Chapter #17

FLIPPED FOR CRITICAL THINKING: EVALUATING THE EFFECTIVENESS OF A NOVEL TEACHING APPROACH IN POSTGRADUATE LAW MODULES

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ABSTRACT

Flipped classroom is a novel model that can help students develop their learning skills of critical thinking by students' engagement to enhance their learning experience through team working and pre-designed class activities with tailor-made questions. However, the literature about flipped teaching reveals that it is still underutilized and underexplored in the higher education law teaching. This study aims to fill in this gap by developing a flipped learning model that can provide a foundation in practice for higher legal education. This chapter presents a new flipped classroom model and information about how this model promotes greater critical thinking in a flipped classroom environment that was evaluated based on Module Evaluation Questionnaires and final module grades for the test of effective learning and teaching quality. Research was conducted using eleven-week-long postgraduate law modules of 'international trade law', 'international criminal law' and 'international human rights'. Data was collected from students who completed module survey and submitted summative assessment for their final module grades. Result shows that over 90% post graduate law students found the flipped classroom model to be either effective or very effective to promote critical thinking. Students were satisfied their learning experience with their counterparts and interaction with lecturers.

Keywords: flipped classroom, critical thinking, learning experience, effective learning, team working and module evaluation questionnaires.

1. INTRODUCTION

The highly-developing technologies pose multidimensional challenges to legal educators around the world. The face of legal education is ever changing and constantly evolving. In the UK, the recent trend to decentralize educational powers has accelerated an increasing need for innovation in classroom (The Dearing Report), making greater use of technology and each student should have access to a portable computer (Wallace, 2014). A growing body of literature suggests that recent advances in high technology is shifting the law teaching and learning into a new direction in high education. Advances in high technology have led to a number of "blended learning" (Bergmann & Sams, 2012; Orsini-Jones & Smith, 2018) and "hybrid learning" (Wolff & Chan, 2016) initiatives which combine classroom and online learning across the global and in the United Kingdom. These initiatives are now seen as playing an increasingly more influential role in the way today's law students assimilate information and learning within an educational setting. It is submitted that blended learning can help maximize lecturer efficiency, increase student engagement, enrich students learning experience, and improve retention rates. One of the applications of blended learning that has been widely recognised by scholars and practitioners (Baker, 2000; Bates & Galloway, 2012; Lage, Platt, & Treglia, 2000) is the flipped classroom.

Flipped-mastery approach can reach every student in every class every day (Bergmann, & Sams, 2012). The flipped classroom is a new pedagogical teaching and learning approach that can helps students develop their learning skills of critical thinking in postgraduate law program. The most common features of the flipped classroom involve providing instructional resources for students to use outside of the class with the aid of social media and online networking and freeing up class time for more engaging activities facilitated by lecturers.

Attitudes towards the flipped classroom differ among different authors. Supporters of the 'flipped classroom' describe it (Millard, 2012) as a creation of a video lecture, screencast, or vodcast that teaches students the concept, freeing up class time for more engaging and often collaborative activities typically facilitated by the lecturer. Miller (2012) defends flipped classroom by addressing "students prepare for class by watching video, listening to podcast, reading articles, or contemplating questions that access their prior knowledge." Others advocate flipped classrooms for learning flexibility, which is consequently in line with recent trends in higher education (Wolff & Chan, 2016). Conversely, critics claim that there were some gaps in the area of this pedagogical design, including the lack of a comprehensive research model, insufficient discussion of digital learning platforms, and lack of design guidelines for course activities (Orsini-Jones, & Smith, 2018; Baker, 2012; Driscoll, 2012; Fulton, 2012). Some scholars have criticised the flipped classrooms saying that "it privileges the educator's view and ignores the student's point of view" (Chen, Wang, Kinshuk, & Chen, 2014), other argues that the flipped classroom "lacks specifications about individual learning space (both formal and informal) and learning platform (Hamdan, McKnight, McKnight, & Artstrom, 2013) and there is no standardized understanding of the notion of flipped classrooms (Wolff & Chan, 2016).

Yet, none of these views identify how many dimensions/aspects should be included in a flipped classroom implementation for law teaching, and what learning skills students are expected to develop under the different dimensions. Therefore, my flipped classroom model will fill in this gap by flipping the traditional in-class lectures and contents outside of the classroom with self-directed home learning and collaborative activities, and freeing up classroom time for active learning, including group presentation/debate, tutor's clarification and knowledge application. The driving force of this study was to train students to be active learners, promoting a "student-centred learning" approach - learn by doing, not by reading the instruction manual or listening to lectures (McNeely, 2005).

Thus this study aims to provide a foundation for further research and practice for flipped learning in higher education of law teaching with a threefold dimension focusing on i) different communicative learning stages, ii) engaging experiences, and iii) final grade. The principal aim of flipped classroom is to help students develop study skills of critical thinking, which will be of crucial significance for law students. The development of critical thinking could, on the one hand, hinge on students' final module grades and facilitation of their learning experience by more effectively interact with and learn from their peers. On the other hand, the lecturer was given more flexibility to cover a wide range and depth learning materials, provide in-class applied learning opportunities based on problem-solving activities and offer timely feedback and guidance to students. The Module Evaluation Questionnaires were positive that over 90% post graduate law students felt empowered by improving both lecture-student interaction and peer collaboration, which helped students' deep learning experience. Flipped classroom allowed me to teach students develop learning skills of critical thinking for their future career. Yet in my study, the flipped learning approach had its fair share of challenges, which were largely dependent on the use of and management of IT technology on Moodle module website. Despite these challenges, the flipped classroom is an effective teaching approach at the postgraduate level setting for developing the learning skills of critical thinking.

2. STRUCTURE AND SETTING OF THE FLIPPED CLASSROOM

The objective of the postgraduate law flipped classroom was twofold: i) to help students develop learning skills of critical thinking and; ii) to promote student's self-responsibility for their studies by fully engaged in the learning experience with the aid of technology. It is well acknowledged that 'learning habits and learning preferences of modern students are very different from those of their educators who have not experienced a digitalised socialization' (Wolff & Chan, 2016). The flipped classroom with the aid of technology has improved or can improve law students' learning experience" (Wolff & Chan, 2016) through an orientation to learner-centred approaches, personal relevant instruction and transparent teaching practices for the perceived learning flexibility (Wallace, 2014).

To this end, my flipped classroom was designed into two stages with four components. Two stages are in-class and outside class stages. The four components are pre-class activities, in-class activities, tutor's clarification and knowledge application with the aim to promote a positive learning environment so as to stimulate flexible learning, intentional contents, self-responsibility and team work environment. The setting of my flipped classroom emphasized a "learning cycle" (Gerstein, 2011). Students prepared for class individually by conducting out-of-class activities at home with tailored questions directed by the lecturer to facilitate the 'students-learning centred' approach. In order to make meaningful connections between homework and in-class activities, students were assigned into adversary groups preparing for their presentation after individual activities. The pre-class learning pedagogy improved students' communication skills by working with their study groups conducting research and preparing for class, which provided students with opportunities to tackle and resolve problems in the topic, to identify legal issues of the case under discussion, and be able to work effectively with culturally diverse individuals. In class, students were allocated into adversary groups for group presentation and debate in order to promote their skills of critical thinking. After the students' presentation and debate, the lecturer clarified the issues relating to the subject matter under discussion to enable students to comprehend the subject matter in great depth.

Noticeably, my flipped classroom contained a cycle beginning with an-individual-online-case study or individual-home-video watch on the Moodle module website; followed by a period set aside to work in teams and then a session of clarification from the lecturer. The final and crucial component of my flipped classroom was the knowledge application to test the efficiency and effectiveness of learning experience. The mode to conduct such a test was to ask students to write a case note in a manner of formative assessment directly relevant to online cases or video watch. The top concern of the flipped classroom served to emphasize every learning process – pre-class digital aid learning activities, in-class student-lecturer interactive activities and knowledge application as shown in Figure 1 below.

Figure 1.
A typical flipped classroom showcases a learning cycle for critical thinking.
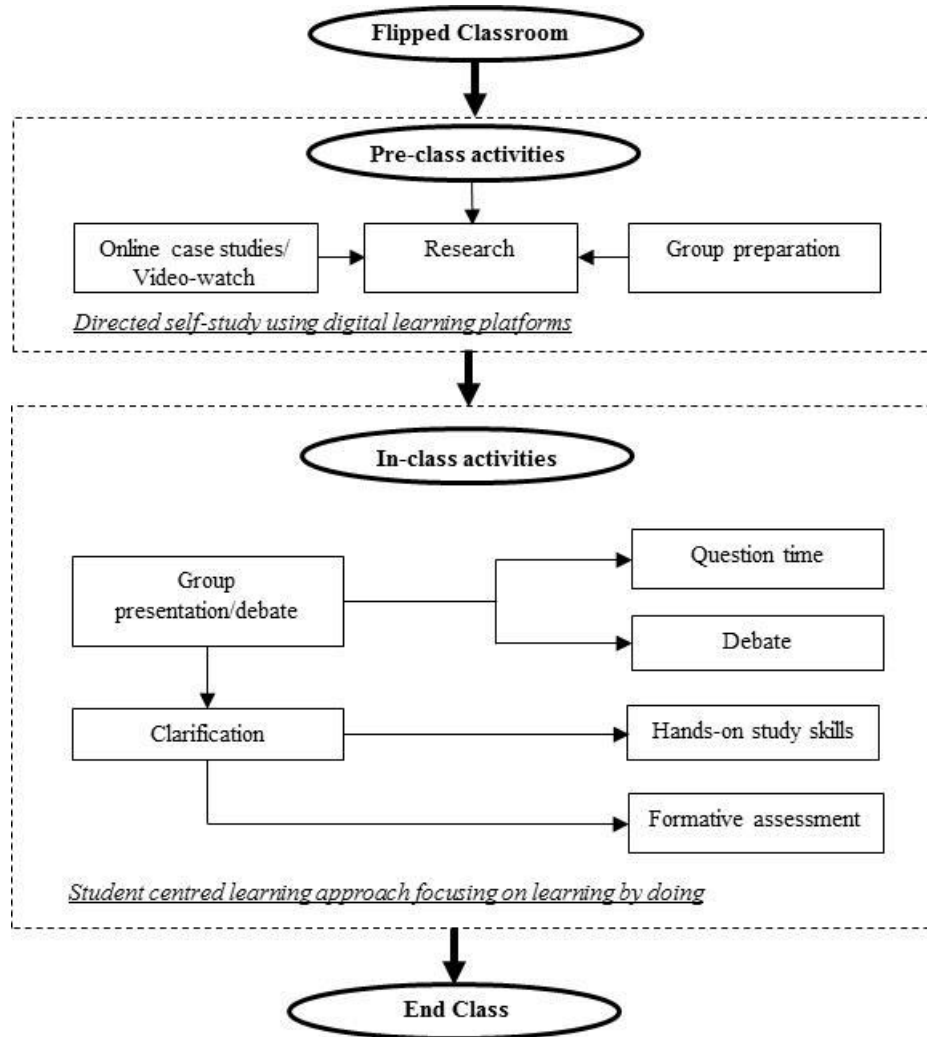
In this pedagogical design, students researched the norms or principles of the topic they came across while studying online cases or watching online videos, and they are more competent, active and self-became motivated. To boost pre-class activities, online discussion was launched for students to share their views of the topic under discussion, and the Moodle lecturer-student communication platform was also adopted in order to answer students' enquiry timely and build a real base of support for pre-class activities. The figure 1 above best demonstrated that my flipped classroom promotes student-centred leaning approach supported by high technology (Hess, 2013) through both in-class activities and pre-class activities. Modern students learn surrounded by technology - relying on online resources rather than printed materials when conducting legal research (Wolff & Chan, 2016).

When designing the pedagogical law modules for flipped classroom, the top priority was given to new knowledge discovery, creation and research in order to promote greater critical thinking. Students not only needed to understand the topic under discussion but also needed to generate new knowledge from it and apply the knowledge to solve problems and legal issues. The postgraduate law flipped classroom excelled in the flexible learning environment, classroom culture, lecturer's steering gear and learning by doing, characterized as following:

- To support a flexible learning environment, a variety of learning modes has been launched to enable students choose where and when they learn - reading online case studies or video watching at home, in campus, on the train and so forth.
- The classroom culture shifts from a lecturer-centred learning approach to a student-centred learning approach, freeing up valuable class time for exploring topics in depth via group presentation/debate, thus creating rich learning opportunities.
- The lecturer gears in-class presentation/debate to clarification by prioritizing legal issues in order to help students develop the learning skills of critical thinking.

The above components for pedagogical design facilitated "learning by doing" (McNeely, 2005; Dewey, 1916) and deep learning, which computer platforms playing an important role as students participated in and evaluated to their learning supported by high technology. The term "Learning by doing", in Jones' (Jones, Ferreday, & Hodgson, 2008) view, means "Learning by Networking", where students rely heavily on social media and online networking as a supplementary learning tool (Orsini-Jones, & Smith, 2018). Both "Learning by doing" and "Learning by networking" reflect a current trend in higher education emphasizing the activities-oriented nature of flipped learning - allowing students to choose between a synchronous setting, where participants are present at the same time (though not necessarily at the same location) or an asynchronous setting when participants are not present at the same time, or place (Hrastinski, 2008). During the formulation and implementation of the flipped classroom, lecturers must ensure students are ready and willing to switch to new forms of learning on the one hand, and on the other, lecturers should be familiar with the flipped classroom that is activity-oriented by shifting the focus of classroom from "lecture-day" to "activity-today" (Chen et al., 2014). There needs to be more focused on what sort of activities should be completed and how these activities should be delivered (Chen et al., 2014).

Students preferred the flipped classroom because of the individual learning pace and learning platforms, where students learned using any device, at any location, and through a multitude of competing platforms (Chen et al., 2014). The lecturer adjusted his/her methodology to accommodate students who might be reading online cases or watching videos from different parts of the UK. For instance, the postgraduate law flipped classroom adapted to students by using Moodle module online discussion, resources and communication platforms to communicate assignments for active learning and promoted students fully engaged in the study experience.

The noticeable feature of the flipped classroom promoted classroom culture for critical thinking. The shift from a lecturer-centred culture to a student centred culture aimed to enrich the student learning experience and keeps students alert, enthusiastic, and engaged in knowledge acquisition and construction. The student learning experience is a crucial factor for gauging whether a new learning method is successful (Teng, Chen, Kinshuk, & Leo, 2012) because how students experience their education determines the effectiveness, efficiency and success of flipped learning. In Dewey's (1963) view, a "Professional Educator" may still fail to engage students that student learning experience is neglected. It is generally recognized that if a lecturer fails to track the effectiveness of his/her students' self-learning sessions of pre-class activities in the flipped classroom, he will not be able to transform his classroom

successfully and be unable to stimulate student's interests in the subject. Therefore, keeping students alert, enthusiastic, and engaged in a flipped classroom determines the success and effectiveness of a flipped classroom. Thus to ensure effective learning, teaching requires more than just transmitting information, but must give priority to assist students to construct their own knowledge (Le Burn & Johnstone, 1994).

The issue remains: when students watch video at home in a flipped classroom, the transactional distance (Moore , 1993) is high because a student has no way to communicate with the lecturer, and the lecturer does not know how much the student has absorbed the topics through out-of-class activities. Since the high transactional distance may frustrate students' motivation and engagement in flipped classroom, the pedagogical flipping design must increase dialogue between lecturers and students, and decrease the pre-determined structure. To minimize the transactional distance, online group discussion, WhatsApp students-lecturers dialogue and individual self-directed home learning activities have been launched, which stimulate students actively involved in knowledge acquisition and construction and promote positive learning environment.

3. ADOPTING THE FLIPPED CLASSROOM

To combining flexible learning environment with digital learning platforms, the flipped classroom used a technique for enhancing lecturer-students communication through Moodle module website. The lecturer used Moodle module website to introduce students to the topic of each class supplemented by hyperlink case studies, video watch and reading list; students responded by conducting self-directed study activities. To engage students, the lecturer observed online activities and offered online feedback, and responded to online discussion. The lecturer also provided academic support to individual students who were confused.

In each synchronous class session, the lecturer followed a specific course plan and provided related online resources including reading list, cases, journal articles and videos. The lecturer also used the Moodle webmail to send emails to students to announce upcoming events, class updates, assignments and assessment criteria to enable students to prepare beforehand. Although each class activities were different, there were some similarities in its format. Table 1 demonstrates a sample of flipped classroom schedule for a three-hour class session.

Table 1.
A sample of flipped classroom schedule for a three-hour class session.

Class session	Time	Details
Group presentation	25 mins	Students present the topic under discussion
Class debate	30 mins	Students debate on the topic to offer different views of the topic.
Sharing, feedback, reflection	25 mins	Lecturer and students share thoughts, lecturer respond to student feedback and reflection, and group leader submit group discussion report orally
Clarification	20 mins	Clarifying legal issues of the subject matter under discussion
Class break	20 mins	Whole class breaks and prepares for the next session
Knowledge application • Workshop • Assessment	15 mins 45 mins	Lecturing on how to write a case note Students take a formative assessment - Writing an outline of a case note addressing key legal points of the topic and supported by statutes, cases and scholars' view.

From the start my flipped classroom was a collaborative design. The collaborative learning was brought to the front of learning experience to strengthen study skills of critical thinking. The priority concerns were given to the students-lecturer interaction and shared resources to emphasize "learning cycles". My LLM flipped classroom were hands-on, open and collaborative by design, constituting over Moodle networks support a wide range of collaborative learning activities – hyperlink case studies, Moodle video watch, discussion platform, webmail communication and lecturer-geared in-class activities brighten every feature of the LLM flipped classroom.

To stimulate students interests in the subject, I always studied student's feedback to promote a broader repertoire of teaching skills and develop a greater awareness of student's learning needs. The flipped classroom served to emphasize every learning process to stimulate students' interests in the subject and help students develop the skills of critical thinking. The critical thinking skill can be stimulated by inputs from both lecturers and students. Simply a more robust model of flipped classroom must include students and lecturers' perspectives – lecturers content planning and activity design and students contribution to their point of view of the topic through pre-designed in-class and out-of-class activities to support deep learning, thus develop critical thinking skills. This has to be designed and operated by the proper combination of structure, dialogue, transactional distance and students' autonomy (Moore, 1993). Moore's transactional theory was summarized by Caulfield (2011) to get students' engagement in their learning experience so as to promote active and deep learning for the development of critical thinking.

4. PARTICIPANTS AND DATA COLLECTION

The participants in the study were 65 postgraduate law students who were attending the modules of either "international trade law" or "international criminal law" and "international human rights law" at Coventry Law School in the academic year 2017/18 and 2018/19. Data collected from students who completed Module Evaluation Questionnaires (MEQ) during the period of studying these modules and submitted summative assessment for their final module grade. MEQ surveys were administrated to students in class with an online survey code through an independent module survey team and teaching staff was required to leave the room for a 15-minute survey while students were filling in the forms of MEQ. Data collection was on the same day in class, normally in week 7 of each term in November 2017 and 2018 respectively. Participation in this study was voluntary with no tangible incentives provided to the students. Participant anonymity was maintained throughout the MEQ. This survey code will be returned to teaching staff after the survey team completed data analysis and teaching staff was required to provide feedback on the Moodle module website. The survey contained 22 questions in total, 20 of which were selected response range from definitely agree, mostly agree, neither disagree nor agree, mostly disagree to definitely disagree and 2 were open-ended questions. To serve the aim of this study, the questions of MEQ shown in Table 2 were those relevant to effective learning, irrelevant questions were not included. Open questions were for students' feedback on flipped classroom, which communicated to students at the beginning of the MEQ.

MEQ is used by Coventry University to obtain students feedback on teaching quality and effectiveness. The study survey mainly used Likert-scale questions that asked students to rate the effectiveness of different elements of the modules. Students rated elements in the three postgraduate law modules. Table 2 of Module Evaluation Questionnaires shows the survey result based on 65 students who completed the MEQ. The survey questions are listed on the first column, and the second-to-the-sixth-column demonstrates the percentage of student's feedback on the modules, ranging from agree to disagree. The numbers in brackets are the reflection of student's agreement with the survey questions.

Table 2.
Module Evaluation Questionnaires.

Module Evaluation Questionnaires/No.	Definitely agree	Most agree	Neither disagree nor agree	Most disagree	Definitely disagree
1. I have had the right opportunities to work with others to enhance my learning	50% (33)	37.5% (24)	12.5% (8)	0	0
2. CU Online is used effectively to support my learning"	42.9% (28)	42.9% (28)	0	14.2% (9)	0
3. I have received helpful and timely feedback on my work	37.5% (24)	62.5% (41)	0	0	0
4. This module is intellectually stimulating	45.5% (30)	54.5% (35)	0	0	0
5. This module has provided me with opportunities to apply what I have learned	80% (52)	20% (13)	0	0	0
6. This module has challenged me to achieve my best work	81.8 (53)	18.2 (12)	0	0	0
7. This module has prompted me to explore ideas and concepts in greater depth	72.7% (47)	27.3% (18)	0	0	0
8. Sufficient academic advice and guidance are available on this module	54.5% (35)	36.4% (24)	0	9.1% (6)	0
9. I feel part of an academic community of staff and students	63.6% (41)	36.4% (24)	0	0	0
10. I have achieved helpful and timely feedback on my work achieve my best work	20% (13)	80% (52)	0	0	0
11. Moodle and/or other online learning environments are used effectively to support my learning	54.5% (35)	36.4% (24)	0	9.1% (6)	0

The rate of satisfactory shown in Table 2 is very positive as most of the questions achieved a nearly 100 percent students satisfactory except questions 2, 8 and 11. One student wrote in the open-ended questions, saying 'The flipped classroom increased my learning skills of critical thinking and helped me understand the practice of law'. The other student wrote that 'the flipped classroom increased my analytical and problem-solving skills'. MEQ results relating to the flipped classroom showed a positive perception. Two major changes were noticed in students' learning experience, namely students taking more responsible for their learning and reflecting more on the assigned topics before coming to classes. The student-lecturer interaction, active learning and technology are better than the traditional in-class lectures and contents as students showed preference to take another course using the flipped classroom in the future. My flipped classroom promoted critical thinking and students 'wanted more classroom to be flipped' (Slomanson, 2014).

5. ASSESSMENT OF THE MODULES

At the beginning of each term, a module guide of course syllabus was provided to students that concisely introduced them to the nuances of the flipped classroom while clearly articulating the assessment aspects for the module. In this study, the flipped classroom used both formative and summative assessment of students' learning.

The formative assessment was predominantly centred on in-class assessment as articulated in the preceding section. The in-class formative assessment permitted students to be purposively engaged in their own learning by consulting lecture notes, books, statutes and cases while it enabled the tutor to provide real-time guidance, and as appropriate fill in the students' gap in knowledge. The formative assessment was composed of one title for students to write on. The priority concern of formative assessment is to provide feedback to students to enable them to write a high quality coursework for summative assessment. My policy is to point out what strengths of the formative assessment first, then moving on to the weakness of the coursework and suggestions for improvement, and finally to award marks.

The summative assessment was consisted of two topics for students to choose: one is an essay and the other one is a case study, which assessed the students' ability to critically read, extract, footnote and analyse information and encouraged students to use higher critical thinking and reasoning skills that reflected the learning outcomes and skills of the modules.

The blending of both summative and formative is good to develop reflective practice in our students and encourage them to revisit completed work for their further development. I always give feedbacks to students in four forms: a general-in-class feedback, individual supervision, online feedback and constantly refer to key points in class so that students can reflect on the comments and move forward. Students make progress dramatically from failed in their formative assessment up to around 50/60 marks, some students achieve a mark up to 70 marks in their summative assessment for the modules.

Students performance on the final assessment significantly improved compared to performance of students the previous years who completed the same modules in a traditional classroom setting. Students' opinions of law modules actively and the flipped classroom instructional model were most positive. Implementing a flipped classroom model to postgraduate law modules resulted in improved student performance and favourable student perceptions about the instructional approach. Some factors may have contributed to students' improved scores included: student mediated contact with the course material prior to classes with their peers, benchmark and formative assessments administered during the modules, and the interactive class activities. Noticeably, formative and summative assessment demonstrated that student learning outcomes are improving year by year in the past two years.

6. CONCLUSION

Undoubtedly, the flipped classroom brings student's different learning styles into play and improves their study skills of critical thinking and self-responsibility for their studies as they participate in and evaluate their learning. Students responded positively to postgraduate law flipped classrooms where online case studies and home-videos-watch targeting the legal principles and knowledge were pre-uploaded onto the Moodle module website, preserving class time for active learning exercises focusing on students-centred learning approach to reflect the concept of "Learning by doing" (Schank, 1995; Ryder, 2006) for critical thinking. My flipped classroom does not only accomplish teaching goals, it also helps to 'close the gap between the strongest and weakest students in class' and 'improve class performance as a

whole' (Upchurch, 2013). In order to improve my flipped classroom to promote students' learning skills of critical thinking and get students fully engaged in their learning experience in the future, I shall carry out more research to identify learners' perceptions of flipped classroom, which must be addressed in my teaching practice.

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