Journal of Information, Law and Technology

Like It or Loathe It: Flexible Delivery of Unincorporated Associations and Trusts at Griffith University

Philippa England
Griffith University

This is a **refereed** article published on: 6 December 2002

Citation: England P, 'Like it or Loathe it: Flexible Delivery of Unincorporated Associations and Trusts at Griffith University', *The Journal of Information, Law and Technology (JILT)* 2002 (3) <http://elj.warwick.ac.uk/jilt/02-3/england.html>.

Abstract

In 2000 I offered a compulsory, second year law subject, Unincorporated Associations and Trusts (UAT) in flexible delivery mode to approximately 200 students for the first time. The program included a comprehensive web based study guide, electronic and face-to-face communication opportunities (in place of tutorials) and continuous assessment. My aim was to incorporate technology within a package of reforms aimed at enhancing student centred learning. In its first year of operation, feedback from the majority of students exposed to this approach was quite critical. This article describes and analyses student feedback to the flexible delivery of UAT in 2000. It describes changes that were made to accommodate students' concerns and, in 2002, the transition to a more refined and very successful mode of student centred learning. Overall, this case study offers one example of how on-line technology *can* be incorporated within a total teaching package that enhances student learning in law - but the transition is not always an easy one.

Keywords: Flexible Delivery, Unincorporated Associations and Trusts (UAT), Continuous Assessment, Study Groups, Student Consultation, Student Feedback.

1. Introduction

Tertiary education in Australia and elsewhere exists in an increasingly competitive environment (Brand, 999, p.116). Globalization and progress in information technology make the prospects look exciting but often the reality is cost cutting and greater competition for funds and students (McNamara, 2000, 150). One of the strategies adopted by Griffith University to survive and prosper in this competitive environment is flexible delivery. The term 'flexible delivery' has not been precisely defined by the University but the general intention is to promote a student centred approach to learning, including state of the art web based teaching tools among other things. 'Flexible delivery' is not an attempt to shift Griffith wholesale into distance learning although a more 'flexible' approach to teaching, learning and assessment both on and off campus is definitely contemplated. Rather, the aim appears to be to promote Griffith University as a centre of excellence in student centred learning. More cynically it could be argued the aim is simply to accommodate two realities: that more students are working full time or part time, and that Griffith University is a cross campus university in which duplication of staff and resources at each campus is not always feasible.

The issues facing the Law School at Griffith University mirror those facing the University. Since the inception of the Law School in 1992 the student body has grown to an annual intake of approximately 160 students. This intake is split very unevenly - in each year about 40 students attend the Gold Coast campus and the remainder are based in Brisbane. Attracting good law students to the newest law school in the region is a constant challenge. Equipping a two campus law school is no easy matter, ensuring equity in the provision of resources is an even greater challenge. Although the Griffith Law School has been fortunate in the level of funding it has received to date, there are always difficult choices to be made about how best to allocate a limited budget. Increasing the number of overseas fee paying students could increase the Law School's income but what

can a law school teaching the core curriculum for legal practice in Queensland really offer such students? How can a new law school that is already stretching its budget invest in information technology as well as meeting all its other infrastructure requirements? And what will be the pay-off if it does?

Staff in the Law School at Griffith University are affected by these issues. Of particular concern to them is how to maintain high teaching standards in the face of a growing student body and a tightening departmental budget. Of course, quality teaching must also compete with other demands on staff time - particularly research requirements. The changing nature of the student body, with more students working full time or part time to pay tuition fees, is another matter of concern (Long and Hayden, 2001).

In 1999, I decided to offer the core law subject, Unincorporated Associations and Trusts (UAT) in flexible mode. In so doing I hoped to address some of the issues arising in tertiary education head on. I wanted to move further towards student centred learning. I wanted to protect current and future students from possible budget cuts by enabling them to access information and their teaching staff in more and different ways. I believed, perhaps naively, that investing time and energy in flexible delivery now might eventually reap some personal dividends for me by reducing the time I spent on less productive teaching tasks. Above all, I felt developments in information technology could foster a *better* learning environment not simply a cheaper, quicker, more convenient or more stream lined one.

In 1999 my ambitions were not matched by personal qualifications. My knowledge of flexible delivery techniques was slight. However, university seminars were encouraging the uptake of flexible delivery and experts from the Griffith Institute of Higher Education (GIHE) were available to advise and assist with changes. I also received help developing on-line materials from Griffith Flexible Learning Services. I had the backing of the Law School, including a small teaching grant, and the support and encouragement of some equally motivated co-teachers on the course. With all these factors in my favour, the time seemed ripe to make a change.

2. Problems in the Delivery of UAT Prior to 2000

UAT is a compulsory, one semester subject for all second year law students at Griffith University. It is taught by different staff at two campuses but following a common curriculum developed by the subject convenor at Nathan. Prior to its offering in flexible mode, the teaching pattern for UAT was 4 hours of large groups (lectures) and 1 hour of small groups (tutorials) per week. At the Nathan campus, the teaching load was usually split between at least two members of staff. Assessed work for this subject comprised of:

- a written exam at the end of the semester (worth 60% of the total marks available for the subject);

- a mid semester hypothetical assignment (worth 20% of the total marks);

- an individual mark for participation in small groups (worth 10%); and

- a group mark for office work (also worth 10%).

Prior to 2000, at the start of each year, students were given an extensive study guide. They were also expected to purchase a set of reading materials produced in house. These materials were designed to complement the prescribed text. The in house reading materials were particularly important in this subject because a standard student text covering all aspects of the subject is not available. Regardless of this, in recent years, all staff have been urged to reduce the size of their in house reading materials.

UAT at Griffith University has always included a clinical component, part of the Law School's Offices Program. In the UAT Offices Program all students are allocated to an 'office' - a group of approximately ten students - that meets weekly to complete a task designed to improve the office members' clinical skills, in this case interviewing skills. Office meetings are not supervised by teaching staff but office work is marked by the subject convenor. At the end of the semester, each office receives a mark for its work. Each office member is entitled to claim that mark provided he or she has attended the requisite number of office meetings. Offices are supposed to be self-governing - it is for the students themselves to ensure the workload is evenly distributed between them. Every year a proportion of offices fail to deal with this governance challenge to the satisfaction of all office members. Every year I hear grumbles about 'hangers on', the unfairness of the program etc. However, the Law School has decided the benefits of the offices program, which extends across the whole curriculum, outweigh the disadvantages. In particular, employers react favourably to the emphasis on clinical and practical skills training in the offices program.

After seven years of involvement in the teaching of UAT at Griffith University I harboured a number of concerns about the delivery of this subject:

The balance of large groups versus small groups (4 to 1 hours per week) seemed less than desirable in the light of evidence that 'lectures' are a relatively ineffectual learning tool (Laurillard, 1993, p.107, Jones and Scully, 1996, p.1).

Pressure to reduce the amount of material included in the reading materials created an inequity between past, present and future generations of students. Of course it is desirable to require students to make active use of the library (or electronic data bases) to access materials. However, in UAT, students have always been expected to do their prior required reading *before* class (for both large and small groups) and to come prepared to discuss and advance their knowledge on that basis. In my view, any difficulty in accessing materials - for instance, competition with other students for law reports in the library - would act as a deterrent (or excuse) making students even less likely to prepare appropriately before class. Therefore, my preference was (and is) to make student access to essential reading materials as simple and convenient as possible.

Despite the range of assessment items there was still an emphasis on the end of semester written exam. This meant, with the exception of the mid semester hypothetical, some

students could (or at least thought they could) postpone any really hard work on the subject until the end of the semester. Despite my best endeavours, I was not encouraging a 'deep' approach to learning (Ramsden, 1988, p.19; Jones and Scully, 1996, p.4).

Every year, the end of semester would reap a small number of complaints about individuals' class participation marks. Despite all our attempts to synchronise marking methods in a clearly structured way, awarding class participation marks remained something of an art not a science to the chagrin of at least some students.

Late in 1999 I decided flexible delivery might offer a solution to some of these problems. I was not well versed in the academic literature on flexible delivery or on line delivery but, having attended a University workshop on the theme of flexible delivery, I could see its potential to solve some of the problems I had identified with the delivery of UAT.

3. Flexible Delivery and UAT: A Blue Print for Change

For 2000 I completely re-designed the delivery of UAT. The main elements of this revision were:

Instead of a printed study guide, students were able to access a web based study guide comprising 13 modules, one for each week of semester. Each module includes, wherever possible, hyperlinks to the major case law and statutes set as required reading for that week.

Each module was designed to encourage self-paced, inter active learning. I adapted the study guide used in previous years by adding questions, tables and examples for students to work on. Being totally inexperienced in the use of on-line educational materials, my efforts were not too ambitious. My study guide materials were already fairly well developed over a period of seven years and, for the time being, I felt it was sufficient to be supplying a supplemented edition of the previously used, printed study guide. The real innovation for students was the access to hyper-linked materials within the modules.

The conventional four hours per week of large groups (conventional lectures) was reduced to two hours per week. The intention was that, instead of attending large groups, students would work through the modules at their own pace and in their own time, whether individually or with their friends. Any student(s) having difficulty with the modular work could contact a staff member electronically or in person (see below). Staff would continue to give two hours of conventional lectures each week at the start of each module.

Small groups (conventional tutorials) were also abandoned. They were replaced by a system of continuous assessment. The continuous assessment regime consisted of:

Study groups consisting of three or four students who worked together to complete the weekly assessment item throughout the semester. Unlike the Offices Program, students were encouraged to form their own study groups with friends they knew they could rely on. Although stability was encouraged, if a study group became unworkable the members

were free to disband and find other groups to work with. Coercion was not the intention - the fostering of effective working relationships was.

Each week every study group had to submit a written piece of work, no more than 600 words in length. Typically the work would be an old tutorial or exam question relevant to that week's module. Initially each assessment item was worth up to 2% of the marks available for UAT. Fairly rapidly, the value of each piece of continuous assessment work was raised to 3% in the face of adamant student protest. Over the whole semester, 24 % of the marks available for UAT was allocated to the continuous assessment work. As with the Offices Program, every member of the study group received the group's mark provided they signed each week to confirm they participated in the week's work.

Assessment work was due in by Wednesday 12.00 pm each week. There was absolutely no 'flexibility' about this. The strict deadline meant all assessment work could be marked and returned to the students by 4.00 pm the following day, the time of their next class. In that class, the answers were covered and any additional points discussed while the matters were still fresh in students' minds. This was in addition to the markers' extensive written comments made on each study group's assessment work.

In place of tutorials, students were encouraged to use extended staff consultation hours to talk over the week's module. Staff in all law subjects offer fixed consultation hours (usually five hours per week) during the semester. These are variously used by the students. In UAT, however, the intention was that students, as individuals or study groups, would make frequent use of extended staff availability. We believed we were justified in dropping tutorials because, in their place, students were being offered a more personalised, more focussed and more relaxed form of tuition.

Personal tuition was not the only form of communication on offer. The real beauty of converting to web based, flexible delivery was the range of electronic communication tools this made available. The web site for UAT, as with all subject web packages developed at Griffith University, includes a forum, a notice board and space for frequently asked questions (FAQs). Email is also available to all students. These electronic communication tools were an essential complement to staff consultation hours. For example, after talking to students in person, it was often possible to identify common misunderstandings or points of confusion. By posting a FAQ to the web site, staff could reach every member of the class and so avoid repeating the same ground again and again in consultation time.

This continuous assessment regime, including the additional marking, amounted to about the same workload for staff as running small groups (tutorials) had in previous years. The rationale for insisting on group based assessment work was not simply to make the workload manageable for staff but, more importantly, to prevent feelings of isolation and helplessness that often accompany web-based learning (McNamara, 2000a, p.172). Group discussion has been identified as an important element of student centred learning:

> Change in conceptions requires teachers to arrange situations where students must confront the discrepancies between their present way of thinking about the subject

> matter and the new way desired by the teacher … . Time for contemplation, reflection, working things out, and discussion with others learning the same subject matter is thus not a luxury but a necessity (Ramsden, 1988, p.22).

Aware of students' criticisms of group based assessment in the offices program, I decided to proceed cautiously with group assessment in flexible delivery. I initially decided to limit the mark for group based, continuous assessment to 24% of the total available marks across the whole semester. I also decided to keep each study group as small as possible, no more than four students. In contrast to the offices program, where students are allocated to an office by staff, I encouraged students to form their own study groups with friends they knew and trusted for the purposes of the continuous assessment.

Overall, the assessment regime under flexible delivery now comprised of -

- a written exam at the end of the semester (now worth 66% of the total marks available for the subject);
- a group mark for office work which remained unaltered (worth 10%); and
- a group mark for the continuous assessment work (worth 24%).

Interestingly, the proportion of marks attributed to the final exam actually increased under this formula. As the other marks were now obtained solely through group work, I was content to let this happen, at least for the first year of operation in flexible delivery mode. I also made passing the end of semester exam a pre-requisite for passing the subject. This, I hoped, would counter balance the emphasis on group based assessment in the rest of the course.

4. What I Learned About Flexible Delivery

Before 2000 I had never attempted to deliver a subject in flexible mode. I had no personal experience of flexible delivery and very limited second hand experience to draw on. It was certainly not an area I had researched extensively - I was driven by enthusiasm not experience. Not surprisingly, therefore, for much of 2000, I felt I was on at least as steep a learning curve as my students! Within a very short space of time I was able to reflect on some of the advantages and problems I had created by using this new mode of delivery.

For students, I felt the strengths of this system lay in the enhanced communication facilities combined with a new degree of equity. Greater equity in this case meant:

Everyone - across two campuses - had access to FAQs and any other material posted on the web. Students' access to information no longer depended on which lecture or which tutorial group, or even which campus, a student happened to be in.

There were no class participation marks to worry about. Marking a written assessment item seemed much less arbitrary.

On each campus, one staff member could deal with all the queries and all the assessment work for one or more weeks. Student's concerns about conflicting advice and discrepancies in marking were eliminated.

Another advantage was that students had significantly more written materials available to them than in previous years - a resource I consider far more precious than lecture time. One of the best on-line features was the FAQs facility. I used this facility frequently, to address student questions about administrative and substantive matters. Although they were time consuming to write, I now have a resource that can be re-used as appropriate, to expand upon and delve further into the content of the subject.

For myself, I was pleasantly surprised how feasible the continuous assessment regime was. The additional marking proved not to be as time consuming as I had imagined. The combination of a tight word limit (600 words maximum) and a small number of awardable marks (2% per item) worked well. I found I could mark the work of approximately 30 study groups in 4 or 5 hours. It was a much simpler task than, for example, marking the 2000 word individual assignments that were previously set once a semester.

I was also impressed by the standard achieved by many study groups in their assessment work. I consider the 600 word, weekly assignment a far more valuable learning tool than the one off, mid-semester hypothetical assignment set in previous years. I also enjoyed being able to reach out to students at any time via the web communication tools. Best of all, I realised my students were working and learning. When I walked into class on Thursday afternoon I could pin point, fairly accurately, where they were in their learning. At last, I felt, some meaningful, student centred learning was beginning to take place.

There were, needless to say, some drawbacks with the new system. I had not fully comprehended these before the start of the semester. My lecture notes needed to be completely reorganised to take into account the reduced class contact time. I was unsure how to proceed - whether to concentrate on a few introductory points or to focus on difficult issues knowing the basic structure was available on the web. I was also unsure how far to take my newly acquired love of technology - should I be scrolling through the module on the web during class or relying on more conventional methods? At first I experimented with switching between the web, a power point display, overheads and work on the whiteboard. On reflection that was probably too complicated for all of us and I have since reverted to relying on the last two, more traditional of those techniques. For the time being, I decided, there was enough change going on outside the lecture theatre.

I quickly began to realise how much work I had created for myself. Writing FAQs and responding to students' concerns on the forum became something of an obsession. I was very keen to encourage students to use the electronic facilities and so tried to answer Emails, comments and questions as soon as I received them - at weekends, late at night or whenever. By the end of the semester it became obvious I would, in future, need to be more disciplined about how I allocate my time. A small number of students, who made frequent use of the forum, had co-opted a great deal of my time. Most of that time was

spent defending flexible delivery and not actually focusing on the substantive content of the course.

The electronic subject guide also increased my workload, at least in the short term. Students' demands for more information are probably insatiable but as the semester progressed it became clear to me that students very justifiably needed more information in the web study guide than in previous years' printed study guides. That information needed to include dialogue as well as 'interactive' questions and tables. All the information needed to be much more carefully tailored to what students really needed to know because lectures no longer filled all the gaps. Similarly, the assessment work had to be much more carefully drafted than tutorial questions were in previous years in order to prevent unnecessary misunderstandings. Assessment items, unlike tutorial questions, will also need to be re-drafted every year so students cannot simply copy friends' answers from previous years' marked assessment work.

Overall, I was pleased and excited beyond my expectations about what flexible delivery could offer. Within two or three weeks I was completely converted to this new way of teaching and felt there could be no going back to the old, archaic way of doing things. Unfortunately I had not managed to carry many of my students with me into this new era of student centred learning.

5. What the Students Had to Say

It would be a mistake to suppose we can wave a magic wand composed of innovative teaching methods or new technologies and expect students to change with alacrity. In fact it is often logically impossible to produce deterministic predictions about the effects of educational situations on people. Students often react to educational situations differently from the ways teachers or experimenters predict. This is because they react to the requirements they perceive not always the ones we define (Ramsden, 1988, p.24).

True to Ramsden's counsel, I quickly discovered that many students were less than enthusiastic about the reforms I had made to UAT. From the very first class it was obvious there was a great deal more sceptism about flexible delivery among students than I had realised. Some of the fears immediately voiced (in class and on the electronic forum) were:

Flexible delivery is a cost cutting measure: For some students flexible delivery was perceived as an opportunity for staff to withdraw from the classroom and simply post notes on the web instead of appearing in person. Just as students are being asked to pay more for their education it seems they are getting less in return. In my naivety this thought had not even occurred to me before students voiced their concerns.

The electronic aspects of flexible delivery are inequitable: The vast majority of students in my class had access to a computer at home. A large majority also had access to the web. But having access to the web in theory and in practice were not always the same thing. Some students, for example, were unable to access the communication tools, including the FAQs relating to assessment work, at home. Others were unable to use

some of the hyperlinks. My answer to this criticism was that all students had free access to computer laboratories on campus and, as this was NOT a distance learning project, I was within my rights to expect them to use those facilities. To ensure sufficient access on campus I booked computing rooms for exclusive use by my students - in the end these were little used. I also placed a hard copy of the subject guide on the library and posted a hard copy of the FAQs outside my room - but this practice was not sustained throughout the semester.

Students complained about the high cost of printing out the subject guide, material that is normally distributed free of charge in other subjects. However, I had already arranged for a discount on the cost of the reading materials equivalent to the cost of printing out the whole study guide.

The continuous assessment work was inappropriately weighted: This grievance was voiced in the very first class and never really went away despite my decision to make an extra mark available for each assessment item. Most students put a lot of work into their continuous assessment. They felt that hard work was not being sufficiently rewarded. The problem for me was:

The more marks I made available for each item, the longer it would take to mark each assignment. Markers would have more scope to agonise over subtle differences in quality (by far the most time consuming aspect of marking) and students would be more inclined to quibble over their weekly mark.

Unlike my students, I tended to view the weekly assessment item as formative assessment work, rather like tutorials. Students had a different view. For them, each piece of work contributed to their final grade and was worthy of their best endeavours. It seemed cruel to have to work so hard for so little reward. I tried to argue their work throughout the semester would stand them in good stead for the exam (which would cover the same ground) and so was inherently worthwhile but the truth of this counsel only really became obvious at the end of the semester.

With seven years of controversy arising out of the Offices Program, my only other experience with group based assessment work, I was very wary of awarding more marks to group based assessment work. Every year in the Offices Program I hear complaints about hangers on that do not pull their weight yet still get the marks. I hoped by allowing students to select their own (much smaller) study groups I would prevent this problem arising in the continuous assessment regime - but I had no evidence this would in fact be so. In the end, students seemed more concerned about getting their hard work appropriately rewarded than about catching up with hangers on.

Small groups were irreplaceable: This was by far the most sustained and most worrying of students' concerns. Many students, throughout the semester, felt they had been abandoned and left to figure out the assessment work on their own. Study groups could not replace tutorials because that was simply 'the blind leading the blind'. Without more direction, specifically in the form of tutorials, this was all simply too hard.

In response to these criticisms I was at pains to point out the electronic study guide was not really what had replaced tutorials. Rather, a system of continuous assessment with in built communication options, electronic and face-to-face, had been put in place. If learning by doing is the most effective form of learning (Le Brun and Johnstone,1994, p.92) surely all this practice at writing hypotheticals was providing students with a *better* education than even tutorials could? And with all the communication options on the table why were students complaining about lack of guidance?

It will be recalled that part of the justification for abandoning tutorials was the emphasis now placed on consultation hours. Throughout the semester I was disappointed by students' reluctance to use consultation hours to their fullest advantage. Despite continual nagging in class and despite the widespread perception of loss generated by the abolition of tutorials, a significant proportion of the class never consulted with teaching staff. Where had I gone wrong? Why couldn't consultation hours replace - or rather improve on - tutorials? Some possible explanations were:

Consultation hours were offered on Mondays and Tuesdays (the assessment work was due in on Wednesday of each week). As the semester wore on it became clear to me that:

- many students work in full or part time employment on Mondays (a teaching free day in the Law School);

- all students were expected to attend large groups in another second year subject for two out of the four hours of consultation time initially being offered on Tuesdays; and

- students, being students, often completed their assessment work on Tuesday evening when, if a problem did arise, it would be too late to take advantage of the consultation times on offer. Staff had already packed their bags and gone home.

It was not possible to adapt consultation times to meet all these problems in 2000 although in future years we may be able to work around them. More disturbing explanations for students' reluctance to use consultation hours could be:

In flexible delivery, students have no rapport with staff and simply do not have the confidence to come and ask them questions.
Students are not sufficiently proactive about their education. Students refused to change their perception of staff consultation times as a remedial, last resort option. They did not want to take the initiative and approach staff in an informal, unscheduled context. They wanted to be spoon fed, not student centred in their approach to learning (Le Brun and Johnstone, 1994, p.89).

Another, less frequently heard, criticism of my decision to abandon tutorials was that staff consultation and study group work could not replace the type of legal discussion and argument fostered in tutorials. This is a valid criticism but should not be over-rated

(Paliwala, 2002, p.16). In my defence I could only argue:

Often only a small number of vocal students actively participate in that legal discussion. These are committed students who will do well anyway (Paliwala, 2002, p.16). I suppose, however, there are still benefits for those students who do not speak during tutorials but listen in on the discussion.

Everyone should be contributing to their study group work and, especially for quieter students, this could be a more meaningful discussion forum than tutorials numbering 16 or more students. However, it seems study group time became very task oriented and leisurely debate was not generally the order of the day.

Although one avenue for oral discussion was lost, students were encouraged to exchange ideas electronically across the forum. Large groups could also be taught in a more interactive way, although the time constraints made interactive teaching during large groups a less attractive option than in previous years.

Although I had abandoned oral discussion in tutorials, perhaps without a suitable replacement, I had created an opportunity for students to practise frequently other important skills, specifically, answering hypotheticals in a concise, written form. This skill is at least as essential for budding lawyers as practising the art of oral debate - an art that is emphasized elsewhere in the undergraduate curriculum.

Despite this staunch defence of my decision, I had a feeling one of the opportunities to enthuse students about this subject had indeed been lost.

As the semester wore on, some of these concerns diminished and I appeared to be winning over some student enthusiasts of flexible delivery.

At the start of semester two - with some of their worst memories of UAT fading fast - I handed out a hard copy questionnaire about the flexible delivery of UAT. Although the lack of tutorials remained a concern for many students, about as many students remarked favourably on the continuous assessment regime (the quid pro quo for loss of tutorials in my mind). In retrospect students realised the continuous assessment regime had made them work hard throughout the semester. It had forced them to learn about the subject and it had lightened the load at exam time. Even the forced imposition of more group work was not so bad after all!

In the survey, several students suggested setting fewer pieces of assessment work, perhaps fortnightly not weekly, if only to alleviate some of the pressure they had felt during the semester. Reducing the frequency of the continuous assessment work could re-open opportunities for some tutorials, for example, in weeks when there is no assessment work.

Some students commented favourably on the reduction in large group teaching hours. These students often had many other commitments and they appreciated the increased flexibility on offer in UAT.

Overall, the questionnaire confirmed what had become obvious through the electronic forum. Flexible delivery was divisive - some students loathed it, others loved it. Perhaps it would be fair to say that, at the end of the day, the majority of students recognised the value of the continuous assessment regime and felt the web based study guide, with some refinements, could be a valuable learning tool. However, they could not completely abandon their concern over the lack of tutorials. They may have passed into the electronic age but the transition to student centred learning - in which students not teachers are the focus of the learning experience - remained problematic.

6. UAT in 2002

By 2002, the next year I taught this subject, I had made some important changes to the subject in an attempt to deal with the problems identified in 2000.

Revisions to the electronic study guide: Student feedback had made it clear they needed more help from the electronic study guide. Before 2002 I revised the study guide to include more introductory text in each module. I also added prompts to help students find the answers to some of the (non-assessable) questions included in the modules. I refrained from hot linking answers to the questions as some students had urged me to. I believe hot linking answers to questions posed in the study guide will discourage independent thought and students' recourse to required reading materials. The electronic study guide was never intended to be a complete package. As with any law subject, students are expected to read widely, consult the case law and reason for themselves. On the other hand, it is not my intention to unnecessarily mystify the law (others do this well enough!) and dampen students' egos by leaving them in the dark. Students deserve answers but my personal preference is to discuss them in class or post them at a later date on, for instance, the FAQs.

Modifications to the consultation and assessment regime: The prolonged tutorials versus continuous assessment debate in 2000 finally persuaded me that, however superior I regard the continuous assessment regime compared to tutorials, some lessening of the pain for my students was necessary. For 2002, I reduced the number of assessment items to 8 and increased to 4% the mark for each piece of assessment work. In effect, I accepted the students' view of the assessment work as summative assessment, worthy of greater recognition than had previously been the case. My fears of widespread student discontent with group marking had not materialized so I now felt more comfortable increasing the marks allocated to the continuous assessment work.

Cutting the back on the number of assessment items freed up some time in the semester when we could run tutorials instead. We chose to offer these tutorials in a block at the start of the semester when students were still 'finding their feet' in the subject and getting used to the idea of flexible delivery. It also gave students a chance to get to know the staff and other students on the course. Unlike practice in previous years, student participation in these early tutorials was not assessable and attendance was entirely optional.

In addition to increasing the mark for each piece of assessment work, in 2002 I decided to

award 8% of the total available marks for participation in the weekly consultation exercise (1% x 8 weeks). Once again, the mark would be a group mark - unless the students present at the consultation indicated a wish to do otherwise, all the members of the group would receive the consultation mark even if only one 'delegate' turned up each week. The assumption was they would all contribute in some way to the week's work even if it was not possible for every group member to attend consultation every week. Each consultation would last for a period of 10 minutes (15 minutes absolute maximum) and students would need to book a time slot each week to be guaranteed a consultation (and to avoid a last minute rush). In effect I made consultation virtually compulsory. This changed the nature of consultation - it was no longer a free ranging discussion with a few motivated students. Instead it became an interim checking point for every study group. It gave each study group the opportunity to check they were on the right track with their draft answers.

Inevitably, by consulting with each group separately we ended up repeating a lot of the same information. Arguably, typing answers to FAQs on the web site would have dealt with these issues much more efficiently. In reality, however, the advantages gained from face-to-face consultation with every study group were enormous. Students could no longer complain of being left in the dark with the blind leading the blind; staff developed a personal rapport with the students that was maintained across the whole semester, and problems with group dynamics were identified and dealt with as soon as possible instead of being left to run indefinitely. Of all the changes made to the course for 2002, awarding a small mark for weekly consultation had the greatest impact. Instead of merely hoping students would become self-motivated and student centred in their learning it was forced upon them - but in a way that was supportive of their fragile learning abilities. By manipulating 8% of the total marks, flexible delivery suddenly started to hang together.

When study groups did send a delegate(s) I made it a practice of asking whether their study group was still working together as a team. In two or three cases this exposed dysfunctional study groups. They were quickly dealt with. The options were to split, to excise a non-participating member (who was then invited to submit individual assessment work or find another group) or to confront the member - under my instructions. Surprisingly few of these problems arose. Allowing students to pick their own team mates and keeping group sizes small were successful strategies for overcoming the 'hangers-on' problem experienced in the offices.

I also offered study groups the opportunity to 'consult' via E-mail instead of in-person. The proviso was that a response would not necessarily be instantaneous and if the E-mail was sent after the close of consultation time, staff would not reply to the E-mail, although the consultation mark could still be awarded (for E-mails sent up to midnight the night before submission day). Only a few groups chose this option. Two groups trialed it but switched to attending in person when they were not satisfied with their marks. A focused, face-to-face consultation did seem to be more fruitful provided students turned up having done some preparatory work before hand.

With these changes in place the assessment regime now took the form of -

- a written exam at the end of the semester (now worth 50% of the total marks available for the subject);
- a group mark for office work which remained unaltered (worth 10%);
- a group mark for the continuous assessment work (worth 32% (4% x 8); and
- a group mark for participation in the weekly consultation exercise) (worth 8%) (1% x 8).

As in 2001, I made passing the end of semester exam a pre-requisite for passing the subject overall.

Throughout 2002 I heard virtually no complaints about the lack of tutorials. On the contrary, students were now telling me they found the continuous assessment regime and weekly consultations more effective than the conventional mix of lectures and tutorials. By the end of the semester I felt I had arrived at the destination I had targeted for myself - and my students - at the end of 1999. Student evaluations at the end of semester one, 2002, confirmed my impressions. Flexible delivery, comprising a mix of face-to-face and electronic communication tools coupled with a rigorous continuous assessment regime, had finally delivered an effective, student-centred approach to learning.

7. Conclusion

Driven by enthusiasm rather than experience, my launch into flexible delivery was traumatic. The year 2000 was probably my most difficult year of teaching - more harrowing than even my first year as a lecturer. I had thrown myself in at the deep end and failed to predict with any accuracy how students would react to my teaching revolution. I felt I had done so much for my students only to be rewarded with a massive slump in my popularity ratings (as evidenced on the electronic discussion forum!). Nevertheless, I persevered - I had thrown myself in so deeply I could hardly do otherwise! I learnt how to modify my web materials, I revised my electronic study guide and I made some minor modifications to the teaching and assessment regime. Most significantly, I attached 8% of the available marks to face-to-face consultation times. In so doing I successfully reoriented student contact into what I had always wanted it to be - a more personalized, more tailored and more effective exercise than conventional tutorials. By the end of semester one, 2002, I felt I was definitely leading my students towards enhanced student centred learning in law. Although my technological innovations were modest, I had successfully combined them with changes involving continuous assessment, personal tuition and group work. These changes were borne of a desire to fix some very specific problems I had identified in the delivery of my particular subject. Nevertheless, their ultimate success suggests the package is a worthwhile one for others to consider, with or without modification.

On reflection my transition to flexible delivery would probably have run more smoothly if I had made time to research the literature and to consult with students more widely before

embarking on the venture. I am sure my year 2000 students would think so. On the other hand, the whole project was premised on enthusiasm for what I perceived to be a good idea. I was fortunate to have a co-teacher equally enthusiastic for the scheme and to have the backing of my School and the University behind me. It was an opportunity to be seized. In some respects, the year 2000 students were lucky, not because they had experienced flexible deliverers to hand, but because they had a real chance to participate in the on going development and reform of the subject. They also had staff who were willing to bend over backwards to make things work better for them.

Some broader reflections on my experience are possible. First, the importance of combining technological change with sound pedagogy is confirmed (Paliwala, 2002, p.16). This was always my intention. Indeed I deliberately rejected some available technological innovations in order to keep the electronic component of the course as simple as possible. Secondly, personal communication remains important despite the increasing use of electronic fora. The goal is to advance to more satisfying, more constructive types of tuition than conventional lectures or tutorials provide (Paliwala, 2000, p.17). In UAT, I feel this has been achieved. Thirdly, assessment is the driving force behind much of students' learning (Ramsden,1988, p.24). If early university students are reluctant self-directed learners then assessment is an excellent tool for pushing them on to the ladder of student centred learning. Lastly, for all enthused but embattled flexible educators, persevere - there is light at the end of the tunnel!

Notes and References

Brand, V (1999), 'Decline in the Reform of Law Teaching? The Impact of Policy Reforms in Tertiary Education', Legal Education Review 109.

Griffith University, *Strategic Plan 2001-5*, 2001, <<http://www.gu.edu.au/ua/aa/sp/sp/home.html>>.

Griffith University, *The Griffith Project*, 2002, <http://www.gu.edu.au/vc/key_issues/griffithproject.html>.

Jones, R and Scully, J (1996), 'Hypertext Within Legal Education', The Journal of Information law and Technology (JILT) <http://elj.warwick.ac.uk/jilt/cal/2jones/>.

Kift, S and Airo-Farulla, G (1995), 'Throwing Students in the Deep End or Teaching them How to Swim? Developing 'Offices' as a Technique of Law Teaching', Legal Education Review 53.

Laurillard, D (1988), Rethinking University Teaching: A Framework for the Effective Use of Educational Technology (London: Routledge).

Le Brun, M and Johnstone, R (1994), The Quiet Revolution: Improving Student Learning in Law (Sydney: The Law Book Company).

Long M, and Hayden, M (2001) Paying Their Way: A Survey of Australian

Undergraduate University Student Finances (Canberra: AVCC).

McNamara, L (2000a), 'Lecturing (and not Lecturing) Using the Web: Developing a Teaching Strategy for Web Based Lectures', Legal Education Review 149.

McNamara, L (2000b), 'Why Teaching Matters and Technology Doesn't: An Evaluation and Review of Web-Based Lectures', Legal Education Review 175.

Nicoll, K (1998), ''Fixing' the 'Facts': Flexible Learning as Policy Invention' *Higher Education Research and Development* (HERD) 291.

Paliwala, A (2002), 'Learning in Cyberspace' The Journal of Information Law and Technology (JILT) 2002 (1).

Ramsden, P (1988), Improving Learning: New Perspectives (London: Kogan Page Ltd).