

VOLUME 2

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## AAfPE MONOGRAPH

# 29 STEPS TO EXCELLENCE: A Personal Journey Toward Becoming a Great Teacher

Joe Hoyle © 2007

*Tell me and I forget.  
Teach me and I remember.  
Involve me and I learn.*

*– Benjamin Franklin*

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# INTRODUCTION

There is a Zen philosophy that proclaims: “the journey is everything.” This reflects my view of a teaching career: a marvelous journey, a kind of crusade against laziness and ignorance.

Teaching is serious business. We have wonderfully bright and talented students who have almost unlimited potential. For most, this is their one shot; they deserve nothing less than an excellent education, an academic experience that challenges them to excel from their first day to their last. Instructors have a responsibility to the world to coax the very best from their students, because they will certainly become the next generation of leaders. Where they go from here, what they accomplish, how they impact the world, depends in large part on how much we are able to push and nurture their development.

There have been days in my classes when the educational process appeared to flourish exactly as I had envisioned, almost like magic. Learning bubbled up from every face in the room. On other days, though, I was surprised that the students did not revolt and demand the return of their tuition money as a result of my incompetence. Teachers try every day; some days they succeed.

This article is a discussion of teaching, about the day-to-day challenges and rewards of walking into a college classroom to help — one way or another — increase student thinking, learning, and understanding. I spent the last thirty years or so teaching college courses in financial accounting. There’s no difference, however, between my teaching experience and your own in paralegal education. The techniques and insights I offer here are equally applied whether in a college setting with undergraduate students or in a graduate or continuing education setting with adult students seeking to become paralegals.

To my knowledge, there are no facts stated in this article. Virtually every word is merely a verbalization of my beliefs, based on observations from a journey spanning well over three decades. At times, assertions may be proclaimed in forceful and confident ways but that does not make them facts. A personal philosophy of mine is at the core of these writings: to arrive at even one good idea in life, a very large quantity of ideas must be generated. I will toss out as many suggestions and techniques as possible, indicating how I utilized them and why.

Nothing in this article has been formally studied or analyzed as part of any scholarly research. Each idea appeared to benefit the students — with varying degrees of success — during my journey as a teacher. Some of these suggestions might help your class; however, many may not. That is to be expected. What has succeeded for me could prove useless for anyone else, even in identical situations. Improvement starts with the willingness to consider innovation. As the teacher, judgment as to what works and what does not ultimately falls on you.

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# BEFORE WE START: KNOW YOURSELF

Before officially starting, here is one of my favorite exercises. It is designed to stimulate reflection — not a bad activity for a teacher. Simply consider these five questions:

- 1. Who was your best teacher?** Think back on your entire educational experience, from kindergarten through graduate school. Select that one person who should be placed at the absolute pinnacle. In my experience, almost everyone arrives at a single name rather quickly without much guidance. People seem to know automatically the identity of that one individual they believe qualifies as their all-time best teacher.
- 2. Why was this teacher outstanding?** What did this person do that so many others did not? Spend a few moments thinking about this educator. Recall the reasons why he or she meant so much to you.
- 3. What are three words that best exemplify the characteristics that made this individual so special?** Now, come up with three terms to describe your best teacher.
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- 4. For each of these, as a teacher, are you outstanding (A), good (B), average (C), poor (D), or failing (F)?** One at a time, apply those three descriptive terms to your own teaching. Score yourself on each. As an example, if one of the descriptive terms was “highly organized” or “enthusiastic” or “genuinely caring,” what grade is appropriate for your teaching?
- 5. How can your grades be improved?** Do not consider those grades you gave yourself as permanent. They are not tattoos. For each of these three terms, come up with one action that you can attempt to raise the score. Think about the kinds of activities that your own best teacher utilized. Let your imagination run wild; people talk a lot about thinking outside the box but rarely do so. If this outstanding educator was now standing in your shoes, how would he or she go about achieving improvement?

These five questions are not designed to guide readers toward some universal description of good teachers because there probably is none. I simply want people to consider the traits that they personally associate with high quality education. Many individuals have taught for decades without thinking seriously about the fundamental question of what specific attributes cause a teacher to be judged outstanding — not just good, but truly exceptional. Improvement is always difficult if a person does not understand the essence of the quest. In the simplest terms: ***As an educator, what does it take to be good and what can you possibly do to get better?***

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# THE JOURNEY

## **STEP ONE – How Did You Manage to Do That?**

Typically, between 10 and 20 percent of my students earn the grade of A. Sometimes it is a few more and sometimes a few less but that is a fairly normal range. Throughout the semester, I stress that attaining an A requires a serious amount of time and effort.

After the semester, when grades have been calculated but before they are officially released to the students, I e-mail a congratulatory note to each one who earned an A.

“Congratulations! You Did It!” It describes what they accomplished during the semester and how proud they should be of such an outstanding effort. My goal is for them to feel extremely pleased with their educational achievement. Former students sometimes tell me, years later, that they held onto that e-mail as a treasured memory.

At the end of these e-mails, I ask each student to do me a favor and write a paragraph or two describing how he or she managed to earn the grade of A when so many other equally bright students did not. They are told that these messages will be passed along verbatim to the next group of students in this same class. The A students are directed to think about how they accomplished so much during the semester and then write a serious and honest description of what they did.

The responses are absolutely fascinating. More can be learned about a class from this short assignment than from most formal student evaluations. These essays are honest words from the best students.

All of the paragraphs are then cut and pasted into a single document, which is distributed to the next class of students on the first day of the following semester. It is one handout that they read with interest and care; they are always inclined to believe the words of their fellow students. I want every student to understand exactly what it takes to earn an excellent grade. In most team sports, the players who are seniors are expected to teach the freshmen what it means to be part of the team. That is what I am seeking: one group of students instructing the next on how to achieve excellence.

## **STEP TWO – Do You Really Experiment?**

In college, one of my political science professors read his notes to us each day for an entire semester — notes that must have been written 20 years earlier. They ended with Harry Truman as president, although Lyndon Johnson was in office at the time. No matter how often I have relayed this story over the years, my listeners always come back with similar tales from their own student days.

Yes, teachers do get into ruts; the easiest way to structure any class is to do exactly what you did before.

When did you last attempt something truly new in class? Are you innovative or are you risk averse (and maybe in a rut)? Do you even know where you fall? Having talked with many educators over the years, I sometimes observe one potential pitfall that can stifle all experimentation. It is easy for a teacher to respond automatically to any suggestion: "This is great but it simply won't work in my classes." That assertion may well be true, but you should avoid knee-jerk reactions, either positive or negative. Search for potential improvements rather than for reasons why a new approach will not succeed. Set up a computer file entitled "Teaching Experiments." Whenever you attempt something new or different in class, go into that file and type the date, what was done, and how it worked. The entry should take no more than two minutes.

At the end of every month, read the file. How experimental are you? Have you settled into a routine or are you still trying new techniques on a regular basis?

### **STEP THREE – What Is Teaching?**

Okay, Stop!! Before reading any further, define the term "teaching." You are a teacher; pretend, for a moment, that you are Noah Webster and have the pleasing task of defining "teaching." What will you say?

Do not just pretend to think about teaching; that is a waste of your time. There are probably a million techniques to engage students and a million more to create a learning environment. Some work for some teachers; different ones work for other teachers. Some work for some students; different ones work for other students. Some work for some topics; different ones work for other topics. Some work on some days; different ones work on other days. Come up with a definition that you like and write it down. Then, think about the implications that can be drawn from this definition. Truthfully, what does it say about how you, as a teacher, should approach each class and each student?

### **STEP FOUR – Throw Out Some Puzzles**

Plenty of teachers have taken me to task over the decades for saying that one of the keys for success is "engaging students." Their frustrated responses usually start out with something like:

- "It is not my responsibility to entertain students."
- "No matter what I do, the students simply will not get actively involved."
- "The class is for the benefit of the students; they should provide their own enthusiasm."
- "A teacher cannot engage students when they just sit there like bumps on a log."

This can be the death spiral of education: students claim the teacher is boring; the teacher believes the students are not willing to participate actively in their own education.

I teach financial accounting, a topic that a great majority of humans believe is as boring as watching mushrooms grow. It is not beautiful like poetry, art, or music; it is not as relevant to everyday life as political science or modern psychology or paralegal studies; it is not as capable of changing our world as biology or chemistry; and it is not as intriguing as the study of history. Almost every student walks into my introductory accounting class on the first day with a visibly pained look that virtually shouts, "This is going to be soooo boring!"

I am not an entertainer; there are never any jokes or funny stories. Fortunately, the intricacies of financial accounting fascinate me; that is what initially drew me to the discipline. In the same way, the intricacies of paralegal practice, of legal issues or perhaps real estate law, for example, how property is held and conveyed, how people can finance the most important purchase in their lives, must hold some fascination for you, because you've dedicated yourself to teaching others about it.

Whether we're talking about accounting or areas of the law, the issues are real and extremely complex; they require careful analysis and serious contemplation to arrive at legitimate resolutions. I enjoy sharing my enthusiasm with my students. Nothing pleases me more than having one of them comment at the end of class "that was an interesting discussion; none of it had ever occurred to me. I need to think about all of this for a while." Such epiphanies are the building blocks of education.

To me, that is the essence of engagement: get the students puzzled and then help them untie those knots.

What are the puzzles in your discipline? What fascinates you about each separate concept? Why should it matter to a student?

Education begins by introducing students to the excitement and wonder that a teacher has discovered. Slowly crack open a door to your discipline and turn to them and say "let me give you a peek at something that is just going to blow you away." If you puzzle them as you open that door, most students, I have found, will meet any teacher halfway.

## **STEP FIVE – Santa Claus v. Attila the Hun**

As a teacher, I think it is important to have a clear self-concept of your own "teaching personality." Who are you? Maybe more to the point, who do you really want to be at key moments? Do you have what I refer to as a personality role model? That term does not allude to a teacher whom you have known, as in the preliminary exercise at the start of this article, but an actual role model for your teaching style.

Think about it: which of the following personality types do you identify with as an educator?

- **Attila the Hun** - a cruel but victorious take-no-prisoners warrior
- **Billy Graham** - a fiery orator who preaches hellfire and salvation
- **Dr. Doolittle** - a scholar who can talk to the animals
- **Dr. Jekyll and Mr. Hyde** - a mysterious person with good and evil personalities
- **General Patton** - a charismatic leader (and, as portrayed by George C. Scott, maybe just a little crazy)
- **Florence Nightingale** - a dedicated healer, devoted to selflessly helping others
- **Jay Leno** - a comedian and showman dedicated to entertainment
- **Leonard Bernstein** - a conductor who brought the entire orchestra together
- **Martin Luther King** - a visionary leader dedicated to making the world better
- **Meryl Streep** - a talented actress, always playing different roles
- **Mr. Wizard** - in early television, a character who seemed to have the answer to every possible question
- **Santa Claus** - a jolly, kindly fellow who gives out gifts to good boys and girls
- **Socrates** - a wise person who guides students by means of questions
- **Marquis de Sade** - a sadist who enjoys the pain of others
- **Vince Lombardi** - a football coach known for motivating his players

Most people can probably recall certain of these as being among their own teachers' types. I know, for certain, that my education included a Mr. Wizard and a Jay Leno, not to mention a couple Dr. Jekyll and Mr. Hydes. I only wish that I had experienced a Santa Claus.

Being a great teacher becomes a bit easier when you have a personality role model. For me, that one individual has always been Vince Lombardi. During his years as the football coach of the Green Bay Packers, his teams seemed to win the championship game virtually every year. He was probably best known for taking average players and turning them into winners. This concept greatly appeals to me: working with average people to achieve outstanding results.

Over the years of my teaching career, there have been a seemingly infinite number of times when I have been thoroughly stuck as to what action to take when faced with a troubling situation. After running out of easy options, I inevitably scratch my head and ask myself: "I wonder what Vince Lombardi

would do in this case?" In all honesty, I do not always follow the path to resolution that he probably would have taken. However, simply framing the question in this manner helps me organize and direct my often scattered thinking.

The goal here is not to follow me. Consider your own personality and teaching style. Everyone is unique. Are you more like General Patton or Florence Nightingale when you slip into your "teacher mode?"

Good teaching is not a random series of unfortunate events. It is a logically thought-out process based on the teacher's vision of education. Having a personality role model can help guide the design and creation of the structure that anchors your classes. The essential question comes back to: who do you really want to be when it comes to the education of your students?

### **STEP SIX – What Is Your “Fly-On-The-Wall” Philosophy?**

Do you have a formal teaching philosophy? Articles written about effective education often claim that teachers need one. For years, I failed to see any benefit and simply ignored the suggestion. Then, one day, I realized that I already held to a teaching philosophy and it had long served as a guiding principle for my work each day. I encourage educators to uncover their personal philosophies by introducing them to my “fly-on-the-wall” concept. It is simple and effective.

Assume that you have just finished teaching one of your classes. On the final day, the students file from the room for the last time. Now, pretend that you are a fly on the wall listening to their parting remarks. What do you want to hear them say as they exit? I am not asking what you believe they will talk about, but rather what mumbled comments would absolutely thrill your soul.

My own personal “fly-on-the-wall” philosophy has evolved over the years and still varies a bit by course. Currently, as they leave the room on the final day, my general hope is that every student will say:

- I never knew that I could work so hard.
- I never knew that I could think so deeply.
- I never knew that I could learn so much and actually enjoy it!

This philosophy reflects my wish for each student: to work, think, learn, and enjoy it all.

A good teacher should be like a good waiter: the best ones are extremely efficient and barely noticed, but they notice everything. Stop for a few minutes and consider what you hope that fly on the wall hears as students exit on their last day. That will lead you to your personal philosophy of teaching. After you uncover the results you want, getting to that point of greatness becomes a much more realistic possibility.

## **STEP SEVEN – Close Encounters of the Educational Kind**

What is your first contact with each new group of students? I am a firm believer that a person only gets one chance to make the proper first impression. My advice is to establish the desired tone right from the very beginning.

At my school, faculty members are furnished with the e-mail addresses of all students in upcoming classes a few days prior to the start of the semester. I immediately sit down and compose a note to these students. Receiving an e-mail from a teacher whom they have not yet met normally catches their attention. This is my chance to make the appropriate first impression.

In constructing this introduction, I have several objectives:

- Their assignment for the first day is provided. I see no reason to waste an entire class period simply because it is the beginning of the semester.
- My few class rules are laid out along with the rationale for each. Students seem willing to follow rules if they know them and understand their purpose.
- I spell out my teaching philosophy. The students are told that they are expected to work, think, learn, and have fun. No one should ever enter my class with false expectations.
- The subject matter is described very briefly. If I cannot explain the basic purpose and goals of the course in a few well-chosen bullet points, students should drop my course and seek one that will be more beneficial.

There are several reasons for this preliminary contact. It is primarily designed to start each student off with a realization that this course is serious business and will require work. They should believe from Day One that this is not merely another class.

I once took a coaching class with Hubie Brown, who later became a successful professional basketball coach with the New York Knicks, Atlanta Hawks, and Memphis Grizzlies. One piece of his advice has lingered with me for nearly four decades: "It is easy to get easier on your players as the season goes along; it is very difficult to get harder on them."

Think about making that first impression. Be sure to create the one that you want.

## **STEP EIGHT – Creating a Team Mentality**

Try an experiment: sit down with any student and ask about the standard educational process. Sadly, many of them will likely spell out a basic formula that they have experienced too often: (1) teacher conveys a mountain of information, (2) student madly tries to transcribe the relevant information in legible scribbles, and (3) student attempts to memorize as much of those notes as possible the night prior to the test.

There is a lot not to like about this formula. Probably most appalling is that many seem to perceive the students' role in their own education as pretty much passive — take notes and memorize the information. People stop being students and become stenographers. That view might seem overly cynical but, truthfully, what teacher has not worked with a significant number of students who did little more than just that? No wonder they fall asleep in class.

On the first day of classes, I talk to my students about learning to dance. For dancers to come together and create a beautiful, exciting activity, the man must do half of the work and the woman the other half. They are partners. Yes, one typically leads the dance and one follows, but that is simply how the responsibility is shared. If one partner does too much of the work or the other does too little, the result quickly becomes awkward rather than wonderful. (I'm reminded of a quote attributed to Fred Astaire's longtime cinematic dance partner, Ginger Rogers, that she did everything Fred did, only backward and in high heels!)

I tell the students that our class is like a dance. We are partners. I will furnish half of the effort but they must put in the other half if we are to succeed. As the teacher, of course I lead but that is just my 50 percent. I pledge to do my share but they are absolutely responsible for their part. They will be held accountable. They need to know, right at the start, that this teacher will not be the only person in class doing the work.

## **STEP NINE – Learning the Secret to Becoming an Excellent Teacher**

At a crucial point during my first semester as a faculty member, I was lucky enough to unlock the ultimate secret for improving as a teacher. This was the magic bullet. That was over 30 years ago and, in my mind, the secret has not changed one iota in all these years. If you have a serious desire to do a better job in the classroom, this is the one absolute fact that needs to be accepted sooner rather than later.

The secret is nothing more than a simple formula:

If it takes a person X number of hours to be an average teacher, then it will take that same person 2X hours to be a good teacher and 3X hours to be an excellent teacher.

This is the moment of truth; it is time to face reality. Anyone who has a genuine wish to become an excellent teacher must be willing to invest a significant quantity of hours. There are no shortcuts. If you are reading this monograph in hopes of discovering quick and easy tricks, my advice is simple: close this monograph and walk away.

Preparing for class, presenting the course material, working with students individually, and all the rest of the normal, daily teaching activities require an almost infinite number of hours of thought and labor. How much time are you willing and able to devote to improve? That is the question that each teacher needs to address in an honest and realistic fashion. We live in a hectic society; almost no one has sufficient hours to complete everything that needs doing. We all scramble to become more efficient just to keep our heads above the proverbial waters.

Teaching takes time; good teaching takes more time; excellent teaching can quickly become a 24/7 job.

Maybe you become dissatisfied and frustrated with the failure of students to grasp concepts that seem so obvious. In such situations, the number one remedy is to put in additional hours. Now here's the key: that extra time is probably best spent sitting alone in the corner of a dark room thinking about the topic, the assignments, the class, and the individual student. Such reflection is helpful. Radical (or even subtle) improvements are difficult when you are flying through life at warp speed. If it is important, you need to invest the time.

But we all know that the hours in life are finite. You need to learn to utilize moments that might otherwise be wasted. I have a 25-minute commute to campus. During that time, I often listen to NPR; other days, it is a book on tape. On occasion, though, the sound is turned off and I mentally walk through the steps plotted for the upcoming class, trying to envision exactly what is supposed to happen. When I take this third path, class invariably goes better. You already understand the importance of investing in the best textbook, the best study aids, the best A/V equipment, the best learning space. Make a simple investment of time, in yourself. Nothing is more essential in teaching.

## **STEP TEN – What are the First Words You Write on the Board?**

It is opening day of a new class. Students stream in, anxious to get a sense of what they are up against. They are keen to gauge the upcoming educational experience and the person who will direct it. The teacher says nothing but picks up a marker and writes a few words on the board. What should they be? What is the first message that the teacher needs to convey face-to-face to those students?

In my classes, I write: “A Means Excellent.”

Now, I know that my experience is mostly in the academic world, and that in some educational settings you aren't always handing out grades. For your students, the stakes can be different, and the time frame can be more compressed. But you can still think about those words, or words like them. For instance: "*Excellent Means Excellent.*"

It is my opinion that grade inflation, and in particular *praise inflation*, has had a seriously detrimental impact on education generally. Stories echo throughout the academic community about many well-known institutions where even the median grade point average approaches perfection. In 1950, less than 20 percent of Harvard students got a B or better; today, it's nearly 70 percent! Are the students that much smarter, or are the teachers just nicer?

On the first day of class (and at times during the semester), my students are reminded that "C means average." There is nothing wrong with making a C; I earned a lot of them while in college. B means good and A means excellent. I can tell the difference between good and excellent and so can my students.

If a teacher plays Santa Claus and pours on the praise ("Excellent answer!" "Wonderful question!" "What an interesting idea!") for performance that is merely good, that teacher should never again expect results that are any better. Never. If Professor Santa Claus cannot distinguish between good and excellent, why should any student ever push beyond the lower standard? In this case, human nature is extremely predictable. If a student is praised (or given an A) for performance that is less than excellent, there are two results: (1) the student believes he or she has pulled a fast one and does not necessarily appreciate the praise fully, and (2) others who did accomplish excellent work feel stupid for having exerted unnecessary time and energy or given your question extra thought. Those are two very bad lessons.

Start, from the first day, building the concept of excellence into the class and, then, when the time comes to assess the students, hold fast to that standard. Think about student feedback forms for a minute. Which ones do you find most valuable: the ones where the students just mindlessly marked "Excellent" or "Very Good" in response to each question, or the ones where the students marked "Could Be Better" on a couple of items, and maybe added some (polite and constructive) critical comments? The former ones may make you feel all warm inside, but the second type make you think about yourself as a teacher, and may make you a better one.

You're not doing anyone any favors by sending people out into the professional world who expect constant warm praise and positive reinforcement for their every average act. It devalues true excellence. Do I sound like a grumpy curmudgeon? Maybe, but sometimes the road to excellence isn't paved as smoothly as we'd like.

## **STEP 11 – Is It Really *Your* Job to Teach Study Skills?**

Educators in every field have the same complaint: “My students are smart enough, but seem incapable of learning my material. They are frustrated and so am I. How can these students be so bright and so dumb at the same time?”

As teachers, I think we sometimes fail to understand that being intelligent is not necessarily synonymous with being able to learn efficiently. If a student has not developed strong study skills, should that be any concern of a teacher? Is that part of your job?

In high school baseball, occasionally there will be an athlete who is extremely talented and can succeed with no apparent effort. He is so much better than the players around him that he dominates the games. Eventually, if he signs a pro contract, his development continues in the minor leagues. A few of these high school superstars zip rapidly through the farm system straight into the big leagues.

An odd thing sometimes happens to these phenomenal players when they first arrive at the New York Yankees or the Boston Red Sox. Despite almost unlimited physical potential, they cannot hit a curve ball thrown by a major league pitcher. One day, the young man seems destined to be the next Babe Ruth and then suddenly he is floundering like a little kid. Even the most talented athlete can look foolish trying to swat a ball that is breaking several inches as it speeds toward the plate.

What went wrong? What happened to all that potential? Young players can be so good that they never have to work with any diligence on basic techniques in the minor leagues.

Pure talent carries them to success at that lower level; they have no need to hone their skills. Then, when the curve ball does start to curve, their training proves to have been insufficient; they are unable to compete. Such players are often returned to the minor leagues where they get a second chance to develop the skills required in the majors.

Adult learners can experience similar problems. By being bright, they may have been capable of sailing through high school (and some college) classes. They do not necessarily see a reason to develop into effective learners. At some point, though, the subject matter grows too complex for street smarts alone. (Riparian rights, anyone? Agency law? Legal descriptions of property? RESPA?) Problems arise because students have failed to master efficient study skills. Sadly, the teacher cannot send them back to the minor leagues.

Ask your struggling students how they study. The answers can be revealing: “I read some of the chapters and try to understand as much as I can. I recopy my notes so that I can follow them. I pay attention in class.” The problem is not

desire or intelligence; they are struggling because they literally do not know how to succeed.

How much effort should a teacher expend to direct student learning? Do you teach fair housing or do you guide your students to learn fair housing? This is a critical distinction because it impacts how you will approach your class. Some instructors leave students entirely on their own. Others practically carry their students through the steps: do this on Monday, do this on Tuesday, and so on.

So before you teach another class, answer this question: what do you feel is your role in the education process? If students need help in developing learning skills, is that your responsibility?

## **STEP 12 – Get Lost**

The teacher rolls into class and begins to pour out an endless stream of information on an obscure topic that he or she has studied intensely for years, if not decades. Turning to a student, the teacher asks a relatively simple question, one he or she has asked a hundred times before, in hundreds of classes just like this one. The teacher barely even notices that he or she is even asking the question any more. The student, though, is absolutely clueless and blurts out a ridiculous answer. The teacher's exasperation is obvious: *How could anyone be so dense?* This is hardly a scenario for inspiring student self-confidence, much less for fostering comprehension.

As educators slip further and further from their own student days, the reality of being on the learning end sometimes begins to fade from memory. Any empathy for the difficulty of learning strange and complex material can leak away.

To become a more effective teacher, you need to put yourself back into the student role as often as possible. Refresh your memory: how does it feel to be on the side of the desk where the topics are not so very clear? Try to remember the uncertainty of facing mysterious material that's vital to your entering a new profession, armed with nothing but a sense of utter confusion. That's where most of your students are, even the brightest ones. The importance of clarity and organization is more obvious after you've accidentally lost it.

There are groups in this country dedicated to stamping out illiteracy. I have been told that occasionally, as part of the training process for the new reading instructors, an innovative strategy is used. The instructors (who will be teaching English literacy) are given lessons in reading Russian! That's because the letters are written in the Cyrillic alphabet and look like mysterious hieroglyphics to those unfamiliar with the language.

Faced with that obstacle, these future teachers suddenly find themselves hopelessly illiterate; they occupy precisely the same position as their students. By being introduced first hand to the student's perspective, they are better equipped to empathize with the challenges faced by those they will soon be instructing. They truly do approach illiteracy from both the teacher and the student vantage point.

So one of my recommendations for teachers is to continue their own education. Take classes, especially in subjects where you know you will struggle (like financial accounting, maybe, if you've spent your life in liberal arts). Over the years, I have attended courses in furniture-making, Russian culture, psychology, jewelry-making, photography, and ballroom dancing. At times, I was horrible at all of them. I became frustrated when the teacher went too fast and was irritated when the correct results were not achieved. In most of these classes, every step that seemed easy for the instructor proved impossible for me. I prayed for their patience and more explanation.

Recently, I took a class in using large format cameras. The other students and I took photographs for one entire day. I worked hard to replicate every step the teacher had demonstrated. The film was developed overnight. The following day, the teacher started class by saying, "Your film packs came out great except for Joe's. Every picture he took was blank." I felt stupid, humiliated, and totally hopeless. The following week, comfortably back in the accounting classroom, I taught my own students with more patience and care.

Many students face such heavy frustrations almost every day; their confidence is shaken constantly. Understanding the student perspective can help as you organize a class. How long has it been since you took a course, especially one where your knowledge and ability were strictly limited? Occasionally, feeling lost is a good position for a great teacher.

### **STEP 13 – Think about the Placement of those Stepping Stones**

Your students are working hard but they are all struggling. What do you do now?

In Richmond, Virginia, where I live, there is a public park that holds a lovely Japanese garden, including a pond stocked with huge koi. By using a series of stepping stones, visitors can walk across the water to the other bank. Over the years, I have observed scores of people successfully ford that pond one stone at a time.

Proper placement of the stepping stones requires a bit of special care. Set them too far apart and some of the shorter children might not be able to jump safely from one to the next. Conversely, if the steps are too close together,

then individuals with long legs could find the walk awkward and unnecessarily slow. Of course, if the stones are just randomly thrown into the water, they might not actually lead anywhere. Watching park visitors walk across that pond always makes me think about the educational process that teachers create for their students.

In my classes, most learning appears to be sequential. People speak and write one word and one sentence at a time. Consequently, students seem to absorb information step by step. Situations do arise where learning is probably non-linear, such as developing an appreciation for a Picasso painting, but such cases appear to be exceptions. In a textbook, a lecture, or an individual study session, the normal learning sequence is: comprehend point A, then point B, and so on until (hopefully) the student arrives at full understanding.

One of my theories is that education will stumble when either the learning points are not sequenced in a clearly logical order, or they are not placed at a proper distance from each other. When troubles arise, look at the placement of those stepping stones.

Imagine, for example, trying to understand the problem with undisclosed dual agency if you've never heard about the basic principles of agency itself. Having the stepping stones out of logical order almost inevitably leads to confusion.

Try an experiment in preparing for a class. Abandon your beloved, time-tested course outlines and start all over again. Randomly list all the points to be covered. Then, decide which logically comes first, second, and so on, to create the order that is easiest to comprehend. You may find yourself right back at the excellent lecture outline you started with; you may find some subtle (or not-so-subtle) improvements.

Setting the proper distance between those learning points is a more challenging issue. Over the years, some of my best students have been able to leap from virtually any point to the next with ease. Other equally bright students needed the stepping stones to be pushed a little closer together, practically touching. Both groups are able to learn the material and that is the goal. The first uses long strides from one point to the next; the other arrives at the same understanding with a great many short steps covering points placed side-by-side. Neither arrangement is necessarily better; both get the student to the opposite bank.

If a class is working hard but having problems, check the sequencing of the coverage. Do the steps follow a pattern that is logical for students? Next, look to see if the learning points might be too close or too far apart. Maybe your stepping stones are too large, or too small. If students have trouble learning, it may mean that they are not able to make the leap from one point to the next. You get to design your pond any way that works.

## **STEP 14 – Be Careful of Slipping into the Non-aggression Pact**

It's already been observed that education is a partnership. If an educator asks students for their best efforts, the students are likely to seek guidance in return. If an instructor challenges students to do exceptional work, he or she must be willing to assist in the process and then carefully evaluate the results. If a teacher plans to demand critical thinking on a test, work is needed to nurture and develop that skill in students. If you push students to leap tall buildings in a single bound, there should be no surprise when they request additional flying lessons.

It all requires time. And time is a commodity often in short supply for educators. One subtle "solution" slinking through academic and professional education today is the "non-aggression pact": the less an instructor asks of students, the less students will demand of the instructor, and the less time teaching requires. Less, less, less.

In Step Ten, we considered the negative impact of praise inflation. It is not a significant stretch to believe that praise inflation is simply one manifestation of the silent non-aggression pact between overworked educators and under-motivated students.

The non-aggression pact is not created overnight. Instead, educators lower their standards incrementally: a complicated role-playing exercise is dropped so the instructor can just lecture from the textbook — it's simply easier, and takes less time to prepare. Field trips, sample forms, homework exercises — all the extras that bring complex legal and practical concepts to life for students take time to create and time to evaluate, and educators who are overloaded with course assignments or scurrying from school to school or state to state just don't have a lot of time.

As for students, they're often perfectly happy to take the easier, passive, stenographer role. They're content to get through the course by memorizing all the rules so they can pass their exams, or they want to get their CLE hours with as little effort as possible. (From what I've heard, many students would be delighted to have a fast-forward button so they could condense a sixteen-week course into ninety minutes, pick up their degree or certificate and go to work, having learned — well, nothing.)

Any instructor can manipulate the amount of time required in his or her role as a teacher simply by placing fewer demands on the students. The state says 45 hours? Then we shall read aloud from the textbook for 45 hours while students doze. Done and done.

There are no simple answers for breaking the non-aggression pact. However, three obvious real-world considerations should be kept in mind when deciding how challenging to make a course:

1. In most cases, your students are paying a considerable amount of money for this education.
2. For most of your students, this opportunity is vitally important: they're entering a new and challenging profession and some of them haven't been in a classroom in years, if not decades.
3. Finally, neither the profession nor clients are well-served when students complete their training with no more than the most superficial understanding of their profession.

As teachers, I believe we have a moral obligation, both to students and to society, to keep our standards high. You know what students are *required* to learn. Go the next step: determine what students *should* be accomplishing and then focus on getting them there.

Certainly, every educator is busy and will have to work carefully to allocate time and energy. However, nothing truly beneficial ever comes from the non-aggression pact. The world is improved when teachers work with students to help them attain a high-quality education.

### **STEP 15 – Three-to-One**

So an instructor walks into class on the first day of class and, in a no-nonsense manner, informs the students that they should expect to spend three hours doing outside study and preparation for every hour of actual class time. I first heard that speech prior to beginning my college career, and have been known to deliver it myself frequently in the years since then.

For a high quality education, a 3-to-1 ratio is demanding but not totally unreasonable. It certainly explains the late-night study sessions that I remember so well from 40 years ago.

Following this standard, students enrolled in courses meeting 15 hours per week should also study 45 hours for a weekly total of 60 hours. In the real world, a 60-hour work week is the norm for many full-time jobs. (Now, I know that many of your students already have full-time jobs, but to put it bluntly, that's their problem. None of my professors ever lowered their standards just because their students happened to be taking four other classes with similar 3-to-1 requirements. A commitment to a new profession requires a commitment to put in the time necessary.)

Is this an accurate portrayal of the work required today for an education? Let's consider the college world as an example. The National Survey of Student Engagement (NSSE) is used by many schools to obtain a picture of college life. In this survey, a variety of questions solicits information from students about their academic experience. One asks them to estimate the hours per week they spend "preparing for class: studying, reading, writing, rehearsing, and

other activities related to your academic program.” How close are those results to a weekly 45-hour standard?

In a recent survey, senior students indicated an average of slightly under 13 hours per week allocated to such preparation. The average for freshmen at these same schools was even less, approximately 12 hours per week. If these students are attending courses that meet weekly for 15 hours, they are investing a total of less than 30 hours each week in their classes. A college education is coming to resemble something of a part-time job.

If proof is needed that the non-aggression pact is alive and well on college campuses, that 12-13 hour per week study average should suffice. No one is going to deny that today’s students are extraordinarily busy. Their daily lives are spread thinly across fraternities, sororities, clubs, jobs, sporting events, parties, and the like. Academics can easily fall low on their priority list. Are students in your programs and CLE classes any less busy? They have jobs, families, social obligations — their distractions from study can be considerably less voluntary than those pursued by most college students.

Human nature prevails once again: if students can get by with minimum effort, then that is what they will give. Without adequate motivation from their instructors, the non-academic portion of their lives simply squeezes out the time devoted to education.

When I talk with my colleagues about the NSSE results, the invariable (and often indignant) response is: “Well, my students spend a lot more hours than that.” Maybe that’s your reply as well.

Okay, then, how many hours do your students spend studying and preparing for your classes? Many schools allow instructors to insert questions on the formal student evaluations. Add this one: “In the average week for this course, how many hours did you spend studying and preparing outside of class?”

If you don’t like the responses you get, ask yourself two key questions.

1. *How many hours per week do you want students to spend?* Three hours may be overkill for some classes, or not enough for others. Figure out what you expect from your students in class, and how long you think it will take them to be adequately prepared to deliver.
2. *What do you want them to do in those hours?* Don’t just throw random busy-work at your students — remember, they have those jobs, families, and other commitments to juggle, and if they can’t see the educational and professional significance in what you demand, they just won’t do it. Think about what activities will add meaningful value to their classroom experience, their exam performance, and to their careers. Increase study hours in meaningful ways and learning will improve.

## **STEP 16 – Discover the Learning Triangle**

There are three points — and only three — where the learning process can be strengthened. Pick one and focus attention for several weeks on achieving better results at that spot. Even small improvements quickly enhance class learning.

This *will* work.

One of the most significant epiphanies in my teaching career was realizing the essential role played by what I have come to call the “Theory of the Learning Triangle.” It sounds esoteric but, like many of the important discoveries in life, it is really rather simple.

This theory states: students will learn more and understand it at a deeper level if:

1. they are adequately prepared when they walk into class each day.
2. class is well-organized and the presentation is sequenced properly.
3. subsequent to the class coverage, they almost immediately spend time organizing, clarifying, and assimilating the knowledge in an effective manner.

Beware, though, that most teachers tend to concentrate almost exclusively on Point Two when more benefits are usually available at Points One and Three. Okay, what is this all about?

Put succinctly, the educational process is most efficient when students prepare in advance, when class time is well-utilized, and when they review and solidify their understanding shortly after the material is covered. Simple stuff.

To appreciate the central, essential role of the learning triangle, consider what happens when problems arise at any of these points.

- If students arrive at class unprepared, how can they effectively follow the subtleties and complexities of the discussion? How much informed interaction can teacher and student have? At such times, the student is only able to be a passive participant, a note-taker. The teacher’s ability to create an active learning environment is held hostage by student preparation. What can the teacher do then, other than lecture? In my teaching, enticing (or forcing) students to prepare prior to every class is one of the highest priorities. Without that, significant in-depth learning is virtually impossible.
- If class time is not well-structured, how efficient can the educational process be? Even when students are prepared in advance, if the subject is covered in a random, illogical fashion, more frustration than education will occur.

- If students do not organize information shortly after class, how will they keep the clarity of that knowledge from fading? Students often moan, “I understood the material during class, but then I couldn’t do it on the test.” That is a clear sign that inadequate work was done subsequently to turn short-term recognition into long-term understanding. Class introduces and explains; true learning comes after that.

Now, which of those three points are you going to focus on first?

## **STEP 17 - Class Preparation: One Approach Worth Trying**

Assume for class on Wednesday that you plan to lead a discussion on Freud: the impact of his work, findings, and theories. The students have been instructed to walk into the room having spent at least 2-3 hours in preparation so that there can be a serious, thoughtful analysis of the topic with active participation by everyone. They have a textbook. Several other good sources of information have been mentioned that can be reviewed prior to class. If the students do not prepare, then you are almost forced to lecture; they must know about the topic in order to hold up their end of the conversation.

Why will your students put in those hours of preparation? This may be the single most important question this monograph addresses. Nothing ruins education more quickly than a lack of student preparation. Here are a few possible tactics. How many have you used?

1. Assign students one or more specific textbook chapters to read and assume they will.
2. Assign students specific pages to read to focus their attention and assume they will.
3. Indicate that Wednesday’s class will begin with a short quiz on the assigned readings or require that an online quiz be completed prior to class.
4. Threaten the possibility of a pop test on the assigned readings.
5. Award a participation grade as part of the student’s overall grade for the semester.
6. Require students to do a written assignment on the readings, one that might be graded.
7. Require students to do a written assignment on the readings, one that will be graded.
8. Hand out a list of specific questions in advance that students will be required to discuss in class on Wednesday.

Quite honestly, the teacher’s problem is that each of these techniques has substantial flaws. Participation grades are subjective and may be difficult to assess if student preparation varies during the semester. Readings are often

skimmed with little thought. Quizzes utilize fear as a motivator. Written assignments encourage cheating and so on. Over the years, I have tried all of these but currently rely almost exclusively on number 8. I never lecture; I randomly call on students to discuss a list of 3-10 questions distributed at the previous class. Each answer can elicit a follow-up inquiry or a second student might be directed to evaluate the initial response. It is a system that works well for me.

Students know they will be called on so preparation tends to be quite good. Creating the questions allows me to pose academic puzzles to engage my students as well as stimulate critical thinking.

The listing provides a logical and organized sequence to the coverage. By its nature, this Socratic approach forces class to be interactive, one of my main goals. I attempt to call on each student every day; thus, they walk in knowing they will face interrogation. That removes any uncertainty as to the need for preparation. The list of questions serves to direct their advance work so that their study time can be efficient. If any students consistently fail to prepare, I call them in and we discuss the advantages of being able to provide and support answers. No system is perfect; however, this one helps students know how to make use of study hours and gives them reasons to do the work.

### **STEP 18 – The 50/50 Rule**

Talk with any teacher or student, about education and they will almost always assert that the best learning experiences are interactive. Comprehension goes up when students are engaged and participate in class (and let's not even start on the importance of interactivity in distance learning courses!). The subject matter and its intricacies simply become more intriguing — as well as understandable — to the active learner.

Over the decades, I have walked through the halls of numerous classroom buildings. Whenever possible, I conduct a little experiment. I pause outside of each room just long enough to register whether the teacher or one of the students is speaking.

Try it yourself. My experience has been that nearly 95 percent of the time, the teacher is the person talking. Why are so many students so quiet? More to the point, if interactive education is so universally acknowledged as the preferred method of teaching, then why are so many instructors hogging all the class time?

In truth, developing a consistently interactive class can be a frustrating challenge. Here is a helpful test. Invite a visitor to class, and have that person bring two stopwatches. Ask the visitor to operate one watch while you are speaking and the other when a student talks. At the end of the session, the closer the two watches are to a 50:50 ratio, the more interactive the class is.

Regardless of what a teacher wants to believe, my guess is that there are few classes where students speak more than 25 percent of the time.

Of course, truly interactive education is not easy to create. But any real movement toward a 50/50 allocation of time will improve class interactivity and the learning process. That will result in more passing scores on examinations, more continuing education certificates, and a better learning environment.

So how can instructors make students more talkative? Here are some possibilities:

1. Occasionally — and not at any “normal” break in a lecture — stop talking, and ask if students have any questions.
2. When you pose a question to the class, don’t call on any one student; wait for a voluntary response. It may take a while at first, and the seconds will tick away slowly, but eventually someone will be courageous enough to break the uncomfortable silence.
3. Alternatively, ask a question and then call on a specific individual to respond.
4. Require numerous group or individual presentations.

Personally, I use the Socratic method, posing questions to the students that lead them to the answers, rather than just standing at a lectern serving everything up to them on a platter. My daily goal is to come as close to a 50:50 ratio as possible.

It’s not meant to be high-pressure and scary, like a law school class. At the beginning of each semester I distribute a list of all the major questions I’ll ask, so students can be prepared. The resulting class is what I describe as a “structured conversation.” A student is asked a question from the list and everyone listens to the response. A related question or series of questions may then be based on that initial answer. Sometimes a second student may raise a question, or I may ask someone else to evaluate the first student’s answer. A third student is asked for an example to illustrate the issue being discussed and so on. It really is a give and take. We literally converse about the topic based on that list of questions. Students do half the work by being prepared and participating; I carry out the other half by leading the discussion. As the group moves toward a 50:50 ratio, the learning experience — and retention — is enhanced.

## **STEP 19 – Solidifying Jell-O Knowledge**

To me, the most critical step in the learning process has always seemed to be almost universally under-appreciated by both teachers and students: that third point on the Learning Triangle, assimilation of learned material.

Assume that on Wednesday, your class is scheduled to discuss “Legal Descriptions” and then, for Friday, it will move on to learn “Forms of Real Estate Ownership.” The students arrive on Wednesday extremely well-prepared. Coverage is excellent, very interactive. The students do half of the talking, and you do the other half. This is education at its best. The students leave with a real understanding of the difference between base lines and range lines, and can distinguish between metes-and-bounds and the rectangular survey system.

For how long will this clarity stay with the students? Will they retain it long enough to pass your exam, or a credentialing exam, or (just imagine!) to be able to explain a land survey to a client? If there is no follow-up to sort through and organize the material, understanding will seep away, starting almost immediately as they walk out the door.

I tell my students that class merely provides them with “Jell-O knowledge” — it looks solid but is really rather shaky — just a degree or two short of turning into a liquid and spilling off the plate. Only the work that takes place soon after class can convert this Jell-O knowledge into a relatively permanent level of understanding. To me, the importance of that step within the educational process cannot be overvalued.

So, following the class on Wednesday, what is likely to be the students’ next action? Every educator already knows the answer to this question. They will now focus on preparing for Friday’s class on forms of ownership. In fact, most students will ignore legal descriptions completely until time for the test. By that point, of course, the wonderful foundation begun in class will have turned into a gooey, disorganized puddle. Understanding will have been replaced with a couple of trivia points.

I encourage my students to spend one-third of all study time on material they’ve previously covered, and two-thirds on upcoming topics. Unfortunately, this is a step in their learning where students are often clueless. Most have no idea what to do after coverage in class. For many students, particularly adults who’ve been out of the academic environment for years, “reviewing” means copying their notes over again with better penmanship or editing their work processed notes.

From my vantage point, this is truly a weak link in education. This is one point in the process that usually requires leadership from the teacher. Here are some suggestions to help students learn how to learn more effectively:

- At the end of each session, have students write for five minutes on the topics covered in class. Organizing their thoughts at this critical juncture is quite helpful. You're not expecting great literature — or even proper grammar and punctuation — just a summary as if they were writing a note (or an e-mail) to a friend. That is, 5 or 6 sentences describing the most important aspects of the class.
- Immediately after class send your students an e-mail in which you literally walk back through the highlights of the class coverage: "Here are 14 key points that I heard today." Include one or more questions or puzzles about the material that will be reviewed next class. If you don't have e-mail access to your students, this can always be a handout, even though that looks suspiciously like "homework."
- And, of course, there's always the tried-and-true reminder that, "We'll be having a quiz on this next time." It won't get you voted Most Popular, but it will help your students review and retain vital information.

Helping students turn Jell-O knowledge into solid understanding is a true challenge for any educator. Think about all the other ways you can guide this part of the learning process.

## **STEP 20 – Learning to Fly a 747**

So we've covered the trouble students have in solidifying their understanding of material after it has been discussed and analyzed in class. I often tell my students that the primary purpose of class is to help them accumulate all the pieces of the jigsaw puzzle. Then it's their responsibility to take those pieces back home and work with them until they fit together to form a recognizable picture.

Unfortunately, coming to accept the need for this action can be a problem for students. They may feel that if they've followed the class coverage carefully, taken good notes, and done the reading assignment, they've done their bit; they shouldn't have to do any further work.

I often have a conversation with my students about the third week of the semester. It generally goes something like this:

**Me:** We covered Sigmund Freud on Wednesday.

**Student:** Yes, we did.

**Me:** I felt that class went extremely well. Everyone was prepared and the debate was lively.

**Student:** I was amazed at how much I learned about Dr. Freud. It's such an interesting and complicated area of study.

**Me:** How much time have you spent on Sigmund Freud since Wednesday?

**Student:** Well, actually none. Haven't really thought about him. I've been preparing myself really well for today's class on Jung.

**Me:** Hm. Let's say that I brought a flight simulator in here for a 747 jet. Assuming I had the knowledge, could I show you how to fly one of those big jets?

**Student:** Well, you would have to demonstrate every step very slowly, but a flight simulator is designed to help pilots learn how to fly.

**Me:** OK, assume that I spent seven hours explaining everything to you about how to fly a 747. Assume we went through each instrument and each step very slowly and you took excellent notes. I answered every question and we didn't miss a thing.

**Student:** Well, I would have spent seven hours in a flight simulator learning how to fly a 747.

**Me:** So if I drive you over to the local airport, you could hop into the cockpit of a 747 and fly me to Chicago?

**Student:** Are you kidding? Of course not!

**Me:** Well then, why do you think you know enough about Sigmund Freud just because you were able to follow our class discussion? Many people will tell you that understanding Dr. Freud is even more complicated than flying a 747 jet.

On one level, students realize that it takes review, organization, and practice to turn Jell-O knowledge into solid understanding. However, in practice, this step appears to be a relatively foreign concept in much of the educational process. That is why I put so much focus on it: students need help. When the last word is spoken in class, how do your students turn the information they've learned into the ability to fly?

## **STEP 21 – Listen to What Your Students Say About Good Teaching**

At some point each semester, ask your students to write a short paragraph identifying their very best teacher. I ask them to explain why that person deserves such recognition.

Tell them *not* to select you (even though that's the obvious correct answer!). They will enjoy the diversion and you can learn quite a bit about good teaching by reading their responses. What common threads can you discover that run through their descriptions?

Typically, I find that three themes tend to dominate:

1. “Challenges the students”;
2. “Engages with students”; and
3. “Cares about students.”

After reading these essays and thinking about their messages, I try to send a note to each teacher who is mentioned to pass along my compliments: “My students were told to write about their best teacher and \_\_\_ wrote about you! Congratulations!” Sometimes I receive some genuinely touching responses — we all wonder whether or not we’re really reaching students, and it’s good to hear about when we’ve succeeded.

For this monograph, I wanted to do something similar. My school is not in session at the moment, so I sent an e-mail to the students who were in my class last semester asking them to write a couple of sentences of advice for people who want to become outstanding teachers. Here are a few of their responses:

#### 1. Challenge the Students

- “Do not be afraid to have high expectations for students and to hold them to those expectations. My best experiences have come when I was challenged by a teacher. It caused me to raise my goals for myself and the end result was always more satisfying, knowing that I had actually accomplished something.”
- “Make the student really know the material by creating problems that aren’t straight out of the book.”
- “‘Think outside the box’ is something of a cliché, but I think it is important for professors to make students look beyond simply the material being presented.”
- “Don’t settle for being mediocre. Students can tell when a teacher is complacent. Teachers don’t accept their students being mediocre, so why shouldn’t teachers be held to the same standard?”

#### 2. Engage the Students

- “Make the class interactive and not just lecture or else the class will seem dreadful in the mind of the student.”
- “A great teacher actively engages with students, challenges them, and all the while wants to see them succeed and overcome any obstacles put before them.”
- “A good teacher makes you question and wonder about even the little things that are happening around you. A good teacher also helps students to realize how lucky they are to be there, being given such an opportunity to learn. Then, students will find themselves looking forward to his/her class and even wish it would last a little longer.”

### 3. Care About the Students

- “Invest in the lives of your students — know their names and a little bit about their lives. Students are more inclined to work hard for a teacher they feel is working hard for them.”
- “Don’t be afraid of being stereotyped as hard — my favorite teachers have always been the ‘hard’ ones.”
- “A good instructor must be able to interact with his or her students on an individual basis no matter how many students there are in the class. Understanding what drives each student can lead to more productive classes and bring out areas in need of motivation.”
- “Care about the students. The teacher must realize that the students in his or her classes are taking a big risk, and spending a lot of time and money to learn and better themselves.”

What students actually say about being a great educator is far more valuable than any self-help book or seminar guru’s advice (or even the golden words of a *Paralegal Educator* author!) Are you listening to your students? More importantly, what are you asking them?

### **STEP 22 – What Type of Questions Do You Ask?**

During each class, about a week before the first test, I tell my students how my questions are created. Everyone in the room immediately snaps to attention: this information will be helpful. To begin, I draw a large circle on the board and then place an X somewhere inside it.

“Assume that this circle encompasses absolutely everything covered so far this semester.

I possess a good memory and keep detailed notes. Consequently, I have an outline of all the various ideas, rules, and concepts that have been examined. The X inside of the circle represents approximately one third of the test questions, the ones that will be created based on the material we have gone over. These questions will require you to explain various aspects of exactly what we analyzed in class.”

- For Example: *What are the protected classes under Title VII of the Civil Rights Act of 1968 (the Federal Fair Housing Act)?*

“Correct answers indicate that you followed the discussion, took good notes, and learned the meaning of those notes. To me, that is minimally average work.”

Then I draw a second X, this time about two inches outside of the circle.

“This second X represents another one-third of the test. This batch of questions is also designed to test knowledge learned in class — but you must extend it somewhat to resolve new situations.”

- For Example: *Your former employer (real estate firm) asked you to distribute a brochure to homeowners in Ridgewood, a predominantly white neighborhood in your town. The brochure features your employer’s past success in selling homes, plus a page of stock photos of various ethnic minorities and the caption, “The Changing Face of Ridgewood?” Should you have distributed the brochure? Why or why not? Please be specific with regard to any applicable laws.*

“That is a stretch of our coverage but only a slight one, requiring you to apply your learning to a specific set of circumstances. If you understood the material well enough, then you should be able to address such issues. To me, that is impressive; it requires a higher degree of understanding.”

Finally, I draw a third X about two feet away from the circle.

“The last third of our questions will determine if you can truly stretch your understanding. I want you to take the knowledge from class and extend it to arrive at reasonable resolutions for complex situations. These are written to force you to think deeply about the material and its implications for your profession.”

- For Example: *Many landlords and property managers are increasingly concerned about immigration, terrorism and security issues. What would be your advice regarding what approach they could **legally** take to screen applicants in these times of heightened awareness, or is there really nothing they can do? Anything they should avoid? Do any laws need to be changed to accommodate this situation?*

“These questions require you to think outside the box, to apply your understanding of present facts to possible future situations.”

Each student receives all tests and answers from the previous semester. I challenge them to figure out which questions were drawn from inside the circle and which from outside. Similarly, during class conversations, I often pose a question and then ask whether it came from inside the circle or not. If the answer is outside, then I want to know how far outside. To me, this is all part of the thinking process. Students need to realize that there is an essential difference between explaining knowledge and being able to extend it so that entirely new issues can be addressed in a logical and considered fashion.

## **STEP 23 – Start a Best Practices Club**

Best practices methodology first appeared over a decade ago and is now used throughout business, government, and other types of organizations. In very simple terms, Company A identifies a comparable organization (Company B) as being particularly effective in specific areas such as product delivery or customer service. Company A evaluates what Company B does within this operation or system. Then, Company A benchmarks itself against each of B's best practices to pinpoint where and how improvements can be made.

In other words, a basketball player works to get better by comparing his passing, defense, and shooting to that of Michael Jordan, not what I do at the "Y" on weekends.

At your school, start a faculty best practices club. Every month, pick a different teaching topic for discussion, such as testing, motivating, preparation, or encouraging class interaction. Begin by asking a couple of the school's best teachers to describe what they do and then open up the meeting to general conversation. Facilitate an exchange of ideas; there is no reason why every teacher must reinvent the education wheel. Virtually every step that I take in class today I learned from some other professor.

(Note that this club can be virtual as well — to some extent, you already do this from time to time on the AAfPE Listserv. The Internet, e-mail, chat rooms, instant messaging — all offer ways to communicate with other teachers and explore best practices without regard to geography.)

In describing my teaching, I often claim that I carefully stole from the very best. For example, back in 1972, my wife came home from a science class and described something particularly cool that her teacher had just done. Ever since then, I have used the same technique.

At your school, there are undoubtedly instructors (besides yourself, of course!) who are using one or more remarkably excellent teaching techniques. Do not hesitate to steal from them! Imitation is the sincerest form of flattery, and in this case your students are the ones who benefit the most. Set up a best practices club and encourage the flow of information and ideas. Many educators teach the way they were taught because they are not aware of alternatives. Create a system to spread innovation across your school, and watch your students shine.

## **STEP 24 – Sliding Down the Comfort Slump**

For the first few days of a new class, students are inclined to be a bit tense. For many adults, going to class is a new experience, or one they haven't had for many years. They are uncertain about what to expect. To avoid problems, they are likely to do the advance preparation and remain almost unnaturally alert throughout the discussion. So, the first few classes go quite well.

However, almost invariably, students start to get comfortable. In a relatively short time, they grow more at ease with their teacher and the people sitting around them. Very soon, preparation begins to slide and involvement in class is not as sharp. Students are human; they lose their edge.

I refer to this as the “comfort slump.” The quality of the educational process falls off as students settle into a recognized routine. For decades, I struggled with this cyclical waning of intensity and usually wound up getting frustrated and fussing at my students — a tactic that rarely did anybody any good.

Then, about 10 years ago, I discovered a technique that helped.

It’s pretty obvious, but here it is: students tend to sit in the same spot each day. They surround themselves with their acquaintances and take possession of the space. Like an animal in the wild, this seat becomes their territory where they feel secure. So, on the first day, I assign each student a seat and use a chart for identification. It’s important for a teacher to be able to identify students and refer to them by name as quickly as possible. It helps to be able to locate them.

Subsequently, when I sense the class is becoming too comfortable, I simply pass out a new seating chart that moves everyone around. They are yanked from the safety of their homes, thrust into the midst of strangers. Individuals who like the back row are now directly in front of me, surrounded by a new group of peers. Students who chat with their friends are moved away from the temptation. I am the destroyer of comfort zones! But a little bit of the freshness and tension of the first weeks of class returns and students again become better prepared and more alert.

I have a good friend with whom I teach who argues that she prefers her students to be comfortable so that they will feel at ease and be more creative. She might be generally correct or, perhaps, this approach is right for her classes. However, in my experience, comfort leads to lethargy and complacency. I want to keep students a little off-balance. If rearranging the seating chart every couple of weeks seems to help, then so be it. (Of course, if your class only meets for two intensive weeks, you’ll need to adjust this tactic accordingly. Assign seats on day one, and then on day three move everyone around. Again three days later, and so on, until the students have been thoroughly mixed together, all the different creative synergies explored, and they’re energized and ready for their exam.)

There is a second benefit that can accrue from this tactic. Former students often tell me that the most valuable aspect of a class was getting to know so many interesting people.

In reality, though, students usually cluster next to their friends, even if they're very new friends indeed. I do not like that, because nothing is gained from social stagnation. I want my class to be a melting pot; students should learn something about and from every member of the group. By being moved around throughout the semester, they gain a wider range of acquaintances which is (to me) a very desirable outcome. In addition to learning the subject matter in a more energized environment, they learn how to get along with different kinds of people — a valuable skill, I'd think, in a profession as interactive as paralegal practice.

## **STEP 25 – Remove the Boundaries**

For the first twenty-five to thirty years of my career, I viewed my classes as big boxes. I met with students for 50 minutes at regular intervals three times per week. Plus, on occasion, some would stop by during my announced office hours. Those blocks of time established fairly clear boundaries for my direct involvement in the educational process.

Then, one day, some brilliant person said, "Let there be e-mail!" and those boundaries dropped away. Almost overnight, my classes opened up and the flow of information back and forth moved closer to 24/7. Now, it is not unusual for me to receive an e-mail at 10:00 p.m. that pleads, "Susan and I have been working on problem 4 for the past two hours and cannot figure it out. Can you help?" My students quickly become aware that I rarely provide answers in this way; I much prefer to play the role of Agatha Christie and pass out clues to the puzzle. "Think about the question discussed in class dealing with the Ajax Company. How does problem 4 parallel the Ajax situation, and how is it different?"

Before e-mail became omnipresent, if these same students had been stymied by problem 4, they likely would have put their books away to await clarification in class. I do not want them to quit; the learning process should be ongoing rather than chopped up into boxes. During class, if a student responds to a question with the age-old excuse, "I read the question but didn't understand what to do," then my rather stern response is, "You could not have seriously wanted to know or you would have e-mailed me."

Perhaps more importantly, I use e-mail to talk with my students. I do not think enough instructor-student conversation takes place. On the first day of class, students are informed that they will receive e-mails from me several times each week and should consider those communications part of the course. Here are some typical examples:

- "A student sent me an e-mail today asking for a second example of the issue we reviewed in problem 5. Here it is . . ." (When a student asks a thoughtful question, the response is shared with everyone. That spreads the

knowledge, but I also like students to understand that being curious and asking questions is good.)

- “Class went well today. Great job!” (A pat on the back, when deserved, is important.)
- “I was reading *Forbes* magazine this evening and came upon the following weird quote.... What do you think?” (I love to puzzle students in this way and elicit their opinions. It also shows them that continuous learning can be a fun part of daily life.)
- “I saw the movie *Capote* last week and really liked it. If you have not read *In Cold Blood*, you are missing a classic.” (All students need a well-rounded education and I never miss an opportunity to talk with them about politics, books, movies, current events, the theatre, and the like. The intellectual curiosity possessed by most people who become educators is one of the greatest gifts that can be shared with students.)

## **STEP 26 – Make a List, Check It Twice**

Want to start a heated debate? Ask your colleagues to name the biggest problem today in paralegal education. I wager that a survey of 50 instructors will elicit nearly 50 different answers. I’m sure every teacher has his or her own list of responses.

Obviously, I want to put forth my personal opinion: the biggest problem in education today is that instructors attempt to teach too much stuff. The quantity of knowledge in the world has multiplied many times during the past 50-100 years (not to mention the quantity and complexity of laws and regulations at both the state and federal level). Educators appear to have succumbed to the temptation to try to keep pace by teaching increasingly more material. To us, nothing in our subject should ever be missed. This trend has led to what has been referred to as “bulimic learning”: students cram in all the information they can and then regurgitate it on a test before walking away totally empty. This phenomenon seems to be particularly apparent in legal education, where 45, 60 or more hours of instruction and the complete content of 500-page textbooks have to be shoved into students’ heads and held there just long enough to fill in the last oval on the final exam, after which it all falls out and the former students’ next stop is before a subsequent employer to explain why they did the bad thing they did.)

If I could inscribe one motto over every classroom door, it would be the words of Plutarch, the first century Greek essayist: “*The mind is not a vessel to be filled but a fire to be kindled.*” I believe that classrooms today are too often in the vessel-filling business. Every teacher has read statistics on the paltry amount of class information that students retain.

Why, then, is the quantity of specific data to be covered such an obsession? Should we fill the vessel or kindle the fire? I am as guilty of this sin as anyone. My students must slog through mounds of concepts, rules, calculations, and the like. If I cannot teach them, I can always overwhelm them.

A few years back, I allocated time one summer to listing every distinct topic examined in my classes. What am I actually trying to teach? I divided all of my coverage into 2-6 relatively discrete subjects per hour. The boundaries were extremely fluid but, with some creativity, I developed a comprehensive inventory for every course. I pondered each individual topic on that list and asked, "Why am I covering this? Why does this warrant class time? What is the chance this material will benefit the students' overall knowledge? Is there a theoretical justification or a practical rationale?"

I am ashamed to admit that a lot of material was covered solely because it was in the textbook. There was neither theoretical nor practical value being added. As might be expected, this exercise led to some serious pruning. I decided to spend more time on areas where a better conceptual understanding was needed and could be developed.

Less can be better. For paralegal educators, whose course outlines are in large part mandated by approval and accrediting bodies, there's little room for pruning without running afoul of the guidelines (and doing your students a serious disservice!). But there's always a little wiggle room, some place for drilling down into less-required but more relevant or interesting information. Find that room. Make a list and ensure that what you are covering in class will kindle the fire.

## **STEP 27 – What Would Goethe Do?**

The job of a history professor is to teach history. In the same way, the responsibility of a paralegal educator is to stick to paralegal education. This is the natural order of things. Or is it?

I have taught Intermediate Accounting for over 30 years. When I took this same class as a student, the professor spent 100 percent of our time on accounting. No alternative probably ever crossed his mind; the goal was our complete understanding of financial accounting. This was an example of "silo education" where each course stands alone.

I maintain a more holistic view of education. Last fall, I escorted my entire Intermediate Accounting class to the play *The Glass Menagerie* by Tennessee Williams. The previous spring, we took in *The Furies* by Aeschylus. Later, the students were offered a few points of extra credit for attending a French movie at an ancient cinema near campus. Over summer vacations, they are urged to visit museums, theatres, art galleries, and the like. Each year since 1993, I have

required my students to identify “the best book you ever read.” They select one work and then write a short paragraph to explain why that book meant so much to them. I want students to consider what impact reading has had on their lives. After each class turns in their paragraphs, I update my accumulated list of titles and distribute it to the group. I encourage them to choose at least one selection on the list to read each year. They need to enjoy good books throughout their lives to be truly educated individuals.

My own Intermediate Accounting professor would think my approach was insane. What is this all about? I once read that 19th century German writer/philosopher Goethe wrote, “If you treat a man as he is, he will remain as he is; if you treat him as if he were what he could be, he will become what he could be.”

I try not to treat my students solely as future accountants, but rather as thinking and intellectually curious members of society because that is what I want them to become.

Like many students, probably including yours, my students usually discount the importance of any knowledge that’s outside of their chosen profession, or even outside the basic requirements of the course. (“Is that going to be on the exam?” is one of those questions I just hate to hear. It takes all the air out of whatever interesting balloon I was blowing up for them.)

One of my goals is for them to be more intellectually alive than they think they need to be right now. Of course I do believe that my subject matter is vitally important, but everyone benefits from a well-rounded education. These students might be accountants (or paralegals) for a long time or only for a few days but their educational experience — whether it’s high school or college or professional education — will form the basis for their entire life. They will be happier (and, I think, more thoughtful and, yes, more successful) if they learn to enjoy things that are outside the silo of their career. How dreary would life be if all you were allowed to read were law books if you were a lawyer, or cookbooks if you were a chef, or books about real estate if you were a broker!

To me, every class needs to go beyond its own silo; it is simply part of my position as a teacher. It is easy to claim that “broadening a student’s thinking is someone else’s job,” but I disagree completely. One of the most important roles that every educator can play is to be a guide to the joys of life outside the four corners of the subject matter. Allocate time each semester to opening up a piece of the world to your students that is outside of your course. Find some area of life beyond your field that excites you and share it with them. Don’t just fill buckets. Kindle a fire.

## **STEP 28 – Everything Old is New to Them**

I have covered some of the same material in my courses each year since the early 1970s.

Occasionally, when walking back to my office after class, I half-seriously complain to my neighbor: “I have taught \_\_\_\_\_ now for over 30 years! Don’t you think it’s about time these students managed to learn it?” He laughs because teachers know the feeling. As you no doubt know, how you teach will evolve over time, but quite a lot of core information remains stable as stone from class to class, year to year.

No matter how often the subject is discussed, the Civil War raged from 1861 until 1865. The sun rises in the east and sets in the west, regardless of which hemisphere you’re in. A fee simple defeasible has always been a fee simple defeasible. Sales Price x Commission Rate = Commission wherever you go. PITI is PITI for pity’s sake.

But remember: there are always *different students*. For them, it is all new and challenging and potentially amazing.

Repetition can lead to teacher burnout. Following those initial years when the material was fresh, an instructor’s spark of enthusiasm can begin to die and a few of the essentials start to get glossed over in class, just like the sharp edges of a statue in the town square grow soft and rounded over time. I had a teacher in college who signaled such moments with a dreary moan, “I know this is very boring material but we just have to struggle through it.” To me, such words were the ultimate kiss of death for possible student engagement. That was the moment to turn off the brain and start making notes to memorize.

Broadway plays are usually performed six or eight times per week and, if successful, can stay open for months if not years. Actors in those plays take precisely the same steps and utter identical words night after night, weeks on end. They mechanically repeat what someone else has written for them. After a few weeks, how do these actors avoid becoming lethargic and careless during their performances? What keeps the people in those cat suits from falling asleep on stage?

I remember an article about a Broadway star who was asked about the difficulty of giving a virtuoso performance, night after night. His response has stuck in my memory for decades and continues to impact my teaching. He admitted that boredom was a problem, but that each member of the cast understood one important fact: for virtually every person in the audience, this was their opening night. The actors may have walked through the steps 1,000 times but, for the audience, it was all entirely new and they deserved the best the actors could give.

Approach each class with the same freshness and excitement as the first time you covered the material, and you will never burn out. Focus on your students as the only people in the world for that moment you work with them, and you will be a great teacher. My students today deserve the same enthusiasm as my students received in 1971. It's not their fault that I have covered the material so often. Even the dullest topic can seem unique and alive when a person is first exposed to it. Everyone deserves that opening night thrill — even educators!

### **STEP 29 – Go Forth and Trap Minds!**

After so many years in the classroom, my final words of advice are pretty simple: keep your eyes open because most of the truly important bits of inspiration can be easily overlooked.

This is your journey; your goal should not be to follow me. Look for your own inspiration. Keep your eyes open and search for ways to improve the educational process in your classes. Most of the ideas that you will encounter are small. If tried, some will work, many will not. However, one time, if you experiment enough, you will encounter your own wonderful epiphany.

In 1983, I was putting the finishing touches on the first edition of my *Advanced Accounting* textbook. I wanted a great, relevant quote to put on the opening page. One day, I went to the campus salon for a haircut. The young woman who trimmed my hair had a little “quote of the day” calendar. As I paid her, I casually picked up the calendar and read the quote for that particular day, from author and journalist Christopher Morley:

“The real purpose of books is to trap the mind into doing its own thinking.”

The *Advanced Accounting* textbook is now going into its ninth edition and that quote is still on the opening page. It's a good quote, but I never read it without thinking that Morley should have used a better phrase:

“The real purpose of *an education* is to trap the mind into doing its own thinking.”

This is our real purpose as educators: to go out into the world and trap minds, fill some vessels, and light some fires. With luck, the students who walk out of our classrooms have learned some sound facts but are doing their own thinking.

# ABOUT THE AUTHOR

Joe Hoyle is on the faculty of the University of Richmond. He led his first college class (scared to death) in the fall of 1971 and became a faculty member in the fall of 1972. Over the decades, he has taught at Gardner-Webb College, The College of William & Mary, and —since 1979 — the University of Richmond. At various times in his career, he has been lucky enough to receive teaching awards. The most cherished are those that came from the students. Over the years, they have named him “the most feared professor,” “the professor least likely to ever retire,” “the professor most likely to ruin your grade point average,” and “the most caring professor.” That probably tells you everything you need to know about him, except that he also writes CPA exam-preparation materials for a sister company of Dearborn Publishing, Kaplan CPA Education. Joe can be reached at [jhoyle@richmond.edu](mailto:jhoyle@richmond.edu).

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