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Its overall focus is to promote excellence in legal academic teaching and research with particular emphasis on supporting early career academics, throughout Australasia, in the areas of:

- (a) Legal research and scholarship;
- (b) Curriculum refinements and pedagogical improvements in view of national and international developments, including law reform;
- (c) Government policies and practices that relate to legal education and research;
- (d) Professional development opportunities for legal academics;
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Edited by Professor Michael Adams, Professor David Barker AM and Ms Katherine Poludniewski

ALTA Secretariat

PO Box 222

Lindfield NSW 2070

AUSTRALIA

Tel: +61 (2) 9514 5414

Fax: +61 (2) 9514 5175

admin@alta.edu.au

www.alta.edu.au

**THE CHALLENGES OF ADOPTING NEW INTEGRATED TECHNOLOGY
STRATEGIES:
INTEGRATING E-LEARNING AND BLENDED LEARNING INTO
EXISTING LLB UNITS**

JOHN JURIAN SZ*

Many law schools are considering the utility of adapting their “traditional” modes of classroom delivery to include increasingly flexible modes of teaching and learning by trialling new integrated technology strategies. This transition may be achieved through the development of blended learning environments (which make the best use of face-to-face learning) and online learning formats (which may be supported by a multitude of courseware) so as to provide increasingly flexible, engaged and interactive learning experiences for students. Effective strategies are expected to enhance student engagement and learning through online activities within the curriculum, and improve effectiveness and efficiencies by reducing lecture time.

However, there can be resistance to the introduction of new integrated technology strategies into a course. Many seasoned lecturers may doubt their ability to learn and manage new electronic technologies, may question whether the quality of teaching and learning experiences will be enhanced by these new approaches, and query whether workload agreements can accommodate these changes. For institutions which have adopted a strategy on the adoption of e-learning technologies, the challenge of fostering and encouraging the support and uptake by the academic stakeholders may be enhanced by the:

- Development of a system of E-learning and Blended Learning mentorship and training within the law school;

* John Juriansz is an Associate Lecturer at the University of Western Sydney where he lectures in contract law and equity, trusts and remedies. His previous commercial experience includes commercial litigation and mergers & acquisitions work at Mallesons Stephen Jaques and Gilbert + Tobin Lawyers.

- Establishment of a pilot project for the staged introduction of blended and e-learning elements into the teaching practice of the law school; and
- Establishment of feedback and evaluation systems to measure the success and failures of the various phases of the staged process so as to ensure the most beneficial results.

I BACKGROUND

Thomas Friedman in his 2006 book “The World is Flat” examines the latest wave of technology to sweep across human civilisation. Despite the modernity of the subject matter, Friedman commences his examination by first referencing an extract of a letter from Christopher Columbus to his patrons just prior to his 1492 voyage to the New World. Christopher Columbus wrote:

*Your Highnesses, as Catholic Christians, and princes who love and promote the holy Christian faith, and are enemies of the doctrine of Mahomet, and of all idolatry and heresy, determined to send me, Christopher Columbus, to the above-mentioned countries of India, to see the said princes, people, and territories, and to learn their disposition and the proper method of converting them to our holy faith; and furthermore directed that I should not proceed by land to the East, as is customary, but by a Westerly route, in which direction we have hitherto no certain evidence that anyone has gone.*¹

Likewise, many law schools have been increasingly challenged to abandon their faith in many of the more traditional modes of teaching and learning which, for some, maybe akin to a commitment to the holy catholic faith. Instead, they are being beseeched to head into new pedagogical directions where hitherto there is little certain and reliable evidence that many have gone and succeeded.

¹ This quotation is an extract of the journal of Christopher Columbus on his voyage of 1492. Thomas L. Friedman, who refers to this journal entry in his book “The World is Flat” (Penguin, 2006), discusses the explosion of technologies including blogging, online encyclopaedias and podcasting to show how knowledge and resources are connecting all over the planet as never before.

In 15th Century Europe it was a commonly held belief that one would be liable to fall into the void should your ship wander too far beyond the confines of their limited maps and into the expanse. Indeed, popular paranoia and suspicion of that era were such that the margins of many of the maps of seafaring vessels were marked by the words “Here There Be Monsters”.

In 2007, the School of Law at the University of Western Sydney embarked upon a curriculum review of its LLB program. As the title of this paper suggests, an early and critical resolution of the School of Law has been to adapt “traditional” modes of classroom delivery to include increasingly flexible modes of teaching and learning by conceiving, tailoring and trailing new integrated technology strategies. These initiatives have been well received by many in the School of Law yet resisted by others who characterize these initiatives as heretical. Columbus’ voyage via a Westerly route to India also challenged the sacred notions of the “Flat-Earthers” and was considered heretical by the same Church his voyage was meant to serve. In the face of these challenges, the goal has been to continue to pursue an integrated online learning environment which compliments face-to-face teaching.

This transition may be achieved through the development of blended learning environments (which make the best use of face-to-face learning) and online learning formats (which may be supported by a multitude of courseware) so as to provide increasingly flexible, engaged and interactive learning experiences for students. Effective strategies are expected to enhance student engagement and learning through online activities within the curriculum and to improve the effectiveness and efficiencies of the teaching and learning process by reducing lecturing time.

However, there can be resistance to the introduction of new integrated technology strategies into a course and unit. Many seasoned lecturers may doubt their ability to learn and manage new electronic technologies, may question whether the quality of

teaching and learning experiences will be enhanced by these new approaches, and may query whether workload agreements can accommodate these changes.²

For institutions which have embarked upon a strategy of adopting blended learning and e-learning approaches, the challenge of fostering and encouraging the support and uptake by the academic stakeholders of these approaches may be enhanced by the:

- The development of a system of e-learning and blended learning mentorship and training within the School of Law;
- The establishment of a pilot project for the staged introduction of blended and e-learning elements into the teaching practice of the School of Law; and
- The establishment of feedback and evaluation systems to measure the successes and failures of the various phases of the staged process so as to ensure the most beneficial results.

The success of this process of pursuing e-learning and blended learning strategies is contingent upon the support of the tertiary institution. In particular, two developments have been crucial to the success of this initiative :

- First, this process of pursuing e-learning and blended learning strategies would not have been possible without the University's purchase of a license to make use of an electronic course management system upon which these innovative teaching and learning technologies are to be constructed³; and

² See generally, Ann Chadwick-Dias, Donna Tedesco and Tom Tullis, *Older Adults and Web Usability: Is Web Experience the Same as Web Expertise?* (2004) <http://www.bentley.edu/events/agingbydesign2004/presentations/tedesco_chadwickdias_tullis_webusabilityandage.pdf> at 16 February 2008; Scott Milne et al, 'Are Guidelines Enough? An Introduction to Designing Web sites accessible to older people' (2005) 44 *IBM Systems Journal* 507; R Eisma et al, 'Early User Involvement in the Development of Information Technology-Related Products for Older People' (2004) 3(2) *Universal Access in the Information Society* 131.

³ The University of Western Sydney purchased a license to use the course management system commonly known by various names - including Blackboard, WebCT or Campus Edition. This platform enables the efficient delivery of online educational content through the provision of a number of teaching and learning modules or "tools" which are easy to navigate, learn and adjust for your specific needs.

- Second, three members of the Blended Learning subcommittee of the Curriculum Review Committee morphed into an independent group (the “Blended Group”) which successfully applied to the University for funding to enable it to commence an investigation of how best to pursue the eventual implementation of blended and e-learning strategies in the delivery of its Bachelor of Laws program. This paper reviews the initial stage of this process.

The Blended Group successfully applied for a Learning and Teaching Action Plan (or “LTAP”) grant which yielded University funding of roughly \$30,000 towards the purchase of key equipment and registration at various conferences in relation to a 18 month period. Moreover, this initiative was further supported by the Head of School who facilitated an essential workload relief allowance.

II APPROACHES TO BLENDED LEARNING

The term “blended learning” has well and truly entered into vocabulary of the contemporary University educator. This innovative approach has emerged in response to a number of global and educational changes experienced by higher education institutions. These changes include a greater emphasis on such things as lifelong learning, globalisation, the advent of the ‘Information Age’ and a move to a knowledge society.

The University of Southern Queensland’s Centre for Distributed Learning have suggested that the term “blended learning” may refer to the use of a wide range of information technologies which provide learning opportunities beyond the bounds of the traditional classroom.⁴ Some examples of popular blended learning technologies may include the World Wide Web, email, video conferencing, groupware, simulations, newsgroups, distribution lists, chat rooms and instructional software. A blended

⁴ J McDonald, J McPhail, M Maguire, and B Millett, ‘A Conceptual Model and Evaluation Process for Educational Technology Learning Resources: A Legal Case Study’ (2004) 41 *Educational Media International* 287.

learning environment facilitates a learning-centred educational paradigm and promotes active learning.

However, support for these 'blended' practices has not been universal. The pedagogical underpinnings of Blended Learning have not been without its critics. Two arguments advanced by Martin Oliver (senior lecturer at the Institute of Education, University of London) and Keith Trigwell (Reader in Higher Education in the Institute for the Advancement of University Learning at the University of Oxford) advocate against the use of the term "blended learning". Instead, they propose that:

- 'Blending' either relies on the idea of dichotomies which are suspect within the context of learning with technology or else becomes ineffective as a discriminating concept and is thus without purpose so that the concept of "blending" should be radically reconceived or abandoned; and
- 'Learning', from the perspective of the Learner, is rarely, if ever, the subject of blended learning. What is really being addressed, they argue, are forms of instruction, teaching, or at best, pedagogies.⁵

The cautionary criticism offered by Oliver and Trigwell serves to remind teachers of the age old debate about the meaning of "learning". Is learning about the ability to remember, repeat and apply facts for a designated examination or is learning about developing new ways of preparing our students to see and appreciate the world, to create meaning for themselves in different contexts, and to enable them to act with competence and assurance in the face of alternatives? Surely, the advent of Podcasting, Facebook, Wikis, Blogs and YouTube has not altered this debate. "Learning involves very much more than undertaking activities on a computer...it includes an intricate and complex interaction between neural, cognitive, affective and social processes".⁶ As such, it may be that these "new" approaches to learning are

⁵ Martin Oliver and Keith Trigwell, 'Can 'Blended Learning' Be Redeemed?' (2005) 2 *E-Learning* 17.

⁶ Stephen Aragon, 'Creating Social Presence in Online Environments' in Stephen Aragon (ed), *Facilitating Learning in Online Environments* (2003) 57; See generally, Moshe Barak, 'Instructional principles for fostering learning with ICT: Teachers' Perspectives as Learners and Instructors' (2006) 11(2) *Journal of Education and Information Technologies* 121.

really nothing more than the continuation of a long-standing engagement with pedagogical methods, albeit, now equipped with new tools. That said, it should not be readily claimed that these new tools have failed to enhance the prospects of achieving one's pedagogical goals. The potential benefits flowing from the increased and enhanced opportunities for teachers and students, as well as students and students, to socialise and collaborate with each other in development of creative and innovative learning opportunities must be duly considered. Likewise, due consideration must be given to whether the new tools, which promise increased educative productivity, will increase financial and labour costs without achieving a commensurate benefit.⁷

Without answering these criticisms more directly, as they are not the subject of this paper, it is worth noting the counterpoint to these views. McDonald et al observe that there has been tremendous growth in the higher education sector in recent years and institutions are faced with a variety of learners requiring greater flexibility in the way they access programs and services.⁸ McDonald et al reinforce this perception by noting the frequency of the numerous transitions towards blended techniques throughout the American, UK and now Australian universities.

*A Strategy 1 - Development of a System of E-learning and Blended Learning
Mentorship and Training Within the Law School*

Many of the traditional modes of learning and teaching customarily centred on face-to-face involvement in teaching and assessment. A move away from this method of delivery towards online education involves skill and attitudinal changes both in instructors and in students as well as fundamental changes to the objectives and structure of units.⁹ As Brennan of the University of South Australia commented on online learning in the context of vocational education:

⁷ See, eg, Diana Laurillard, 'Modelling Benefits-Oriented Costs for Technology Enhanced Learning' (2006) 54 *Higher Education* 21.

⁸ Diana Laurillard, *Rethinking University Teaching: A conversational Framework for the Effective Use of Learning Technologies* (2nd ed, 2002).

⁹ G Singh, J O'Donoghue and H Worton, 'A study into the effects of e-learning on higher education' (2005) 2 *Journal of University Teaching and Learning Practice* 1.

The new roles and skills for the online teacher come from attitudinal predispositions. Qualities such as perception, compassion, collaboration and creativity are considered essential prerequisites for online delivery success. These attitudes are the initial building blocks from which teachers develop new facilitation, motivational, mentoring and guiding roles and skills. Communication is profoundly different online where teachers are concentrating on clarity and regularity.¹⁰

Clearly, not all teaching staff wish, or are readily able, to make this transition. Many who excel in face-to-face teaching will have difficulty acquiring the technological skills necessary to make a successful transition to teaching in an online environment and will have difficulty in adjusting teaching styles to accommodate online teaching strategies.¹¹ Further, the transition requires an initial substantial financial commitment by any course or institution to develop new structures, materials and teaching strategies and, an often overlooked, ongoing financial commitment to ensure the maintenance and continuing quality of these new systems.

There is much more to developing an integrated online learning environment than simply converting lecture overheads to PowerPoint presentations and providing Unit Outlines and Seminar Guides electronically by placing them onto a server. The transition of a unit to a blended and e-learning approach requires significant time, energy and technical knowledge. This requirement places the use of online learning beyond most academics and limits the adoption to the technically minded and extremely motivated. For blended learning and e-learning to become widespread within the School of Law, it is necessary that appropriate tools, procedures, documentation and training be available to reduce this burden.

The School of Law at the University of Western Sydney has permitted workload relief equivalent to one hour per week for each of the mentorship positions. This relief is in

¹⁰ R Brennan, 'One Size Doesn't Fit All: The Pedagogy of Online Delivery in Australia' in H Guthrie (ed), *Online Learning: Research Readings* (2003), 55.

¹¹ David Jones and Renay Buchanan, *The Design of an Integrated Online Learning Environment* (1996) Proceedings of the Australasian Society for Computers in Learning in Tertiary Education <http://cq-pan.cqu.edu.au/david-jones/Publications/papers_and_Books/96ascilite> at 20 July 2007..

addition to the three hour workload allowance stemming from the Blended Groups' LTAP project. This significant financial commitment by the School of Law must continue so that these strategies can be achieved and new objectives pursued.

Each member of the Blended Group has agreed to act as "Campus Edition" Mentors and Blended Learning Mentors. In the last three months I have logged more than 100 requests from fellow staff for assistance in relation to the online presence of fellow staff members. A federation of Mentors from each faculty across the University meets periodically in face-to-face meetings and in online discussion to share experiences and strategies in mentoring. It is an essential rule of the mentor 'not to do, but to teach'. That is, many staff have requested my assistance to create an online site for them or to post a document on their website. However, an appropriate mentor response should simply be to guide colleagues through the process so that they may learn the processes and empower them to act independently.¹²

An integrated online learning environment should provide mentor and training support for tasks including, but not limited to, assignment submission, online assessment and evaluation as well as the capacity for synchronous and asynchronous communication.

In addition to the ongoing staff mentorship by the Blended Group, the Teaching Development Unit and Information Technology Unit of the University of Western Sydney have provided ongoing instructional courses. However, as each of these training sessions have yet to reach their desired educative potentials as participation has remained voluntary. Further, the various courses are offered at varying times which frequently do not accommodate academics schedules. These are challenges the University must continue to address.

B Strategy 2 - Establishment of a Pilot Project for the Staged Introduction of Blended and E-Learning Elements into the Teaching Practice of the Law School

¹² See generally, E McFadzean and J McKenzie, 'Facilitating Virtual Learning Groups' (2001) 20(6) *Journal of Management Development* 470; D Megginson and D Clutterbuck, *Techniques for Coaching and Mentoring* (2005); G Salmon, *E-moderating: The Key to Teaching and Learning Online* (2000).

The Blended Group is currently engaged in the early stages of developing various pilot projects in specific units into which we teach which can be used as exemplar modules in the use of blended and e-learning techniques. The hope is that other academics will make use of these pilot modules so that they may forgo the significant expenditure of creating new modules from scratch.

In the Kevin Costner film, “Field of Dreams”, the protagonist is told to construct a baseball diamond in a wheat field to enable the long dead greats of the game to mysteriously assemble to play for the love of the game. Precisely, Costner’s character is told: “If you build it, they will come”. I suspect a random field in Idaho was selected for this purpose as it is well known in the civilised world that rugby is the game played in heaven. That said, it may not be as simple as constructing pilot modules to secure the efficient uptake of these new approaches to teaching and learning. Indeed, David Jones and Renay Buchanan of the Department of Mathematics and Computing at Central Queensland University liken the approach to “herding cats”.¹³ They assert that once the various pilots are constructed, staff must be:

- encouraged to use the system;
- convinced of the system’s usefulness; and
- provided with appropriate training and documentation.

It is hoped that the design guidelines emphasising ease of use and of providing what David Jones refers to as “the tools and not the rules” will decrease the learning curve and increase the sense of ownership felt by academic staff.¹⁴ What is meant by this approach is that individual staff and students must be provided with the tools they require to make use of online learning but be allowed to adapt the use of these tools for their personal situation. “The [pilot modules should]... provide a number of examples of good and bad use of online learning and some general guidelines. In the

¹³ D Jones and R Buchanan, *The Design of an Integrated Online Learning Environment* (1996) Proceedings of the Australasian Society for Computers in Learning in Tertiary Education <http://cq-pan.cqu.edu.au/david-jones/Publications/papers_and_Books/96ascilite> at 20 July 2007..

¹⁴ Ibid.

end the approach taken in individual units should be left to the individual lecturer and student.

1 Adapting to new technologies

The Blended Group was initially engaged in the challenge of adapting to new and appropriate teaching and learning technologies. Its approach was informed by the First Australasian Conference on Computer Science Education, in which Brian Oliver and Geoffrey Mitchell of the University of Sydney argued that “there [would be] no real effectiveness benefit in this technology unless it incorporates changes to the learning approach itself”¹⁵.

Similarly, Wendy Wright, Carol Jeffs and Jean Wood of the University of Melbourne observed in the context of providing distance education the common misconception amongst many academics that the use of online learning is simply the act of placing existing teaching materials onto the web and will consequently decrease the time, energy and cost involved in education. Such practice has been termed “shovel-ware”.

While the process of simply making materials available online has its advantages, I would argue that the greatest advantages are to be gained from online learning when existing teaching practice is modified to make the most of the characteristics of the new environment. Historic, didactic teaching approaches are not the most appropriate methods in an environment that emphasises and enables the importance of communication and interaction.

The increase in interaction and communication that comes from using appropriate pedagogy could actually make online learning more expensive than traditional methods. However, that increase in cost must be considered in combination with the increased service that is provided to students and the possibility of increased performance and student retention.

¹⁵ Brian Oliver and Geoffrey Mitchell, ‘Setting the PASE – the Value of Computer Aided Assessment’ (Paper presented at the proceedings of the First Australasian Conference on Computer Science Education, John Rosenberg (editor), University of Sydney, July 1996)..

Use of online learning enables the adoption of collaborative learning and increases the frequency and quality of student – student communication as well as student – teacher communication. However, this will only happen if teachers make the move away from traditional didactic teaching approaches.

Although the Blended Group has recognised the need to modify the styles of teaching and learning at the School of Law, there are a number of questions with which we continue to struggle:

- How do you convince academics that there are more appropriate alternatives to the traditional didactic approach without being prescriptive?
- How do you provide academics with the requisite skills to pursue these new approaches?
- How do workload calculations and funding models adapt to support these new approaches?

C Strategy 3 - Establishment of Feedback and Evaluation Systems to Measure the Success and Failures of the Various Phases of the Staged Process so as to Ensure the Most Beneficial Results

An integral aspect of this project will be the facilitation of mechanisms to effectively gauge the successes and failures of this project. Data collection will be integral to this process. During the current stage of this project we expect to glean vital feedback by the collection of information through three mechanisms:

1. Interviews with key stakeholders, such as unit coordinators, lectures & students;
2. Staff development opportunities; and
3. Regular personal reflections by the Blended Group and other participants.

1 Interviews with Unit Coordinators and Lecturers

All unit coordinators and lecturers were asked at the first stage of the implementation process to reflect on:

- What involvement they had had in online learning up until then;
- Whether they had any initial ideas about the design of their units;
- Where they envisaged the project taking them; and
- What misgivings they had about their project.

When asked what misgivings staff initially had about involvement in the project, the following were among the comments frequently cited:

- Time involved in development and maintenance;
- The possibility that time limitations may mean corners will need to be cut so that they would end up doing something conventional – despite being keen to design from scratch and their intentions to consider pedagogical effectiveness;
- Fear students may resist the use of the given technology and/or approach; and
- Lack of wider University infrastructure and support.

Whether any of these misgivings will eventuate into realities has yet to be determined.

Once the pilot modules have been successfully trailed and staff have begun to apply these modules to their units, staff and students will be asked to reflect on the most useful and least useful aspects of the revised programs and to offer their thoughts on the project.

As this reflection is yet to take place it is useful to refer to a 2005 paper by Julie Pastellas of QUT and Kay Maxwell of the University of Wollongong regarding the integration of online learning approaches in PLT programs. They highlight some of the formal feedback and evaluation of the online PLT course following two trials which, they believe, deserves further consideration in future course planning:

- “Students may feel isolated when studying off-campus and in isolation. This reinforces the idea of learning as a social activity as well as an intellectual one. To feel part of the group learning environment, students must be able to share their learning experiences with others through the use of online discussion forums. It is also important for students to have regular communication with instructors who are available to provide guidance and instruction;
- Students enjoy the flexibility that off-campus courses provide. They can complete the work in their own time at their own convenience while having access to online materials, supplementary material and online discussion forums;
- Both student computer competence and the technical reliability of the online learning site can affect the learning experience. Students become frustrated if they cannot efficiently and effectively access learning sites and materials. Online learning sites must be user-friendly, readily accessible and reliably available. Instructors and designers must acknowledge differing levels of student computing skills and that study must accommodate differing work and life commitments; and
- From an instructor’s point of view, the successful implementation and running of an online unit is time-consuming and requires the development of different teaching skills. Instructions to students must be clear, leaving no room for misinterpretation. Materials must be self-explanatory and easy to access. Instructors need to communicate regularly with students and monitor student progress and involvement very carefully. It is much easier for students to be forgotten and fall by the wayside when access to them is remote.”¹⁶

¹⁶ J Pastellas and K Maxwell, ‘Blending Educational tools and Strategies: Integrating Online Learning in Practical Legal Training Programs’ (Paper presented at the Online Learning and Teaching Conference, Queensland University of Technology, Brisbane, 27 September 2005) <<https://olt.qut.edu.au/udf/olt2005>> at 20 September 2007.

It is expected that the feedback, both formal and informal, will need to be further explored as the individual units continue to evolve to meet the needs of students into the future.

2 Regular Personal Reflections by the Blended Group and Other Participants

Each member of the Blended Group has maintained a reflective learning journal as a means of recording their experiences and personal development and learning as a result of involvement in the pilot project. It is expected this process of continual reflection will enable the Blended Group to make the maximum benefit from a valuable source of data.

Ellis and Phelps of Southern Cross University advocate an additional step of time allocation and breakdown record keeping so as to adequately inform future phases of the project in terms of ensuring the sufficient planning and budgeting for academic staff workload relief.¹⁷

III CONCLUSION

Blended learning and e-learning, if implemented correctly using the appropriate technology, pedagogy and supported by capable teaching and technical staff can supply a number of significant advantages over traditional teaching methods.

Perhaps the biggest advantage of the project has been the level of commitment of staff. Most staff continue to be extremely enthusiastic about their involvement in this project, seeing the project as vital for the improvement in the quality teaching and learning. It is important not to overlook this enthusiasm.

¹⁷ A Ellis and R Phelps, 'Staff Development for Online Delivery: A Collaborative Team-Based Action Learning Model' (2000) 16(1) *Australian Journal of Educational Technology* 26-44.