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Experiences in Teaching and Learning

Implementation and lessons learned from a mock trial as a teaching-learning and assessment activity

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ABSTRACT

Background and Purpose: To describe implementation and lessons learned from use of a mock trial as a teaching-learning and assessment activity in a required evidence-based practice course. This innovative self-directed learning strategy reinforced evidence-based skills and affective domain competencies in Center for the Advancement of Pharmaceutical Education (CAPE) 2013 Outcomes and Accreditation Council for Pharmacy Education (ACPE) Standards 2016.

Educational Activity and Setting: During spring semesters of 2015 and 2016, first professional year (P1) cohorts were divided into teams and assigned controversial topics to research and debate in mock trials. The activity provided opportunities for teaching-learning and assessment. Statistical analysis included inter-rater reliability (IRR), comparison of faculty-judge and student-juror evaluation of trial performance.

Findings: Two cohorts were divided into eight teams (four per cohort) to debate four issues. Students within each team were assigned individual scores. Mean individual scores are reported by trial/topic. Faculty-judges and student-jurors rated eight criteria including content/knowledge, critical thinking, application/discussion of federal/state law, citations/references, visual aids, delivery/style, and active listening. Analysis indicated students met competency expectations with overall judges' and jurors' mean scores above 54/60 points (90%) in 2015 and above 51/60 points (85%) in 2016. Judges' scores showed a wider distribution than jurors' scores. Peer evaluation mean scores were above 55/60 points in all four trials. Intra-class correlation was calculated. Judges' scores had excellent IRR in two trials, and good IRR in a third trial, whereas jurors had good IRR in one trial.

Summary: Evaluation scores demonstrated students successfully applied knowledge and skills from this and prior P1 courses, and met competency expectations for the mock trial.

Background and purpose

Mock trials are a common active learning strategy in graduate education, particularly in law schools; however, the use of mock trials is also reported across a broad variety of graduate contexts (economics, education, management, communication, public speaking, critical thinking, and ethical decision-making).^{1–4} Yet, a review of the literature documents limited mock trial use in the pharmacy education context. On the other hand, debates have been employed in pharmacy education for active learning and

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assessment activities in a variety of areas, including advocacy on ethical and legal issues, controversial policy issues within the United States healthcare system, critical thinking and communication skills, evidence base analysis and evaluation, as well as in pharmacotherapy.⁵⁻¹⁰ An early report of mock trial use to enhance pharmacy student learning cited a teaching innovation by Broeseker and Jones.¹¹ In that instance, faculty created the script for a mock trial incorporating both pharmacy and law students who discussed and litigated ethical and legal issues.¹¹ In another publication by Van Dusen, student-pharmacists were “deposed” by another student who served as the plaintiff’s (patient’s) attorney.¹² As described in Van Dusen,¹² students again “performed” roles in a trial scripted entirely by faculty.

Acknowledging prior uses of a mock trial to enhance pharmacy student learning, two studies advanced use of the mock trial concept in pharmacy law instruction.^{13,14} Specifically, Spies divided a large pharmacy law class into two sections of 12 groups with five students each, “conducted mock trials,” and ultimately concluded that the activity increased student participation and interaction and deeper understanding of the course content.¹³ Students in the small group breakout sessions prepared for a series of six cases on topics reflected in the course, and “scripted” from actual court cases.¹³ Each group collaborated for a case presentation structured similarly to a “minute paper,” and role-played the part of plaintiff or defendant, while the other remaining groups submitted questions to be asked of the presenting groups.¹³ Further, Bess et al.,¹⁴ used a mock board of pharmacy meeting as a teaching-learning strategy to engage students “in a way that lectures alone often fail to achieve with some initial evidence of successful student learning.”¹⁴ They concluded that using the format of a mock board of pharmacy meeting as an education tool “challenged the status quo of pharmacy education” and could serve “as an impetus and catalyst for future innovations.”¹⁴

Two references to more recent mock trials in pharmacy curricula were identified via online search, but not reported in the literature, and in only one of those were students *active* participants in the mock trial.^{15,16} In the other, faculty and local attorneys played the roles in a mock trial *staged* for P1 students during orientation.¹⁵ All of the aforementioned mock trials were implemented in the context of an orientation, workshop, or part of an interprofessional experience. However, none of those mentioned involved students’ own development of trial strategy and arguments, while 100% of the students involved in this mock trial had largely unscripted speaking roles.”

This paper focuses on the authors’ use of a semester-long mock trial to integrate students’ evidence-based practice skills (evaluation and critique of study design, methodology and results, etc.) with research and advocacy, as well as to provide opportunities to develop and assess desired competencies in the affective domain. The authors aim to describe the implementation and lessons learned from use of a mock trial as a teaching-learning and assessment activity in a required evidence-based practice course. Over the course of the semester, student-teams researched assigned topics on a pharmacotherapy controversy or current pharmacy practice issue, developed trial arguments, and prepared to debate their respective positions at a mock trial, serving as the final course exam. A panel of faculty-judges and a panel of student-jurors evaluated each team’s trial performance, allocating points based on substantive content/knowledge, critical thinking, application/discussion of federal/state law, citations/references, visual aids, delivery/style, and active listening.

Rationale

The design of this activity deliberately aimed to provide all students an opportunity to develop skills in the affective domain (e.g., professional attitudes, advocacy, communication skills) that have been identified as critical to the work environment and highlighted as desired competencies by Accreditation Council for Pharmaceutical Education (ACPE) Standards 2016,¹⁷ Center for Advancement of Pharmacy Education (CAPE) 2013 Outcomes,¹⁸ and the Interprofessional Education Collaborative Expert Panel.¹⁹ To achieve these goals, the mock trial required inclusion and active participation of all students on a team in every phase of the project from research and strategy, to development of arguments and roles, and ultimately to participation in the trial itself. The mock trial project was designed to be student-directed and require students’ accountability and teamwork since the process also encompassed management of meetings, deadlines, research, planning, and delegation of tasks among team members. Moreover, unlike a traditional debate, a mock trial presented opportunities to define sufficient speaking roles for each student in the final assessment, and in doing so, afforded all students a chance to develop their own individual communication skills. The smaller size of mock trial teams relative to the full cohort also encouraged the more reserved students to become more active participants on their respective teams during the entire process.

Educational activity and setting

A simulated (“mock”) trial was the culmination of a longitudinal, semester-long group project implemented in Evidence Based Practice 2 (EBP2) for two cohorts (Classes of 2018 and 2019). EBP2, a required course in spring of the first professional (P1) year, aims to develop students’ ability to critically appraise primary literature, which serves as an important foundation for making evidence-based decisions regarding patient care. The course provides in-depth coverage of biostatistics and research design, as well as tools and techniques necessary to appraise (in writing) and present primary literature (through journal club). Multiple active learning strategies employed throughout the course reinforce the skills learned. The mock trial, as a longitudinal self-directed learning strategy provides both formative and summative assessment for all learning that takes place in this course. In addition to summative assessments during the substantive portion of the course, over the course of the semester-long mock trial project, the teams submitted written outlines of their respective research and trial arguments, and were provided written feedback and suggestions, though this work was not graded, nor counted for credit. In addition, on several occasions, each individual team met privately with each of the three course faculty, and received verbal feedback and guidance, and / or responses to questions including about research and

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