

***The Upside-Down Classroom:
How the flipped lecture model can be used in legal education***
ILTL Workshop Proposal for Annual Summer Conference, June 2013

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Goals of the workshop.

By the end of this workshop participants will be able to:

- ☑ explain the purpose and definition of the flipped lecture model to others;
- ☑ understand how the flipped lecture classroom model works with current and potential future ABA standards;
- ☑ articulate the benefits of utilizing the flipped lecture model to help students learn law;
- ☑ identify courses which would best transition into a flipped lecture model format.

Background.

As universities continue to embrace technology in the classroom, many professors have adopted the innovative approach of the “flipped classroom” (or inverted classroom) model for use in higher education. This structure provides reduced, but not eliminated, in-person class time and raised workload standards outside of class by placing the lecture outside the classroom via technology. This pedagogical model allows for in-depth discussion and active learning opportunities to be developed during in-class time .

While legal instruction has yet to fully embrace this hybrid format, the format is consistent with many emerging theories about legal education. Through the utilization of the flipped classroom model, law professors can increase student learning by allowing complete content coverage while simultaneously providing an improved opportunity for discussion, hands-on learning, and simulation. This structure creates a dynamic curriculum which develops the skills necessary to understand and analyze, as well as engage, with the law. While this model can be adapted to any course, it may have a particular benefit in clinic courses, legal research/ skills courses, and upper level/seminar courses. This workshop focuses on the benefits of the Flipped lecture model in legal instruction, as well as provides some core guidance on how to adapt course content to this model.

Workshop.

This workshop will be conducted using the flipped classroom format. To prepare for the workshop participants should watch the pre-recorded lecture and peruse the preparatory documents.

The pre-recorded lecture is available at: <http://www.screencast.com/t/KiQH9m1gV35>

The pre-recorded lecture is modeled after the Educause resource *7 Things you Should Know About the Flipped Classroom* available at: <http://www.educause.edu/library/resources/7-things-you-should-know-about-flipped-classrooms>.



Workshop Outline

- 9:30-9:35 Introduction
- 9:35-9:45 Brainstorming discussion points (see below)
- 9:45-9:55 Discuss content conversion for the flipped classroom
- 9:55-10:20 Small group work- transferring and separating content for the flipped format
- 10:20- 10:30 Wrap-up/ Q & A

Suggested Group Discussion Points

- Why are you interested in the flipped classroom structure?
- What are your fears/ concerns about transitioning your course structure?
- Think about your current stumbling blocks in the classroom (reaching the students, participation, preparation, etc.), how do you envision the flipped lecture will help or further hinder these issues?
- Where do hybrid online/in-person courses fit within the ABA standards?
- Should the in-person component be used solely for Socratic method? What types of active learning activity do you believe could advance legal education?

Flipped Lecture Model Format

Because there is no one way to “flip” a course, providing how-to instructions can be a challenge. A few pieces of core guidance should assist anyone looking to shift some of their course content outside the classroom. While an entire course can be instructed via a flipped format, each lesson must be carefully planned in a flip in order to ensure a solid pairing between the external content coverage and the in-person content coverage and related discussion/activity.

Here are a few things to keep in mind before getting started:

The Flipped Lecture is not a one-size-fits all mode of instruction- each instructor will need to develop their own process for delivering content both inside and outside the classroom. The determination of how your course should be flipped should be driven by:

- subject matter
- course objectives
- your skills
- time constraints/ requirements

The Flipped Lecture is not about the videos. Yes, videos can be an excellent method of content delivery, but class time is just as important. When thinking about the videos- or any technology which you are using to support your flip- you must ensure the technology is enhancing your lesson by providing unique information, increased flexibility, or any other measurable benefit.

The Flipped Lecture takes time. It takes time to prepare lessons- even ones you have taught a hundred times. Recording a lecture takes longer than you think, especially in the beginning as you begin to develop your ‘on camera’ style and begin to learn new support technologies.

The Flipped Lecture may inspire student push back. Despite positive student feedback on this model students may resist the new structure at first. Make sure to discuss the model with your students and make them partners in the learning process. Remember that change can be hard for them too!

The Flipped Lecture does not have to be implemented all at once- in fact, choosing to ‘flip’ just one or two lessons at a time is a great way to get started! Some instructors begin by making optional videos which focus on content which has been historically difficult for students to master. The opportunity for students to view and review the material allows the students multiple opportunities to engage with the material while simultaneously allowing the professor to master the skill of video lecturing.

Flipping is not for everyone. Flipping might be a good option for those interested in:

- Nurturing interactive questioning
- Fostering Content and idea exploration
- Employing effective differentiation in instructional strategies
- Encouraging student-led discussion where outside content is brought in and expanded
- Providing content a context as it relates to real-world scenarios
- Creating an environment where students challenge one another during class on content

- Actively engaging students in problem solving and critical thinking that reaches beyond the traditional scope of the course
- Transforming students from passive listeners to active learners

Preparing to Flip

Phase 1: Make a plan.

Once you have decided to flip your classroom you will need to make a plan. Your plan should outline the basic parameters of your course or lesson. Specifically, your plan should ascertain the following:

- (1) Time confines- *What is the length of the class? Identify whether providing external lecture material affects the amount of in-person class time and how? What time commitment will be expected of students outside of class?* Be mindful of student time outside of class or they will dis-engage. Unrealistic amounts of work breeds resentment and will usually result in ill prepared students. Be careful not to use the flip to double their workload.
- (2) Technology needs- Talk with your IT staff. *What tools are available at your institution? What tools would school be prepared to purchase? What level of familiarity your IT staff has with any of the tools you are considering?* Answering these questions will help you determine what tools and structures you will need to support your flip.
- (3) Identify partners- *Does your school have an Instructional Design Department or Center for Teaching Excellence (or any other instructional support service)? Are there other professors at your law school or on your greater campus who are using this model? What blogs can I follow?* In addition to partnering with your law school IT department you should identify other potential partners around campus and in legal education via blogs, twitter, etc.
- (4) Determine delivery method- *How will out-of-class content be delivered? Will you use videos? Written lectures? Something else?*

Phase 2: Separate content.

Once you have determined the structural components of the lesson you will be ready to think about content coverage. Assessing course content for flipping requires you to step back from the material and look at it in a new light in order to determine what belongs in the pre-recorded component and what should be reserved for class time.

Start by identifying the course/lesson objectives. Once you can articulate what you want the students to master and what mastery of that skill/knowledge looks like you can begin to design your lesson. Identifying the end result of a lesson is the best way to plan how to get there.

Next, think about the post-class or in-class assessment of this lesson. How and when will students be required to display an understanding of the topic (exam, writing assignment, quiz, etc.)

Then think about how the main concepts of the lesson can be learned or reinforced via class activity. This time may be divided in multiple ways. For example, tradition case method may be used as an

opportunity to engage in collaborative learning via inquiry and application, but other time may also be set aside for small group problem-solving or other hands-on work. When developing in-class activities focus on undertakings, discussions, or problems which utilize the tool you are trying to engage with the concept you are trying to teach. The purpose of this time is to put your content into context.

Lastly, identify the foundational knowledge of skill students will need to have in order to complete in-class activities. **This is the pre-lecture content.** Again, the pre-lecture component is not just about the videos. Pre-lecture content includes any assigned text and materials.

| Learning Objectives/ Course Goals | Assessment Method (in-class or post-class) | Class Activity/ Activities | Preparatory Content |
|--------------------------------------|---|--|--|
| Students will be able to..... | Exam, quiz, writing assignment, etc. | Group work Problem solving Skill practice Case method | Textbooks Video lectures Written lectures Other materials |

Phase 3: Build your course.

With the structural and content components planned out you should now be prepared to develop your course materials, course web page, and any external lecture materials (i.e. videos). Be prepared for some trial and error and remember that not only will the process of developing course inside this model become easier; you will become more skilled, too.

ABA Standards

ABA Standard 306 governs distance education. Traditionally, no strict amount of in-class or out-of-class time is required to meet the hybrid definition. The ABA does, however, consider courses where more than 1/3 of the instruction occurs outside the classroom to be designated as a ‘distance learning’ course (see ABA Interpretation 306-3 below.) Limits have been placed on how distance learning courses may be taught and how many distance credits an individual student may apply towards graduation.

If hybrid courses keep 2/3 of the instruction in the traditional classroom they must only adhere to standard ABA course regulations.

The full text of Interpretation 306-3, as well as the entirety of Standard 306, has been provided.

Interpretation 306-3

Courses in which two-thirds or more of the course instruction consists of regular classroom instruction shall not be treated as “distance education” for purposes of Standards 306(d) and (e) even though they also include substantial on-line interaction or other common components of “distance education” courses so long as such instruction complies with the provisions of subsections (1) and (2) of Standard 306(c).

Standard 306. DISTANCE EDUCATION

(a) A law school may offer credit toward the J.D. degree for study offered through distance education consistent with the provisions of this Standard and Interpretations of this Standard. Such credit shall be awarded only if the academic content, the method of course delivery, and the method of evaluating student performance are approved as part of the school's regular curriculum approval process.

(b) Distance education is an educational process characterized by the separation, in time or place, between instructor and student. It includes courses offered principally by means of:

- (1) technological transmission, including Internet, open broadcast, closed circuit, cable, microwave, or satellite transmission;
- (2) audio or computer conferencing;
- (3) video cassettes or discs; or
- (4) correspondence.

(c) A law school may award credit for distance education and may count that credit toward the 45,000 minutes of instruction required by Standard 304(b) if:

- (1) there is ample interaction with the instructor and other students both inside and outside the formal structure of the course throughout its duration; and
- (2) there is ample monitoring of student effort and accomplishment as the course progresses.

(d) A law school shall not grant a student more than four credit hours in any term, nor more than a total of 12 credit hours, toward the J.D. degree for courses qualifying under this Standard.

(e) No student shall enroll in courses qualifying for credit under this Standard until that student has completed instruction equivalent to 28 credit hours toward the J.D. degree.

(f) No credit otherwise may be given toward the J.D. degree for any distance education course.

(g) A law school shall establish a process that is effective for verifying the identity of students taking distance education courses and protects student privacy. If any additional student charges are associated with verification of student identity, students must be notified at the time of registration or enrollment.

Interpretation 306-1

To allow the Council and the Standards Review Committee to review and adjust this Standard, law schools shall report each year on the distance education courses that they offer.

Interpretation 306-2

Distance education presents special opportunities and unique challenges for the maintenance of educational quality. Distance education accordingly requires particular attention from the law school and by site visit teams and the Accreditation Committee.

Interpretation 306-3 (excerpted above).

Courses in which two-thirds or more of the course instruction consists of regular classroom

Interpretation 306-4

Law schools shall take steps to provide students in distance education courses opportunities to interact with instructors that equal or exceed the opportunities for such interaction with instructors in a traditional classroom setting.

Interpretation 306-5

Law schools shall have the technological capacity, staff, information resources, and facilities required to provide the support needed for instructors and students involved in distance education at the school.

Interpretation 306-6

Law schools shall establish mechanisms to assure that faculty who teach distance education courses and students who enroll in them have the skills and access to the technology necessary to enable them to participate effectively.

Interpretation 306-7

Faculty approval of credit for a distance education course shall include a specific explanation of how the course credit was determined. Credit shall be awarded in a manner consistent with the requirement of Interpretation 304-4 that requires 700 minutes of instruction for each credit awarded.

Interpretation 306-8

A law school that offers more than an incidental amount of credit for distance education shall adopt a written plan for distance education at the law school and shall periodically review the educational effectiveness of its distance education courses and programs.

Interpretation 306-9

“Credits” in this Standard means semester hour credits as provided in Interpretation 304-4. Law schools that use quarter hours of credit shall convert these credits in a manner that is consistent with the provisions of Interpretation 304-4.

Interpretation 306-10

Methods to verify student identity as required in 306(g) include, but are not limited to: (i) a secure login and pass code; (ii) proctored examinations; and (iii) new or other technologies and practices that are effective in verifying student identity. As part of the verification process, a law school must verify that the student who

Verify that the student who registers for a class is the same student that participates and takes the exam for the class

ABA Standards for Approval of Law School 2012-2013. Available at

http://www.americanbar.org/groups/legal_education/resources/standards.html

Suggested Reading

A. Aycock, et. al. *Lessons Learned from the Hybrid Course Project*. 33 TEACHING WITH TECHNOLOGY TODAY 6. (Mar 2002). Available at: <http://www.uwsa.edu/ttt/articles/garnham2.htm>.

Robert J. Beck. *Teaching International Law as a Partially Online Course: The Hybrid/ Blended Approach to Pedagogy*. INT. STUDIES. 11 PERSP. 273-290 (Jan. 2013).

Charles Dziuban & Patsy Moskal. *A Course is a Course is a Course: Factor Invariance in Student Evaluation of Online, Blended, and Face-to-face Learning Environments*. 14 Internet & Higher Ed. 236 (2011).

Phillip D. Long & Stephen C. Ehrmann, *Future of the Learning Space: Breaking Out of the Box*, 40 EDUCAUSE Review 42-58 (July/August 2005), available at <http://www.educause.edu/EDUCAUSE+Review/EDUCAUSEReviewMagazineVolume40/FutureoftheLearningSpaceBreaki/157992>.

Denise Potosky. *Developing and Teaching an Online/ In-Class Hybrid: A Demonstration*. 31 Dev. In Bus. Simulation & Experiential learning 28 (2004).

Susan L. Renes and Anthony T. Strange. *Using Technology to Enhance Higher Education*. 36 INNOV. HIGH. EDUC. 203–213 (Jun 2011).

Nicolas P. Terry, *Bricks Plus Bytes: How 'Click-and-Brick' Will Define Legal Education Space*, 46 Vill. L. Rev. 95 (2001), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=233649.

Working Group for Distance Learning in Legal Education. *Distance Learning in Legal Education: A Summary of Delivery Models, Regulatory Issues, and Recommended Practices*. Blue Paper. (2012). Available at http://www.law.harvard.edu/programs/plp/pages/distance_learning_working_group.php

Tech Tools for the Flipped Classroom

A successful flipped classroom will require some use of technology to support the out-of-classroom learning component. Because the structure of a flipped classroom can be designed in many ways the types of tools required will vary. Many instructors will use a combination of tools. Moreover, while this list has been divided into categories for simplification, you will find many of the tools overlap and can be used in myriad ways.

The list below has been prepared to provide some guidance as to the technology available and how it can support a flipped classroom. This list is by no means exhaustive, nor does it serve to recommend specific tools, as the needs of each professor, subject, and course will vary. Rather, this list is meant to serve as a guide as you begin to research and evaluate which tools would best support your hybrid learning environment.

The cost of these resources can range from free to several hundred dollars. Paid resources will have an (\$) next to them to indicate there is a cost associated with the purchase or use of the tool.

Course Management & Learning Management Systems:

A Course Management Systems (sometimes called a CMS) is a computer application which assists in the administration and distribution of course resources online. A CMS can be used for many things, including the facilitation of online/forum discussion, tracking student work, and the delivery and collection of course materials/assignments. The term CMS is often used interchangeably with LMS (Learning

Management Systems) in literature, despite some practical differences.¹

Regardless of which format you choose having a way to manage such tasks is an integral part of this hybrid format.

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Blackboard (\$) <http://www.blackboard.com/>

Moodle→ <https://moodle.org/>

Desire 2 Learn (D2L) (\$) <http://www.desire2learn.com/products/learning-environment/>

Sakai <http://www.sakaiproject.org/>

TWEN (The West Education Network) (free with Westlaw subscription) <https://lawschool.westlaw.com/shared/signon10.asp?path=%2ftwen%2fdefault.aspx>

Screen Capture/ Webcasting Software:

Course recordings can be prepared in a variety of ways from still PowerPoint slides with audio overlay, to recorded lectures with slides and image recording of the speaker, to screen-capture (recording what is being done on one's computer) with audio. The capability of each of the programs varies, but the list should provide you with a representation of the types of recording programs available.

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Camtasia (\$) <http://www.techsmith.com/camtasia.html>

¹For a good explanation of the differences between a CMS and LMS, see <http://www.personal.psu.edu/gms/fa07/IST-440W/Course%20Management%20Systems%20Versus%20Learning%20Management%20Systems.pdf>

Snagit (\$- free trial)
<http://www.techsmith.com/download/snagit/default.asp>

Jing
<http://www.techsmith.com/download/jing/default.asp>

**all three of the above products are TechSmith products. The sophistication of the editing abilities and recording limitations change as you move from the free product (Jing) to the most expensive (Camtasia).

CamStudio → <http://camstudio.org/>

EdCanvas → <http://www.edcanvas.com/>
**can also be used to host inter-active written lectures with incorporated links/video

OpenCast Matterhorn →
<http://opencast.org/matterhorn/>

Panopto (\$- offers 30 day free trial) →
<http://www.panopto.com/>

Wikis

Wikis are collaborative website which allows its users to add, modify, or delete content. These can be used to support group work outside the class, collective note-taking, discussion, and interactive blogging. Many of the CMS/LMS programs come with the ability to build wikis within the course page. The types of programs listed below can assist in the creation of stand-alone wikis.

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PB Works (free, with \$ option)
<http://pbworks.com/>

Weebly <http://education.weebly.com/>

Wikispaces <http://www.wikispaces.com/>

Wikispot <http://wikispot.org/>

Student Response Tools

Instructors use a variety of tools to gauge student response via polls, quizzes, and other modes of assessment. Some of these features may also be available through your CMS/LMS.

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CALI (free to member institutions) cali.org
**CALI lessons can be integrated into flipped classrooms as an assessment tool

Poll Everywhere (free/ \$- depending on size, use)

<http://www.polleverywhere.com/>
**polling using mobile platform

Socrative <http://www.socrative.com/>
**offers polling, online quizzes, games, and assessment feedback tools

Other Tools

YouTube <http://www.youtube.com/>
**YouTube can both offer potential content, as well as be used to host your recorded lectures

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ScreenCast (2GB free, \$ for extra) →
<http://www.screencast.com/>
**video, image, and document storage with public and private viewing options

ScribLink <http://www.scriblink.com/>
**online whiteboard

i-Pad Apps (varies)

To start, [Educreations](#), [iBoard](#), [Explain Everything](#), and [ScreenChomp](#) are three apps for the iPad that instructors could use to create short demonstrations, but be creative- as you flip you will find ways to integrate lots of different media.