



## Making it Personal: Relevance and Formative Feedback Enhance Learning in Large Classes

### Authors

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To enhance statutory interpretation, technology was utilised to design a module that could be accessed by students at any time through the University's Learning Management System, which was Blackboard. The module consists of telling a story about the creation, intention, and interpretation of a statute, and introduces students to five characters that come into conflict with the statute. Data suggest that the majority of learners found the approach enhanced their ability to interpret statutes.

### Introduction

The context for the good practices of personalizing learning through relevance and formative feedback is a compulsory, first year paper in the University of Canterbury's School of Law, LAWS101: Legal Systems. It is a gateway course for further study in the law and has a typical enrolment of between 400-500 students. Of those students, 125 will be invited to continue in law the following year.

Amidst the angst and challenges that many of those students face in such a make or break course, the lecturer found, over the years, that a particular aspect of it was consistently and increasingly difficult - statutory interpretation. His observations and decision to focus on improving students' ability at and confidence in interpreting statutes are clearly relevant and well-placed in the field of legal education with other researchers writing about the same challenges across the last 15 years (Sepinuck, 2005; Eskridge and Frickey, 1990).

The lecturer believed that students could get better at statutory interpretation with personal coaching on the basics of how to do it. However, with a class of 400-500 students, it was not possible for the lecturer to do this with each student. In addition and similar to Sepinuck's (2005) research, the lecturer found that students were not able to "see" the storyline of statutes in the same way they could through studying cases. Thus, the lecturer sought a way to both personalize learning for the LAWS 101 students while also engaging more fully in the statutes themselves.

### Technology to Connect Good Practices with Logistical Challenges

In order to personalize learning in statutory interpretation and make the statutes relevant, the lecturer and academic developers turned to technology as a potential connection between the desired good practices and logistical challenges of a large class. To do so, they designed a module that could be

accessed by students at any time through the University's Learning Management System, which was Blackboard.

The module consists of telling a story about the creation, intention, and interpretation of a statute, (to view the statute please click on [The Student Protest Act of 2005](#)) and introduces students to five characters that come into conflict with the statute. Because the lecturer's voice is very distinctive and, we believed, was what we wanted to students to hear as they interpreted statutes - like a coach alongside them - we sought to use audio as a format that would connect with students. So, the lecturer introduces the module and scenario via audio recording.



[Click here to play the lecturer's introduction and Minister's speech](#) (opens in new window)

Once students have heard about the statute's origins and read the statute itself, they can listen to each of the characters' stories about how they have encountered the statute and what kind of advice they might need from a lawyer. Click on the recordings below to hear three of the stories.



Bill - [click here to play](#) (opens in new window)



Fiona - [click here to play](#) (opens in new window)



James - [click here to play](#) (opens in new window)

Then, students can proceed at their own pace through formative assessments that correspond to each character and ultimately ask the student how she/he would advise the characters. The assessments are not marked and can be taken as many times as desired and students receive written pre-programmed feedback and guidance about their responses. The lecturer desired to use this feedback and guidance to create a form of personal communication between him and the students as they worked through the assessments. In his estimation, it was similar to how an athletics coach might work one-on-one with a player during practice with the intention of not needing to be as present during the game or final exam.

Data collected from students during three implementations of the Blackboard module in 2006-2008 indicated that they saw it as worthwhile to their development of learning how to interpret statutes. Over 60% of students from all 3 years stated that the module moderately to greatly enhanced their ability to interpret statutes and over 80% stated that it greatly supplemented the lectures and tutorials on statutory interpretation. The qualitative data from the students and the lecturer, identifies that there are two main good teaching practices that were enacted through the module:

- creating opportunities for relevance
- providing formative feedback

## Creating Opportunities for Relevance

*Unless the activity lays hold on the emotions and desires, unless it offers an outlet for energy that means something to the individual himself, his mind will turn in aversion from it, even though externally he keeps at it (Dewey, 1933).*

It was clear from students' and the lecturer's reflections about the module that a theme of relevance opportunities on three different levels emerged: the content was relevant to students' immediate experiences, the means of delivery was relevant to students, and all tasks were relevant to the bigger picture. While none of these opportunities were probably essential on their own, perhaps the presence of all three led to a greater possibility that a wider range of students would see this experience as having relevance to their studies and lives.

### Make the content relevant to students' immediate experiences



Photos that are provided within the module

By creating a storyline and providing visual aids about an environment and events that were relevant to students - student protests about rising fees at a university - the content of statutory interpretation, presumably, had more potential for their engagement and interest. This initial interest and familiarity can be a critical entry point for students' engagement and determine whether or not they continue with studying the topic.

*I think it helped that the question was about a situation that students could easily relate to and the details of the statute did enhance the use of it [the module] (LAWS 101 student).*

*I definitely thought that having a statute we could relate to made the module easy to engage with (LAWS 101 student).*

### Make the means of delivery relevant to students

Within the wired and technological world of tertiary students, the delivery of content could be an important relevance opportunity. As the student above and several others in LAWS 101 suggested, just the use of technology provided her or him with an opportunity to see the subject in a more relevant light. While not necessarily needing to make all academic content resemble the style of Facebook or text messaging, it is clear that students are looking for some connection points between their use of iPods, mobile phones, and social networking and their educational experiences.

*Law at this university needs to get into the 21st Century. I don't see any reason why this cannot be the case like it is in other departments. Law is hard enough without it being stuck in 1950's technology (LAWS 101 student)*

## Make all tasks relevant to the bigger picture

For students in an introductory course, the immediate bigger picture is the exam as Biggs and Tang (2007) has suggested with, "what and how students learn depends to a major extent on how they think they will be assessed." Ideally, teachers can also demonstrate how tasks and skills are transferable beyond the assessment. In this case, that could be related to the more general skills of analysis, critical thinking, and reading comprehension that are being practiced while doing statutory interpretation. While that might be the ultimate goal, the lecturer acknowledges that students are primarily concerned with the exam and explicitly points out with this example that the module tasks are similar in format to questions that will appear on the exam ([example from the exam](#))

*I did use the Blackboard module for my exam study for statutory interpretation and found it an extremely useful tool (LAWS 101 student).*

*I am sure that it [the module] was a big help to the progress of study and learning of that section of the exam (LAWS 101 student).*

*It [the module] also helped me to identify what key points the marker was wanting me to pick up on (LAWS 101 student).*

## Providing Formative Feedback

*Feedback is the most powerful single moderator that improves affective and achievement outcomes (Hattie et al., 1997).*

A major challenge for lecturers of large classes is the provision of feedback that is formative, personalized and timely. While the lecturer of LAWS 101 believed in the potential benefits of formative feedback, particularly on statutory interpretation, to students, how could he personally deliver it to 400-500 students?

## Provide students with multiple practice opportunities and “personal” feedback

By inviting students to use the module quizzes as often as they liked, students had multiple practice opportunities that were designed to improve their confidence and ability on the exam. Within those opportunities, students would receive feedback to each answer that was written by the lecturer in his distinctive words ([example from a quiz](#)). Thus, students were receiving personal instruction, on some level, that was as repetitive as needed. Another layer of technological sophistication in the form of recording the lecturer's oral feedback could potentially make the feedback that much more alive.

*Very helpful, especially the lecturer's comments which I used in some of my answers. Plus, it was extremely useful that we could do it at any time and more than once - good for practice (LAWS 101 student)!*

*It helped in the exam in that it provided practice in having a mental checklist of points to consider before leaping in to an answer. Having practiced going through these, it probably made the process a bit quicker in the exam, which is helpful as I needed every minute! (LAWS 101 student)*

## The Ultimate Goal with University Teaching - Guidance toward Independent Learning

Lifelong learning, the ultimate aim of university teaching, has the generic and embedded meanings of many other graduate attributes. ... The embedded meaning [of lifelong learning], however, that students can learn to handle unseen problems in their chosen field of study is significant and attainable (Biggs and Tang, 2007).

*Professional education is chiefly concerned with putting declarative knowledge to work as functioning knowledge (Biggs and Tang, 2007).*

As Biggs and Tang state, the goal for university teachers is to guide students toward an ability to learn independently for the rest of their lives. For professional educators, there is a direct application aspect to this in that the knowledge and skills taught on a university campus are intended to be transferred to other settings. Thus, the goal for the LAWS 101 lecturer is not that students master the ability to interpret statutes for exam questions in this course only. His desire is that students leave the course with an internalized set of skills that they can use for further study in the Law (please see [Introduction to LAWS 101](#)) and, presumably, in other settings. Thus, the module's ultimate purpose was to become obsolete for students once they had obtained a foundational understanding of how to interpret statutes.

*I found that the module was very helpful as it provided me with a series of steps to go through when tackling a statutory interpretation problem (LAWS 101 student).*

*It [the module] did increase my level of performance in the exam as the module led you through each step and what to look for in each individual question (LAWS 101 student).*

## Concluding Comments about these Good Practices

Creating a resource like the statutory interpretation module requires a significant amount of time, energy, and technical and professional input. In order to make that initial investment into one particular teaching practice go farthest, there are several things to consider, including: being able to use it repeatedly without major updates and revisions every year, potentially reaching a high number of students, and the probability that this practice helps to achieve the intended learning outcomes of the course. For the students in LAWS 101, it is clear that the investment is proving to be well worth the effort at increasing their engagement with statutory interpretation.

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Richard is the course coordinator for LAWS 101 and Dean of the Law School. His research interests include the nature of common law and the organization of the legal system in this jurisdiction, the legal

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### Alan Hoskin

Alan is a flexible learning advisor based at the University Centre for Teaching and Learning who helped with the online presentation of this report.

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### Step 1 to Advise Bill

In May 2005, a large number of students gather on the University campus to protest against the Student Protest Act 2005. Bill is a 70 year old man who, in his retirement, has enrolled as an Arts student. As he makes his way to the University library, he comes across a student protest. He immediately makes a placard, which he holds up at the gathering of protesters. The placard bears a message supporting the Student Protest Act 2005. A policeman arrests Bill and charges him under s 5 of the Student Protest Act 2005. To eventually advise Bill in Question #13, please use Questions #1-12 as your sequence of steps.

Remember the cornerstones of modern statutory interpretation are purpose and context. There are other aspects of statutory interpretation to consider as well. Check that the Act is in force. Is it?

**Yes** - That is the correct answer.

This question does not therefore involve the presumption concerning the retrospective operation of statutes. There is no mention of "rights" therefore the question does not concern the New Zealand Bill of Rights Act 1990 ss 4 and 6. It is a penal statute (it creates offences and imposes penalties) and therefore the presumption concerning penal statutes may have application but remember, the presumptions give way to purpose.

**No** - That is not the correct answer.

This question does not therefore involve the presumption concerning the retrospective operation of statutes. There is no mention of "rights" therefore the question does not concern the New Zealand Bill of Rights Act 1990 ss 4 and 6. It is a penal statute (it creates offences and imposes penalties) and

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