

What Is an Ethic of Teaching?

***875** GOING ON-LINE WITH JUSTICE PEDAGOGY: FOUR WAYS OF LOOKING AT A
WEBSITE

Fran Ansley [\[FNa1\]](#)
Cathy Cochran [\[FNaa1\]](#)

I. Introduction

THE two of us work at the University of Tennessee College of Law ("College of Law")-- one on the law library faculty and one as a classroom professor. When we heard that a major theme for the LatCrit IX gathering would be "justice pedagogy," we decided to submit a proposal for a joint presentation about a project on which we have been collaborating since 2001. The project seemed like a natural fit for this symposium. The purpose of the project is to create a web-based representation of a pedagogical method Fran uses in her courses, and the method is one that explicitly seeks a link with justice.

However natural the fit may have been, once our proposal was accepted, we found ourselves puzzling over how to proceed. We saw several quite different ways of conceptualizing and examining the project, but we were unsure which would prove most fruitful for the context created by LatCrit. Below, in thumbnail form, are four possible ways we imagined we might present our work.

As an instance of the scholarship of teaching and learning - Our project is part of a current movement in academia: 'the scholarship of teaching and learning.' Posted on the site is a modest resource list that provides an introduction to this movement. In addition, the site itself is an example of an emerging genre in this scholarly current, that of the web-based teaching portfolio. Such portfolios have become almost a signature feature of the scholarship of teaching and learning.

As a case study of one pedagogical method - On the other hand, one could consider equally well the site more on its own terms, as a case study about a specific teaching methodology--the use of community-based field projects in a law school setting. The site features exhibits of vivid or instructive projects carried out by law students in Fran's courses. It includes narratives and reflections from the students themselves, together with commentary from Fran as the teacher and from community collaborators who worked with the students in the field, all aimed at demonstrating and assessing the use of community-based projects as a teaching tool.

***876** As an instructive collaboration between a law librarian and a law teacher - From a third perspective, a salient feature of this project is that it represents an unusual collaboration between a law librarian and a law professor. Although law librarians and classroom professors are usually under one roof and dedicated to significantly overlapping missions, we often know very little about each other's domains, and we often miss opportunities for creating synergy between them. For the two of us, this joint project built something of an institutional bridge between these two kingdoms, and we thought that it might be noteworthy to others who see the value in such linkages.

As the story of creating a website - From yet a fourth perspective, the most interesting thing about this project might be simply that it is the saga of a website. More and more academics are interested in using the internet to represent various aspects of their work, but not so many are clear about what such a move might actually entail. We encountered numerous hands-on challenges and theoretical questions regarding web design, web production and "good web citizenship" as we struggled with this project, and those encounters might be instructive for others.

As things eventually settled out at our LatCrit IX session, we attempted to include at least something from each of these four perspectives, and we will follow the same strategy here. Fran will open with a quick history of the project and will go on to discuss the site, first, as an instance of the scholarship of teaching and learning, and second, as a case study in field placements as a teaching method in law schools. Cathy will take up the thread from there, exploring the project from the third and fourth perspectives: as a law-librarian/law-teacher collaboration and, finally, as a saga about the design and construction of a website.

No matter which perspective readers find most helpful, we hope they will visit the site. At the time of this writing in November 2004, we are truly on the verge of launch. By the time this essay appears in print, the site should be on-line and open to the public, housed on the University of Tennessee Joel A. Katz Law Library's server. The URL will be: www.law.utk.edu/library/teachinglearning/default.html.

II. History of the Project Fran Ansley

Since 1995 at the College of Law, I have been teaching classes in which law students carry out community-based fieldwork with local organizations and agencies. The projects are law-related, but they seldom involve the traditional provision of legal services. Rather, the projects tend to fall into the category of community legal education. In most of these projects, the education about law ends up flowing both ways: my students and I learn from community partners how law and the legal system actually operate in their complicated lives, and in return we work to find and *877 communicate back to them what "law on the books" currently has to say about their rights and vulnerabilities.

In the academic year 2000-2001, I had the good fortune to join a cohort of scholars at the Carnegie Academy for the Scholarship of Teaching and Learning (CASTL). During that privileged year, I was given the chance to look more systematically and reflectively at my experience with fieldwork as a pedagogical method, and to do so within an interdisciplinary circle of fellow teachers. [FN1] In addition to carrying out our individual investigations about teaching, we were also given a crash course and immersion experience in what our hosts and sponsors were calling "the scholarship of teaching and learning."

One standard voiced early and often at CASTL was the idea that scholars should find ways to go public with their work. Private study and reflection, our hosts pointed out, can surely improve an individual professor's practice, but study and reflection do not become scholarship until shared with peers and subjected to critical review. Although CASTL's stress on peer review echoed traditional conceptions of scholarship, the staff and circle of advisers around CASTL were far from traditional in their approach to how such review might be achieved. For instance, they were particularly interested in web-based representations of teaching practices. They urged us especially to consider web-based teaching portfolios as a *878 method of going public, and they shared with us an array of interesting examples of this new genre.

In response to these lessons and urgings, I decided at last to create a website that would feature and reflect upon my students' work in community-based field projects. The only trouble was that I had no clue how to proceed. I had no experience designing or building websites, using HTML or otherwise creating internet destinations. Certainly, I was enthusiastic. I had grand visions of how great it would be to create a site that had its own look, one that reflected my personal aesthetic, without the branded look that accompanies many course-management tools or, for that matter, my own school's institutional site. I was especially interested in some of the special capacities of internet environments, such as the hypertextual agility to link and jump--up, down and sideways--among the various cool layers, concepts, images and voices that I envisioned on my site. In my imaginings, it seemed that these amazing capacities of the internet would allow me to build a display that would track the complexity and simultaneity of my own mental landscape on the subject of community placements. Still, I knew virtually nothing about how this could be achieved. I did know that I needed a designer.

When I returned to Tennessee in fall 2001, after my second and final summer residency with Carnegie, I learned that my university's Innovative Technology Center (ITC) [\[FN2\]](#) had announced a grant program aimed at faculty who wanted to create instructional technology. The announcement said that professors could get design help through one of these grants. Hoping that my plans for displaying student work would count as "instructional," I decided to submit a proposal.

While I was wrestling to frame the project, I happened to schedule a lunch date with Cathy Cochran, a (then) new computer services member of our library faculty, whom I had been asked to mentor for the year. As we talked over our sandwiches that day, I told her about my project. She asked many questions to which I had no coherent answers. During this conversation, I began to realize for the first time how complex the project might be and how much more help I was going to need than that provided by a designer alone. Before we were done, Cathy had agreed not only to advise me about putting together the grant proposal, but also to serve as a consultant if the project was funded.

Eventually our proposal did in fact receive a grant. Most of the funds went to provide the services of a designer with some money earmarked to upgrade the hardware and software for the law school. What followed turned out to be an unexpectedly long and complex process, but one from which I have learned a great deal. The site that has now been created, [*879](#) with the indispensable help of Cathy and many others, [\[FN3\]](#) is an open-ended platform for the display of student work together with their (and my) reflection upon it. My plan is that the site will continue to build and grow. The site currently features three comprehensive exhibits of past student projects, plus three briefer descriptions of other student work. Here are thumbnail descriptions taken from the website concerning each of the three major exhibits:

Spousal Rape Campaign - In this project a law student worked with the Tennessee Task Force Against Domestic Violence and other coalition members to press for an end to the spousal rape exclusion in Tennessee. She developed a letter and petition campaign, attended a citizen training workshop on grass roots lobbying and visited state legislators at the capitol. She also worked with two other students to direct, edit and produce a videotape that presented the case to legislators and other opinion leaders about why rape of a spouse should be treated as seriously as rape of anyone else.

IDEA Inclusion Project - In this project a law student who is also the parent of a child with Down Syndrome and a strong lay advocate for the educational rights of children with disabilities, worked with graphic designers, a choreographer and a group of young

variously-abled dancers to produce an installation and performance event where the children danced among a forest of panels arrayed with information about the Individuals with Disabilities Education Act. Both the dance and the visual display highlighted the legal rights of children with disabilities, as well as the educational value to all students that flow from fully inclusive learning environments.

Tennessee Immigrants and Criminal Justice - In this project three law students, working in conjunction with a local Latino community organization, carried out a preliminary investigation on immigrants *880 and the criminal justice system in the Knoxville area. Using a participatory research approach, students conducted interviews to develop a broad sketch of Latino immigrant community interactions with the criminal justice system and to identify specific areas of concern for future investigative, organizing and advocacy work.

In addition to these major exhibits, there is a section called Teacher's Overview, in which I share some emerging lessons and practical tips, provide links to selected course documents and point visitors toward other relevant print and web-based resources. Another section of the site is reserved for temporary and less extensive exhibits of student work. Current temporary exhibits present text and images about the following:

An ongoing partnership with a predominantly African-American high school where law students conduct law-related education with tenth-grade English students. Working with teams of students from the law school, students from Austin East High School explore law-related topics and eventually create narratives that include mock trial segments that they perform in one of the law school's moot courtrooms as part of a culminative end-of-semester field trip.

A project in which a law student researched and prepared an informational brochure about various options for financing the purchase of a home. The brochure was prompted by the rising number of highly inequitable 'lease-purchase' agreements that we learned were being marketed to low-income Latino immigrants and others in Knoxville who had trouble accessing traditional lenders. It was designed to educate service providers who work with undocumented Latino and Latina immigrants, the population most at-risk for getting caught up in these arrangements.

An effort in which a law student carried out oral history interviews and created a photo essay about a group of elderly homeowners whose property was to be taken as part of an urban renewal plan. The student worked with our local legal services office to compile the interviews and photos into a publicly-disseminated booklet. Given the absence of effective legal redress for the homeowners, the booklet proved to be an invaluable advocacy tool that helped to secure adequate replacement housing for the group of displaced elders.

The website is not envisioned as a static or finished place. Eventually, I hope to invite students to post their own exhibits in the temporary section if they and their community partners are interested in doing so. As time and resources permit, I will also continue adding new information to the Teacher's Overview section and adding new projects to the more substantial *881 and detailed exhibits posted in the Permanent Collection. [\[FN4\]](#) In addition, I hope that some library faculty members here at the College of Law--including Cathy herself--will be interested in creating scholarly bibliographies that could be posted in the resource sections of relevant permanent exhibits. Of course, all of these ambitions need to be tempered with reality. As Cathy will discuss in further detail below, developing a realistic and sustainable plan for the ongoing life of one's website is no menial task.

In summary, this section has recounted a brief history of our project, beginning with my CASTL fellowship in 2000-2001 and continuing (sometimes in fits and starts) until this writing in late fall 2004, when we are at last on the verge of launch. The project has taken a long time and it has often had to survive on tiny scraps of attention that Cathy and I could squeeze in between our other obligations. Nevertheless, we are feeling generally satisfied with both the product and the process at this point, and we are happy to share its existence with others.

We now want to return in more detail to the four perspectives Cathy and I considered as we thought about how to discuss our project at LatCrit. I will address the first and second perspectives, and Cathy will address the third and fourth.

III. Four Ways of Looking at this Website

A. The Project as an Instance of the Scholarship of Teaching and Learning Fran Ansley

As explained above, this website is the product of a current movement in the academy, one that seeks to promote the scholarly study of teaching and learning. [\[FN5\]](#) Participants see this scholarship as a way of contributing to new knowledge about learning and cognition, and also as a way of increasing the professional recognition accorded to teachers whose scholarly work focuses on the teaching process. Like others, this academic movement [*882](#) has its patrons, [\[FN6\]](#) its varied monikers and acronyms, [\[FN7\]](#) its gatherings [\[FN8\]](#) and its publications. [\[FN9\]](#) A primary engine for development of the movement has been (CASTL), created in 1998 by the Carnegie Foundation for the Advancement of Teaching. As described on the Foundation's website:

CASTL . . . builds on a conception of teaching as scholarly work proposed in the 1990 report, *Scholarship Reconsidered*, by former Carnegie Foundation President Ernest Boyer, and on the 1997 follow-up publication, *Scholarship Assessed*, by Charles Glassick, Mary Taylor Huber, and Gene Maeroff. . . . CASTL seeks to support the development of a scholarship of teaching and learning that:

- Fosters significant, long-lasting learning for all students;
- Enhances the practice and profession of teaching;
- Brings to faculty members' work as teachers the recognition and reward afforded to other forms of scholarly work.

Work toward these goals involves significant shifts in thought and practice. For faculty in most settings, teaching is a private act, limited to the teacher and students; it is rarely evaluated by professional peers. 'The result,' writes Carnegie Foundation President Lee S. Shulman, 'is that those who engage in innovative acts of teaching rarely build upon the work of others; nor can others build upon theirs.' Thus, CASTL seeks to render teaching public, [*883](#) subject to critical evaluation, and usable by others in both the scholarly and the general community. [\[FN10\]](#)

The movement to promote this kind of scholarship represents a broad stream that has attracted a number of different currents, from each of which it draws intellectual and material support. The combination produces a certain tension as well, because these different strands can pull at times in different directions. Several examples of these intersecting currents follow.

1. Recent Powerful Research on Cognition.

One important stream feeding into the scholarship of teaching and learning flows from a body of diverse research into processes of human cognition. [\[FN11\]](#) This research includes close observation of the ways that novices differ from experts in a given field in their approach to open-ended problems. [\[FN12\]](#) It suggests that real learning is more constructed by learners than transmitted by teachers. It underlines the importance of creating well-designed learning environments that help students to build upon their prior knowledge, but also to uncover prior misunderstandings. [\[FN13\]](#) It confirms the importance of inquiry-based learning, and of assessments that track learning goals and that loop back into the process of course design and selection of teaching methods. [\[FN14\]](#)

2. A Move to Promote Colleges and Universities as Centers for "Civic Learning."

Calls for service to the community and to society at large have become quite common in recent years, although they are sometimes in tension with opposing pulls toward market-oriented practices in both teaching and research. This current feeding into the scholarship of teaching and learning includes those involved in the burgeoning and variegated world ^{*884} of "service learning," a range of thinkers working on democratic theory and a set of higher education administrators concerned about the future role of higher education in society. [\[FN15\]](#)

3. A Desire to More Effectively Produce Graduates Ready for Jobs in the Knowledge Economy.

One strand contributing to contemporary scholarly interest in teaching and learning is the strong motivation felt by many in higher education that schools should be better supplying the economy with job-ready leaders and workers. Many of the most important and dynamic sectors of today's economy are knowledge-centered, so it is not surprising that research on cognition and learning has attracted the interest of corporate leaders and trainers. In any event, a private sector interested in building 'learning organizations' has become both a consumer of and a stimulus for certain aspects of the scholarship of teaching and learning, and it thereby constitutes one more current feeding into the larger stream. [\[FN16\]](#)

^{*885} 4. Increased Pressure for Faculty to Adopt Research-Supported Assessment Practices.

A concern for assessment is fueled in part by external pressure for educational accountability from political actors who cannot be ignored by most school administrators. In part, it is internally motivated, a response to clear demonstrations from educational researchers that effective teaching requires well-designed, well-timed assessment practices that are embedded at multiple points in the teaching and learning cycle. [\[FN17\]](#)

5. Abiding Questions Teachers Ask About Their Own Lives and About Their Students' Futures.

This current in the scholarship of teaching and learning is difficult to categorize. Even calling it a single current is most likely a mischaracterization. But a number of teachers who write reflectively about their work and about their students' learning seem to do so in a way that reflects a deep search for meaning. Whether or not these authors would identify with the "scholarship of teaching and learning" ("SOTL") label, their presence can be felt immediately when one steps into the literature about teaching and learning. And this should come as no surprise, I suppose. Most teachers, at least some of the time, ask deep questions about the meaning of what they do. They face difficult life

passages and confront difficult social problems or political events. Furthermore, they worry about what their students will encounter on their own journeys and how those students will respond. Teachers ask whether they are making a difference in their teaching, and to what end. The energy behind these questions moves in many directions, of course, but some of it regularly gets translated into research and writing about teaching and learning, and this writing sometimes gets taken public in a way that makes it part of the SOTL literature. [\[FN18\]](#)

***886** 6. Concern About Broad Democratic Access to Education.

Some of the teachers and administrators active in promoting the scholarship of teaching and learning are strongly motivated by their concern for wider access to learning. A focus on the distribution of educational opportunity translates into different issues in different settings--running the gamut from affirmative action in selective college and university admissions to the preservation of adequate public funding for adult basic education. But across the board, investigators concerned about questions of access find that "unexamined teaching" tends to replicate existing systems of privilege. Those who want to move beyond such replication therefore find themselves searching for ways to create learning environments that achieve excellent outcomes for a wider range of students. These scholars form one very visible current in the larger movement around SOTL. [\[FN19\]](#)

I suspect that LatCrit readers will be particularly interested in this egalitarian stream within SOTL. Such readers should be aware that SOTL is a field where they can find and learn from teachers in other disciplines who are striving to make the promise of wide educational access more of a reality within real classrooms and schools. [\[FN20\]](#) By way of illustration, I will share ***887** here a passage from Craig Nelson. [\[FN21\]](#)

Teaching is like other forms of loving in at least two important ways. First, different concerns emerge at different levels of mastery and maturity. And second, just as detailed knowledge of pair-wise love and love-making were more or less taboo when I was growing up, knowledge of teaching has been essentially taboo in many academic cultures. And I mean taboo in the strong sense--not just failing to teach prospective faculty about teaching and teaching resources, but pretending that there is nothing to be known that can make a major difference in teaching. Beyond the mastery of content, great teachers are born and not made, in this view. Just like Don Juan, it would seem. I have been quite lucky in my teaching career, as I have serendipitously encountered some important alternatives at pivotal moments in my development. Or, perhaps more likely, encountering the alternatives made the moments pivotal.

The extent of the change in my views is epitomized for me by the contrast between the answers I would now give to two questions and the answers that were implicit in the ways I initially taught. One of these questions is: "Should we evaluate teaching by what the teacher presents or by what the students learn?" Coming out of graduate school, I gave well-organized, dense lectures that covered a lot of ideas quickly--lectures that were just what I thought I would have learned best from at that time. Indeed, they were much better than most of the lectures that I had learned from! And they were well-received by a good portion of my classes. I assumed that the students who did not learn well from them were either dumb, lazy, ill-prepared, or, to be more generous, otherwise engaged--although I would never have put it so bluntly, even to myself.

Although I have since observed that many faculty feel this same way, I now see two main problems with it. The most fundamental is that it abdicates all power for change and makes any improvement ***888** depend on getting different students. And it is not unusual to hear faculty blame the problems they have in teaching on insufficiently

rigorous admission policies. The second main problem with this approach is that it assumes that one's own experience is all the guide one needs to teach effectively, and thus takes one's self as the measure of all things. [\[FN22\]](#)

I hope this highly abbreviated tour of SOTL and its currents will encourage readers to further explore the various strands of the scholarship of teaching and learning. In addition, I hope that it will provide at least an entry point into the literature and the internet resources associated with this academic movement. [\[FN23\]](#)

For purposes of this essay, the point is that the website we have been building is an artifact of the SOTL movement, and an example of a genre--the web-based teaching portfolio--now actively promoted by leaders in the SOTL community. [\[FN24\]](#) I chose this genre in part through naiveté about the time demands and obstacles I was going to encounter, but I am still convinced that my mentors at CASTL were right, and that certain features of the internet make it well-suited for communication about teaching.

My site attempts to capitalize on some of these features, including the ability to post images and artifacts, to insert side comments from the teacher and to include multiple layers and linkages that allow visitors to explore and connect the site's content in different ways. The genre will also allow me to invite future students to create their own exhibits in a medium that most of them find attractive and interesting, and in which most of them feel at home. Having their work posted on the internet also puts my students before an authentic audience. Finally, it allows the representation of my teaching and my students' learning to remain a work-in-progress, open to future developments and amenable to co-construction.

B. The Project as a Case Study of One Pedagogical Method Fran Ansley

From one perspective, then, this website can be seen as an example of the scholarship of teaching and learning. However, a second way to talk about the site is that it explores a particular teaching methodology--the use of community-based field projects in a law school setting. In fact, that is the announced subject of the site, the most immediate way it explicitly **889* presents itself. For that reason, the best evidence of what I have to share with readers about that pedagogical tool can be found on the site itself, incomplete as it admittedly may be.

Accordingly, I will not go into extensive discussion about community-based field work in this essay. I have described above the basic features of the site, and have given readers a general idea of what they can expect to find there. Here, let me simply say that over the past eight years or more I have been experimenting with the use of field projects that partner law students with organizations in the community. Some of the projects entail students doing standard legal research on questions recognizably centered on matters of doctrinal interpretation. Most of the projects, however, entail something quite different. I have encouraged students to work with community-based artists, including dancers, theater people, graphic designers and slam poets. I have urged them to bring their own passions into the project, telling them that they need to be thinking not only about how they are going to represent future clients for a fee, but how they are going to live their lives and enact their own moral commitments.

I am always on the lookout for projects in which students have a chance to work with people who are seeking to build power among those normally locked out of important decisions that affect their lives. Such placements are not always easy to find, but I keep trying because I need them in order to achieve my own teaching goals. I want law students to have opportunities to see community partnerships as a mutually

advantageous pathway toward social change, not simply as some kind of noblesse oblige opportunity for bestowing beneficence on those below.

Results of these labors have been mixed, of course. I seldom manage to complete all the scaffolding and planning to which I aspire. Nevertheless, sometimes the process or the product involved has been successful beyond even my crazy dreams.

Let me conclude this section by observing that many others in legal education have been exploring similar territories. For instance:

At the same LatCrit conference where Cathy and I presented this project, one of the early panels was devoted to "Justice Pedagogy: Experiential and Service Learning for Critical Theory Teachers." We heard from Professors Alicia Alvarez, Sumi Cho, Odeana Neal and Anne Shalleck about the ways they use field work and experiential learning in their endeavors. Professor Cho, of DePaul University, shared handouts describing potential community placements in two classes she taught. Both handouts were inspiring and suggested many ideas as to substantive work that law students elsewhere might undertake. They also provided examples of structured assignments that help students navigate the fluidity and chaos that often characterize field placements of this kind.

**890* LatCrit and Depaul University have recently announced an international summer Community Development Externship Network that will place law students from the global South and North in community placements in various locations in the Americas. It will be led by Professor Thomas Mitchell of DePaul University and will offer exciting new opportunities for fieldwork less constrained by rigid semester rhythms and competing demands than are courses like mine that are taught during the regular school year. [\[FN25\]](#)

Professor Lani Guinier of Harvard University and Professor Susan Sturm of Columbia University (previously colleagues and collaborating teachers at the University of Pennsylvania) have created a web site that features fascinating work they and their students have done in the classroom and in the community. The work displayed focuses largely on issues of race and racism and on creative approaches to addressing these resistant and deep-seated problems in collaboration with community-based groups and agencies. [\[FN26\]](#)

Professor Linda Smith of the University of Utah recently published an article that compiles information about a range of community-linked course offerings now taught by clinicians and non-clinicians in law schools around the country. [\[FN27\]](#) She urges law professors to learn more about the service-learning activities and community-based research that may be going on in other disciplines at their schools. [\[FN28\]](#)

Professor Rebecca Cochran at the University of Dayton urges legal writing teachers to follow her lead in assigning work for community partners as a regular component of legal writing courses. [\[FN29\]](#)

**891* Several of my colleagues here at the University of Tennessee have combined substantive course work with community placements in innovative ways. [\[FN30\]](#)

Professor Deborah Maranville of Seattle University has written about linking experiential learning to the traditional law school curriculum. [\[FN31\]](#) She makes the claim that this kind of learning promotes better standard skills training and encourages greater student engagement with the world and its problems. [\[FN32\]](#)

Many legal scholars in multiple venues have discussed ways of lawyering that allow productive partnerships between lawyers and community-based organizations. Some of these scholars are also teachers who have found ways to expose their students to these opportunities. [\[FN33\]](#)

All of the above experiments are exciting. As an avowed convert to the scholarship of teaching and learning, I hope that many *892 more teachers who are engaging in this kind of practice will find ways of sharing what they are learning with others. Field projects are fraught with both possibility and danger, and those of us using this method surely need to aggregate our experiences and subject them to critical review and assessment.

Having now looked at this website in two ways--as an example of the scholarship of teaching and learning and as a case study of one pedagogical method--this essay will now address two other ways one might decide to examine our website project, two other perspectives from which readers might find it to be of interest.

C. The Project as an Instructive Collaboration Between a Law Librarian and a Law Teacher Cathy Cochran

At the College of Law, like many other law schools, there is sometimes a tendency for the library and the rest of the school to function as separate entities, each with its own culture and its own sorts of boundaries. This tendency is also reflected in the relationship between the College of Law and the rest of the campus. The College of Law makes regular efforts to bridge both these divides, and sometimes it succeeds. For instance, the opportunity for Fran's and my collaboration came about because of our mentoring program. That program pairs law librarians not only with other library faculty, but also with members of the teaching faculty.

I was hired several years ago to be the library's first 'Computer Services Librarian.' The title comes with a broad set of responsibilities--everything from maintaining and managing content and design of the library's website, to teaching other faculty, staff and students how technology can help them find, assess and manage information. When I first arrived, knowing that I was one of the few faculty members without a J.D., I felt a bit overwhelmed; I had a sense that everybody else had a common knowledge and vocabulary about the law that allowed them to "think like a lawyer." I wondered whether my own language, centered more in technology and information services, could be heard in community conversations.

During my second year on the library faculty, Fran was assigned to serve as one of my mentors. She asked if I could help her with an application for a grant that was available from the ITC, a program that promotes the creative use of technology on our campus. Fran asked if I would agree to be a technical advisor on the grant application; I jumped at the opportunity for several reasons. First, I was pleased that someone was finally speaking my language (or at least was interested in learning something about it). Second, some of the topical areas that she intended to cover resonated with my Women's Studies background. Third, the project related overall to the field of instructional technology, which was of growing *893 interest to me. [\[FN34\]](#) The fourth reason was a typical librarian trait: I wanted to help.

In retrospect, I would say that our expectations at the beginning of this undertaking were remarkably unclear. We thought that we would provide primary materials, which some vague "they" would then turn into a website. After we were awarded the grant and waded into the actual project, we learned that the help we could obtain from the ITC was both more limited and more important than we imagined. The process of building a

website from scratch is a highly complex and demanding task, and we have had to take on much of the work ourselves. Although a framework of pages was in place by the end of the grant assistance period, at that point the basic structure of the website was turned over to us for completion. We have labored on our own since then, solving problems and making decisions about matters large and small, and have finally gotten the website to the point where it is almost ready to launch.

On the other hand, what we received from the ITC, through the help of the University's excellent 'Faculty First' program, was invaluable. We secured the services of an instructional technologist, plus a graphic designer who also doubled as project manager and our hands-on teacher. The designer consulted with us and with the technologist and then translated Fran's initial ideas into a functional and aesthetic structure. It was a treat to have a graphic designer establish the look and feel of the website, and it was a great help to have other ITC folks who could suggest many of the technical and navigational solutions.

In addition to the services of the ITC, other items--including software, hardware and other equipment--were provided by the grant. In deciding what we would ask for, I was able to offer recommendations about cameras, external hard drives and similar matters about which Fran had little or no idea. As an information specialist, I was also aware of the synergy afforded by an embedded campus program like the ITC, and was in a position to help Fran gain access to other web and media specialists.

For instance, we received help from a digital production facility called the Studio, located at the main campus library. The Studio allows faculty and students to check out electronic equipment and use computers on site for doing all kinds of multimedia projects. The Studio staff helped us digitize our primary materials--including documents, still photographs and video footage-- into a variety of appropriate formats. For one of the website's **894* 'permanent exhibits,' we wanted to use excerpts from a VHS tape. [\[FN35\]](#) Based on advice from the Studio, we decided that we could save some bandwidth by foregoing the moving image and simply using stills from the video (grabbed with the help of the Studio's Macintosh-based 'I-Movie' software) together with an audio track of the quotes we had selected. We later added text transcripts of the audio files for visitors who wanted to read rather than listen. [\[FN36\]](#)

Working with services such as those provided by the Studio fit well within my job as the Computer Services Librarian, where one of my roles is to promote within the law school the services related to instructional technology that are available across the campus. In the meantime, Fran's experiences with these groups through our project has helped spread the word among other College of Law teaching faculty about these services.

During this entire process, Fran and I were learning about working together, project management and the importance of coordination and organization. For instance, handing over original documents to folks in other departments for scanning and the like meant that sometimes the documents would be lost. We had to develop organizational schemes to track original documents and revisions. Because we were stumbling along through self-taught crash courses on such skills as scanning documents and capturing images, it seemed that multiple "not-quite-the-same" versions of various files were sometimes flying back and forth at dizzying speed.

We also developed an editorial relationship that worked well for us. Sometimes we sat together in front of a monitor using trial and error to figure out some of the more arcane features of HTML protocol. At other times, hardcopy mark-up was our method for communicating about changes that needed to be made to draft pages.

As we entered into a big final push to get the initial content mounted and the website ready for launch, Fran had the good fortune to hire a research assistant with a basic knowledge of HTML and some familiarity with DreamWeaver, the editing software we were using for the project. Having a research assistant on the team gave me an opportunity to experiment with delegating some tasks to her. Some of the tasks I assigned were obvious (i.e., 'Take this brochure and scan it.'), while others were more difficult to delegate. For instance, in order to have the research assistant put content into different segments of the website, I had to figure out how to give her enough information to get something done, but not so much **895* that it would crash the whole website if a mistake was made. I finally figured out what she needed in order to work on a specific section and how to manage file exchanges. Nevertheless, I still had the files and information come through me for integration into the website as a whole and for transmission to the server. (I had learned from observation of a prior bad example to limit direct access to the web server.) This procedure allowed me to be the gatekeeper to the server, but also made me responsible for the interior links and consistency on the server.

Looking back on the project now that we are almost ready to launch the website, I am glad that I decided to get involved, even though the process has been longer and more demanding than we anticipated. It has been a fruitful collaboration for me, in part because we have been able to move forward in a way that takes into careful consideration my pre-tenure faculty status. Although CASTL may be enthusiastic about web projects, I have read advice suggesting that "review committees may not take technology work seriously, so stick to traditional academic activities, like publishing journal articles." [\[FN37\]](#) While there are some attempts to develop peer review mechanisms for web and other technology work, these products and activities often do not fit easily into the traditional categories of research, teaching and service. [\[FN38\]](#)

So even in my case, where technology is so central to my job description, we saw the need to be careful about how project-related activities could help me build a strong tenure portfolio rather than detract from it. We felt that truth was clearly on our side. The various segments of the project were all closely related to the core responsibilities of my job. As noted above, for instance, building productive liaisons with campus technology groups and making the availability of their services better known to the rest of the law faculty are important parts of my job description. Supporting law professors with their teaching mission is also a part of the law library's mission. This project gave me an opportunity to do that for Fran, and to become better prepared to do that for other members of the faculty as well.

Of course for tenure purposes, doing scholarship of a public kind is also an important goal. For this project, we decided going public should include not only launching the website, but also writing and speaking about it. For instance, jointly presenting this project at the LatCrit IX Conference and contributing this essay for the symposium have been wonderful opportunities to build my tenure portfolio. I was also able to use **896* my work on this project to make myself more locally visible, by co-presenting with Fran at a faculty forum for the College of Law. I believe that presenting in these venues helped us to communicate to other legal educators at home and elsewhere the potential advantages of collaboration between law librarians and classroom professors.

Our collaboration will continue in at least two ways. First, I will retain ultimate control over changes that actually appear on the server. Based on my own and others' experiences, I do not want to risk creating a problem on the server by letting this duty out of my hands, at least for now. The website is planned as an ongoing format into which new student projects can regularly (or irregularly) be inserted, so we will deal with the creation of new exhibits in the future. Because Fran is gradually becoming more

adept at using design and development software, she should be able to do larger portions of the work herself, but, of course, all this remains to be hammered out in practice.

The second way we plan on future collaboration is that Fran has invited me to contribute an annotated bibliography to the permanent exhibit on spousal rape. [\[FN39\]](#) Bibliographies are a traditional form of scholarship for law librarians, one that tenure review committees can understand, and I am excited about developing one on this topic. My plan is first to seek publication in a print journal, but to negotiate with the publisher to secure my right to post the bibliography on the website after it has first come out in print form. Fran has also mentioned to other library faculty members that she would be open to similar contributions from others if they see an exhibit on her website whose subject matter is of sufficient interest to them.

D. The Project as the Story of a Website Cathy Cochran

There are many stories we could tell about what we have learned; some of the stories are tedious, while some are interesting. In fact, that contrast mirrors the world of issues that can arise in the course of making a website. In this section I will try to touch on a number of issues that I think might be of interest to readers who are considering the creation of a similar website.

1. A Lot of Words

Our website is a text-heavy website. In fact, most web design guidelines advise against using so much text. Fran was not ready to abandon the plan she had already developed, although she will be trying to get feedback from visitors once the website is launched, and her approach to future exhibits may well be less dominated by text. In the meantime, the large amount of text posed many challenges. Our advisers at the ITC have **897* told us convincingly that web users do not read lengthy texts online. Therefore, a text-heavy website requires thought about how people read (or rather tend not to read) large amounts of text from a computer monitor. If visitors find a website with items they find worth reading, they tend to print out hard-copy versions of the text to read off-line. These predictable reactions push us to take seriously the need for printer friendly versions of text.

a. How Many Layers Is Too Many?

Information about visitors' likely behavior carried other implications as well. For instance, one implication related to the question of pop-ups. Fran had been enthusiastic about the use of hypertext. She wanted to be able to embed 'Teacher's Comments' and other bits of 'Additional Information' within the text of students' descriptions of their projects or their reflections on those projects. At the click of a mouse, she wanted this supplementary information to appear, shedding a different light on the main text. We developed little pop-up windows that provided these Teacher's Comments and Additional Information inputs.

Working with the designer, however, we eventually realized there were a few problems. First, Fran wanted to have multiple layers of pop-ups. That is, she wanted there to be a pop-up window, which would contain another link (or even a second pop-up) embedded in the text of the pop-up. She backed off this original plan, however, when the designer indicated the complexities of such a task and pointed out how difficult it would be for visitors to continue feeling oriented to the website as a whole as they bounced around from level to level. Eventually, we decided to limit ourselves to using only one level of pop-up windows. Our slogan was 'no pop-ups on pop-ups.'

b. Printing Issues

We also realized that having a lot of substance stashed away in a series of side comments would make life difficult for those who wanted to 'print out the whole page.' To accommodate this known tendency of website visitors, copies of the teacher's comment pop-ups for each exhibit were collected on pages that could be printed out separately. Having addressed that problem, however, we discovered that it was more complex than we thought. Therefore, much work has yet to be done to improve the printing functions.

Each combination of operating systems and browsers handle printing issues differently. Unfortunately, we have found that the most popular platform (Personal Computer, or PC) and the most popular browser (Internet Explorer, or IE) do not allow for elegant printing from the web pages as they currently exist. Windows-based PCs with IE account for approximately *898 eighty percent of the browsing traffic on the internet. [FN40] Our experience has been, at least with this website, that the combination of PC and IE often prints pages where the right margin cuts off the text. If this is true, then perhaps all our efforts to make it easy to print pages will be foiled.

Some other combinations of operating systems and browsers handle these printing issues more elegantly. One of our future goals is to make printer friendly versions of the text on the website. Hopefully, our computer services technologists can help to identify scripts, or other techniques, that will be able to create printer friendly versions of these pages on the fly. In the alternative, we might find that posting a parallel, text-only version of the website will be preferable because it would be more printer friendly and could help to satisfy accessibility requirements.

2. Overall Structure of the Website

I have worked on many websites in different capacities; nevertheless, this is the most complex project on which I have worked to date. Our understanding of formats, file sizes and general web design was forced to grow in (sometimes painful) leaps and bounds. Additionally, working with a graphic designer on this website was a new experience. Our designer developed the layout in a graphics program, such as Photoshop or Fireworks, and then imported the design files into an 'HTML editor' (DreamWeaver in this case), where she could flesh out content and hyperlinks. We have not altered the basic layout the designer provided. Fortunately, the designer has graciously continued to provide brief consultations on design matters. We sometimes get nervous about what would happen if she ever moved away or changed her mind, but so far we have not had to face any kind of departure or withdrawal.

In any event, even as to the parts of the structure that we fully control, the complexity of the project poses many challenges. Because we have only been able to work on the project intermittently, we have spent many hours retracing and remembering how the pieces fit together when we return to the work after a period of inactivity. We now know that we need to document the processes we develop along the way, thereby making it easier to pick up where we left off.

3. Structure of Individual Files

File structure is important to many web-builders. File structure provides the outline of the website, the invisible organizational scheme that supports the system--and this structure can make life easy or hard for *899 people who are constructing, revising or fixing the website. [FN41] The file structure of Fran's website deviates from conventional guidelines that place all images in one folder. [FN42] Instead of this conventional

approach, I developed a file structure where each exhibit's artifacts and images are placed in a subfolder. This approach separates the design images that are used to create the basic look of the website, with its navigation bars and frames, from the images that we used to illustrate the different projects featured on the website. [\[FN43\]](#)

4. Naming Conventions

Another technical matter with a highly practical impact is conventions for naming files. As the website grew, I developed naming conventions for files that related to each of the different student exhibits and to the other portions of the website. The file names start with a two or three-letter sequence that identifies the exhibit. The initial sequence is followed by names that identify the subsections of each exhibit. [\[FN44\]](#) These naming conventions satisfied a need to identify page sequences and linking patterns. Naming conventions eliminate the time spent opening files to ensure their contents, thus reducing a step in an already tedious procedure.

5. Branding

'Institutional branding' has become a buzzword at colleges and universities these days, and the College of Law is no exception. Currently, Fran and I are adding ownership content to the website that identifies who we are, including the fact that we are at the College of Law. We are trying to make sure our institutional affiliations are clear but, at the same time, we want to retain our website's distinctive look and feel. I am using my growing design and image manipulation skills to cut and paste some banner images from existing web templates provided by our university.

Questions about institutional branding have required me to function as something of a buffer. On the one hand, Fran and I want to be responsive to people in our institution who are interested in good public relations for the College of Law and who may be somewhat invested in the school's existing logos. On the other hand, Fran is highly protective of the look created by our web designer and she resists any move to put some kind of big "University of Tennessee" stamp in school colors on the opening **900* page of her website. We believe we are close to a final proposal that should meet everyone's desires and aesthetic sensibilities.

6. Good Web Citizenship

Good web citizenship demands many things. For instance, we must be sure to include Webmaster and other contact information on a contact information page or perhaps on every page. [\[FN45\]](#) Another feature of good web citizenship is to provide a clear indication of when updating or modification of the website occurred. Clear dating is a difficult feature for a website like Fran's because the site is open-ended and anticipates future growth. One web guide cautions designers to "[d]ate every Web page and change the date whenever the document is updated. This is especially important in long or complex online documents that are updated regularly but may not look different enough to signal a change in content to occasional readers." [\[FN46\]](#) I know from my own and others' experiences that the activity of keeping a website updated and fresh can be a demanding chore. For this site, we have chosen to include with each student project a notation about when the project itself was carried out and when the exhibit was developed. This information is necessary to prevent confusion because in some cases there was a significant lapse of time between the project and its exhibition. In general, the basic design of the page provides that original portions will generally stand as they are, clearly dated, while new materials get added with new dates of their own. We hope this will prove to be a workable solution that allows continued growth without the need

for extensive revision and updating. But we know we will need to stay alert about this problem if we want the website to continue to feel like an integrated whole.

An additional feature of good web citizenship is compliance with intellectual property rules. In simple terms, "[f]air use ends when the multimedia [or any other type of media] creator loses control of his product's use, such as when it is accessed by others over the Internet." [\[FN47\]](#) Of course, copyright laws work both ways. We will probably copyright the website, although Fran will make it clear that viewers are free to copy many items. In the meantime, however, we are seeking permission to reproduce certain items or links to other sources where permission is required.

***901** 7. Accessibility

Accessibility is a matter of good web citizenship, and it is complex enough to merit some discussion of its own. Accessibility issues may involve helping people to understand and obtain any software they may need to review and use all features of a particular website. For instance, we have included many documents in a PDF format, so we need to add links to the Adobe PDF reader software; and we have a few audio clips that require Quick Time, so similar links will be needed there. The same process will be used for any other software and plug-ins needed, as we include additional media types to the website. [\[FN48\]](#) We probably need to add advisories and explanations about these software matters for novice users, as well as warnings about file sizes and formats.

Of course, there are many accessibility issues that go far beyond software. Many people lack access to the web entirely, while others have slow computers or narrow bandwidth. Others have disabilities that may create barriers, most of which can be overcome, but only with planning and additional time investment.

Some of the exhibits on this website raise pointed accessibility questions themselves. For instance, one exhibit features a report on Latina/o immigrants in Tennessee and explicitly mentions language access for low-English-proficiency immigrants. Another exhibit focuses on the rights of children with disabilities. Accordingly, we believe we at least need to consider steps such as translating some or all sections of the website into Spanish. We also think we either should mirror the website in a text-only version or provide other mechanisms to comply with relevant sections of the Rehabilitation Act. [\[FN49\]](#) (The Rehabilitation Act requires that individuals with disabilities be provided comparable access to electronic information and data. [\[FN50\]](#) Although not all websites are legally required to comply with these provisions, these rules have generally been viewed as guides for good web citizenship).

The World Wide Web Consortium ("W3C") has also developed guidelines and checklists for web content accessibility in collaboration with various ***902** organizations. [\[FN51\]](#) The checklist from W3C contains items such as "provide a text equivalent for every non-text element" and "ensure that equivalents for dynamic content are updated when the dynamic content changes." [\[FN52\]](#) In addition, there are software tools available that check how well web pages comply with such standards. [\[FN53\]](#)

Finally, good web citizenship also deals with issues regarding consent, that is, with obtaining consent from people who are featured in some way on the website. Consent could be an issue for any website, but because this one is a form of scholarship that includes research on human subjects, it involves special concerns and particularly rigorous guidelines. Fran submitted a successful application to our university's board that deals with research involving human subjects. As a result, there are consent forms that are now given both to students and to their community partners if the partners are going to be featured on the website in some way. [\[FN54\]](#)

8. Future Maintenance, Promotion and Growth

There are many things that we need to do to preserve and enhance maintenance, promotion and growth of our website. For instance, we need to develop guidelines for reviewing and updating content and verifying resource links, and resources must be secured to carry out these guidelines. We need to promote the website. A set of "meta tags" can be ^{*903} developed that will provide descriptions and keywords that assist discovery by web search engines. [\[FN55\]](#) We might also manually submit the website to search engines for inclusion in their index. Obviously, we will want links to point to our website from the college, law library and university levels.

Another task is to protect ourselves against catastrophic data loss. This will require help from the network manager and computer services technologists to assure regular backup of the website and to avoid server problems that could destroy the only copy of the current website. One commentator advised:

[A]rrange to collect and store the files of the site periodically or contract with your Web service provider to set aside a backup version at regular intervals so that it can be stored for long-term use. We take for granted the 'paper trail' of history left by conventional business and work practices. Without a plan for preserving our digital works, our collective history may vanish without a trace. [\[FN56\]](#)

A more substantive dream for the future is to buy some programmer time (perhaps through another technology grant from the university) so that we can facilitate the process of adding text, artifacts and images to the temporary exhibits area. A template could be constructed that would allow a student to upload text and images into a relatively simple and preset exhibit space, perhaps as part of an end-of-semester assignment. Such automation would enable more students' work to be visible and also provide more exposure for community partners. In addition, automation would certainly ease the burden of future website development, allowing us to concentrate faculty time on the site's more comprehensive, permanent exhibits.

Another hope is that we will be able to incorporate some "born digital" multimedia to the website. Through the grant that started the project, the College of Law was able to acquire digital video equipment that is now available to students. It would be great if the website could include more video that students make in the future.

IV. Conclusion

When the two of us presented our project at the LatCrit IX Conference outside of Philadelphia in the Spring of 2004, we were able to show participants the website, on the spot and in the flesh, by projecting pages from the website onto a screen and navigating among its parts. Here, in this essay, we are constrained to print on the page, so we want to remind ^{*904} readers that much of what we are saying can best be evaluated and understood by visiting the website itself. Nonetheless, we have done the best we could to share here what we have learned from the project so far. We did so by taking four different perspectives on the project, examining it (1) as an example of the scholarship of teaching and learning, (2) as a case study of the use of community-based field projects in law school, (3) as an example of a law-librarian/law-professor collaboration and (4) as the saga of a website. We hope others will be encouraged to use the internet for sharing what they are discovering about teaching and learning, perhaps avoiding some of our mistakes and taking inspiration from our successes.

Footnotes:

[FNa1]. University of Tennessee College of Law Distinguished Professor of Law; A.B., 1969, Harvard-Radcliffe; J.D., 1979, University of Tennessee; LL.M., 1988, Harvard.

[FNaa1]. University of Tennessee College of Law Computer Services Librarian; B.A., 1988, University of Tennessee; M.S.I.S, 1997, University of Tennessee.

[FN1]. I learned a great deal from the members of my cohort (some of whom, coincidentally, have also been active participants in LatCrit events and activities over the years). For an incomplete sampling of some of their scholarship on teaching and learning, see Orville Vernon Burton, *Computing in the Social Sciences and Humanities* (2002) (showing how development of new technology has shaped social sciences); Roberto L. Corrada, *On Teaching Goals, Education Theory, and the Law School Classroom*, at http://www.law.du.edu/corrada/castl/on_teaching_goals.htm. See also Robert Bain, *Into the Breach: Using Research and Theory to Shape History Instruction*, in *Knowing, Teaching and Learning History* 331-52 (Peter N. Stearns et al. eds., 2000); Craig Nelson, *On the Persistence of Unicorns: The Trade-Off between Content and Critical Thinking Revisited*, in *The Social Worlds of Higher Education* (Bernice Pescosolido & Ronald Aminzade eds., 1999); Mary Romero et al., *Beyond These Walls: Teaching Within and Outside the Expanded Classroom - Boundaries in the 21st Century*, in *Handbook of Teaching in the Social Sciences* 282-597 (Ron Aminzade & Bernice Pescosolido eds., 1999); Jane Harris Aiken, [Striving to Teach Justice, Fairness and Morality](#), *4 Clinical L. Rev.* 1 (1997) (discussing law professors duty to promote justice); Alison Grey Anderson, *Lawyering in the Classroom: An Address to First Year Students*, *10 Nova L. Rev.* 271-88 (1986) (discussing lawyer's role as storyteller); Roberto L. Corrada, *A Simulation of Union Organizing in a Labor Law Class*, *46 J. Legal Edu.* 445 (1996) (indicating students' past life experiences affect students' ability to understand unionized setting); Lucie White, *The Transformative Potential of Clinical Legal Education*, *35 Osgoode Hall L. J.* 603 (1997); Emily van Zee & Deborah Roberts, *Using Pedagogical Inquiries as a Basis for Learning to Teach: Prospective Teachers' Reflections upon Positive Science Learning Experiences*, *85 Sci. Educ.* 733, 733-57 (2001) (analyzing factors that foster science learning); Gerald E. Schenk & David Takacs, *History and Civic Participation: An Example of the Scholarship of Teaching and Learning, Perspectives* (Apr. 2002), available at <http://www.historians.org/Perspectives/Issues/2002/0204/0204teach2.htm> (discussing effectiveness of pedagogies based on analysis of evidence gathered from author's class).

[FN2]. The ITC defines its mission as providing "the leadership, the support, the resources, and the training necessary to help University of Tennessee faculty, graduate teaching assistants and academic staff make effective use of technology in their teaching, both online and in the classroom." See *The Link Between Technology and Education*, at <http://itc.utk.edu/> (last visited Mar. 12, 2005).

[FN3]. Many people and organizations provided crucial support to the site. In addition to Cathy, some key sources of inspiration and material support include Spring Miller, my research assistant in Summer 2004; the Carnegie Academy for the Scholarship of Teaching and Learning; and UTK's own Innovative Technology Center whose Faculty First grant provided the talents of graphic designer Joan Thomas and instructional technology consultant Kathy Bennett. The Studio, a multimedia center at the University's main library, was also a lifesaver, in large part because Michelle Brannen and other staff there are so patient and accommodating, even during the high-stress meltdown moments that seem to occur so predictably with digital media. Jeff Groah, Jody Whisnant, R.G. Smithson and Pat McNeil at the law school have also helped out in various ways--with equipment, text preparation, visuals, etc. Meanwhile, Dean Tom Galligan and the University of Tennessee College of Law have stood solidly behind the effort along the

way, in more ways than can be recounted here.

[FN4]. These "permanent" exhibits require substantially more input from the teacher and more heavy-lifting from the producer because they feature lengthier narratives and reflections than do the projects mounted in the temporary collection. There are also more extensive exhibits of images and artifacts and a series of comments from the teacher embedded as pop-up items in the student's narrative and reflection.

[FN5]. See K. Patricia Cross & Mimi Steadman, *Classroom Research: Implementing the Scholarship of Teaching* (1996) (providing general overview of research being done in classrooms under this banner); see also Ernest Boyer, *Scholarship Reconsidered: Priorities of the Professoriate* (1997) (serving as germinal text in this field).

[FN6]. Perhaps the movement's most visible patron is the Carnegie Foundation for the Advancement of Teaching, www.carnegiefoundation.org, with its Carnegie Academy for the Scholarship of Teaching and Learning (CASTL), <http://www.carnegiefoundation.org/CASTL/index.htm>, described in more detail in the text. Another organization that is an important supporter of the movement is the American Association for Higher Education, www.aahe.org/.

[FN7]. The acronym is SOTL, or sometimes SoTL. Although the phrase "scholarship of teaching and learning" has a lot of currency, other usages are common and the boundaries between SOTL and concepts such as educational action research, reflective teaching and many others are far from rigid.

[FN8]. The City University of London hosted its fourth International Conference on the Scholarship of Teaching and Learning (SoTL) on the grounds of Goodenough College in June 2004. The Inaugural Meeting of the International Society for the Scholarship of Teaching and Learning was held in October 2004 in Bloomington, Indiana. Beyond these sorts of "fully dedicated" conferences, there are many SOTL-heavy panels and workshops that take place within other academic meetings, both disciplinary and cross-disciplinary. For instance, I have been invited to present my work on field placements at annual meetings of LatCrit, the Law & Society Association and the Association of American Law Schools.

[FN9]. See, e.g., *The Journal of the Scholarship of Teaching and Learning*, at www.iusb.edu/~josotl/ (last visited Mar. 12, 2005); National Teaching & Learning Forum, at www.ntlf.com (last visited Mar. 12, 2005).

[FN10]. Carnegie Foundation for the Advancement of Teaching, CASTL, at <http://www.carnegiefoundation.org/CASTL/index.htm> (last visited Aug. 8, 2004).

[FN11]. See generally John Bransford et al., *The National Research Council, How People Learn: Brain, Mind, Experience and School* (1999) (reviewing human cognition research).

[FN12]. See generally *id.*

[FN13]. See generally *id.*

[FN14]. See generally *id.* For other resources from this cognitive research strand, see Jacqueline Brooks & Martin Brooks, *The Case for Constructivist Classrooms* (1993); *The Law Teacher* (Gonzaga University School of Law, Institute for Law School Teaching), available at <http://law.gonzaga.edu/ilst/ilst.htm> (last visited Mar. 12, 2005) (injecting cognitive research into legal academy; providing link to newsletter); The Institute for Learning Technologies, at www.ilt.columbia.edu/about/index.html (last visited Mar. 12, 2005); The National Teaching & Learning Forum, at www.ntlf.com (last visited Mar. 12,

2005) (injecting cognitive research into teaching community in practical, usable chunks); The Visible Knowledge Project, at www.georgetown.edu/crossroads/vkp/index.htm (last visited Mar. 12, 2005).

[FN15]. For resources from this civic engagement strand, see Anne Colby et al., *Educating Citizens: Preparing America's Undergraduates for Lives of Moral and Civic Responsibility* (2003); Thomas Ehrlich, *Civic Responsibility and Higher Education* (2000); Elizabeth Hollander & John Saltmarsh, *The Engaged University*, *Academe*, July-August 2000, at 29-32 (citing college and university programs that reach out to communities and foster democracy); Wendi Maloney, *The Community as a Classroom*, *Academe*, July-August 2000, at 38-42 (describing college and university programs that stress community involvement); Harry C. Boyte, *Information-Age Populism: Higher Education as a Civic Learning Organization* (2002), at http://www.publicpolicy-educouncil.org/information_age_pop.pdf (discussing relationship of democracy and civic learning); and the Kettering Foundation's annual Higher Education Exchange. But see Stanley Fish, *Aim Low*, *Chron. of Higher Educ.*, May 16, 2003, available at <http://chronicle.com/jobs/2003/05/2003051601c.htm> (highlighting practical problems with promoting moral and civic responsibility within classroom). '[D]emocratic values and academic values are not the same and ... the confusion of the two can easily damage the quality of education.' *Id.*

[FN16]. For resources reflecting or helping to elicit this job-readiness strand, see John Seely Brown & Estee Solomon Gray, *Creating A Learning Culture: Strategy, Practice, and Technology* (2003); Peter M. Senge, *The Fifth Discipline: The Art and Practice of the Learning Organization* (1990) (discussing importance of continued learning and learning as group); Robert M. Lloyd, [Consumerism in Legal Education, 45 *J. Legal Educ.* 551 \(1995\)](#) (noting failure of law school as economic model and student as economic actor); George Mason University School of Public Policy, Program on Social and Organizational Learning, at <http://psol.gmu.edu/> (last visited Mar. 13, 2005); George Washington University, School of Business and Public Management, Research Program in Social and Organizational Learning, at <http://www.gwu.edu/%7Ecsol/> (last visited Mar. 13, 2005); The Society for Organizational Learning at <http://www.solonline.org/> (last visited Mar. 13, 2005); University of New Mexico College of Education, Organizational Learning and Instructional Technologies, at <http://www.unm.edu/%7Eolit/> (last visited Mar. 13, 2005).

[FN17]. For resources from this assessment strand, see Thomas Angelo & Patricia Cross, *Classroom Assessment Techniques: A Handbook for College Teachers* (1993) (providing exercises for teacher assessment in higher education); Gregory S. Munro, *Outcomes Assessment for Law Schools* (2001); Jody Brown Podl & Margaret Metzger, *Anatomy of an Exhibition* (1992), available at http://www.essentialschools.org/cs/cespr/view/ces_res/223 (noting exhibitions make schools externally accountable to community; No. 6 in series of Studies on Exhibitions by Coalition of Essential Schools, Brown University).

[FN18]. For resources from the more spiritual strand, see Derrick Bell, *Ethical Ambition: Living a Life of Meaning and Worth* (2002); Elizabeth Dvorkin et al., *Becoming A Lawyer: A Humanistic Perspective on Legal Education and Professionalism* (1981); Myles Horton, *The Long Haul* (1997); Herb Kohl, *Growing Minds: On Becoming a Teacher* (1984) (describing author's own experience becoming teacher); Parker Palmer, *The Courage to Teach* (1998); Milner S. Ball, [Jurisprudence from Below: First Notes, 61 *Tenn. L. Rev.* 747 \(1994\)](#) (noting lawyers should be educated to function in globalized world); Daisy Floyd, *Reclaiming Purpose--Our Students' and Our Own*, *Law Tchr.* (Spring 2003), available at http://www.law.fsu.edu/academic_programs/humanizing_lawschool/images/daisy2.pdf (noting law school often causes students to lose sense of purpose); Charles R. Lawrence, III, [The Word and the River: Pedagogy as Scholarship as Struggle, 65 *S. Cal. L. Rev.* 2231 \(1992\)](#) (discussing author's model of teacher/scholar/activist); Howard Lesnick, *The*

Integration of Responsibility and Values: Legal Education in an Alternative Consciousness of Lawyering and Law, 10 *Nova L. Rev.* 633 (1986) (discussing curriculum implementing emphasis on responsibility). See also Steven Keeva, *Transforming Practices: Finding Joy and Satisfaction in the Legal Life* (1999).

[FN19]. For some helpful resources representative of this democratic access strand, see Mary Romero et al., *supra* note 1, at 282-597. See also Marc Chesler & A Malani, *Perceptions of Faculty Behavior by Students of Color*, 16 *Mich. J. Pol. Sci.* 54 (1993); Craig Nelson, *Student Diversity Requires Different Approaches to College Teaching, Even in Math and Science*, 40 *Am. Behav. Scientist* 165 (1996) (indicating that bias in traditionally taught courses perpetuates social class differences); Francis Schrag, *From Here to Equality: Grading Policies for Egalitarians*, 10 *Good Soc'y* 44, 44-47 (2001); Uri Treisman, *Studying Students Studying Calculus: A Look at the Lives of Minority Mathematics Students in College*, 23 *C. Mathematics J.* 362 (1992) (discussing experiences as calculus professor).

[FN20]. Of course, access-minded law professors have been producing scholarship for years now about the challenges of teaching and learning that confront outsider teachers and outsider students. In effect, they have created a whole genre in the scholarship of teaching and learning within the legal academy, though until fairly recently the SOTL label was not known or used much. Many in LatCrit are doubtlessly familiar with much of this literature on pedagogy and access, and a full review would be the subject of a whole separate inquiry, but a few memorable contributions include: Kimberlé W. Crenshaw, *Foreword: Toward a Race-Conscious Pedagogy in Legal Education*, 11 *Nat'l Black L.J.* 1 (1989); Lani Guinier, [Becoming Gentlemen: Women's Experiences at One Ivy League Law School](#), 143 *Penn. L. Rev.* 1 (1994) (describing women law students' experience at elite law school); Natsu Saito Jenga, [Finding Our Voices, Teaching Our Truth: Reflections on Legal Pedagogy and Asian American Identity](#), 3 *Asian Pac. Am. L.J.* 81 (1995); Charles R. Lawrence III, *Doing the 'James Brown' at Harvard: Professor Derrick Bell as Liberationist Teacher*, 8 *Harv. BlackLetter J.* 263 (1991) (noting Professor Derrick Bell's call to students to test law's responsiveness to their experiences); Lawrence, *supra* note 18 (attempting to frame paradigm for legal education for use by other scholars of color); Margaret Montoya, [Mascaras, Trenzas, Y Grenas: Un/Masking the Self While Un/Braiding Latina Stories and Legal Discourse](#), 15 *Chicano-Latino L. Rev.* 1 (1994) (exploring how transculturation creates new options for expression, personal identity, cultural authenticity and pedagogical innovation); Francisco Valdes, [Outsider Jurisprudence, Critical Pedagogy and Social Justice Activism: Marking the Stirrings of Critical Legal Education](#), 10 *Asian L.J.* 65 (2003) (comparing structure of legal education with instrument of social hierarchy).

[FN21]. Craig Nelson is a nationally recognized scholar of teaching and learning, distinguished professor of biology and teaching mentor--now emeritus--at the University of Indiana, and a member of my cohort at CASTL.

[FN22]. Craig Nelson, *Tools for Tampering with Teaching's Taboos*, in *New Paradigms for College Teaching* (William E. Campbell & Carl A. Smith eds., 1997).

[FN23]. For those who are interested in viewing a resource list, the website itself provides additional links and citations to this literature see <http://www.law.utk.edu/library/teachinglearning/overview/resources.html> (last visited Mar. 13, 2005).

[FN24]. For examples, see The Carnegie Foundation's Gallery of Teaching and Learning, at <http://gallery.carnegiefoundation.org/> (last visited Mar. 13, 2005).

[FN25]. For more on the new externship program, see LatCrit, at <http://>

personal.law.miami.edu/~fvaldes/latcrit/projects.html (last visited Mar. 13, 2005).

[FN26]. See Lani Guinier & Susan Sturm, Introduction to this Website, RACETALKS, at <http://www.racetalks.org/about/index.html> (last visited Oct. 22, 2004) (explaining techniques used to enable open discussion on race in classroom setting).

[FN27]. See Linda F. Smith, [Why Clinical Programs Should Embrace Civic Engagement, Service Learning and Community Based Research](#), 10 *Clinical L. Rev.* 723, 745-52 (2004) (explaining types of service-learning programs used at law schools in United States).

[FN28]. See [id. at 753-54](#) (emphasizing importance of clinical faculty becoming involved in various disciplines).

[FN29]. See Rebecca A. Cochran, [Legal Research and Writing Programs as Vehicles for Law Student Pro Bono Service](#), 8 *B.U. Pub. Int. L.J.* 429, 446 (1999) (explaining need for exposure of law students to pro bono opportunities during law school).

[FN30]. For instance, Professor Dean Rivkin often has students do research projects for local environmental and community groups as part of his course on Environmental Justice and Community Lawyering. Professor Deseree Kennedy has developed a structured service-delivery component through which law students work for survivors of domestic violence in her Family Law course. Professor Joan Heminway has students in her class on Animals and the Law assigned to projects providing legal assistance to a number of animal welfare initiatives underway in Tennessee, educating the general public about legal issues involving animals and exploring legislative solutions to problems identified during other course-related activities. Professor Neil McBride teaches the law of nonprofit corporations using a "legal check-up" module in which his students work with local nonprofit organizations to conduct prophylactic audits of their legal affairs, a process that regularly identifies issues whose discovery and resolution are of great benefit to the groups in question.

[FN31]. See Deborah Maranville, [Infusing Passion and Context into the Traditional Law Curriculum through Experiential Learning](#), 51 *J. Legal Educ.* 51, 57-74 (2001) (explaining need to incorporate real activities and opportunities into law school curriculum).

[FN32]. See [id. at 58-62](#) (arguing experiential education generates passionate and better prepared students).

[FN33]. See, e.g., Gerald P. López, *Rebellious Lawyering: One Chicano's Vision of Progressive Law Practice* 38-44 (Robert W. Gordon & Margaret Jane Radin eds., 1992) (demonstrating link between lawyering and everyday life); Scott L. Cummings & Ingrid V. Eagly, [A Critical Reflection on Law and Organizing](#), 48 *UCLA L. Rev.* 443, 448 (2001) (discussing fact that classes are being taught on law and organizing at major law schools); Jennifer Gordon, [We Make the Road by Walking: Immigrant Workers, the Workplace Project, and the Struggle for Social Change](#), 30 *Harv. C.R.-C.L. L. Rev.* 407, 437 (1995) (describing use of law students in providing free legal assistance to Latino/a immigrants); William P. Quigley, [Reflections of Community Organizers: Lawyering for Empowerment of Community Organizations](#), 21 *Ohio N.U. L. Rev.* 455, 464-79 (1994) (explaining what lawyers need to learn when helping grassroots organizations); Lucie E. White, [To Learn and Teach: Lessons from Dreifontein on Lawyering and Power](#), 1988 *Wis. L. Rev.* 699, 754-67 (1988) (suggesting three types of lawyering that can be used when organizing).

[FN34]. Instructional technology focuses on the use of technology to support teaching and learning, usually in the setting of an educational institution. One of the best known organizations involved in this field is EDUCAUSE. See EDUCAUSE, at

<http://www.educause.edu> (last visited Oct. 22, 2004) (describing services and information offered by website). The EDUCAUSE stated mission is to promote intelligent use of information technology in higher education. See *id.* (stating mission).

[FN35]. The tape was created by a law student as part of a campaign aimed at educating state legislators about the partial spousal rape exemption in Tennessee and why it should be repealed.

[FN36]. The Studio staff also helped by providing a training session about digital cameras and library policy for students in one of Fran's classes. See University of Tennessee, The Studio, at <http://www.lib.utk.edu/mediacenter/studio/index.html> (last visited Oct. 23, 2004) (displaying comprehensive information about services and policies).

[FN37]. Jeffrey R. Young, *Ever So Slowly, Colleges Start to Count Work With Technology in Tenure Decisions*, *Chron. of Higher Educ.*, Feb. 22, 2002, at A25.

[FN38]. One example of such an attempt is Multimedia Educational Resource for Learning and Online Teaching (MERLOT). See Multimedia Educational Resource for Learning and Online Teaching, at <http://www.merlot.org/Home.po> (last visited Oct. 23, 2004) (displaying information and services provided by website). MERLOT acts as a repository and exchange for online learning materials as well as a peer review mechanism. See *id.* (explaining purpose of website).

[FN39]. My bibliography would supplement the list of resources now posted on the website as part of the exhibit on the spousal rape campaign.

[FN40]. See Browser Statistics, W3Schools, at http://www.w3schools.com/browsers/browsers_stats.asp (last visited Oct. 23, 2004) (showing current trends in browser usage).

[FN41]. See Anatomy of a Web Site: File Structure, WEBhelp, at http://extension.oregonstate.edu/webhelp/anatomy/5_siteanatomy.html (last visited Oct. 23, 2004) (describing how to organize websites).

[FN42]. See *id.* (explaining methods for organizing folders).

[FN43]. This may sound boringly trivial to some readers, but it really made my life easier when I figured it out.

[FN44]. For example, a file in the spousal rape exemption campaign exhibit starts with the two letters 'sr' followed by '_p_story1.html.' This sequence indicates that the file contains page one of the project story for the spousal rape exemption campaign exhibit.

[FN45]. See Christine A. Quinn, *Elements of Style for Web Design*, at <http://www.stanford.edu/~cquinn/papers/bostonpaper.html> (last visited Aug. 8, 2004) (emphasizing need for style and beauty in web page design).

[FN46]. *Make Your Web Pages Freestanding*, *Web Style Guide*, 2nd Ed., at <http://www.webstyleguide.com/interface/freestanding.html> (last updated Mar. 5, 2004) (explaining importance of having clear dates on website).

[FN47]. *ncpublicschools.org*, *Copyright in an Electronic Environment (Guidelines from Consortium of Colleges & Universities Media Centers)*, at <http://www.dpi.state.nc.us/copyright1.html> (last visited Aug. 8, 2004) (providing guidelines for teachers and students on how to comply with Copyright law).

[FN48]. Currently, we have a few audio clips that use a Quick Time format. We plan to provide alternative versions in Real Audio formats, and maybe other formats such as mp3 or Flash.

[FN49]. See Rehabilitation Act of 1973 §§ 504, 508, [29 U.S.C. §§ 794, 794\(d\) \(2004\)](#) (describing requirements for providing access to individuals with disabilities). Section 504 imposes rules on educational institutions regarding access to services by the disabled and Section 508 imposes rules on the federal government itself regarding the use and procurement of electronic and information technology. See *id.* (stating requirements placed on educational institutions and federal government).

[FN50]. See *id.* § 508 (delineating requirements for federal government to provide accessibility to electronic and information technology for disabled persons).

[FN51]. See W3C, Fact Sheet for "Web Content Accessibility Guidelines 1.0," at <http://www.w3.org/1999/05/WCAG-REC-fact.html> (last visited Oct. 23, 2004) (providing guidelines for website accessibility for persons with disabilities). This site states: W3C's Web Accessibility Initiative [WAI] provides a forum for disability organizations, accessibility research centers, and government to participate with industry representatives under W3C process. Participation in the Web Content Accessibility Guidelines has included representation from all of these areas, with extensive international participation. As a W3C Recommendation, this specification has undergone formal review by W3C Member organizations and all comments raised have been addressed.

Id. WAI is supported in part by the United States Department of Education's National Institute on Disability and Rehabilitation Research. See *id.* (listing sponsors of program).

[FN52]. See W3C, List of Checkpoints for Web Content Accessibility Guidelines 1.0, at <http://www.w3.org/TR/1999/WAI-WEBCONTENT-19990505/checkpoint-list.html> (last visited Oct. 23, 2004) (providing checklist to determine if web page complies with accessibility guidelines).

[FN53]. Probably the most widely known software of this type is Bobby. See watchfire, Bobby, at <http://bobby.watchfire.com/bobby/html/en/about.jsp> (last visited Oct. 23, 2004) (explaining Bobby and its uses). This software was first developed by Center for Applied Special Technology. See Center for Applied Special Technology, at <http://www.cast.org/products/> (discussing development). Individual web pages can be submitted to verify how well they adhere to various accessibility guidelines. See watchfire, *supra* (explaining how Bobby works). The software can be purchased to evaluate whole websites. *Id.*

[FN54]. Fran discusses this matter in greater detail on the website itself, in the Teacher Overview section. See Fran Ansley & Cathy Cochran, Teaching Learning, at <http://www.law.utk.edu/library/teachinglearning/default.html>.

[FN55]. A meta tag provides information about a web page. Some search engines use these tags when they index a website.

[FN56]. Tracking, Evaluation, and Maintenance, Web Style Guide, 2nd Ed., at <http://www.webstyleguide.com/process/track.html> (last visited Aug. 8, 2004) (explaining importance of storing website files).