utilized were interviewing, investigating, researching, and drafting legal and policy documents.

Working with these individual clients proved challenging, as the clients were starting the organizations in their spare time while maintaining full-time jobs. Despite the clients' professed intent to be available for the students, the students had difficulty obtaining the necessary information from the clients to complete their projects in a timely manner. Although these problems provided some lessons to the students, the stress and fear that their grades would be impacted led to student dissatisfaction. This version of the project also demanded the most faculty time, as the work product was being used by the clients to apply for their incorporation and nonprofit status. Thus, it was closer to a traditional clinical course than the previous incarnation. As a result of these difficulties and time demands, the project continued to evolve, evidenced by the changes in the class's third offering in the fall of 2008.

For the fall 2008 class, the faculty recruited a variety of nonprofit organizations in the community to work with the students. Each group of law and business students interviewed the designated organization's staff and board members and reviewed the organization's official documents. The students were assigned to assess whether the organizations were meeting the legal requirements for nonprofit organizations and to determine whether they were following good governance practices. Additionally, the students learned about the organization's mission and assessed its compliance with the mission throughout the operations of the entity. Further, the students investigated the unique issues relating to the particular type of nonprofit. Each student group then wrote a report, which they shared with the organization, and made a class presentation about the organization, which assessed its structure, policies, and practices, as well as the unique issues that arise for similar organizations. Among the organizations studied were an arts organization, an educational organization, a business/trade association, a health care organization, and an advocacy organization.

This project worked well, so it was repeated in the spring of 2011. Because the organizations were less diverse, we omitted the requirement that the students teach the class about different types of 501(c) organizations, but added a requirement that the students assess the consistency of communication about the organizations' missions in marketing and fundraising materials. Organizations studied in this class included a museum, two organizations working with

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homeless and/or low income populations, an environmental organization, and two organizations working with children and families. The skills utilized by the students participating in the 2008 and 2011 project assignments included interviewing, fact investigating, researching, applying legal and business principles to particular facts learned from clients, drafting reports, and making oral presentations.

As is evident from the prior descriptions, the community-based learning projects evolved over time as we explored the most effective way to achieve our teaching goals. The primary goals, however, remained the same: encouraging students to use their legal and business skills to support nonprofit organizations and providing the students with the skills to be outstanding board members, volunteers, or employees of nonprofits. Additionally, we believed that the community-based learning project would enhance student learning by allowing students to put theory into practice and doctrinal learning into context. While some students provided positive feedback and some immediate results were evident,<sup>20</sup> the more formal assessment of the impact of the project described below provides more systematic information about the course. The assessment captured the students' evaluation of the course in light of their subsequent experience in the practice of law or business.

### *B. The Survey Methodology*

In order to assess the course and its impact, we designed a survey to determine whether the students, based on their post-graduation experience, believed that the course had met its goals and achieved the learning outcomes attributed to experiential education. The survey was administered to graduates who took the course in 2005, 2007, and 2008. Additionally, a similar survey was administered to the students at the conclusion of the spring 2011 class to compare results.

The questions on the survey were designed to elicit the graduates' evaluation of the effect the community-based learning project had on their decision whether to engage in nonprofit work—either volunteer or paid—and the impact the project had on their learning outcomes. The questions were derived from both the course goals

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20. For example, several students volunteered for their assigned organization after the project was completed. At least one student decided to do her MBA capstone project with the organization she worked with in the class. Several students applied to serve on boards of other nonprofit organizations.

and from the literature on experiential education in law and undergraduate schools.<sup>21</sup> The number of questions was limited in order to encourage participation. Because the sample was small, demographic questions were limited to preserve anonymity. The survey-takers were asked which year they took the class in order to determine whether different projects had different effects. They were also asked whether they were law, MBA, or Masters of Accounting students, or some combination thereof. Finally, they were asked whether they had taken a break from education prior to returning to graduate or professional school to determine whether prior work experience might have affected the outcomes. The survey given to the 2005, 2007, and 2008 classes is reproduced as Appendix 1, while the slightly modified version given to the 2011 class is reproduced as Appendix 2.<sup>22</sup>

To reach the graduates, I obtained contact information from the university's alumni office. There were a total of 72 students who took the class during the first three years. Using a combination of letters and e-mails, I acquired a total of 56 valid e-mail addresses.<sup>23</sup> Of those students contacted, 34 completed the full survey – for a response rate of 61%.<sup>24</sup> Six students from the 2005 class, 15 students from the 2007 class, and 13 students from the 2008 class responded to the survey.

There are inherent limitations in drawing conclusions from this survey. One limitation is the small number of potential and actual respondents. There was no control group, as there was no similar course that did not contain a community-based learning component. Any comparisons between courses that the respondents made depended on the other courses they chose to take, which certainly varied by student. Additionally, there are unquestionably limits in ask-

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21. The *After the JD* survey of law graduates, for example, asked about the impact of experiential education on the transition to law practice. Rebecca Sandefur & Jeffrey Selbin, *The Clinic Effect*, 16 CLINICAL L. REV. 57, 83 (2009) (examining the impact of experiential education on the transition to law practice through the *After the JD* survey of law school graduates). Eyler and Giles's survey of students involved in service learning asked about the impact of service learning on educational outcomes and on the students' expectations of participating in community service in the future. EYLER & GILES, *supra* note 8, at 83, 162.

22. The changes were necessary because the 2011 class could only indicate whether they intended to engage in nonprofit work after taking the class, not whether they had engaged in nonprofit work since taking the class.

23. Valid addresses were those that did not return an introductory e-mail as undeliverable. I have no way to know, however, whether all of the e-mails actually reached the intended recipients in a timely manner.

24. One partially completed survey was omitted from the statistics.

ing individuals to assess their own learning.<sup>25</sup> They may not report accurately, either because they are motivated to provide or not provide particular responses, or because they do not accurately perceive what actually occurred.<sup>26</sup> They also might be motivated to please since the survey was conducted by their professor.

Several factors, however, should have counteracted the tendency to try to please, if it existed. The survey was anonymous and completed after graduation when the professor no longer had any ability to influence the respondent's academic career. The distance from graduation may have lessened any desire to please the professor and provided more objectivity in evaluation. Moreover, some survey-takers were critical of the course, which suggests a lack of constraint. As other researchers have noted, we do not have alternative measures for the impact of particular modes of teaching on student learning, so we are left with self-reporting as the best measure available.<sup>27</sup> And the graduates do have at least several years of experience evaluating their courses and instructors on a regular basis in college, law school, or graduate school.<sup>28</sup>

## II. RESULTS AND ANALYSIS

The survey results confirm that, based on the graduates' assessment, the course met its goals of encouraging post-graduation nonprofit work and providing the skills to do such work. Additionally, the respondents overwhelmingly believed that the experiential component of the class enhanced their learning.

### A. Overall Results

#### 1. Post-graduation nonprofit work

Significantly, 71% of the graduate survey respondents have worked for nonprofits, either paid or as volunteers, since taking the class.<sup>29</sup> Most volunteered, but 9% performed paid work for nonprof-

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25. See EYLER & GILES, *supra* note 8, at 20-21; Givelber et al., *supra* note 10, at 20.

26. See Givelber et al., *supra* note 10, at 21. It is also possible that their assessments are based on criteria different from each other and from the criteria that educators might apply. *Id.*

27. *Id.* at 21.

28. *Id.* at 21-22.

29. This data is on file with the author.

its, and 18% have done both paid and unpaid volunteer work.<sup>30</sup> Further, all of the respondents who had not done any nonprofit work since graduation expected to do so in the future.<sup>31</sup> The results are consistent with research on service-learning<sup>32</sup> and with Sandefur & Selbin's *After the JD* survey of law graduates.<sup>33</sup>

In Eyler and Giles's study of service-learning participants, 75% indicated that they intended to continue participating in community service in the future.<sup>34</sup> Of the lawyers who participated in the *After the JD* survey, 44% reported involvement in pro bono work, while 41% reported involvement in other community work.<sup>35</sup> The higher percentages of graduates intending to engage in community work in the current study may be explained by two factors. First, the number of participants in this survey is much smaller, and second, the students in this survey all chose to take a course in nonprofit organizations, suggesting a prior inclination toward such work.

Interestingly, however, the *After the JD* study revealed no relationship between lawyers' involvement in pro bono or community work and participation in clinical legal education in law school,<sup>36</sup> while in our survey almost half of the respondents indicated that the community-based learning component of the class positively influenced their decision to engage in nonprofit work.<sup>37</sup> The *After the JD* study, however, did find an association between clinical legal edu-

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30. *Id.*

31. This data is on file with the author. For example, one participant stated: "I would not change anything. It was a good learning experience . . . . Although I may not be working in the nonprofit world currently, it remains something that I would like to do once I am financially able." Student survey responses on file with the author. Data supports the conclusion that the respondents will volunteer in the future. Individuals in the age groups 35-44 and 45-54 are most likely to volunteer, while those in their early twenties are least likely to volunteer. U.S. BUREAU OF LABOR STATISTICS, VOLUNTEERING IN THE U.S., 2012, Table 1 (2013), available at <http://www.bls.gov/news.release/volun.t01.htm>. Older individuals are not only more likely to volunteer, but they volunteer more hours than younger people. U.S. BUREAU OF LABOR STATISTICS, VOLUNTEERING IN THE U.S., 2012, Table 2 (2013), available at <http://www.bls.gov/news.release/volun.t02.htm>.

32. EYLER & GILES, *supra* note 8, at 19-20. The service learning research referenced here comes from Eyler and Giles's national research on community-based learning in higher education, which utilized surveys, focus groups, and individual interviews of over 1500 students at twenty colleges and universities. *Id.*

33. Sandefur & Selbin, *supra* note 21, at 82. *After the JD* is a longitudinal study of the career outcomes of 5000 new lawyers who became eligible to practice law in 2000. *Id.*

34. EYLER & GILES, *supra* note 8, at 162. Because of the timing of the survey, it did not measure what students actually did in the community but only their intent. *Id.*

35. Sandefur & Selbin, *supra* note 21, at 94-96. Other community work included community and charitable organizations, political activity, and bar organizations. *Id.* at 96.

36. *Id.* at 94-97.

37. See *infra* Table 1.

cation and participation in civic activities and public service employment after law school for those students who also reported civic motivations for attending law school.<sup>38</sup> This finding supports the hypothesis that both the class and the motivation for taking the class influenced the nonprofit course graduates' participation in nonprofit work.

## 2. Educational outcomes

The other portion of the survey focused on educational outcomes. A substantial 74% of the graduates who answered the survey agreed<sup>39</sup> that the assigned project enhanced their skills and knowledge in ways that would enable them to work effectively for nonprofits, and 68% agreed that they obtained skills and knowledge to be better community citizens in general.<sup>40</sup> Thus, the graduates highly valued the project in improving their skills. This result also accords with other research. Eyler and Giles found that community-based learning classes developed qualities the students identified as important for effective citizenship: values, knowledge, skills, efficacy, and commitment.<sup>41</sup> Similarly, respondents to the *After the JD* survey rated experiential education highly in making the transition from law school to law practice.<sup>42</sup> Respondents valued summer legal employment most highly, but clinical education, internships, school year legal employment, and legal writing training were also helpful.<sup>43</sup>

Similarly, in the National Association of Law Placement study of experiential education, survey respondents ranked clinical programs and externships as useful in the practice of law.<sup>44</sup> In a study of legal internships, students regarded the educational experience

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38. Sandefur & Selbin, *supra* note 21, at 92-93, 96-100.

39. For each of the totals on both the graduate and current student surveys, we counted those who agreed and strongly agreed.

40. *See infra* Table 3.

41. EYLER & GILES, *supra* note 8, at 156-64.

42. Sandefur & Selbin, *supra* note 21, at 83-86.

43. *Id.* at 85-86, 88. At least 50% of the graduates with these experiences found them helpful to extremely helpful. Other experiences like traditional courses, both upper-level and first year, ethics training, and pro bono work ranked lower. *Id.* at 85-86.

44. NAT'L ASS'N OF LAW PLACEMENT (NALP), 2010 SURVEY OF LAW SCHOOL EXPERIENTIAL LEARNING OPPORTUNITIES AND BENEFITS 26-27 (2011), available at <http://www.nalp.org/uploads/2010ExperientialLearningStudy.pdf>.

highly and reported improvement in legal skills.<sup>45</sup> Other studies of practicing lawyers and law students similarly emphasize the value of learning by doing with advice and feedback, as well as the value of observing skilled practitioners.<sup>46</sup> These results fit with the theory of contextual learning; the students are able to learn in the situation, developing patterns from experience that they are then able to apply to future problem-solving.<sup>47</sup>

In addition to the focus on skills development, our survey asked questions designed to assess the impact of the project on learning in general.<sup>48</sup> The results here support prior research on experiential learning even more strongly. An overwhelming 91% of respondents from the 2005, 2007, and 2008 classes felt that they learned more in the class as a result of the project.<sup>49</sup> An even larger 94% agreed or strongly agreed that the project gave context to the classroom component of the course.<sup>50</sup> And 82% concluded that the project deepened their understanding of the materials studied in the classroom component of the course, while 74% believed that the community-based project improved their retention of the material presented in assigned readings and classroom lectures and discussions.<sup>51</sup> Finally, in accord with an important goal of experiential learning, 79% concluded that the project improved their ability to apply what they learned in the class.<sup>52</sup>

These results confirm what other researchers have found. For example, Eyler and Giles similarly discovered that students firmly believed that they learned more from service-learning than from traditional classes alone, and that they learned better.<sup>53</sup> The respondents in the Eyler and Giles survey reported that they developed a deeper understanding of complex issues and a better sense of how to apply

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45. See Givelber et al., *supra* note 10, at 24–25. In the internship study, unpaid jobs rated higher than paid jobs in terms of learning experience. *Id.* at 29. Judicial and legal aid/public defender internships were deemed most valuable. *Id.* The authors posit two reasons for this result. The supervision in those offices was rated higher by the students and more students reported that the work assigned in these offices was commensurate with their skill level. *Id.* at 30–31.

46. *Id.* at 16–19.

47. *Id.* at 9–10.

48. See *infra* Table 3.

49. *Id.*

50. *Id.*

51. *Id.*

52. *Id.*

53. EYLER & GILES, *supra* note 8, at 83.

what they learned.<sup>54</sup> Based on the surveys and interviews as well as learning theory, Eyler and Giles concluded that

[T]he combination of high interest, emotional ties, and rich experiential contexts may be what led our students in well-integrated service-learning classes to their more complex understanding of issues as well as their greater practical knowledge. People and situations engaged them so that they wanted to know more, and the combination of real community settings and structured reflection helped them construct rich and complex pictures of issues and processes.<sup>55</sup>

### *B. Analysis of Overall Results*

In sum, results of these surveys are in accord with other research on experiential learning. The majority of the respondents—and in many cases an overwhelming majority of the respondents—believed the project, which included hands-on experience in nonprofit work, enhanced their learning.<sup>56</sup> Their evaluations indicate that the project resulted in more learning, contextual learning, deepened understanding, improved retention, and greater ability to apply what they learned.<sup>57</sup> These are precisely the goals of experiential education in general, particularly in law schools. Student comments in the open-ended question about the project support the conclusions reflected in the statistical data. Among them:

“I found the hands-on work to be invaluable.”

“Hearing the real challenges and the passion that the organizers had helped put the theoretical material in context.”

“I thought that this class, unlike any other that I took during law school, was directly related to real-world experience that could immediately be applied to other clients. Plus, this class, again unlike many others, was actually FUN and interesting because we were directly helping an NPO and could see the benefit of our hard work immediately and tangibly.”

“It was really helpful to get out of the classroom and get in-

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54. *Id.*

55. *Id.* at 84.

56. *See infra* Table 3.

57. *See infra* Table 3.

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volved with real organizations.”

“It was valuable to be able to speak with the director of the non-profit organization and hear about her experience with non-profit organizations. It revealed a very realistic and practical perspective.”

“[T]he project was fun and a helpful learning experience.”<sup>58</sup>

Providing skills training is another important goal of experiential legal education. Although a substantial 74% of the participants valued the skills training, that percentage is somewhat lower than the other educational outcome measures.<sup>59</sup> One explanation may be that the project did not offer the sort of ongoing skills training that is provided in a semester-long clinical experience, whether in-house or external. The students learned the substantive material that formed the basis of the project—for example, what nonprofit bylaws should include and why. They also received detailed written guidance on the project and participated in periodic discussions with the professors, who answered questions and ensured that the project was proceeding as planned. The project, however, did not include ongoing feedback from the professors, simulations, supervised client or court interactions with immediate feedback, or assignments of increasing complexity that built on one another.

The latter are characteristic of clinical legal education. While extremely valuable, they require extensive faculty resources dedicated to a smaller number of students. The projects here required more faculty time than teaching a traditional course, but required far less than a clinical course. The results demonstrate that the benefits of experiential education can be obtained in other types of courses. The maximum enrollment in the class was twenty-four students—significantly more than in the typical clinical course. One reason for the limit was to allow student groups to make class presentations on their projects. The class presentations allow the students to learn from one another and to learn about different types of nonprofit organizations and the variations in approaches required for different organizations. Dispensing with this enrollment limit could increase the number of projects, and thus the number of students who could

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58. Student survey responses on file with the author.

59. See *infra* Table 3. Respondents' comments reveal the value: “I feel that I could start my own non-profit and that it could be a small one . . . . It was one of my favorite classes in law school.” Student survey responses on file with the author.

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be accommodated, so long as enough organizations are available to work with the students.

Although in the present survey respondents rated the value of skills training lower than other educational outcome measures, this rating was still significantly higher than in the *After the JD* study.<sup>60</sup> That result may reflect no more than the small numbers in the current study. Nevertheless, the comparative results do suggest that valuable skills training can occur using experiential projects in conjunction with traditional classes.

Critics of legal education have suggested that experiential education will increase students' passion for law school.<sup>61</sup> The argument is that many students enter law school with a desire to make a difference for people or to engage in public service.<sup>62</sup> Their actual in-school experience, however, involves the study of abstract cases devoid of context.<sup>63</sup> Additionally, in traditional courses, issues of justice are not only absent, but actively discouraged in classroom discussion.<sup>64</sup> Thus, critics posit that various forms of experiential education should tap into students' motivation.<sup>65</sup> The results of the current survey support this hypothesis, with 68% of all respondents from the 2005, 2007, and 2008 classes reporting increased passion for their educational program as a result of the project.<sup>66</sup> Among the respondents' comments reflecting on this point were the following:

"I think the practical experience really added to my overall interest in the subject matter and increased my learning of same."

"This class was one I looked forward to after a long day of not-so-interesting law classes."<sup>67</sup>

Although these results were not quite as strong as the other "educational outcomes" measures, the graduates remained strongly committed to public service, as evidenced by their participation in nonprofit work after graduation.<sup>68</sup>

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60. See Sandefur & Selbin, *supra* note 21, at 85-86, 88.

61. Maranville, *supra* note 12, at 51, 53-54.

62. *Id.* at 53.

63. *Id.*

64. *Id.*

65. *Id.* at 57-58.

66. See *infra* Table 3.

67. Student survey responses on file with the author.

68. See *infra* Table 1.

Finally, the results strongly support the conclusion that public interest work in law classes encourages commitment to such work after law school. While the students here almost certainly had an interest in nonprofit work before taking the class, almost half agreed that the project motivated them to engage in nonprofit work—volunteer or paid—after graduation.<sup>69</sup>

Having looked at the overall results of the survey, I now move to the internal comparisons enabled by the data to see if they reveal additional insight regarding the contribution of the class projects to students' motivation to engage in nonprofit work and educational outcomes. The survey allows comparison of data for law and business students, for graduates and current students, for different course projects, and for students with and without prior work experience. I report and analyze those results below.

### C. Internal Comparisons

#### 1. Comparison of results for law and business students

Because the class included both law and business students, albeit smaller numbers of the latter, the survey enabled comparison of the two groups on the measures of both engagement in nonprofit organizations after graduation and enhancement of learning outcomes. Tables 1 and 2 compare the results for law and business students on these measures.

**Table 1.** Nonprofit Engagement

Question	Law (N=27)	Business <sup>70</sup> (N=7)
Nonprofit work since class	70.37%	71.43%
Volunteer	40.74%	57.14%
Paid	7.41%	14.29%
Both	22.22%	0%
Project influenced decision to engage or not engage in nonprofit work	48.15%	42.86%

69. See *infra* Table 1.

70. The business student group included both MBA and Masters of Accounting students.

Project made nonprofit work more likely	48.15%	42.86%
Project made nonprofit work less likely	0%	0%

**Table 2.** Educational Outcomes

Question	Law (N=27)	Business Class (N=7)
Project gave experience and skills for nonprofit work	74.07%	71.43%
Project gave skills and experience for citizenship	70.37%	57.15%
Learned more as a result of the project	96.29%	71.43%
Project put class material in context	96.29%	85.71%
Project gave deeper understanding of material	85.19%	71.43%
Project improved retention of the material	77.78%	57.15%
Project improved ability to apply what I learned	85.18%	57.15%
Project increased passion for law/business school	74.07%	42.86%

While the business school students are equally engaged in post-graduation nonprofit work, their evaluation of the educational benefit of the project – though positive – is consistently lower than that of the law students.<sup>71</sup> The explanation may be no more than the small

71. See *supra* Tables 1 & 2.

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number of business students in the cohort, such that one student's low ranking of the class's benefit makes a significant difference in the percentages.

It is also possible that the business school students saw less value in the project. The professors of the class are lawyers and have found it challenging to teach the course to both groups. The business school students have been consistently more critical of the course on regular student evaluations. Also, it is more common for business school classes to use alternative teaching methodologies,<sup>72</sup> so perhaps these students were using a different comparison standard in evaluating the class. One other possibility is that the business students focused on the business aspects of the projects, while the law students focused on the legal aspects. Thus, the project may have done less to enhance the business students' learning about the legal aspects of the class, since they knew less about these aspects than the law students at the outset. They undoubtedly found it more challenging as a result. On the particular class goal of providing skills for nonprofit work, however, the ratings of the two groups were extremely close. One reason for opening the class to business students was nonprofits' great need for business and accounting expertise. So the high rating on this measure suggests that the course met its goal of developing governance expertise among future board members of nonprofits.

## 2. Graduate comparison to current class

At the conclusion of the spring 2011 semester, I surveyed the students in the nonprofit organizations class as a check on the results of the survey of graduates. The response rate of the 2011 class was higher—as the group was asked to complete the survey during class time<sup>73</sup>—and the results were quite similar. All of the students expected to do future work with nonprofit organizations—either paid or unpaid. Slightly over half indicated that the project positively influenced their decision to engage in nonprofit work, while the others indicated that the project had no influence on the decision. Only half, however, stated that the project increased their passion for law or business school—less than the 68% of graduates surveyed. Table 3 compares the responses to educational outcome questions for the graduates and the 2011 class.

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72. See SULLIVAN ET AL., *supra* note 13, at 6.

73. Sixteen of the seventeen students completed the survey.

**Table 3.** Educational Outcomes

Question	Graduates (N=34)	2011 Class (N=16)
Project gave experience and skills for nonprofit work	73.53%	87.5%
Project gave skills and experience for citizenship	67.65%	81.25%
Learned more as a result of the project	91.18%	93.75%
Project put class material in context	94.12%	93.75%
Project gave deeper understanding of material	82.35%	93.75%
Project improved retention of the material	73.53%	100%
Project improved ability to apply what I learned	79.42%	81.25%
Project increased passion for law/business school	67.64 %	50%

Although the numbers are small, limiting the significance of the conclusions, the results from the most recent class are quite similar to those of the graduates. Among student comments were the following:

"The thing that stands out the most is the realization that what I have been learning in law school [is] actually practical in the real world. Rarely have I as a law student really seen the connection between the class materials and its real life application."

"It helped me to understand the work that goes into the non-profit and the areas . . . which the common person may not understand."

"I learned much about the problems and challenges that are facing nonprofit organizations today . . . ." <sup>74</sup>

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74. Student survey responses on file with the author.

The biggest differences between the graduate and student responses are the students' higher evaluations of the skills and abilities learned, and their assessments that the project had a greater effect on retention of the material. These differences may simply reflect the hindsight view of the graduates. The current students may have had an enhanced view of their skills and abilities while remaining in the comfort of law school under the close supervision of faculty. Once out in practice, without the safety net that law school provides and faced with the severe consequences of getting it wrong, the graduates' assessments of their skills and abilities may be less optimistic. Another possible explanation is that the 2007 project may have provided fewer transferable skills, since it was limited to starting a nonprofit. Indeed, only 66.67% of the graduates from the 2007 class indicated that the project gave them the skills and experience to do nonprofit work. Although this may explain the difference in responses to some extent, it is not likely the full explanation. Finally, the most recent results may reflect our improvement as teachers in more effectively integrating the community-based project into the course and relating it more directly to the materials we were teaching in the classroom.

### *3. Comparisons between classes with different projects*

The questionnaire responses also allow for comparison of the responses based on the type of project assigned in different years. The 2005 project involved the creation of a manual for starting a nonprofit, while the 2007 students actually assisted clients in starting a nonprofit. The 2008 and 2011 students assessed the compliance of existing nonprofits with legal requirements and good governance practices. Of course, the numbers in each cell are even smaller here, but the results are relatively similar. Table 4 compares the responses on engagement in nonprofit work and Table 5 compares the responses on educational outcomes.

**Table 4.** Engagement in Nonprofit Work

<b>Question</b>	<b>2005 (N=6)</b>	<b>2007 (N=15)</b>	<b>2008 (N=13)</b>
Nonprofit work since class	83.33%	60%	76.92%
Volunteer	50%	33.3%	53.85%
Paid	0%	13.3%	7.69%
Both	33.33%	13.3%	15.38%

Project influenced decision to engage or not engage in nonprofit work	66.67%	33.33%	53.85%
Project made nonprofit work more likely	66.67%	33.33%	53.85%
Project made nonprofit work less likely	0%	0%	0%

Again, the differences are probably not large enough to be significant. The graduates from 2007 have been less involved, and were less influenced to be involved, in nonprofit work. In the view of the professors, the 2007 project was the least successful because of difficulties in working with clients who were founding nonprofits in their spare time. As noted earlier, the limited availability of the clients created problems for the students in getting the information they needed in a timely manner.<sup>75</sup> While there were important lessons learned as a result of these complications,<sup>76</sup> the students' frustrations may have impacted their desire to participate in nonprofit work. Nevertheless, even the 2007 graduates all indicated that they anticipated engaging in nonprofit work at some point in the future.

75. One respondent said: "I remember thinking that the nonprofits' representatives were not as engaged in the process as they should have been . . . . And, they weren't terribly responsive when the class needed information." Student survey responses on file with the author.

76. For example the students learned valuable lessons about the common challenges of working with clients.

**Table 5.** Educational Outcomes

Question	2005 (N=6)	2007 (N=15)	2008 (N=13)	2011 (N=16)
Project gave experience and skills for nonprofit work	83.33%	66.67%	76.92%	87.5%
Project gave skills and experience for citizenship	83.33%	66.67%	61.54%	81.25%
Learned more as a result of the project	83.33%	93.33%	92.31%	93.75%
Project put class material in context	83.33%	100%	92.31%	93.75%
Project gave deeper understanding of material	83.33%	80%	84.62%	93.75%
Project improved retention of the material	66.67%	80%	69.23%	100%
Project improved ability to apply what I learned	83.33%	73.33%	84.62%	81.25%
Project increased passion for law/business school	66.66%	60%	76.92%	50%

Given the small numbers, the results are again relatively consistent across class projects. Substantial numbers in each group recognized the value of the project in improving their learning outcomes. As mentioned previously, the 2007 project gave students

fewer skills to work with ongoing nonprofits because they concentrated on starting an organization. This is likely the cause of the relatively lower scores on the questions about skill development. Several student comments on the survey support this conclusion.<sup>77</sup>

*4. Comparison of results between those with and without work experience preceding professional school*

The results of the students who attended their professional program immediately after college and those who spent at least a year out of school can also be compared. Tables 6 and 7 show those comparisons.

**Table 6.** Nonprofit Engagement

Question	Out of School (N=25)	Straight Through School (N=9)
Nonprofit work since class	76%	55.56%
Volunteer	52%	22.22%
Paid	8%	11.11%
Both	16%	22.22%
Project influenced decision to engage or not engage in nonprofit work	52%	33.33%
Project made nonprofit work more likely	52%	33.33%
Project made nonprofit work less likely	0%	0%

77. For example, one comment stated, "The only thing I would suggest changing would be to not limit the project to simply people trying to set up or start a nonprofit, but rather open the project to active nonprofits who face other challenges or questions . . . ." Another said,

My class worked on helping organizations obtain legal status. While this was helpful and very interesting, it would have been more useful to learn more about the inner workings of non-profits (grant-writing, lobbying, policy-making). A lot of people in the class took it because they wanted to work for a non-profit as counsel, and so just learning how to obtain status wasn't helpful.

Student survey responses on file with the author.

**Table 7.** Educational Outcomes

Question	Out of School (N=25)	Straight Through School (N=9)
Project gave experience and skills for nonprofit work	76%	66.66%
Project gave skills and experience for citizenship	72%	55.55%
Learned more as a result of the project	88%	100%
Project put class material in context	92%	100%
Project gave deeper understanding of material	80%	88.89%
Project improved retention of the material	76%	66.66%
Project improved ability to apply what I learned	80%	77.77%
Project increased passion for law/business school	72%	55.55%

Those students who went straight through school are somewhat less likely to have engaged in nonprofit work since taking the class, although all intend to do so in the future. This result may be explained, at least in part, by the fact that older individuals are more likely to volunteer.<sup>78</sup> Fewer of the students who went straight through school indicated that the course gave them the skills and experience to do nonprofit work or to be better citizens. Additionally, fewer students stated that the project increased their passion for school, but in general, they concluded that the project improved their learning in the same ways as the students who spent time out of school. It is possible that the students with more experience between college and law or business school felt more confident and

78. See U.S. BUREAU OF LABOR STATISTICS, *supra* note 31 (Table 1).

comfortable with the project, and therefore better able to utilize the experience for the future.

### III. LESSONS FOR EDUCATORS

The survey results confirm the results of other research on the impact of experiential education.<sup>79</sup> Additionally, the results offer useful information for others contemplating the use of community-based learning projects in similar courses. Below, I summarize the conclusions that can be drawn from the survey. In addition to the course goals expressly assessed by the survey, I also note some additional benefits of inclusion of similar projects in law school classes.

Since the survey results indicate that the course met the goal of encouraging students to engage in nonprofit work, faculty teaching nonprofit organizations courses may want to consider incorporating an experiential component. Of course, the students who chose to take this course may have been likely to volunteer or work with nonprofits in any event, but nearly half indicated that their participation in the community-based project increased the likelihood of post-graduation community involvement. Interestingly, students' engagement in post-graduate, nonprofit work was much higher than that reflected in the *After the JD* survey of law students and greater than that anticipated in Eyler and Giles's survey of community-based learning students at the undergraduate level.<sup>80</sup> The contrast with the *After the JD* survey is particularly interesting, as participation in clinical education was not associated with pro bono representation at all, or with civic participation and public service work, except as mediated by prior civic motivation for attending law school.<sup>81</sup> The explanation may be that students took Nonprofit Organizations because of a particular interest in nonprofit work, whereas students may choose a clinical course for the skills training alone.

The skills enhancement provided by the experiential project provides an additional reason for faculty to consider including such a component in their classes. With the very public failures of oversight of nonprofits, development of expertise in nonprofit representation and governance provides value to society. Additionally, the survey results also supported other claims of proponents of experi-

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79. See, e.g., NAT'L ASS'N OF LAW PLACEMENT (NALP), *supra* note 44, at 26-28.

80. See *supra* notes 34-35 and accompanying text.

81. See *supra* notes 36-38 and accompanying text.

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ential education—that it enhances learning and improves practical skills, enabling students to better apply what they have learned in real world settings. Thus, law faculty seeking to meet the current criticisms of legal education and the demand for more practice-ready lawyers can utilize similar models to incorporate contextual learning into the classroom. Although caution is required in interpreting data from the small numbers, the results are fully consistent with the results of other surveys of experiential education.

A course in the law and business of nonprofit organizations provides an opportunity for students to learn skills—other than litigation skills—that can be used to further social justice goals. Lawyers, accountants, and business experts can be essential components in building and operating nonprofit organizations that serve the public interest. Nonprofits need knowledgeable and effective board members to establish policy; guide decisions; ensure compliance with laws, policies, and ethical norms; and provide expert assistance to staff and volunteers. Without such a board, the nonprofit is likely to run off the rails despite the good intentions that motivate founders, volunteers, and staff.<sup>82</sup> The results of the survey of graduates suggest that incorporating a community-based learning component in the class will not only assist existing nonprofits, but also encourage and equip students to become engaged with nonprofits after graduation.

The course also provides a model that can be used to incorporate an experiential component in a traditional law school class with fewer resource demands than a full-scale clinical course. Faculty considering revising courses to include a community-based project should draw from our experience in structuring the course. Doing legal work for real clients that will be used by the clients for more than self-assessment purposes takes substantially more faculty time than other projects. Additionally, working with nonprofit start-ups run by volunteers creates difficulties in student access to clients that may be difficult to overcome despite the clients' good intentions. Some projects may be very valuable but can only be done once, such as the manual for starting and operating a nonprofit. Projects must be carefully designed to provide benefit to the students and minimal

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82. See Viera et al., *supra* note 17. See also Reid K. Weisbord, *Charitable Insolvency and Corporate Governance in Bankruptcy Reorganization*, 10 BERKELEY BUS. L.J. 305 (2014), available at <http://scholarship.law.berkeley.edu/bblj/vol10/iss2/4/> (noting the substantial problems of corporate governance of nonprofit organizations, the limited governmental oversight of these organizations, and the importance of their impact given the public subsidy of their operations and the consequent requirement that they operate for public benefit).

disruption to the nonprofit. Commitment of the nonprofit's leadership was, in each case, essential to the success of the project.

The benefits of similar community-based learning projects are not limited to courses in nonprofit organizations. The model used here teaches transactional, drafting, interviewing, evaluation, and advising skills, rather than litigation skills.<sup>83</sup> Thus, it might be adapted for use in other courses where such skills would be valuable, such as corporate, contracts, tax, employment, or intellectual property classes. To continue the focus on community benefit, faculty might identify nonprofits interested in assistance with issues studied in these classes.

Faculty considering implementing similar projects should also be aware of several other benefits that were not specifically tested on the survey, but were incorporated in the project intentionally and recognized by some respondents in their freestyle comments. The project gave the students an opportunity to work in teams—a skill valued in today's workforce—and provided law and business students the opportunity to work together and learn from each other's expertise. Additionally, the project gave the students an opportunity to develop working relationships with CEOs, high level managers of organizations, and board members who are often prominent community citizens.<sup>84</sup> Students were quite impressed that those individuals trusted them to receive and respond to confidential information, and to provide valued recommendations about the organization.<sup>85</sup> Finally, and perhaps most rewarding, the students learned about a variety of important community nonprofits and saw the benefits provided by the organizations and the passions of their staff, board, and supporters.<sup>86</sup> These lessons will redound to the

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83. Most experiential learning opportunities in law school focus on litigation rather than transactional skills. NAT'L ASS'N OF LAW PLACEMENT (NALP), *supra* note 44, at 27.

84. The size of the chosen organizations was varied intentionally to provide a wide range of experiences, from single employee organizations to those with several hundred employees.

85. As one student stated: "I enjoyed having an inside look at an organization and having top management trust us with their views on their own organization."

86. One participant valued

[l]earning about an organization that I never would have had I not had this project. And then actually getting to meet the people that run the organization to really get a true life opportunity to see what the organization is really about and to discover the passion behind the organization.

Another stated: "What stood out to me was meeting the CEO of the company I worked with. I felt like I got a firsthand look at the company and I feel like he gave me a better understand[ing]." And another: "It was also great to talk to the leaders of these organizations, who demonstrate their passion for the nonprofit efforts." Student survey responses on file with the author.

benefit of both the professionals and the communities in the long term.

### CONCLUSION

Experiential education, particularly that which involves work with community organizations, has the potential to provide benefits to both the students and the organizations, in the short term and in the long term.<sup>87</sup> The Nonprofit Organizations course profiled here offers a class model that requires fewer institutional resources than traditional clinical courses, provides an opportunity to utilize transactional skills, and, according to the survey of graduates, motivates the students to use the skills developed in the class to work with nonprofit organizations in both volunteer and professional capacities. Furthermore, the experiential component of the class enhanced educational outcomes. The students learned more and retained more in their own estimation. Faculty should consider inclusion of similar projects in appropriate courses both to meet the criticisms of current legal education—by providing more skills development—and to strengthen nonprofit organizations in the community, enhancing social justice.

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87. Advocates of community-based learning caution that the value of projects completed by students in many cases may be outweighed by the cost of supervision of the students, and thus, solicitors of community partners must be careful to recognize and acknowledge that the organization is offering a valuable opportunity to the students, rather than vice versa. See Randy Stoecker & Elizabeth A. Tryon, *Preface* to *THE UNHEARD VOICES: COMMUNITY ORGANIZATIONS AND SERVICE LEARNING* ix–xii (Randy Stoecker & Elizabeth A. Tryon eds., 2009) (describing the potential for exploitation of community organizations by academia and the need to understand and appreciate the needs and concerns of the community organizations).

APPENDIX 1: SURVEY ADMINISTERED TO CLASSES FROM 2005, 2007,  
AND 2008

Nonprofit Organizations Class  
Questionnaire for Law and MBA Graduates who took the Nonprofit  
Organizations Class

1. Have you done any nonprofit work since taking the class?

Please choose \*only one\* of the following:

Yes

No

2. Has your nonprofit work been volunteer, paid, or both?

[Only answer this question if you answered 'Yes' to question 1]

Please choose \*only one\* of the following:

As a volunteer

As paid work

Both

3. Are you currently engaged in either volunteer or paid non-profit work?

[Only answer this question if you answered 'Yes' to question 1]

Please choose \*only one\* of the following:

Yes

No

4. Is your current nonprofit work volunteer, paid, or both?

[Only answer this question if you answered 'Yes' to question 3]

Please choose \*only one\* of the following:

As a volunteer

As paid work

Both

5. If you have not done any nonprofit work since taking the class, do you expect to do any nonprofit work, paid or unpaid, in the future?

[Only answer this question if you answered 'No' to question 1]

Please choose \*only one\* of the following:

Yes

No

6. Did the community-based learning component of the class influence your decision to engage or not to engage in nonprofit work?

Please choose \*only one\* of the following:

Yes

No

7. Did the community-based learning component make your participation in nonprofit work

[Only answer this question if you answered 'Yes' to question 6]

Please choose \*only one\* of the following:

More likely

Less likely

8. Indicate your agreement or disagreement with the following statements.

Please choose the appropriate response for each item:

- a. The community-based learning component of the course gave me the experience, skills, and knowledge to be a more effective participant in nonprofit work.

Strongly agree

Agree

Neutral

Disagree

Strongly Disagree

- b. I believe that I learned more in the class as a result of the project than I would have learned without the project.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- c. The project helped me to put what I learned in the classroom in context.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- d. The project gave me a deeper understanding of the material taught in the classroom component of the course.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- e. The project improved my retention of the material presented in the classroom and readings.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- f. As a result of the community-based learning project, I am better able to apply what I learned in the class.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- g. The project provided me with skills and knowledge to be a better citizen of the community.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- h. The project increased my passion for law and/or MBA school.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

9. Looking back at the project experience with the benefit of hindsight, what stands out for you from that experience? Is there anything about the project that you would change?

Please write your answer here:

## Demographic Data

10. Which semester and year did you take Nonprofit Organizations?

Please choose \*only one\* of the following:

Spring 2005  
Spring 2007  
Fall 2008

11. Which degree did you earn? (Include only the degree(s) toward which you were working when you took the class, not any degrees subsequently earned).

Please choose \*all\* that apply:

Law  
MBA  
Masters of Accounting

12. Did you attend law or MBA school immediately after college?

Please choose \*only one\* of the following:

Yes  
No

13. If no, were you out of school  
[Only answer this question if you answered 'Yes' to question 6]

Please choose \*only one\* of the following:

1-2 years  
3-5 years  
6-10 years  
More than 10 years  
No

## APPENDIX 2: SURVEY ADMINISTERED TO SPRING 2011 CLASS

## Nonprofit Organizations Class

Questionnaire for Law and Masters of Accounting students who took the Nonprofit Organizations Class in the spring of 2011

5. Do you expect to do any nonprofit work, paid or unpaid, in the future?

Please choose \*only one\* of the following:

Yes  
No

6. Did the community-based learning component of the class influence your decision to engage or not to engage in nonprofit work?

Please choose \*only one\* of the following:

Yes  
No

7. Did the community-based learning component make your participation in nonprofit work  
[Only answer this question if you answered 'Yes' to question 6]

Please choose \*only one\* of the following:

More likely  
Less likely

8. Indicate your agreement or disagreement with the following statements.

Please choose the appropriate response for each item:

- a. The community-based learning component of the course gave me the experience, skills, and knowledge to be a more effective participant in nonprofit work.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- b. I believe that I learned more in the class as a result of the project than I would have learned without the project.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- c. The project helped me to put what I learned in the classroom in context.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- d. The project gave me a deeper understanding of the material taught in the classroom component of the course.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- e. The project improved my retention of the material presented in the classroom and readings.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- f. As a result of the community-based learning project, I am better able to apply what I learned in the class.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- g. The project provided me with skills and knowledge to be a better citizen of the community.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

- h. The project increased my passion for law and/or the Accounting program.

Strongly agree  
Agree  
Neutral  
Disagree  
Strongly disagree

9. Looking back at the project experience, what stands out for you from that experience? Is there anything about the project that you would change?

Please write your answer here:

## Demographic Data

10. Which degree are you seeking?

Please choose \*all\* that apply:

- Law
- MBA
- Masters of Accounting

11. Did you attend law or the Masters of Accounting program immediately after college?

Please choose \*only one\* of the following:

- Yes
- No

12. If no, were you out of school  
[Only answer this question if you answered 'Yes' to question 6]

Please choose \*only one\* of the following:

- 1-2 years
- 3-5 years
- 6-10 years
- More than 10 years
- No