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JOYCE D. SALTALAMACHIA

Podcasts, PowerPoint, and Pedagogy: Using Technology to Teach the Part-Time Student

ABOUT THE AUTHOR: Joyce Saltalamachia is a professor of law at New York Law School. I wish to thank the following people for their valuable assistance over the past two years as I pursued this technology experiment: Mr. Elmer Masters of CALI who helped me navigate Classcaster and whom I continue to call upon to this day; Dr. Alex Avdeef, PowerPoint guru extraordinaire; Prof. Robert Nissenbaum for his helpful suggestions; members of NYLS's Office of Information Technology who got me and my laptop "hooked up" each class; and the members of my Fall 2006 and 2007 Torts classes. She also would like to thank the following people for their assistance in preparing this article, as well as the Faculty Presentation Day talk; Dr. Joanne Ingham, who helped me design the survey and who prepared the charts; Ms. Charlene Barker, NYLS Class of 2010, who was my co-presenter and so eloquently gave the student perspective; and Ms. Farrah Nagrampa, who provided invaluable office support all along the way.

This essay will explore the use of various types of technology in order to assist part-time first-year law students in a required core course. The technologies employed included audio, visual, and web-based products, and each item was designed to be used both in-class and for out-of-class review purposes. In the two classes involved in the study, nearly all the students were employed full-time and attended law school in the evenings after work, and all had limited time for class preparation and exam study. The survey results at the end of this essay demonstrate that these students overwhelmingly utilized the additional technological tools and considered them valuable resources for their legal education.

I. BACKGROUND

Although I have been teaching at a dual division law school for over twenty-five years, I had only been assigned to teach in the evening once, back in the early 1980's, and that had been an upper division class with fifteen students. Therefore, when I agreed to teach an evening section of Torts in 2006, I was more than slightly apprehensive about how I could best meet the needs of these very special students. I resolved to concentrate on teaching my familiar Torts class in a very different fashion, so as to recognize the unique nature of this kind of student. But first, I had to determine just what these "unique" students actually needed.

My advantage here, I thought, was having essentially been an evening student myself for my last year of law school. I say "essentially" because I do not think this was ever my official designation, or at least official in the eyes of the Registrar. Instead, because of work, Law Review, and family pressures, I decided to sign up for all my classes in the evenings. This having been many decades before computerization, enrollment studies, or professional academic affairs offices, no one much noticed my new self-imposed schedule. For that entire year, I quickly learned to live with what my fellow students had known for their entire careers as law students: part-time students are perpetually time-deprived and law school is only one facet of their hectic lives. Thus, I took it as my challenge to make my students' study of Torts as time-efficient as possible, without diminishing any of the academic content.

II. TECHNOLOGIES

A. Podcasting in the Classroom

The novel *One L* featured a crusty law teacher, Professor Kingsfield, who was a harsh interrogator of his first-year students. He memorably utilized the so-called "Socratic method" of law teaching, which featured intensive, probing questioning of individual students in order to hone their analytical skills and teach them how to "think like a lawyer." Over the years, this intimidating style of teaching has largely been abandoned in favor of a combination of lectures, questions and answers, and student-teacher interactions, which some have termed a "soft-Socratic" teaching style. Technology has been finding its way into the law school classroom, albeit more slowly than in other disciplines.

Although I consider myself a moderately tech-savvy person, my Torts teaching pedagogy had always been traditional: stand-up podium lecture/soft-Socratic with such a limited use of the class web page to post announcements that I wondered if

anyone ever consulted it. But two events occurred in the summer of 2006 that made me re-examine my approach to educational technology and question whether popular uses of technology could be adapted in a creative way to law teaching.

The first event had little to do with teaching and everything to do with getting an unwanted birthday present. Even though it seemed that most of the world had long adopted the iPod as the portable music delivery service of choice, I had been a stubborn holdout, maintaining that my little compact disc player was just fine for all my purposes. However, after I received an iPod Nano as a gift, I soon wondered how I had ever managed without it and came to understand why everyone appeared to be plugged into headphones at all times. But it was not until I attended the 2006 annual meeting of CALI (the Center for Computer Assisted Learning Instruction) that I started thinking that my new favorite toy could have classroom applications. CALI began over twenty-five years ago as a consortium of law schools that wanted to explore ways to develop computer-mediated legal education resources. It has grown into a non-profit organization of 170 members that researches and supports a wide range of products designed to enhance legal education through technology. At this 2006 CALI meeting I heard for the first time about CALI's new product, Classcaster, which was designed specifically for law school faculty, enabling them to podcast and blog. As described by CALI staffer Elmer Masters, Classcaster was as user-friendly as could possibly be, with the ability to post either through downloading digital recordings, or, amazingly, speaking over the telephone. Masters said that there had been several beta tests of Classcaster in the spring where professors had not only posted recordings of entire classes, but also summaries of classes or lectures. While I was aware that podcasting was increasingly being used to deliver lectures, I had not been inclined to try it for law school purposes because I thought that the interactive nature of law school teaching did not lend itself to straight audio recording.

The suggestion of podcasting through Classcaster as a way to deliver summaries of classes had great appeal, however. For years I had been starting each class by summarizing the main points covered in each previous class and had found this to be not only popular with the students, but be an effective bridge into new topics and cases. At the same time, I was starting to see these previously short summaries stretching into fifteen minutes or more of class time, during which students frantically typed or wrote in their attempts to transcribe my every word. I immediately thought that Classcaster would be a good way to save valuable class time, and might be helpful for night students to listen to from their computers or personal music players. The fact that I could record my summary over the telephone and upload it to my Classcaster website, where the students could click to listen, made it all the more attractive of a tool. I resolved to record my summaries immediately after each class and offer them to the students, but, under the theory that these students are adults who had to manage their non-class time, they were not required to listen to them. The summaries, I thought, could help the students and would save me valuable class time. The less the actual time requirements, the better. Along with podcasting, I

used Classcaster to blog. This feature allowed me to tell background stories about the cases without using valuable lecture time.

B. PowerPoints

In each of my previous fifteen years of teaching Torts, I had encountered the all-too-familiar sensation of being unable to stick to my syllabus and falling further behind each class until I had to either schedule an additional class at the end of the semester or eliminate material from class coverage. With my evening students in mind, I knew that it would be impossible to schedule an extra class, and I felt that it would be unfair to them to drop necessary material. Above all, they deserved to know in advance what would be covered in each class and what material they needed to read in order to be prepared. Since I knew these part-time students had to do the majority of their class preparation on weekends, I resolved to structure the course so that they would know at all times what was going to be covered in each class. This meant that I had to be more structured and self-disciplined than I had been in the past.

However, I was well-aware of the phrase “death by PowerPoint” and was afraid that students would be bored by seeing slides that were mere outlines of the class, even though these outlines were keeping me on schedule. I was determined to have the slides be a preview of the questions that we would cover in class, and I envisioned students using them as a basis for their study preparation and class note-taking.

At first I posted my slides on our course page immediately after each class. However, it soon became apparent to me that the slides would be more useful to students if I posted them *before* class, so that they could actually see in advance what questions they should be asking themselves as they read their cases, and so they could use the slides as class notes instead of trying to write or type so much during class. I also wanted them to be able to think, in advance, about the hypotheticals that I would present in class, as I often used these to illustrate the points and principles we were discussing. And I wanted to be able to give them relevant statutes or Restatement sections that were not in our casebook. In the past I had distributed photocopied handouts in nearly every class to supplement the material in our casebook. Now my goal was to eliminate handouts by putting all supplemental material on PowerPoint slides.

Furthermore, like all law professors, I had noticed over the years that a byproduct of laptops in class was the notion that every word could be, and needed to be, transcribed verbatim. By giving them these notes in advance, I hoped that students would feel free to look up from their keyboards and participate more in class. At the very least, I knew that their notes would be more accurate.

C. TWEN

Because part-time students generally have full-time jobs, which means they are only on campus for a limited time each day, I considered a robust course page essential to encouraging communication between the students and me and among the students

themselves. For our course page, I chose The West Education Network (TWEN), a web-based course management product offered to all law schools subscribing to Westlaw, which is one of the two major legal research databases in use today. While there are other course management tools available, the advantage of TWEN, on my part, was that it was extremely easy to set up and I was able to start posting material immediately. It was also practically foolproof on the part of the students. It is critical to the success of any educational technology that both sides find it easy to use, and TWEN filled this requirement for me.

Although I had used TWEN in the past, I had been disappointed that the students had not seemed to adopt it as the communication format of choice; they felt the need to e-mail me directly with every question. In order to get students in the habit of consulting the course page regularly, I decided to make it the central point of all class communications. First, I updated the course page after each class, noting where we had left off and where we would start the next class. Also, I informed the students that I would not accept e-mailed questions (except for personal matters). Instead, they were to post their questions on the discussion portion of TWEN, and I would answer them there so that everyone could benefit. I also said that I would regularly post my own observations about Tort issues in the "Discussions" area, and I invited them to do the same. In this way I encouraged them to use the course page as a kind of substitute study group, knowing that part-time students, because of time constraints, rarely have opportunities to interact with other students.

D. CALI Lessons

Students need feedback, but it is difficult to fit individual sessions into a part-time students' schedule. CALI lessons provide students with immediate feedback through an online series of guided multiple-choice questions that allow students to continue the lesson only when they have successfully answered a series of questions based upon a fact pattern. The feedback is immediate, with explanations given for correct, as well as incorrect, answers. I encouraged the use of specific Tort lessons by listing them on the syllabus as well as including links on the TWEN page. Although CALI has the capability of telling the instructor which students have done the lessons, I did not specifically assign each lesson because I did not want to overload my students with extra work. However, I made a point to refer to particular lessons throughout the semester.

III. STUDENTS' REACTION TO THE TECHNOLOGY

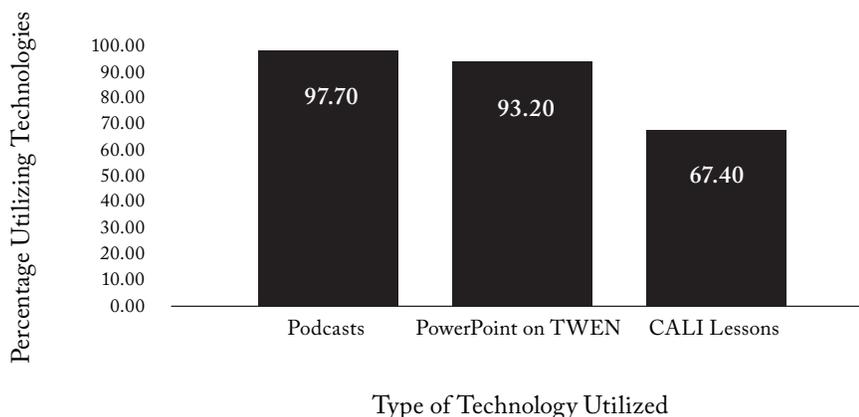
During the past two years that I have been using these techniques, I have gathered student reactions on both a formal and informal basis. In each semester I would question students about whether they were using the podcasts or consulting CALI lessons, and I was always assured that many were using these resources. What was more telling, however, was the number of queries I got on the rare occasion when a podcast recording malfunctioned or I was tardy in posting a set of PowerPoint slides, which made it clear that many students were using these tools. It was only after I

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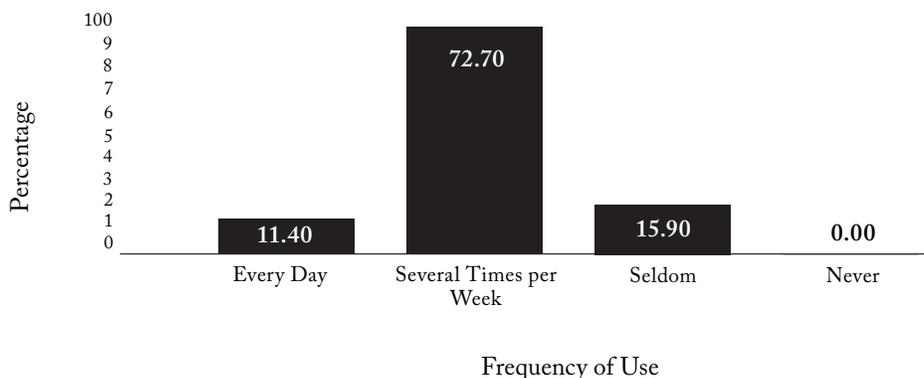
saw the student evaluations after the first year of using these technologies, however, that I realized the full extent to which students had embraced these initiatives.

The written student evaluations from each class have been overwhelmingly positive regarding all technology, but the podcasting was a particular favorite. Students revealed that they listened to the podcasts on iPods as well as work computers. They could listen during their commutes, which in our urban environment frequently took several hours each day. One student told me that she was planning to listen to the entire set of podcasts while she was running the New York Marathon. I once even overheard several of my students bragging to students in other sections about how *their* podcasts were available after each class. Classcaster statistics revealed that my 2006 Torts pages received 4657 hits, while the 2007 page had 7662 hits. On occasion my page has been one of the most frequently used in the entire Classcaster system. Because I did not require a password, students at other schools were also able download the lessons. The lesson I recorded on “exam writing tips” before the 2006 mid-term exam was one of the most popular of all time.

In a survey (done online, of course, with Survey Monkey) given to the students from my 2006 and 2007 Torts classes, I asked the following questions: First, did you ever listen to a Torts podcast? The survey showed that nearly every student who responded had listened to a podcast. Second, did you ever look at the PowerPoint slides on TWEN? Again, nearly every student responded yes. Third, did you ever use the Torts CALI lessons? Over two-thirds of the students said they had. The percentage of users for each technology is provided in the chart below.



Finally, I asked students how often they consulted the TWEN page. Over eighty-four percent of the students consulted the course page every day or several times a week. The frequency of use is depicted on the chart below.



I felt that the TWEN discussion page was a particular success because it provided students with a way for asynchronous communication. Although I had originally conceived the discussion page as a mechanism for communicating with me, the students soon took it over with discussions of liability for injuries on reality television, falling construction debris, and drunken airline passengers. It enabled them to have online “discussions” whenever they were available, without having to rely on a study group schedule. It was interesting to note the times when they were signing on—before work, noon time, and when they got home after class—reflecting their status as full-time workers and part-time students.

IV. TECHNOLOGY FROM THE TEACHER’S PERSPECTIVE

I have often been asked whether using so much technology has added to my daily workload. It is true that phoning in the class summary for the podcasts adds another fifteen to twenty minutes of work in addition to class time. Similarly, time goes into creating the PowerPoint slides and maintaining the course page. But overall, it has been my unscientific conclusion that the time spent on these tasks is certainly less than the time they have saved me. Throughout the semester I noticed that students rarely needed to ask basic questions, either during or after class, because they could get clarification through the podcasts or the PowerPoint slides. No longer was I overwhelmed with students’ e-mails. They posted questions on TWEN and these became the basis for lively online discussions. Many times they were able to work out problems by themselves without waiting for my answers.

Class discussions were much improved, mainly because students had the opportunity to be more targeted in their class preparation. I rarely received blank stares when I asked for class participation because students had thought about questions and hypotheticals in advance. Students said that they felt more confident going into class because they knew they would not be blind-sided. The course page enabled me to communicate with them outside of class without cluttering up their

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email boxes. I could post the class slides, distribute “handouts,” and make announcements, all outside of class time.

Possibly the biggest advantage for me was that, for the first time ever, I stuck to my syllabus schedule and did not fall behind. There was no need to eliminate material from class discussion because I no longer felt the need to devote class time to review or summaries of earlier classes. In fact, I found that I even had an extra class at the end of the semester because I had been building some “falling behind” room into the syllabus over the years.

V. TIPS FOR USING TECHNOLOGY IN THE CLASSROOM

Obviously, even the most cutting-edge technology is useless if students do not adopt it. As a teacher, it is imperative that you get the students to use your technology from the outset, and that you be consistent in your use. If you say that slides or podcasts will be available at a certain time, it is vital that the schedule be followed. Students, and particularly part-time students, are great time-maximizers; they will not waste their time repeatedly checking to see if you have posted material. If you intend to use a course page, be sure to add content frequently, so that the students see the value in signing on. Just as students need feed-back, it is important to get regular feed-back from them regarding their preferences and use patterns.

Any technology used should be easily accessible. Unnecessary passwords and other obstacles should be avoided. Ease of use is important for the instructor also. For me, the great advantage of Classcaster over any other podcasting technology was that I did not need any assistance in doing my summaries and posting them to the web page. Once I had set up the web page (with the assistance of Elmer Masters), I could easily make the long-distance phone calls after each class, and post the podcast almost instantaneously. With a cell phone and a laptop, I could do this anywhere without needing any help from the school’s IT Department.

Finally, technology should have an obvious advantage for students. I feel strongly that “technology for technology’s sake” just wastes their time. Students know when their time is being wasted, and resent it. Technology should be more than a mere gimmick. If it is convenient, helpful, and enhances their learning experience, students will readily adopt these various technological tools and thank you for it.