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*A participatory evaluation of transforming first year LLB into Block mode*

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# A PARTICIPATORY EVALUATION OF TRANSFORMING FIRST YEAR LLB INTO BLOCK MODE

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## I INTRODUCTION

Reviews by Scott,<sup>1</sup> Wlodkowski<sup>2</sup> and Davis<sup>3</sup> showcase the long pedigree of pedagogical research into intensive mode delivery of tertiary education. This mode of learning — commonly referred to as accelerated, compressed, time-shortened or block mode — are higher education courses that are delivered in their entirety during a short timeframe, in contrast to the traditional 12–16-week semester-long delivery.<sup>4</sup> Intensive delivery modes have been in part an institutional response to accommodate the needs of diverse student groups and demands for improved curriculum flexibility.<sup>5</sup> Substantively, intensive delivery provides concrete benefits and unique challenges. French argues that courses delivered in the shortened timeframe increase opportunities for interdisciplinary learning and greater student mobility due to their inherent flexibility.<sup>6</sup> Hodgson and Spours<sup>7</sup> point to the intensive mode's capacity to structure knowledge developmentally, in palatable 'bite-sized' pieces. However, the approach has also been critiqued for its potential to create intellectual fragmentation of material and simplify the complexity of the real world.<sup>8</sup> The rapid nature of

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<sup>1</sup> Patricia A Scott, 'Attributes of High Quality Intensive Course' (2003) 97 *New Directions for Adult and Continuing Education* 29, 29-38.

<sup>2</sup> Raymond Wlodkowski, 'Accelerated Learning in Colleges and Universities' (2003) 97 *New Directions for Adult and Continuing Education* 5.

<sup>3</sup> Martin Davis, 'Intensive Teaching Formats: A Review' (2006) 16(1) *Issues in Educational Research* 1.

<sup>4</sup> Ibid.

<sup>5</sup> Sarah French, *The Benefits and Challenges of Modular Higher Education Curricula* (Issues and Ideas Paper, Melbourne University, October 2015) <<https://melbourne-cshe.unimelb.edu.au/resources/categories/occasional-papers/the-benefits-and-challenges-of-modular-higher-education-curricula>>.

<sup>6</sup> Ibid.

<sup>7</sup> Ann Hodgson and Ken Spours, *Daring and Beyond: 14-19 Qualifications, Frameworks and Systems* (Routledge, 1997) 105, 120.

<sup>8</sup> Richard Hall and Keith Smyth, 'Dismantling the Curriculum in Higher Education' (2016) 2(1) *Open Library of Humanities* 1.

learning in this mode may limit student reflection on learning, leading to reduced long-term cross-pollination of ideas in cognate courses.<sup>9</sup> Nevertheless, in Australia, the increased adoption of intensive mode delivery has been observed by a national study of the Australian Office of Learning and Teaching. The study highlighted the various benefits, challenges and strategies involved in designing and implementing intensive courses, and provided advice on how to optimise the student learning experience.<sup>10</sup> Several Australian universities offer accelerated forms of learning at varying levels and disciplines, including within undergraduate science,<sup>11</sup> marketing,<sup>12</sup> economics,<sup>13</sup> second year pharmacology,<sup>14</sup> neuroanatomy<sup>15</sup> and post-graduate business and management.<sup>16</sup>

Like other disciplines, law has been successfully taught in this format in Australia,<sup>17</sup> and some Australian law schools now teach their masters programs in intensive mode. Ramsay<sup>18</sup> claims intensive teaching is increasing in Australian law schools that offer advanced specialised knowledge at post-graduate level. This trend is not dissimilar to international developments such as Ireland's University College Cork Summer Institute, which was established to teach law in intensive four-week summer sessions.<sup>19</sup> The literature, however, has thus far been limited in its examination of teaching first year undergraduate law in intensive mode, possibly because this represents an emerging innovation in law schools.<sup>20</sup> Consequently, this study

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<sup>9</sup> French, (n 5).

<sup>10</sup> Sally Male et al, 'Intensive Mode Teaching Guide' (University of Western Australia, 2016).

<sup>11</sup> Marina Harvey et al 'A Review of Intensive Mode of Delivery and Science Subjects in Australian Universities' (2017) 51(3) *Journal of Biological Education* 315.

<sup>12</sup> Henry Ho and Michael Polonsky, 'Exploring Marketing Students' Attitudes and Performance: A Comparison of Traditional and Intensive Delivery' (2009) 19(3) *Marketing Education Review* 41.

<sup>13</sup> Daniel Johnson et al, 'Retention of Economics Principles by Undergraduates on Alternative Curricular Structures' (2011) 86(6) *Journal of Education for Business* 332.

<sup>14</sup> Abdullah Karaksha et al, 'Benefits of Intensive Mode Teaching to Improve Student Performance' (Conference Paper, International Conference of Education, Research and Innovation, 18 November 2013) <<https://library.iated.org/view/KARAKSHA2013BEN>>.

<sup>15</sup> Stephney Whillier and Reidar P Lystad, 'Intensive Mode Delivery of a Neuroanatomy Unit: Lower Final Grades but Higher Student Satisfaction' (2013) 6(5) *Anatomical Sciences Education* 286.

<sup>16</sup> Suzan Burton and Paul L Nesbit, 'Block or Traditional? An Analysis of Student Choice of Teaching Format' 14(1) *Journal of Management and Organization* 4.

<sup>17</sup> Bronwyn Ellis and Janet Sawyer, 'Regional Summer Schools: Widening Learning Opportunities through Intensive Courses' (2009) 19(1) *Education in Rural Australia* 35.

<sup>18</sup> Ian Ramsay, 'Intensive Teaching in Law Subjects' (2011) 45(1) *The Law Teacher* 87.

<sup>19</sup> Fidelma White and Louise Crowley, 'The International Summer School Experience: A Worthwhile Challenge' (2015) 49(1) *The Law Teacher* 39.

<sup>20</sup> Sarah Moulds, 'Visible Learning at Law School: An Australian Approach to Improving Teacher Impact in Intensive and Online Courses' (2020) *The Law Teacher* 1 <<https://doi.org/10.1080/03069400.2020.1733358>>, 1-17; Michele Pistone, 'Law Schools and Technology: Where We Are and Where We Are Heading' (2015) 64(4) *Journal of Legal Education* 586.

seeks to contribute to the literature by reporting on the experiences of designing and delivering first year Bachelor of Laws ('LLB') in block mode, as implemented at Victoria University (VU), Australia, in 2018.

This article reports on the block mode design and delivery experience of a group of academics teaching in the first year of the LLB. Through adopting a participatory evaluation approach to identify successes and challenges experienced in designing and delivering VU's first year undergraduate law degree, they highlight the key lessons learned through the process. In the next section of the paper, the block mode and the pedagogical principles underpinning it are introduced and following this the context and methods used in designing and conducting the participatory evaluation are described. Findings from this process across a set of predefined themes are then presented, including the broader lessons learned. These include: the importance of early involvement of design specialists and cross-course collaboration in designing courses; awareness of potential disruptions to design; the value of course-specific active learning exercises; balancing lecture-style delivery with practical legal analysis exercises for knowledge consolidation; the need for sensitivity to individual student circumstances; for assessment regimes and assessment strategies that accommodate academics' and students' time pressures; and academic integrity. The article concludes with some broader observations on the value of the participatory evaluation process, the block mode of intensive delivery and some promising directions for future research on these issues.

## II OVERVIEW OF THE VICTORIA UNIVERSITY (VU) BLOCK

The VU block mode was built upon past experiences of intensive mode delivery within Australian universities, and international institutions. The block model itself has been successfully implemented in Scandinavian and North American institutions. Colorado College in the USA recently celebrated 50 years of block mode teaching<sup>21</sup> while Quest University in Canada<sup>22</sup> implemented it to '...revolutionize undergraduate education'.<sup>23</sup> Neither of these North American institutions, however, offer law programs. Until now, no Australian university has implemented an institution-wide overhaul of its pedagogy, curriculum and program delivery by moving wholesale to intensive block mode delivery. VU is pioneering both its antipodean adoption and its use in first year law programs. Therefore, so far there is no real comparison to the VU block model within Australia, nor internationally with respect to legal pedagogy. As a result, most of the literature on intensive mode delivery reports on such courses as

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<sup>21</sup> 'Block Plan 2020', *Colorado College* (Web Page) <<https://www.coloradocollege.edu/basics/blockplan/2020/>>; 'The Block Plan', *Quest University* (Web Page, 25 October 2020) <<https://questu.ca/academics/the-block-plan/>>.

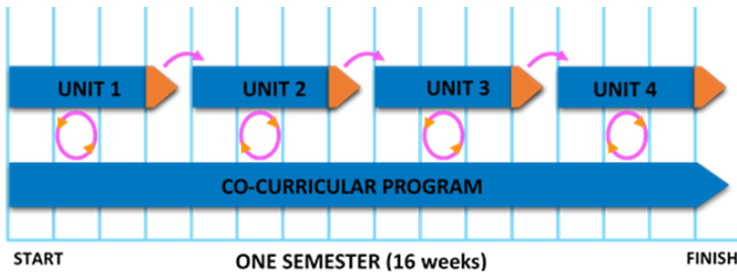
<sup>22</sup> Ibid.

<sup>23</sup> 'Our History', *Quest University* (Web Page) <<https://questu.ca/about/history-mission/>>.

delivered alongside traditional programs, not sequentially in a whole-of-program fashion, particularly with undergraduate education.<sup>24</sup>

The block mode at VU calls for students to undertake one unit or subject at a time, with delivery occurring sequentially in four separate four-week blocks across a semester. Each block encompasses the delivery and assessment of all content, allowing students to focus on a single unit in depth before moving on to the next (Figure 1), in contrast to the traditional mode of undertaking four concurrent units with competing demands throughout one 12–16 week semester.<sup>25</sup>

**Figure 1**  
**The VU Block Model<sup>26</sup>**



VU's block mode was guided by key design and delivery principles which strongly focused on student engagement (Table 1). These design and delivery principles exploit the power of the curriculum to enable learning experiences that are rich, engaging, stimulating and meaningful to all students. They are principles founded on proven and validated pedagogies that facilitate purposefully designed curricula, foster a highly student-centred learning environment, targeted to build engagement and transition.<sup>27</sup> Digital technology was applied to embed an engaging, blended learning experience.<sup>28</sup>

<sup>24</sup> Ramsay (n 18); Moulds (n 20); Davis (n 3) 3; Alison Kuiper, Ian Solomonides and Lara Hardy, 'Time on Task in Intensive Modes of Delivery' (2005) 36(2) *Distance Education* 231.

<sup>25</sup> Trish McCluskey, John Weldon, and Andrew Smallridge, 'Rebuilding the First Year Experience, One Block at a Time' (2019) 10(1) *Student Success* 1.

<sup>26</sup> Gayani Samarawickrema and Kaye Cleary, 'Block mode study: Opportunities and Challenges for a New Generation of Learners in an Australian University' (2021) 12(1) *Student Success*. 15.

<sup>27</sup> Arthur Chickering and Zelda Gamson, 'Seven Principles for Good Practice in Undergraduate Education' (1987) 9(2) *The Wingspread Journal* 1; Karen Nelson et al, 'Transition Pedagogy Handbook: A Good Practice Guide for Policy and Practice in the First Year Experience at QUT', *Queensland University of Technology* (eBook, 24 September 2014) <<https://eprints.qut.edu.au/76333/>>; Chi Baik et al, 'The First Year Experience in Australian Universities: Findings from Two Decades, 1994-2014' (Centre for the Study of Higher Education, The University of Melbourne March 2015) <[https://melbourne-cshe.unimelb.edu.au/\\_\\_data/assets/pdf\\_file/0016/1513123/FYE-2014-FULL-report-FINAL-web.pdf](https://melbourne-cshe.unimelb.edu.au/__data/assets/pdf_file/0016/1513123/FYE-2014-FULL-report-FINAL-web.pdf)>.

<sup>28</sup> See, eg, Norman D Vaughan et al, *Teaching in Blended Learning Environments: Creating and Sustaining Communities of Inquiry* (Athabasca University Press, 2013).

**Table 1**  
**Block Design and Delivery Principles<sup>29</sup>**

Block Design Principles	Block Delivery Principles
(1) Immersive sessions with clear beginnings and conclusions linked to pre-/post-class activities and explicit de-briefings of the learnings to conclude each session	(1) Be student-centred, active and engaging (you are the University – be ‘fabulous’)
(2) Variety of learning opportunities and a variety of assessment tasks (to accommodate student diversity and build depth and explore breadth)	(2) Outline the relevance/connections of courses to course and career (show connection with long-term goal, and counter fragmentation of learning)
(3) Developmental assessments, building in collaboration and feedback a) All assessments to be completed, marked and returned within two working days b) Clear assessment tasks and rubrics indicating requirements	(3) Provide early ongoing feedback (help students calibrate their performance)
(4) Knowledge exploration and application not content transmission (active learning, not lectures)	(4) Listen to students - their interests, needs/expectations (modify delivery as relevant)
(5) Opportunities for peer feedback and collaboration (using experiential opportunities, learning from peers)	(5) Include opportunities for self-assessment that leads to personalised and adaptive learning (scaffold students’ to independently recognise personal strengths, weaknesses appropriateness of responses to tasks)
(6) Predictable timetable: typically, 3 hours per day for 3 days per week (enabling students to undertake other responsibilities)	(6) Integrate authentic learning practices (be engaging and relevant)
(7) Design and assessments meet the required standards of the Australian Qualification Framework (AQF) and any professional body conditions/prerequisites	(7) Leverage digital technology as part of the blended learning mix

All academics at VU including the participants of this study were bound to follow these design and delivery principles in developing their eight first year units, covering: (1) introductory law, (2) legal research methods, (3) introductory public law, (4) criminal law, (5) criminal procedure, (6) contracts, (7) torts, and (8) legal writing and drafting.

<sup>29</sup> McCluskey et al, ‘Chapter 7: Re-Designing Curriculum to Enhance First Year Student Success: A Case Study’ in M Shah, S. Kift and L. Thomas, *Student retention and success in higher education* (in press, Palgrave Macmillan).

### III CONTEXT AND METHODOLOGY

For the academics, VU's move to block delivery required a complete overhaul of curriculum, assessment and teaching practices. This design and development of each unit was carried out across several months in multi-disciplinary design teams involving faculty, educational developers, learning technologists, librarians, student support staff and work integration staff — a process described by McCluskey.<sup>27</sup> Accordingly, the first units of the LLB (as with the other degree programs) were re-imagined for block delivery. This study focuses on five participants — four law academics and one teaching and learning academic — and their experience of collaboratively designing and then delivering first year law courses in block mode. The article thus reports on a participatory evaluation of the design and delivery of the first year of the law program. From the start, the conversations the five participants engaged in were about their own pedagogical values, the integrity of assessments, the merits and challenges of different pedagogical strategies, as well as design priorities and professional accreditation standards. Since none of the five academics had previously designed courses for block mode delivery, all were collaboratively building a mutual understanding of this mode for teaching undergraduate law. Given the sense of shared ownership and the inherently collaborative and consultative approach, a participatory evaluation emphasising stakeholders' perspectives, was an ideal methodology for reflecting upon the experiences of the five team members.

Participatory evaluation involves a collaborative process of reflection and analysis of past and current teaching experience, seeking to improve the quality of tertiary learning through an emphasis on collective, progressive development of educative practice.<sup>28</sup> It draws on accountability and is a development-based approach where participants collaboratively carry out the inquiry to move the identified educational practice forward.<sup>29</sup> In educational settings, a participatory evaluation approach to assessing educational development is used to draw on stakeholders' perspectives. Consistent with this methodology, this study adhered to the general principles of participatory evaluations by involving all five members of the academic team throughout the analytical process and by ensuring that the findings would be practically useful to all team members in their specific contexts. As demonstrated in depth below, the study findings are of broader interest to tertiary legal studies and intensive mode delivery of university education more generally.

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<sup>27</sup> McCluskey, Weldon and Smallridge (n 25).

<sup>28</sup> William Rickards and Monica Stitt-Bergh, 'Higher Education Evaluation, Assessment and Faculty Engagement' (2016) 151 (Fall) *New Directions for Evaluation* 11.

<sup>29</sup> Edward Jackson and Yusif Kassam, *Knowledge Shared: Participatory Evaluation in Development Cooperation* (Kumarian Press, 1998); Jill Anne Chouinard, 'The Case for Participatory Evaluation in an Era of Accountability' (2013) 34(2) *American Journal of Evaluation* 237.



Since all team members were evaluators with a ‘vested interest’ and because the evaluation was practical, involving a stock-taking of the situation and requiring problem-solving decision-making during the design, delivery and reflection, this study is best described as a ‘practical participatory evaluation (P-PE)’.<sup>30</sup> The P-PE approach has similarities with schools-based evaluation approaches, which are conducted internally by their own staff and the findings are fed into evaluations.<sup>31</sup> This selected approach for the current study also has strong parallels with the participatory action research model that seeks to help organisational change where members of the organisation participate as research subjects as well as co-researchers.<sup>32</sup> Since they all have a strong investment in the outcomes, the commitment is strong, as is the validity of information that is shared with the purpose of informing and improving practice. It is an empowering<sup>33</sup> and responsive evaluative process.<sup>34</sup>

This study moved away from the conventional participatory model, which includes all stakeholders, by restricting participation to those academics who designed, developed and taught the eight core units/subjects of the first year LLB program. This totalled five academic participants, with higher education teaching experience ranging from approximately one year of teaching experience through to almost 10. Restricting participation to academics involved in first year undergraduate block mode law course design made participant identification and selection straightforward and directly increased ownership in the study findings. The practical participatory evaluation model was useful because all five participants shared complete consensus about the goals. While each of the five academics worked on designing and developing at least two units for the first year and were keen to make those individually successful, they were also aware that their own individual success would be undermined if another academic member of the team was less successful or their learning designs unworkable. Naturally, all members of the team were keen to make the program successful and as such competing and conflicting interests as described by Caretta and Perez were absent.<sup>35</sup>

All five team members identified shared concerns and collectively discussed strategies and approaches for program improvement. As a result, the collective evaluation was predicated on addressing five mutually agreed themes that emerged from our conversation: (1) the course design and development process, (2) meeting learning outcomes

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<sup>30</sup> Bradley Cousins and Elizabeth Whitmore, ‘Framing Participatory Evaluation’ (1998) 80 (Winter) *New Directions for Evaluation* 5.

<sup>31</sup> David Nevo, ‘The Evaluation Minded School: An Application of Perceptions from Program Evaluation’ (1993) 14(1) *Evaluation Practice* 39.

<sup>32</sup> William Whyte (ed), *Participatory Action Research* (Thousand Oaks, 1991).

<sup>33</sup> Ilse Brunner and Alba Guzman, ‘Participatory Evaluation: A Tool to Assess Projects and Empower People’ (1989) 42 (Summer) *New Directions for Evaluation* 9.

<sup>34</sup> Jean A King, ‘Making Sense of Participatory Evaluation’ (2007) 114 (Summer) *New Directions for Evaluation* 83.

<sup>35</sup> Martina A Caretta and Maria A Perez, ‘When Participants do not Agree: Member Checking and Challenges to Epistemic Authority in Participatory Research’ (2019) 31(4) *Field Methods* 359.

and professional accreditation standards, (3) implementing strategies to maintain student engagement, (4) embedding block mode design principles, and (5) establishing effective assessment mechanisms. The instrument used to elicit data on these themes is provided in Appendix 1 and the participatory evaluation process was structured, and the process was regulated in accordance with this instrument. The five key process steps below were then followed.

1. Collectively identify aspects of block design for evaluation and prepare a set of open-ended questions relating to these.
2. Complete unit design, development and delivery at least once, to a cohort of students.
3. Individually write a 200-word reflective response to each of the evaluation questions which focused on unit design, development and delivery (as in step 2 above), along with a summary for each response, no longer than a few sentences.
4. Compile all responses in relation to each question, circulate and reflect individually on the compiled responses.
5. Meet in a single focus group facilitated by a critical friend to identify consensus and non-consensus items and identify any matters that arose post-delivery of units.
6. Reflect and analyse our collective responses, and identify the key lessons learned.

This process positioned the chief investigator, who conceptualised the evaluation within the participatory context, in a unique position. The chief investigator who was the teaching and learning academic staff member in the team served as a facilitator and the ‘critical friend’ in our evaluative analysis. Practical considerations necessitated the chief investigator assumes a dual role. Nevertheless, in participatory and other interpretive forms of research, there is a move away from traditional conceptions of the unbiased and detached evaluator to a new role of a ‘critical friend, coinvestigator, facilitator and problem-solver which signals a different kind of understanding about what evaluation is and should be.’<sup>36</sup> Adopting such a role, the chief investigator facilitated the identification of consensus and non-consensus items of evaluation and the key lessons learned. The collaborative reflection and analysis of collective responses further served to ameliorate any bias and ensured all findings or lessons learned were recorded.

A potential limitation of this study was the exclusion of others involved in designing and developing first year block mode law units such as learning designers and librarians. While the exclusion of students from this article may also be viewed as a limitation of this participatory evaluation approach, the student performance has already been addressed,<sup>37</sup> and the student perspective is intended to be the focus of another publication. The absence of this facet of data in this article

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<sup>36</sup> Katherine E Ryan and Thomas A Schwandt (eds), *Exploring Evaluator Role Identity* (Information Age Publishing, 2002), viii.

<sup>37</sup> Samarawickrema and Cleary (n 26).

however, has no effect on the validity of our findings as the focus of this article is on the academics teaching in the first year.

The university Human Research Ethics Committee deemed this aspect of the project low risk human research (not requiring approval) because participants were reflecting on their own teaching (an expectation by all academics) and were collectively reporting on their reflections.

## IV FINDINGS

### A *Course Design and Development Process*

In relation to this theme, all participants clearly agreed that the unit design and development process was very valuable, with a high degree of collaboration amongst academics and specialist teaching and learning experts. Unit design entailed a collaborative process with each unit mapped on a design board, then innovative pedagogical strategies including active learning and blended learning methods were applied in the development phase (for discussion of such strategies).<sup>38</sup> Implementation and delivery were complemented by the learning management system and involved academics supported by a broader team (ie a learning designer, a librarian, an educational developer and academic discipline staff). Weekly meetings facilitated this collaborative effort and provided opportunities for cross-pollination of ideas between academics working on separate units. Further collaboration occurred via engagement with other law academics, with completion of each unit appraised through a peer-review process involving academics from both law and non-law disciplines and professional staff specialising in the transformation of VU's first year curriculum. In evaluation of this theme, study participants reached consensus that the overall design process served as a useful organisational tool, and as an orientation tool both for recently employed academics and for skill development in the use of learning technologies. Participants were also unanimous in the view that more time allocated to the unit development period — which ran for approximately four to six weeks — would have further aided collaboration amongst university staff.

With this process theme, participants split in their views on the value of outside engagement (that is, with other staff focused on first year unit development, or with discipline staff not directly teaching into first year). Three key observations arose on this point. First, outside engagement may be more useful in the very initial stages of design as this helps to expose academics to teaching strategies or capabilities of specific learning technologies. Secondly, it may be more effective in improving course quality if greater time was available for development. Finally, efficiencies could be achieved by ensuring teaching and

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<sup>38</sup> See, eg, Jack Mezirow and Edward W Taylor (eds), *Transformative Learning in Practice: Insights from Community, Workplace, and Higher Education* (Wiley & Sons, 2009).

learning specialists did not have advisory responsibilities across multiple academic disciplines. As to whether the process reduced the need to revisit and revise earlier design decisions, participants were evenly split in their views. This may be due to the level of familiarity academics had with existing units, indicating that past experience with a specific unit contributed to efficiency in designing them in block mode.

The key lessons learned in relation to this theme were that having a well conceptualised, collaborative design process contributed to organisational efficiency and the effectiveness with which pedagogical strategies and learning technologies were applied. To maximise the value of this development approach, it is desirable for unit design teams to be involved from the very beginning. It was noted that the benefit of early and regular consultation with other law academics would result in better, more constructively aligned courses across the whole program and avoid potential overlap from unit design conducted in isolation. From a student perspective, strengthened constructive alignment highlights the progressive nature of learning across different units and year levels. These lessons are relevant beyond the context specific to our participatory evaluation, including beyond the law discipline area itself.

### B *Meeting Learning Outcomes and Accreditation Standards*

A key element in the course design process was to ensure that units comply with learning outcomes mandated internally by the university, nationally by the Australian Qualification Framework requirements, and externally by the law accreditation body.<sup>39</sup> There was consensus that meeting these requirements were generally ‘straightforward to achieve and maintain in course design and delivery, in part because they had already been set’ (Participant 1). Although these requirements appeared to be constraining, on the contrary they effectively gave each course a structure which helped the academic to ensure that the learning resources, activities, and assessments appropriately aligned to support the achievement of the required standards. Also useful in confirming standards and accuracy was the formal peer-review process of each unit prior to delivery. With discipline-specific accreditation standards set by an external body, participants noted their potential to disrupt design and development processes and therefore recommended the confirmation of base requirements before commencing these tasks.

This was the key lesson derived from evaluation of this theme — that vigilance is needed in relation to expectations of accrediting bodies — and it is one which is relevant not only to law. Although this lesson is obvious, maintaining such vigilance helps to prevent potential

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<sup>39</sup> See, eg, ‘Curriculum Design’ *Victoria University* (Web Page, 8 November 2020) <<https://www.vu.edu.au/learning-teaching/learning-teaching-development/curriculum-design>>; ‘Qualifications and Training: Academic’, *Victorian Legal Admissions Board* (Web Page, 12 August 2020) <<https://www.lawadmissions.vic.gov.au/qualifications-and-training/academic>>.

oversight of how unit changes might affect assessments of whether degree programs or individual units meet accreditation standards. This in turn enables more efficient management of design and development timeframes and academic staff workloads. This is particularly important when novel or innovative teaching techniques are employed by universities, such as with VU's intensive block mode delivery and its related principles (see Figure 1 and Table 1 above). Ensuring accreditation bodies are kept aware of such changes minimises the risk that unit design may need to be revisited to accommodate accreditation standards of expectations, particularly with respect to assessment regimes. For example, the use of traditional exams as a primary form of assessment was an expectation of the Victorian Legal Admissions Board (VLAB) (the accreditation body), but one that conflicted with the principles underpinning VU's implementation of the block mode. Maintaining awareness of this tension helped academics efficiently design assessment regimes that balanced meeting accreditation standards with implementing contemporary and innovative teaching approaches.

### C *Implementing Strategies to Maintain Student Engagement*

The design of first year units to the block mode of delivery entailed an express commitment to block principles (Table 1) and the implementation of student-centred, transition, authentic, blended and other contemporary strategies to foster student engagement. Participants were unanimous that building relevant, focused class activities was of key importance. Participants agreed that unit content and resources were most effective in delivery when scaffolded and thematically and predictably arranged, enabling students to organise information and progressively engage with it. Ensuring a variety of class activities, rather than a series of similarly constructed activities, and overtly linking such activities to assessments, was seen to improve student engagement. In particular, participants agreed that multi-media resources, examples from contemporary real-world practices or events, and opportunities for students to express views or work in small groups was seen as valuable to students. A field trip included in one unit was highlighted as an excellent form of promoting student engagement despite being challenging to implement. Using appropriate field trips (in this instance a visit to the Victorian Parliament<sup>40</sup>) to enhance student engagement is a strategy uniquely pertinent to disciplines such as law, which typically tend to be quite focused and constrained by their textual nature.

Kupena acknowledges that academics face challenges when implementing collaborative learning techniques.<sup>41</sup> A major challenge in

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<sup>40</sup> Gayani Samarawickrema and Kathleen Raponi, 'A Field Trip in the First Week at University: Perspectives from our LLB Students' (2020) 54(1) *The Law Teacher* 103.

<sup>41</sup> Angela Mae Kupena, 'Collaborative Learning in the Classroom: Adapting the Concept of Inventible Disagreement in Seven Steps' (2019) 68(2) *Journal of Legal Education* 284.

implementing teaching methods to enhance student engagement was a point upon which participants had divergence of views. As noted, the field trip in one unit was emphasised by academics teaching into it as an exemplary engagement mechanism. Other participants highlighted the notion that ‘less is more’, in the sense that some courses (particularly in a legal studies setting) are content-heavy and thus must ensure that class activities are streamlined, progressive contributions to the delivery of content. A split emerged here amongst participants as to whether class activities should be focused on assisting student transition to university (given the first year units involved in this evaluation) or tightly focused on relevant material — this split is likely due to competing priorities in introductory units compared to more specific (and content-heavy) later units, but it is a key difference that should be noted and a central determinant of our key lesson for this theme.

As the above discussion indicates, the key lesson drawn from this theme of evaluation is that class activities must be firmly tailored to the demands of any given unit, and its position within the overall degree program more broadly. Building in these active learning strategies to replace ‘face-to-face teaching with no recording of the teaching’ (Participant 2) and to change ‘the mindset of lecture tutorial style delivery to a more blended learning approach’ (Participant 4) while being watchful of ‘content overload’ (Participant 3) were considerations particularly important for introductory units. Thus, classes must be engaging for students, with scaffolded activities facilitating progressive understanding of more sophisticated material. The key lesson is that the initial first year units also offer active learning tasks that foster transitional academic skills that perform a scaffolding function for activities and exercises in the later units.

#### D *Embedding Block Mode Design Principles*

Study participants also reviewed their experiences related to implementing the block mode principles. The evaluation of this theme tended to emphasise the actual delivery stage of teaching, and participants agreed that the evaluated units consistently implemented the block mode principles (Table 1). They agreed that while intensive delivery modes must find creative, context-specific ways to replace traditional lecture exposition of content, totally dispensing with lectures is not always an appropriate teaching strategy.<sup>42</sup> They advocated an approach similar to Weresh’s team-based learning model which proposes to use a combination of pre class activities, individual and team quizzes to determine the agenda of a brief lecture/delivery of content.<sup>43</sup>

Although there was consensus among the study participants that traditional lectures needed to be replaced, they agreed that this was a

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<sup>42</sup> Sarah French and Gregor Kennedy, ‘Reassessing the Value of University Lectures’ (2017) 22(6) *Teaching in Higher Education* 639.

<sup>43</sup> Melissa Weresh, ‘Assessment, Collaboration, and Empowerment: Team-based Learning’ (2019) 68(2) *Journal of Legal Education* 303.

difficult challenge, particularly in the discipline context of law, which has notoriously demanding content.<sup>44</sup> Participants also reached consensus that traditional tutorial-style discussion activities, such as Socratic dialogue or small group discussion, had enduring relevance in the block mode, as did the use of multi-media resources and practical exercises (such as legal problem question analysis). A general challenge for block mode delivery was the expectation that students complete pre-class tasks, such as completing assigned readings, given the compressed timeframe. The non-recording of classes that is a feature of the block mode also compounded this challenge, as it limited the extent to which students could catch up on any missed face-to-face classes.

Participants differed in their views on how the challenge of replacing traditional lectures should be addressed. Half of the participants observed that expositional delivery of content could not be avoided entirely, and thus emphasised breaking such delivery into shorter sections interspersed with authentic activities. The other half of participants instead emphasised the use of class activities as vehicles for the delivery of course content itself. Views also varied on the relative value of particular forms of class activities, with some participants regarding small group activities as challenging to deliver in class or ineffective in promoting learning. This divergence in views corresponds to the similar divergence with the above theme of student engagement strategies, and may serve to illustrate the importance of ensuring that class activities are tailored to the specific demands of the individual unit itself, based on its position in the curriculum and overall degree program.

The study also highlighted that the block model can create unique challenges for students with disabilities or unpredictable responsibilities (typically work or family circumstances) — a conflicting drawback to the benefits of intensive mode delivery noted consistently in the literature.<sup>45</sup> Participants observed that there is no one-size-fits-all solution to this issue, but rather that pragmatic flexibility on the part of individual academics and robust administrative systems, which accommodate delays in assessment or course completion, are needed to ensure fair and just outcomes for students experiencing multiple pressures during any given block.

### E *Establishing Effective Course Assessment Mechanisms*

The final evaluative theme addressed student assessment and examined both formal assessment requirements arising from university policy or accrediting bodies and the best practice for providing assessments in block mode delivery. On the first issue, there was general agreement that ‘the inter-related nature of learning outcomes,

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<sup>44</sup> Barbara Glesner Fines, ‘Fundamental Principles and Challenges of Humanizing Legal Education’ (2008) 47(2) *Washburn Law Journal* 313, 315; Rachel Field et al, *Promoting Law Student and Lawyer Well-Being in Australia and Beyond* (Routledge, 2016).

<sup>45</sup> See Davis (n 3); Kuiper, Solomonides and Hardy (n 24).

graduate outcomes, and VLAB [professional] accreditation requirements ensured that assessments were by default oriented towards achieving AQF levels [Australian Qualifications Framework]’ (Participant 1). As per our second evaluative theme, participants observed that learning outcomes and accreditation standards provided a useful framework for developing assessments and did not appreciably affect implementation of assessments in the block mode. The one clear exception to this was the requirement for summative examinations, which was an expectation of the accrediting body but challenging to implement in the block mode — given its move away from a final, high-stakes assessment and its principles on scaffolded, developmental assessment across the study period in the course. This approach is not dissimilar to Abrams deconstructed exam model<sup>46</sup> which supports students through in-class learning activities which are directly linked to examinations. As with the second evaluative theme, awareness of accreditation requirements was crucial to avoid disruption of unit development.

Participants also generally agreed that in developing effective assessment mechanisms in block delivery, ‘the overall challenge was to develop a series of assessments that could be completed to an appropriate standard by the students but also could be marked and processed by the teaching staff in the required time frames’ (Participant 4). A clear consensus existed that assessments needed to be adapted to the block mode, but opinion was split on how this could best be achieved. Participants split on whether efficiency could be best achieved via automation of some assessments (for example through targeted quizzes), or automation of some assessment feedback such as more efficient use of rubrics with standardised comments. Similarly, to ensure assessments fit block mode time constraints, some participants emphasised limiting the number of assessments that require academic judgement by weighting them more heavily, while others observed that assessments could be broken ‘into smaller chunks’ (Respondent 2) and assessments could scaffold the building of depth of knowledge.

The key lesson from this issue is that in designing assessments for block mode, academics must be sensitive to their scope and frequency given the pressures on both students and academics – a finding strongly consistent with other studies on intensive mode delivery that address best assessment practice.<sup>47</sup> Despite this, however, clever strategies can be used in the right context to provide both frequent, and thus more developmental, feedback; academics should aim to identify if or how they can balance scaffolded assessment with rigorous time constraints — a challenge that is particularly impacted by whether a given unit has

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<sup>46</sup> Jamie R Abrams, ‘The Deconstructed Issue Spotting Exam’ (2019) 68(2) *Journal of Legal Education* 194, 194.

<sup>47</sup> Kuiper, Solomonides and Hardy (n 24); Dianne Hesterman, ‘Intensive Mode Delivery of Courses in Engineering, Computer Science and Mathematics’ (Faculty of Engineering, Computer & Mathematics, The University of Western Australia, February 2015) <[https://www.ecm.uwa.edu.au/\\_data/assets/pdf\\_file/0009/2700846/Hesterman-2015-UWA-ECM-Report-on-intensive-mode-delivery.pdf](https://www.ecm.uwa.edu.au/_data/assets/pdf_file/0009/2700846/Hesterman-2015-UWA-ECM-Report-on-intensive-mode-delivery.pdf)>.



a required examination as a summative assessment. The last observation and key lesson for this theme was that block mode delivery places greater importance on efficient and considerate administration of extensions for assessment submissions, and on the need to design reusable authentic assessments that do not compromise academic integrity.

## V CONCLUSION

The study team adopted a systematic evaluation to improve the practice of learning and teaching in block mode and the overall quality of the course and its offerings. The approach was deliberately collaborative and focused on evaluating the pedagogical changes required by block mode design and delivery of the entire first year units of the LLB degree program. The adopted participatory process was empowering as it gave the study team clear directions on aspects that worked and areas that need further improvement. The process of designing, developing and delivering in block mode has emphasised the importance of many existing good practices and highlighted areas that need greater prioritisation — such as clarity and constructive alignment on assessment matters and content or delivery/activity choices. These are valuable lessons for effective teaching and learning practices.

It is evident from this study that the collaborative process of course development was extremely useful and that the process of working with colleagues within the discipline as well as the multi-professional design team is something to be advocated with other academics. Although meeting accreditation standards in the block was expected to be a challenge, the clear stipulation of those standards, including learning outcomes enabled us to clearly focus on achieving them. While participants all applied active learning strategies to maintain student engagement in class, some challenges such as the non-recording of lectures and the potential for content overload was cited. Similarly, it was clear to all that assessment regimes and the structuring of assessments required significant change while moving away from high-stakes assessments to modularised developmental assessments to effectively evidence learning required further exploration. In their post-delivery reflections, participants emphasised the need to revise assessment regimes to ensure there are no more than three assessments per block, to concurrently review units/subjects to avoid any overlap, and to avoid digression from critical knowledge which might potentially crowd an already content-heavy unit.

The adopted participatory approach to the evaluation had other benefits as well. Participants acknowledged that they learned from each other through the collaborative approach with several critical outcomes. Most importantly, the participants refined their thinking on block mode design approaches, learned to identify and articulate good pedagogical designs suitable for the block offer and reflected on their teaching, theorised and created knowledge which in turn developed a sense of accountability and responsibility for their learning designs. Certainly,

the participatory evaluative process contributed to the participants' own professional learning and furthered an improved sense of community among the team. All participants in the study indicated that overall, the block mode was successful in creating a strong bond between the academics and the students due to the intense nature of learning, regular class attendance and the need for students to focus on one unit at a time. However, the participants also identified two clear challenges post-delivery which are relevant to all disciplines. First, the need to design authentic assessment tasks that are developmental, which evidence breadth and depth of knowledge and skills, that are also suitable to block mode delivery. Secondly, to deliberately build in opportunities for timely feedback on assessment tasks while accommodating extensions and the special needs of students with disabilities.

Building upon these lessons learned, the next stage in this research project will be to elicit student views on the findings of this paper, expanding the scale and scope of our evaluation to include student perspectives of their learning experience in block mode. Also anticipated is a further round of reconsideration of the findings post-implementation, in line with participatory evaluative approaches to reconsider and prioritise attention on critical areas that need improvement, especially in relation to our first-year law units. The findings of this study suggest avenues for further research into intensive mode delivery of first year law and at others year levels, and in tertiary courses beyond the law discipline. In particular, the findings highlight the potential value of research into the relationship between summative examinations, active learning techniques and intensive mode delivery in meeting learning outcomes, as well as the relationship between lecture-style content delivery and active learning techniques in meeting these outcomes and maintaining student satisfaction.

## APPENDIX – QUESTIONNAIRE FOR PARTICIPATORY EVALUATION

Process	<p>How did the design team and cluster leader assist you in the design and development of your units?</p> <p>How collaborative was your process of unit design/development?</p> <p>To what extent did you revise your initial unit design once you commenced unit development?</p>
Meeting Accreditation and AQF5 Requirements	<p>Maintaining accreditation requirements and TLOs</p> <p>Were formal learning outcomes subject to revision during the design or development stage of the unit?</p> <p>What strategies did you adopt to ensure accreditation requirements or learning outcomes were addressed in unit design or development?</p> <p>How did your unit design/development address theoretical and technical knowledge requirements in the AQF?</p> <p>How did your unit design/development address AQF graduate skills in:</p> <ul style="list-style-type: none"> <li>analysing and evaluating information?</li> <li>analysing, generating and transmitting solutions to complex problems?</li> <li>transmitting knowledge, skills and ideas to others?</li> <li>self-directed work and learning?</li> <li>providing specialist advice?</li> </ul>
Implementing Strategies to Maintain Student Engagement	<p>What strategies did you build in to maintain student engagement (eg. field trips)?</p> <p>What strategies for ensuring student engagement would you like to implement in future unit design/development?</p> <p>Which of the strategies you implemented for maintaining student engagement do you expect to be most successful?</p> <p>What strategies did you build to assist with student transition into tertiary study and block model?</p> <p>Did you design any strategies to move students along in the shortened timeframe?</p>
Embedding Block Design Principles	<p>To what extent did you refer to FYM principles in the design and development of units?</p> <p>What did you do to replace lectures?</p> <p>Describe the range of L&amp;T activities you designed and developed.</p> <p>Assess the role of VU Collaborate in the L&amp;T design</p>
Assessment	<p>Did you need to modify the type of assessment tasks so they could be completed in block mode?</p> <p>How did you ensure the design assessed learning and maintained a AQF level?</p>
Postdelivery Follow Up	<p>Implications for the future</p> <p>Impact on students with special requirements</p> <p>Post-delivery after 4 blocks</p>