Environmental Law Pedagogy *and* Student Engagement

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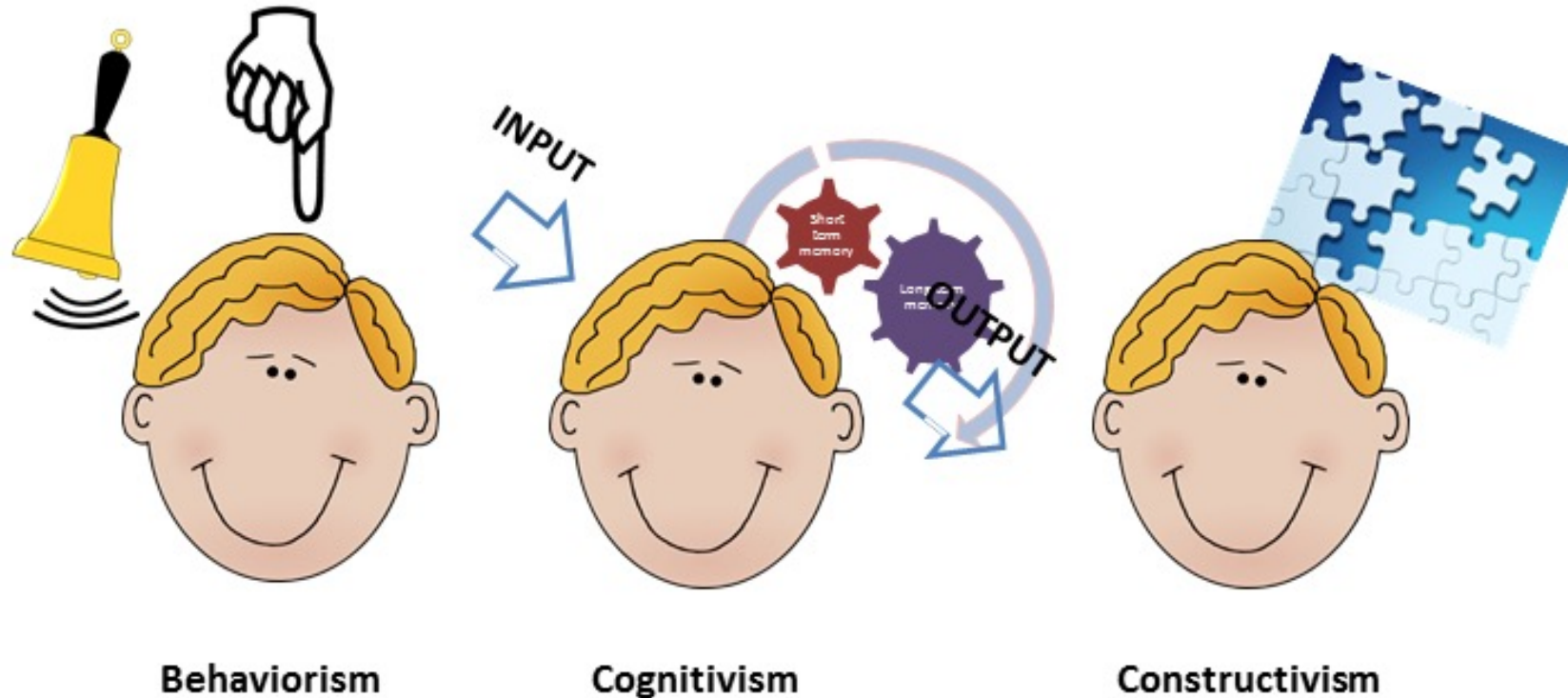Environmental Legal Assistance Centre

Palawan State University

'Pedagogy'

From the Greek word *paidagōgos*
(paidos = child + agogos = leader)

Essentially, **pedagogy** is the science of teaching – *the methodology of education*

Theories of Learning

Behaviorism   Cognitivism   Constructivism

- **Behaviourism:** teacher centred, knowledge as a commodity to be transferred from teacher to student

- **Cognitivism:** views knowledge as more actively constructed by learners as they are required to process what they know, with the teacher acting more as a facilitator guiding student discovery

- **Constructivism:** student centred, views learning as individual – different for each person, controlled by the learner

Constructive Alignment

"Constructive alignment is a design for teaching in which what it is intended students should learn and how they should express their learning is clearly stated before teaching takes place. Teaching is then designed to engage students in learning activities that optimise their chances of achieving those outcomes, and assessment tasks are designed to enable clear judgments as to how well those outcomes have been attained"

Biggs, J. (2014). Constructive Alignment in University Teaching.

HERDSA Review of Higher Education, 1, 5-22.

Constructive Alignment
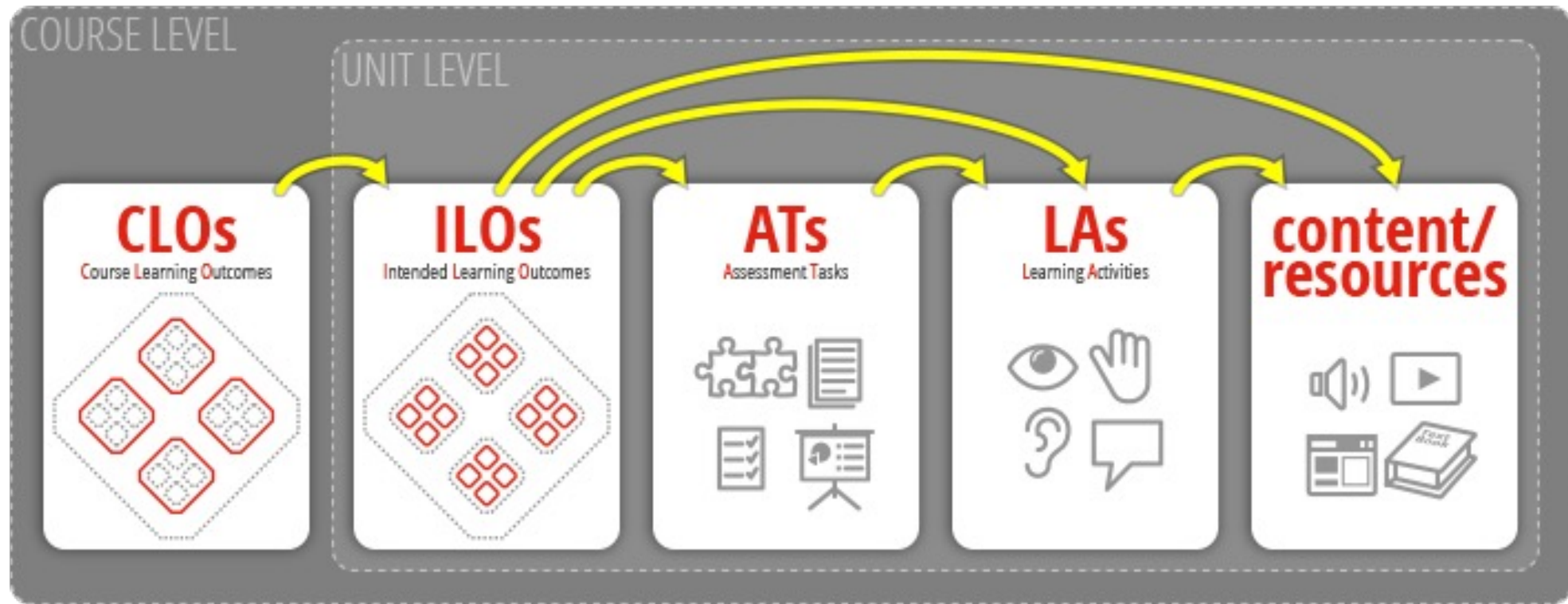
Learning Outcomes

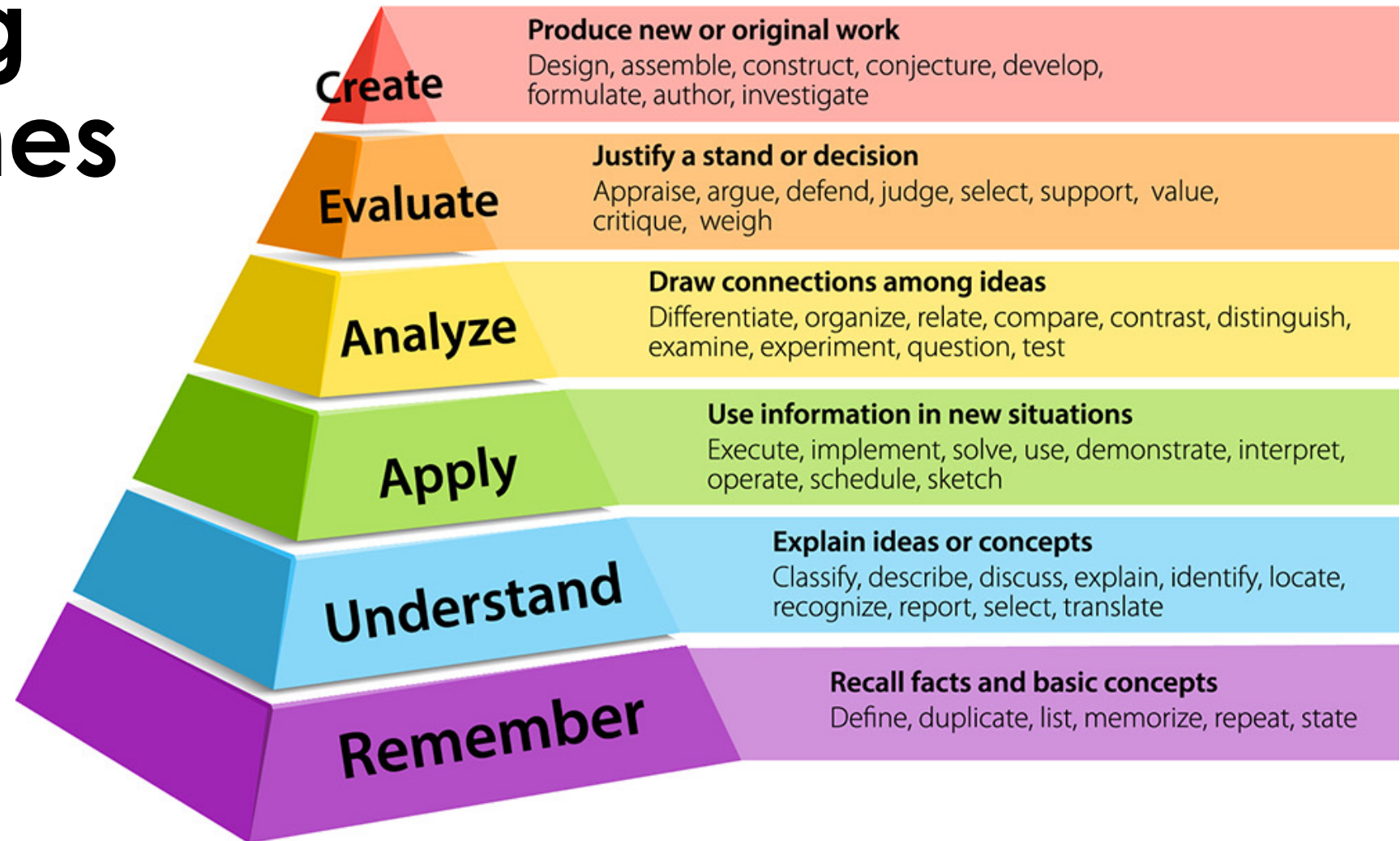- Statements of what a learner is expected to know, understand, and/or be able to demonstrate after completion of a process of learning

- Reflects a student-centred, rather than teacher-centred, approach

- Can improve course design – provides greater clarity and transparency

- What do learners need to do (rather than what the teachers will do)

- Learning taxonomies can assist to design good learning outcomes…

Designing Learning Outcomes

Bloom's Taxonomy

Create
Produce new or original work
Design, assemble, construct, conjecture, develop, formulate, author, investigate

Evaluate
Justify a stand or decision
Appraise, argue, defend, judge, select, support, value, critique, weigh

Analyze
Draw connections among ideas
Differentiate, organize, relate, compare, contrast, distinguish, examine, experiment, question, test

Apply
Use information in new situations
Execute, implement, solve, use, demonstrate, interpret, operate, schedule, sketch

Understand
Explain ideas or concepts
Classify, describe, discuss, explain, identify, locate, recognize, report, select, translate

Remember
Recall facts and basic concepts
Define, duplicate, list, memorize, repeat, state

Assessment

- Provides opportunities for students to demonstrate how well they have achieved learning outcomes

- Criterion referenced assessment makes clear the standards of achievement, and allows for clear and transparent judgment
  - Provides students with information about the qualities or characteristics that will be used to measure their attainment of learning outcomes – what will be taken into account in judging their performance?

- Some considerations in designing assessment (adapted from Boud, below)
  - Is the task authentic and situated in the real world?
  - Would it stand in its own right as a worthwhile learning activity?
  - Does it prompt the student to develop their own sense of judgment they can draw upon in the future?

For further information – see Boud, D. (1998). Assessment and learning– unlearning bad habits of assessment. *Presentation to the Effective Assessment at University Conference*, University of Queensland. Online at: http://damianeducationresearchlinks.wikispaces.com/file/view/unlearningassessment_Boud.pdf

Examples of Assessment in Law…

- **Summative** – assign grades at the end of semester to indicate the extent to which students have achieved outcomes

- **Formative** – provides feedback to aid learning, not directly used to grade students (but also can be)

- Types of assessment
  - 100% exam with no feedback (the 'do or die' exam), or…
  - … many, many other types that might better demonstrate achievement of your specific learning outcomes – use a mix of formative and summative (primarily formative)

For further information – Lasso, R. A. (2010). Is our students learning-using assessments to measure and improve law school learning and performance. *Barry Law Review*, 15, 73. Available online at: https://core.ac.uk/download/229020336.pdf

Learning Activities

- There is no 'correct' learning activity in law – use a combination of strategies that suits your teaching style, and the learning needs of your learners
  - What will help them to develop the skills to demonstrate achievement of the learning outcomes?
- Tendency towards lengthier lectures and tutorials in law – what are some other methods to make lectures more 'active' and student-centred?
  - Small group drafting and reporting
  - Structured class discussion
  - Free-form class discussion
  - Brainstorming and reporting

Small-Group Drafting and Reporting

This activity can involve a number of drafting exercises, such as:

- Drafting of a letter/petition to the Secretary or provincial head of the Department of Environment and Natural Resources (DENR) in relation to an environmental issue or problem;

- Drafting of amendments to specific provisions of a local ordinance or legislation the drafting of a set of objectives for new legislation

- For a specific topic related to fisheries, the small-group drafting activity involves drafting a letter to the DENR provincial officer to bring to his/her office's attention the problem of an illegal reclamation taking place in their municipality which has destroyed mangrove areas and seagrass beds

- Such a letter/petition could be a basis for the DENR to conduct an investigation and consequently result to an environmental enforcement action

Structured Class Discussion

- Based on specific points that the professor/lecturer would want discussed or debated
- Useful when students are not participative or responsive
- Often used in small groups but can also be used in a lecture format
- Methods on how to ensure that the class discussion is structured can include
  - assigning or distributing a reading material together with a set of questions which the students can respond to and then be able to discuss during the class;
  - questions or discussion points can be elicited from the students and then summarized in Powerpoint during the class

Free-Form Class Discussion

- Involves a discussion on the points raised by the lecturer/professor and any of the students in relation to the subject matter

- Discussion can be based on newspaper articles, journals, broadcast commentaries or social media postings on an environmental issue.

- Students should be encouraged to read newspapers, journals as well as listen to broadcast news and commentaries.

- Students should likewise be encouraged to bring relevant materials on an assigned topic to class in order to generate a discussion.

- Students can also formulate their own discussion points which can be discussed in small groups in class.

- This method allows students to initiate or innovate based on their own interest or perspective on a particular topic, and consequently come up with their own insights.

Brainstorming and Reporting

- The process of brainstorming allows either the whole group or smaller groups in a class to generate a range of ideas on a particular topic or subject matter

- Students can use computers, whiteboards, manila papers and metacards in the process of generating ideas

- When done in plenary, the lecturer/professor or a student volunteer can lead the discussion. When done in small groups, each group must identify a discussion leader/facilitator and reporter. One or two students can prepare notes on the whiteboard or in Powerpoint

- Brainstorming can also be done in smaller groups. Each group will identify a discussion leader and reporter

- The idea is to generate discussion topics or issues relevant to a subject matter in class, and then conduct an intensive discussion
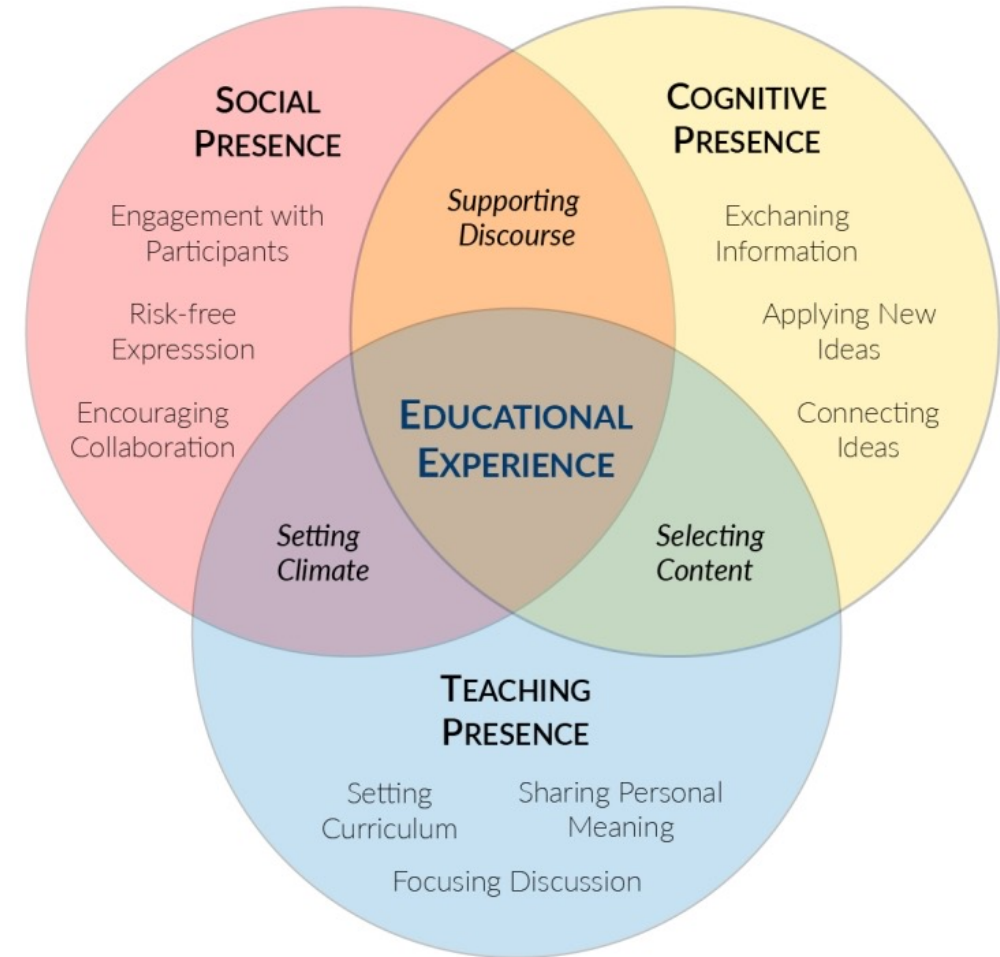
Learning Environments

- The overall learning environment incorporates the educational approach (student or teacher centred?), student characteristics (freshmen? final year students?), cultural context, physical or virtual presence

- **There is no single way of creating an effective learning environment in law**

- Learning environments can extend beyond the classroom – think of blended approaches which draw on the expertise of the teacher and other experts; or on their own experiences in workplace / industry settings; or through peers

Student Engagement

- **Cognitive presence**
  - Communication which facilitates the critical thinking from which students construct and confirm meaning
- **Social presence**
  - The extent to which participants identify with their community and develop interpersonal relationships, their ability to 'project themselves socially and emotionally as "real" people'
- **Teacher presence**
  - The design and management of cognitive and social processes to realise learning outcomes

The Community of Inquiry Model

SOCIAL PRESENCE
- Engagement with Participants
- Risk-free Expresssion
- Encouraging Collaboration

Supporting Discourse

COGNITIVE PRESENCE
- Exchaning Information
- Applying New Ideas
- Connecting Ideas

EDUCATIONAL EXPERIENCE

Setting Climate

Selecting Content

TEACHING PRESENCE
- Setting Curriculum
- Sharing Personal Meaning
- Focusing Discussion

Adapted from Garrison, D.R., Anderson, T., Archer, W. (1999) Critical inquiry in a text-based environment: Computer conferencing in higher education. *The Internet and Higher Education 2*(2), 87–105