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What Can Students Teach Each Other

Brian K Krumm

Willow Tracy

Stacey Bowers



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WHAT CAN STUDENTS TEACH EACH OTHER?

Brian Krumm*, Willow Tracy, and Stacy Bowers*****

Brian Krumm

Good morning, everybody. I am Brian Krumm from the University of Tennessee. Also on the panel with me are Stacey Bowers from the University of Denver and Willow Tracy from the University of Georgia Law School. Today, we are going to talk about three different pedagogies, but in keeping with the theme of the conference the underlying message is how each of us “integrates learning through teaching.”

I am going to break the mold a little bit from what we typically talk about at the Emory conference. I will talking about teaching trademark skills and drafting of related documents. First, I am going to give a broad overview of the United States Patent and Trademark Office (USPTO) and their Law School Clinic Certification Program, and then I will discuss how I teach the class and the types of skills and competencies that I try to impart on my students.

I think everyone attending this conference would agree that taking two semesters of contracts and getting out of law school having never drafting a contract, does not adequately prepare you to do transactional drafting in practice. The same is true with trademarks. Having hands on experience interviewing, researching, analyzing and filing a trademark is a wonderful skill for a lawyer to have. Especially valuable for those who do not practice with large firms that have specialized departments that handle various parts of a client assignment. The skill offers students who want work in small firms a skill set that others competing for the same job may not have. Clinic students are actually licensed by the USPTO under the professor’s supervision. The USPTO gives each student attorney a USPTO bar number and recommend that the students put this number on their resumes. It is amazing how many employers will call USPTO and ask them about this designation.

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We all started law school, I think, with a vision of the type of law we wanted to practice when we would go into practice. And as we know, that didn't always turn out the way we thought it would. Transactional skills, such as this, are very important to give students a broader understanding of what jobs are available out there if they obtain the necessary skills and competencies. For example, I had a student that studied immigration law all through law school. All she ever wanted to be was an immigration lawyer. She took my clinic in her last semester in law school and now she is a trademark lawyer. Other students have gone on to apply to the USPTO as trademark examiners. Many students are attracted to this type of work. One of the benefits is that once an examiner has reached a certain degree of competency, they are allowed to work from home. So, there is a lot of benefits to the program

My Trademark Clinic was implemented in 2014, however, the USPTO program has been operating since 2008. It started off with six Law Schools, and now I think there are over sixty universities participating. Although the responsible attorney is always listed as the Clinic Supervisor, the students are the primary contact with the client and perform the initial search and analysis to determine the appropriate classification and the likelihood that the trademark will not conflict with a mark that has already been registered.

If anybody has taken an IP survey or trademark class, you know what a trademark is and what its purpose is. But, entrepreneurs and business people think about the value of branding but typically do not understand the legal aspects of obtaining a trademark. There are over two million trademark applications filed every year. There are not that many examiners. So, the examiners typically spend anywhere from a half an hour to forty-five minutes looking at a trademark application. For example, the examiner might state in the Office Action: "I find that this could be potentially confusing to the consumer." They would then cut and paste all the law that supports that position, but they do not give any real feedback on what aspect of the trademark that might be confusing with other trademarks. An office action basically sends the trademark back to the drafter, and says, "Okay, these are the problems of the trademark. Can you explain why the mark should not be rejected? Can you make realistic and practical arguments why we should overcome these issues that the trademark examiner has found?" The USPTO has assigned special examiners to focus on trademark applications that are submitted by student attorneys. These examiners, provide a benefit to students that is not available in a typical filing. The examiners will discuss issues with the student if an Office Action is issued for the application. It really does provide students with a valuable hands-on way of learning how to

prosecute and defend trademarks. An important skill to have in our entrepreneurial environment. For the uninformed analyzing and filing a trademark is much more complicated than the law student thinks it is initially.

Businesses are spending more and more money on the development of trademarks. For example, Jaguar and Range Rover, both originally British Icons, were purchased by Ford in 1989, and later in 2008 to Mumbai-based Tata Motors for 2.3 billion dollars. What did they buy? Essentially the Trademarks. Because did not need the factories, they did not need the employees, and they did not need their raw materials. But just to get those two brands, and the designs that go along with those brands, was 2.3 billion dollars.

Entrepreneurs, especially young entrepreneurs fall in love with their trademark without having done a search. They think they have a sexy name, a sexy logo, but they have not done the necessary research to see if there are conflicting marks that they would be infringing on. The Trademark Clinic deals with mostly with small businesses and non-profits. As a result, they do not have people advising them in terms of marketing, and market presence, and things of that nature. So, in addition to the legal issues, we try to raise those sorts of issues with the clients. They come to the clinic and say that we want to file a trademark. A lot of lawyers in practice would just go ahead and file it.

I am trying to teach my students to ask their potential clients pertinent questions, and then do a search before they even say whether we can assist them in registering their mark. One of the first questions the students ask a prospective client is if they have had their trademark professionally designed. We want to make sure that the rights in the design have been properly assigned to the client that is trying to register the mark. Otherwise, the person who created the mark may assert copyright rights in the mark

Like most transactional client assignments, there is a considerable amount of client counselling and education that goes into the process. We start off actually explaining what the characteristics of a good trademark are to the client. Again, for those of you who have taken an IP course, or a trademark course, this might be very simple for you. It is a word phrase, similar design, or a combination of the two that identifies and differentiates the source of goods and services from one party from those of another.

That is a nice definition, but when the student is talking to a lay person, without the proper context, how much does the client really understand? The goal of the trademark is to make sure that consumers do

not get confused as to the source of the product or service. What a confusing mark is can often be subjective, because what might be confusing to me might not be confusing to another person. What might be confusing to a trademark examiner might not be confusing to the general public. This can prove to be challenging when a student attorney is drafting a response to an Office Action. They must look to the cases that are cited by the examiner in the Office Action and differentiate the issues raised by those decisions from those that exist in the mark they are prosecuting.

To add to the complexity in counseling the client there are three different types of trademark rights. There are common law trademarks, state trademark registration and federal trademark registration. A trademark actually results from use. Because of this, a comprehensive trademark search can be difficult. The first business that uses a trademark on an ongoing basis owns the common law rights. However, those rights only exist within the geographic area where it is used. If they register within the state, the rights exist within that state. However, if one files their mark with the USPTO, it is enforceable anywhere.

We suggest that in addition to searching the trademark on the USPTO website, that the students also do a Google search to see if anyone is using the contemplated mark. Few if any states have searchable trademark databases, so a search using a generic search engine is the next best alternative to determine if someone may be using a potentially conflicting mark. Our students also are given access to a proprietary Trademark Search engine called TrademarkNow that has an expansive search capability of registered marks, indicating the mark and the international classifications that those marks are filed in. There are 45 different classifications of goods and services to choose from. Large companies like Apple and Google will register in as many classifications as possible to fully protect their brand.

The TrademarkNow system rates on a 0-5 scale the probability that a particular trademark will be granted within a particular classification. In addition, it will indicate companies that have registered trademarks in the classification with similar marks and their propensity to challenge the registration of similar marks within those classifications. For example, Monster Energy Drinks will challenge any trademark application that has the word Monster in it. I encourage my students to explain to their clients that it might cost them more money to defend their trademark, than the value that it has at this present moment. Many clients fall in love with their trademark even though it hasn't gained widespread consumer recognition. They persist on spending money in legal fees in an attempt to

overcome an opposition asserted by another company that has the same or similar mark.

For example, one of our clients, Emerson Clinical Research Institute in Washington had their trademark examined and published. Emerson Electric filed an opposition to the mark. Emerson Clinical Research is a group of doctors that do clinical trials in underserved areas. These doctors work in minority neighborhoods offering participation in medical trials. For historical reasons, trials are typically only offered in large university-based hospitals. As result, the drug companies do not get the diversity of population they need for the study to as comprehensive as it should.. This is a small public interest organization and a multinational corporation like Emerson Electric is opposing the trademark.

I rarely recommend doing this, but in this instance, we had the Doctor filing the trademark application, actually call the attorney representing Emerson Electric. I did not want the opposition to take on an attorney against attorney battle. I wanted Emerson Electric to know that Emerson Clinical Research Institute was an organization that is attempting to do good things in the world. This low key approach produced results. I do not think Emerson Electric (if the facts bubbled up to executive management) would really want the potential of negative publicity surrounding this issue. And they said, Emerson Electric later dropped the opposition after entering into a settlement agreement, where Emerson Clinical Research Institute agreed not to use the word “Emerson” by itself, or advertise in the color “blue”. There is a lot of competition in the trademark world, and companies spend massive amounts to both challenge and defend their trademark rights

The clinic uses “case rounds” as a process to help the student attorneys working on trademark matters to identify issues and solve problems. Students will present the facts and circumstances of the trademark client, and discuss the research and analysis they performed. The rest of the class then ask the presenter questions. This serves two purposes. It provides the student presenting different view and perspectives on the matter, and it provides the class with an experience of working through a trademark problem that they do not have responsibility for. This is very similar to a differential diagnosis in a medical setting. The resulting product, a registered trademark, is the byproduct of a group process.

Speaker 4

Did you read about the Buc-ee's case in Texas?

Brian Krumm

No, can you tell me what it was about?

Speaker 4

Never mind. Too complicated to explain. But the case pointed out the lengths that companies are taking to enforce their trademark rights. Such trademark wars are becoming ridiculous. The allegation centered on likelihood of confusion. And a jury found there would be a likelihood of confusion.

Brian Krumm

Is that right?

Speaker 1

Yeah.

Brian Krumm

So, the teaching exercise, as I was talking about, is once they have discussed everything with a client, they have explained what a trademark is, what the purpose of the mark is, ask the pertinent questions on whether they are in business, whether the mark is already in commerce, and if they have any proof that they have actually sold the product. They need some marketing information—whether the mark is actually attached or affixed to the product or service. If so, then we explain the search process to them. We explain that we will come back with them after the search is done, and they can make up their minds if they want to move forward, and to what classifications.

So once the students have done that, then they go before the rest of the class, and they say, “This is Race Wax. These are the questions we ask the students or ask the clients, and this is what we came up with in terms of search results. What is everyone's thoughts on it? Should this be trademarked or not? What other questions did we miss?” Going through that process helps the students think through: not only have they done everything they should, have they asked every question they should have? And it is more collaborative. It is the way things are done in law firms in reality, when they have law firm needs. And then we decide whether we are going to file it or not.

So, with that, I have probably gone over my time, but are there any questions before we move on? If you do not have any now, if you want to ask me questions later. Sir?

Speaker 2

How expensive is that Trademark Now service?

Brian Krumm

It is just like LexisNexis and Westlaw for law schools. They give it to us for free, so people get hooked on it. I have never used it. This is the first semester I have used it and it is amazing.

Speaker 3

Back in the day, Thompson—Thompson's not cheap. . . .

Speaker 4

Is [inaudible 00:22:57] super intuitive, such that, say the focus of a small business clinic is either [inaudible 00:23:05] or corporate. But then you want to have this ancillary service, [inaudible 00:23:09] free. Or would that be too confusing? [Inaudible 00:23:18].

Brian Krumm

Rephrase that, if you would just for me. Because I am not following you.

Speaker 5

Sure, so it sounds like the focus of your clinic is doing trademarks.

Brian Krumm

It is doing all aspects of entrepreneurial law and IP. This is just one. I have everybody do one trademark just so they have developed that skill.

Speaker 6

Okay, so it is not overwhelming for the students to learn.

Brian Krumm

I give one lecture. A lot of the students I have had have had fundamental trademark or an IP survey course. However, I have a very hands on approach and they feel free to come and ask me questions if they don't understand the details. I walk through with them the practicalities of interviewing clients, give them a perspective on how they can tactfully work with a client to dissuade them from making an investment that might not be in their best interest, and, also, giving them hands-on experience of actually filing a trademark. The case rounds exercise really does strengthen both their understanding and their confidence.

Speaker 6

Okay

Brian Krumm

Any other questions? Well, thank you for your time. I know it might not have been what you were expecting, but I hope it was useful.

Stacey Bowers

Alright, so I'm going to take a little different bent, especially since I'm sandwiched between the two clinic people. I want to talk a little bit about a teaching experience that I've created in my Accounting for Lawyers class. First, I want to give a little background about how I got to this small group project.

The first time I taught Accounting for Lawyers, I thought it would be a great idea to give a four-hour final and nothing else—no other assessments along the way. I will spare you the details of how that went and the students who were nice enough to say, “You cannot do that again.” So, part of the impetus of getting here was realizing Accounting for Lawyers is not a traditional kind of law school class. It is outside many students' comfort zones. So, the second time I taught it, I knew I needed to change things up a bit. I created a midterm. I knew I was going to have a final, but along the way, I wanted to do something that was a little more interactive and different for the students. I wanted to get myself off the podium for every class session and give them a chance to interact.

So, I pulled in this idea of an analysis paper. This project originally started by having students undertake a financial analysis of a company that I would assign. It would be a public company so that they would look at portions of the 10K. They would run some financial analyses and write a short paper. No citations, nothing like that required.

And I realized after the first time that this was a bit boring for me because my accounting classes can range anywhere from 20 to 40 or 45 students. So, to read forty papers over and over again that say essentially the same thing was not exactly exciting for me.

I am one of those professors that will always take the risk and ask my students what they think, and they were like, “We like the idea of putting application to what we have learned. We like this idea of putting the financial analysis we have discussed into practice. We do not love the paper. We do enough writing. It is kind of boring from the student perspective to write this paper.” And I said, “Well, I agree because it is boring from my side to read forty of these papers. So, what are we going to do?” And the students said, “We hate to say it, but we think maybe a

small group presentation.” And that came with a lot of caveats. You know how law students are. It should not be lengthy. It should be something that does not require a lot of intensive time spent with the group, etc.

I appreciate all of that, having been a law student myself. And so, I kind of got to this point where I am like, “Okay, I am going to give it a shot.” And every semester the students do small group presentations. I will tell you, the group size varies. It depends on the size of my class. I have found six students is about the max you can have in a small group and still have it function. Ideally, four to five. So how do I control that aspect? I control it by how many companies they present about during the class.

I have also found that the tolerance point is about eight different companies. When we surpass eight different companies, they start to have presentation fatigue. So that means generally I have to dedicate anywhere from two to two and a half full class sessions of Accounting for Lawyers to allow for these group presentations to happen because they are twenty-minute presentations.

So, all those things come into play when you are thinking about incorporating these different kinds of things into a classroom: that you have got to be willing to give up some of your content and your time to create these types of exercises in a class that is a little bit more substantive-driven.

We are not talking about a drafting class, or something along those lines, where it really is all about experiential learning and practical exercises. Here, we are talking about a class where there is a lot of substance to cover. And so, I had to be willing to take a step back and say, “Okay, what am I going to forego in order to incorporate this exercise?”

So how do I get from the start to the end? There has to be a classroom preparation component. I probably spend about two, to two and a half classes talking about various financial analyses. And I like to say at this point (we are a little bit beyond halfway through the semester) “I have a policy, once you take a midterm, that content is off the table.” We do not revisit that. So, we move into this as our next part of the class. At this point, they are looking at things like the annual report on Form 10K. They have already been exposed to financial statements. So, they are looking at financial statements and they are running ratios and analyses.

I use a textbook where, while all of the formulas are there for the different ratios, they are also applied. Throughout the textbook itself you get the formula, and then that formula is applied (right now to Under Armour). We run the ratios for Under Armour, and talk about “What does

this result mean, what does it mean for the company, what does it mean for you, as a potential lawyer, when you are using this information to evaluate different companies?”

We spend about two, two and a half class periods, where we are talking about financial ratios and analyses. They are doing some problems that are embedded within the textbook. They are processing this information along the way, so they are getting that background knowledge that they need. Then what happens after that is they break into small groups.

One of the things I have learned is that I am big into self-selection. I am not a proponent of dictating who works together in a group. Because what I realize is that if they self-select their groups, generally the groups work a little bit more smoothly. I have only, in all of my years doing this, had one group approach me with a problem with a fellow student within their group. And it was a group of four members, three of them came to me and said, “We are a little bit concerned that our fourth member is not carrying the weight. Do you have some suggestions?” And we brainstormed what they might do. And I said, “It is not really my policy to want to get involved in this. See if you can work it out amongst yourselves. If you cannot, we will have a sit-down.” But in all my time, I have only had that arise once, and that group worked it out, and I really think an aspect of that is because I let them self-select.

One of the things I do, I give them a heads-up, at least a class in advance: “Hey, next class session, you are going to pick your groups.” So, if they want to strategize, they can be strategic and talk to their friends and figure out who they want to be a group with. The other thing I have learned throughout the years is to make the sign-up sheet in a way that provides, “this is how many people can be in a group,” because if you do not have the actual four lines there, they will start creating groups of more or less. So, I am very clear. I circulate a sign-up sheet that has the exact amount of people that can be in a group. Obviously, it is not always even. Sometimes we have that group that has one extra or one less.

The other thing that ultimately happens, too, is you have a group of students who do not know each other or they do not have the same kind of friendships, because at the University of Denver, we have an evening program. So many times, I will have some evening students in the class, and they do not necessarily have the same friendships as the day students. When that happens, I try and corral that group of students, and get them signed up together.

And I just want to say, this is sort of heartening to me. One of the things I have seen happen is those people then relocate, and they sit with

each other. They now have sort of created a bond with some people that they did not necessarily know. I saw that happen this past semester. I saw four students who did not really know each other. They worked in the small group together, and after they picked their group together, they all started sitting together. So that means I am crazy. I do not have assigned seating in my classrooms, but I thought it was nice to see.

So, groups self-select, they sign up, then they send one person to the front of the room, and they blindly pick a public company.

I try and change some of the companies each semester. They are obviously public companies because we need to have access to their 10-K's; to their financial information. It is funny how they react when they pick their companies. They are like, "Oh my, I cannot believe this is who I got." They get really excited. I always try and have at least two companies that reside in a similar industry. The reason I do that, and you will kind of see it, is to allow them to have a comparison company. I am going to show you what some of my students have done in that regard since I am going to brag about their work. It allows for compare and contrast as they are doing their presentation.

So again, if I have to do seven companies, then sometimes I will have three companies from the same industry. To give you a sense, I have used Regal Theaters and Cinemark, or I have used Target and Walmart. I try and do that type of pairing. I have also learned to stay away from the tech companies. They get a little too complicated. Students can get a little overwhelmed. I once used coffee and tea companies, thinking, "This will be really easy." Well, it was not, because the tea company had all kinds of hedging transactions going on because they were hedging on their tea production. What you think might be an easy company turns out not to be.

And then they select a presentation date, and usually presentations are about three or four weeks in the future. I give them plenty of time to work on it. And then, I will tell you, I try and give at least fifteen minutes at the end of class on two occasions for them to chat with their groups. Not because I think this is a heavily group intensive project—I have created a way that they can really do it via Google doc or passing around a PowerPoint—but I think it is essential that they at least get a little time to chat with their group. And I am cognizant of the fact that in law school, and especially in a school where we have evening students, that I have got to be willing to give a little of that time, too.

The other thing I want to say: be prepared for this signing up process. If you are doing something like this, it takes a good twenty minutes from start to finish, until they sign up and draw their company

names, and select their presentation date. I also have them select the order they want to go on the presentation date. Generally, the dates are set in stone, but I am flexible. If a group has something come up, they can barter with each other and trade a date, or trade a presentation order. But otherwise, things generally remain pretty set in stone. That is kind of the logistics part.

I also set my expectations. One of the things I realized early on: I did not give enough parameters. So, you are like, "Oh I want to do this new thing. I have got this good idea, but I did not give a lot of parameters." The first time I did this, I was crazy enough that I cut and pasted, out of the 10-K, the sections I wanted them to look at. And I only posted those up onto the TWEN site. I am like, "this is way too time-consuming for me, and they are adults." So, I now post the whole annual report on Form 10-K, and I have a specific list of sections that it is my expectation that the groups are required to look at and evaluate. I do that limitation because a twenty-minute presentation that is worth twenty points in my class does not allow me to ask them to look at a whole annual report on Form 10-K. It is just not inherently fair to them.

I try to create these parameters and put this assignment into a box, and it also makes this idea of a group project a little bit less stressful, when they know, "Here are the parameters of what I have to do." So that is sort of my first expectation, and I also tell them, "You can work on it however you want behind the scenes, however the groups want to divvy it up." Many times, there will be one person in the group who runs all the analyses behind the scenes because they are more of the financially-oriented person. I do not really care. My perspective is: as long as the group is comfortable with how things are divvied up, that is up to them.

The one caveat I have is: on presentation day, everyone has to participate as a part of the presentation in the front of the room. And I do that because a lot of students, like many of us, have a fear of coming up to the front of the room. And they have to start finding some comfort with that aspect.

With that in mind, I also have some rules in my classroom. If you are not presenting, you do not get to open your laptop. Your obligation when you are not on stage is to sit there and behave how you want everyone to behave when you are on stage. And I reserve the right to reduce a student's grade if they do not abide by this rule. There are five individual points that are part of this project, and if a student is not showing that level of respect in the classroom to their fellow presenters, I reserve the right to ding the student on their five points for that. It has never been an issue that I encounter.

My biggest issue is: sometimes people are getting excited, and they are chatting with each other about what the group is talking about. And I kind of have to shush them, but I do not really view that as necessarily a bad thing.

So everyone in the group has to participate, and I really encourage them to share the stage equally. And again, I do not put parameters. It is interesting how they do it. Sometimes they rotate a person each slide. Sometimes somebody will do five minutes, five minutes, five minutes. I do not really put a lot of structure on it. That is a little scary for them. I also will tell you the twenty-minute limit is hard and fast. If you want to do something like this and keep it contained, you have to enforce the time limit. If they are still talking, they get cut off at twenty minutes.

I give them a five-minute warning, and I give them a two-minute warning because the other thing that is part of this assignment is that they have to allow some time for Q&A. I always ask the first question. But honestly, my questions are dull compared to the questions the students ask them. The students will put each other on the spot. I learned that very clearly the one time I did Nike and Under Armour. It got a little hostile around some of Nike's practices. So I have not brought those companies back into my classroom yet. I encourage them to have fun. One of the things I do is I post my grading rubric ahead of time. They know how they are being graded. They know what I am looking for. I also make it clear, "While you are free to be creative, I am not going to boost your grade because you did something really creative."

Now with that said, I would say almost ninety percent of my groups get really creative. And I will show you some of their work to give you a sense of what they do.

I want to showcase them, so this is the fun part. This is, for those of you that do not know, Hulk Hogan and a reminder that he had a career before being—was he Governor of Minnesota? —with World Wrestling Entertainment.

Speaker 7

Jesse Ventura was Governor.

Stacey Bowers

Oh, sorry.

Speaker 7

It is fine. We should be embarrassed that we know that.

Stacey Bowers

To give you a sense, the slides, they are pretty simple. They do not have a lot of text on them. But they embedded video clips every couple of slides or they embedded a graphic. Now I have the sound turned off so you cannot hear them. They did not have the sound turned off. So, we are getting all the sound as well during the presentation. The other thing this group did: they all came in dressed in the garb of one of the wrestlers. Every one of them. When I walked into the room that day, I am like, "Okay, I did not see that one coming," and that is just one of many surprises that I never saw coming.

So, this was World Wrestling Entertainment, and to give you a sense of the financial analysis portion, here are some of the analyses that they put together. Pretty simple and basic. There is nothing complicated about this. They highlight the good with green and the bad with red. The other thing I make really clear is you cannot just stand up and reiterate numbers and ratio formulas; they have to provide context.

Speaker 8

Do you check all of their financial analyses?

Stacey Bowers

Sometimes I do. Sometimes I do not. I will be honest with you, sometimes it is time-consuming to check it all. But to that point, they have to submit, in addition to whatever form they do their presentation in, they have to submit all of their work to me. They have to submit their math work or analyses.

You can see they have to pick and choose what to present. They cannot just stand up and say, "The current ratio is current assets to current liabilities, and this was the result." They have to stand up and present it in such a way to be engaging. So, I should have said this a little earlier on: One of the ways I have gotten them to get there more easily, is I say, "Treat it as if you are trying to convince the class to either invest in your company or not." And it does not matter if they decide you should not invest. Probably the most horrified I have ever been was the Walmart group, and I will tell you why: They were talking about how shrimp farming worked with Walmart, and I was like, "That is not pleasant," and I did not eat shrimp for a good six months after listening to their presentation. But it is sort of interesting. I realized that if you say to them, "Treat it as if you were trying to convince your classmates, should I invest or not," that it gets them to step away from just reiterating the numbers and ratios and to provide interesting information and context.

This is Sprouts. You can see that they pulled the graphics from the Sprouts website. I believe that this group brought in a whole bunch of fresh food from Sprouts and shared it with the class. That also becomes really common in the classroom. Whatever the companies are, the groups band together and they bring in some treats or some extras for the classroom. They tend to have a lot of fun with it.

And so again, you can see comparisons here. This would have been prior to Amazon acquiring Whole Foods. You can see that the other thing they do, that is not required, is they often start comparing and contrasting. “Hey, here is what our company's doing. Here is what the competitor who is being presented on is doing.” And they use it in such a way to say, “You should invest in us over them, because we are way better.” Or, I have had teams say, “Oh my God, invest in Cinemark, not Regal. If you are going to invest in a theater company.” I have had them say, “Do not invest in this industry at all. This is not a strong industry.” And we saw that last time I used Hilton and Marriott, and both teams said you should not put your money in Hilton or Marriott.

By using companies in similar industries, it sort of gets them thinking more. These comparisons are not required. They are not required to compare and contrast their company to the competitors. They just get so invested in this project that they almost always go above and beyond what my expectations ever are.

You can see, too, one of the things is you cannot ignore the negatives. I thought this graphic was clever about how much debt the company had. I liked that the group compared it to student loans to make it seem not so bad. They have got their guy down here counting those pennies. There is nothing fancy about this slide, but those pictures and this text really start to convey what is going on with Sprouts right now.

Craft Brew; I like a good Kona Longboard, so I often pick Craft Brew, and I couple it with Boston Beer. And I do that because one of the things we talk about in class is this idea of how you use different analyses to compare and contrast companies in the same industry that are this far apart, as far as size goes.

So, you can see, this group opted to pitch the company as if we were all potential investors. They came in, and they ran it as an investment seminar. They walked in. They introduced themselves as management of the company. They talked to people in the classroom as if they were potential investors in Craft Brew Alliance. For those of you who do not know, this is a conglomerate of craft breweries.

What you see too, they will go out on their own, and this comes from the glossy annual report, also not required to be examined for the presentation. I do not mandate that they look at it, but they like to go out and pull additional information to support the discussion that they are having about the financial analyses. So, you get a sense here, where Craft Brew fits into those top-ten craft beer companies, and then sort of below-the-line Craft Brew companies. For those of you that are not beer drinkers, those would be the five breweries that are part of the conglomeration of Craft Brew right now.

Oh, the other thing I am always impressed with is how they create their own interaction in the classroom with the other students. This is Regal. Every couple of slides, they presented a question, asked for answers, and got the students to participate. Then they would show the actual answer. So the students are incorporating practical learning and creating an interactive environment. What is interesting about this is without telling them what makes somebody a good teacher, or how do you keep the audience's attention, they are just sort of able to do this on their own, and in very simple and effective ways.

Then again, to just give you perspective, what you do not know may not be as easy to see. That is Netflix in the red for the record. This year we looked at Cinemark, Regal, and Netflix. This is really interesting (this idea of comparing and contrasting how are traditional theaters doing, to what we all know is happening), is that Netflix is ruling the world, as you can see clearly from their graphics.

So what is the feedback from the students? They really like it, they enjoy the group project, and applying what they have learned. They think they are going to hate it. You say, "group project," and they are like, "I do not want to do a group project." It takes too much time. And then they realize that I have created it in a way that they do not have to spend a lot of time with their group. The group can do this asynchronous. They can share things via email, and inevitably, like I said, they almost always dive deeper and spend way more time than I could have ever fathomed.

And what that means, is at the end of this exercise, they have learned more than my initial goal. So, we have talked about financial analyses, they have seen it in the text, but now they have applied it. They have actually dug into a public company and they have looked at the financial statements. They have started digging through the footnotes, figuring out, "what does this mean, how does this fit?" So when they walk into that law firm setting, they have some background that most students—who are not necessarily pursuing a transactional career—do not have (and even many students who are pursuing a transactional career).

Having this basic understanding of “how do I look at a company's financial statements and understand, what do they mean?” The numbers, they are really pretty black and white. But until you start digging in a little bit deeper, you do not know what they mean.

I am crazy enough, I ask every time, “Should I keep it?” Now they have never had enough nerve to say, “No,” to my face, “no, you should not keep this exercise.” Almost always, even on my “evals,” they are like, “You know we really like the exercise/group project. We thought we were not going to like it, but we had fun.” I want to share some of the favorite things for me that I have seen, and I will speak to just this past semester. Probably somebody who was one of my most quiet students in the room, somewhat introverted, his group presented on Potbelly and he danced into the room to the jingle. I actually had to put my head down because I was laughing so hard, as I never saw that coming.

Another one of my quiet and very focused students turned out to have the funniest sense of humor at the front of the room. And I would have never known that about these students without seeing them in the front of the room doing a presentation.

A couple of things that I want to share: Keep it interesting for yourself. I change up the companies. Sometimes I keep them from semester to semester, because I am curious what is happening with them. But I also like to change it out, so it stays fresh for me, as somebody who is sitting there listening to it, grading them. Do not pick just easy or non-controversial companies. The past two semesters, I have used Chipotle and Potbelly. So, Chipotle's been really interesting obviously, because of the food contamination issues and the shareholder litigation. This semester the group that did Chipotle, they kind of skirted over that and they got nailed with some questions from the audience.

The students pay attention to these kinds of things. Keep it fun. One of the things I do to keep the audience paying attention even more—and get everyone thinking about it from an investor perspective—is I give them all fictional \$20,000 to invest. They get an investment sheet, and they get to tell me how much money they want to invest in each company. And at the end of the semester, the top three students who gained the most, I give Starbucks or Amazon gift cards. And I also give out a gift card to the biggest loser, which is kind of fun.

So, I will tell you, I have never had this happen until this semester: I had some people trying to be the biggest loser. They went into it trying to lose the most on their investments. Here is the other thing I learned too: they game the system. I used to give them the opening date price. I do not do that anymore. They have to tell me how much they want to

invest. I go home, and I say to my significant other, “I need you to pick a business day in this two-week time span.” He picks that day, and that becomes the opening price, because what I had happen, people were doing tons of research to figure out how they were going to invest their money and all for a \$20 Starbucks card. I am like, “You guys have lost your mind,” but I guess as a student, they are like, “Yeah, we want that \$20 Starbucks card.”

Again, you have to be willing to sacrifice some of your time. But what I also know is, I feel like when this exercise is done, that these students have a grasp of how to undertake financial analyses. And you know, maybe not at a detail that somebody at a “B-school” or in a corporate finance class is going to have, but in a way that sets themselves apart from their colleagues. And that also they realize it is kind of fun—It is kind of fun to go up to the front of the room and present.

Just a few other things, and then I will turn it over to Willow before I use up too much time. Some fun things that they do—they almost always bring in something that relates to their company. So, my theater groups: one time I walked into the classroom. I am like, “Why is it dark?” Well, they had gotten there a half hour early. They had dimmed all the lights. They had all these red curtains on the PowerPoint slide projection. We all had a little thing of popcorn at our desks. I am almost reluctant to share this, but my Boston Beer group this past semester, one of them created this little wood thing that had three little holes for the tasting pours. So, we all got one ounce tasting pours. They also accommodated anybody who did not drink. So, they came in, if you were willing to drink, you got little one ounce pours of beer and cider. If you were not drinking, you got one ounce pours of other non-alcoholic ciders. They had a little Boston Beer stamp on the wooden thing. They had a little bag of pretzels with a little note on it for everyone.

I am like, “Oh my gosh, somebody needs some sleep, or has a little too much time on their hands.” But to give you a sense of how creative they can be, even though I say creativity is not what you are being graded on, they all really want to have some fun with this. And they do it in a range of ways, from simple—we all get some popcorn—to the Chipotle group brought in chips and salsa, and you are wondering, “Should I eat that or not?”

While these are the kind of class experiences that take a lot of time, I think it is worthwhile from the student and learning perspective.

Alright. Sorry Willow, I think I cut into your time. You are up.

Willow Tracy

Very kind. Like you, I can talk for a while—I think we self-select for people who can talk forever. I do not know why Stacey's class is so much more fun than anyone else's. I cannot imagine my students doing all that.

Stacey Bowers

Oh, you might be surprised if you gave them the chance.

Willow Tracy

I am going to try to draw it out of them. I thought that I had the best students, but you are changing my sense of that.

Okay, so I am going to also talk about an exercise that I started doing in class that involves a student-teaching component, but is a little bit different. But first, just by way of context: I teach a Business Law Clinic, which is much like Brian's, except that we deal with all sorts of things to do with entrepreneurial law. I have not done the USPTO program, because it seems like a lot of paperwork. But we file trademarks, and we do all sorts of things related to transactional practice.

The students are typically dealing with a lot of matters that they have had no exposure to before, and they are getting from zero information to needing to be able to practice law very quickly. This class is what we call a “live-client” clinic and they are all practicing under my supervision, and it is a really fun class.

The other thing that I teach is an online contract drafting class. That is really fun too, but the challenge I am responding to came up in the Business Law Clinic setting. I noticed that in the beginning of the semester, when they know absolutely nothing about these matters or any of these contracts they were dealing with, they had amazing attitudes. They were open to learning; they were excited about whatever it was we were doing. And then again at the end of the semester, when they had seen a similar type of contract a few times, or they had that been exposed to a certain kind of matter more than once, they also had a great attitude. They would come in and say, “Oh, I want to discuss the nuance of this,” and they'd be open to learning more and debating things. But then there was always this moment, three or four weeks into the semester, when they knew a little bit—but not that much—about an issue, that I would notice this attitude cropping up that had a slight hint of contempt to it. They would say things like, “Oh my gosh, I cannot believe this client just got an operating agreement off the internet,” or, “Well what do they expect if they do not have a founders agreement?” And it was just sort of a tone. It

was not a huge deal. But it was a manner of speaking that I noticed happened when they knew a little bit but did not know a ton about something, and it happens every semester. So, I started thinking of it as the baby rattlesnake problem. And I do not know if that is a baby rattlesnake or not. Okay it's not.

Here is an example of a mature rattlesnake. I do not know if this is true, so you can be the rattlesnake expert here, but I was told that it is more dangerous to be bit by a baby rattlesnake than a mature rattlesnake because they do not know how to control their venom. So that was why I think of it this way. This uncontrolled contempt comes in, and truly, in the context of the clinic, it is not a problem because I can flag it. We can discuss it. We can talk about professionalism, and we do all that. But it was starting to feel like a bigger structural problem I wanted to address. In part, because I felt like it had some broader implications for the way our social and political discourse is going at this particular moment. It feels like there is a fair bit of contempt. It's partially in response to an epistemological crisis where people are not sure what is true and what they know, and in response to this problem of incomplete information, we see this contempt start coming up. So I wanted to address it more head on. Obviously, I cannot solve the problem of the broader social and political discourse that we have right now. But in my little personal kingdom at the law school, I thought, "What would my goals be for a different way to handle this?"

My goal was to come up with an exercise where they can do an accurate assessment of their base knowledge—what they do and do not know—and where there is some middle ground—what they sort of know, but not completely; where they can then assess some information as they gain knowledge; where they could get some practice communicating knowledge and understanding different types of knowledge. Knowing something is like being able to understand a language versus speak a language. And then I wanted to get them some practice with receiving and responding to feedback.

So basically, I took an exercise that I had in place and then switched it around. The exercise before was I would start with a lecture on whatever the subject was. And truly, it does not matter—some random subject. I would then introduce a hypothetical, and it would be responsive to whatever the theme of the class was. I would then give a drafting assignment, and I would say, "Everything you learned in the lecture, now apply to the hypothetical and give me this product." And then we get to the feedback part. Sometimes multiple rounds of feedback. And, the worst part of the cycle: the frustration.

My students are wonderful; they are nothing like this. And I do not want to retire ever. But there was this moment where it felt like, “Why do we need to go here? It seems like you were super bored during the lecture, so I am pretty sure you were tired of hearing me say the same thing over and over again. But here, I can see somehow you still did not understand, and I do not know why. Do I need to teach this differently?” And they were like, “Well, I thought it meant this.” I just really wanted to sort of get out of that cycle for them and for me.

I came up with this exercise last year. And although the problem I was seeing was arising in the business law clinic, I rolled this out in my contract class, which is an online class. But it could be done in a regular class, and I really could do it in a clinic.

So, I came up with this four-part exercise that has a student teaching component. It had the same things that I said I was trying to do: this base knowledge, knowledge acquisition, knowledge communication, and then training some receptivity, and hopefully with these, happier results.

So I switched the starting point. Instead of starting with a lecture, I now start with my hypo. The class has sort of a startup flavor to it—so I just used a very cliché example of siblings, and they are starting a self-driving car business in their garage. The thing that I did differently this time, instead of setting up my hypo so that it was getting at a specific contract that they were going to have to draft, instead, I built the hypo gearing up to, “Your client knows they are going to see this type of contract at some point in the future, and they are asking you to explain it to them.” So gearing up to that sort of conversation instead. And then I did a lecture. Because this was an online class, I do these videos and online lectures about whatever the subject is. I found that doing the lecture second, after they have already had the hypo, could really get them thinking, not just in general as in “what does this mean?” but “oh, this is about to be super relevant.” Also, I have been super obsessed with making little videos. I did not know I would love to do that, but it is my favorite part of online teaching.

That is sort of the lead up to it. And then the exercise starts with four parts. The first part of that is this base knowledge aspect of it—I give them a contract. In this case, it is a term sheet for an equity investment. Although, you can do it with any contract. And I am teaching this in summer school, and I am doing it with a different contract. So, I give them this contract, and ask them to mark it up in three ways: one color for something you do not understand at all, one color for something you think you completely understand, and a different color for when you are

somewhere in between. In addition to that, I ask them to make comments in the margin, saying, "This is what I did or did not understand from this document." So right off the bat, I started to see things that I liked here. Instead of them saying "oh, it is definitely like this," or "it is definitely like that," they were asking really good and thoughtful questions and saying things like - this was my favorite: "frankly, I have no clue."

I just liked that they were doing that; that they were admitting that. I think, in a way, the class was not really set up to create a lot of safe space to say, "Yeah, I said I understood this, but I actually maybe do not. Here is really where I am."

The part two of this was the acquiring knowledge aspect—So, student reflection. That goes more toward this collecting information and where they would get it. I divided this contract up and gave everybody a piece of it, and handed it out based on what they said they did not really understand. The instruction was to go out into the world and answer your own questions that you have posed here. And then write a reflection that tells me the answers to them so I can know that you have good information. And two, write a reflection about how that went. How did you know this was a good source of information? How accessible was it? What were the steps you went through in answering your question? So, it is a reflection paper that they write. That is part two.

Part three is the teaching others moment—So again, online class. We used videos. They each took their part of the contract that they have been assigned after doing this research, which I have given them feedback on at this point, and they make a little explainer video as though they were talking to the client, as we set up in hypo, about whatever part of the contract they had.

Speaker 9

The purchase price is based on the fully diluted pre-money evaluation. So that is just a dime of your company right now. I can discuss with you in a second. That is what becomes our pre-money value, and then post money value is what we have after investor uses up.

Willow Tracy

That was just a random example just to show you their response videos. They talk in a different voice. You can see that they have gone through several drafts. You can see them stop and start again. And I think it really was hammering home this skill for them of "How do I need to understand this differently if I am really going to explain it?"

I take all these videos and put them together (this takes forever, I would like to do this a better way in the future), and then they can all watch them. So they all get to see each other's videos. And the final part of the exercise is—again, this is an online class—a discussion board. They go through, and they re-do the contract that they had in the beginning—Mark it up the same way, same color system. But instead of putting questions in the margin, now for the whole contract, they post their questions on a discussion board. Whoever gets questions on their part logs on and answers them. That is sort of the whole exercise. I have thought about having this go towards a final drafting project—sort of brought the hypo around, did some drafting things with it—but I did feel like it needed a bit more of an end than I actually gave it to sort of incentivize more thoughtfulness about drafting as we went forward.

What I learned from doing this once was that some things worked really well. In fact, a lot of things worked really well. There was a ton of engagement; it cut out a bunch of those frustration points that we had had before. I did not see that moment of us getting stuck in a cycle where it felt like we were on different sides of things. It really felt like they stayed engaged in this conversation in a really interesting way. I also thought that they gained more substantive knowledge than they would have had I lectured in great detail on these points. In part because they had to teach, and in part because they knew they were going to have to ask thoughtful questions. And in part, I think, just because it set out a system where you were sort of incentivized to have questions. They had to ask a certain number of questions. They had to admit things that they did not know and look for those gaps in their knowledge.

There were some things that did not work as well. Like anything that you roll out for the first time, I think there are organizational and technological challenges. For me it was getting all of those videos posted together. Things like that, that took a little bit to ramp up. And as with many things that we do in this setting where you are doing iterative drafts, grading I struggled with; with having a system that felt like it was a reasonable rubric. I would love to get ideas if people have them.

I also think I would like to, in the future, have a better follow up. So this semester, I am gearing to have this go toward some contract that they draft later that is related to some of the things they have done here.

That is basically the project I have. So I think we can open it up to questions to all of us, or ideas.

Speaker 10

I have got a question for all of you, but mostly for Stacey or Willow. How does one do rubrics for things that vary so much? Like, in your example, it sounds like people are explaining different things.

Willow Tracy

In truth, this semester when I am assigning this, everybody has got a different contract on a different subject.

Speaker 10

Yeah, honest question: how do you [compare], apples to apples?

Stacey Bowers

I can start. I use a rubric. One of the things I did not say, with my grading, it is 20 points overall—15 is a group grade, 5 is an individual grade. My rubric is grading them on what they did with the group. Did they show up prepared? Was it clear from their presentation that they had done the work from their PowerPoint, from the information that they submit to me, from all of their analyses that they prepared? When they stand up and present, are they presenting coherently? Are they keeping the audience engaged? Are they using the mandated sections of the 10-K? Are they using appropriate language?

My rubric is a little bit more generic. To the point of, “Do I grade them on their math?” I spot-check some of their math, but that is not my real goal here. I want my goal to be about them digging in and doing this analysis. And if they get a little bit of it wrong, I might mention that in my notes to them: “You misunderstood this ratio,” or “You did not calculate it quite right.”

But I am really trying to get them to focus more on how do we put together a good presentation? How do we communicate with others? It is a little bit more generic. And to tell you, “How did I find that rubric?” I did a lot of Googling. It is amazing how many teaching rubrics you can find out there, not just from a law school perspective, but sort of across the board. I cobbled them together and I created a rubric that felt like what I was looking for, for these students when they got up and did this presentation.

And then with the five individual points, what I am really scoring them on is how are they doing themselves as a presenter. And one of the things I did not say, because I was getting too wordy before, is I always try and give them some positive feedback—even if I am being critical—to frame it in a positive way, and always make sure that I say, in the group

notes, they get something really positive and in the individual notes, that they get something positive. I think that makes the scoring a little bit easier and can bring some uniformity.

Willow Tracy

Yeah, I would say the same thing. It has to be a general rubric. I cannot be like “Oh, I am looking that you caught this point in this contract.” There is no way I can do that given the breadth of it. So, I use more general points. Honestly, this is one of the easiest things I find to grade compared to clinic teaching, which I do have a rubric for various aspects of. We have groups where we talk about these things, and we have a group of transactional clinicians where we discuss our rubrics and help develop them for each other. We sort of work together to have these general things. It is sort of the product of collaboration for many of the things we have done.

I guess what I am saying is that it is murky water, but it is familiar murky water because I feel like so much of what we do does not lend itself to easy checking boxes on a rubric.

Speaker 11

This is a question for Willow. You said at the end that last piece of your assessment is if people post questions, the student is responsible to answer the question.

Willow Tracy

Yeah.

Speaker 11

Does that go into your assessment as well?

Willow Tracy

It does. And this is something I have wondered about. “Should I have it?” I sort of debated: “If everybody's questions are about one person's part, it is probably because they did not explain it that well. Should I have that affect the grade?” I did not want to because I feel like you can have unintended consequences from that. A pattern certainly emerged. But there I just graded everybody on how they answered. You have to have a certain number of questions, and then you have to answer all of them that were about your section. So, I guess your punishment was that you have a lot of questions if you did not explain well.

But also, some people had harder sections than the others. I guess that was the other reason I did not want to have that component to it. But yeah, it was graded.

Speaker 12

How many classes [inaudible 01:15:51] the case where you do the hypo with one class, and then by—How much lawyers [inaudible 01:16:01].

Willow Tracy

Sorry, the question was, “does this take forever?” Yes. Yeah, I do it. It is an online class that I do this in. We do a weekly module. The hypo is sort of one that we take through the whole class. I do not think of that as part of it. But yes, in theory you would have to do that. I think I do lecture on the assessment of base knowledge in the first module and then each one is a week apart after that.

It is a commitment.

Stacey Bowers

Actually, I have a question. So, with this exercise—because I would like to incorporate this—you do not do any lectures ahead of time now, right? You just give them the hypo and the contract and assign the parts.

Willow Tracy

I do some. Well, this semester I am not. Last semester I did, because everybody was looking at the same contract. This semester it is summer school; it is not very many students. They have a lot of different interest areas, whereas I knew everybody before wanted to take it because of startup stuff. I let them give me an area, and then I picked a contract for them from it. Repeat your question, sorry.

Stacey Bowers

I was wondering if you lectured on any of the substance before they looked at the contract.

Willow Tracy

This time I am not. This time, I am going to let them—I am going to have them completely in the deep end. I will tell you in a few weeks if that was a bad idea. But previously, and I think normally with a bigger class, yeah. I would still lecture a little bit. I do not want people to get overwhelmed—to not even know what they do not know in the beginning, which I feel can be a big problem with some of these contracts.

So, I want them to have a sense of, “If you found yourself with something you did not really understand, how would you resolve it?” But I do not want them to go into that full panic mode.

Brian Krumm

I do not know if you said this upfront and I just missed it, but this is an online class, right?

Willow Tracy

Yes.

Brian Krumm

Okay. I would have to watch you sometime.

Willow Tracy

You are all invited to be in my online class.

Brian Krumm

I am serious because I cannot imagine how to present the work. Just to get exposure.

Willow Tracy

In an online class?

Brian Krumm

Yeah.

Willow Tracy

I honestly had a lot of apprehension about it, and it is now my favorite. Now, in some of my classes that are not online, I want to start adding some of these elements. We know this on some level, but I think I did not realize it until I was teaching this way. They are much more comfortable having text discussion. The quality of the discussions that they have in this more text-like discussion board format are so much better. Very different students speak up. You get just a really different style of speaking, tons more engagement. And it does not favor people who are really comfortable talking in front of a group. It just seems like it is sort of a really different way to elicit responses from people. So, I love that part of it.

Stacey Bowers

Do you have questions?

Speaker 13

I was going to ask about your experience of online teaching. One of the things that troubles me about it is that it is asynchronous, right? Is it totally asynchronous?

Willow Tracy

It is not totally asynchronous, but it is mostly asynchronous.

Speaker 13

So, for me, it has a feeling of deadness about it.

Willow Tracy

I thought that, too. And I thought this is ridiculous. My favorite part of teaching is the interaction with the students, and I thought, “we are not going to have that.” I thought I could do the video conference rooms, and I tried that. And I do not know if anyone has ever had a good experience doing that, but I certainly have not. It is always awkward and distracting. So, I actually found myself going away from that.

I thought it would feel like less student interaction, and it honestly just felt like different student interaction. I felt like I got to know the students really well. There is a lot of back-and-forth.

I do re-make my videos every time, which makes it more work. But then I can respond to what they say and provide some back-and-forth. I will re-record the audio part of it because then I can respond to whatever was in the discussion board last week. I can say, “As you were mentioning last week, this and this can come up, and I liked the way you said that. And here, that is going to apply to this.” So, I can have that sort of easy ways that I can keep it from feeling like this is some canned lecture that does not have anything to do with that. And I do a lot of podcasts and things like that.

And I think there is actually something that is more intuitive to them about that kind of learning. And I find that I can actually get to know them pretty well, too.

Speaker 14

Can you give us a little more flavor on how you—if you did not have students presenting—how would you get a discussion board going? Would you just have a reading and or a video and post questions? Or how do you do it?

Willow Tracy

Yeah. Does anybody else here online teach?

Speaker 14

I would love to, but I never quite had the opportunity.

Willow Tracy

It is so fun. Yeah, it is part of the software that our school has. There is a discussion board format.

Speaker 14

Blackboard has it.

Willow Tracy

Blackboard has it. I do not use that one. But basically—And I have tried using some other ones—but I have found that the one that our school has is pretty good.

And yeah, I will just do a prompt. I will say something like, “Listen to this episode of this podcast startup that describes some entrepreneurs and issue spot. So, everybody chime in with what contract—they did not have any contracts—What contracts do you wish they had?” or “What did you notice seemed different in this context than what we think of as a traditional commercial contract setting?” So, it will be questions like that. Responding usually to lectures or readings.

Speaker 13

The only thing that I wonder very much about we are doing here at Emory too over time is that students who write well will do much better on an online class than students who do not write well. Which is probably true in an in-person class too, except that in an in-person class, with the force of their personalities, and being in the class and being able to respond verbally to questions, they can overcome some of their poor writing abilities.

Willow Tracy

Yeah, I think you are going to—no matter what format you teach in—you are going to wind up favoring some kind of strength.

I am doing one-on-one meetings at the beginning and the end of the semester so I get to know them a little bit as they interact.

Brian Krumm

But just the clip you had, that person was showing us personality. I thought it was very—I did not know it was a student at first. I thought it was somebody selling something on TV. No, I really did.

Willow Tracy

It is the tie.

Brian Krumm

Well, he had a sense of confidence. Not only in his speech, but in his mannerisms.

Willow Tracy

And this is what I was stunned by. They all did when they took on that role. I think because they did not have to be in front of a class; they are not all comfortable with that. They sort of adopted a persona for acting, and I think, because of the way they have grown up, they are much more comfortable behind a screen than not.

Brian Krumm

For society, I do not know if it is good or not.

Willow Tracy

Well, you can go willingly or get dragged, is how I feel.

Brian Krumm

I hear you, I hear you.

Speaker 15

One other quick question about your online class. Is it for students who are not in the building or can students who are currently enrolled take it online?

Willow Tracy

Students who are currently enrolled can take it.

Speaker 15

So they can come see you during office hours?

Willow Tracy

Yeah.

Speaker 15

We are watching it, and fully [inaudible 01:24:34] starting next January. So, I will mention teaching [inaudible 01:24:43].

Brian Krumm

Bless your heart.

Speaker 15

[inaudible 01:24:46]. It is going to be great.

Willow Tracy

Well, when you get there, let me know if you want to chat about it. I do know a lot of schools are starting to go that way, and when I was given the option, I almost said, “No.” And now I am so thankful that I said, “Yes.” Because it has really been eye opening for me.

Speaker 15

That makes me feel better.

Brian Krumm

Which school are you at?

Speaker 15

Syracuse University.

Brian Krumm

Oh really? Okay.

Speaker 15

We have a little residential component. I will come for a week each semester, or three days a week at first, then three days each semester. It is going to be completely online.

Stacey Bowers

One of the things I would say to you, too: I know at University of Denver, we have a great center for teaching and learning, and they are a phenomenal resource when you are starting down this path of creating online classes and helping you plan.

Speaker 15

They are helping us develop this.

Willow Tracy

I have really used that heavily for my class. I know my other colleagues have not used it as heavily. And it has been really valuable.

Speaker 15

Good to know.

Brian Krumm

We have gotten our five-minute warning. So if you could take a few minutes and just fill out the evaluation sheet, I know that Emory University and Sue would appreciate it.

Stacey Bowers

And then yeah, I guess any last-minute questions or sharing.

Speaker 16

I have a little thing with people's [inaudible 01:26:07]. Are you an accountant?

Stacey Bowers

So, I do have an accounting degree, but I am not a CPA. The conversation went much like this, "Hey Stacey, do you not have an accounting degree? We need someone to teach accounting for lawyers." I am like, "Yes, that accounting degree is from thirty years ago." "That is okay." And so now I teach accounting for lawyers.

Brian Krumm

You will do.

Speaker 16

Say, "Yes," willingly? Or like. . . .

Stacey Bowers

Kind of almost like what Willow did. I said, "Yes," a little reluctantly. I will actually confess I loved teaching drafting, and I love my students, but there is something about accounting that I just geek out. I am a huge numbers person. I love statistics. And so, I think to your point wondering about my students, I think because I am a little nerdy that allows them to also be more comfortable.