

Some of Rick's Thoughts about Teaching and Learning

"I have learnt not only what the law is, but also how the law should be..." (HKU Tort Law Student, 2008)

As a teacher of law I draw a distinction between the profession of a lawyer and the education of a lawyer, and that while the learning experience should facilitate entry into the profession it should not be limited by it. Students should be exposed to a broad perspective, one that connects their learning with the community in which they live, and that equips them, after graduation, to think critically about law, and creatively about solutions to legal and social problems. Thus, an important aspect of my philosophy is that learning should be socially relevant, that the learning and assessment material should be designed to reflect the way that the discipline has meaning in everyday life, and that where possible, learning and assessment should be based on authentic material.

What Rick Says

To achieve sustained learning it is essential that teachers adopt a learner-centred approach to teaching and learning. Research shows that learners remember and understand very little of what they are told, bringing into serious question conventional classroom methods still utilized by many university teachers today. Thus, it is important that we provide means by which students can engage the material in meaningful and creative ways. We must provide means by which students can connect their learning with the world around them, so that their learning will continue long after graduation. We must provide students with seeds, not food. A lecturer can stand there apparently doing a good job providing a clear lecture week after week but that will not serve the students' long term learning needs. Such a lecturer may even elicit high SETL scores if his lectures are clear and well-organized, but this is misleading. Students who feel that what they are getting will help them on the final examination are likely to be pleased with the lecturer. However, such teaching and learning is not sustainable, and will not serve the students' learning purposes beyond the examination. This is the tragedy of conventional classroom teaching and learning, still prevalent today. If we really want our students to become life-long learners, then we as teachers must also become life-long learners. We must become reflective practitioners and think hard about how learning takes place, and be prepared to move away from the traditions and methods even of our own learning experience, when those traditions and methods can now be seen to be deficient for learners in a different and rapidly changing world.

Know Your Students

Understanding students' learning needs, their learning approaches and the difficulties that they encounter is crucial to making pedagogical decisions. Students will become more engaged if they know *what* they are expected to get out of a course, *how* the learning materials and activities will help them to achieve the goals, and *how they can find out* whether they have achieved those goals. This is the essence of an outcomes-based approach to learning. It calls for a variety of learning activities and assessments, each of which should feed into the next stage of learning and the next assessment.

Knowing your students is an important underpinning to creating a rich learning environment. Knowing students' names, accommodating their different personalities and styles, and creating a classroom atmosphere of inclusivity and equality go a long way in achieving active and engaged learning. This objective can be advanced through simple techniques, for instance, in tutorials by arranging chairs in a semi-circle, by a photo chart to help learn students' names, and by knowing and remembering the students' personalities. To know a student by name is to give the student an identity and a sense of belonging in the classroom, and shows that the teacher cares about the student and his/her learning. In this setting, students are more likely to feel respected and valued, to feel that their presence is noted and welcomed, and to feel a sense of responsibility for their learning. It is important to establish an open forum for discussion and debate, as much *among* students as between students and teacher. This requires a diversity of student-centred learning activities which recognise and facilitate students' individual learning styles. One way to do this is to provide students with an element of choice in assessment

activities. This reinforces the point that students must take responsibility for their learning but also ensures that their diverse learning needs are met and their strengths recognized.

Sharing of Practice – Some Recent Innovations in Curriculum Design

An effective and meaningful learning experience requires a conscious curriculum design, one that is underpinned by solid pedagogy, and that takes seriously an evidence-based and research-led approach to learning. Teacher-conducted surveys and inquiries into the student learning experience can inform the development of teaching and learning activities and assessments.

Moreover, learning activities must be carefully designed to support the achievement of the various learning outcomes. A diversity of learning activities and assessments is necessary for the achievement of diverse outcomes. Tests and examinations alone are not sufficient for this purpose.

Assessment is a very important but often neglected aspect of teaching. It is commonly seen as assessment *of* learning but assessment properly understood should be as much or more *for* learning. With this in mind, I have introduced a number of initiatives to capitalize on assessment as an opportunity for learning. One example is providing real-time feedback. All of my assessments, including examinations, include a post-assessment class and/or online discussion in which students are invited to debate the proposed assessment answer. In this way, learning continues after the assessment. Another way is to use authentic material for assessment, rather than teacher-designed, fictional assessment problems that satisfy the teacher's coverage objectives. This will allow students to learn independently and to develop the skill of making connections between their learning and the events and problems of their own community.

Four recently introduced learning and assessment practices exemplify this approach. Each of them has been the subject of presentations at workshops here and overseas in the past two years.

1. *Media-sourced Authentic Learning and Assessment* The learning activity or assessment question takes a news item verbatim, and asks the students to reflect on and provide analysis not only of the legal issues, but also the policy issues, so that a more complete understanding can be achieved, going beyond the sometimes narrow legal considerations that are the main focus of conventional law studies. This socially realistic approach enables students to move away from the habit of short-term reproductive learning, and to more effectively develop skills that will be relevant in post-graduation life. My experience to date has shown that life in Hong Kong as presented in typical media reports provides an ample and rich source of teaching and assessment materials in law. This innovation has attracted interest at law conferences, is being adapted by colleagues here and overseas, and has won student praise in the online exit surveys conducted on my behalf by CETL.

2. *Reflective Media Diary* Building on my commitment to the development of socially relevant learning and independent and life-long learning, the reflective media diary is a task-based learning and assessment activity designed and introduced in 2009, after consultations with senior students and after conducting research into the literature. It requires students to identify a wide range of tort or labour law-related events reported in the media, to provide a provisional legal analysis, to keep a diary and track the subsequent developments, and finally, in the second semester, to provide a legal analysis of selected items, with reference to all of their learning in the subject matter. The design is deliberately labour-friendly: through the use of a web-based database (WiseNews) a diary can be kept and authenticated without the need for teacher supervision. This is an important aspect of the design in a class of 275 students in which tutors already carry a heavy marking load.

3. *Real-time Feedback* Real-time feedback is now a feature of all of my assessment activities. In real-time feedback, the assessment question(s) is the subject of a tutorial class and/or online discussion immediately following the assessment, in which students participate as in a normal tutorial or online discussion. This allows students to engage in a deep discussion of the assessment problem and clear up misconceptions and reinforce good learning at the moment when their focus is greatest. The immediacy of the feedback overcomes a major obstacle to deep learning – delayed (typically ignored) feedback - by providing feedback in a way and at a time when it can and will be absorbed and applied.

4. *Collaborative Assessment*: The in-class or online discussion that ensues during post-assessment real-time feedback often uncovers aspects of the question not considered by the teacher in the marking rubric. This is not surprising, given that legal problems are by nature complex and open-ended. Thus, students are expressly encouraged to critique the arguments and offer alternative ones which, if adequately supported by cogent legal analysis, will be included in the marking rubric. The collaboratively agreed solution is also posted on the course website so that students can continue to gauge their progress and build on their learning experience as they proceed to the next learning activity. Collaborative assessment gives students a sense of ownership in the learning and assessment process, while also acknowledging the indeterminacy of legal inquiry and the creative possibilities of legal argument.