Effective Online Discussion Forums as a Legal Learning Space

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Abstract E-learning is popular in institutions of higher education. There are many forms of e-learning. Academics post module handbooks, lecture notes, PowerPoint presentations, seminar questions, past examination questions, current coursework questions on module websites. Some have links to journal articles, chapters of books etc. placed on module websites, after copyright clearance has been obtained. Universities may have an e-library with various legal and other databases containing primary sources such as law reports and secondary sources such as journal articles. The various online sources of information are very useful to students, as they can do the learning at home, without having to attend classes (where they are unable to do so owing to various reasons) or physically go to the library to access hard copy law reports and journals. However, accessing sources of information in an online environment and reading content relevant to the learning topic is isolated learning. Studies have shown that more effective learning takes place in collaborative learning environments through discussion with other students and with tutors. In recognition of learning through group discussion, on ground seminars are organised. However, low attendance at on ground seminars is an increasing problem. Even when students attend, many of them have not done the reading necessary to effectively participate in the discussion. Their object in attending the seminar is to listen to the tutor and the few students who have done the required reading and contribute to the discussion. It is questionable whether for most students on ground seminars are an effective form of learning. In this paper I argue that a more effective form of learning is an online discussion forum. The research methodology is theoretical (based on a literature review) and empirical. I teach in an asynchronous text-based online learning environment with students and instructors from all over the world. The students and instructors can access the discussion forum at a time convenient to them. In contrast, in on ground teaching environments, students are required to attend and participate in the learning environment according to a timetable designed by the institution. The paper will first present a literature review on online discussion forums to lay down a theoretical framework, outlining the benefits and disadvantages of an online discussion forum and the requirements for creating an effective online discussion forum. Thereafter empirical evidence will be presented from the work done by the author in an online and on ground learning environment. In addition to classroom observations by the author, student perception of the learning environments will be evaluated by means of an end of module questionnaire, with quantitative and qualitative analysis by the author. The outcome that this paper hopes to achieve is to improve online discussion forums that currently exist in institutions which use such forums as a learning method and encourage academics in on-ground institutions to adopt blended learning (a mixture of face-to-face and online learning). The essential requirements for an effective online discussion forum will be set out.

Keywords: online discussion forums, effective learning, collaborative learning, blended learning

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1. Introduction

Legal learning can take place in an isolated learning environment, and would suit some learning styles. However, research has indicated that more effective learning takes place when one is able to collaborate with others, share one's knowledge and experience with others and co-construct knowledge. Collaborative learning is more effective than isolated learning as it leads to a greater understanding of the learning material.

Traditional face-to-face (F2F) seminars where students interact with each other and with their tutors is an effective learning experience for students who attend the seminar and are well-prepared, ready to share their knowledge with participants of the seminar. However, a F2F seminar is not an effective learning experience if only the tutor and some students are contributing to the seminar and the others are passive listeners. There are also students who are unable to attend owing to reasons such as work commitments, child-care problems and illness. How could traditional universities cater to the needs of such students? Is placing learning materials on the website a sufficient learning experience? How does one provide a

collaborative learning experience for students who are unable to physically attend the university?

A possible solution is the online discussion forum, which creates a collaborative learning environment which can be accessed by students and tutors anywhere in a country or anywhere in the world. A synchronous online discussion forum is similar to a F2F live seminar in that participants access the online discussion forum at the same time. Such a discussion forum provides instantaneous feedback to one's contributions and is a good learning experience. However, the disadvantage is that it is difficult to find a time which suits all participants, owing to differing work patterns and having to engage in family, social and other commitments. The asynchronous online discussion forum enables all participants to contribute to the forum at a time convenient to them.

In the following sections the author will engage in a review of the literature on asynchronous online discussion forums, describe the settings of the study, the methodology adopted, the results obtained by the empirical research, discuss the findings and finally conclude setting out recommendations to improve the learning experience of law students in F2F and online law courses.

2. Literature Review

Brill and Park [1] wrote a wide-ranging literature review on the traits and students of the Interaction Age, emergent technologies and the concept of engagement in learning. The article provides an insight into the experience and expectations of students born after the early 1980s, which educational designers should bear in mind in designing learning spaces in the 21st century. Students who are in full-time work, have family and other commitments expect flexible legal education which accommodates their various commitments. [2]

Cooperative learning which involves sharing with others one's own ideas and responding to others improves thinking and deepens understanding. [3] In an online discussion forum students have more time to read and respond to the posts of other students; the absence of time constraints makes the dialogue more productive; the development of critical reflection is possible as students have time to read, reflect and respond to posts of other students; there is equality of opportunity of interaction. [4]

Cranney and others [5] indicate the importance of instructor participation in a virtual classroom. A strong link was found between the time spent by the instructor in the online class and the grades earned by students for their discussion board posts. However, the study did not find a strong link between student grades for discussion forum posts and the number of instructor posts. The researchers found that instructors had to spend a minimum of 6.25 hours per week in the online classroom to obtain the best performance from the students. (The author received two module reports on 22 August 2013 from module grading. In one the average number of hours per week logged in was 9.1, but in the other module report for another class the corresponding figure was 17.3 hours. The author's experience is that the number of hours logged in depends on factors such as the ability of students in the class, the number of queries from the students seeking clarification

and the number of misconceptions in student posts which need correction).

Mazzolini and Maddison [6] found that when there were frequent postings in the discussion forum by the instructor there were less student postings. Students tended to prefer to respond to questions by other students, who they were pleased to help, rather than questions by instructors who they perceived as trying to find gaps in their knowledge. On the other hand, instructors who posted frequently were rated highly for their enthusiasm and the expertise of their subject. Instructors who made a minimal contribution to the discussion forum were not popular with students. The preferred role for an instructor was to be a facilitator of the discussion forum, acting as a guide. In another study Mazzolini and Maddison [7] found that the frequency of the instructor initiating the initial post (distinguished from the instructor contributing to a student post) results in a reduction in the number of student posts. Instructors who posted frequently were rated highly for their enthusiasm and expertise by students. However, in the overall perception of the usefulness of the discussion forum and of the course, the student perception of these did not depend on the frequency of instructor posting to the discussion forum. While students valued instructors who posted frequently (as they were concerned whether there were errors made by other students) they did not think the instructor should answer a student question as soon as it is posed, but should wait a few days before posting an answer, so as to give the opportunity to other students to provide the answer. In the student questionnaire evaluation undertaken by Greaves and Lynch [8] while 75% of the respondents expressed satisfaction with the quality of the feedback by the lecturer on their postings, only 57.1% were satisfied with the lecturer participation in the online discussion in terms of quality and even fewer (53.6%) were satisfied with the amount of lecturer participation. In contrast, over 70% were satisfied with student participation in the online discussions, less than 29% were satisfied with student feedback on the posts of other students. This study indicated that lecturer presence and contribution to classroom discussions was vital to an effective learning experience. The comments of the respondents also indicated that they expected the lecturer to comment on the content of the discussion, while it was taking place, so that the students knew whether they were on the right track with regard to the comments they made in the forum.

3. Locations

The author is the module convenor for private international law at Birkbeck College, University of London since October 2009. The module is an undergraduate spring semester option over a 10 week period with a reading week after 5 weeks. The teaching is a F2F class for one and a half hours. Detailed lecture notes and the seminar handbook are posted on the module website (initially Blackboard and now moodle). The hard copy of the learning material is also available for collection at the Law Office. With the law librarian's assistance, there are links to relevant legislation and some journal articles on the module website. Access to the journal articles mentioned in the seminar handbook is also

available via the e-library. Students are expected to purchase the textbook and read the leading cases from the law reports available in Westlaw. From time to time the author posts messages in relation to the seminars on the moodle forum. Some students contact the author via email.

Students are expected to read the relevant pages of the textbook, the lecture notes, the relevant journal articles and the seminar questions before attending the class. In the first 30 minutes the author gives a talk covering the key concepts and principles relevant to the topic, giving the opportunity to students to ask questions to clarify any misconceptions arising from their reading. In the second 30 minutes, the class is divided into small groups (3 – 6 in a group according to student preference) in order to have small group discussions of a seminar question. Each group is given a different question. During this time, the author is present in the classroom, if the students wish to ask questions in relation to the group discussion. In the last 30 minutes, a spokesperson for each group informs the entire class the outcome of the group discussion, with contributions from the other members in the group. The author participates in the general discussion to ensure that students are on the right track with regard to a possible answer to each seminar question.

In 2013/14 the names of 41 students appeared on the moodle site, two of whom (in response to an email from me regarding non-attendance in class) informed me that they are not registered for the module. Two students informed me that they are assessment only students and not entitled to attend class. Five students never attended the class. The class attendance of the rest of the students are as follows: 1 attended one, 6 attended two, 1 attended three, 2 attended four, 4 attended five, 5 attended six, 3 attended seven, 9 attended nine and 1 attended all ten classes.

The reasons given for non-attendance or low attendance were illness, work (including travelling abroad for work), holiday, could not arrange child-care.

The assessment is a 3000 word essay to be handed in at the end of April, 6 weeks after the last class. No formative work was set. However, the author offered to read and give feedback on essay outlines/drafts (of the assessed coursework) and a few made use of this opportunity.

Since February 2012 the author is an instructor on the University of Liverpool online LLM course teaching and assessing Conflict of Laws in Business and Commerce (and is one of two/three instructors teaching this module in two/three separate classes). The module runs over a period of 8 weeks, without a reading week. In the first week there are two assessments, the first of which is an essay of 500 words in answer to a discussion question (essay or problem) posted on Discussion Board. By day 3, the answer has to be posted via Turnitin and also on the discussion forum. By day 7 students are required to contribute 2 – 4 follow-on posts commenting on the posts of other students. They are encouraged to ask probing questions, share an insight after having read the posts of other students, offer an opinion preferably substantiated by authority, validate an idea with the student's own experience, make a suggestion or expand on a colleague's posting. The follow-on posts are also assessed. Students who contribute substantial posts citing references are awarded higher grades. In weeks 2, 3, 5 and 7, in addition to the two assessment points mentioned above, the

students have to submit (via Turnitin) a 500 – 1000 word answer to an essay or problem question (on the topic for the week). In addition to the two assessment points mentioned above, in week 4 the students have to submit their project proposal and in week 6 the project outline. All answers are graded and detailed individual feedback given via 'Contact Faculty' (similar to email). In addition to the two assessment points mentioned above, the final project of 1500 – 2000 words is submitted in week 8 and accounts for 30% of the mark for the module.

The instructor is also expected to access the discussion forum from days 3 – 7 each week in order to read, grade and give feedback on the posts, (days 1 and 2 being used for reading assignments and giving individual feedback). It is also expected that the instructor gets involved in the discussion as an active participant of the forum, asking questions, making comments, clarifying misconceptions and contributing some substantial posts.

One class I had commenced on 16 January 2014 and ended on 12 March 2014. The names of 13 students appeared on the class list in week 1. One student withdrew in week 1 without submitting any assessments. Another student had to enter hospital in week 3 and withdrew from the course. In week 6 another student (who was under investigation for plagiarism) withdrew from the course. The other 10 students participated in the discussions and assessments in all 8 weeks of the module.

The students were required to purchase a textbook. In addition they had access to weekly notes (written by the author) on the module Blackboard site. There was set reading for each week consisting of relevant chapters of the textbook, legislation, cases and a couple of journal articles. Students were also given a supplementary list of journal articles and encouraged to find articles relevant to the assessment questions by independent research.

As the author found that most students do not cite journal articles and some do not cite cases in their initial post in response to the discussion question, the author commented on each student's post in the discussion forum and requested them to read a journal article or a leading case relevant to the topic and contribute a follow-on post summarising the key points. Although this meant additional reading, it provided them an incentive to read journal articles and cases and write substantial posts enabling them to get higher grades. It was also beneficial to all students to have a summary of key points in journal articles and cases in the discussion forum, providing them with more information and enabling a greater understanding of the topic.

4. The Methodology and Research Question

The research methodology was to first present a literature review on online discussion forums to lay down a theoretical framework, outlining the benefits and disadvantages of an online discussion forum and the requirements for creating an effective online discussion forum. Research done by other authors on online discussion forums was essential to test the empirical research done by the author. It was considered unnecessary to investigate research done by other authors on the effectiveness of face-to-face seminars, as the author had considerable experience of conducting such seminars.

Empirical evidence was gathered from the work done by the author in an online and on ground learning environment. In addition to classroom observations by the author, student perception of the learning environments was evaluated by means of an end of module questionnaire, with quantitative and qualitative analysis by the author.

The research question was the effectiveness of the learning experience of students in the F2F class in comparison with the online class. The effectiveness was measured in terms of student/student interaction and student/tutor interaction, from the perception of the students and from the observations of the author.

In order to gain information on student perception of the learning experience in the online classroom and the learning experience in the F2F classroom, a questionnaire was given to them. There is an online student satisfaction survey designed by the University of Liverpool/Laureate International Universities containing a list of 25 questions and a space for comments. The questions use the Likert opinion scale for the students to provide a response and the percentages are calculated online. In order to provide a comparison, the author adopted 11 questions and devised a slightly amended questionnaire to give to students at Birkbeck, with a space for comments.

In week 9 the 16 Birkbeck students who attended the class were given the questionnaire to evaluate their satisfaction with the course. The questionnaires were anonymous, except for a blind student, to whom I had to email the questionnaire and who sent me the completed questionnaire by email. As his responses were similar to the responses completed anonymously, I decided to include his responses in the survey.

The 10 remaining students in the online LLM class all completed the online survey anonymously in weeks 7 and 8. In addition to analysing the student responses to the online questionnaire completed by the online LLM students, the author also analysed the posts in the online discussion forum over 8 weeks, in order to gain information on instructor and student postings.

5. Results

Student perception of student/student interaction was tested by the question 'The interaction with my fellow students made a helpful contribution to my understanding of the module subject'. Of the 10 University of Liverpool students 40% agreed with the statement and 40% strongly agreed. The corresponding proportions for the 16 Birkbeck students were 50% and 50%. All the Birkbeck students perceived that the small group F2F discussions contributed to the learning experience, whereas one LLM student disagreed with the statement and one neither agreed nor disagreed.

The Birkbeck students made the following comments:
'Very helpful, the seminars and fellow students every week, helps with the overall learning.'
'Very pleasant and was able to clearly understand the subject with the class split into small groups and support of the tutor.'
'The short lecture from the module convenor is very helpful in guiding the seminar topic. However, what was very helpful was working in groups and discussing the same issues we had. Also, it helped to discuss with fellow students to see and learn things more clearly.'
'The module convenor is good at explaining complex concepts and having a group discussion among students to increase understanding of subjects & learning from fellow students.'
'I am very much supportive of the teaching style of giving the necessary guidance and instruction on the general subject matter, followed by discussion on seminar questions held between smaller groups who finally present the outcomes of their discussions to the overall class.'
'The teaching style of this module was very effective. Having a lecture style run down of the topic followed by focused class discussions were very helpful for learning the topics. The lecture notes that were provided were extremely helpful to provide direct guidance of reading around the subjects and all relevant cases to study. Overall, a very interesting topic which will hopefully become very handy in a career at the commercial Bar.'
'I found this pattern of learning very helpful, informative & interactive. To hear others views & opinion helped me. She (the tutor MRS Kumari) is very clear in her teaching style.'
'Very enjoyable course! More preparation on the part of some of the other students would have helped in discussions of the seminar questions, but overall a well-balanced and thoughtfully constructed course.'

There were no comments from the LLM students regarding interaction with other students. However, appreciative comments were found in an analysis of posts in the discussion forum. In week 3, part of the discussion question read: 'The computers were shipped f.o.b. from Liverpool and were delivered to Assurance Ltd's warehouse in Spain for sale in that country.' Many students thought that delivery took place in Spain, as the question stated this and that Spanish courts had jurisdiction to hear the case. However, one student argued that as the goods were shipped f.o.b. according to the rules of international trade, the delivery took place in England when the goods were loaded on to the ship. There was a considerable debate on this among students and finally, by citing references, he convinced most students that delivery was in England. There were appreciative comments such as the following: '. X's detailed tutorial is instructive and I appreciate the clarity of explanation. Given the learning from your responses, I now consider that the place of delivery is England, Liverpool port,…' Another student said: 'That was a great explanation of something I only barely understood.. Thanks for that.'

The following questions in the survey tested student perception of interaction with the instructor:
'The instructor's expertise and presence in the classroom helped me improve my knowledge in the subject.' 90% of the LLM students strongly agreed with the statement with only one student disagreeing. 43.75% of the Birkbeck students agreed with the statement and 37.50% strongly agreed. One Birkbeck student disagreed, one neither agreed nor disagreed and one left this (and all the questions on the second page) unanswered.
'The instructor's style was an appropriate balance of respect, encouragement and clear direction.' Of the

LLM students 20% agreed, 70% strongly agreed and one student disagreed. 43.75% of the Birkbeck students agreed, 50% strongly agreed and 1 did not answer.

'The instructor responded effectively to my specific requests.' Of the LLM students 20% agreed, 70% strongly agreed and one disagreed. 43.75% of the Birkbeck students agreed, 37.50% strongly agreed, 2 students neither agreed nor disagreed and 1 did not answer.

'The learning outcomes for the module were clearly communicated.' 40% of the LLM students agreed, 50% strongly agreed and 1 did not answer. Of the Birkbeck students 62.50% agreed and 37.50% strongly agreed.

'The learning outcomes for the module were met.' Of the LLM students 40% agreed, 40% strongly agreed, 1 student neither agreed nor disagreed and 1 left it unanswered. Of the Birkbeck students 68.75% agreed, 25% strongly agreed and 1 student neither agreed nor disagreed.

'Please rate your overall satisfaction with the instructor.' Of the LLM students 80% were very satisfied, 1 was satisfied and 1 was neither satisfied nor dissatisfied. 43.75% of the Birkbeck students were very satisfied and 56.25% were satisfied.

The following were the comments of the LLM students regarding the instructor.

'Overall very pleased about how the module was presented. It became obvious very early in the module that Kumari Lane not only has she got a wealth of knowledge in the subject matter, but you can almost sense the passion that she has. Her comments, pointers and repointers following different submission from the classroom over the past eight weeks demonstrates this.'

'To conclude I can say that I really enjoyed the module and learned a lot. The instructor Kumari is a great instructor who had the time to give guidance to us during all the module which was something very important so we could see how we should interpret the cases and other texts.'

'The instructor was particularly involved with each student. It amazed me how much time she could gather to read all the stuff, picking out details to respond to every one of them. Where she found the student lapse in understanding the DQ, she always assigned an article and feedback to help each student get more informed and get the class involved.'

'The instructor was effective.'

'Until this module, I never appreciated the concept of International conflict of laws. The fluid dynamism of the rather complex course was greatly enhanced by the instructor's competence and experience.'

'Getting specific materials for students was value adding and made the course interesting and somewhat seamless amidst the workload challenges.'

'It was an interesting module with a lot of topics of great interest. However for me this module was quite a big challenge because at the last moment I had some issues at work which did not permit me to focus the way I would want to on my studies. The instructor did understand the situation and allowed me to submit the assignment past the normal deadline which was very helpful for me. The workload sometimes is high mostly because some chapters of the textbooks are extremely long and the different articles, cases sometimes are quite long; with one working and doing other activities it is sometimes not easy to review all the materials in order to produce a proper paper.'

The Birkbeck students commented as follows:

'Interesting unit, sometimes overloading but manageable. Good learning/teaching strategy employed. Lecturer very good, returned emails promptly.'

'If all law tutors can be as prudent as Kumari, this world would be such a paradise.'

'It was an interesting module as well as an eye-opener regarding issues that I never knew existed in the past. Giving clear information on what is needed and how to go about it when there are issues involving different company's or individuals residing in different countries and doing businesses in countries other than where they are residing. Very challenging, exciting as well as interesting. The module was a right choice made.'

'I found the module very useful in understanding the actionability of law in a foreign arena. The provision of lecture notes provided us with resources, useful in a busy lifestyle.'

'I find the module very useful, if one would like to progress in intL Law. It seems to me that it's almost corporate Law but internationally. I am very interested in this subject, and I would like to take further study in this speciality and foreign courts.'

'I would like to have a clearer guidelines on the assignment.'

Questions were asked about the discussion /seminar questions, textbook, lecture/weekly notes, articles, module workload, the number of hours per week students spent on the module and the overall satisfaction with the module content and structure. However, it was decided to omit these and some comments in response to these questions and about library facilities in both institutions, as the author felt that it was better to focus on the learning experience through student/student interaction and student/instructor interaction.

In an analysis of the LLM discussion forum posts over the 8 weeks, there were a total of 618 posts. 162 of these posts i.e. 26.2% were posted by the author. 3 – 8 posts each week made by the author were substantial posts citing references.

6. Discussion

The student comments reveal that students in the F2F classroom valued the learning experience through small group discussions and interaction with other students. In the quantitative analysis, only 80% of the online LLM students agreed or strongly agreed that interaction with their fellow students contributed to their learning experience, whereas all the Birkbeck students were in agreement/strong agreement with the statement.

The comments of the students in the online classroom were mainly centred around the instructor. The comments revealed that they valued not only the knowledge and expertise of the instructor, but also the presence in the classroom, commenting on their posts, clarifying misconceptions, broadening their knowledge by asking them to read additional articles, giving them feedback and understanding difficulties of individual students in meeting the weekly deadlines.

In some of the literature, online discussion forums were created for students without the presence of an instructor actively participating in the discussion. The empirical research done by this author indicates that for an effective online discussion forum, instructor presence in the classroom and active participation in the discussion is extremely important to enable the students to have a good learning experience. If it is only students participating in the discussion, posting on the forum and commenting on each other's posts, they would not know whether they have understood the topic and whether they are on the right track. They need to have confidence that the instructor is not only reading their posts, but will inform them if they have misunderstood a key concept or a principle. However, one has to be very careful in giving feedback publicly in the discussion forum, as it may cause embarrassment to the student concerned. Indeed, a student in the previous class emailed the author to say that he was not happy about being informed in the forum that he had misunderstood the question and that the author had asked him to re-post the answer to the discussion question in the forum. He appeared satisfied when he received the explanation that it was to his advantage to be asked to repost, as an answer on the question properly understood would enable him to gain a higher grade in the discussion forum follow-on posts than the grade he had obtained in the initial post. The author also explained that it was misleading to other students to have uncorrected misconceptions in the forum.

In one of the studies reviewed, an author mentioned that students simply post, but that the post is not viewed, as there are no follow on posts. In the author's online class, the author ensures that the author comments on each student's initial post. The author also found that there were many follow on posts by students commenting on each other's posts, even to the extent of stating that a fellow student had not got it right. In my wrap up posts I state: 'I was glad to note how students were teaching each other through discussion'. 'When you contribute to the discussion forum, imagine that you are the instructor assisting your fellow-students to learn. So you must do research before preparing and posting a response. Indeed, some of you had done extensive research and there were some very interesting postings. Your postings indicate that you are learning from each other, which is one of the main objectives of setting up a discussion forum.'

7. Conclusion and Recommendations

The survey responses of students in both institutions indicated that the majority of students had a good learning experience, interacting with fellow students and with the instructor/module convenor. One might, indeed, reach the conclusion that in F2F classrooms, there is no need for an online discussion forum (as a supplement to traditional teaching), as students do get the opportunity to have seminar discussions in small groups with fellow students and interact with the tutor. However, what about the learning experience of students who are not attending the class at all, or attending only a few classes? They are interacting with the content of the module by reading the textbook, the lecture notes, journal articles, legislation and case law and (hopefully) preparing answers to seminar questions. While some students might prefer to be isolated learners, as it suits their learning style, there may be other students who are unable to attend owing to work commitments, child care problems, illness etc.

The author suggests that the way forward is for traditional universities to have blended learning, so as to have the benefit of F2F teaching mixed with online discussion forums, so that students who are unable to attend the physical classroom, could participate in the learning experience through interacting online with fellow-students and tutors.

As regards online programs, such as the LLM programme run by the University of Liverpool in partnership with Laureate International Universities, it would be difficult to organise synchronous online discussion forums, as students are from all parts of the world in different time zones. This means that it is up to each instructor to ensure that the asynchronous online class room is set up to ensure participation by the instructor as well as all the students in the weekly discussions on each topic.

Statement of Competing Interests

The author has no competing interests.

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