Not Just for Scouting Anymore:

Digital Badges for Legal Research Skills

Opportunities

Legal education is restructuring itself to better prepare law students for the practice of law. At the same time, the practice of law is being transformed by information technology.

How do badges help us respond to these changes?

• Badges can convey more information about the learning path than traditional grades: requirements involved in earning the badge, the badge issuer and its expertise, the student's accomplishments, and how these accomplishments relate to other learning experiences. Badges provide a portal to work product created in pursuit of the badge.

• In a comprehensive badge system, metabadges communicate both iterative progress as well as mastery.

• Digital badges are highly portable. People collect badges in portfolios – called backpacks, wallets, passports – that can include badges from multiple issuers. Badges can be organized into different portfolios, such as one for a job search and one for a graduate school application, and then communicated via social media, email, and personal or professional websites.

• Badges open up new opportunities for instruction. Librarians can issue badges for advanced instruction to those students seeking greater expertise without pushing up against the limits of time, interest, and readiness on the part of an entire group. The self-selection for advanced badges would also give students control over their individual educational goals and needs.

• A well-structured badge program offers a balance between extrinsic and intrinsic motivation. On the one hand, people enjoy the sense of accomplishment when they acquire a symbol of their achievements; on the other hand, badges can be designed to build layers of learning, with one badge pointing to the next level of instruction and enticing the learner with suggestions as to how useful that new knowledge will be.

Considerations

What skills or experiences are students seeking to enhance their portfolios or résumés? In what areas do they need encouragement for further learning?

A badge system can be driven by student activities or by instructor identification of areas in which more learning or recognition of achievement is needed. What employers want can also be highly relevant in determining what skills should be emphasized in a badge program.

What institution or academic unit is standing behind the badge?

The value of a badge depends in large part on the reputation of the issuer. Students are likely to want the full value of their institution behind the badge to impress potential employers. On the other hand, universities and colleges need to be protective of the value of their brand. They may require institutional approval of the badge criteria and want to be assured of the validity of any badges issued under their auspices. A proposal should speak to concerns of authentication and fraud and how the selected technology addresses these issues.

Does the badge program support or enhance existing curriculum and, if so, how? Or does it supplant existing curriculum opportunities and, if so, why will the badge program be an improvement?

Badges that replace existing curriculum options will probably face greater resistance. Replacing existing curriculum can raise questions about accreditation and may have an impact on tuition revenue. A badge program proposal should speak to why allowing students to earn a non-tuition or reduced-tuition badge makes sense.

How will the criteria for earning the badge be determined and vetted?

A badge system is more likely to be successful when the content of the badges is well-designed and supported by an interest community. A legal research badge system already has a built-in interest community – legal educators and legal practitioners – and a highly developed and vetted set of criteria – AALL's Principles and Standards for Legal Research Competency.

What metadata will be included and how will it be maintained?

The purpose of metadata is to provide sufficient evidence for a badge viewer to comprehend and value the individual's accomplishment. Badge metadata is largely unconstrained. It typically includes the criteria used to evaluate the learner, but more is possible. It could include access to the actual lesson as well as work product such as a capstone project or student portfolio.

Metadata issues include:

• Student privacy. See discussion below in Legal Matters.

• Expiration. Some research skills are relatively timeless and universal while other skills are more susceptible to changes in technology. Badges for these latter skills run the risk of growing stale and may merit an expiration date.

• Maintenance. Most of a badge's data should be static and remain intact as long as the host remains in business, but links to outside materials are susceptible to link rot. Persistent links to and hosting of these materials are crucial.

How is scalability built into the badge program so that it can expand to meet demand?

It is helpful to have a sense of the entire scope of the project even if you do not intend to roll it all out at once. Design multiple badges that build on each other on the front end just as you would plan courses that build on each other.

How will you build faculty support for and student interest in the badge program?

A librarian designing a badge program should articulate the value and need for the badge program, design a prototype to help people understand how a badge works, survey students as to their level of interest, prepare a marketing campaign, and reassure faculty that the badges enhance rather than threaten instructional offerings. Employer expectations can play a major role in achieving faculty buy-in.

What technology is involved and how does it work?

In 2011, Mozilla developed its Open Badge Infrastructure (OBI), an open source platform for digital badge development. Open Badges is now the leading framework for digital badge creation, storage, and management. When awarded to a learner, badges are pushed into a storage space for the learner to manage and make available for display in other digital spaces, such as a blog or social media sites. In Open Badges, this storage space is called the Backpack.

The visual element of a badge (OBI requires a .png) can be created in any type of image editing software, including Adobe Fireworks, Adobe Illustrator, Microsoft Paint, or even Microsoft PowerPoint. Open source image libraries and badge designers are also available. Once the badge image and necessary metadata (specified in a .json or .xml file) have been prepared, the metadata has to be associated with the image. Mozilla refers to this process as "baking" in the metadata. It happens in one of two ways: (1) taking the metadata of the unique learner and baking it into the badge's image file, or (2) using an issuer API to bake the metadata into the badge upon verification and push it into the Backpack. Currently, baking can be done through Mozilla's "baking service."

Mozilla's OBI also has two support features that can confirm a badge's legitimacy. The authentication channel assures viewers that the badge was actually issued to the learner, is not expired, and has not been altered since it was issued. The verification channel is used by an issuing organization or individual to add an encrypted signature. Though not required, it does make the badge more trustworthy.

What will the badge program cost?

Badge projects tend to begin with collaborative efforts between subject and technology experts, and some aspects of a badge program can be done at no to very low cost. At some point, instructional design, graphic design, and technological support may be required. A budget might include costs of professionally-designed visuals, assistance in instructional design, and tech support.

What are the measures of success for the badge program?

A badge program design should include ways of tracking student achievement and following up with students to find out how useful the badge program was for them. Planning the means to contact badge earners about the usefulness of the program after 6 months or a year would be remarkably valuable.

Background

Digital badges are an electronic means of communicating credentials or achievements. They have a visual element, similar to an icon or a scouting badge, which creates an initial indication of the credential. With a click, badges convey metadata about the learning path required to earn the credential and can provide access to more information or work product. They are portals to documentary evidence of accomplishments. At their best, badges can create a sort of interactive e-résumé.

Badges come in many forms and have been used for centuries as indicators of credentials, achievements, and rank. Badges have also been used to mark people as belonging to a group (for good or ill), to indicate authority (military ranks), or to simply communicate a viewpoint (bumper stickers and political buttons).

More recently, digital badges have been popularized by the video and online gaming communities. Badges and similar indicators are used to reward and communicate progress or achievement in a game. Research indicates that incentives, progress, and rewards – even when they are only ephemeral – are vital characteristics of successful games. Likewise, skill-based incentives in a learning process have been identified as a means to motivate beginners and even those with intermediate skills when other forms of promotion are not available or not relevant. Because of this potential to motivate all kinds of learning, educators are interested in digital badges.

Legal Matters

Privacy Concerns: Badges may implicate federal privacy laws, particularly, the Family Educational Rights and Privacy Act of 1974 (FERPA), dealing with educational records. Libraries issuing badges should have thorough records access and disclosure policies to ensure compliance with FERPA and to uphold librarianship's long–standing privacy protection ethos. Most badges are likely to be educational records under FERPA, yet badges are specifically designed to facilitate open communication about student achievements. How can we resolve this tension?

• *Less workable option:* FERPA exception for "directory information." Directory information is a student's name, address, major, degrees and awards received, and so on. This information can be disclosed if the school has: (1) issued a public notice detailing what can be released as directory information; and (2) given students an opportunity to opt out. Under the directory information exception, libraries could display badges that include a student's name and the nature of the award represented by the badge, but should not include grades or assessment scores because that information does not fall under the directory information exception. Relying on the directory information exception places responsibility for display of the badge and its content on the institution.

• *More workable option:* Seek student consent at the outset. Any educational record can be released with the student's written consent. When a student signs up for a badge program, the library can require the student to sign a consent form releasing the badge as an educational record. This grants the student control over the badges in their portfolio and leaves room for the library to communicate its badges for publicity purposes.

Trademark concerns: When designing the image that will visually represent a badge, it may be tempting to use a recognizable logo – a database vendor logo or the university's crest. Avoid using trademarks, obtain permission from the trademark owner, or eliminate any suggestion that the trademark owner endorses or is affiliated with the badge. Academic institutions are often just as protective of their trademarks and visual identities as businesses are.

Future Plans

The Ruth Lilly Law Library is beginning work on a legal research badge system for 1Ls. Our students have expressed enthusiasm for other credentialing systems, and we want to align our credentialing with their needs. Badges will be awarded for work that goes beyond the regular 1st year curriculum and will be based on AALL's Principles and Standards for Legal Research Competency. In particular, we hope to encourage students to learn extra material that may help them in their summer jobs but that we do not have time to cover in our basic-level 1st year curriculum.

We have enthusiastic buy-in from the library director and the legal writing faculty with whom we work cooperatively in the 1st year curriculum. Our next steps include putting together the visual designs and metadata, communicating with incoming students about the program, and setting up consent mechanisms to alleviate FERPA concerns.

Earn a badge

To earn a badge indicating the you have read our poster, scan the QR code below and follow the instructions on the website.

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