Using podcasts to support students in a land law class

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Introduction
The impact of educational technology has been profound in higher education. It has altered the way in which universities are administered, courses are organized, materials are provided to students, and contacts effected through emails and blogs (Entwistle 2009). Typically, this change is process change, as opposed to substantive change that involves a shift from reproductive teaching to a transformative approach involving two-way relational interactions (Entwistle and Tait 1990; Thompson 1997; Prosser and Trigwell 1999; Ainsworth 2002; Trigwell and Prosser 2004). Nonetheless, a transformative approach can be achieved through improvements to, and innovation in, teaching practice in classrooms and beyond. The change, using technology, would require teachers to incorporate eLearning into their traditional teaching as part of an overall blended-learning approach (Entwistle 2009). Some examples of eLearning applications introduced into The Chinese University of Hong Kong (CUHK) over recent years include: the provision of formative and summative online quizzes (Keing et al. 2007; Lam, Csete and Hodgson 2005); context-rich eCases that show case application of knowledge (Lin et al. 2009); multimedia resources such as video, animations and simulations that have the potential to better explain dynamic concepts and motivate students (Green and Brown 2002).

This paper outlines the experience of a foundational Law course using podcasts. Podcasts or podcasting involves preparing a series of audio or video broadcast files for download onto a digital media player by students (Evans 2008). This medium has the capacity to deliver audio recordings of lectures to campus-based students. Four different types of podcasts were prepared. Together, the podcasts sought to give students an introduction/review of the main topics and of problem questions discussed in class. The paper also reviews the experience of using podcasts to teach postgraduate law students and reflects on the implications of some lessons for future use of podcasts in teaching law.

Some of the podcasts were summaries of the central points to be covered in each week’s lecture. Others were a record of the class discussion of a problem question. The latter type of podcast was intended to be a platform on which students could build when writing their own answers.

Teaching pedagogy and eLearning strategy
Central to the agenda behind eLearning technology is change and Fullan identifies three pathways to change – in order, materials, methods and beliefs (Fullan 1997). The easiest avenue to change is by introducing new materials, while the most complex type of change involves change across all three dimensions, material, methods and beliefs. The key point from this framework is that substantive change requires the pedagogical beliefs of the teacher to also change or else the use of technology might only end up being a substitution for certain functions. Importantly, when teachers are also willing to adapt their approach, then technology can become a powerful instrument to enable student-centered teaching or facilitate an engaging learning environment.

Yuen (2000) described three forms of substantive change - technological adoption, catalytic integration and cultural integration –Technological adoption involves superficial changes whereby teachers use technology to assist the smooth running of teaching and learning strategies they have been using before (e.g. using the web for delivery of notes). No real changes of teaching and learning strategies are involved. Catalytic integration often involves ‘visionary leadership’ and the use of technology is promoted top-down as means to achieve new teaching and learning goals. New concepts of teaching and learning
are usually involved. *Cultural integration* may be teacher-driven or even student-driven as the whole institution is demanding change and there is a culture for using innovations to achieve enhanced learning outcomes. In this regard, eLearning uptake in teaching practice seemingly reflects an early and continuing reform process intended to engage teachers and invite the use of ICT in teaching and learning as a deliberate and designed part of the curriculum.

Collectively, resistance to organizational change is evident by eLearning activity being limited largely to technology adoption at an individual teacher level (Wilson et al. 2000). The latter metaphor for adoption stresses learner participation within communities of practice (Brown and Duguid 1991; Amin and Roberts 2008). The limited approach to technology utilization in terms of learning approach is confirmed in a study of teachers who pioneered the use of eLearning strategies at the CUHK (Thomas, Lam and Ho 2009). The study concluded that diffusion of eLearning practice beyond the initial classroom was largely ineffective. While projects were completed successfully, their use did not extend beyond the class, not even to other classes taught by the same teacher. Conversely, what was noted in this latter study was the positive role students played in eLearning projects. Their influence ranged from early feedback through to endorsement and encouragement, even to shaping and extending on-going development of eLearning initiatives.

**Teaching Law**

Taking and passing the course in Hong Kong land law is essential for those students who aspire to practice as lawyers. One of the traditional purposes of a land law course is to provide the background that students will need to pursue a career as property lawyers which is one of the principal areas of legal practice. It is a pre-requisite for admission to the PCLL (the Postgraduate Certificate in Laws which is the vocational course that is an essential step on the way to admission as a solicitor or as a barrister in Hong Kong). In fact, however, a land law course can be interesting and useful for other reasons too. Land law regulates a range of interactions that are of great social and economic importance. For example, it regulates the relationship between landlords and tenants and tells landowners some of the limits on their rights concerning the land they own. It is usually thought of as being a challenging subject. This is presumably because of the complexity and often rather abstract nature of land law doctrines.

Class sizes were quite large. The students were divided into three groups. There were thirty-nine students in the first group, seventy-seven in the second and sixty-seven in the third. Although the course leader invited questions and encouraged students to participate in class discussion, there were no opportunities in class for students to form smaller groups and few to discuss issues with each other. Nevertheless, the course leader wanted to send a strong message that what was important was that students should work on and develop their own understanding of the questions that were discussed.

**Using Podcasts**

Podcasts or website based sound and video recordings are now very easy to make and anyone from students, faculty and even the general public can subscribe. Once you subscribe, podcasts arrive automatically to a nominated desktop computer and are readily transferred to a portable digital device such as an audio MP3 player or iPod. Because you can quickly generate quite a lot of content, users can also custom podcast using keywords. Once this is done, then only current and future content related to the preferred search terms will be accessed.

There is a growing body of literature regarding the use of audio and video players for academic purposes. According to Evans (2008), Duke University was one of the first institutions to explore the educational use of iPods and podcasts in its Duke digital initiative, while further studies (Evans 2008 citing Blaisdell 2006) outline several other institutions that have since followed suit. Examining various uses of podcasts, Cebeci and Tekdal (2006) describe how podcasting can make materials more accessible to a wider diversity of learners. Copley (2007) explains how podcasts combining lecture slides and audio were used primarily by students for revision and preparation for assignments, while Racham and Zhang (2006) discuss podcasting usages within academic settings, noting that the work involved in distribution and managing knowledge can be lessened by employing content management software such as iTunes. Podcasts are relatively easy to use and are reported as offering a way to enhance students’ learning experiences, as well as deepen learner engagement and collaboration.
Methodology

The podcasts were made in Semester 1 of 2009/2010 to support the study of Land Law on the JD and LL.M. programmes at the Chinese University of Hong Kong. All students on these programmes already have at least one other degree (which must not be a degree in law from another common law jurisdiction). Some of the students are full-time, while others are part-time and must balance study and full-time professional lives. Most of the students have a first language other than English. That said, the students’ level of English proficiency is often either that of a native speaker or nearly so. For a minority, however, use of the English language as a medium of instruction does introduce an extra level of difficulty; even though they have good English language ability it is below that of a native speaker. Podcasts were made available via Moodle, an online learning management system supported by CUHK. At the end of the semester, students were asked to attend a focus group and subsequently invited to complete an online survey, administered anonymously, to the full student body.

Producing Audio and Video Podcasts

The first podcast produced was a five minute podcast that provided potential students with an introduction to the course. It introduced the course teacher and explained how the course would be taught and assessed. It also indicated the suggested textbooks and tried to explain why the course would prove interesting and how the students should approach it. The aim of this podcast was to allow students to begin to prepare themselves for the course and to help undecided students to reach a decision as quickly as possible as to whether or not to join the course. There were two versions of this podcast. One was a pure audio version available to the world at large. In the other version, only available to students who had registered for the course, the audio was embedded in some graphics slides. Both versions were available to students at least two weeks before the start of the course.

The second stream of podcasts was a series of short (typically ten to fifteen minute) summaries of the material to be covered each week. The course leader’s goal in making these podcasts was to make sure that students had a clear grasp of the big picture both in terms of the course as a whole and within each of the topics covered by the course. These podcasts could be used in advance of the class and as a way of preparing for it. They could also be used as a way of checking for understanding after the class and as part of the final revision process just before the final assessment (a two hour exam in which students were expected to tackle three problem questions). Again, there were two versions of this podcast: one version was a pure audio version available to anyone and a second version embedded in PowerPoint slides. The second version was only available to students who had registered on the course.

A further set of podcasts was produced to support student efforts to come to terms with the problem question discussed in class each week. Each podcast in this set of podcasts was a reminder of the essential elements of the class discussion of the problem question. These took the form of an audio commentary embedded in PowerPoint slides. Students were told explicitly that these answers were a platform on which they should build their own thoughtful answers to the questions posed.

There were pure audio versions of the first two types and a version combining audio with PowerPoint slides of all three types. The latter version was converted to flash using the free version of Authorpoint, with flash files only available to students registered on the course and made available through the Faculty’s virtual learning environment (using Moodle). It is now easy and cheap (aside from the cost of time) to create podcasts. The pure audio podcasts mentioned above were produced in the University's professionally-equipped studio with the help of the technical experts there. The flash files were produced by the course leader in his office. The hardware required was an inexpensive headset. The software used included Audacity (to create sound files), PowerPoint (for the lecture slides) and Authorpoint (that converted audio into flash files).

Podcasts as artefacts

The obvious fact about using podcasts is that something has been created. In the normal course of events, there is nothing direct to show for a lecture; learning may have taken place, while students will have taken notes and the teacher may have made supporting materials available. The podcast, however, can be seen as an oeuvre, a completed work in its own right even though it is intended to support a
lecture or some other learning activity. This is significant in a number of ways. First, it is something that the creator can take a legitimate pride in and it is something tangible that can be developed and improved. Second, it is something (an artefact) that can form part of a teaching portfolio for professional development and career purposes. Third, the University can use podcasts as a marketing tool for future students, while also providing an educational (even an entertainment!) service to the broader community. In the longer run, through the creation of material such as podcasts, teaching can become more ‘visible’, a fact that might help to raise the status of teaching (at least where it is recorded and published) relative to research.

Record the live lecture or make a separate recording?
The course leader chose not to simply record the lecture as delivered in the classroom but, rather, to make a separate recording. This allowed the production of the short summary. It also takes account of the fact that a live lecture has several characteristics that make it unsuitable for the purposes that the course leader had in mind. It would be too long and it would be punctuated by questions and repetitions that would not help a student coming to the topic for the first time. Clearly, podcasts (or videos) could be used simply to provide a record for registered students who were unable to attend or who, for any other reason, wanted to go back over what happened in class. In that case, a recording of the live lecture would serve a useful purpose.

Gathering feedback
Student feedback came through a variety of channels. First, some students sent emails to the course leader explaining that they valued the podcasts and, sometimes, giving an explanation as to how they had used them. Second, the podcasts were a dominant theme of the general feedback received through the Course Evaluation Questionnaire. Third, one of the authors of this paper led a small team who carried out focus group interviews with students and, fourth, a questionnaire was distributed to the students.

What we learned from feedback
The consistent message from all of the feedback was that the podcasts had been well-received by the students. The summary podcasts helped the students to understand important concepts. Second, at least some students found that it was useful to know what was coming up in the lecture. Third podcasts were useful for revision. It was useful both to have a structured guide as to how to answer problem questions in general as well as a record of the solution discussed in class to the specific problems. Fourth, students for whom English was not their first language found it useful to be able to listen to the podcasts several times until they understood the concepts. Students said that the podcasts were useful if they were brief and to the point and if the contents added value. Overall, they expressed a hope that the course leader and his colleagues would use podcasts in the future.
Figure 1 above shows that on average, students tended to view seminar materials most frequently. The next two items that they viewed relatively more frequently were lecture and tutorial materials. For the lecture notes, students seemed to like viewing them in Word document rather than PDF format. Compared with all materials, the average views on podcasts were relatively lower; qualitative feedback indicated, however, that this view rate is not indicative of usefulness. An issue influencing absolute rates of access is that the trend might be because total items for lecture podcasts or tutorial podcasts are less than total items for lecture or tutorial materials. Another factor may be that students did not access the podcasts once they had downloaded them on their computers or iPod; in other words a single download is not reflective of subsequent use. Overall, students viewed lecture podcasts more than tutorial podcasts; the reasons for this emerge from the subsequent focus group, which identified lecture podcasts being used as a pathway for revision and to understand complex concepts or to help students with weaker language skills to build understanding by focused listening.

In a focus group, students mentioned that they could only download audio podcasts only without PowerPoint. However, by logging into Moodle they were able to listen to the podcasts and view the PowerPoint at the same time. For this reason students tended to login to Moodle to listen the podcasts again and again. A part-time student would listen to audio lecture podcasts during travelling, after he downloaded them in his iPod. However, the same student indicated that he would not listen to tutorial podcasts if he had attended the tutorials, somehow explaining the lower use of tutorial podcasts.

The students who attended the focus group sessions also made some suggestions as to how the podcasts or their use could have been improved. First, students seemed to prefer the podcasts accompanied by slides. The slides reinforced the oral commentary and made it easier to grasp what was being said. Having the slides also made the podcasts seem more like the experience of being in the lecture. The students interviewed found it inconvenient that these podcasts could not be downloaded and listened to offline (only the pure audio podcasts could be downloaded). It would be easy to accommodate this very reasonable comment. Of course, this would imply a loss of control over the distribution of these podcasts. If one is prepared to take this step, it would be necessary to convert the podcasts with
accompanying slides into a format that can be downloaded to a mobile device. The authors’ institution has recently adopted the Echo360 technology which would automate this process.

The students pointed out that the discussion of the problem questions that took place in class was much richer than the discussion in the podcast. Of course, the podcast was only intended to provide an aide memoire and to be the starting point for the student’s own attempt to analyse the problem and write a solution. The course teacher may not have made this point clearly enough. This is potentially important. It suggests that it is important for the course leader to have a clear idea as to the role that the podcasts play in the learning process and then to communicate that very clearly. There is, of course, the very real danger that students will not attend class in the mistaken belief that the podcast is a complete substitute for attendance.

**Figure 2: Average views per student by podcasts**

![Average views per student by podcasts](image)

Table 2 indicates the average view by a student by podcast. Given the total number of students in the class was 182, the average views per students was below 1, which means that not every student viewed lecture or tutorial podcasts. The trend of views was dropping from topic 3 to 12. In general, students viewed lecture podcasts more than tutorial podcasts, with the exception of topics 7 to 10 where the trend was reversed slightly.

**Some practical questions and insights**

Data integrity is of primary concern, when posting material on the LMS. On one occasion, it was necessary (in the interests of accuracy and clarity) to alter the contents of a problem question podcast some weeks after it had first been released. The students reported that this had caused them some confusion and suggested that the course leader should communicate any such changes to the students as clearly as possible. While, the course teacher thought that this had been done, it seems that no amount of explanation would be clear enough. The simple lesson was to not do progressive updates, but to do so at specified times and with a clearly associated differentiated product.
The other concern and perhaps greatest challenge was in preparing the podcast script. It is not easy to condense the essential points into a short podcast that can be understood by an intelligent layman, as well as by a more specialist student audience. On the other hand, achieving this also helps when it comes to delivering a longer lecture. It means that teacher and student come to the classroom with a very clear picture as to what is going to be discussed.

**Would a podcast of the whole lecture be useful?**

It was reported in the focus group interviews that part-time students would have appreciated more detailed podcasts. There is a disparity between the needs of full-time students and those of part-time students. Full-time students found the brief podcasts to be adequate while part-time students would find more detailed podcasts useful. The reason for this difference is simply that part-time students were sometimes unable to attend lectures due to work commitments and a fuller podcast, going into detail to a greater extent, was perceived as useful. However, as another part-time student noted, it was unlikely that he would watch a video or listen to a podcast of the whole lecture if he had managed to attend the lecture. In such a case, he could anticipate looking at parts of the video that dealt with ideas that he had not fully grasped in class. This useful comment has implications for the design of videos and podcasts, in that they should be designed so that it is easy to move forward, locate and watch or listen to selected passages.

**Has change taken place?**

Change associated with podcasts (or other such innovations) is likely to be incremental. The experience described in this paper has been a new one for teacher and students alike. In this first phase, the teacher has to get used to the technology and the students have to decide on how, if at all, the podcasts benefit them. Reflection, such as that attempted here, will lead to improvements and developments in the use of podcasts. It will take time to move from relatively superficial change towards deeper forms of improvement relying on technology. The early experience and feedback has, however, been positive enough to encourage further efforts.

**Discussion with colleagues**

A few weeks after the end of the semester, the authors ran a seminar with members of the Faculty of Law to report on the experience of using podcasts. The response from faculty staff was extremely positive, with considerable discussion on ways in which to use podcasts in teaching. This provoked a number of useful ideas. One colleague suggested that it might be better to use podcasts to probe topics that were relevant to the course, but not covered because of time constraints. In other words, podcasts could be used as a vehicle for more scholarly reflection. Podcasts could also be used to reflect on recent and relevant developments in a particular field of law.

Another colleague made the point that podcasts risk being teacher-centric and so run counter to the idea of active student engagement. This is indeed a danger and one that would need to be borne in mind when designing the course as a whole. That said, properly managed podcasts can actually be a spur to student engagement. Students can be asked to comment and to take podcasts as a starting point for discussion. They can also be seen as a structural mechanism to support student conversations on topics and problems covered each week. The ideal, of course, would be for the students themselves to produce podcasts that are of use to their peers.

Faculty members can be forgiven for focusing on the fact that making podcasts involves extra work and that there is no guarantee that the effort will be noticed or appreciated by the institution or by students. It will be interesting to see whether the positive atmosphere in the staff seminar leads others to see how podcasts might fit into their teaching or research.

**Conclusion**

Podcasts are easy to produce and are, it seems, appreciated by students if properly executed. Full-time and part-time students have different needs and it might be useful to prepare more detailed podcasts to
meet the needs of busy part-timers. They can be used to raise the scholarly level of a course and could even be part of a strategy to promote more active student engagement.
References


