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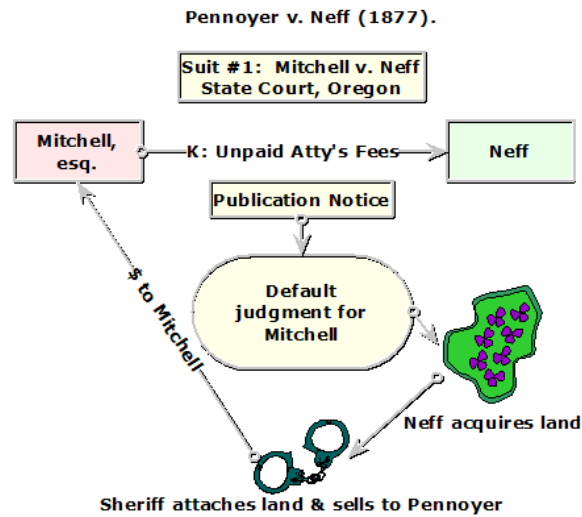
To whom it may concern:

It is an honor even to be nominated for the University Teaching Award. I have been asked to provide a personal statement, and compared to a research agenda, this statement does indeed feel more personal. Teaching is something I've thought intensely about since starting my academic career, here at UCLA, back in 1995. And what follows is mostly uncensored self-reflection of what I think I'm doing in front of that classroom.

A caution: I do not want to mislead anyone in the ways that teaching contests sometimes encourage. Teaching is not my sole professional concern; I view myself more a scholar than a teacher--although scholarship is usefully understood as teaching to others what one has come to know. Also, I try hard not to romanticize students. Some of them are remarkable and have made me breathless with their learning, growth, and trajectory; others have been complacent and unappreciative of the privilege of higher education. In particular, I reject the idea that one should teach in ways that curry student favor, popularity, or adoration.

## I. NEW SCHOOL

I use technology to teach. Lots of technology. To begin with, I use a computer projector and suite of software programs to simulate a virtual blackboard. (I am averse to chalk and even marker boards). Using a virtual blackboard, I deliver audiovisuals, such as photographs or video clips. I also make extensive use of conceptual diagrams, such as plaintiff-defendant diagrams that show the procedural posture of a case.

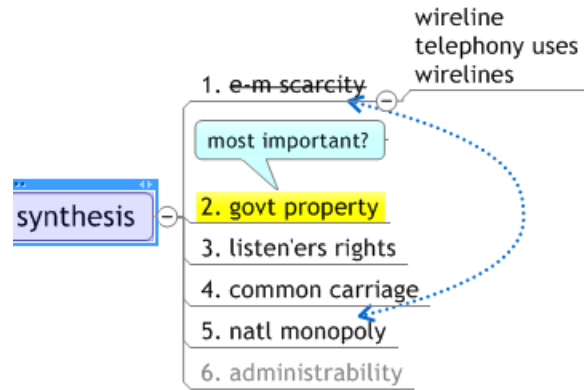


I also always have the full text of relevant statutes, codes, and regulations on hand in a Word document, formatted specially so that I can jump to any provision with two pen clicks. Here's why. For instance, if you tell students to find their supplement, flip to Rule 56 of the Federal Rules of Civil Procedure, find subpart (c), and explain which particular words help answer the question presented, you've just wasted two minutes of the class period. By contrast, if I can project any rule inside of three seconds, and highlight the crucial text as it is discussed, then the entire class can be on the same "page" without loss of time, continuity, or focus.

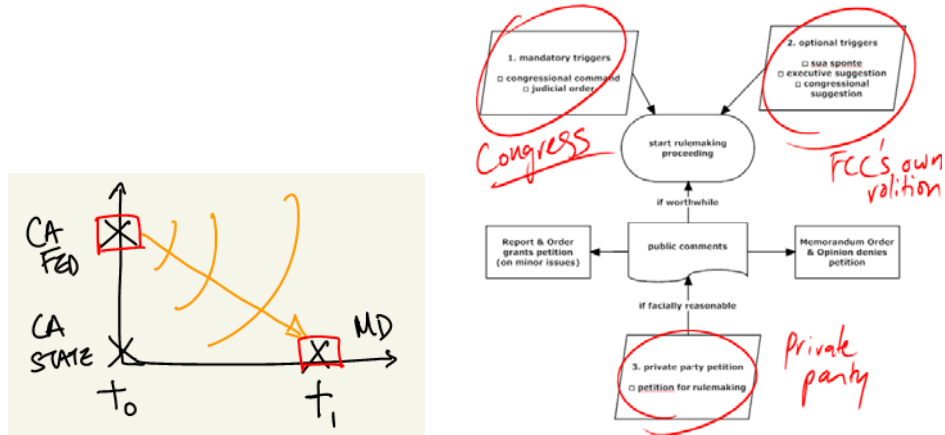
To many experienced teachers, none of this will seem especially novel or interesting. What's perhaps different is that I do not use PowerPoint, and I do all this going off script. I teach Socratically (more later), which means that my classes don't follow a locked-down linear discussion path; there's more randomness to the walk. So a deck of slides that go from A to Z can't work. Worse, slides encourage a TV mindset amongst students, who passively consume snackable bites of information while assuming that everything important will appear on the slides. The corollary is that anything that's not pre-typed on the slides, such as contributions by fellow students, must be unimportant.

To avoid the TV mindset, I insist on capturing class interaction on the virtual blackboard. I mostly use a visual outlining program called MindManager, which allows me to reveal complexity step-by-step, like

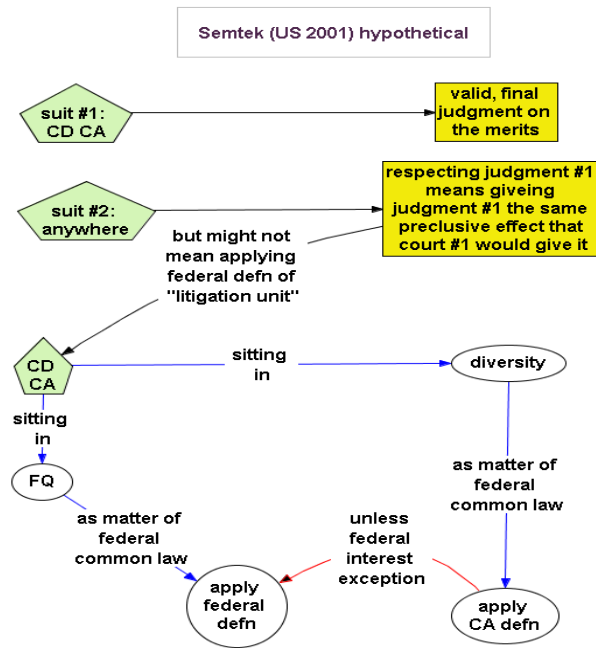
branches of a tree. More important, while class unfolds, I make real-time changes by typing student comments, highlighting ideas, connecting them with arrows, marking them with icons or boundaries, and refactoring arguments.



Since I use a tablet pc, I can also draw timelines, concepts, and diagrams in fluid ink.



I use flowcharting programs that allow me to draw shapes and connectors—again all in real time.



All this forces students to pay active attention, not to some pre-digested, pre-packaged deck of slides as info-tainment. Instead, they participate as co-authors, engaging in guided discovery. A digital archive is saved after each class so students don't feel manic pressure to type everything down.

When some teachers see me using all this technology, they presume that I think it a panacea. Technology is not, by any means. For example, I refuse to take substantive questions via email and instead insist that students meet me in person during office hours. In the law, we often answer questions through more questions, and that discourse should take place face-to-face, especially since legal training should strengthen oral communication skills. Always on the bleeding edge, more than a decade ago, I tried threaded discussion boards for out-of-class conversations, but they turned out to be a time sink that I couldn't quite justify. As a final example, some colleagues use "clickers" to register real-time answers to multiple choice questions. I find that technology too constraining and have declined to adopt it.

Technology is no cure-all. But I'm confident that the specific tools I use make me a better teacher. The outcomes justify the enormous time I've invested in researching new software and hardware, developing best

practices, working with programmers, and even writing some code to make my use of technologies effective and seemingly effortless.

## II. OLD SCHOOL

If my use of technologies is most striking, then my use of the Socratic method is probably what's next most salient. Since so many law professors use some version of the Socratic method, let me first clarify what I mean—something I do for my students explicitly on the first day of class.

1. Every student is on call every day.
2. Class is driven by question-and-answer.

Being on call every day means that all are expected to have read the assignment, thought about the material, and be prepared for engagement if I “cold call” them. And I easily call fifteen or more students in an hour long class. Driving the class through Q&A reflects my distaste for the passive “broadcast” model of teaching described above. The goal is not to broadcast information from my mouth to students' ears with hope of lossless transmission. If that were so, I would just write down what I had to say and give it to them, or record a lecture once and play back the DVD. Indeed, I've written two casebooks, *COMMUNICATIONS LAW & POLICY* (3<sup>rd</sup> ed. Foundation Press 2009) and *RACE, RIGHTS AND REPARATION: LAW AND THE JAPANESE AMERICAN INTERNMENT* (Aspen 2005), so if information transmission were the principal point, I'd have little to do besides assigning students my textbook and emailing them pages from the Teacher's Manual.

I want my students to THINK! not to memorize and regurgitate. I want them to listen, respond, challenge, accept, push back, retrench, consider some more, jump in, volunteer, get slammed down when they're off their rockers, but come back for more. I want them to engage in active learning, which requires thinking fast, listening intently, then responding despite uncertainty and pressure.

As I tell my students, law is like learning a foreign language, which the law is. And I'm training students to sound like native speakers. You don't achieve such fluency simply by reading books and listening to others speak the language. Instead, you have to open your mouth and have a

conversation, say silly and poorly phrased things, which are then corrected, with the entire feedback loop repeating over-and-over again.

The goal of the Socratic method is not to harass students, or to show them how much more I know. (After doing this for 15 years, if I can't have better answers to the questions that I myself pose, then I should find another line of work.) Instead, it is to promote active learning, where all students -- and not just the overeager volunteers (a.k.a. "gunners") -- participate.

In addition, the Socratic method teaches future lawyers that words have meaning and consequence. And "consequence" can be negative. Some teachers regularly take gobbledygook from a student's mouth, repackage it into some vaguely related but fundamentally different point, tie it up neatly with ribbon and bow, in order to produce the win-win of both covering the material and having students feel good about their class participation. (This strategy doesn't hurt teaching evaluations either.)

I deplore that. I hope I don't do that. I don't think so. I try to take students comments as they are. Accordingly, I have followed up a student's answer with "What if anything does that have to do with my question?" I have typed up students' comments verbatim on the board so all could see that they are incomprehensible. When a student looks at me bewildered, eyes peering just over the laptop screen, and ekes out "Could you repeat the question?", I invariably ask a colleague sitting right next to him to repeat the question -- to make it clear that it wasn't a problem with my sound volume or enunciation.

None of this is meant to be shaming or embarrassing or punishing. It is, however, meant to teach that words have consequences, and "close enough" isn't good enough in my classroom. It is meant to teach that preparation matters. It is meant to teach that I expect better from someone who attends UCLA School of Law. It is meant to teach that excuses are often lame.

At the risk of sharing too much information, I confess that this view of teaching comes from two decades of serious practice of martial arts. In that domain, there are consequences to mistakes. People get injured from mistakes. Negative reinforcement from one's teacher or the floor or someone's fist is the norm. There is purity and honesty in physical action that can't be side-stepped through fancy talk and excuses. There is humility

that comes from recognizing the body's frailty. And there is daily evidence that people can be pushed to do nearly superhuman things if that is what is expected of them.

This "old school" way of teaching has a different provenance from Socrates. But there are overlaps. After all lawyering can be seen, in part, as ritualized combat. The value of active learning is similar to sparring. Endless sets of pre-rehearsed choreography can never bring the sort of insight that comes from one unscripted physical or intellectual interaction. There is ego in the martial world as well as in the law, and in both worlds, one must become comfortable with failure in order to truly succeed.

### III. TEACHING VIRTUES

Early in my career, for reasons not entirely clear to me, I quickly embraced two teaching virtues. When anyone asked me for advice about teaching, I always said you need "enthusiasm" and "empathy." Enthusiasm is a virtue. If you are not excited about the material, why should anyone else be? And if you teach dry material like I do, including civil procedure and telecommunications law (think telephone rate regulation), you best show some enthusiasm. Enthusiasm requires a performance. You must occupy the entire room with your curiosity; your voice must travel clearly, ranging from soft to booming; your gesticulations must organize and emote; your thoughts must almost fill the air.

Empathy is also a virtue. Intellectually, you must be able to sense where a student is, in her comprehension. Brilliant scholars are often terrible teachers because they cannot understand how something so easy for them could be so hard for others. I try to remember how I worked through some intellectual knot, and often try to use some odd analogy or example from everyday life to capture that problem and solution. This explains my use of oddball (but memorable) metaphors or mnemonics such as Mr. Potato Head, the Simpsons, Kitchen Stadium, and Captain America.

But empathy must also operate emotionally, especially when I press students hard. I have to know how far I can safely push them out of their comfort zone. When a student swings and misses, I have to know to come back to her at some later point, to give her another chance. If the student lacks confidence, I need to set up a line of questions that begin easy and

increase gradually in difficulty. I need to know intuitively where students are--including their subject position of race, gender, and class--in order to coach them along.

Of course, there are many other teaching virtues, such as clarity, organization, inclusiveness, and the like. But enthusiasm and empathy seem underappreciated so I call attention to them whenever I can. They are easy to pass over. They are, however, essential.

#### IV. THE CHASM

I close with a set of oppositional pairs that represent two sides of a conversation. The first part is what I want to say to students; the second part is what I want to say to teachers; the distance between is a sort of chasm. Each pair forms a sort of paradox, riddle, or koan. Instead of trying to explain what they mean, I think it best simply to state them:

- What you want is not what you need. | But sometimes it is.
- Learning requires struggle. | But pain alone ensures nothing.
- If you do not know, don't blame the teacher first. | But it may be the teacher's fault.
- Learn as if your life depends on it. | Teach as if it is a sacred responsibility.

Sincerely,

A handwritten signature in cursive script that reads "Jerry Kang".

Jerry Kang  
Professor of Law  
Prof. of Asian American Studies (courtesy)