
ENCOURAGING STUDENT THOUGHT: HOW TO PUSH THEM OVER THE EDGE

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While grading essay answers one night, I realized that a particular student had given me an answer that showed true insight into the intricacies of corporate law. In fact, the answer was better than most attorneys' knowledge of the subject. I was faced with a dilemma: How was I to differentiate this exceptional answer from the other answers that were correct, but not one of a kind? For lack of a better solution, I gave the student more points than the question was worth. Thus began a new method of teaching and grading for me.

Until that moment, I had been giving exams that required my students to understand the material in terms of traditional answers. Now, however, students could go beyond the usual answers and suggest alternatives that might be acceptable. After all, much of law is hypothetical and based on what we think judges will say in a specific

case. Therefore, I give bonus points for answers that show true insight into the subject. The answer does not even have to be correct for me to find a point or two if the answer shows an understanding of the principles involved. The object is to encourage students to analyze the issue from as many angles as possible. A plausible argument should be rewarded, even if a traditional answer would be different.

Students have accepted this notion with relish. I jokingly tell the class that I have points left over from last quarter that I need to use, and that true insight into the material will result in bonus points. I also allow them the opportunity to explain their choice of answers on the multiple choice section. The outcome has been great. More students are now thinking beyond the obvious and suggesting alternative arguments. Although the bonus points are scarce since I am looking for exceptional work, no shortage of effort on the students' part exists.

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