

ט' אלול תשע"ה
24 אוגוסט 2015

לכבוד
גב' אלכס בוסלוביץ-ביליק
מרכזת הוועדה להערכת איכות במשפטים
האגף להערכת איכות
המועצה להשכלה גבוהה
רחוב ז'בוטינסקי 43
ירושלים 92141

שלום רב,

הגדון: דו"ח הוועדה להערכת איכות הלימודים במשפטים
מכתבכם מיום 11 יוני 2015

מצ"ב התייחסותנו לדו"ח הוועדה להערכת איכות הלימודים במשפטים, הנוגע לבית ספר רדזינר למשפטים במרכז הבינתחומי הרצליה. בהתאם לבקשתכם, התגובה מובאת בשפה האנגלית. אבקש להביע את תודתנו לוועדה על עבודתה ועל ביקורה במרכז הבינתחומי הרצליה.

בכבוד רב,


פרופ' מריו מיקולינסר
משנה לנשיא לעניינים אקדמיים

נספח: תגובה להערות הוועדה להערכת איכות

העתק: פרופ' אוריאל רייכמן, נשיא, כאן
פרופ' שרון רבין-מרגליות, דיקן בית הספר למשפטים, כאן
גב' גילה פצ'ורניק, המזכירות האקדמית

Interdisciplinary Center Herzliya
Radzyner Law School
Response to Recommendations by
Committee for the Evaluation of Law Study Programs
Council for Higher Education

Herein are our comments on the evaluation report of Radzyner Law School (hereinafter the "Report"), prepared by the Committee for the Evaluation of Law Study Programs (hereinafter the "Committee"). Our response will also be divided into two parts, pertaining to the general recommendations applicable to all law schools evaluated by the Committee and the specific recommendations relevant specifically to Radzyner Law School.

At the outset, we would like to thank the Committee for its visit to the IDC and that members of the Committee took the time to meet and talk with the heads of the Institution, faculty, administrative staff, students and graduates. Radzyner Law School's motto is openness and attentiveness. We are always willing to heed to constructive criticism and implement sound advice.

I. General Recommendations Applicable to All Law Schools

1. Collecting and Publishing Comprehensive Data on Graduates' Placement Outcome

We accept the Committee's recommendation that Israeli law schools should begin to collect complete data on the placement and salary of graduates of the institution, both in the internship stage as well as after obtaining a license to practice law. As the Committee noted, data transparency will drive prospective candidates to make informed decisions as to where they choose to go to law school. We have begun working on gathering complete data. We have established a committee on behalf of the Law School, charged with the mission of deciding how to collect and process the data on the integration of graduates in the labor market (including wage data). The committee is working in cooperation with the Alumni Association at IDC.

2. Research Focusing on Israeli Law

We have begun implementing the Committee's recommendations regarding the risk of over-stressing international publications (especially in top American general law review journals) in the promotion process of faculty members. At the request of the Dean, the Provost explained and instructed the Higher Appointment Committee on the importance of incentivizing faculty to focus on Israeli Law-based research, including publication of books and articles in Hebrew.

However, we find it necessary to emphasize that, unlike the universities, we have no institutional autonomy to promote faculty members to the highest rank of full professor, and we are subject to the final approval of a subcommittee of the Council for Higher Education (hereinafter "CHE") in this regard. Thus, without the cooperation of the CHE, we cannot fully carry out the reform.

3. **PhD in Law**

It is our understanding¹ that in its general report, the Committee recommended to the CHE that any decision on the opening of additional doctoral programs in law should be subject to a full analysis of labor market demand for new PhD graduates. The Committee estimated that the Israeli academic market is already saturated, and that new graduates cannot find academic positions. Further, it mentioned that perhaps in specific fields such as business law there may still be demand for graduates and any future decision to open a PhD program should take these considerations into account.

Our position is that even if there is currently an excess in supply of PhD graduates in law as the Committee suggests,² this recommendation is relevant only to institutions in which the PhD program is supported by public funding of the CHE. The IDC is a private institution that is not financially supported by the CHE budget. In this respect, we operate under market conditions. There are many graduates, both from the IDC and other institutions, who are interested in beginning their doctoral studies here and working with our academic faculty whose "high caliber" was recognized by the Committee itself.

We accept the Committee's recommendation that doctoral programs in Israel should undergo a significant reform. As the Committee noted, the vast majority of programs offered today do not fulfill an academic and community framework that enables students to undergo the process required to write a thesis that meets currently accepted academic standards.

Radzyner Law School is certainly able and willing to take up the challenge and open a small elite doctoral program, of the highest quality, that will provide its students with all the necessary skills, knowledge and personal mentoring required to becoming a true legal researcher. Unlike the universities, we do not view doctoral programs as a source of income,³ but rather as an additional path to strengthen the academic-research community.

4. **Attendance and Class Preparation**

The Committee noted the problem of attendance and preparation for class as being "a pervasive problem in Israeli law faculties". It is important to note that Radzyner Law School, more so than other institutions, is trying to find solutions to this issue in a variety of ways:

- a. Since the establishment of the school, class attendance and preparation are defined as mandatory. All lecturers are obligated to take measures to enforce attendance and preparation, each according to his or her academic discretion. Some of the lecturers conduct quizzes; some require weekly submission of papers in class, and some check attendance by calling out students by name and preventing those who did not attend the class from taking the final exam. There are classes in which active participation in class constitutes part of the grade. We estimate that the class attendance rate, as well

¹ This general recommendation is mentioned in the Report, p. 6-7.

² We dispute this assessment since graduates are integrated not only in academic institutions but also in high-level positions in both the private and public sectors. Thus a PhD degree in law still has significant market and professional value to its graduates.

³ The universities' budgetary system financially encourages institutions to train as many doctoral students as possible.

as preparation before class in Radzyner Law School is much higher than in the vast majority of law schools in Israel.

- b. Since preparing the Self-Evaluation Report, Radzyner Law School has initiated two additional reforms that incidentally assist in dealing with attendance and preparation issues. First, we have set ourselves a target to develop and expand the experiential learning programs. Our goal in the next few years is to reach a ratio of 30%/70% of experiential/traditional study program. Alongside the mandatory clinics program that was reviewed in the Self-Evaluation Report, last year we opened the Zvi Meitar Institute for Legal Implications of Emerging Technologies Program in which students take part in academic and practical projects alongside traditional academic learning in the relevant fields. This upcoming year we are opening a separate array of practicum in which 100 students will participate. Our project in the future is to develop an array of courses under the slogan "21st century legal skills", which will focus on professional skills for the 21st century labor market. The transition to experiential learning largely mitigates the problems with class attendance and preparation that exist in the traditional model of teaching.
- c. An additional reform we are currently examining is the transition to a "blended/flipped classroom" model. As of the upcoming academic year, we are starting a series of pilot projects in which students will learn in a mixed format. Sessions in the classroom will be dedicated to discussion and dialogue based on lectures and assignments provided through online media.

II. Specific Recommendations to Radzyner Law School

1. Faculty Hiring Strategy

The Committee's recommendation is that at this point the Law School should focus hiring efforts on lateral recruitment of senior faculty members, rather than entry-level appointments. We would like to clarify that while we do not rule out lateral hiring in the near future, we will not compromise on the principle that has guided us for years that we do not wish to recruit faculty members that contribute only their name and reputation to the law school and institution. We are interested in potential faculty members who are committed, in addition to their own research, to the school community, and who are interested in contributing their time and experience to the mentoring of young faculty members, curricula and students. As we reported during the visit itself, so far we have had very good experience with recruiting entry-level faculty who is talented, motivated and committed to the school as well as their own research agendas and projects. Of course we are also open to the idea of hiring senior faculty members who would be interested in becoming full partners in our efforts to advance the school on all fronts.

2. Students

The Committee noted that most of the school's efforts are directed at fostering the stronger students and that the school's high tuition is an entry barrier for different populations in Israeli society. We refer the Committee to the following facts that were indicated in the Self-Evaluation Report we submitted:

- a. The Interdisciplinary Center offers a variety of scholarships to applicants who are unable to afford the tuition (p. 63-64 of the Report), including: scholarships based on socio-economic background; "Keren Or" Scholarship for promising and motivated candidates who come from weaker socio-economic backgrounds; joint IDC and ISEF Foundation Scholarship for promising candidates from development towns in need of financial support, with a proven record of voluntary communal work and social leadership; Benjamin de Rothschild Ambassadors Organization scholarships, aimed at the development of personal and social excellence of students in order to promote the fulfillment of their individual, academic and employment potential, while remaining committed and involved in professional and social work. This scholarship is intended for students from the economic, social and/or geographic periphery, who have served full military or national service and/or voluntary or civil service, and who meet the socio-economic requirements; "Israel at Heart" - a program for leadership and excellence among the Ethiopian community that provides a unique opportunity for candidates from the Ethiopian community by providing a generous scholarship and living stipend; Hillel Scholarships for former members of ultra-orthodox communities who have completed either military or national service. The Roy Avisaf Scholarship for law students and a variety of additional scholarships offered to our students throughout their studies, such as for individuals who are engaged in social work, are motivated and invest in their studies and also require financial aid. Naturally, all of the above creates heterogeneity and diversity in the classrooms, allowing students from different parts and paths of the country and from different backgrounds (also financially) to come and study here together, despite the high tuition fees.

- b. The Law School fosters all students and offers a variety of enrichment programs and courses over and above the built-in curriculum. These options are offered to all students at the school. We emphasize that all students, including the weaker ones, will have access to various programs and can take part in them. As noted in the Self-Evaluation Report, the school offers between 15-20 legal clinics in various fields of law. Clinics have a significant contribution to the curriculum and we are one of the few law schools in the country that requires all students to take part in a clinic. In addition, beginning from the upcoming academic year, the school will offer all students the possibility to take part in legal practicum programs (we have 100 openings). Furthermore, as noted in the Report (p. 7), the school annually hosts approximately 30 guest professors from abroad and all students are required to complete a number of credits by taking these courses. It should further be noted that only at IDC all students study in joint degree programs,⁴ this being a possibility open only to outstanding students at other institutions.

⁴Except a handful of students each year that begins their law studies after completing a previous bachelor degree.