

## FAQ's for Faculty and Students

### What is the Policy Lab?

Website: <https://law.stanford.edu/education/only-at-sls/law-policy-lab/>

Policy Lab practicums are credit-bearing courses taught by faculty members that offer students opportunities to receive academic credit for policy analysis relevant to current issues, typically at the request of a government or non-profit client.

Many practicums continue across quarters. Admission to practicums is by consent of the instructor, allowing faculty to match student skill sets and interests to particular aspects of the subject and build student teams with complementary abilities. Some teams include graduate students from other departments and schools, bringing valuable perspectives to bear on a problem and allowing law students to interact across disciplinary boundaries.

#### ***1. Who teaches Policy Lab practicums, and what knowledge and skills are required?***

Any faculty member may teach a practicum. Typically faculty members rely on their own expertise to guide their student research teams on specific policy problems, but a number of practicums are taught in collaboration with faculty from elsewhere in the University. Depending on the particular practicum, faculty may

- Guide students in the methodological and policy analysis skills necessary for successful policy research.
- Facilitate students' policy writing, oral briefing, and client communication skills.
- Help link students to relevant resources, including experts and specialized training in statistics, survey methods, and other policy-analytic skills.

Absent an explicit exception by the Associate Dean for Curriculum, Policy Lab practicums must be taught by a SLS faculty member or visiting faculty member. A practicum may be co-taught by a faculty member and someone who is not a faculty member, but only if the faculty member is substantially and directly involved in the teaching.

Faculty members are especially encouraged to collaborate with colleagues in other disciplines who have complementary expertise or policy approaches, and who can support interdisciplinary student research.

***2. Does teaching a practicum count toward a faculty member's overall teaching responsibilities?***

On an experimental basis, practicums with sufficient enrollment may count as seminars for teaching credit purposes. Faculty should check with the Associate Dean for Curriculum about their particular practicum.

***3. If I have an idea for a practicum, how do I get approval to list it?***

Practicums are courses, just like other law school classes, and need to be listed with the Registrar's Office and approved by the Associate Dean for Curriculum (currently Nora Freeman Engstrom) and the Law and Policy Lab Director (currently Paul Brest). If you have an idea for a practicum, you should first discuss the idea with Paul Brest. Once you have approval for your practicum, you can fill out the new course information form for the Registrar's Office (the form is available from the Registrar). Although practicums are not listed in the course scheduling grids, please also make sure to let Amy Applebaum, the Academic and Faculty Affairs Officer, and Luci Herman, the Policy Lab Program Manager, know that you are teaching the practicum for their teaching records.

***4. Who is eligible to take Policy Lab practicums?***

Practicums are limited to 2L, 3L, and third-quarter 1L students. (First- and second-quarter 1L students are not permitted to take practicums.) Advanced Degree students (JSM, LLM, JSD) and non-Law graduate students may also enroll in Policy Lab practicums. On occasion, some practicums may also admit well-qualified undergraduates. Many practicums enroll cross-disciplinary teams that include not only Law students but also students from other Stanford schools and departments.

***5. What makes a good project? What kinds of deliverables do practicums produce?***

Policy Lab practicums span an enormous range of substantive issues, research methodologies, and "deliverables." See the Law and Policy Lab website for a list of practicums to date. Please feel free to reach out to colleagues who have taught practicums, or to the Policy Lab Director, for suggestions in leading a satisfying project that challenges students to complement their legal skills with policy analysis skills.

Most practicums produce policy reports, memoranda, white papers, legislation, advisories, or client briefings. Practicum teams might also produce and/or participate in symposia or

conferences, or speak in testimony before agencies. A few practicums are producing databases (Lemley/Miller), online intake platforms (Martinez), or online licensing websites (Goldstein). Another is developing new transaction models that enhance the transparency of complex legal contracts and improve the balance of power in business-to-consumer contracting (Mitchell/Hagan). Deliverables should be adapted to the policy needs of your practicum and your client.

A policy lab may not serve a for-profit institution (including a startup), except in highly exceptional circumstances, which shall be approved by the Law and Policy Lab Director and Associate Dean for Curriculum.

### ***6. Must there be a client?***

Not necessarily. Although most practicums work directly with clients, students may also develop policy analysis skills by addressing challenging policy problems in the absence of a client.

### ***7. What engagement agreement should be made with a client?***

When a Policy Lab project involves an undertaking to deliver an output (e.g., a policy analysis or draft regulations) to policy makers, the supervising faculty is also responsible for agreeing with the policy maker and students on the terms of the deliverables. Subject to maintaining the appropriate confidentiality of individuals served by the client and occasionally to an agreed-upon delay of publication, materials prepared in practicums will be subject to Section 1.4 of the University's Research Policy Handbook, which provides that "the principle of openness in research—the principle of freedom of access by all interested persons to the underlying data, to the processes, and to the final results of research—is one of overriding importance."

In most instances, the agreement with the client has been verbal. But if a faculty member or the client deems it important to have a written agreement, we suggest a Memorandum of Understanding similar to that used for practicums taught in public policy schools and Stanford's MPP program. See the Law and Policy Lab website for a sample MOU that, subject to these guidelines, you may adapt to fit the needs of your client and project.

### ***8. How can I ensure the right team and mix of skills for my practicum?***

Students are admitted to practicums by consent of the instructor, allowing faculty to target enrollment according to needs. Faculty can select students according to their professional backgrounds, policy skills, or experience with the issue. Faculty may also recruit students from other disciplines and schools to build inter-disciplinary teams with a range of skills and expertise. Some practicums, for example, have built teams that include CS coders, medical students, or

graduate students in psychology or environmental engineering. Policy Lab Program Manager Luciana Herman can assist in reaching out to students in other disciplines.

### ***9. How many students typically enroll in a practicum?***

Practicums typically enroll from one to ten students, but there is no upper limit on enrollment. The goal is to offer students an intensive, immersive experience that connects deeply to a policy issue and, when possible, offers direct contact with a client and/or central stakeholders.

### ***10. When and how frequently do practicums meet?***

Practicums choose a meeting time based on the availability of the faculty member and students, and on the needs of the project and client. Many practicums meet weekly for several hours; others meet less frequently, gathering as needed to discuss the work of student teams, which may also meet independently of scheduled class time. Some practicums schedule a regular meeting time prior to enrollment through the Registrar, just as with other seminars, thereby enabling students to plan ahead. Many other practicums choose a meeting time prior to the first meeting, sending around a Doodle poll to find a convenient meeting time. The advantage of informal scheduling is that it does not exclude students based on a time conflict. Note that practicums should *NOT* schedule regular sessions during the lunch hour (12:40-2:00 pm), which is reserved for OCI, club, and speaker events. Many practicums meet later in the evening, after 7:00 pm, to avoid conflicts with classes and activities during the regular day.

### ***11. How many units are typically awarded for a practicum?***

The number of units awarded should be based on the amount of work that students perform. For a baseline, refer to the number of units awarded for a seminar or directed research. As a starting place, units are calibrated as follows: one unit of credit translates to approximately 60 minutes of class time/weekly, or 540 minutes of instruction time over a quarter. As with writing credits, discussed below, projects that involve considerable empirical work typically require commensurately less class time. Many practicums break into smaller teams, which may then meet together in lieu of some regular class meetings to discuss and strategize research findings and next steps on particular projects.

Most practicums offer two or three units of credit per quarter. Some practicums offer variable units of credit according to the amount of work that a student is expected to perform. Faculty should designate units in the course description based on expectations for the amount and quality of students' research and final deliverables. Practicums with multi-faceted projects often break up tasks or distribute discrete projects among separate groups. Given the team-based nature of many practicums, faculty should establish clear expectations with students, with frequent check-ins.

## ***12. What is the credit and grading scale for practicums?***

Practicums follow the grading guidelines for Directed Research: Students may not count more than a combined total of eight units of directed research projects and Policy Lab practicums (Policy Lab practicum, Directed Research, Directed Writing, Senior Thesis, and/or Research Track) toward graduation unless the additional counted units are approved in advance by the Petitions Committee. (Note that any units taken in excess of eight will be graded on a Mandatory P/R/F system.) In structuring a Policy Lab practicum, the instructor should not take steps to avoid this restriction. If an instructor proposes offering a Policy Lab practicum (subject to this restriction) in combination with a seminar or other course (not subject to the restriction), the Director of the Law and Policy Lab and/or Associate Dean for Curriculum will deny approval to both courses, unless the Associate Dean for Curriculum concludes that the combination is pedagogically beneficial and designed to meaningfully advance students' educational experience.

The practicum project can be graded on the Mandatory P/R/F system or H/P/R/F (and, according to the guidelines for Directed Research, is not subject to caps on "H" grades).

## ***13. Can practicums fulfill the experiential learning ("EL") requirement?***

Yes, some but not all practicums partially fulfill the EL requirement. In April 2016, SLS voted to implement the ABA's "Experiential Learning Requirement" to promote students' hands-on training. This requirement applies to students entering SLS in the fall of 2016 and thereafter, and it requires students to take at least eight units of qualifying experiential courses and programs before graduation.

Some policy lab practicums qualify as partially satisfying students' EL requirement because they:

- are primarily experiential in nature;
- integrate doctrine, theory, skills, and legal ethics, and engage students in performance of one or more "professional skills" (see below);
- develop the concepts underlying the professional skills being taught;
- provide multiple opportunities for performance; and
- provide opportunities for self-evaluation.

*Professional Skills.* Professional skills may include interviewing, counseling, negotiation, fact development and analysis, trial practice, conflict resolution, organization and management of legal work, written and oral communication, collaboration, and cultural competency.

For examples of practicums that meet the EL requirement, see the Stanford Law School Course website under "[Graduation Requirements: EL.](#)" Two examples of current practicums that offer EL credit are:

- [Evaluation of Water Planning and Climate Science in California](#), [Leon F. Szeptycki](#)
- [Legal and Policy Tools to Prevent Atrocities](#), [Beth Van Schaack](#)

Faculty may adapt a practicum to meet these requirements, which, with the approval of the Associate Dean for Curriculum, will then be indicated in the [Graduation Requirements EL menu](#) of the Stanford Law course catalog.

#### ***14. Do practicums award R credit for writing projects?***

With the approval of the Associate Dean for Curriculum, faculty may assign “R” credit – or “Research Requirement for Law Degree” – for practicums that involve considerable research and writing. This should appear in the “Notes” section of the course description. If the course has variable units, the student must take the course for at least two units to be eligible for “R” credit.

A course designated as an “R” course is defined as one in which the written product is substantial and is based on open-ended research by the student. A student is typically expected to submit at least ten pages of original written work for the first unit of credit and at least eight pages for each additional unit of credit. However, if a project involves considerable empirical work, the practicum might require commensurately less writing. Please feel free to discuss questions about how to count team writing efforts with the Associate Dean for Curriculum.

R credit practicums should also have students submit their final papers to the Registrar by the due date listed on the Registrar's site.

Some practicums offer two varieties of credit. For example, section 1 might offer fewer units with no R writing credit. Section 2 might offer more units and include research and writing.

#### ***15. How many practicums can students take?***

While there is no limit, *per se*, on the number of practicums that students can take, the category of Directed Research/Policy Lab practicums generally limits students to no more than eight units counted toward graduation. Occasionally, when a student can prove good cause, the Petitions Committee will approve additional units for graduation. Students who have surpassed the total eight units of credit may optionally enroll as auditors, with the instructor’s permission.

#### ***16. Can students enroll in more than one practicum simultaneously?***

Yes, so long as they do not exceed four units in a given quarter, or eight units total, which is the criteria for the category of Directed Research/Policy Lab. Because practicums are time-intensive research projects, students should think carefully about enrolling in more than one practicum per term.

### ***17. Can students audit practicums?***

Yes, with the permission of the instructor. Faculty should ensure that auditors support projects in ways that do not impinge on the research, writing, and other activities intended to benefit enrolled students.

### ***18. What is the difference between a clinic and a Policy Lab practicum? Can students enroll in a practicum and a clinic simultaneously?***

Clinics are full-time boutique law firms that represent clients. Sometimes clinics engage policy research, but usually with an advocacy mission. Like clinics, Policy Lab practicums with clients are hands-on classes, but they typically involve the impartial analysis of policy issues without an advocacy component. While the work products of clinics are privileged, the work products of policy lab practicums are presumptively open.

Because clinics are full-time obligations, students may generally not enroll in courses or practicums in the same quarter that they are enrolled in a clinic. In some special circumstances, however, a clinic director may allow a student to enroll for one or two units in a follow-up quarter of a practicum. You must obtain advance permission from your clinical director to do this, and such permission is not guaranteed.

### ***19. What is the difference between directed research and a practicum?***

Directed Research allows students to receive academic credit for scholarly study in areas not covered by regularly scheduled courses. Students may approach faculty as advisers for an independent research project.

Policy Lab practicums offer academic credit for *policy* study of issues not covered by regularly scheduled courses. Most practicums are grounded in faculty interests and expertise.

### ***20. What kind of teaching and administrative support is available for a practicum?***

*Teaching Assistants:* With approval from the Vice Dean or the Associate Dean for Curriculum, faculty teaching practicums with enrollments of six or more students may hire a TA to help with logistics and research support needs. TA's can coordinate meeting schedules, production dates, technical needs, and provide basic research to support students' deeper research projects. TA's for practicums do not typically teach classes or grade papers.

*Policy Analysis Workshops and Master Classes:* At the request of the instructor, the Policy Lab will offer or fund workshops to teach students basic policy analysis skills. Faculty who teach practicums that require statistical analysis or other specialized data coding may request

workshops, led by graduate student experts, on an array of skill sets. Occasionally, practicums may also wish to bring professional consultants who can offer students specialized skills. These workshops are intended to ensure that students have the training they need to succeed in their empirical research and analysis. The Policy Lab Program Manager can help arrange these targeted policy analysis skills workshops.

Students who wish to develop their policy analysis skills more fully may find relevant courses at the Law School or elsewhere within the University. The Policy Lab website lists a number of classes that teach students general and specialized policy analysis skills.

*Policy Writing and Oral Communications Workshops:* At the request of the instructor, the Policy Lab offers targeted writing and oral policy communications workshops, with close attention to the style, structure, and modes of analysis necessary for a policy white paper, report, or oral briefing. To plan a workshop, please refer to the Policy Lab Policy Analysis and Communications Skills Resources [webpage](#) and then contact the Policy Lab Program Manager.

*Travel stipends for field trips, conferences, and specialized research:* Some practicums involve experiential field visits as fact finding or observational trips. Others may send student teams to deliver a live oral briefing to the client or to participate in a national roundtable. Past practicums have traveled locally to San Jose to observe first-hand the needs associated with mental health care, or to Monterey County for stakeholder interviews and client meetings focusing on coastal mitigation policy. Others have traveled to Washington, D.C., to participate in national hearings on such topics as wildlife trafficking or countering violent extremism. Some practicums have also hosted national roundtables, symposia, or policy simulations, with invited guests. (Note: Clients usually pay for their own travel expenses.) Although faculty may request limited funding for these events through Policy Lab Director, please also work with the Policy Lab Program Manager to find additional funding sources and grants.

*Policy Lab Program Manager and Policy Communications Lecturer:* Reporting to Director Paul Brest, Program Manager Luci Herman assists practicum faculty in educational, communications, and funding activities. She works with Director Paul Brest, practicum instructors, and the SLS Communications Office to develop content for the Policy Lab website and social media channels, produce videos, and annual reports, and other workshops and events. She may also work with instructors and research teams to share their findings via social media, news interviews, op-eds, popular press articles and feature stories. In her role as a Policy Communications Lecturer, she supports practicums in developing strong written and oral work products for clients and the public, as well as for the Policy Lab website collection of publicly available deliverables.



## 21. Overarching Policies Governing Policy Lab Projects

- *Conflicts of interest.* Faculty members or students working on a project should disclose any conflicts of interest to each other and to clients. A conflict might arise out of working for or representing an organization or client where the supervising faculty member or students have a direct personal or financial interest in the outcome of the project or have taken a particular position with respect to the subject of the project. Faculty members should take care to avoid the unauthorized practice of law by themselves or students, and should be clear that they are conducting policy-oriented research, not providing legal advice, and that no attorney-client relationships are being created with clients.
- *Openness in research.* Policy Lab projects are subject to Section 1.4 of the University's Research Policy Handbook,<sup>1</sup> which provides that "the principle of openness in research—the principle of freedom of access by all interested persons to the underlying data, to the processes, and to the final results of research—is one of overriding importance." [1] The Handbook permits certain exceptions, including the need to protect confidentiality. Confidential client information provided for Policy Lab projects must be identified in writing in advance, and must not be so extensive as to render the work product unpublishable.[2]

*Advocacy.* The principal purpose of the Policy Lab is to teach students policymaking skills and knowledge in the context of real policy issues. This work may include drafting legislation, since legislation is a major instrument of policy, but the function of the program is not to influence legislation, but to teach. The Policy Lab will not engage in activities that influence legislation within the meaning of 26 USC 4911(d) and its attendant regulations, or that constitute unlawful or regulated lobbying under applicable federal or state laws. If faculty members or students have any questions about whether proposed activities are permissible, they should initially contact Paul Brest, who will refer them to University counsel if necessary.

### **Contacts:**

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<sup>1</sup> *Stanford University Research Policy Handbook*, <https://doresearch.stanford.edu/policies/research-policy-handbook>. Accessed June 5, 2015.