

## Teaching Methods: Building a Learning Community in Upper Level Courses

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1. Building and enhancing a learning community in a classroom can help you to accomplish your teaching goals as well as potentially have an impact on the learning that students engage in outside of the classroom. This outline provides you with some modest suggestions to help you to develop a learning community in various types of upper level courses.

2. We begin with a definition of the learning community. A learning community is one where both the professor and the students share the responsibility for the learning that occurs in the classroom. This sharing of responsibility is demonstrated by mutual preparation, use of a variety of activities and/or techniques to address the different learning styles of your students, and guided respectful discussion. The learning community is not a touchy feely place without form or substance but rather it is a highly analytical environment with high standards for both student and faculty contributions. Ultimately, however, for the learning community to be successful for both you and your students, it is a place where relationships matter. The relationship between the professor and the class matters as a whole as well as the relationship between each member of the class and the professor. It is essential that you pay attention to both of those relationships in each class. See David Dominguez, *Principle 2: Good Practice Encourages Cooperation Among Students*, 49 J. Legal Educ. 386 (1999); Gerald F. Hess, *Heads and Hearts: The Teaching and Learning Environment in Law School*, 52 J. Legal Educ. 75 (2002).

3. While we share the responsibility for developing a learning community in the classroom, it is important to understand that the learning that actually occurs is something that students accomplish for themselves. Clearly, a professor cannot learn for the students. But the professor can facilitate and support an environment within the classroom that makes learning a more likely outcome. Listed below are some core principles for building a learning community.

a. “People don’t care what you know until they know that you care.” (Former NFL Quarterback and Congressman Jack Kemp). In as many ways

as possible, you need to demonstrate that you care about the students' learning and about their success. Remember this is a relationship therefore "one act" of caring will not do. You need to demonstrate caring as an integral part of the way that you engage in your teaching on a regular basis.

b. Be prepared. Sounds obvious doesn't it and yet often professors will spend more time trying to understand and manage the content of the material than planning how to get students to "swallow" it. You must update your notes and keep up with new developments in your field even if the casebook does not have a new edition containing that information. If you try various activities in your classroom, you will want to plan how to integrate it (and in some cases do a trial run) before you introduce an activity or exercise to your class.

c. Find a classroom style that works for you. You must be yourself and no one else in the classroom.

d. Demonstrate and maintain high expectations for your students. You should be willing to explain the rationale behind assignments, or outline the kinds of questions that you expect them to be able to handle. Tie your expectations to the reality of the practice or personal experiences that you had in practice. In this way, you can help students to understand why you insist on high standards in their class work.

e. Be humble. All knowledge does not emanate from the fount – i.e., the podium that you are standing at in the front of the classroom. We can (and often do) learn from our students. Further, there may be that occasion (rare of course) when you do not know the answer to a question or you have made an honest mistake. "Fessing up" when you honestly do not know the answer to a question is an option that a professor can use.

f. Set boundaries for the way(s) in which students will interact with each other and you in the classroom. For example, if you say that students must treat each other respectfully during a discussion then you may want to provide a concrete example of respectful discourse and one that is not. Name calling for example would never be appropriate and would clearly seriously undermine the cohesiveness of the learning community. You must be prepared to reinforce those boundaries when necessary.

Sources: D.K. Newell, Ten Survival Suggestions for Rookie Law Teachers, 33 J. Legal Educ. 693 (1983); Kent D. Syverud, Taking Students Seriously: A Guide for New Law Teachers, 43 J. of Legal Educ. 247 (1993); C. Tomkovick, Ten Anchor Points for Teaching Principles of Marketing, 26 J. Marketing Education 109 (2004); C.J. Auster & M. MacRone, The Classroom as a Negotiated Social Setting: An Empirical Study of the Effects of Faculty Member's Behaviors on Students' Participation, 22 Teaching Sociology 289 (1994).

4. What can you do to help students to share the responsibility for creating and maintaining the learning community? There is much research on the kinds of conditions that need to exist in the classroom to help increase students' motivation and help the professor to achieve his/her goals in the course. See Sara E. Quay and Russell J. Quaglia, Creating a Classroom Culture that Inspires Student Learning, 18 The Teaching Professor 1 (February 2004).

5. Upper Level courses: Doctrinal; Experiential (Simulation based; live clinic); Seminars.

6. Identify your teaching goals for your course. Remember that choosing a teaching technique allows you to achieve the stated goals for your course. You do not need to select only one technique for a course for the entire semester rather consider using a variety of approaches.

7. Teaching Techniques: Variety is the spice of a learning community.

a. Lecture. The lecture can be used effectively to explain or summarize points for students. If the lecture is planned well then it can be interesting and engaging. There are some recommended rules to have effective lectures: use the lecture for an appropriate purpose; limit the length of lectures (10-20 minutes); do not read the text and organize! organize! organize! See Roy Stuckey, BEST PRACTICES FOR LEGAL EDUCATION 231 (2007).

b. The Socratic Method. You really must consider supplementing this method with other teaching techniques. Remember that this method assumes that one student is engaged in discussion with the professor while the others learn from listening in (and stay alert based on fear that they may

be the next victim to be called on by the professor). The assumption is that the student who is on the hot seat is learning something and everyone in the classroom is learning something from that student's performance (or is it the faculty member's performance?) See an excellent written description of this method in an article by Peggy cooper Davis & Elizabeth Ehrenfest Steinglass, *A Dialogue About Socratic Teaching*, 23 N.Y.U. Rev. L. & Soc. Change 249 (1997).

c. The Problem Method. The use of a problem or a case file can be a very effective way for teaching content, process and raising other issues that may be important to your teaching objectives in the course, e.g., raising ethical issues. There is no need to use long involved problems in order to utilize this method. Casebooks often have problems in the notes that can be just as helpful for the students. See G. L. Ogden, The Problem Method in Legal Education, 34 J. Legal Educ. 654 (1984).

d. Incorporating "Writing to Learn" Techniques. There is considerable research that writing can be used in the classroom to help facilitate and deepen students' understanding of a subject and encourage students to become active learners. There are many such techniques that do not increase the paper load (i.e., grading/evaluation load) for the faculty member. See <http://wac.colostate.edu/intor/pop2d.cfm>.

e. Role-plays. Often I combine a role play with a problem that I have assigned to the class. Students are selected to play the roles in the problem ahead of time so that they have ample time to prepare. The role-plays are a very effective form of active learning that can allow the students to provide their perspective of the facts, law and/or the roles of a client, attorney or judge in a more meaningful way.

f. Use audiovisual and audio materials in the classroom whenever possible. This comment would extend to the use of power point or other technology in the classroom as well. Remember to check the equipment before class to make sure it works and you know how to operate it as well.

g. Collaborative Work or small group work. Buzz groups or small groups can be effectively used in the large classroom. Groups of 5-6 students can provide everyone in the classroom with an opportunity to offer his/her opinion or viewpoint on the issue/case/problem. It is important to

have some dialogue or follow up to the small group work each time so that important teaching points are identified and underscored for the students.

h. Show and Tell. This technique works well for visual learners. Ask students to bring an example of an item in a case or assign students to bring something in so that the items can be used as a part of the discussion. For example, in the products liability course we discuss warnings. Prior to the session on warnings, each student is asked to bring in an example of a warning from a product. Students shared their assessment of the warnings on various products which allowed for a very rich discussion about the necessity for the warning, its purpose, adequacy and effectiveness by using concrete examples provided by students in the class.

5. Always debrief or self-evaluate each class in terms of whether you accomplished your teaching objectives for that particular class and any activity that you may have tried. You can also seek student input by asking them to evaluate a particular activity.

6. The Final word – you cannot please everyone so don't try. Your goal is to create, build, and support a learning community for your students. Many students will profit from this environment but there will always be one or two who simply are not compatible with you, the notion of a learning community or have other issues unrelated to you. As long as that student(s) do not disrupt the class or actively undermine the learning community, then you simply have to let them go and focus on the overwhelming majority of your class who are interested in learning and interested in learning from you.