

Using Cooperative Group Learning in the Classroom
Barbara Glesner Fines*

* Associate Professor of Law, University of Missouri- Kansas City School of Law. Professor Glesner maintains the "Teaching & Learning Law: Resources for Legal Education" website at <http://www.law.umkc.edu/faculty/profiles/glesnerfines/bgf-edu.htm>.

Law teachers have become increasingly interested in using some cooperative student learning in the classroom.¹ As compared to the very teacher-centered, teacher-controlled Socratic classroom, the cooperative classroom has much to offer. When student-peers interact in learning, they think about their learning differently.² Rather than viewing the classroom as a place where teachers give them knowledge, students in a cooperative classroom are more likely to view themselves as engaged in a process in which they are actively engaged in constructing their own knowledge.³ The learning is more active and engaged. The students are not only actively learning from one another, they are also teaching -- teaching in way that is cognitively different from that of a faculty member's teaching. Since the peer has only recently learned (or is currently learning) the material being taught, the peer teacher is more likely to consciously think through the steps of the learning process than one who has greater expertise.⁴ Moreover, peers working in small groups are less exposed to the risk of public error and competitive pressures than when called upon individually to recite before the full class. Thus, the nature of the discussion that occurs in these small groups will differ from the dialogue with the professor in the larger class. Students are more likely in these settings to explore possibilities, ask questions, take risks, and "benefit from mistakes rather than [endure] a climate in which mistakes must be hidden in order to avoid ridicule."⁵ Thus, the learning that occurs in cooperative peer groups is a cooperative, active process of constructing and conveying knowledge. Sounds good.

There are many ways to structure this cooperative learning in the classroom, but the easiest may be to allow students to work in pairs or teams to discuss questions or problems posed in class. For faculty first beginning to use this technique, some basic guidelines can help avoid problems.

¹ "Student-to-student interactions such as cooperative learning groups and other methods appear to be slowly gaining a strong foothold in legal education" (How we Teach article) Professor indicates that cooperative learning groups are more often found in skills courses and in upper-level courses than in the first year.

² Neal A. Whitman, PEER TEACHING: TO TEACH IS TO LEARN TWICE 14 (ASHE-ERIC Higher Education Report No. 4 1988)

³ Kenneth Bruffee, The Art of Collaborative Learning, 19(2) CHANGE 42-47 (1987).

⁴ John B. Mitchell, Current Theories on Expert and Novice Thinking: A Full Faculty Considers the Implications for Legal Education, 39 J. LEG. EDUC. 275, 283-5 (1989) (describing the difficulties of experts teaching novices, the author notes that experts may be unable to articulate unwritten conventions of their area of expertise because they are consciously unaware of the conventions -- recent learners are more likely to be consciously aware of their acquisition of these conventions.)

⁵ David Johnson and Roger Johnson, Instructional Goal Structure: Cooperative, Competitive, or Individualistic. 44 REV. OF EDUC. RESEARCH 213, 228 (1974).

Plan carefully your small group assignments. Tasks requiring mere recall of information will rarely sustain discussion and may convey an unintended message that individualized preparation of materials is unnecessary. Conversely, if you are asking for a very carefully phrased response (e.g., draft the legislation) rather than ideas, solutions or arguments, in-class cooperative groups are less likely to work effectively. Writing is essentially an individual activity and cooperative work with written assignments is better left to cooperative critique and editing, rather than drafting.

Cooperative learning is most effective for tasks requiring critical analysis. Questions that work very well in small group work include those requiring the students to generate or choose among solutions to a problem presented by the case or problems assigned for class. Some questions we ordinarily pose in Socratic dialogue make good candidates for group work. For example: "which rule/approach is better and why?" "How might the attorneys have avoided this problem?" "How is this rule likely to affect people's actions in the future?" "What are the arguments for and against this approach?" If a problem or question would require students to absorb any significant additional facts before discussion, these problems should ordinarily be provided to students ahead of class.

Be sure students are prepared for cooperative tasks. Unless you are asking students to share personal experiences or observations, be sure that you have provided students with sufficient background to effectively address the in-class work. In-class group work can become mere an exercise in pooled ignorance if students have not mastered the basic materials for the class (either because the assigned materials were not sufficient or because the students have not prepared). Students may also need some preparation for the cooperative work itself. Providing students some basic guidelines for brainstorming techniques, active listening, dispute resolution, and allocation of responsibilities in the group can enhance the effectiveness of the group's work (not to mention being important lawyering skills).

Preface group tasks with individual tasks. Unless you have asked to students to prepare a problem or question ahead of time, when you pose the question for group discussion, you should provide a moment to think before beginning discussion. One minute is ordinarily sufficient. You may ask students to use this time to write down their thoughts. This allows those students who are more introverted to work within their preferred learning mode. Also, providing students a moment to gather their thoughts reinforces a more general message that glib responses are not necessarily preferable to thoughtful responses. At least occasionally, preface group work with techniques to insure individual accountability (short quizzes, random questioning on basic materials, written assignments, etc.) Students understand well that group work presents free-rider risks and will quickly come to resent regular group work if the instructor does not design the classes to minimize this risk.

Listen and learn. As the students begin discussion, walk around the classroom and listen. Work with students who seem stuck or reluctant to engage in this type of work. For professors who feel like this technique is too much out-of-control ("How do I know they are learning it right?" "How can I be sure they aren't just socializing"), walking

around and listening to the discussion will convince you fairly quickly that using this technique really is effective teaching. At a minimum, group work provides an excellent assessment device for you to discover how and what students are learning in the balance of classes.

Diversify group tasks. You needn't necessarily have all students work on the same question. Divide the class in half; have the small groups work on generating opposing arguments or different aspects of the problem. Or divide the students into groups to come up with questions, hypotheticals, or problems, rather than arguments, answers or solutions. A "jigsaw" technique, in which each member of the group has a only one part of the materials needed to solve a problem can be a good way to promote group interdependence.

Bring them back together. When the discussion begins to wane, or the time allotted for discussion ends, the instructor has several options. You may simply want to proceed with the lesson. Students, however, need and deserve some feedback on their discussion. A brief comment on their discussions may be sufficient. (E.g., "All the groups came up with some good solutions . . ." or "I'm sure you all found that . . ."). If students have been asked to record their ideas, you can collect their reports and provide written feedback. Another closure device would be to take a poll of groups. ("How many groups agreed with the majority?") You may also want to use the small group discussions as the starting point for further exploration. Small groups can be asked to report back on their work. This is more effective if students are asked to engage in different tasks or the range of responses is very broad. Otherwise, to avoid repetition, you may combine group reporting with polling. ("How many other groups agreed with this position?")

Read more about it. It is quite possible and effective to structure an entire course using a team learning approach.⁶ A rich body of literature is available to those faculty who wish to expand their use of cooperative work groups in class. The National Institute for Science Education website on collaborative learning has an outstanding collection of materials at <http://www.wcer.wisc.edu/nise/cl1/>.

⁶ See the description of such an approach in Nim Razook, *Some Order and Some Law: Cooperative Norms, Free Riders, and Bridge Burners in Student Teams*, 47 *J. Legal Educ.* 260 (1997).