HELIÇOPTER PROFESSORS

Emily Grant*

INTRODUCTION

The tone surrounding the study of law has evolved over the last several decades. In lectures and in print, law professors have evolved from the solemn sages of the classroom1 to the academic pep squad.2 The perception of the law professor has changed from the grand inquisitor to the legal life coach.

The purpose of this Article is not to lament the loss of rigor and serious tone in law schools, but instead to identify and examine the changing expectations students have of law professors and the concomitant temptations for professors to pander in an unhelpful way by chaperoning every step of the legal education experience. In the contemporary parenting lexicon, law professors have become helicopters.

Helicopter professors, like their parenting counterparts, hover over students, guiding them precisely, and swooping in to rescue them from any hint of failure or challenge. Just as helicopter parenting can be harmful to children, helicopter professoring poses similar threats to students, not the least of which is creating disengaged students dependent on professors for all aspects of their learning and development.

The instinct to be a helicopter professor is understandable in light of several social and cultural circumstances of today’s legal education. First, law students today are largely Millennials who were helicoptered parented and educated in a

* Associate Professor, Washburn University School of Law. With appreciation to my colleagues at Washburn and to Will Foster for their input and advice, with thanks to Jacob Bielenberg for his technical assistance, and with gratitude to Rachel Alvey and Hannah Woofter for their research and editing assistance, despite their snarky (but correct) comment after an estates and trusts class that “that was an example of helicopter professoring, wasn’t it?” Yes, yes it was. I’m a work in progress.

1 So, gentlemen, the prospect: the thicket of thorns. . . You are to begin the disentanglement forthwith. . . Details unnumbered, shifting, sharp, disordered, uncharitable, jagged. And all of this that goes on in class but an excuse to start you on a wilderness of other matters that you need. The thicket presses in, the great hooked spikes rip clothes and hide and eyes. High sun, no path, no light, thirst, and the thorns. . . I fear there is no cure. No cure for law but more law. No vision save at the cost of plunging deeper. Men do say that if you stand these thousand vicious gaffs, if you fight through to the next bush, the gashing there brings sight.


2 “The thing that often gets lost in that first day of law school, and often for many days afterward, is how smart and accomplished you are. You must be; unintelligent, incapable people simply don’t get in to law schools these days. Just by virtue of the fact that you have been admitted to law school, you have already demonstrated that you’re more than smart and capable enough to thrive there.” IAN GALLACHER, COMING TO LAW SCHOOL, HOW TO PREPARE YOURSELF FOR THE NEXT THREE YEARS 132 (2010).
system that often focused solely on test results. Second, law professors are at times overly focused are garnering positive student evaluation scores, which may be easier to do with a little extra spoon feeding. Professors too may themselves be helicopter parents in their non-work hours, a behavioral pattern that too easily can infiltrate the classroom. Finally, law schools today are seeing a rise in students that have a consumerist attitude and in some cases lower academic credentials; those types of students expect and perhaps need additional assistance. But satisfying that need, combined with the focus on quantifying assessment practices and on improving teaching techniques, may easily cross the line into helicopter behavior.

This Article, after detailing the factors that contribute to the helicopter professoring phenomenon, provides a theoretical framework for understanding helicoptering behavior as well as guidance for avoiding the negative manifestations of such behavior. Looking to parenting literature and advice rendered about how to not be a helicopter parent, this Article outlines a teaching style to help professors be responsive to students’ needs, maintain high expectations of their students, and yet avoid the harmful helicoptering behavior that can stunt individual learning and development. Offering practical suggestions and also ways to navigate the contemporary law school environment, this Article seeks to encourage professors to be authoritative educators who help develop internally-motivated learners who become successful, self-sufficient attorneys.

To that end, Part I of this Article defines what helicopter professoring is, acknowledging some of the benefits that may accrue but also elucidating the harms caused by such behavior. The next sections identify some of the contextual causes of helicopter professor behavior: Part II addresses unique characteristics of contemporary law students; Part III turns the mirror inward and looks at today’s law school professors; and Part IV discusses the institutional environment in which law professors work and law students learn. Part V provides both a theoretical taxonomy of helicoptering and practical suggestions for applying that theory to professorial life.

3 One caveat: this Article is filled with over-generalizations. Not all professors, not all students, not all parents can be lumped into one category and treated exactly the same. Interview by Andrew Hibel with Berlin Fang, Dir. of Instructional Design, Abilene Christian Univ., Don’t Be a Helicopter Professor: How to Free Your Students and Yourself, HIGHEREDCAREERS (2016), https://www.higheredjobs.com/HigherEdCareers/interviews.cfm?ID=753 (counseling against the tendency to “see professors in monolithic blocks, rather than discerning the unique challenges they have and strengths they bring”). I use terms like “helicopter professor,” “helicopter parent,” and “Millennial” to describe a phenomenon that appears in research or in my own observations for the purposes of discussing the general characteristics of some of the actors involved in legal education today. As with many things in education, or in life generally, no one set of labels or prescriptions applies uniformly to all people. My hope is that this discussion will be useful to you at least in part where you may see yourself or some of your behaviors in the experiences of others.
I. HELICOPTER PROFESSORS

A helicopter professor, much like its namesake the helicopter parent, is one who micromanages or coddles students in a variety of ways. A helicopter professor, for example, might utilize primarily short, structured assignments, providing liberal hints and instant feedback. A helicopter professor might be “on call” and available to students at all hours of the day or night, well beyond stated office hours. A helicopter professor might provide step-by-step “accident-proof” instructions and templates designed to avoid confusion and ambiguity. A helicopter professor might distribute a detailed rubric for each assignment. A helicopter professor might do things for students that students can and should be doing for themselves, like keeping track of deadlines or speaking to an outside professional.

Taken alone, none of these actions is particularly egregious or problematic. So let me be clear: helicopter professoring is not using structured assignments or being available to students outside of office hours or providing an assessment rubric. For purposes of this Article, a helicopter professor is one who does those (and other similar) things to an extreme, providing “excessive guidance” which results in “suffocating control-freakery” that hinders students’ learning. It is the professor who hovers over students, ready to rescue them from failure before they have had a chance to struggle on their own. It is the professor who is uncomfortable allowing students the time and space to explore their own ideas, take their chances—even if they fail, or grapple with confusing topics until they can ask and answer their own questions.

Law school is designed to teach students the critical thinking and problem-solving skills necessary to be a successful practicing attorney. A helicopter

---

4 See infra part II.B. for a thorough discussion of the helicopter parent.
7 A helicopter professor may create “too many sub-steps for students to complete a task, not trusting students to do the right thing.” Don’t Be a Helicopter Professor, supra note 3.
9 Conn, supra note 6.
11 Don’t Be a Helicopter Professor, supra note 3.
12 Foster, supra note 5.
13 Id.
14 “They’d like to indulge that luxury, but the risks are too great—it might interfere with the relentless march of ‘progress.’” Id.
professor, in short, is one who denies or hinders students from developing those vital skills.

As a general rule, and just like helicopter parenting behavior,\textsuperscript{15} the desire to be a helicopter professor has altruistic motivations—the desire to help students, to comfort, assist, and encourage them, and to get them successfully through the semester.\textsuperscript{16} And like helicopter parenting,\textsuperscript{17} it reaps some benefits.\textsuperscript{18} Helicoptering is a way of engaging students.\textsuperscript{19} Extending leniency on student deadlines or reminding students of assignments can in fact empower students and help them reach their goals,\textsuperscript{20} reassuring students that they are not alone in the learning process.\textsuperscript{21} Providing details about the mechanics of a particular task can allow students to focus their efforts on constructive approaches, and to avoid unnecessary complication or confusion.\textsuperscript{22}

But also like helicopter parenting,\textsuperscript{23} the negative consequences of helicopter professoring are vast. Over involvement in students’ learning processes prevents them from developing autonomy in their learning experience and encourages them instead to rely on others to an unhealthy degree.\textsuperscript{24} In school, they may become dependent on professors for some basic habits of successful, self-directed learners, including efficient time-management, a willingness to struggle with challenging material, and resourcefulness.\textsuperscript{25} “If we walk students through every step [of an

\textsuperscript{15} See infra notes 68-69 and accompanying text.
\textsuperscript{16} “For faculty members, this method is often intended to help students do the best in their learning. Guiding students when there is a difficulty help bridge the gap between students who have ‘got it’ and those who have not.” Don’t Be a Helicopter Professor, supra note 3.
\textsuperscript{17} See infra notes 70-71 and accompanying text.
\textsuperscript{18} “[B]eing a helicopter professor is much better than being an hiding professor, a professor who goes into hiding after class, a professor who does not even care about student learning.” Don’t Be a Helicopter Professor, supra note 3.
\textsuperscript{19} “If institutions aspire to be student-centered, then I see the helicopter professors as an integral tool toward their success.” Barry Thomas, Helicopter Professor and Proud!, EvOLLLUTION (Aug. 2, 2016), http://evollution.com/programming/teaching-and-learning/helicopter-professor-and-proud/.
\textsuperscript{20} “Many adult learners have a history of being focused and dedicate to their college programs. They invest themselves to the max and a gentle reminder (or two) will not negate the adult learners’ accountability for their performances and their firm dedication in completing their programs.” Id.
\textsuperscript{21} Don’t Be a Helicopter Professor, supra note 3.
\textsuperscript{22} Trainor, supra note 8: Helicopter Teachers Help, Hinder Students, THE SPECTATOR (Oct 2, 2014), http://www.vsuspector.com/2014/10/02/helicopter-teachers-help-hinder-students/ (“A helicopter approach . . . [is] amazingly helpful. . . . By giving out rubrics and syllabi, professors receive fewer questions, fewer emails and fewer phone calls. . . . A rubric is not a way of holding someone’s hand through an assignment or term paper and a syllabus is not a bottle to feed to a baby on how to write, articulate or craft a paper.”).
\textsuperscript{23} See infra notes 72-78 and accompanying text.
\textsuperscript{24} Helicopter professoring “might seem helpful at the time, but it is destructive long term. It fosters an unhealthy dependency on the teacher and makes it impossible for learners to develop autonomy.” Foster, supra note 5.
\textsuperscript{25} “Instead, they rely too much on professors to guide them toward answers.” Don’t Be a Helicopter Professor, supra note 3.
assignment[,] we send a strong message about [the assignment] and about learning in general: namely that it is a direction-following game, that the answers reside with the teacher, who will walk you through the steps to the puzzle until you arrive at the right answer.”26 This level of helicoptering encourages students to merely “do school, to go through the motions without really learning.”27

Some level of difficulty and struggle is necessary and even desirable as part of the learning process.28 Helicopter professors inadvertently deprive students of the joy of learning that comes in the discovery process.29 Instead, they convert helpful scaffolds into “new forms of crutches” that hinder students’ learning.30

Students who are helicoptered in the classroom may complete a particular course of study “without much of a sense of how to work on their own or think for themselves.”31 They develop an unrealistic idea of what it means to learn something, to work at a particular task for themselves, or to find a way out of a particular educational morass.32 Helicopter professors give students little room to develop or take responsibility for their learning and their lives.33

The stunted cognitive growth that helicopter professoring may cause leads to future problems when students enter the workplace. Employers will likely have very different expectations of students and may be far less likely to helicopter them on the job. Arguably, this is uniquely problematic in the legal field where the primary value a lawyer, even a new lawyer, brings to a task is independent problem solving and creative thinking. Furthermore, when every newly minted lawyer can, at least in theory, hang a shingle and have essentially no supervision, helicoptering law students can have more serious implications to the public than in many other areas of education.

Finally, from the professor’s perspective, helicoptering can be simply exhausting. It takes a lot of time to hold students’ hands through assignments; constant hovering creates unnecessary work and arguably makes the professor far

26 Trainor, supra note 8.
27 Id.
28 “Debilitating difficulty (students lack the prerequisite skills) and undesirable difficulty (in technology use, course design) should be discouraged, but some difficulties are desirable and necessary for learning to happen.” Don’t Be a Helicopter Professor, supra note 3.
29 “This moment of discovery engages students to prod their sense of curiosity for learning something new.” Jeremiah A. Ho, Function, Form, and Strawberries: Subverting Langdell, 64 J. LEGAL EDUC. 656, 680 (2015). “Discovery is lost when professors come too soon with help.” Don’t Be a Helicopter Professor, supra note 3.
30 Berlin Fang, How to Avoid Being a Helicopter Professor, FAC. FOCUS (June 8, 2015), http://www.facultyfocus.com/articles/teaching-careers/how-to-avoid-being-a-helicopter-professor/.
31 Conn, supra note 6.
32 “Being a hands-on teacher is not always a good thing; there is a time for standing back and letting learners get themselves into—and out of—a mess. Avoiding such valuable experiences means young people will leave school with an unrealistic idea of what it is to work at anything for themselves.” Foster, supra note 5.
33 Helicopter Teachers Help, supra note 22.
less effective.\textsuperscript{34}

The next sections attempt to piece together some of the factors that may contribute to or exacerbate a tendency to be a helicopter professor, despite the disadvantages of such behavior.

II. TODAY'S LAW SCHOOL STUDENTS

The unique body of students in law schools today presents a variety of teaching challenges. They are largely Millennials who have been helicopter parented and educated in an environment that often focused solely on preparing students to demonstrate proficiency on standardized exams. This section describes current law students' generational characteristics, including the parenting style many have experienced, and the state of primary and secondary education that brought them to the doors of the law school.

A. Generational Characteristics

Since the mid-2000s,\textsuperscript{35} law schools have been educating primarily members of the Millennial Generation, also known as Generation Y.\textsuperscript{36} Millennials will continue to filter through law schools for the next five to ten years, and they will be followed by members of Generation Z, also known as iGen or the Centennials.\textsuperscript{37}

Millennials, as a generation, share seven basic characteristics: they are “special, sheltered, confident, team-oriented, conventional, pressured, and high-achieving.”\textsuperscript{38} Although research on Generation Z is less developed, it seems clear that many of these same cultural markers from the Millennials “have continued and are magnified” in the subsequent generation.\textsuperscript{39} Millennials are digital natives, having developed an aptitude and use for technology unparalleled by prior generations.\textsuperscript{40} The same is true for Generation Z, as is perhaps obvious by the iGen

\textsuperscript{34} Don't Be a Helicopter Professor, supra note 3.


\textsuperscript{36} Although the precise dates of generations can vary and, for purposes here are not necessarily relevant, the Center for Generational Kinetics defines the Millennial Generation as those children born between 1997 and 1996. How to Determine Generational Birth Years, THE CENTER FOR GENERATIONAL KINETICS, http://genhq.com/generational_birth_years/.


\textsuperscript{39} Becker, supra note 37, at 17.

\textsuperscript{40} Shailini Jandial George, Teaching the Smartphone Generation: How Cognitive Science can Improve Learning in Law School, 66 ME. L. REV. 163, 167-68 (2013); Kari Mercer Dalton, Bridging
moniker that group also has. The availability of technological advances also created a generation of multitaskers who want information immediately, who quickly switch to a different source for information, and who stay connected with each other nearly constantly, even while working on other projects.

Related to education specifically, today’s law students are confident in their abilities and optimistic about making the world a better place. They are ambitious and often set high, but unrealistic, goals for themselves, which can cause disappointment and a lack of direction. They are team-oriented and collaborative; they work well with others, but that group-mindset can lead to a lack of developed leadership skills and independent thinking.

In light of their collaborative nature, Millennial students often see themselves as peers with their supervisors or professors. They have frequently been praised for achievement throughout their life, and so they may have difficulty responding to constructive criticism and thus are prone to challenging feedback from professors.

Oft named the “entitlement generation,” current law students “want it all they want it now, and believe that they deserve it.” They expect individualized attention and immediate feedback on their work and instant rewards from their educational experience. This entitlement mindset often plays out in the disrespectful belief that “good grades should not be too hard to come by and that teachers should give them a break.”

As digital natives, this generation of law students has been exposed to more information in their lifetime, but in less depth than prior generations. As a result,
professors may not necessarily be valued as a source of information because for most of their lives, students have been able to access that same information quickly and easily online. Additionally, the focus on technology has arguably resulted in a generation of students with less developed reading and writing skills; they have far less desire to read long texts. Instead, education is linked to entertainment.

These characteristics often result in general complaints about current law students. Millennial law students need too much direction and handholding, they complain when they do not get an immediate response from professors, they want rubrics and checklists for every assignment, and they lack sufficient independent thinking skills. These are the precise complaints that feed into a temptation to become a helicopter professor. Demands from students and complaints that professors are not helping them enough may encourage professors to give in and simply provide the helicoptering that students desire and to which they are accustomed.

B. Helicopter Parented

Many of today’s law students are the products of helicopter parenting. The parenting strain of helicoptering, also called “intensive parenting,” generally describes a micro-managing style whereby parents hover around their children to protect them from harm but also from mistakes or disappointment. As a result, they often “swoop in and take care of their children’s problems instead of letting them figure things out for themselves.” Helicopter parents are wary about leaving their children unattended, and they are “obsessed with their children’s success and safety.”

A combination of several societal events in the mid-1980s is credited for the trend toward helicopter parenting. First, society in general became increasingly

---

53 Id. at 176.
55 Dalton, supra note 40, at 175.
56 Daicoff, supra note 35, at 18.
57 Gaia Bernstein & Zvi Triger, Over-Parenting, 44 U.C. DAVIS L. REV. 1221, 1231 (2011) (noting that the practice has also been dubbed “smothering mothering,” alpha parenting,” or “child-centered parenting”). “Helicopter parents have also been referred to as ‘kamikaze parents’ or ‘Blackhawk parents.’” Anahid Charakhanian, ABA Standard 305’s “Guided Reflections”: A Perfect Fit for Guided Fieldwork, 14 CLINICAL L. REV. 61, 74 n.49 (2007).
59 Stuart & Vance, supra note 35, at 62.
aware of “stranger danger” following the much-publicized 1981 kidnaping and murder of Adam Walsh, the newly-established National Center for Missing and Exploited Children, and the appearance of photos of missing children on milk cartons. Second, *A Nation at Risk*, a report released in 1984 by The National Commission on Excellence in Education, argued that American children were not competing academically with children from other countries thus increasing the emphasis on homework and test scores. Third, the self-esteem movement, a “uniquely American phenomenon,” came about in this same decade, encouraging parents help their children succeed by valuing “their personhood rather than their outcomes.” And finally, with women increasingly entering the workforce, families relied more heavily on daycare and children had less time for playing with friends after school. As a result, parents began scheduling (and attending) play dates, monitoring their children at play, and eventually joining in the play, leading to less unsupervised play and more parental control.

In light of this social and historical context, it is clear that the impulse to helicopter parent stems from good motivations—parents want their children to be safe and happy. And to be sure, helicoptering over the lives and decisions of children can reap some benefits, including positive effects on academic achievement, school behavior, and the ability to work within institutions and rules. Additionally, as children become teens, they face social and educational situations that may pose risk of greater gravity. As a result, involved parents, even helicopter ones, can help children make wise decisions heading into adulthood.

Despite some benefits, helicopter parenting can also be incredibly damaging.
to children, affecting their maturity and development in various aspects of life.\textsuperscript{72} Helicopter children fail to develop basic life skills like time management\textsuperscript{73} or speaking to strangers in the real world.\textsuperscript{74} They are less creative, spontaneous, and attentive.\textsuperscript{75} They are unaccustomed to being criticized, to dealing with failure,\textsuperscript{76} and to advocating for themselves.\textsuperscript{77} Indeed, some studies show a correlation between helicopter parents and mental health issues including anxiety or depression.\textsuperscript{78}

Unfortunately, for many of our law students, the helicopter carrying their parents followed them into college.\textsuperscript{79} Advances in technology, including ubiquitous cell phones that enable near-constant contact, facilitate helicoptering even after a child has left for college.\textsuperscript{80} In addition to regular contact or monitoring of their children,\textsuperscript{81} helicopter parents call faculty members, complain about grades, demand different roommates, complete and edit homework assignments, and select courses or even majors for their college-aged children.\textsuperscript{82} In some instances, undergraduate

\textsuperscript{72} “As well intentioned as intensive parents might be, their parenting style can be damaging.” Triger, \textit{supra} note 69, at 285; see also DERESIEWICZ, \textit{supra} note 69, at 43 (describing helicoptering parenting as a form of “infantilization”).

\textsuperscript{73} Triger, \textit{supra} note 69, at 286.

\textsuperscript{74} “At the beginning of one recent fall quarter at Stanford, this happened: After a freshman had been on campus for a few days, the boxes he had shipped from home via UPS arrived on the sidewalk outside his dorm. But the young man left them sitting there: they were big and heavy—each a two-person job—and he didn’t know how to get them to his room. As the student would later explain to the resident fellow—the faculty member living in his dorm who ended up marshaling some kind of assistance thanks to a call from the boy’s mother—he didn’t know how to ask anyone for help with the boxes.” LYTHCOTT-HAIMS, \textit{supra} note 62, at 78.

\textsuperscript{75} Triger, \textit{supra} note 69, at 286.

\textsuperscript{76} “[K]ids may be in for quite a shock when parents turn them loose in the world of college or work. They will experience setbacks, which will feel to them like failure. And, in a cruel twist of irony, they then won’t be able to cope with that failure very well, because they haven’t had much practice at failure, either.” LYTHCOTT-HAIMS, \textit{supra} note 62, at 90-91.

\textsuperscript{77} Charakhianian, \textit{supra} note 57, at 74.

\textsuperscript{78} LYTHCOTT-HAIMS, \textit{supra} note 62, at 89-90; Triger, \textit{supra} note 69, at 286 (“[T]hey are more likely to suffer from low self-esteem, depression, anxiety, and stress.”).

\textsuperscript{79} In fact, “[p]arental involvement in college students lives is apparently on the rise.” Bernstein & Triger, \textit{supra} note 57, at 1236.

\textsuperscript{80} Vinson, \textit{supra} note 61, at 431; Bernstein & Triger, \textit{supra} note 57, at 1239-40.

\textsuperscript{81} Bernstein & Triger, \textit{supra} note 57, at 1239-40.

\textsuperscript{82} LYTHCOTT-HAIMS, \textit{supra} note 62, at 69; Bendlin, \textit{supra} note 60, at 99; David Pimentel, \textit{The Widening Maturing Gap: Trying and Punishing Juveniles as Adults in an Era of Extended Adolescence}, 46 TEX. TECH. L. REV. 71, 76-77 (2013) (“Parents who hang on and play this kind of role for their college-aged kids (who are, after all, legal adults) are entirely unapologetic. Indeed, they can be somewhat self-congratulatory about it . . . .”);

“While parents may no longer hover constantly at this stage, they often strike like ‘stealth fighter parents’ at particular moments . . . in college and graduate school when their child receives a grade lower than they are used to . . . .” Vinson, \textit{supra} note 61, at 430-31.

“Working alongside college students as parents began increasingly to insinuate themselves in academic life, at times I found myself things, \textit{Who’s going to college here, anyway?” LYTHCOTT-
HELICOPTER PROFESSORS

schools are coping with helicopter parents’ demands by creating web portals for parental information or by designating a particular campus employee to serve as “full-time parent coordinator.”

The prevalence of helicopter parenting for law students, perhaps for the entirety of the twenty-two-plus years leading up to their matriculation, may create the expectation that it will continue into law school. And indeed it appears, at least from anecdotal reports, that law professors and administrators have been dealing with the helicopter parents of their students for over a decade. More significantly, for pedagogical purposes, long-helicoptered students may expect, or even desire, that law professors, as the newest authority figure in their lives, will take up the controls of the helicopter. Deviating from those expectations can be threatening and frustrating, for both the students and the professor. Students risk confronting failure for the first time unprepared, and professors risk the professional consequences of harsh feedback in student evaluations.

C. No Child Left Behind

The current cohort of law students grew up under the educational environment created by No Child Left Behind (“NCLB”) legislation, which tended to prioritize test performance to the exclusion of all other aspects and measures of educational development. Passed in 2002 with bipartisan support, NCLB was

---

83 Bernstein & Triger, supra note 57, at 1235-36.
84 Vinson, supra note 61, at 446. But see Pimentel, supra note 82, at 77 (“[A] number of universities have initiated programs to help what one administrator called ‘the most over-involved generation of all time’ learn to let go of their kids.”).
85 Louis N. Schulze, Jr., Balancing Law Student Privacy Interests and Progressive Pedagogy: Dispelling the Myth that FERPA Prohibits Cutting-Edge Academic Support Methodologies, 19 WIDENER L.J. 215, 264-65 (2009) (discussing phone calls from parents to request tutoring or other academic assistance for their child); Amanda M. Fairbanks, Letting Your Grad Student Go, N.Y.TIMES (Oct. 26, 2009), http://www.nytimes.com/2009/11/01/education/edlife/01guidance-t.html; Charakhanian, supra note 57, at 74-75 (recounting an email discussion on the LWI listserv about a law student who emailed the professor, cc’ing his parents, to complain about the grade he received on a writing project).
86 “[Students] are used to significant parent involvement, and they want and expect parents and other authority figures to protect and nurture them and to resolve their conflicts.” George, supra note 40, at 166.
87 “Where pupils are desperate for constant guidance, advice, direction and support, the damage has already been done and any attempt to change the classroom dynamic is likely to be a threatening or frightening experience.” Foster, supra note 5.
designed to “bridge the educational gap for all children” by setting national standards for school performance. NCLB sought to “ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments.” To accomplish that objective, NCLB set an ambitious goal of “one hundred percent proficiency” in reading and mathematics by 2014. Additionally, NCLB required states to conduct yearly examinations of students so the legislature could identify which schools were making adequate progress and then distribute rewards or sanctions based on the testing results.

By many accounts, NCLB has not been as effective as hoped and, in starker terms, has corrupted the educational system. One detrimental effect of NCLB is the incentive for schools to “teach to the test.” Given the regular assessment requirement and the financial strings tied to student performance on those assessments, teachers have a strong motivation to focus on memorization and test-taking strategies. The emphasis in the classroom on how to succeed on an upcoming multiple choice assessment leaves less, if any, time for teaching topics and ideas not tested under NCLB. Thus teachers no longer emphasize broader cognitive skills including critical thinking, problem solving, or creativity.

The testing culture that NCLB created means that “students have largely been told what to learn and how to learn it.” In that type of “performance-oriented” classroom, students may struggle with internal motivation and coping

---

89 Becker, supra note 37, at 18.
90 Madison Shoffner, Education Reform from the Two-Sided Congressional Coin, 45 J.L. & EDUC. 269, 271 (2016).
92 Knepper, supra note 88, at 902.
93 Becker, supra note 37, at 19. “NCLB was intended to allow the government to ensure the funding provided to schools was justified and earned, providing incentives for greater performance.” Shoffner, supra note 90, at 270.
94 Id. at 271. “NCLB dramatically changed the landscape of the U.S. public school system and appears to have been, at least in some perspectives, a dismal failure.” Mary A. Lynch, An Evaluation of Ten Concerns about using Outcomes in Legal Education, 38 Wm. MITCHELL L. REV. 976, 997 (2012).
95 Id. at 998.
96 Becker, supra note 37, at 19. “By including much more robust testing and accountability requirements for schools than its predecessors, NCLB exerted strong pressure on teachers to “teach to the test” (e.g. by narrowly emphasizing test-taking skills) in many cases.” Benjamin M. Superfine & Jessica J. Gottlieb, Teacher Evaluation and Collective Bargaining: The New Frontier of Civil Rights, 2014 MICH. ST. L. REV. 737, 751 (2014).
97 Becker, supra note 37, at 19-20.
98 “The majority of state-approved standardized tests still focus on factual knowledge, not mastery of fundamental skills [such as critical thinking, writing, and problem-solving.” Vance & Stuart, supra note 44, at 137; see also Becker, supra note 37, at 19-20.
99 Becker, supra note 37, at 21.
skills, abstract thinking, and challenges or the possibility of failure. Moreover, they have been trained to take exams: “They’ve learned to ‘be a student,’ not to use their minds.”

The “teach to the test” experience students had presents problems in advanced educational settings as well. Students come to law school “with little experience writing, researching, and learning on their own—the critical component of legal education.” Moreover, “for students who have been taught solely for the test, their undergraduate and graduate professors’ expectations ‘can present dissonance for students who have been rewarded throughout primary and secondary education for performing well on standardized tests and are now expected to think critically, contextualize learning, and clearly write about their learning in the college classroom.’”

Again, as with students’ experiences with their own helicopter parents, an educational experience focused on rote learning for purposes of test-taking may leave students with the expectation that law school will be more of the same. Students unaccustomed to self-directed learning may expect or even demand higher levels of handholding in preparation for exams. Additionally, law school culminates with the ultimate test—the bar exam. In light of prior educational preparation for standardized tests, students may expect that law school is three years of teaching to the bar exam. Those expectations cause friction when not fulfilled, which can encourage professors to adapt to that mentality and become helicopters.

### III. TODAY’S LAW SCHOOL PROFESSORS

Parents are admonished, when correcting or criticizing their children, to focus on the behavior rather than on the children themselves. So too, the spirit of this section is about law professors’ teaching practices and behavior and certainly not about them as professional educators. This section addresses two aspects of today’s law school professors. This Part first addresses the “like me” mentality, examining the extent to which professors’ desire for high student evaluation results

---

100 Id. at 20-21.
101 DERESIEWICZ, supra note 69, at 13 (“[M]ost [students] seemed content to color within the lines that their education had marked out for them. Very few were passionate about ideas. Very few saw college as part of a larger project of intellectual discovery and development, one that they directed by themselves and for themselves.”).
102 Becker, supra note 37, at 21.
103 Id. at 20 (citing Tenniell L. Trolian & Kristen S. Fouts, No Child Left Behind: Implications for College Student Learning, About Campus, July-Aug. 2011, at 5).
104 See, e.g., Emmaline Paulette Reeves, Teaching to the Test: The Incorporation of Elements of Bar Exam Preparation in Legal Education, 64 J. Legal Educ. 645, 655 (2015) (advocating that “teaching to the test [the bar exam] can enhance traditional law school education”).
106 Also know, for what it is worth, that I am in the same boat and most definitely talking about my own tendencies and behaviors in the classroom.
may contribute to helicopter tendencies. Then, it reflects on the make-up of the academy today, which includes many law school professors who likely exhibit helicopter behavior in their own parenting which naturally can bleed over into their teaching.

A. The “Like Me” Mentality

People want to be liked, and law professors are not immune to this desire. And while being liked is not necessarily part of the job description, collegiality is frequently a factor that law faculties consider at each stage of the hiring, promotion, and tenure processes.

More directly, however, institutional use of student evaluation forms provides an objective measure of how students view professors. These measures play prominently in the evaluation of faculty for tenure and promotion. In other words, a law professor’s job security may heavily depend on whether she is liked by her students. Setting aside the criticisms of many evaluation forms as internalizing student biases against women and professors of color, student evaluations are designed to encourage better teaching and to allow the administration to see into the classrooms of professors.

While student evaluations remain a legitimate and appropriate source of information for the tenure and promotion process, the specter of the evaluation forms to be completed at the end of a semester can put added pressure on professors to perform a particular way. Incentives to improve teaching are beneficial to law schools and students, but when student evaluation results are “utilized in determining promotions, salary raises, or continued employment, they become a potent and toxic means for manipulating faculty behavior.”

The use of student evaluations for decisions about continued employment and

107 “In some law schools, raises and promotions are partially based on student evaluations and this may be of some concern.” Kevin Yamamoto, Banning Laptops in the Classroom: Is It Worth the Hassles?, 57 J. LEGAL EDUC. 477, 505 (2007).
110 “The motivation behind implementing [student evaluations of teaching] . . . was positive: educational researchers, as well as individual professors, sought to improve teaching techniques by soliciting the opinions of students.” Rebecca Flanagan, The Kids Aren’t Alright: Rethinking the law Student Skills Deficit, 2015 B.Y.U. EDUC. & L.J. 135, 162 (2015).
111 “More professors want to be liked by their students and to receive good evaluations from them.” Amy R. Mashburn, Can Xenophon Save the Socratic Method?, 30 T. JEFFERSON L. REV. 597, 626 (2008).
112 Lasson, supra note 109, at 284.
advancement “unintentionally encourag[es] easier grading and spoon-feeding to help ensure better evaluations,” both of which are hallmarks of helicoptering.113 Professors may “dumb down” the content of their course to “keep students happy with them.”114 They may lower their teaching standards or the academic rigor of a course so as to keep the course entertaining and “tell their students what they want to hear.”115 At the very least, professors have an incentive to inflate grades because student evaluations tend to “reward easiness and popularity and punish . . . high standards and rigorous courses.”116

Slightly afield from the desire of professors to receive good evaluation scores but nonetheless relevant to the discussion about classroom engagement, the form and phrasing of some questions on a student evaluation form can send signals to students about their own involvement in the educational process.117 Specifically, questions asking how successful the professor was at imparting substantive knowledge or whether the professor piqued student interest and excitement about the topic suggest that the professor shoulders sole responsibility for the learning environment.118 These and other similarly-worded questions reinforce the idea that learning is passive and that the professor has “total responsibility for students’ learning.”119 The resulting passive student mindset contributes to less participation and effort, instead waiting for the professor to spoon feed the relevant knowledge.

In addition to using student evaluations in the tenure and promotion process, many law schools release course-by-course grade distribution and mean GPA data to faculty and students. This information, while ostensibly disseminated to allow students to compare themselves to others in their class, can have a similar effect of punishing professors who grade more strictly: students will avoid classes with a lower grading curve, making it more likely that the class will be canceled or that enrollments will be noticeably sparse.120 Again, then, professors have an incentive to inflate grades and lessen the academic rigor of a course to avoid the reputation as

113 Christine Pedigo Bartholomew & Johanna Oreskovic, Normalizing Trepidation and Anxiety, 48 DUQ. L. REV. 349, 355-56 (2010). “Many [professors] consider validation and self-esteem boosting to be legitimate goals for professional education. These professors strive to reach the ‘learning should be fun’ generation by creating a positive, entertaining, supportive, non-threatening atmosphere in their classrooms.” Mashburn, supra note 111, at 626.

114 Lasson, supra note 109, at 282. “Some of the professors who do not have job security, such as untenured or adjunct professors, have admitted that they have made a course easier to be liked by the students and to increase the ratings on their evaluations.” Becker, supra note 37, at 30.

115 Lasson, supra note 109, at 283-84.

116 Conn, supra note 6; Flanagan, supra note 110, at 162; Arthur Best, Student Evaluations of Law Teaching Work Well: Strongly Agree, Agree, Neutral, Disagree, Strongly Disagree, 38 SW. L. REV. 1, 4-5 (2008).

117 Best, supra note 116, at 16.

118 Id. at 16-17.

119 Id. at 16, 19-20.

120 Flanagan, supra note 110, at 166-67.
HeliCoPtEr PrOFeSSORS

a tough grader.121

B. Helicopter Parents

Law professors obviously are not as generationally homogenous as their students, but it is still useful to bear in mind the evolving dynamics of the faculty itself. Law faculties currently consist primarily of Baby Boomers and Generation Xers. With the Boomers’ childhoods often defined by austere home and educational environments, and with the inattention decried by latchkey Gen Xers, it is perhaps no surprise that these groups are the ones heaping unmitigated praise upon and hovering around their children. In short, many of today’s law professors are the helicopter parents addressed above.122

As a result, law professors today are likely to engage with their own children in the same coddling behavior that threatens to undermine their effectiveness in the classroom. And, of course, this mindset is not always constrained to the home.

IV. Today’s Law School Environment

Various demands and developments related to the contemporary law school setting may also have an impact on teaching styles and may, in their own way, contribute to a tendency to helicopter. This section addresses four of those environmental factors. First, the declining applications facing law schools across the country have given rise to a consumerism mindset in both law students and law schools. Second, and related in part to the decline in law school applications, entering law students have lower academic credentials than prior cohorts, which may necessitate a different style or depth of teaching. Third, law schools are currently steeped in assessment review and discussions in light of new ABA standards; that new emphasis has the potential, just as NCLB did, to encourage professors to “teach to the test,” consistent with helicopter practices. And finally, the increase in teaching and learning scholarship, if taken to an extreme, may create helicopter professors out of well-intentioned ones.

A. Declining Applications and the Rise of Consumerism

Law schools across the nation have recently experienced a decline in student applications.123 Enrollments peaked in 2010, “as many students fled a troubled economy to the schools’ safe harbor,” but since that time have plummeted given the declining number of jobs available and public scrutiny of law schools in general.124

121 Id. at 167.
122 See supra Part II.B; see also Daicoff, supra note 35, at 19.
123 “In the fall of 2014, the number of first-year law students enrolled in American Bar Association (ABA) accredited law schools reached the lowest level since 1973.” Elizabeth Adamo Usman, Nurturing the Law Student’s Soul: Why Law Schools are Still Struggling to Teach Professionalism and How to do Better in an Age of Consumerism, 99 MARQ. L. REV. 1021, 1022 (2016). Additionally, the decline in the number of LSAT takers has been even greater than the decline in applications. Id.
124 “Law school enrollment has been tumbling because the economic recession has reduced the number of legal jobs.” Elizabeth Olson, Law School Is Buyers’ Market, With Top Students in
The shrinking pool of quality applicants creates several hurdles for administrators to overcome, particularly in terms of competing for the limited number of qualified students who wish to attend law school. Law schools, even higher-ranked law schools, are forced to devote considerable energy to recruiting and retaining applicants.\textsuperscript{125} This focus on marketing and on out-maneuvering other law schools feeds into a consumer-driven model of legal education where students see themselves as purchasers of a product offered by schools.\textsuperscript{126} “Because keeping the student-consumer satisfied is a goal in a consumer-driven model, this approach to law school has the potential to affect not just admissions practices but also the nature of legal education itself.”\textsuperscript{127}

To be sure, consumerism in legal education is not entirely a bad thing.\textsuperscript{128} Indeed, the consumer-driven mindset of legal education has brought about much-needed reforms,\textsuperscript{129} including the integration of practical skills into the curriculum and greater transparency of enrollment and employment data, information relevant to consumers.\textsuperscript{130}

However, consumerism can also feed into a tendency for professors to helicopter.\textsuperscript{131} Competition for students may result in lowered academic expectations.\textsuperscript{132} In an effort to keep the consumer happy (and enrolled at the law school), professors may feel pressure to inflate grades or reduce academic rigor.\textsuperscript{133} Moreover, the consumer mentality encourages students to focus on the extrinsic outcomes from the educational process, weakening their own internal motivation to

---

\textsuperscript{125} Usman, supra note 123, at 1024. One dean described feeling as if his school were engaged in “hand-to-hand combat with other schools,” because “students are voting with their feet, and demanding a better deal.” Olson, supra note 124.

\textsuperscript{126} Usman, supra note 123, at 1024. “[L]aw students, especially Millennials, increasingly have a self-conception of themselves as purchasing a product, and law schools increasingly see themselves as purveyors of a product.” Id. at 1030; see also Flanagan, supra note 110, at 153-55 (discussing “the rise of consumer-orientation among college students”).

\textsuperscript{127} Usman, supra note 123, at 1024-25.

\textsuperscript{128} “[Q]uite to the contrary, the rising influence of consumerism has resulted, and is resulting, in some extremely positive changes in legal education.” Id. at 1031.

\textsuperscript{129} Id. at 1042.

\textsuperscript{130} Id. at 1043-45.

\textsuperscript{131} In a customer-service relationship, “[y]ou give your customer what they want, but you don’t have any interest in their long-term welfare. It is precisely because you do have an interest in your students’ long-term welfare that you don’t give them what they want. . . . Professors should be mentors, not commodities or clerks. Education isn’t something you consume; it’s an experience that you to give yourself over to.” DERESIEWICZ, supra note 69, at 69.

\textsuperscript{132} Usman, supra note 123, at 1040.

\textsuperscript{133} Id. at 1040-41. “Students no longer see themselves as partners in a relationship designed to further growth; consumer orientation frames the relationship between student and teacher as customer and service provide, with the customer expecting satisfaction.” Flanagan, supra note 110, at 155.
learn and develop.\textsuperscript{134} Thus students may be less inclined to work hard and grapple with challenging material or tasks.\textsuperscript{135} As a result, “[t]here is a danger in the consumer-driven model that universities will entertain instead of educate, affirm instead of challenge, comfort instead of strengthen.”\textsuperscript{136}

\textbf{B. Lower Academic Credentials and Skills of Students}

In addition to a rise in consumerism, the drop in law school applications has also brought about a student body with lower incoming credentials.\textsuperscript{137} “As law school applications and enrollment decrease, schools are digging deeper into the application pool.”\textsuperscript{138}

Compounding the problem of lower credentialed students, research seems to suggest that today’s law students as a group are less prepared academically than prior cohorts for the challenge of law school.\textsuperscript{139} Undergraduate institutions are perhaps not engaging in the same rigor to develop students’ intellectual skills.\textsuperscript{140} As a result, entering law students lack critical-thinking and problem-solving skills.

\begin{footnotesize}
\begin{enumerate}
\item \textsuperscript{134} Id. at 154-55.
\item \textsuperscript{135} “Students expect to be given high grades in return for paying tuition and showing up. A customer does not expect to put in substantial effort after a monetary transaction, whereas a student must put in effort to learn and grow.” Id. at 155 (internal quotation marks and citations omitted).
\item \textsuperscript{136} Usman, supra note 123, at 1042.
\item \textsuperscript{137} “As law schools across the country try to keep their classrooms full, many are admitting students with lesser qualifications, including those with a lower admissions test score.” Elizabeth Olson, \textit{Study Cites Lower Standards in Law School Admissions}, N.Y.TIMES (Oct. 25, 2015), https://www.nytimes.com/2015/10/27/business/dealbook/study-cites-lower-standards-in-law-school-admissions.html. “Along with the significant declines in the number of students attending law school, many law schools have seen a shift in the quality of students attending their respective schools. In fact, many schools have seen a significant decline in the median LSAT score from 2010 to 2014.” Anthony Niedwiecki, \textit{Law Schools and Learning Outcomes: Developing A Coherent, Cohesive, and Comprehensive Law School Curriculum}, 64 CLEV. ST. L. REV. 661, 662 (2016).
\item \textsuperscript{138} Kathleen Elliott Vinson, \textit{What’s Your Problem?}, 44 STETSON L. REV. 777, 810 (2015). “The higher percentage of decline in LSAT test takers than law school enrollees has resulted, not surprisingly, in significant declines in the average objective admission metrics of admitted students.” Usman, supra note 123, at 1023.
\item \textsuperscript{139} Vinson, supra note 138, at 810.
\item \textsuperscript{140} Flanagan, supra note 110, at 138-71 (discussing history, causes, and evidence of the changing undergraduate landscape); see also RICHARD ARUM & JOSIPA ROKSA, ACADEMICALLY ADRIFT: LIMITED LEARNING ON COLLEGE CAMPUSES 21 (2011) (noting that undergraduate institutions failed to satisfy “core outcomes espoused by all of high education—critical thinking, analytical reasoning, problem solving and writing”).

Moreover, “undergraduate education is simply no longer as rigorous, which unfortunately fits the consumer-student who wants the best education credentials with the least amount of effort.” Stuart & Vance, supra note 35, at 60. Thus, “[s]tudents have found that maximizing grades, minimizing study time, and focusing on the credentialing aspect of college education results in a more pleasurable, less stressful experience, but one that leaves them ill-prepared for higher-level intellectual tasks. The undergraduate experience has changed from one of intellectual rigor and exploration to one that focuses on personal pleasure, much like a four-year vacation.” Flanagan, supra note 110, at 170-71.
\end{enumerate}
\end{footnotesize}
particularly when compared to law students from thirty or forty years ago.  
“[F]ewer students possess the basic high-order cognitive processes that the academy
has assumed are the threshold educational attributes necessary for success in law
school.”

The deficiencies in students’ academic preparation for law school can foster
the desire to help them more. As well it should, arguably, if institutions wish to see
their graduates succeed on the bar exam and in practice. Taken too far, however,
that desire to “help” can easily translate into helicoptering. As with helicopter
parents, the underlying motivation is good and altruistic, but how that motivation
translates into actions can be problematic.

C. Assessment Movement

After years of committee work within the ABA, a modified assessment regime
is now in force for law schools. In an effort to measure and ultimately enhance
the effectiveness of legal education, the ABA requires that law schools, among other
things, identify specific student learning outcomes that they expect their students
to reach by graduation. “Learning outcomes,” a term that has become laden with
jargon-like powers, are merely “the knowledge, skills, and values that you desire

141 Stuart & Vance, supra note 35, at 41.
142 Id. at 43.
143 “[T]he legal academy is faced with increasing numbers of underprepared law students and . . .
we must bring those students ‘up to speed’ if we are to graduate practice-ready lawyers.” Vance &
Stuart, supra note 44, at 135.
144 Abigail Loftus DeBlasis, Building Legal Competencies: The Montessori Method as a Unifying
145 Specifically, Standard 302 provides: “A law school shall establish learning outcomes that
shall, at a minimum, include competency in the following:
(a) Knowledge and understanding of substantive and procedural law;
(b) Legal analysis and reasoning, legal research, problem-solving, and written and oral
communication in the legal context;
(c) Exercise of proper professional and ethical responsibilities to clients and the legal system; and
(d) Other professional skills needed for competent and ethical participation as a member of the
legal profession.” Am. Bar Ass’n, Standard 302: Learning Outcomes, in 2016-2017 Standards and
146 “I am also now required to include pages of administrative boilerplate [in my syllabus]. My
favorite bit is the section where I have to explain my ‘learning objectives.’ Head hung low, I confess
your graduates to have upon graduation.”\(^\text{147}\)

Naturally, it is not sufficient for law schools to merely identify their learning outcomes.\(^\text{148}\) Instead, they must assess those outcomes to evaluate whether the courses and programs of that school are adequately teaching students what the school has identified as essential to its mission.\(^\text{149}\) Law schools then must adjust their curricula to address weaknesses discovered during the assessment process.\(^\text{150}\)

The requirement that law schools try to numerically quantify student learning gives rise to the concern that professors will “teach to the test.”\(^\text{151}\) “The concern sometimes articulated is that an attempt to measure what students take away from their three years of law school, by reducing an experience of intellectual growth and personal development to some kind of objective measure, will diminish the experience and lead legal education to become more prosaic in its focus and rote in its method.”\(^\text{152}\)

The call for assessment in law schools is not, by itself, problematic. Nor does the process of assessing institutional learning outcomes, on balance, demand that professors “teach to the test.” Indeed, the assessment process and the identification of learning outcomes help refine and direct the work of law schools, ensuring that professors are working in a more deliberate manner toward a meaningful goal. Nonetheless, the rote application of the assessment process and the effort to quantify student learning may give the impression that professors should helicopter over students to “teach to the test,” at the same time ignoring skills or concepts that may not be articulated in a learning outcome.

\section*{D. Teaching-and-Learning Scholarship}

Over the past couple of decades, new voices have emerged in the legal scholarship scene discussing the way in which law professors teach their

---

\(^\text{147}\) LORI E. SHAW & VICTORIA L. VANZANDT, STUDENT LEARNING OUTCOMES AND LAW SCHOOL ASSESSMENT: A PRACTICAL GUIDE TO MEASURING INSTITUTIONAL EFFECTIVENESS 7 (2015).

\(^\text{148}\) “Assessment is about learning, and that is why an integral part of this process involves assessing the assessment and making changes based on the information received.” Susan Hanley Duncan, The New Accreditation Standards are Coming to a Law School Near You—What You Need to Know about Learning Outcomes and Assessment, 16 LEGAL WRITING: J. LEGAL WRITING INST. 605, (2010) (internal quotation marks omitted).

\(^\text{149}\) SHAW & VANZANDT, supra note 147, at 11. “Put simply, law schools are now required to answer two questions: (1) what do they want their students to learn, and (2) how will they know when the students have learned the requisite skills or obtained this requisite knowledge?” Niedwiecki, supra note 137, at 665.

\(^\text{150}\) SHAW & VANZANDT, supra note 147, at 11.

\(^\text{151}\) Lynch, supra note 94, at 997-1000 (responding to the criticism that assessing student learning outcomes would create an incentive to “teach to the test”).

students. Pedagogy research and analysis has increasingly found its way into academic articles, including those in my own scholarly work. And despite the normative nature of this statement, I will admit I think it’s a good thing. In addition to analyzing and shaping the legal landscape of the country (and the world), legal scholars also have an obligation to teach future generations of attorneys; conversations about how to best go about that responsibility are useful and improve the academy.

But teaching-and-learning scholarship can also feed into helicopter behavior. For example, some pedagogical scholarship touts the benefits of using rubrics with assignments. But rubrics may not be appropriate for every assignment during the course of a semester. And rubrics, used to the extreme, can turn into a checklist that eliminates the need for students to exercise judgment, think creatively, and problem-solve.


155 “Because feedback often is lacking in law school and it is an essential component of the learning process, any use of rubrics will improve student mastery.” Sandra L. Simpson, Riding the Carousel: Making Assessment a Learning Loop Through the Continuous Use of Grading Rubrics, 6 CAN. LEGAL EDUC. ANN. REV. 35, 51 (2011) (footnote omitted). Indeed, “rubrics, when used throughout the semester, allow students to self reflect on their own work and to be better editors of their peers’ work.” Id. at 41. See also Jessica Clark & Christy DeSanctis, Toward a Unified Grading Vocabulary: Using Rubrics in Legal Writing Courses, 63 J. LEGAL EDUC. 3, 20 (2013): see also Andrea A. Curcio, Moving in the Direction of Best Practices and the Carnegie Report: Reflections on Using Multiple Assessments in a Large-Section Doctrinal Course, 19 WIDENER L.J. 159, 167 (2009) (finding that use of rubrics and grading sheets resulted in easier self-assessment and contributed to students’ lifelong learning process).

“Self-graded rubrics, for example, allow students to review their own work on their own time and at their own pace, and to compare their work based on criteria identified by the professor. These rubrics force students to look at their own work product, whether it is part of a memo, a sample exam answer, or a partnership agreement, and evaluate it against a standard to identify its strengths and weaknesses.” Grant, The Pink Tower, supra note 154, at 637.

156 “[S]tandardized assessment for learners may compromise the learning.” Alfie Kohn, The Trouble with Rubrics, 95 ENG. J. 12 (Mar, 2006), http://www.alfiekohn.org/article/trouble-rubrics/. One professor realized “that her students, presumably grown accustomed to rubrics in other classrooms, now seemed ‘unable to function unless every required item is spelled out for them in a grid and assigned a point value. Worse than that . . . they do not have confidence in their thinking or writing skills and seem unwilling to really take risks.’” Id.

157 “If you tell them to do A, B, C, and D, they are excellent at doing it, and they’re hardworking and dedicated as they do . . . . But if you tell them, ‘Look, we’re trying to get to D. We’re going to
Similarly, many scholars decry the Socratic method as the sole or even predominate mode of legal education. Instead, pedagogical scholarship, mine included, advocates collaborative work, group discussions, and team-based learning projects. Certainly, the introduction of new teaching methods can be a very good thing for the legal classroom. But if the pendulum swings too far away from the Socratic method, it seems that classrooms become almost the inverse—where students ask questions and professors merely answer them. The effort to implement new and innovating teaching practices can, if taken to an extreme, result in helicopter teaching in which professors no longer ask students to think critically and independently about legal issues.

Additionally, scholars suggest that law schools should focus on making their students “practice ready,” and there are many good reasons for this effort.

---


159 Grant, The Pink Tower, supra note 154, at 647; see also generally Foster & Grant, supra note 154.

160 “Group work is routinely understood as one of the most effective learning methods based on the principles that learning is ‘inherently social’ and ‘an active process.’ For learning, the benefits of group work can be a deeply useful and powerful tool.” A. Rachel Camp, Creating Space for Silence in Law School Collaborations, 65 J. LEGAL EDUC. 897, 898 (2016); see generally Melissa H. Weresh, Uncommon Results: The Power of Team-Based Learning in the Legal Writing Classroom, 19 LEGAL WRITING: J. LEGAL WRITING INST. 49 (2014); Barbara J. Flagg, Experimenting with Problem-Based Learning in Constitutional Law, 10 WASH. U. J.L. & POL’Y 101 (2002).

161 “In light of the criticism aimed at legal education and its over-reliance on the Socratic Method, the import of many teaching and learning theories into the legal academy is a positive development. This is especially true when it is tied to individual self-critical assessment of one’s teaching methods and the search for creative alternatives.” Aïda M. Alaka, Learning Styles: What Difference Do the Differences Make?, 5 CHARLESTON L. REV. 133, 162-63 (2011)

162 See generally Joni Larson, To Develop Critical Thinking Skills and Allow Students to Be Practice-Ready, We Must Move Well Beyond the Lecture Format, 8 ELMON L. REV. 443 (2016); Alex Berrio Matamoros, Answering the Call: Flipping the Classroom to Prepare Practice-Ready
Professors and attorneys interpret that to mean imparting the critical thinking and problem solving skills necessary to interact with clients and serve their interests. It also means teaching document-driven skills—knowing which document is appropriate for a given situation, how to find it, how to create it, and what to do with it when it is complete.

But query what message the “practice ready” phenomenon sends to incoming law students, particularly Millennials and those with lower incoming credentials. Students may think it means teaching minute task-focused things, like how to find forms and how to cross-examine a witness. It does. But “practice ready” means more than that. Law professors interpret that to also mean imparting the critical thinking and problem solving skills necessary to interact with clients and serve their interests. These disparate understandings of the terminology and ultimate goal may frustrate students who expect to be spoon fed instructions for the mechanical tasks of being an attorney.

Even some of the literature helping professors understand Millennials as law students can itself lead to helicoptering. “Provide direction and structure and certainty for assignments; provide samples of work.” “Provide different modes of instructional delivery.” “Encourage collaborate, team projects in groups.” “Avoid overwhelming workloads and include outlets for stress.”

modalities and provide information in a format the student finds useful.”170

These are all credible teaching suggestions, especially when situated in the larger context of creating life-long learners.171 And to be fair, the scholars who posited those suggestions all did so in the context of nurturing students to be self-directed effective learners and attorneys. However, teaching-and-learning suggestions, as with anything, can be destructive if taken to an extreme or thoughtlessly employed.

Please hear me: just like with the assessment movement, I am not suggesting that pedagogy scholarship is inappropriate or harmful to the discipline. Indeed, it is wise to be attuned to how a new generation of law students learns.172 Further, there are benefits to being more responsive to students and presenting information in a new and different way. The risk is that professors will perhaps go overboard beyond sound teaching practices into the realm of hand-holding and coddling.

V. HOW TO AVOID HELICOPTER PROFESSORING

Because the helicopter professor problem, both in name and behavior, mirrors a problematic parenting style, parenting literature is relevant to formulating a strategy for resisting the tendency to helicopter. Not because law professors are trying to be parents to their students, but because professors are trying to strike the right balance between caring for and nurturing students while still maintaining high expectations and not being overly permissive or coddling.173 “Teaching and parenting share this in common: In both relationships, the goal is to produce independent and self-sufficient human beings.”174

A. Theoretical Taxonomy

In the late 1960s, developmental psychologist Diana Baumrind conducted research on different parenting styles and categorized what she observed into three different techniques: permissive, authoritarian, and authoritative.175 Baumrind’s work was modified and expanded over time to create four distinct categories of parental behavior, based on how responsive and how demanding the parent is.176

170 Palmer, supra note 38, at 701.
171 Benfer & Shanahan, supra note 165, at 14.
172 “Legal educators who are attuned to generational shifts will be better teachers and will help produce better lawyers.” Id. at 5.
173 “In fact, emerging research on teaching suggests uncanny parallels to parenting.” ANGELA DUCKWORTH, GRIT 218 (2016).
174 Conn, supra note 6.
175 Diana Baumrind, Child Care Practices Antecedent Three Patterns of Preschool Behavior, 75 GENETIC PSYCHOLOGICAL MONOGRAPHS 43 (1967).
176 LYTHCOTT-HAIMS, supra note 62, at 146.
Beginning in the upper-left quadrant, permissive or indulgent parents are responsive and nurturing but not very demanding or strict with their children. Permissive or indulgent parents are responsive and nurturing but not very demanding or strict with their children. They express love and concern for their children but set few rules and expectations for their behavior and enforce the rules they do set whimsically or inconsistently. These parents tend to attend to their child’s every need and comply with their child’s every request. . . . They remind to the point of nagging, but the behavioral consequence they threaten rarely comes.

Neglectful parents are neither responsive nor demanding. They are uninvolved and distant, emotionally and physically, even to the point of being unreliable as to basic needs of their children, like food and shelter, and that parenting style “creates an especially toxic emotional climate.”

Authoritarian parents are low on the responsiveness axis, but high on the
demanding / strictness axis. Valuing “achievement, order, discipline, and self-control,” these parents expect obedience and respect and punish children for failing to deliver.

Authoritative parents are both responsive and demanding. They are “emotionally warm, and responsive to their child’s emotional needs.” At the same time, they “set age appropriate rules but explain the reasoning behind the rules and attempt to get children to internalize the rules and follow them because they see their value rather than simply out of blind obedience to authority or fear of punishment.” These parents “appreciate that children need love, limits, and latitude to reach their full potential.” They balance “warmth with strictness, direction with freedom.” It is this type of parenting style that results in “the best behavioral and academic outcomes in children and adolescents.”

That same basic grid can be applied to teaching styles, with one axis for involvement or responsiveness and one axis for discipline or demandingness. Again starting in the upper-left quadrant, permissive (or indulgent) teachers are involved in and devoted to teaching, but they fear causing stress for students and often pitch their classroom information and pace to the slowest learner. These teachers often supplement class lectures with handouts and PowerPoint slides and other student guides, making it nearly impossible for someone to fail. “They spend countless hours working with students who ask for help.” Permissive teachers set deadlines but they tend to be flexible in enforcing them, making special arrangements for students as needed.

At the other extreme, neglectful teachers are neither responsive to students nor demanding in any particular way. “The come to class, deliver the same lectures

183 Id.
184 LYTHCOTT-HAIMS, supra note 62, at 147.
185 Id. at 148.
186 Bassett & Snyder, supra note 177, at 478.
187 DUCKWORTH, supra note 173, at 212.
188 LYTHCOTT-HAIMS, supra note 62, at 148.
189 Bassett & Snyder, supra note 177, at 478. The other three parenting styles “have all been associated with a variety of problematic personal, social and emotional characteristics that can play out in academic settings in the form of anxiety and low achievement, but also in irresponsibility, impulsivity, dependency, lack of persistence, unreasonable expectations and demands and dishonesty.” Douglas A. Bernstein, Parenting and Teaching: What’s The Connection in Our Classrooms?: Pt. One of Two, APA (Sept. 2013), http://www.apa.org/ed/precollege/ptn/2013/09/parenting-teaching.aspx.
190 These findings offer further evidence for the utility of applying Baumrind’s . . . parenting style construct to university teachers.” Bassett & Snyder, supra note 177, at 478. “Like parenting styles, there appear to be four main teaching styles, each of which reflects a different blend of teacher involvement and teacher discipline.” Bernstein, supra note 189.
191 Id.
192 Id.
193 Id.
194 Id.
year after year, discourage questions and make their escape with as little student contact as possible.” Neglectful teachers make no effort at class discipline, ignoring any misbehavior that arises, and tend to view students as threatening and complaining.

Authoritarian teachers have little involvement or engagement with students but nonetheless maintain strict discipline in their classrooms. They expect high achievement and assign grades appropriately, but tend to make no exceptions for rules or deadlines. Authoritarian teachers are not nurturing, may ignore requests for help, and often do not provide any personal attention or encouragement to students.

Authoritative teachers are those with a high level of responsiveness and involvement, combined with tough standards and fair discipline. They care about their students and are willing to help, but are also cautious to maintain boundaries in terms of their time and energy. Authoritative teachers reward good performance, not just effort, and they encourage students as needed. “They think carefully about their rules and standards, announce them in advance, explain why they are necessary and enforce them constantly.” But they are also willing to extend special dispensation if circumstances justify it under school policy.

Helicopter parents, and thus helicopter professors too, fall into one of two categories on the grid: they are either authoritarian or permissive. Authoritative teachers, on the other hand, are preferred by students and often more effective. One study asked college students to evaluate hypothetical teachers who were permissive, authoritarian, and authoritative. Students rated the authoritative

---

195 Id.
196 Id.
197 Id.
198 Id.
199 Id.
200 Id.
201 Id.
202 Id.
203 Id.
204 Id.
206 Bassett & Snyder, supra note 177, at 452-53. The descriptions provided to the students are as follows (with the caveat that the actual materials used either all female or all male pronouns):

Permissive: Dr. Smith is a 32 year old instructor, with a Ph.D., who has been teaching at the University level for the past five years. Letters of recommendation describe him/her as being very knowledgeable in his/her subject area. The grades in his/her classes are normally distributed, such that a C was the most common grade, with somewhat fewer students getting a grade of B or D, and fewer still getting a grade of A or F. In describing his/her teaching philosophy, he/she stated that in a well-run classroom the students should have their way as often as the instructor does. In past student evaluations, students indicate that he/she did what the students in the class wanted when making decisions but seldom gave students
professor higher in terms of quality, clarity, and helpfulness, and they expressed a higher likelihood of taking a class with that professor.\textsuperscript{207}

Additionally, authoritative teachers “seem to promote confidence in addition to well-being, engagement, and high hopes for the future.”\textsuperscript{208} In one experiment, psychologists worked with seventh grade teachers who were providing written feedback on student essays.\textsuperscript{209} After the teachers provided written comments that they would normally give, researchers attached a Post-it note to all papers.\textsuperscript{210} Half of the notes (the placebo group) read “I’m giving you these comments so that you’ll have feedback on your paper.”\textsuperscript{211} The other half of the notes (the “wise” feedback group) read “I’m giving you these comments because I have very high expectations

\begin{flushright}
\textsuperscript{207} Id. at 454. \\
\textsuperscript{208} DUCKWORTH, supra note 173, at 218. \\
\textsuperscript{210} Id. at 808-09. \\
\textsuperscript{211} Id. at 809.
\end{flushright}
and I know that you can reach them.” 212

The teachers returned the essays to the students and gave them an opportunity to revise their work. 213 Twice as many students in the “wise feedback group” opted to turn in a revised essay, 80% as compared to just 40% of the placebo group. 214 And in a follow-up study with a different sample, students in the “wise feedback group” made twice as many edits as the students who received the placebo Post-it note. 215

This is not to say that anyone can avoid being a helicopter professor merely by carefully drafting Post-it notes. Rather, these studies suggest that a simple message communicating high standards and encouragement can have a dramatic impact on students. 216 How much more of a difference can professors make if they adopt that approach in all aspects of their teaching—communicating high standards in an encouraging manner, and at the same time, avoid helicoptering or smothering their students?

B. Practical Application: Authoritative Teaching

With the ultimate goal of raising kids with a sense of self-efficacy, 217 parents are advised to avoid helicoptering by providing children unstructured time to play (or be bored); teaching them life skills like how to take care of a home or a vehicle; teaching them how to think for themselves, about school, about others, about their life; preparing them for hard work at school, at home, and in the job market; letting them chart their own path in terms of their interests and future plans; normalizing struggle as a part of life to help build resilience; and being available to listen to them. 218

Parents are not raising “children;” they are raising adults—i.e. the end product of eighteen years of work is not to have a “child” but to have an adult who can interact successfully with the world. 219 So too, as legal educators, our job is not to teach “students,” but rather to help develop adults who can practice law with a sense of self-efficacy. 220 With the ultimate goal of developing self-sufficient attorneys in mind, law professors can tweak and apply the basic recommendations for avoiding helicopter parenting to the work that they do at school. To that end, here are some practical suggestions for resisting the urge to helicopter students.

212 Id.
213 DUCKWORTH, supra note 173, at 219.
214 Id.
215 Id.
216 Id.
217 “Self-efficacy means having the belief in your abilities to complete a task, reach goals, and manage a situation.” LYTHCOTT-HAIMS, supra note 62, at 144.
218 Id. at 150-272 (2015).
1. Find the desirable level of difficulty.

Some level of difficulty and challenge is a necessary part of the learning process.\(^{221}\) “The challenge is to find that balance between encouraging students to wrestle with complexity, and providing enough context so that students can find a way in to the complexity. This is a perennial problem for educators: when to encourage exploration. Paradoxically, too much direction and too little can stifle student engagement.”\(^{222}\)

Resist the temptation to step in too quickly when students are struggling with material or complaining that it is too difficult.\(^{223}\) Be thoughtful about whether the task is, in fact, too difficult for students because they lack some prerequisite training.\(^{224}\) But also be cognizant of students who are truly struggling versus those who are merely slacking at the work.\(^{225}\) If the assignment or material is “appropriately difficult,” encourage students to persist in their effort to figure it out.\(^{226}\)

2. Remove redundancies and increase student accountability.

“[H]elp students, but don’t teach helplessness.”\(^{227}\) There are certain things in a law school classroom that students will be required to learn and do on their own, without professors stepping in to remind them or do it for them. To that end, post instructions and deadlines in a place they can be freely accessed by students, and then resist the urge to keep reiterating them.\(^{228}\)

Repeating instructions or other administrative material “creates work for yourself and creates clutter and distraction for students.”\(^{229}\) Professors need not resend the syllabus to when students request it; it is not unreasonable to expect them to locate a copy and find necessary answers using their own resourcefulness (like the course webpage or even a classmate).\(^{230}\)

Allow students to face the consequences of failing to handle those responsibilities. “Lectures don’t have half the effect of consequences.”\(^{231}\)

3. Use scaffolds sparingly.

---


\(^{222}\) Trainor, *supra* note 8.

\(^{223}\) Fang, *supra* note 30.

\(^{224}\) *Don’t Be a Helicopter Professor*, supra note 3.

\(^{225}\) *Id.*

\(^{226}\) Fang, *supra* note 30.

\(^{227}\) *Id.*

\(^{228}\) “Faculty must also have to ensure that it is not engaged in ‘helicopter teaching’ by repeatedly reminding students of academic deadlines, being available and reachable twenty-four hours a day, and repeatedly providing deadline extensions, rather than having their students fail at a given task.” Palmer, *supra* note 38, at 695; Fang, *supra* note 30.

\(^{229}\) *Don’t Be a Helicopter Professor*, supra note 3.

\(^{230}\) Fang, *supra* note 30.

\(^{231}\) Duckworth, *supra* note 173, at 89.
When introducing students to new material or tasks, professors may use some type of scaffolding—outlines of the learning process—to help students understand and connect the information and the steps necessary for the analysis.\textsuperscript{232} Consider fewer process-related assignments whereby students receive professor feedback at every step of the process up to and including the final project.\textsuperscript{233} Over time, reduce the number of and detail in the scaffolds so that students get a sense of completing the analysis or task independently.\textsuperscript{234} “Like building skyscrapers, you start by having scaffolds, but eventually you want to remove the scaffolds and let students stand on their own.”\textsuperscript{235}

Instead, pose “essential questions” to students as a way of organizing their own learning.\textsuperscript{236} “Thought-provoking and intellectually engaging, essential questions require higher-order thinking and point students toward important, transferable ideas.”\textsuperscript{237} Ask questions that encourage student exploration into the material rather than providing “how to” instructions.\textsuperscript{238} For example, “what rules of law need to be explained so that your audience can understand the legal argument you are making?” Or “which facts in the court’s opinion, if changed, would have resulted in a different outcome?” Using those types of questions can also give professors a sense of when and how additional guidance might be necessary, without simply resorting to helpful scaffolds-turn-crutches from the beginning.

\* \* \*

In the midst of these suggestions, professors and students should come to expect some level of chaos, but hopefully the good kind of chaos.\textsuperscript{239} Uncertainty and vagueness are often part of the learning process.\textsuperscript{240} In addition, reducing the amount of helicoptering may cause feelings of discomfort and doubt for a professor, especially in the face of potential student complaints or questions. Like many new endeavors that exceed an existing comfort zone, these practices will get easier and more natural over time.

\textbf{C. Responding to Contextual Causes}

It is all well and good to have a list of things to do or not to do in order to combat helicopter tendencies. However, none of those behavioral changes negates significant societal and educational forces that encourage a desire to helicopter are still in place. Although professors cannot eliminate many of the contributing

\begin{thebibliography}{9}
\bibitem{233} \textit{Don’t Be a Helicopter Professor}, supra note 3.
\bibitem{234} Fang, supra note 30.
\bibitem{235} \textit{Id}.
\bibitem{236} Trainor, supra note 8.
\bibitem{237} \textit{Id}.
\bibitem{238} \textit{Id}.
\bibitem{239} \textit{Don’t Be a Helicopter Professor}, supra note 3.
\bibitem{240} Fang, supra note 30.
\end{thebibliography}
factors, they can work within the current system to alleviate or lesson the helicoptering thrust.

1. Today’s Law School Students

As discussed above, today’s law students have unique generational characteristics that define them, they often had helicopter parents, and they grew up under the educational mandates of No Child Left Behind. Each of these student traits makes it more likely that they will expect professors to engage in helicoptering behavior throughout their educational experience. Law professors can help curb that notion by explicitly defining their expectations and simultaneously managing the students’.

During orientation with incoming law students, it behooves the institution to address the idea of helicoptering upfront and by name. In addition to welcoming them to the profession, law schools can advise new students that “they ought to work on seeing themselves as independent adults, responsible for their future successes and failures and capable of playing a respected role in the profession.” While congratulating students on making it to law school, orientation should also be a time during which schools describe the hard work that lies ahead of them and their role and responsibility in their own education: “Yes, professors are here to help and guide you. But they may be more hands off than you are used to. Be prepared.”

Professors can also use the first day of class to explicitly define their expectations for student learning and performance. Professors can establish their teaching style as authoritative from day one by reviewing teaching methods and goals and explaining that “the responsibility for learning lies with the students . . . and that much of this learning will have to take place independently.” In addition to explaining the amount and type of work that students will face over the semester, professors could illustrate that on the first day with an in-class exercise designed to challenge students. With respect to course policies, rules, and deadlines, explanations and answers that are friendly, matter-of-fact, and without apology set the tone for the firmness that students will encounter from an authoritative teacher.

2. Today’s Law School Professors

In addition to being helicopter parents themselves, many professors may

---

241 See supra Part II.A.
242 See supra Part II.B.
243 See supra Part II.C.
244 Ritter, supra note 220, at 161.
245 Grant, Beyond Best Practices, supra note 154, at ______.
247 Grant, Beyond Best Practices, supra note 154, at ______.
248 Bernstein, supra note 246.
249 See supra Part III.B.
be tempted to helicopter in the classroom as a way of garnering favorable student evaluations. But being an authoritative professor does not necessarily equate with negative student evaluations. Indeed, professors can have high expectations of their students, be demanding in terms of performance and effort expected, or even ban laptops in class without necessarily seeing a detrimental impact on their evaluation scores. Although better evaluations may not always follow an authoritative teaching style, the “like me” mentality should not drive the pedagogical decisions made in the classroom.

Being liked or admired by students is not necessarily an invalid goal. But there are ways to be engaged with students that do not involve modifying classroom procedure to the detriment of student learning. Professors could, for example, make an effort to be involved in student organizations or otherwise interact with them outside of the classroom at various law school functions. Those efforts go a long way toward developing positive relationships with students, and in fact may serve to enhance the respect and atmosphere of the classroom.

3. Today’s Law School Environment

The declining enrollment and lower academic credentials of incoming students may further encourage helicopter professoring as a way of assisting students who need more academic help. And indeed, professors may need to modify some of their classroom techniques or material if students lack some of the prerequisite skills or knowledge to move forward. But again, there is a fine line between providing too much guidance (helicoptering) and not providing enough (neglecting). Professors will need to thoughtfully assess, perhaps in conjunction with academic support personnel, the abilities of their students to find that line.

The assessment movement in law schools may also encourage some professors to helicopter students by “teaching to the test.” But that effect does not necessarily follow. Indeed, the assessment requirements can actually help professors avoid helicoptering because it requires them to be deliberate and thoughtful about their courses. Professors could perhaps make an explicit learning outcome for their course related to students being self-directed learners or

---

250 See supra Part III.A.
251 See supra notes 206-07 (discussing research about college student preferences of different teaching styles).
252 “Interestingly, [one professor’s] students note that he is challenging as a professor, but do not complain or push back against the high expectations he sets; instead, they appreciate him for it.” Deo, supra note 108, at 34.
253 “My evaluations did not suffer and may have increased because of the laptop ban.” Yamamoto, supra note 107, at 505.
254 See supra Part IV.A.
255 See supra Part IV.B.
256 “Debilitating difficulty (students lack the prerequisite skills) . . . should be discouraged.” Don’t Be a Helicopter Professor, supra note 3.
257 Trainor, supra note 8.
258 See supra Part IV.C.
independent thinkers or creative problem-solvers. Once the learning outcome is defined, professors work backward to structure their course so that students have the opportunity to practice and master that particular skill.

The same is true of the teaching-and-learning scholarship that encourages professors to try different teaching methods in their classrooms. The research on effective teaching practices has tremendous possibility for enhancing the law school classroom. But as with assessment, the literature on innovating teaching can also encourage helicopter behavior by suggesting that professors provide too much guidance or too many rubrics. To be sure, some helicopter-like activities may be appropriate in the right time and the right doses. The art is in the balance—finding the sweet spot of effective and efficient guidance but still leaving enough room for students to err and self-correct.

CONCLUSION

Although parenting literature may be an unlikely source from which to draw inspiration for teaching law students, the helicoptering behavior in some professors mirrors that seen in many of today’s parents. For both groups, the behavior is usually motivated by a genuine desire to help and to nurture those in their care. But in both populations, the behavior has detrimental and counterproductive effects.

The contributing factors for helicopter professoring are not necessarily things that can be changed right now. But professors can work within the current system and with the current student body to strengthen the resolve for authoritative professoring.

The admonition is to not throw the baby out with the bathwater. With generational research, with assessment, with teaching-and-learning scholarship, with student evaluations, and even with academic support ideas, a thoughtful approach and deliberate choices about what to incorporate into a classroom will make the difference. But it should be more than just rote application of a checklist in a law review article, even this one.

259 See supra Part IV.D.

260 “The more that law students can learn particular concepts by uncovering them on their own, the better that information will imprint on students.” Grant, The Pink Tower, supra note 154, at 637.

261 Though have no fear, a helicopter parent would never dream of throwing out the baby.