

FACULTY RESOURCE GUIDE ON INCLUSIVITY IN THE LECTURE CLASSROOM

Strategies for Fostering Diverse and Improved Participation

1. **Set clear expectations and ground rules for classroom participation.** This can be done by **making clear to students** your method for encouraging discussion (volunteers, panels, random cold-calling etc.); explaining pedagogical goals of classroom participation; and setting norms on respectful and productive discussion. This may include: encouraging students to lean in and step back; to listen to questioners and classmates and listen to and engage conflicting ideas and arguments; to leave open the possibility for reconsideration of held notions; and to have patience while classmates formulate answers to difficult questions or topics that may be hard for them to discuss.

Consider being more explicit in guiding students to prepare for class. This could include providing students with at least one question to consider for the next day; asking the students to consider why a particular set of readings may have been assigned together; signaling when there is a particularly long or difficult set of readings that require extra time to prepare.

2. **Improve Cold-Calling.** Some strategies that our colleagues have found successful:
 - a. Increase the number of cold calls per class *and* per student. Some faculty and students have found that increasing the frequency of cold calls can lower the stakes of any one exchange; create a livelier interactive classroom; and make volunteer participation more likely.
 - b. Support students through difficult cold-calls by providing a chance for the student to recover and/or encouraging the student to ask questions of the professor in order to seek clarity; allowing students to ask for “co-counsel”; or re-phrasing the question for clarity or to adjust for student’s knowledge.
3. **Broaden the Range of Volunteers:** Faculty have found the following strategies encourage a broader range of volunteers, and produce higher-quality classroom discussions:
 - a. Wait time strategies can include: waiting 5-10 seconds before allowing hands; encouraging the student to take a few seconds to consider the questions (which can also discourage immediate hand waving) or waiting to call on the “third hand up”;
 - b. Choose students who participate less or who may offer a different perspective. Be explicit that you are looking for new volunteers or looking for a different perspective

- a. Encouraging quality of participation, not quantity; for novel or unexpected questions, encourage everyone to take a few extra seconds to consider their answer.
4. **Think-Pair-Share:** Faculty who use this technique have found that it provides reluctant talkers with an opportunity to rehearse their thoughts and that it enhances critical thinking and active listening. This can be done spontaneously from time to time by asking students to turn to someone to the right or left and discuss the question for a minute or two and then ask for volunteers to respond to the pairs' answer and/or discussion. There are many other ways to implement think-pair-share including the following method employed by one faculty member:
 - a. At the beginning of class, post one to three questions about the previous night's reading.
 - b. Ask students to respond to a single question (with pen and paper); give students between 1 - 3 minutes.
 - c. Then, ask students to turn to another student near them to discuss their responses:
 - i. Each student should speak about their response for one minute, in turn
 - ii. For the last minute, they can share impressions of each other's responses
 - d. Call the students back to attention, and cold-call on 3 to 4 groups to share their responses with the entire class
5. **Prepare for 'difficult conversations.'** Many issues that students must confront in class raise the potential of conflict or sharp disagreement, or affect students differently because of larger power dynamics (i.e. exclusion and discrimination because of race, gender, sexual orientation, disability) or because of a student's identity or life experiences (for example, as a person with experience with the criminal justice system; as a first-generation immigrant; as a foreign student). Some strategies that faculty have found useful in managing difficult conversations:
 - a. **Provide a common basis of information.** Before class discussion, provide students with background readings so they are operating from a common base of information and so they can anticipate conflicting arguments and understand different perspectives.
 - b. **Encourage students to adopt roles.** In a typical classroom, these roles are "plaintiff," "defendant" or "judge." Adding in "client" is often a way for students to imagine how a layperson may understand or experience the law in ways that are different from that of professionals involved. Consider also broadening the roles to include actors who resolve conflict and develop policy in non-binary ways-- including policymakers, rule makers, administrators, and legislators.

- c. **Argue both sides where applicable:** When a student adopts a particular viewpoint, ask that the student argue the other side in hopes of fostering meaningful discussion; this has the added benefit of engaging the student's critical thinking and analytical skills. When there are multiple possibilities, this is often a time to have a student ask for co-counsel.
- d. **Moderate for Respect:** Remind students to speak to each other as if in a courtroom (or meeting with clients; in a negotiation, legislative hearing or bar association meeting) and remind students to challenge arguments, not their classmates personally

6. Consider Using Teaching Assistants

- a. TAs can add positively to students' learning experiences in many ways. Some students find it easier to ask TAs what they think are stupid questions or what the professor is getting at;
- b. TAs can be effective in helping students to learn how to frame answers or understand the big picture of a course;
- c. Some colleagues use TAs for group follow up sessions, helping students to synthesize the materials, prepare for class or prepare for exams.
- d. Despite the many benefits offered by TAs, students should be encouraged *not* to view TAs as a substitute for discussions with the professor, in office hours or otherwise.

Other Suggested Tools

- Center for Teaching and Learning (CTL)
 - [Guide for Inclusive Teaching at Columbia](#)
 - [Using Audience Response Systems \(ARS\) to Increase Safe, Supportive Class Participation](#)

- Class Facebook

- To Print a Class Facebook from [Lawnet](#):
 1. Log in at lawnetportal.law.columbia.edu
 2. Click "Student Directory"
 3. Leave the name search fields blank
 4. Select a program (J.D., LL.M., etc.)
 5. Write in a class year in the "Class of" field.

This will produce a report, which can be arranged in a grid by clicking the "Album View" button. The report may be downloaded via the "Print" icon.

- Student Name Pronunciation

- To Learn how to Pronounce a Student's Name:
 1. Log in at lawnetportal.law.columbia.edu

2. Click “Student Directory”
 3. To find individual students, enter search criteria (name, degree, class year)
 4. To see entire class, follow directions for class Facebook above
 5. Click on the profile picture of the student whose name you want to pronounce
 6. You will find both a phonetic pronunciation and a recorded pronunciation (if the student recorded one) by clicking the speaker icon
- Student Support
 - If you have questions or concerns about specific students, reach out to Andrea Saavedra, Associate Dean of Registration and Student Services
 - Phone: 212-854-0195
 - Email: asaavedra@law.columbia.edu

Selected Additional Resources

Mallika Balachandran, Roisin Duffy-Gideon, & Hannah Gelbort, *Speak Now: Women, Education, and Achievement at The University of Chicago Law School* (2019).

Jeannie Suk Gersen, *The Socratic Method in the Age of Trauma*, 130 HARV. L. REV. 2320 (2017)

Sean Darling-Hammond & Kristen Holmquist, *Creating Wise Classrooms to Empower Diverse Law Students: Lessons in Pedagogy from Transformative Law Professors*, 17 BERKELEY J. AFR.-AM. L. & POL’Y 47 (2016).

Susan Sturm & Lani Guinier, *The Law School Matrix: Reforming Legal Education in a Culture of Competition and Conformity*, 60 VAND. L. REV. 515 (2007).

Sarah E. Ricks, *Some Strategies to Teach Reluctant Talkers to Talk About Law*, 54 J. LEGAL EDUC. 570 (2004).

Clair G. Schwab, *A Shifting Gender Divide: The Impact of Gender on Education at Columbia Law School in the New Millennium*, 36 COLUM. J. L. & SOC. PROBS. 299 (2003).

Elizabeth Mertz, et al., *What Difference Does Difference Make - The Challenge for Legal Education*, 48 J. LEGAL EDUC. 1 (1998).