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ACTIVE LEARNING BENEFITS ALL LEARNING STYLES: 10 EASY WAYS TO IMPROVE YOUR TEACHING TODAY

BY BARBARA TYLER

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Introduction

Two things made me a better teacher: my blind student and my deaf student. I realized when forced to confront my deficiencies several years ago that I did not speak enough for the blind student's auditory needs, nor did I provide enough images for the deaf student's visual learning needs. I corrected those deficiencies.¹ Yet, I was still dissatisfied with the extent of my students' retained knowledge when I assessed their learning through class questions, exercises, quizzes, and tests.

Then I learned that I was a kinesthetic learner. I began to read about learning styles and found that my own impatience and inability to learn, coupled with the restlessness I felt unless I wrote things down and read them myself, signaled a kinesthetic learning style. This discovery triggered my own decision to add a new mode of delivery requiring “active learning” to each class I teach.

Thus, three styles of learning are represented above: auditory, visual, and kinesthetic. Some students learn best by seeing others do something. These students favor carefully organized information and prefer to write down what a teacher tells them.² In class, they are the quiet ones and are seldom distracted by sound.³ These *visual learners* contrast with the *auditory learners* who do not bother to look at what the teacher does or take notes. The auditory learners depend upon their

ability to hear and remember; they are talkative and easily distracted by noise.⁴ *Kinesthetic learners* tend to learn by doing and are impatient and agitated unless they can move and do.⁵

But few students exclusively exhibit only one type of learning style. So in order to meet the needs of all types of learners, a teacher must be versatile. Studies show that students in lecture classes are most attentive in the first 10 minutes and that interest wanes greatly after that.⁶ When you teach using both auditory and visual dimensions, the message is reinforced by two systems of delivery and you have a greater chance of satisfying the varied learning styles of students. You can do that by using lecture combined with movies, transparencies, slides, or PowerPoint presentations. But merely hearing something and seeing it is not enough to learn it, because lectures with visuals are passive learning exercises. The learner comes to the exercise without being engaged in it.

Active learning cannot occur without student participation. That is the beauty of it. Incorporating active learning exercises into each and every class is easy to do, applies to the kinesthetic learner who learns by direct involvement and concrete activity, and greatly benefits all other learning types as well since techniques often employ both speech and visuals. Better yet, active methods provide the teacher with the ability to get almost instant feedback on how well the lesson is understood by all.

Lastly, using active learning can involve individual students or groups. The feeling of safety and security in allowing learning to take place in a small group enables students to feel secure, become involved, discuss issues with others, and best of all—teach others, which is the most desirable way for anyone to permanently master a subject.⁷

Suggestions follow using concrete examples of active learning that you may implement in your class to involve and challenge students either

⁴ *Id.*

⁵ *Id.*

⁶ See Wilbert J. McKeachie, *Teaching Tips* 70 (10th ed. 1999).

⁷ See *The Learning Pyramid, National Training Laboratories*, Bethel, Maine (2002). The average retention rates for subject matter teaching styles are as follow: lecture, 5 percent; reading, 10 percent; audio-visual, 20 percent; demonstration, 30 percent; discussion group, 50 percent; practice by doing, 75 percent; and teaching others, 90 percent.

¹ Our classrooms are now equipped with smart podiums that allow you to place any document on a screen and project it. That innovation has allowed us to place student work or texts right on the projector for all to see and better involve the class in every aspect of learning.

² See Mel Silberman, *Active Learning, 101 Strategies to Teach any Subject 4-5* (1996).

³ *Id.* at 4.

individually or in small groups without intimidating them. No matter how your classroom is set up, you can ask students to seat themselves closer together or pair students up to take advantage of active learning exercises that involve partners or small groups. The key to an engaged class is to use a variety of tactics and learning modalities involving individuals, partners, and small groups to interest the class and encourage engagement.

Individual Active Learning Activities

1. Encourage Reading the Text: Many of my colleagues note that law students do not read for legal writing classes. As one of my colleagues stated a while back, “Test them and they will read.”⁸ Begin using this tactic early on for reading compliance. The strategy for your lecture should include statements tying the text into the lecture: “As you read in chapter seven in your text ...” or “Explain what the authors meant when they defined secondary sources.”⁹ But your goal here is to ascertain what the class members thought was the most important point they learned from reading the assigned chapter in your chosen text. Give the class five minutes to write on a file card. Collect the cards and pull some answers from them. Place the cards on a projector so the class may see them and respond. This method works well because it also addresses the need for students to read the materials before class and come prepared to discuss the concepts. Use this technique early in the course and repeat it often.

2. Teach Citation Rules: Always follow teaching and discussing a citation rule in which you used an overhead or handout, or you wrote on the blackboard, by testing understanding with an in-class exercise focusing on the rule(s) taught. Bring individuals up to the front of the class to write on the board or on the worksheet displayed on an overhead and supply answers to the specific citation exercise. This method works well since wrong answers are often duplicated by others in the class and this visual exercise reinforces correct application of rules to examples. (This can be used for small groups as well.)

⁸ I do not remember exactly which legal writing colleague was responsible for this bon mot.

⁹ See McKeachie, *supra* note 6, at 144–48.

3. Guide Note-Taking: This approach works well in the beginning of first-year law classes to encourage listening and note-taking. Early on in your class, optimally in orientation, supply a handout that summarizes the main points of your lecture. Instead of supplying the answers yourself, leave some portions blank. For example, when you teach the class about laws, weight of authority, or government or court structure, prepare the handout to require the students to fill in the blanks. *The three branches of government are _____, _____, and _____.* *Primary authority is defined as _____.* *Diagram the court system levels in the state of _____.* After the class, or at the next class meeting, hand out the blank form and challenge the students to fill in the blanks from memory. This questioning is a great tool to see what information needs to be accentuated in future classes.

4. Assign Peer Teaching: Teaching others provides the most beneficial and immediate use of learning to the student. Select individuals to present topics to the class and limit the time they may use to do so—for example, allow 10 minutes. The topics can include such varied items as grammar rules, paragraph formation, sentence structure, use of punctuation, editing written work, citation form, or any other area that engages them. Urge the student teachers to create visuals, handouts, and exercises to assess learning as well as to leave time for questions afterward. You must give them a time limit for their presentation and you may devote class time to one or two in-class student teachers each week.

5. Use One-Minute Papers:¹⁰ These very short papers can do much to assess your clarity in a lecture presentation. They provide you with feedback on the success of your presentation. Just before the end of class, provide students with two minutes to answer no more than two questions you pose. For example: 1) What was the most important concept you learned today? 2) What is still unclear to you? 3) Do you have any questions to suggest? Beginning with the next class, you may

¹⁰ David Royse suggested this idea and the name one-minute papers in his book *Teaching Tips for College and University Instructors* 67 (2001)

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target any points that were not clearly understood by all.¹¹

Group Learning Activities

1. Build Teams for Collaborative Learning: It is key to new law students to feel accepted, safe, and connected to one another and to be included in the group as members. In orientation, pair two students and begin with a questionnaire that asks several interesting things about each student.¹² Have two students sitting next to one another exchange their questionnaires when completed. Have the students meet and then introduce each other and describe each other's background and interests to the rest of the class. Often alliances are formed early on in this way since otherwise unknown connections or similarities are brought to light through these introductions to the class. Connection to the group helps meet the social needs of new law students and leads to further positive connections with one another.¹³

2. Formulate Group Issues and Holdings: Divide the class into small groups of three to five students. Articulate the strategy: to learn from each other about discrete case analysis points. Set a time limit of 15 minutes. Have each small group appoint a scribe. After teaching students that rules from cases are incorporated into holdings with the addition of the salient facts of the case, have students discuss and write out the rule gleaned from the case as well as a fact-specific holding for an assigned case. Then call each group scribe up to the front of the class to post the group's product on an overhead, or write it on the board. Let the class vote on the best rule or holding. This exercise also works very nicely when formulating Issues or Questions Presented statements as well.

3. Use Peer Editors: Divide the class into small groups, perhaps even groups of two. Set a time limit for the exercise. Hand out to each member before this class the standard editor's marks sheet so they may familiarize themselves with these. For the exercise, one must create a worksheet for students

to edit each other's work. Limit the editing to one or two pages of text at the most. Assign each student to meet with others and critique the written product you assigned asking several guided questions that you posed.¹⁴ Retrieve the product and the peer editing worksheet after having the students staple them together.

4. Sharpen Fact Identification: Your goal is to get better factual analysis. Well before the first objective written analysis is required, have the class read one or two cases that include a short test, or statutory or common law elements. Divide the class into small groups and provide each group with a short fact pattern. Encourage each group to identify what facts in the fact pattern you supplied to them may be utilized to prove or disprove each of the elements or parts of the test in the cases. You may even suggest that students make a small chart and begin with each case's facts and then insert the salient facts of your fact pattern in its own block. Have each group list the salient relevant facts and to which element they can be applied. This also can work well with more complicated fact patterns and persuasive writing later in the year. (Make certain the groups insert facts to meet each element, including mentioning ages and other things in statutes regarding "child endangerment," for example).

5. Develop Games and Offer Prizes:

a. In Orientation: I adore games and prizes. Students seem to as well. In order to encourage case reading early on by students in orientation, I hand out a packet of 10 unique and funny cases that I have found and ask questions about them. (Under the case named *Fisher v. Lowe*¹⁵ what poem ("Trees") is parodied here? Is the author of the parodied poem (Joyce Kilmer) a male or female?) The winner or winners may pick prizes ranging from a law school T-shirt to library safe beverage containers.

¹⁴ For example, questions for the reviewer could be: What skill should the writer work to improve? What skill does the writer perform well? Are topic sentences clear and well developed? Questions for the writer to answer may be: What questions do you have regarding the comments? Do you agree with the editor's remarks? Did you find the comments helpful?

¹⁵ 333 N.W.2d 67 (Mich. Ct. App. 1983) (holding, written in verse, based upon a parody of "Trees" by Joyce Kilmer, a well-known male poet, that defendants were immune from tort liability for damage caused by their automobile to a "beautiful oak tree.")

¹¹ *Id.*

¹² We usually ask the following of our students: the home state, undergraduate degree (current work experience for night students), hobbies, and favorite movie or music groups, just to name a few items.

¹³ See generally Abraham Maslow, *Toward a Psychology of Being* (1998).

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b. Learning Tournaments Later: *Jeopardy* or *Carnival*:¹⁶ Consider having a citation *Jeopardy* or research carnival once or twice during the school year. It makes retention of citation and other material less painful and more fun. The goal is to review citation or other important concepts in legal writing. Groups can be assigned before or during the class at random and citation manuals are allowed if correct citation is the goal.

c. Citation Stations: Usually about five separate citation stations are set up in advance of the class. (Helium balloons are a nice touch for each station.) Each group is assigned at random to a station from which it begins. Each station has a separate citation (or other) task. Each group gets copies of a master sheet with spaces for all five station answers. At five-, 10-, or 15-minute timed intervals (depending on your available class time and the difficulty of the assignment), the citation or learning stations rotate until each group has visited each station and filled in the entire sheet. The groups correct their own sheets on their honor, and the group with the most correct answers wins. You may choose to give prizes to all participants, allowing the first-place group to select its prizes first. Or, you may choose to award extra points to the first-place group members, with lesser points conferred on the second-place team.

d. Research Stations: You can also use the same concept for reviewing research modalities asking questions regarding secondary sources, statutes, reporters, binding and persuasive authority, the court systems, and so forth in separate group stations. Some of my colleagues have *Gender Wars*, in which they pit the males against the females. The students take these challenges very seriously. But the contests are actually very therapeutic since students are also able to laugh a lot and release pent-up pre-exam anxiety as well.

Conclusion

Law students learn best with practical and real-world tasks that build on what they know. A lecture format relegates students to learning

passively. Even adding visuals only increases learning somewhat. Active learning is a means to the laudable end of engaging students, increasing their retention, and providing information to all types of learners. Use multisensory techniques to meet student needs: variety adds spice to learning. You can decide what constitutes the right mix of auditory, visual, and kinesthetic or active learning that is best for your class.

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¹⁶ My colleague Beverly Blair was one of the first individuals I know to employ the Citation Carnival and provide simple prizes from small dime-store items to jars of cookies. She indicated to me that she read the idea in a legal writing newsletter from the mid 1970s. She also likes to add a twist to the carnival by dividing groups by gender, calling it *Gender Wars*.