

Creating Online Education Spaces to Support Equity, Inclusion, Belonging, and Wellbeing

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Abstract

The pivot to online education during the pandemic has led those who teach students at all levels to explore how to promote student engagement in online classes. While building and enhancing teacher capability with online teaching is important, given the social unrest and other political, social, and emotional challenges presented by the pandemic, perhaps especially in the law school context, expertise with shifting the teaching of legal doctrine to online modalities alone is not enough. Law teachers need to consider how they can bring an anti-racist and trauma-informed lens and a focus on wellbeing to their online pedagogy and create learning communities that are democratic, inclusive, and caring. While this article was inspired by recent events, its co-authors share a longstanding commitment to these ideas and strongly believe they are applicable across many contexts, including legal education. This article identifies approaches, strategies, and tools law teachers can use to promote equity, inclusion, belonging, and wellbeing for all learners in their classrooms, especially students from historically

marginalized groups. It focuses on methods for creating community within classrooms in an online environment in ways that promote racial justice and support individual and collective wellbeing. Part I discusses the reasons the co-authors have chosen to prioritize this aspect of our work. Part II explores how we create an intentional learning community where everyone belongs, in large part through equitable design and through creating a welcoming space for learning. Part III highlights a number of additional ideas we hope will inspire readers to re-imagine their own courses with attention to the goals and aspirations of this article.

Creating Online Education Spaces to Support Equity, Inclusion, Belonging, and Wellbeing

Lisa Bliss¹, Susan Brooks², and Chaumtoli Huq³

Together we will create brave space.

Because there is no such thing as a “safe space” —

We exist in the real world.

We all carry scars and we have all caused wounds.

In this space

We seek to turn down the volume of the outside world,

We amplify voices that fight to be heard elsewhere,

We call each other to more truth and love.

We have the right to start somewhere and continue to grow.

We have the responsibility to examine what we think we know.

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We will not be perfect.

This space will not be perfect.

It will not always be what we wish it to be.

But

It will be our brave space together, and

We will work on it side by side.⁴

Introduction

Legal educators do not teach in a vacuum. Law, its application, and its interpretation, is a reflection of society. In 2020 and continuing into 2021, the COVID-19 pandemic forced most higher education classes to move to an online or hybrid format.⁵ While many teachers and students continue to long for a return to the traditional in-person instruction, not all classes will do so⁶, even after it is determined to be relatively safe.⁷ Meanwhile, law teachers

⁴ Mickey Scott Bey Jones, *AN INVITATION to Brave Space* (2017). Brooks has begun introducing this poem into her classes toward the beginning of her courses and has revisited it at different points throughout the semester. The authors would like to thank our research assistants, Mary Anne Batiz and Andrew Hutchinson, for their many meaningful contributions and for working side by side with us on this article. As we were nearing completion, we learned of the sad passing of bell hooks, whose work on “teaching to transgress” infused with love continues to inspire all our work. We dedicate this article to hooks’ memory and enduring legacy.

⁵ See Christian Sundquist, *The Future of Law Schools: COVID 19, Technology, and Social Justice*, 53 CONN. L. REV. ONLINE 1, 6 (December 2020) (describing law schools’ responses to COVID19, including ABA rules permitting online courses due to the pandemic), <https://connecticutlawreview.law.uconn.edu/wp-content/uploads/sites/2747/2021/03/The-Future-of-Law-Schools-Covid-19-Technology-and-Social-Justice.pdf>

⁶ See Brandon Busteed, *Pandemic to Permanent: 11 Lasting Changes to Higher Education*, FORBES, (May 2, 2021), <https://www.forbes.com/sites/brandonbusteed/2021/05/02/pandemic-to-permanent-11-lasting-changes-to-higher-education/?sh=7c790c26452f>. Even though many students do want to resume in-person instruction, they also prefer online options. *Id.* Universities will continue to offer online courses based on this demand as well as staff and faculty desire to work remotely. *Id.*

⁷ Many law schools in the U.S. and around the world have been offering online courses for a long time. An exploration of those fully online and often asynchronous courses is beyond the scope of this article. See Charles Hodges, et al., *The Difference Between Emergency Remote Teaching and Online Learning*, EDUCAUSE, (March. 27, 2020), <https://er.educause.edu/articles/2020/3/the-difference-between-emergency-remote->

have had to adjust their pedagogy to meet the new realities of online teaching in an environment of uncertainty.

Alongside the challenges created by the pandemic, the U.S. is facing a cultural reckoning with its history of racial injustice, spurred by the police killings of George Floyd, Breonna Taylor, and many others in the spring and summer of 2020, and which, tragically, are continuing to occur until this day.⁸ These killings are part of our long history of police violence toward and killings of black men and women⁹. The current reckoning has resulted in protests across the country, and renewed scrutiny of statues, monuments, buildings, and other symbols that pay homage to the country's racist history.¹⁰ Further, the pandemic has deepened economic inequalities and disparities in access to health care, which have disproportionately impacted vulnerable and marginalized communities, including those predominantly made up of people who are Black, Indigenous, and People of Color (BIPOC).¹¹ The aftermath of protests in 2020 and the ongoing impact of COVID-19 have inspired many of us to reflect on our own participation in

[teaching-and-online-learninghttps://er.educause.edu/articles/2020/3/the-difference-between-emergency-remote-teaching-and-online-learning](https://er.educause.edu/articles/2020/3/the-difference-between-emergency-remote-teaching-and-online-learning) (drawing a distinction between emergency remote teaching and online courses). Here, the authors have been inspired to explore how teachers who have shifted to online teaching as the result of the COVID-19 pandemic might focus attention on equity, inclusion, belonging, and wellbeing as an integral part of their course design. *Id.*

⁸ See Khaleda Rahman, *Full List of 229 Black People Killed by Police Since George Floyd's Murder*, NEWSWEEK (May 25, 2021, 7:08 AM), <https://www.newsweek.com/full-list-229-black-people-killed-police-since-george-floyds-murder-1594477>; *see* MAPPING POLICE VIOLENCE, <https://mappingpoliceviolence.org/> (last visited Jan. 13, 2022) (263 Black people were killed by police in 2021).

⁹ *Fatal Force*, Editorial, WASH. POST (May 10, 2021) <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>; *See also* Eliot C. McLaughlin, *How George Floyd's Death Ignited a Racial Reckoning That Shows No Signs of Slowing Down*, CNN (August 9, 2020, 11:31 AM), <https://www.cnn.com/2020/08/09/us/george-floyd-protests-different-why/index.html>.

¹⁰ *See, e.g.*, Sarah Mervosh, et al., *Reconsidering the Past, One Statue at a Time*, NEW YORK TIMES (June 25, 2020) <https://www.nytimes.com/2020/06/16/us/protests-statues-reckoning.html> (discussing protests sparked by George Floyd killing that have led to widespread efforts across the U.S. to remove Confederate statues).

¹¹ Leo Lopez et al., *Racial and Ethnic Health Disparities Related to COVID-19*, 325 JAMA 719-720 (2021); *see also* *Health Equity Considerations and Racial and Ethnic Minority Groups*, CDC (Nov. 30, 2021), <https://www.cdc.gov/coronavirus/2019-ncov/community/health-equity/race-ethnicity.html>; *Hispanic Americans Are Most Vulnerable to Covid-19*, THE ECONOMIST (June 5, 2021), <https://www.economist.com/united-states/2021/06/05/hispanic-americans-are-most-vulnerable-to-covid-19>.

racist structures, systems, and institutions in the U.S.¹² While some legal educators have focused on this work for a long time, others are newer to these ideas and are engaging in critical reflection around their approaches to teaching and how they want to present the content of their courses in light of this social, historical, and political context.¹³

The pivot to online education has led those who teach students at all levels to explore how to enhance interactivity and promote student engagement in remote classes.¹⁴ While building and enhancing teacher capability with online teaching is important, given the social unrest and other political, social, and emotional challenges presented by our present situation, perhaps especially in the law school context, expertise with shifting the teaching of legal doctrine to online modalities alone is not enough. Law teachers need to consider how they can bring anti-racist¹⁵ and trauma-informed¹⁶ lenses and a focus on wellbeing to their online pedagogy and create learning communities that are democratic, inclusive, and caring. While this article was inspired by what has been described as the largest social

¹² For additional resources on how law schools are addressing racism in law schools, see *Law Deans Antiracist Clearinghouse Project*, THE ASSOCIATION OF AMERICAN LAW SCHOOLS, <https://www.aals.org/antiracist-clearinghouse/https://www.aals.org/antiracist-clearinghouse/> (last visited June 24, 2021).

¹³ See generally Christian Sundquist, *The Future of Law Schools: COVID 19, Technology, and Social Justice*, 53 CONN. L. REV. ONLINE 1, 19 (Dec. 2020) (predicting that law schools will continue to provide some courses online); see Gabriel Kuris, *The Impact of the Coronavirus on Legal Education*, U.S. NEWS AND WORLD REPORT (June 14, 2021, 9:01 AM), <https://www.usnews.com/education/blogs/law-admissions-lowdown/articles/the-impact-of-the-coronavirus-on-legal-educationhttps://www.usnews.com/education/blogs/law-admissions-lowdown/articles/the-impact-of-the-coronavirus-on-legal-education>; see also *St. John University's Remote Teaching and Learning Resources: Pedagogy for Remote Instruction*, ST. JOHN'S UNIVERSITY LAW LIBRARY, <https://law.stjohns.libguides.com/sjulawremote/pedagogyhttps://law.stjohns.libguides.com/sjulawremote/pedagogy> (last visited June 24, 2021).

¹⁴ For the most part we are referring to synchronous classes where students and instructor meet in real time rather than asynchronous instruction where teachers prepare lessons to be completed outside of class meeting time using course management platforms. Primarily we are addressing the use of “Zoom” and similar platforms used for online teaching.

¹⁵ See generally IBRAM X. KENDI, *HOW TO BE AN ANTI-RACIST* (2019); See also *Being Antiracist*, NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY & CULTURE, (Oct. 9, 2020) <https://nmaahc.si.edu/learn/talking-about-race/topics/being-antiracist> (last visited March 1, 2021).

¹⁶ Sarah Katz & Deeya Halder, *The Pedagogy of Trauma-Informed Lawyering*, 22 CLINICAL L. REV. 359, 363 (2016) (defining trauma informed as connecting a person's behavior to a trauma response rather than a personality flaw and describing how services can be organized to help a person address trauma).

protest in history¹⁷ its co-authors share a longstanding commitment to these ideas and strongly believe they are applicable across many contexts.

This article identifies approaches, strategies, and tools law teachers can use to promote equity, inclusion, belonging, and wellbeing¹⁸ for all learners in their classrooms, especially students from historically marginalized groups. It focuses on methods for creating community within classrooms in an online environment in ways that promote racial justice and support individual and collective wellbeing and resilience. Part I discusses the reasons the co-authors have chosen to prioritize this aspect of our work. Part II explores how we create an intentional learning community where everyone belongs, in large part through equitable design and through creating a welcoming space for learning. Part III highlights a number of additional ideas we hope will inspire readers to re-imagine their own courses with attention to the goals and aspirations of this article.

I. What Brings Us to This Work

The authors are legal educators whose teaching and scholarship focuses on issues surrounding justice. While we teach in different contexts, justice, equity, and caring are central to our work. We teach large doctrinal classes, clinics, and seminars. We are alumni and a “facilitant” of a gathering

¹⁷ Larry Buchanan, et al., *Black Lives Matter May be the Largest Movement in U.S. History*, NEW YORK TIMES, (July 3, 2020), <https://www.nytimes.com/interactive/2020/07/03/us/george-floyd-protests-crowd-size.html>.

¹⁸ We define equity as the fair treatment, access, opportunity, and advancement for all people, while at the same time striving to identify and eliminate barriers that have prevented the full participation of some groups. Inclusion is the creation of environments in which any individual or group can be and feel welcomed, respected, supported and valued as a fully participating member. An inclusive and welcoming climate embraces differences and offers respect in words and actions for all people. Inclusion asks who is participating, equity asks how power is operating in a space. Belonging is a feeling from the perspective of the person included and whether from their perspective they feel a part of the community. Wellbeing, in its broadest sense, looks at the health and happiness of the student, including mental health. A useful way to appreciate these ideas is through the example of an invitation to a meal. Inclusion is the invitation to a meal, equity is ensuring that everyone is able to have access to the meal, belonging is ensuring the person invited feels welcomed in the space, and wellbeing is a healthy meal. See *Diversity, Equity and Inclusion Glossary*, UNIVERSITY OF WASHINGTON, <https://environment.uw.edu/about/diversity-equity-inclusion/tools-and-additional-resources/glossary-dei-concepts> (last visited March 1, 2021); See also, Harvard Office for Equity, Diversity, Inclusion & Belonging, HARVARD UNIVERSITY, <https://dib.harvard.edu/> (last visited March 2, 2021).

called the “Law and Social Change Jam,”¹⁹ where we have built a community with diverse groups of legally trained people committed to social justice and positive social change. These gatherings, along with many other professional and personal experiences, have inspired us to prioritize establishing and nurturing a sense of community among our students. Our work is also connected to movements within the legal field that incorporate social justice, mindfulness, spirituality, and wellbeing, such as the Global Alliance for Justice Education (GAJE),²⁰ the Project for Integrating Spirituality, Law and Politics (PISLAP),²¹ and Contemplative Lawyering.²²

Our collective experience tells us that some law teachers believe “community” will happen organically in their classes without the need for them to make any particular effort. While this phenomenon may be possible, we submit that when law professors are intentional and deliberate about creating a learning community where everyone belongs, the classroom can become a “brave space” where creative dialogues can take place, and where conflicts that may arise can lead to breakthroughs and transformative learning. We are convinced that the ideas we discuss in this article can be applied or adapted to a wide array of educational contexts. As teachers and human beings, we share similar values and perspectives about the ways we approach creating intentional learning communities within our classrooms. And, we have also made it a priority to examine our pedagogy critically through an equity and inclusion lens, all of which we have now endeavored to translate into an online environment. We were able to respond to the sudden and unexpected shift to online teaching that took place last year in the wake of the pandemic. That moment presented a crisis on many levels, and yet we were all able to see it as an opportunity to engage in deeper reflection about how we can be more inclusive and support the broadest possible

¹⁹ For more about the annual Law and Social Change Jam, and other affinity group Jams, visit Yes! <https://www.yesworld.org> (last visited Feb. 27, 2021).

²⁰ GAJE is a global alliance of persons committed to achieving justice through education. For more about the Global Alliance for Justice Education and how to become a member, visit <https://www.gaje.org>, (last visited Feb. 27, 2021).

²¹ The Project for Integrating Spirituality, Law, and Politics is an international network of lawyers, law professors, law students, legal workers, and others who are seeking to develop a new spiritually informed approach to law and social change. For more information, visit <https://www.spiritlawpolitics.org> (last visited Feb. 27, 2021).

²² Many law schools now teach courses on mindfulness and other contemplative practices, including CUNY law school, where Professor Huq teaches, Drexel University Kline School of Law, where Professor Brooks teaches, and Georgia State University College of Law, where Professor Bliss teaches. The Association of American Law Schools (AALS) also has a Section on Balance in Legal Education, which has a Mindfulness Affinity Group. See <https://www.aals.org/sections/list/balance-in-legal-education/> (last visited Feb. 28, 2021). An outgrowth of that group is the Mindfulness in Law Society (MILS), which also has student chapters. <https://www.mindfulnessinlawsociety.org/> (last visited Feb. 28, 2021).

number of students to learn effectively, and perhaps even thrive in an online learning environment.

We share the view that equity, inclusion, belonging, and student wellbeing are lenses through which we can examine everything we do in our courses and our classrooms. This is especially important in online teaching. If we want to be equity-focused as a priority, we must be rigorous and intentional about everything we do and how we create and organize the learning environment.²³ Using this lens to design our courses from the outset may help avoid potential issues that could arise later, such as protracted breakdowns in communication between and among students and teachers. Course design that incorporates ideas about inclusion, equity, and belonging, and honors student wellbeing communicates that anti-racism is not an afterthought or an add-on. As legal educators, we are deeply interested and committed to infusing inclusion and anti-racism pervasively and seeing how that consciousness can shape the whole student experience toward enhancing wellbeing and creating a strong sense of belonging.²⁴ Rhonda Magee is a fellow law professor whose work emphasizes this connection between inner work and the fight for racial justice, where the inner work involves intra- and interpersonal work tied to intercultural systemic work, meaning, working within ourselves and between ourselves, and then working to change the larger systems in which we live.²⁵ This approach is also consistent with the

²³ Many of the ideas in this article are consistent with ideas shared by Jean Koh Peters and Mark Weisberg, in Jean Koh Peters & Mark Weisberg, *A TEACHER'S REFLECTION BOOK: EXERCISES, STORIES, INVITATIONS* (Carolina Academic Press 2011). Koh Peters' and Weisberg's book explores how to set the tone of a class by saying "hello," encourages thinking about who a teacher's students are, and how to say "goodbye." It offers opportunities and exercises for listening and reflecting about the classroom experience teachers create for their students.

²⁴ Integrating wellbeing, mindfulness practices to anti-racism work in the classroom benefits students who are interested in social justice lawyering. *See, e.g.*, RHONDA V. MAGEE, *THE INNER WORK OF RACIAL JUSTICE: HEALING OURSELVES AND TRANSFORMING OUR COMMUNITIES THROUGH MINDFULNESS* (TarcherPerigree 2019); *see also* Susan L. Brooks, *Mindful Engagement and Relational Lawyering*, 48 *SOUTHWESTERN L. REV.* (2019) [hereinafter *Mindful Engagement*]; Thalia Gonzalez, *Root to Rise: Mindful Lawyering for Social Justice*, 41 *N.Y.U. REV. L. & SOC. CHANGE* 91 (2017); *see also* Rhonda V. Magee, *Educating Lawyers to Meditate?*, 79 *UMKC L. REV.* 535, 567 (2011) (linking contemplative practices with broader efforts at social and legal transformation);

²⁵ *See* Rhonda Magee, *How to Fight Racism Through Inner Work*, *GREATER GOOD MAGAZINE* (Sept. 25, 2019), https://greatergood.berkeley.edu/article/item/how_to_fight_racism_through_inner_work (last visited Feb. 28, 2021). Brooks also draws these connections between personal, interpersonal, and systemic dimensions in which we can act toward finding a sense of purpose and promoting social justice. *See* Brooks, *Mindful Engagement*, *supra* note 24; *see also*, JOHN A. POWELL, *RACING TO JUSTICE: TRANSFORMING OUR CONCEPTIONS OF SELF AND OTHER TO BUILD AN INCLUSIVE SOCIETY* 228 (Indiana University Press 2012) (calling for a bridge between self and world-making to tackle the persistence of racism).

work of Kevin M. Gannon, who wrote, *RADICAL HOPE: A TEACHING MANIFESTO*.²⁶ Gannon invites us to consider, “[w]hat are we saying to our students? What do our everyday teaching practices and classroom style say about what we think of them? What messages --whether intentional or not-- do we convey to our students?”²⁷ Our purpose as teachers has many facets, and helping students learn needs to be considered holistically, with an eye toward creating the conditions that support meaningful and potentially transformative learning experiences.

Some law teachers may resist incorporating the approaches and exercises we highlight here, very likely on grounds that there is not enough time to add anything because there is so much material to cover in courses to prepare students for legal practice. There may be a belief that taking the time required for these practices will interfere with or undermine “coverage” of necessary topics. It is important to note here that no course can promise to cover *all* the material in a subject and teachers routinely make choices according to their priorities regarding coverage of topics. We firmly believe it is critically necessary to prioritize and make the space and time for creating an inclusive, equitable classroom and an environment that is caring and welcoming to students. Investing time in community building using these practices may well make the difference between students’ engagement in meaningful learning or withdrawal on some level.²⁸ Creating supportive learning conditions will allow students to gain transferable knowledge, skills, and values that will serve them well over the course of their professional lives and careers, even if the trade-off is slightly less coverage of legal doctrine in a particular course.²⁹ Finally, a supportive learning environment may help

²⁶ See generally, KEVIN M. GANNON, *RADICAL HOPE: A TEACHING MANIFESTO* (West University Press, 1st ed.2020).

²⁷ *Id.* at 31.

²⁸ Studies show that a focus on well-being increases a student's focus and attention. See *Creating a Movement to Improve Well-Being in the Legal Profession*, NATIONAL TASKFORCE REPORT ON LAWYER WELLBEING, at 53 (August 14, 2017), <https://lawyerwellbeing.net/wp-content/uploads/2017/11/Lawyer-Wellbeing-Report.pdf><https://lawyerwellbeing.net/wp-content/uploads/2017/11/Lawyer-Wellbeing-Report.pdf>; see also Charity Scott, *Calming Down and Waking up: an Empirical Study of the Effects of Mindfulness Training on Law Students*, 21 Nev. L.J. 277, 304 (2020) (presenting findings of a mindfulness study that found a connection between reducing feelings of stress and increasing students’ ability to focus on their school work); Shilpa George, *The Cure for the Distracted Mind: Why Law Schools Should Teach Mindfulness*, 53 DUQ. L.REV. 215 (Winter 2015).

²⁹ Prioritizing helping students cultivate transferable knowledge, skills, and values connected to equity, inclusion, and wellbeing aligns with the results of a number of compelling empirical studies, including the work of IAALS, the Institute for Advancement of the American Legal System, based at the University of Denver School of Law. In the 2016 study based on results from over 24,000 lawyers across all 50 states, they found that what legal

students to process complex material which might otherwise have taken up more class time.³⁰

II. Creating an Intentional Learning Community

We begin this discussion with the overarching goal of creating an intentional learning community, meaning that we approach every aspect of teaching and learning with intentionality and deliberateness, including macro and micro-level decisions. In this section, we highlight three overlapping and complementary ways to achieve this goal: focusing on equitable design, creating a welcoming space, and engaging in other community building activities in the classroom. Focusing on equitable design emphasizes broader systemic concerns. How we welcome students and create our first impressions/encounters aim toward the development of interpersonal connections between students and professors. Community building recognizes that learning is multi-layered and connects the systemic with the interpersonal and personal dimensions of teaching and learning: the ways in

employers care about most in hiring is not the amount of legal doctrine graduates know. Rather it is the character traits and values they possess, such as integrity, work ethic, and emotional intelligence. See Ali Gerkman & Logan Cornett, *Foundations for Practice: The Whole Lawyer and the Character Quotient* (2016), <https://iaals.du.edu/publications/foundations-practice-whole-lawyer-and-character-quotient>; see also, Larry Krieger & Kennon Sheldon, *What Makes Lawyers Happy?: A Data-Driven Prescription to Redefine Professional Success*, 83 GEO. WASH. L. REV. 554 (2015) (finding that the biggest factors contributing to self-identified successful lawyers is their sense of meaning and purpose and having strong relationships).

³⁰ See, e.g., Brief for the American Educational Association et. al. as Amicae Curiae Supporting Respondents at 10-11, *Gutter v. Bollinger*, 539 U.S. 306 (2003) (No. 02-241) (arguing that the University of Michigan Law School had a compelling interest in implementing a narrowly tailored affirmative action program to benefit its students). This *amicus* brief cited a report by an expert in psychology research that showed that “students who experienced the most racial and ethnic diversity in classroom settings and in informal interactions with peers showed the greatest engagement in active thinking processes, growth in intellectual engagement and motivation, and growth in intellectual and academic skills.” *Id.* at 12-13 (citation omitted) (quoting an expert report produced by University of Michigan Psychology Professor Patricia Gurin). “More specifically, Professor Gurin found that ‘*structural diversity*’—the racial and ethnic composition of the student body—leads to institutional transformations that provide the opportunity for ‘*classroom diversity*’—the incorporation of knowledge about diverse groups into the curriculum (including ethnic studies courses)—as well as ‘*informal interactional diversity*’—the opportunity to interact with students from diverse backgrounds in the broad, campus environment. These diversity experiences are in turn linked to several positive learning and democracy outcomes.” *Id.* at 13 (emphasis in the original).

which students connect to themselves, to other students, and to their professor.

A. Focusing on Equitable Design³¹

Equitable design, as distinct from course design, generally centers equity and inclusion in all decisions teachers make. It requires teachers to prioritize the impacts of their pedagogical choices on students from historically marginalized communities. For example, teachers with an equitable design approach routinely scrutinize their potential course requirements by asking themselves a series of critical questions. Which students are likely to find this course requirement easy to meet? Which students are likely to find it difficult to meet? Are there specific pedagogical goals/learning outcomes directly connected to each requirement? If a learning goal will likely have disparate impacts on particular students, such as students from historically marginalized groups, are there less burdensome ways to achieve those goals?³² Huq views this approach as particularly useful in large doctrinal classes, though devoting time to design and planning is critically important for any size class in which we aim to create an equitable, inclusive, and caring learning community.

When a teacher is transparent about design choices and connects them to clear pedagogical goals, all of us have found that students are more open to what otherwise may have been viewed as non-traditional modes of learning. Huq points out that without this level of transparency, students may fear that they are not *truly* learning because the mode of delivery is unfamiliar or not what they expected based on popular representations of law schools. In class, she often finds herself saying something along the lines of, “I am asking you to do this activity because it connects to a skill or deeper understanding of a doctrine, and the goals or objectives relate to a learning philosophy that will empower you as law students and future lawyers.”³³ By being transparent, we can address often unspoken fears or other concerns

³¹ The design ideas expressed here are consistent with Michael Hunter Schwartz’s emphasis on learning theory and instructional design. See generally, Michael Hunter Schwartz, *Teaching Law by Design: How Learning Theory and Instructional Design Can Inform and Reform Law Teaching*, 38 SAN DIEGO L. REV. 347, 359 (2001) (showing how instructional designers engage in a systematic, reflective process in which they consider learner, contextual and learning goal factors, tailoring their choices).

³² See Sarah J. Schendel, *The Pandemic Syllabus*, 98 DEN. L.R.F. 1, 11 (2020) (discussing accommodations for students with disability and recommending similar questions to consider before implementing a course requirement in the Syllabus that may burden some students more than others).

³³ Andrew T. Arroyo et al., *Increments of Transformation from Midnight to Daylight: How a Professor and Four Undergraduate Students Experienced an Original Philosophy of Teaching and Learning in Two Online Courses*, 13 J. TRANSFORMATIVE ED. 341, 354 (2015) (examining the impact of a teaching philosophy in an online course).

students may have, especially first-generation³⁴, working class, and/ or students of color who may worry that not knowing the “law” will further disadvantage them in a profession that continues to be dominated by members who are white and middle income. Bliss notes in addition that transparency helps her students appreciate that the methods she uses in teaching her clinic and her Interviewing and Counseling course have a pedagogical underpinning, even if students have not encountered the specific methods—including tools and protocols--in other courses.³⁵ Examples of these kinds of activities would be opting for student led dialogues and small group discussions and other more interactive methods rather than lecturing or solely using conventional Socratic techniques.

To achieve equity and inclusion along with our other learning goals for our students, our work needs to begin by focusing on equitable design, planning, and preparation well before the first day of class.³⁶ Engaging in meaningful reflection and pre-planning focused on the goal of community building is comparable to the preparation most effective and successful lawyers do for an initial client interview and subsequent relationship-building. It is equally important in the equitable course design context to anticipate issues that may arise and to create conditions to help students feel comfortable sharing in an authentic manner. Design choices impact a learning environment in every aspect. This approach moves teachers away from a rigid view of the classroom as the four corners of the room—including the zoom room--and highlights that student learning also occurs in more informal spaces. Further, it moves away from the binary construction of online teaching, that is, drawing clear distinctions between online/offline and synchronous/asynchronous. Instead, a design approach centers the student

³⁴ According to the American Bar Association, “‘First-generation lawyer’ generally refers to law students and recent law graduates whose parents who [sic] did not attend college,” though this definition can also include students who are the first in their family to attend law school, even if one or both parents attended college. Grover E. Cleveland, *Helping First Generation Lawyers Thrive*, LAW PRACTICE TODAY, <https://www.lawpracticetoday.org/article/helping-first-generation-lawyers/> (last visited May 31, 2021).

³⁵ To enhance learning, and to help students build confidence and grow in their teamwork and communication skills, Bliss employs different methods, including ideas from HENRI LIPMANOWICZ & KEITH MCCANDLESS, *THE SURPRISING POWER OF LIBERATING STRUCTURES* (2013); *Protocols*, THE SCHOOL REFORM INITIATIVE, <https://www.schoolreforminitiative.org/protocols/> (last visited February 28, 2021).

³⁶ Andrew T. Arroyo, *It’s Not a Colorless Classroom: Teaching Religion Online to Black College Students Using Transformative, Postmodern Pedagogy*, 13 *Teaching Theology and Religion* 35, 42 (2010) [hereinafter *It’s Not a Colorless Classroom*] (discussing teaching online in a Historically Black College which acknowledge diverse learning styles based on race and culture, and to create a structure that converts the online environment from a “cold, static state to a warm, inviting environment”).

and asks teachers to consider where and how learning could take place.³⁷ For example, Huq has introduced new doctrines during a synchronous on-line class, and then has provided a prompt related to the doctrine for students to answer on the online course site. Instead of solely using a Socratic approach to reviewing doctrine, Huq, along with her teaching assistants, also developed an abridged in-class oral argument exercise. She gave students a fact pattern and assigned them roles as plaintiff, defendant, and judge. The students were also divided into study pods so they could prepare their roles collaboratively asynchronously. On the day of the oral argument, the assigned students argued their clients' positions in role and the judges issued a ruling relying on the assigned readings. The students who did not argue were polled on whether they agreed with the judges' ruling, which generated rich discussion on different analyses and interpretations of the fact pattern and the cases. Each student was then required to submit a one-page reflection on the assignment, which provided some insights on the effectiveness of this assignment. The feedback from the reflections revealed that having students work together and share information has many benefits, including shortening the time they may otherwise need to spend grappling with trying to understand legal doctrine on their own. Students stated that they were able to understand the doctrine quickly by discussing it with their classmates. The reflections also indicated that students who were shy or had social anxiety speaking in a larger class were also able to contribute to their pod by developing the arguments in a small group setting.

A design approach thus requires us to be deliberative and self-critical about the teaching methods we use. It compels us to diversify teaching methods and make explicit our pedagogical goals and learning objectives. Huq notes that when she is making an individual class design, she puts in her notes the reasons she has opted for a specific teaching method so she can communicate that choice to students, and most importantly, so she properly can assess if that approach was effective.³⁸ Consistent with the rest of the design process, the assessment process is multi-faceted, including Huq's own

³⁷ Contrary to assumptions that all students prefer asynchronous teaching, Huq found from a poll that her Spring 2020 1L class preferred live online teaching, provided all classes were recorded because it provided a consistent time they knew they could focus on their work; cf David Figlio et al., *Is It Live or Is It Internet?: Experimental Estimates of the Effects of Online Instruction on Student Learning*, 31 J. LABOR ECONOMICS 763, 776 (2013), www.jstor.org/stable/10.1086/669930 (comparing a live instruction and internet researchers found no statistical difference but found that Latina students overall course grades were higher who attended a live lecture which suggests that live online course would have positive benefits for students).

³⁸ Instructional design theory in education contemplates three phases: analysis (preparation); strategy (implementation of the project) and evaluation. Schwartz, *supra* note 31, at 384, n.172.

self-assessment based on the classroom experience and both informal and more formal student feedback throughout the semester.

Additionally, a design-oriented focus recognizes that structural concerns are very much a part of students' individualized experiences. It takes into account the full array of issues our students have been encountering. In the U.S. context, those issues include the massive- and wide-scale protests against white supremacy that have been the largest in our country's history and perhaps elsewhere. We need to appreciate as deeply as possible the contexts in which our students are engaging and entering into learning spaces. In our view, the failure to acknowledge structural racism and other inequities would be both a disservice and a missed opportunity, because all students bring their experiences of these oppressive dynamics into the classroom and are deeply affected by them. Adding an equity lens strongly aligns with the desire for us to create anti-racist and liberatory learning spaces--to promote the idea that teaching is not merely about individualism; it is essentially about thinking broadly and designing from the vantage point of the students and their relationships within and outside the classroom community.

B. Creating a Welcoming Space for Learning

Creating a welcoming space³⁹ requires legal educators to devote significant time and intention to building a learning community as the foundation for everything else we do. Huq connects this intention with bell hooks' concept of a democratic classroom⁴⁰ and views the online classroom as a microcosm of the democratic community we wish to see and strive to build in our broader society. As a classroom community, "our capacity to generate excitement is deeply affected by our interest in one another, in hearing one another's voices, in recognizing one another's presence."⁴¹ The other authors of this paper agree wholeheartedly with these sentiments. We have identified many different ways to create a welcoming learning community from the outset, including beginning a class with an extended

³⁹ Jill DeTemple, *The Spaces We Make: Dialogic Classrooms and Social Transformation*, 35 OHIO ST. J. ON DISP. RESOL. 753, 764 (2020) (describing in detail how to create a supportive space and arguing that carefully crafted pedagogical spaces where students feel supported can create lasting social and intellectual changes).

⁴⁰ bell hooks views the classroom as a democratic setting where everyone's presence is valued and where the role of the teacher is to facilitate student's engagement, provide ownership for classroom dynamics, and to move away from a hierarchical structure to the class. See BELL HOOKS, *TEACHING TO TRANSGRESS: EDUCATION AS THE PRACTICE OF FREEDOM* 48 (1994).

⁴¹ *Id.* at 8.

welcome, offering and inviting students to introduce “icebreaker”⁴² exercises that allow students to get to know one another, and introducing other components that allow students to help co-create the environment in which they will be learning. We use a variety of different approaches and tools, including establishing community agreements,⁴³ which guide how we will interact with each other and engage collectively, having students do a collaborative activity to identify core principles and values, and co-creating other forms of community agreements.⁴⁴ Establishing equity agreements or other community agreements lets the students define for themselves the contours of the learning community they are co-creating, and helps them envision how they will interact with one another in the learning space. For example, through these exercises, Bliss’s students have identified priorities such as respecting confidentiality of the classroom/clinic space itself, beyond just lawyer/client confidentiality in order to allow for learning and growth, to address any potential conflicts with the source rather than discussions about that person, and to expect and accept non-closure when challenging conversations arise.

One way to “warm up” the learning space before a virtual class begins is to use music. For example, Bliss has created a playlist for her Health Law Partnership Clinic. She started the playlist in the Fall of 2020,⁴⁵ and continues to give new students instructions on how to add to the playlist with their own choices. The result is a playlist that represents a variety of musical tastes and influences, plus some thematic additions that may show students’ humor. Huq and Brooks also use a class playlist. All of us open the Zoom room before class begins to play music and start a chat. Students who come in early can enjoy the music, and it helps set a tone and create energy, similar to how

⁴² An icebreaker is a short, fun exercise that usually takes place at or toward the beginning of a class session or meeting that allows participants to warm up to the experience and to get to know each other better. *See, e.g. Icebreakers*, CORNELL UNIVERSITY CENTER FOR TEACHING INNOVATION, <https://teaching.cornell.edu/teaching-resources/building-inclusive-classrooms/icebreakers> (last visited on Dec. 4, 2021).

⁴³ Huq defines community agreements in her Syllabus as follows: “Our community agreements/norms will guide how we interact with each other and how we collectively engage as a class.” For a more detailed excerpt of Huq’s language about Community Agreements, *see* Appendix C. *See also* Jill DeTemple, *supra* note 39, at 774.

⁴⁴ *See* Joe Curnow, *Community Agreements*, UNIVERSITY OF TORONTO, <https://tntp.utoronto.ca/teaching-toolkit/effective-strategies/community-agreements/> (last visited February 28, 2021).

⁴⁵ The playlist for the Health Law Partnership Clinic at Georgia State University College of Law is available at: <https://open.spotify.com/playlist/4Jct1rirYldPdJ5hf3fzGU?si=dabde1a4ac834352>.

music played before a concert or sporting event helps excite the crowd.⁴⁶ It also signals to students the value of different modes of learning including listening. As class begins, Bliss invites students to share in the chat one word or a phrase about how they are feeling as they begin the day and the class. Brooks usually chooses a song to play right before class time that fits with the theme or topic of the day⁴⁷ and routinely uses the one-word (or phrase or gesture) to check-in as well. Students generally express considerable appreciation for these opening practices, even if they initially find them a little surprising or unusual for a law school class. Our shared experience is that taking the time to warm up the room and allow students to arrive more fully and check in with themselves and their classmates creates positive energy that supports students' ability to be more present and focused throughout the class session, and also builds trust and rapport between and among the students in the course.

C. Community Building Practices: Grounding and Checking-Ins

The experience of teaching during a worldwide pandemic and being forced to have so many interactions in an online environment has created more awareness for us of the importance of taking time at the beginning of a class to allow everyone to more fully arrive⁴⁸ into the space ready to fully concentrate on the learning task at hand. On a given day, teachers and students might be jumping from one zoom classroom to another with limited breaks. We no longer have the same amount of travel or transition time to shift our brains and our bodies to allow us to arrive and become more fully present for the next session. Using music and poetry can help support us and our students to bring our whole selves into the experience of learning so our

⁴⁶ See Catharina Gous-Kemp, *The Creative Use of Music in Inclusive Education*, 18:1 EDUCATION AS CHANGE 19 (2013); Charlie Fletcher, *Using Music as a Strategy for More Inclusive E-Learning and Course Design*, NEO BLOG (Mar. 10, 2020), <https://blog.neolms.com/using-music-as-a-strategy-for-more-inclusive-e-learning-and-course-design/><https://blog.neolms.com/using-music-as-a-strategy-for-more-inclusive-e-learning-and-course-design/> (last visited June 25, 2021).

⁴⁷ Brooks' playlist for the Stern Community Lawyering Clinic at the Drexel University Kline School of Law is available at: <https://open.spotify.com/playlist/1a1mFnsVMT3HSPirVnQYyY?si=HMSFUnCHQxycF5WMw ynsNQ>.

⁴⁸ In this context "arrive" means bringing our full selves into in the present moment, often through the use of our breath, which is an important aspect of mindfulness practice. See also Katie Stanley, *No Lotus Without the Mud*, 100 ML BAR J. 48 (2021) (describing asking a client who seemed harried and stressed to take a seat and three breaths, to arrive and be fully present in the meeting, which enabled the attorney to fully understand what was going on and give advice).

teaching and learning experience values different learning styles. These techniques invite meaningful learning and connection for students that will help them be effective in the legal profession.

For instance, Brooks begins each class session with a brief grounding⁴⁹ exercise, which might include inviting students to take some slow, deep breaths, and inviting them to take a moment to stretch if needed, so they can settle into their seats more comfortably. Huq similarly takes a few minutes before introducing new content to allow students to pause in silence or take some slow and deep breaths, to encourage students to give themselves permission to do so in their daily lives. Grounding exercises often include a short poem or a light movement exercise. An important purpose of these exercises is to introduce different modes of learning and provide a little extra time and space for students to arrive in their bodies as well as their minds, which can support them to become more fully present and focused.

Grounding techniques allow the student to invite deeper and more diversified learning possibilities that can help them engage with different learning styles.⁵⁰ For instance, some students tend to be more kinesthetic learners, meaning that they learn more easily when they are able to use movement and engage their physical bodies in the process.⁵¹ Law teaching, on the other hand, tends to be text based, and, as Huq notes, she and others come from cultures that are oral and center dialogic learning, so tapping into other modalities of learning is also culturally sensitive. Huq offers open-

⁴⁹ Grounding is a set of practices that empower a person to be present in the moment. See Diana Raab, *What is Centering? What is Grounding?* PSYCHOLOGY TODAY, <https://www.psychologytoday.com/us/blog/the-empowerment-diary/202002/what-is-centering-what-is-grounding>; see also *Grounding Techniques: 11 Ways to Stay Grounded*, THE REFLECTIVE MIND, <https://the-reflective-mind.com/grounding-techniques-11-ways-to-stay-grounded/#:~:text=Grounding%20is%20a%20technique%20that%20brings%20us%20into,bringing%20you%20back%20into%20the%20here%20and%20nowhttps://the-reflective-mind.com/grounding-techniques-11-ways-to-stay-grounded/#:~:text=Grounding%20is%20a%20technique%20that%20brings%20us%20into,bringing%20you%20back%20into%20the%20here%20and%20now> (last visited June 25, 2021).

⁵⁰ See M.H. Sam Jacobson, *How Law Students Absorb Information: Determining Modality in Learning Style*, 8 LEGAL WRITING: J. LEGAL WRITING INST. 175 (2002), for a discussion of the benefits of law students understanding their learning styles.

⁵¹ Other examples of learning styles include the preference for visual learning, or aural learning, that is, learning by listening. See Lori A. Woeste & Beverly J. Barham, *Undergraduate Student Researchers, Preferred Learning Styles, and Basic Science Research: A Winning Combination*, 81 THE CLEARING HOUSE 63, 64-65 (2007) (finding that “research has shown the quality of learning material is enhanced if the material is designed to take into account the students’ learning styles...[b]y assessing student learning styles, the successful designer is forced to employ a variety of teaching techniques in an effort to provide an optimal learning environment.”).

ended questions as a part of her grounding. For example, one prompt she often uses is, “Should contract law regulate all of our interpersonal interactions?”⁵² Such grounding questions are connected to what she is teaching that day and generate wonderful and creative discussion. According to Huq, she never feels like her attention to coverage is compromised because the grounding questions are directly or indirectly related to the doctrine. They show that words have meanings and have emotional impact. For Huq as a Contracts professor, underscoring that notion is critical to her learning objectives. These questions enable students to connect their personal lives to the doctrine to develop a deeper understanding of the doctrine. Taking time for grounding is an example of how we can bring a trauma-informed lens to our teaching. We recognize that the legal education curriculum can activate trauma, so we need to be very conscious of that reality in every aspect of our teaching, including how we open our classes and the various community building activities we engage in. Bliss notes that students participating in clinics can also experience direct or secondary trauma in a variety of ways and a trauma-informed lens is especially critical in that environment.

Another example of trauma sensitivity Brooks incorporates in her teaching is some form of brief check-in, which, in her small seminar courses, might mean putting students in trios or pairs in breakout rooms and allowing them to share with each other briefly about any thoughts or feelings that are present for them on a particular day, especially if what is on their mind or heart might make it challenging for them to be present and attentive in class that day. When the whole group reconvenes, she often invites a one-word/phrase/sound from each student and has them ‘pass’ it to another classmate. She also allows some open space and time at the beginning of class for students to share anything that is on their minds and hearts that would help them become more present during the class. One week in her small clinic seminar, when most of the students were audibly upset about a police shooting of an unarmed Black man overnight in a nearby neighborhood, Brooks made the intentional decision to let go of her planned agenda to allow students to share their thoughts and feelings, and “hold space” for each other’s sharing, which included some intense emotion.⁵³ Brooks later

⁵² See, e.g., Molly Callahan, *What Do We Lose When Interactions Become Transactions?*, NORTHEASTERN UNIVERSITY (Oct. 4, 2019), <https://news.northeastern.edu/2019/10/04/patricia-williams-scholar-of-critical-race-theory-joins-northeastern-as-university-distinguished-professor-of-law-and-humanities/>.

⁵³ The renowned author and activist adrienne maree brown defines “holding space” as “to hold both the people in, and the dynamic energy of, a room, a space, a meeting, an organization, a movement. In her latest work, she describes the idea of holding space for change as “mak[ing] it easy for people with shared intentions to be around each other and move toward their vision and values (facilitate) and /or to navigate conflict in a way that is

debriefed that discussion with students and invited them to see the parallels between what took place in class and how they might similarly be aware of the need to hold space for their clinic clients when the clients have strong emotions. Brooks often will return to the one-word approach for a quick checkout to create some closure at the end of the class.

III. Additional Teaching Approaches, Strategies, and Tools

A. Showing and Modeling Care and Concern

Being willing to set aside our planned agenda to be responsive to student needs and interests in a given moment is a way to show and model caring and concern for our students. Showing kindness⁵⁴ and caring might seem obvious or simple, and yet, these practices can easily become lost in the effort to get through the material we set out to cover on a given day. This dynamic is what Brooks would describe as the difference between being “relational” and being “transactional.”⁵⁵ It is critically important that we approach our students from a standpoint of embracing our interconnectedness and mutuality, which is essentially the meaning of being relational in our work.⁵⁶ In order to support our students’ effectiveness as legal professionals and to support their wellbeing, we need to be able to see and embrace our students as whole people and to model empathy and compassion. Our students are facing many stressors, only some of which are within our awareness. Making the effort to remain conscious and sensitive to the likelihood of these omnipresent challenges can allow us to show caring in more explicit ways. That caring allows students to show up more fully in

generative and accountable (mediate). ADRIENNE MAREE BROWN, HOLDING CHANGE 7 (2021).

⁵⁴ Brooks likens kindness to unconditional friendliness and acceptance. See Susan L. Brooks, *Fostering Wholehearted Lawyers: Practical Guidance for Supporting Law Students’ Professional Identity Formation*, 14 U. ST. THOMAS L. REV. 412 (2018) [hereinafter *Fostering Wholehearted Lawyers*] (identifying kindness as a core principle of wholeheartedness connected to “Relational Lawyering,” a framework she has been developing and teaching over the past decade). As a general matter, the authors view kindness as a similar notion to the Buddhist notion of “lovingkindness,” or “metta” which has been defined to include friendliness, goodwill, benevolence, fellowship, and non-violence non-violence which can overcome social, religious, racial, political and economic barriers. See, e.g., Shaila Catherine, *The Power of Lovingkindness: Cultivating Metta*, INSIGHT MEDITATION SOUTH BAY, <https://www.imsb.org/teachings/written-teachings-articles-and-interviews/loving-kindness/https://www.imsb.org/teachings/written-teachings-articles-and-interviews/loving-kindness/> (last visited on 6/27/21).

⁵⁵ See generally Brooks, *supra* note 24.

⁵⁶ See *id.*

class, such that they can remain present and open to learning. These habits of mind and practices are then more likely be carried forward in our students' professional (and personal) interactions as they move forward in their lives and careers.

Huq has implemented a number of measures to support this relational dimension. She hosts socially oriented online office hours and weekly group office hours, which she started offering before the pandemic, though she now recognizes their increased importance. Students can join and hear their classmate's questions, which has benefitted many first-generation students who have expressed that they may not know the questions to ask or how to navigate law school. It also helps aural learners who learn best by listening to others. A student who may not attend an individual office hour would attend the group office hour simply to listen to others' questions. Her large doctrinal class is also divided into fifteen study pods, which are assigned to one of her three teaching assistants, all of whom check in regularly with their assigned students. She also requires the study pods (assigned groups of 4-5 students) to meet with her once during the semester to ensure that in a large class she at least has had one touchpoint with each student. The group office hours and study pods models care and encourages peer support and learning. Group work is not without challenges, but encouraging collaborative learning, which is common to law practice, allows students develop those skills early on in law school.

In the clinical context, Bliss devoted time at the beginning of her weekly clinic supervision meetings with student-led icebreaker conversations that deepened the relationship between her and the students. She also hosted individual virtual one-on-one "coffee" sessions for all clinic students, not just the students she supervised. Finally, in collaboration with Bliss and her clinic colleagues, their clinic research assistant offered virtual "drop in" sessions to offer social time and/or peer mentoring in the clinic to try to replace some of the community social and informal learning time clinic students normally enjoyed in person.

We can also demonstrate caring through applying a strengths orientation toward our students.⁵⁷ This orientation draws from positive psychology and an approach called "Appreciative Inquiry,"⁵⁸ which emphasizes how we can identify what is working well, so we can aim to generate more of it. Incorporating this orientation in the classroom means

⁵⁷ See generally Brooks, *Fostering Wholehearted Lawyers*, *supra* note 54.

⁵⁸ See generally *Generic Processes of Appreciative Inquiry*, CENTER FOR APPRECIATIVE INQUIRY, <https://www.centerforappreciativeinquiry.net/resources/the-generic-processes-of-appreciative-inquiry/https://www.centerforappreciativeinquiry.net/resources/the-generic-processes-of-appreciative-inquiry/> (last visited on March 2, 2021).

starting with the premise that each student has unique strengths and talents to bring to the learning community and inviting every student to contribute according to those unique assets.⁵⁹

These ideas are echoed in the book *EMERGENT STRATEGY* by author Adrienne Maree Brown. The book contains many useful lessons for teaching, including the guiding principle that what we create on the small scale sets the pattern for the whole system.⁶⁰ In the legal education context, taking time for community building sets patterns for the classroom that can invite our students to engage in deep learning and in turn to apply those lessons in their work with clients and communities. Brown also emphasizes that what we pay attention to grows,⁶¹ which is aligned with the strengths-orientation mentioned above. The more we lift up our students' unique skills and assets, the more they are likely to want to engage actively and contribute in our courses.

Yet another example of extending caring and kindness is our willingness as teachers to create space and time to address a challenging or traumatic topic that arises in a previous class when there was insufficient time to process it fully. Bliss's clinic seminar includes regular joint classes with medical students, including an annual session examining end of life issues from legal and medical perspectives. This year, the trauma of deaths from COVID-19 shared at the very end of class, including personal experiences of some participants, resulted in a heavy feeling that lingered afterward. The virtual class was hosted by a community partner and ended abruptly without time for processing or closure. Some students reached out to Bliss and expressed their sympathy for the bereaved. Bliss chose to begin the next seminar class by acknowledging the experience and the group's inability to debrief the discussion at the time, which was painful for many. She created space for students to express themselves or simply hold silent space for themselves, their friends and families, and all people affected by COVID-19. She also invited students to explore in their clinic journals the ways in which COVID-19 has affected their ability to represent clients and how they may show compassion for clients during the pandemic.⁶² Additionally, she

⁵⁹ See, e.g., *The VIA Character Strengths Survey*, VIA INSTITUTE OF CHARACTER, <https://www.viacharacter.org/survey/account/register?registerPageType=popup><https://www.viacharacter.org/survey/account/register?registerPageType=popup> (last visited June 25, 2021).

⁶⁰ See generally ADRIENNE MAREE BROWN, *EMERGENT STRATEGY* (2017).

⁶¹ See *id.* at 41.

⁶² For information and guidance about the use of student journals and reflective journaling in and outside of clinics, see, e.g., J.P. Ogilvy, *The Use of Journals in Legal Education: A Tool for Reflection*, 3 *CLINICAL L. REV.* 55, 60, 82-84 (1996) (discussing generally how journals are an important pedagogical tool, specifically as a less intimidating alternative to

connected this discussion to an exercise conducted during clinic orientation in which the students created a “client empathy map.”⁶³

B. Inviting Slowness

One practice Brooks has found tremendously useful throughout the shift to online teaching that she intends to carry forward is the idea of slowing down. In *EMERGENT STRATEGY*, brown talks about the importance of “Mov[ing] at the speed of trust.”⁶⁴ In the example mentioned above where Brooks decided to let go of her planned agenda and allow an extended time for checking in, it was because she was operating from a place of allowing for slowness that she was able to notice the intense emotions in the Zoom room, which in turn enabled her to be able to respond to what her students truly needed and support their sense of belonging in real time. Many other practices described elsewhere in this article could also be characterized as a part of slowing down, including taking the time to warm up the space by playing music and incorporating grounding exercises.

By inviting slowness, we are also modeling a useful set of tools for our students connected to mindfulness and what Brooks refers to as “mindful engagement, “to emphasize the importance of connecting mindfulness with supporting our ability to align with our sense of purpose and promote social justice. Slowing down invites us to pause and notice what is happening in our minds, hearts, and bodies. We then are more capable of seeing different possibilities and making intentional choices, especially when we find ourselves reacting or slipping into a state of being overwhelmed or even some form of panic. As Kay Pranis, an expert on restorative practices and peacebuilding circles, states, “[o]ut of self-awareness comes the possibility of choice rather than acting out of our conditioning, socialization, and training.”⁶⁵ By cultivating these reflective practices, all of us, including our

answering in-class questions and to provide a space for “release of the intense emotional stress” from law school experiences); *see also* Alexander Scherr & Margaret Martin Barry, *Reflection and Writing Journals*, in *LEARNING FROM PRACTICE : A TEXT FOR EXPERIENTIAL LEGAL EDUCATION* 203-37 (Wortham, et. al., eds., 2016).

⁶³ *See* Sarah Gibbons, *Empathy Mapping, The First Step in Design Thinking*, NIELSON NORMAN GROUP (January 14, 2018), <https://www.nngroup.com/articles/empathy-mapping/> (defining an empathy map as “a collaborative visualization used to articulate what we know about a particular type of [client] [] [that] externalizes knowledge about [clients] in order to 1) create a shared understanding of [client] needs, and 2) aid in decision making.”). *See also*, DAVE GRAY, *GAMESTORMING: A PLAYBOOK FOR INNOVATORS, RULEBREAKERS, AND CHANGEMAKERS* (2010).

⁶⁴ Brown, *supra* note 60, at 42.

⁶⁵ Jeff Carolin & Susan L. Brooks, *LAWYERING FOR SOCIAL CHANGE*, Unpublished Course Materials (2021) (citation omitted) (*quoting* Kay Pranis) (on file with authors),

students, are able to make more reasoned and more well-considered decisions, which allows us to be more competent, effective, and ultimately happier and more satisfied at work and at home.

C. Meeting Students Where They Are

Perhaps many of us assume that because students are young people and digital natives, the online learning space is their space, and they are comfortable using it. While our students are probably more familiar with navigating the online space as a general matter, many of them struggle to stay engaged in an online learning environment for a number of reasons, including factors outside of their control⁶⁶, some of which tend to disproportionately affect students from historically marginalized communities. Such factors include the extent to which the student's living space is conducive to learning from home and whether they consistently are able to connect to the internet. It is also worth noting that some educators may be uncomfortable adapting to new technologies and may feel daunted by learning these new tools, with seemingly limitless options. In experiencing some level of technological overwhelm, they may well lose sight of core values they strive to actualize in their teaching around equity, inclusion, belonging, and wellbeing.

D. Paying Attention to the First Encounter and Syllabus

Students' first encounter with the professor may not happen in class. It may happen when the Syllabus is posted. Prior to posting the Syllabus, especially for a new class, Huq sends a welcome email which may include an "about me" portion because she has found that students tend to be curious about their professor. Huq received advice along these lines from a senior faculty member at another institution who once observed a class where a student asked a personal question of Huq, though one that was not private or intrusive. Huq answered, and yet was hesitant. The senior faculty member encouraged her to answer those questions that are about student curiosity and a desire to connect with her. In Huq's welcome email, she has included a music playlist, poem or some short light content, such as a video related to the course, to allow students to ease into the semester. Another tool she has used is called FlipGrid Videos⁶⁷, where she posts a one-minute video answering some prompts introducing herself, invites her TAs and students to also record a one-minute video which their peers can view and comment upon. These techniques create informal spaces similar to how students might

⁶⁶ For example, these issues might include regular access to technology, a quiet learning space, home and family environmental conditions etc.

⁶⁷ See generally, *Flipgrid*, <https://info.flipgrid.com/> (last visited on March 1, 2021).

otherwise get to know each other in the hallways, and yet currently cannot do so because they are online. One piece of advice is to make the posting of these videos optional because some students may be reluctant to post videos of themselves because of privacy concerns⁶⁸.

Brooks also reaches out to students via email prior to the beginning of class. She sends a welcome message that includes a brief questionnaire inviting students to share a little about themselves, their reasons for taking the course, and their goals and expectations. She also includes a list of topics she expects to cover and invites feedback on the proposed list and any other topics of interest students would want to add, as well as their preferences and dislikes with respect to teaching methods. More recently, Brooks has added a question inviting students to share anything else that would help them feel more included and supported, and any concerns they may have.⁶⁹ She let students know that she might reach out to them about any concerns they share if they wish to discuss them privately prior to class.

Prior to the first clinic class, Bliss invites students to submit a photograph of themselves that shows something about them, or something that brings them joy. The assignment is purposely broad, and students are told in advance they will be asked to share about their photo and why they chose it with the class. As part of the first day introductions, each person is given a few minutes to share what their photograph represents, the reasons they selected it, and what it says about them. It is a meaningful way to connect as a group, particularly in the online context, when most of the photos faculty and students chose are of pre-pandemic experiences. It is also a way for students to share a piece of their non-law related selves with their peers. Students enjoy the exercise because they learn new things about their peers and find common interests in travel, pets, family, and recreation.

The syllabus functions as a social contract that speaks to much more than the pages students are supposed to read and things, they have to do to get a grade.⁷⁰ It needs to communicate our values and expectations for the

⁶⁸ See *infra* notes 69, 80 & 84.

⁶⁹ For a discussion of privacy concerns and trauma-informed pedagogy in online education, see Michael Mandiburg, *Trauma-Informed Pedagogy in the Digital Media Pandemic Classroom*, 19 JOURNAL OF INTERACTIVE TECHNOLOGY & PEDAGOGY (May 11, 2021), <https://jitp.commons.gc.cuny.edu/trauma-informed-pedagogy-in-the-digital-media-pandemic-classroom/>; Valerie Strauss, *A Trauma-Informed Approach to Teaching Through Coronavirus – For Students Everywhere, Online or Not*, WASHINGTON POST, (Mar. 26, 2020, 1:14 PM), <https://www.washingtonpost.com/education/2020/03/26/trauma-informed-approach-teaching-through-coronavirus-students-everywhere-online-or-not/>.

⁷⁰ See Schendel, *supra* note 32 (describing a syllabus as an under-utilized yet valuable tool to communicate values, welcoming environment through careful selection of tone in language, equity issues such as requesting accommodations, and to inform students of resources and services available to assist with thriving in the classroom); see also HOOKS *supra* note 41.

class. In her syllabi, Huq includes relevant learning outcomes based on CUNY Law's educational missions of preparing outstanding social justice attorneys and diversifying the legal profession.⁷¹ Huq also includes clear expectations regarding collaborative learning and mutual respect. She is explicit about teaching with a critical race lens or other critical frameworks.⁷²

In recent years Brooks has expanded the learning outcomes stated on her syllabus to include a number of goals connected to personal growth, increasing self- and other-awareness. She makes it clear that students will be encouraged to move out of their comfort zones and engage with challenging ideas and perspectives.⁷³ Brooks views these learning outcomes as core elements that help shape the learning community as one that prioritizes equity and inclusivity and help create a sense of belonging and wellbeing. Additionally, she now includes a section titled "Creating a Culture of Belonging" that spells out many of the ideas discussed in this article.⁷⁴

Bliss has collaborated with her clinic colleagues in making ongoing changes to her clinic's syllabus, shifting from a "teacher-centered" syllabus, to a "learner-centered" syllabus.⁷⁵ This shift prioritizes the content in the syllabus to focus on student needs, motivation, learning outcomes, goals, and transparency about the purpose of the interprofessional learning activities and other aspects of the course. It includes photographs and text boxes, making it easier to read and creating excitement about what students will learn in the course.⁷⁶

As a general matter the tone of the syllabus as well as the content can prioritize equity and inclusion. The result is a dynamic syllabus, possibly with pictures and graphics that are visually appealing, and one that highlights positive ideas rather than emphasizing penalties for students' failure to adhere to the course requirements.

⁷¹ *Learning Outcomes*, CUNY SCHOOL OF LAW, <https://www.law.cuny.edu/academics/courses/learning-outcomes/> (last visited on Dec. 4, 2021).

⁷² See Appendix D.

⁷³ See Appendix A.

⁷⁴ See Appendix B.

⁷⁵ Elizabeth Sherowski, *Change Your Syllabus, Change Your Life*, INSTITUTE FOR LAW TEACHING AND LEARNING, <http://lawteaching.org/2018/08/08/change-your-syllabus-change-your-life/> (last visited Mar. 1, 2021).

⁷⁶ See Appendix E.

E. Creating Multiple Paths to Participate

To promote equity, teachers need to offer multiple pathways for students to participate.⁷⁷ Teachers often think the only way for students to participate is to raise their hands and speak. This mode of participation tends to be the dominant idea in many Western classrooms. In contrast, alternative goals can be to cultivate deep listening and other modes of participation. One way Huq accomplishes these aims is by creating a space on her course management system to allow for discussion. She also uses an on-call system so that students know which days they will be called on, which also ensures that no student dominates class discussions. For students whose anxiety to speak in public is debilitating and ultimately might undermine their learning, Huq asks them to send her an email answering the questions she would ask if they were on call. During virtual class sessions, Bliss invites students to answer questions either orally or by writing their answers in the chat. A different student or colleague volunteer is in charge of monitoring the chat and “lifting up” the voices from the chat by periodically reading out the chat contributions. These alternative methods for participation are possible when a teacher engages in extensive course design and planning work in advance of the course. As part of the initial exercise in developing community agreements referenced earlier in this article, Bliss also invites students to address ideas around shared participation in all class activities, and to notice patterns of participation to examine how equity is operating in the course.

Another important approach that can support choice, and relates to equity and creating a sense of belonging for all students is the idea of democratic participation, which means going beyond calling on the student that is raising their hand *first* each time. Doing so may require allowing for some awkward silence, and normalizing those qualities, to allow time and space for participation by students that might process ideas a little more slowly or find it to be more of a stretch to participate. In larger classes, this approach may mean asking a question, inviting students to wait a minute to think about the question, then having them put their responses in the chat, and then asking students to review responses by classmates by scrolling through the chat-box. This method encourages student engagement, particularly among introverted students, and uses other tools for class participation that do not center “speaking up.”

⁷⁷ Patricia A. Wilson, *Recreating the Law School to Increase Minority Participation: The Conceptual Law School*, 16 TEX. WESLEYAN L. REV. 577, 589 (2010) (acknowledging Socratic method, but suggesting teachers instead use a combination of teaching methods including problem solving practice exercises and group projects that encourage collaboration).

When more vocal students speak in class, others who are more reserved may assume the views expressed are the dominant view. One way to lift up different perspectives while respecting student choice and autonomy is to use polling. A poll can elicit a diversity of viewpoints and encourage interaction. Another tool that allows student choice used by Bliss and Brooks is Google Jam Boards, a creative tool that allows students to interact and contribute anonymously to a virtual whiteboard.⁷⁸

Teaching democratically also requires us to elicit student feedback on a regular basis and, just as importantly, to shift and adapt what we are doing to respond to that student feedback. Huq shared an example of her students letting her know through a mid-semester google survey that they wanted all their resources on one platform, rather than using several platforms, which she originally thought would work well given their tech savviness. She took this feedback to heart and returned to using a single platform. In doing so, Huq acknowledged re-learning a lesson all of us agree is a key take-away from on-line teaching that we keep learning over and over, which is that less is more.⁷⁹

Breakout rooms are another online modality used frequently that can allow for more democratic participation and can increase student engagement and sense of connection. It is nevertheless important to consider that in Huq's experience breakout rooms may not be as effective in large classes as in a seminar. In the period of time allotted for the breakout room, the professor may not be able to visit each room. Huq has noticed that in unmonitored breakout rooms, there is a risk that default dominant identities such as gender, sexuality, and race can surface and can potentially undermine a teacher's equity goals. Further, without clear guidance the unstructured environment of the breakout room may be unproductive and frustrating for students. It is therefore important that teachers using breakout rooms provide specific instructions on the assignment, the intended outcomes, and the process. For instance, they might ask students to structure the sharing to take turns rather than talk freely, consider whether time limits on sharing or discussion would be an effective choice, and direct students to designate a note-taker and reporter. In her large doctrinal class, Huq has shared a google document for a breakout room discussion on a short hypothetical with clear prompts, and where each group has to answer questions. As students write, she can observe each group's writings and give comments.

F. Reducing Reliance on High-Stakes Testing and Incorporating Flexible Deadlines

⁷⁸ Jamboard, <https://workspace.google.com/products/jamboard/> (last visited March 1, 2021).

⁷⁹ Arroyo, *supra* note 36, at 41 (suggesting that “bells and whistles distract” and asking whether the professor’s adding technology tools is to entertain and perform, or to educate).

For equity reasons we recommend moving away from high stakes testing, where one exam determines the entire grade for the course. Studies have shown that a single exam disproportionately impacts students of color and those from working class backgrounds.⁸⁰ It is worthwhile to consider other assignments that can build students' knowledge and confidence in the material while also being 'low-stakes' in the sense that they do not dramatically impact students' final grades and future internship or employment opportunities. For example, throughout the semester Huq gives quizzes and allows students to earn credit simply by completing them. For first year classes, she uses an online program that provides crucial data on how students score on each question and how the class is performing on the quizzes overall. The program also provides explanations for the wrong and correct answers so students can review their knowledge of the doctrine. These data points help her to fine-tune what she focuses on in class. The quizzes also help her students prepare for the midterm and final exams.

In addition, rather than having a single deadline, we recommend an open period within which an assignment is completed which allows students more freedom to pace their work and manage their time. This approach acknowledges that students have been impacted in different ways by the pandemic, which may prohibit them from being able to meet a deadline on a single date. It also takes into account that not everyone has access to Wi-Fi and connectivity. Further, creating flexible deadlines mirrors the practice of law where lawyers have to develop time-management and work/life balance skills in their practice. Midterm and final exams during the pandemic also need to be structured flexibly because many students are in different time zones and have varied caregiving responsibilities in their families. For example, students who are parents with children who are home during the pandemic may not be able to start an exam in the morning, though they could complete a timed exam within a time period. The time to complete the exam can remain the same, while the time period within which it must be completed is made more flexible. Finally, such an approach reduces requests for extensions or accommodations which may compel students to share personal

⁸⁰ See Jonathan P. Feingold & Doug Souza, *Measuring the Racial Unevenness of Law School*, 15 BERKELEY J. OF AFR. AM. L. & POL'Y 71, 95-96 (2013); Jonathan P. Feingold, *Racing Towards Colorblindness: Stereotype Threat and the Myth of Meritocracy*, 3 GEO. J. L. & MOD. CRITICAL RACE PERSP. 231 (2012).

reasons for their inability to meet a deadline, which disability justice advocates call forced intimacy.⁸¹ Disability justice advocate Mia Mingus defines forced intimacy as the “daily experience of disabled people being expected to share personal parts” of themselves “with able bodied people to get *basic* access” for support.⁸² Forced intimacy maintains ableism⁸³, because it is disabled persons who are asked to be vulnerable to have their needs addressed. By universalizing open deadlines as part of the course, it benefits all students and does not require disabled students to have to specifically request an accommodation.

G. Prioritizing Student Choice and Autonomy

We have already identified the importance of prioritizing student choice. For example, Brooks uses a lot of invitational language when she is teaching, including phrases such as “I invite you to share something.” It is important that when we use the language of invitation, we truly mean it and stand behind it. We need to make it clear that students are also welcomed to choose not to share, and that being present and being a respectful listener *is* participation.⁸⁴ We have spoken about the idea of a trauma-informed classroom. The idea of choice and autonomy is key to trauma-informed teaching.⁸⁵

An important issue in the online space regarding autonomy and choice pertains to the use of video as well as audio during classes. We share the view that it is important to allow students to exercise choice around whether or not to be on camera during class time, as much as we acknowledge that there may be advantages to having students be visible to each other and to the teacher. We also want to raise awareness that the notion that one must “see” to engage

⁸¹ Mia Mingus, *Forced Intimacy: An Ableist Norm*, LEAVING EVIDENCE BLOG (Aug. 2, 2017, 4:31 PM), <https://leavingevidence.wordpress.com/2017/08/06/forced-intimacy-an-ableist-norm/>.

⁸² *Id.*

⁸³ We use Talila “TL” Lewis’ definition of ableism as being “a system that places value on people’s bodies and minds based on societally constructed ideas of normality, intelligence, excellence, desirability and productivity.” *January 2021 Working Definition of Ableism*, TALIA A. LEWIS (Jan. 1, 2021), <https://www.talilalewis.com/blog/january-2021-working-definition-of-ableism>.

⁸⁴ For a detailed discussion about the power and importance of listening as a core competency in legal education and in law practice, see Susan L. Brooks, *Listening and Relational Lawyering*, in THE HANDBOOK ON LISTENING, 361-73 (Debra L. Worthington & Graham D. Bodie, eds., 2020).

⁸⁵ See DAVID A. TRELEAVEN, *TRAUMA-SENSITIVE MINDFULNESS: PRACTICES FOR SAFE AND TRANSFORMATIVE HEALING*, 137-39 (2018).

can be viewed as an ableist assumption.⁸⁶ Huq, who shares with her students about her limited vision, notes that she often finds it difficult to see students on zoom, so for her video on does not impact her teaching. Students may have any number of reasons for choosing not to be on camera at a given time, including discomfort about exposing their immediate surroundings or other physical space issues, as well as concerns related to self-care. If law teachers wish to invite or even encourage students to be on camera, they also need to be transparent about their reasons and accept students' choices to be off-camera.⁸⁷

Conclusion

Focusing on equity, inclusion, belonging, and wellbeing is essential to creating a successful online learning community. These concepts also apply to in-person teaching. The authors view the exploration of these topics as an ongoing process of inquiry, experimentation, and reflection. By sharing our experiences, we hope to create more conversations around these ideas in order to foster more inclusive, welcoming learning spaces that center our students and their learning. We invite readers to “stretch” by trying an idea or two and seeing what differences they may notice in student comfort, engagement, belonging, bonding, sense of community and ultimately their success in the course.

⁸⁶ See *Disability Language Style Guide*, NAT'L CTR ON DISABILITY & JOURNALISM, <https://ncdj.org/style-guide/https://ncdj.org/style-guide/> (last visited June 25, 2021).

⁸⁷ Schendel, *supra* note 32, at 9 (encouraging law professors to take time to think about whether and when cameras are necessary for class, and reasons students may not want to appear on video).

Appendixes**A. Brooks' Expanded Learning Outcomes (Included in Syllabi)**

By the end of this course, students will have many opportunities to develop the following competencies:

- a. Develop the ability to see a situation through another's eyes and to see multiple perspectives related to a single issue or concern;
- b. Practice staying present and focused to increase their ability to respond thoughtfully and intentionally to many types of situations;
- c. Practice deep and active listening to others' concerns, ideas, and feedback;
- d. Develop useful skills and practices for engaging in dialogue and reflection;
- e. Learn effective ways to deal with challenging material and emotions they encounter;
- f. Develop greater ability to sit with and be present to the discomfort and certainty inherent in the practice of law;
- g. Develop tools and approaches to help navigate cultural differences, address implicit biases, and become more aware of systemic racism, privilege, and power dynamics;
- h. Learn to raise and consider their own and other's questions using openness, kindness, caring, and curiosity;
- i. Learn to stay true to themselves and trust their intuitions while examining assumptions and judgments (their own and others')
- j. Learn the difference between discernment and jumping to conclusions, or acting judgmentally or defensively;
- k. Learn strategies for maintaining their wellbeing and balancing professional and personal needs and interests

B. Brooks' Syllabus Excerpt: "Creating a Culture of Belonging"

My intention for this course is to present materials and activities that aim toward creating a culture of belonging around everyone's

multiple identities, such as: gender, sexuality, disability, age, socioeconomic status, ethnicity, race, and culture. I encourage and appreciate any suggestions you may have. It is my intention that students from all backgrounds and perspectives be well served by this course, that students' learning needs be addressed both in and out of class, and that all the diversity students bring is viewed as a resource, strength, and benefit.

Given the topics covered, we will likely touch upon sensitive and challenging material. In order to allow for healthy discussions, I want to invite an atmosphere of trust and support and I will attempt to foster an environment in which each everyone is able to hear and respect each other. I ask that each class member show respect for all worldviews expressed in class. I also expect some of the material may evoke strong emotions, so please be respectful of others' emotions and practice being mindful of your own.

Please note that, like many people, I am still in the process of learning about diverse perspectives and identities. If something is said or done in class (by myself or anyone) that makes you feel uncomfortable, I encourage you to speak up about it. My intention is not to cause offense, AND I am committed to being accountable for the impact of what happens. I encourage you to discuss the situation privately with me or to bring it up in class. Chances are there is at least one other student who had a similar response to the material. Another option is to notify me of the issue anonymously through another source. If for any reason you do not feel comfortable discussing the issue directly with me, I encourage you to seek out another, more comfortable avenue to address the issue.

I also encourage you to come and talk with me if at any time you feel like your performance in the class is being impacted by your experiences outside of class. I want to be a resource for you, particularly during these challenging times. Again, you can also submit anonymous feedback.

C. Huq's Language on Community Agreements

“Our virtual classroom is a microcosm of the democratic community we wish to see and strive to build. Our community agreements/norms will guide how we interact with each other and how we collectively engage as a class. I invite each of you to help co-create a sense of community and belonging especially during this time when we are physically isolated and separate. If there are ways, I can facilitate a positive learning environment, I welcome you to share your ideas. We should all practice diligent mutual respect, both towards the instructor and particularly towards one another. I encourage robust debate, but I do not tolerate cutting remarks or discriminatory language (e.g. racist, sexist, homophobic) language of any sort.”

Note: During class, some community norms that are raised are: participate, share and take responsibility, listen generously without judgment, patience and compassion, search for understanding; approach challenges with a problem solving mindset and an inquiry mode; recognize that impact does not equal intent; be mindful of body language and nonverbal responses; confidentiality as to personal matters shared in the classroom; obtain permission from speaker before sharing; if you tend to speak, step back and if you tend to be shy, step up. Finally, before you speak, ask: why am I speaking? Is it to ask a question or to share information for the benefit of the classroom.

D. Huq's Pedagogy Statement (Excerpt)

I am committed to supporting the development of my students as whole persons – not simply the narrow content of the course, while the responsibility to ensure that they learn the core subject remains my priority. This means jointly seeking out resources and opportunities so that they can thrive and meet their potential and goals they set for themselves. All students are capable of learning and excelling in my class. I am committed to their educational journey beyond the class and appreciate that often the learning happens well after class is completed.

I believe that academic rigor and care for my student's wellbeing are not incompatible. I strive to create a classroom that is intellectually

challenging and do so in a supportive environment. I recognize that legal education as a knowledge system may reactivate trauma and exacerbate present personal challenges. Towards that end, I integrate grounding and mindfulness techniques in class because it has been proven to help students focus on material and aids with learning.

I acknowledge that legal education has historically excluded and alienated many students based on their social identities and lived experiences. I teach foundational courses so that students gain competency on the subject but are also empowered to critique the doctrine. I do so with an explicit emphasis on critical legal theories. I believe that such an approach to legal education better prepares students to engage as public interest lawyers.

E. Bliss' Learning-Centered Syllabus (Excerpt)

After you graduate, we hope that a few short years from now you will be flourishing in your legal career, doing meaningful, challenging and exciting work that you love. When you look back at law school, this class will likely stand out as a formative experience where you learned a lot about what kind of lawyer you want to be. This semester you will take important steps towards figuring that out as you will build your legal skills by working with real clients to help them improve their own lives.

Clinic is a space where we are learning to learn from experience, and all of the experiences we share together and as individuals will be a part of our laboratory. We are committed to helping you learn, and to creating a learning environment that is representative of a variety of perspectives, including our own as well as those of the clients and communities we serve. You will have the opportunity to express and experience cultural diversity and we will be focusing on cross-cultural lawyering and communication, interprofessional communication and collaboration, and interpersonal collaboration and communication. We will also be examining the structures that have contributed to health disparities, educational disparities, and housing conditions faced by our clients. We encourage you to take advantage of the many learning opportunities

presented through your own work and to also learn from the experiences and ideas shared by your peers.

The topics covered in this course may be challenging intellectually and/or emotionally. We expect rigorous discussion and we invite you to engage in respectful conflict and resistance. These are essential skills for lawyers to develop, and we will be working together to do so. We are also committed to creating a classroom environment that supports your taking intellectual and emotional risks in a professional way.

In order to create an effective classroom community, we will begin our work together by establishing community agreements to facilitate our discussion and collaboration and to help us remain accountable to one another for upholding equity and justice, as well as the ideals we aspire to as a collective.