PRACTICE ARTICLE

NEW CHALLENGES IN LEGAL EDUCATION: DEVELOPING AN APPROPRIATE RESPONSE TO THE ISSUE OF STUDENT WORKLOAD

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I INTRODUCTION

While students have complained for years that studying law involves a heavy workload, this problem has recently become more pressing. Studies show that a greater number of students than ever before are engaged in full-time employment.[1] When students spend more time working and less time studying, their learning is adversely affected. Educational research demonstrates that when students feel under time pressure they are more likely to adopt surface approaches to learning.[2] Surface approaches to learning, such as memorising and copying, can be contrasted with 'deep' approaches to learning. Deep approaches to learning include higher-level cognitive activities such as hypothesising and extrapolating. If law schools are striving to encourage students to engage in deep learning, then the issue of student workload needs to be appropriately addressed.

But can a *law school* address the issue of student workload? If it can, what is the most appropriate response? An intuitive response might be to reduce the course content to lower the number of student study hours. But is this a desirable or realistic option? In 2003–04, professional legal education provider Australian National University (ANU) Legal Workshop investigated these questions

through a student workload project. The project explored the issue of student workload in the Graduate Diploma in Legal Practice (GDLP). This article provides an overview of the project and its findings. Part II introduces the GDLP and the issue of workload, Part III examines the literature on measuring workload, Part IV outlines the methodology, Part V the findings, and Part VI the recommendations. This article presents a nuanced exploration of the relationship between student perceptions of workload and the GDLP curriculum. We argue that where legal educators are confronted with complaints about heavy student workloads, cutting student study hours could be an inappropriate solution. It could be inappropriate because it may not only be insufficient to address student complaints, but it may also jeopardise quality learning outcomes. A more appropriate response is to examine how various aspects of the curriculum contribute to positive and negative student perceptions of a heavy workload.[3]

While the findings of this project are specific to the practical legal and online education environment of the GDLP, the analytical approach is transferable to other teaching contexts. Adopting this approach in other teaching contexts is likely to contribute to a richer understanding of student workload in legal education.

II BACKGROUND TO STUDENT WORKLOAD AT THE ANU LEGAL WORKSHOP

Legal Workshop is located in the ANU College of Law and delivers the GDLP. Successful completion of the GDLP (or equivalent) is a professional requirement for all legal practitioners in Australia. The Australasian Practical Legal Education Council (APLEC) and Law Admissions Consultative Committee (LACC) set the competencies[4] to be demonstrated by students undertaking practical legal training for admission to practice.[5]

In 2002, over 50 per cent of students undertaking the GDLP were working while they studied: in law firms, in legal related areas including government agencies or in other employment.[6] Students juggling full-time work and other commitments began to demand increased flexibility in time and place of study. This student demand was one reason why Legal Workshop gradually moved the GDLP from six months full-time face-to-face delivery to print-based flexible delivery and, finally, to predominantly online

delivery. By 2004, the move to online delivery meant that students could undertake the GDLP at the ANU from anywhere in Australia.

While accommodating student demands for flexible delivery, care was taken to keep student work focused, relevant and of a high quality. Although the transition was largely successful, student feedback in 2002 and 2003 flagged a shift in student experiences of the courses. Anecdotally, students complained that some subjects had a very heavy workload. This feedback was perplexing. Instructors were confident that the total number of actual hours students spent studying in each course had not changed — this had been carefully monitored to satisfy program accreditation. Nonetheless, student perceptions of their workload had altered shortly after the move to online delivery of the GDLP courses. This development prompted Legal Workshop to set up a project to rigorously explore the issue of student workload and to recommend an appropriate response. In general terms, the project addressed two key questions:

- Was student workload as heavy as the students were claiming it to be, or was it just a few vocal students in the particular years' courses?
- If the workload was perceived by most students as being too heavy, what was the most appropriate response that would also satisfy accreditation guidelines?

III   AN INVESTIGATION OF THE LITERATURE: WHAT IS STUDENT WORKLOAD AND HOW SHOULD WE MEASURE IT?

The first stage of the workload project was to choose the most appropriate approach to measure student workload. Generally speaking, three approaches can be distinguished in the educational literature. These approaches involve measuring student workload either as:

- the number of hours that are spent studying; or
- how students perceive their learning experience, with heavy workloads being linked to negative learning experiences, producing lower quality learning outcomes; or
- how students perceive the teacher, with a heavy workload perceived either positively or negatively depending on how the students rate the teacher's effectiveness.

These approaches are discussed in more detail below, along with an explanation of the approach the project adopted to measure student workload in the GDLP.

A *Student Workload in Hours*

Many studies have explored the issue of student workload by asking students how many hours they spent in learning activities associated with a course or program. There are two main methods that are used to collect this data. One method asks students to estimate how much time they spent studying over a given period. This data is recorded in an hourly figure, usually at the completion of the course, but sometimes at the end of each week.[7] Another method asks students to keep track of the hours they spent studying by using detailed logbooks, updated on a daily basis.

The reliability of these quantitative methods has been criticised. Ellie Chambers notes that people are generally not good record keepers and that estimations of the number of hours spent studying are greatly influenced by subjective experience of the work.[8] David Kember and Doris Leung argue that, even if student logs could more accurately record time spent, it is more important to identify how those hours are 'perceived' by students rather than determining any 'objective' time spent.[9] That is, identifying how many hours a student spends on a task is not as helpful as identifying at what point those hours become too many or too 'heavy'. This critical observation by Kember and Leung is persuasively supported by further studies which show that the number of hours spent on a course does not necessarily affect the students' perception of workload. Kember provides case studies illustrating that, up to a certain point, students can be involved in a high number of hours of quality work and not perceive the workload as high.[10] Kember also notes that a student may spend much less time studying in a course, compared with other students, and still have perceptions that the workload was heavy.

Therefore, measuring the number of hours students spend studying does not provide a comprehensive picture of the student workload issue.

B *Perceptions of Student Workload and Learning Approaches*

The second approach is a qualitative one and focuses on measuring student perceptions of workload. It is a qualitative approach because the research seeks to identify how the student's qualitative experience of workload relates to different aspects of the learning experience. Paul Ramsden and Noel Entwistle demonstrate that when a student perceives workload to be excessive, the student is more likely to adopt surface approaches to learning.[11] The study by Kember and Leung demonstrates that the relationship between a heavy workload and surface approaches to learning is reciprocal. That is, when a student takes a surface approach to learning, they are more likely to perceive the workload as heavy.[12] Subsequent research has identified aspects of the learning experience which can be associated with both heavy workload and surface approaches to learning. Those studies show that even when the same actual number of hours are spent by a student on a task, students are more likely to rate the workload as being heavy when:

- students indicate low interest in the topic and high content difficulty;[13]
- students are asked to consult a high number of separate resources;[14]
- students have less competent language ability and have a low number of contact hours. The same study also holds that there is no significant relationship between perceived workload and either grades or amount of independent study hours;[15]
- students have a collection of 'negative' experiences including:
  - perception of irrelevant content and high degree of difficulty,
  - poor teacher-student relationships,
  - poor student-student relationships,
  - assessment that prioritises recall of information,
  - passive and individualised assessment activities (as opposed to project work), and
  - inconsistent expectations between courses delivered within a wider program of study;[16]
- the assessment is fact orientated (inappropriately) and the student is young. This study also shows that gender is not a factor in different perceptions of workload;[17]
- the course is difficult, and there is a low amount of 'useful' or

relevant work;[18]

- students perceive that they are dependent on the teacher;[19] and/or
- students have low perceptions of the relevance of course to their studies and their desire to learn the subject.[20]

Together, the findings of these studies demonstrate that the relationship between perceptions of a heavy workload and the curriculum is complex and affected by a number of context-related variables.[21] This means that knowledge derived from the qualitative research on student perceptions of workload cannot be easily applied to other contexts. Critics have argued that this renders the qualitative approach unhelpful.[22] However, this criticism of the qualitative approach can be resolved by reflecting on the contextually rich nature of educational research. Educational responses are intricately linked to the many different aspects of a learning environment, including the learner and the learner's assumptions, the physical environment, the delivery mode, course content and teachers. These aspects of the learning environment, and the interplay between them, mean that factors that affect heavy workload in one course will not necessarily affect workload the same way in another course. Nonetheless, the process of examining workload qualitatively does produce useful ideas for course designers to explore and test in their own curriculum context.

C *Good and Bad Workload in Student Rating of Teacher Effectiveness*

Recent research by Herbert Marsh makes a further important distinction in the qualitative understanding of student workload.[23] Marsh distinguishes between two forms of heavy workload, that is, 'good-heavy' and 'bad-heavy' workload. Marsh shows that overall student satisfaction with teaching is at its highest, not when 'useful workload' is at the absolute minimum, but when it is slightly above the average expected. The key word here is 'useful'. Marsh's argument is that when workload is considered to be valuable, worthwhile and 'useful' to the student, the teacher-effectiveness rating will be higher, *even when* the workload is also perceived to be heavy. Marsh argues that for better teacher-effectiveness ratings, curriculum designers should not simply aim to reduce the overall time spent studying but, rather, aim to enhance 'good-heavy' workload while reducing 'bad-heavy' workload. Marsh emphasises

that it is the ability to adjust the course to suit the capacities of the learner that will be critical to the fulfilment of that goal.

Although Marsh's research had examined student workload in relation to ratings of teacher effectiveness, Marsh's ideas offer a promising angle to investigate the students' experience of workload in the GDLP. Specifically, a heavy workload is not necessarily bad — students could perceive workload as both good and heavy. A 'good-heavy' workload is a workload that may have a high number of study hours, but is still 'good' because it is perceived positively by students as being useful and relevant to learning. A 'bad-heavy' workload is a workload perceived negatively because it is associated with activities that are frustrating or considered a waste of time. Marsh's research develops an understanding of the workload issue as it critically challenges the assumptions that a heavy workload is a negative experience and should be avoided.[24]

D *Framework Adopted by Legal Workshop Workload Project*

After reviewing the three different approaches to measuring workload in the literature, the authors concluded that exploring workload using only the quantitative approach would be inadequate in the Legal Workshop GDLP learning context. Preliminary investigations had confirmed that the actual number of hours of study in the various GDLP courses had not actually changed with the transition to online delivery, although it was clear that the student perceptions of the workload required for various courses had changed.

Thus, the authors recommended that a qualitative approach be used to appropriately explore student perceptions of workload. It was also considered very important that the qualitative approach should incorporate Marsh's ideas on 'good-heavy' and 'bad-heavy' workload. That is, that any qualitative method developed to explore workload should be able to distinguish between negative and positive perceptions of a heavy workload.

IV METHOD

In light of analysis of the education literature, the workload project sought to investigate three questions:

- how much time students spent studying;

- which curriculum factors affected student perceptions of workload; and
- whether certain curriculum factors contributed to positive or negative perceptions of heavy workload.

Student responses to these questions were gathered in two stages. The first stage involved the analysis of existing informal student feedback. The objective was to identify as many different aspects of the GDLP courses as possible that might influence student perceptions of heavy workload — both positive and negative. The second stage was to test the analysis from the first stage in a widely distributed course experience questionnaire.

A *Stage 1: Analysing Initial Student Feedback*

In 2002, during the 12-month transition to flexible delivery of GDLP courses, instructors distributed open-ended evaluation surveys electronically, at the end of each course, to gather qualitative information about how students perceived their learning in that course. Some of the surveys included a question about student workload. Comments relating to workload also appeared in the responses to general questions such as 'What worked well and why?' and 'What needs improvement and why?' The feedback gathered from these surveys was analysed for commonly occurring themes relating to workload.

Student responses to these early open-ended surveys indicated that perceptions of heavy workload (good or bad) were linked with the following aspects of the curriculum:

1. the amount of time spent locating information (navigation in the online environment);
2. the amount of time spent reading or 'wading' through discussion boards;
3. assessment deadlines for different courses being close together;
4. slow instructor response when communicating about the course;
5. courses containing a lot of highly relevant practical exercises;
6. students believing the time and effort they invested in the course resulted in an improvement of their legal practice skills and knowledge; and
7. the amount of group work, considered by some students as 'a waste of time'.

This student feedback was then analysed as relating to the following seven aspects of curriculum design and delivery:

(a) the accessibility of the technology (1 and 2);
(b) the structure and organisation of the course (1, 2, 3);
(c) assessment (3 and 4);
(d) improvement in skills and knowledge (5 and 6);
(e) ease of staff contact (4);
(f) relevance of learning (5 and 6); and
(g) degree of student interactivity (2 and 7).

B *Stage 2: The Workload Project Student Questionnaire*

1 *Development of the Workload Project Questionnaire*

Stage 2 sought to gather information about whether, and to what extent, the seven aspects of the curriculum identified in (a) to (g) above influenced perceptions of student workload when undertaking the GDLP. ANU Legal Workshop wished to use the existing ANU course evaluation questionnaire.[25] However, the existing questionnaire only partially addressed the aspects of curriculum design identified in Stage 1 as relevant to exploring perceptions of student workload. The questions in the existing evaluation questionnaire that were considered relevant to the student workload project were:

A. *Overall,* [on a scale of 7-1] *how heavy did you find the workload in this course?* [perception of time]

B. *How many hours were spent per week on average in the course?* [time in hours]

C. *How effective was the structure and organisation of the course?* [assessment (c), structure and organisation of the course (b)]

D. *Rate* [on a scale of 7-1] *the ease with which I was able to contact Legal Workshop staff* [ease of contact of staff (e), accessibility of technology (a)]

E. *Rate* [on a scale of 7-1] *the degree to which the skills, goals and objectives of the course were made clear* [relevance of learning (f)]

F. *Rate* [on a scale of 7-1] *the usefulness of the materials in developing the relevant skills and improvement of skills and*

knowledge [relevance of learning (f)]

G. *Overall, rate* [on a scale of 7-1] *how well were you satisfied with your learning in this course* [overall satisfaction which covers all aspects].

Additional questions were then developed to draw out specific information about the remaining curriculum aspects that the project wished to investigate. Additional questions were included to address (d) and (g), and more explicitly address (a). The questions were:

H. *Please rate* [on a scale of 7-1] *the adequacy of this practical experience in helping me to develop the relevant skills* [improvement of skills and knowledge (d)]

I. *Please rate* [on a scale of 7-1] *the usefulness of the interactive activities in this course* [interactivity (g)]

J. *Please rate* [on a scale of 7-1] *the ease of access to the computer-based materials from off campus* [accessibility of technology (a)].

The student evaluation survey that was distributed covered these and a number of other questions. However, it was the student responses to the questions A through to J above, that were particularly relevant for the workload project.

2 Distribution of the Questionnaire

The voluntary questionnaire was made available to students through each course's website (WebCT) by Legal Workshop instructors at the end of each course.[26] Students were given a hyperlink to a secure website where they could answer the questionnaire anonymously and submit it electronically. In the six-month period between July 2004 and December 2004, the questionnaire was distributed in 14 courses, which represented 90 per cent of the program content of the GDLP.[27]

V FINDINGS

A *Analysis of Responses to the Questionnaire*

Over the six-month period from July to December 2004, a total of 374 responses were collected. The response rate was above 10 per cent but less than 30 per cent of all enrolled students in the courses. Although apparently low, this response rate is quite reasonable for a voluntary survey of this type. Yet, as the student

sample is not representative of the whole group, the findings cannot be generalised. Despite this limitation, the findings drawn from the responses are still useful. They indicate trends in the relationship between perceptions of workload and course experiences for the significant number of students who did respond. The findings of the workload project are exploratory and identify emerging issues in curriculum design in the GDLP context.

B *Actual Student Hours Spent on Study Were Consistent and Not Excessive*

A regression analysis[28] of the 374 student responses showed that there was no significant variation in the number of hours students spent on different courses. The analysis showed that the actual hours students spent studying before and after the transition to online delivery had not changed. This finding supported the decision to investigate student perceptions of the quality of the workload, rather than the quantity of the work/workload. That is, it supports Kember's argument for the need to work within a qualitative framework in order to understand the student workload issue. The finding also supported the decision to investigate aspects of the curriculum that might influence student perceptions of workloads. These curriculum aspects are identified below.

C *Curriculum Factors That Contributed to Student Perceptions of Heavy Workload — Good and Bad*

Of the questionnaires that were completed and received, the responses to questions A through J (identified above) were isolated and analysed to identify which curriculum factors were significant in affecting perceptions of workload. The results showed that for the students surveyed:

1. The adequacy of the practical experience was the strongest factor influencing workload perception. That is, the more appropriate and relevant the practical experience, the more likely that a good-heavy workload was experienced.

2. Poor contact with the instructor was a significant factor leading to a bad-heavy workload. That is, the more difficult the student perceived contacting the instructor would be, the more likely that a bad-heavy perception of the workload was experienced.

D *Curriculum Factors That Did Not Contribute to Student Perceptions of Heavy Workload — Good or Bad*

Other aspects of the curriculum had been identified as potentially affecting student perceptions of student workload. However, after analysis, these factors did not show any significant influence on surveyed student perceptions of heavy workload, either positively or negatively. The aspects of the curriculum that were not predictors of heavy workload in the GDLP context included:

- structure and organisation of the course;
- the usefulness of the written materials;
- the usefulness of the interactive activities;
- the clarity of goals; and
- ease of access to technology.

These factors might not be predictors because the GDLP courses already addressed those curriculum aspects adequately. Or it might be that these aspects never contribute to perceptions of student workload. As these factors were not identified as significant, they will not be discussed any further here. However, as the GDLP curriculum develops and changes, these aspects of the curriculum will require monitoring in ongoing course evaluations to ensure that they do not contribute to negative student perceptions of heavy workload.

VI DISCUSSION AND RECOMMENDATIONS ARISING FROM THE FINDINGS OF THE WORKLOAD PROJECT

The workload project identified two possible curriculum aspects for development in the GDLP context, namely the ease with which instructors could be contacted by students, and the adequacy and relevancy of the course activities. After a detailed examination of these aspects of the curriculum in the GDLP teaching context, a series of practical recommendations were developed to help instructors enhance student perceptions of 'good-heavy' workload and reduce student perceptions of 'bad-heavy' workload. This examination and the resulting recommendations will be of particular interest to those teaching law or legal practice in an online environment.

A *Access to Instructors: Discussion*

The project revealed that the inability of a student to access instructors was a likely indicator that students would perceive the heavy workload negatively. This result is perhaps not surprising in an asynchronous online environment. In the similar print-based distance-learning environment, Lockwood and Williams identify the importance of regular phone communication with instructors.[29]

However, in examining communication practices in the GDLP program, students were already being encouraged to make regular contact with instructors, mostly via email. In several courses, the instructor of a GDLP course would post a message, discussion board comment or lecture material at least every two days. This frequency of communication amounts to the equivalent, if not more, contact than many undergraduate students currently experience with their lecturers in the face-to-face environment. It is also a higher frequency of contact than the amount of contact that Lockwood recommended in his research into print-based distance studies. Nonetheless, the workload project in 2003–04 had still identified that, from a student perspective, this amount was not adequate in the online delivery environment.

The authors hypothesised that, with the transition to online delivery, the expectations around communication between instructor and student had changed. It seemed that students expected more frequent contact than in courses delivered in the traditional face-to-face mode. There could be many possible explanations for this perception. Two explanations that occur to the present authors are:

- the expectation in the workplace of response times to email is generally same business day, preferably same business half-day and better still, immediately. This expectation is being transferred into an online learning environment; and/or
- students who study online are more likely to also be working full-time, so their available study time is less able to absorb any delay caused by a failure to answer what the student perceives is a critical question. If they ask a question of an instructor on how to proceed with a practice task and are not able to get the response until the following day, this may mean that students would not get the task finished until the following night. If this happens with a number of courses, the effects of delay are likely

to compound and the sense of frustration and 'wasted time' would increase.

In any case, it was clear that students expected prompt, and even immediate (within the hour) responses from instructors. This expectation has a number of practical implications for online teachers and legal education institutions. A sensitive balance must be clearly struck between student needs for contact/response and what is a reasonable teacher workload. The project recommendations outlined on the next page attempt to achieve this balance.

B *Access to Instructors: Recommendations*

Recommendations were developed to assist instructors to articulate some of the online communication issues, and to encourage instructors to communicate to students clearly their communication expectations. In particular, instructors were asked at the beginning of each course to explicitly articulate to students their expectations surrounding various issues such as:

- How frequently the instructor logs on and checks the website. (Ideally, in an online asynchronous environment, this is at least every day, and more frequently in the days leading up to the due date for a piece of assessment);

- How soon students can expect a response if they ask a question. (Ideally, in an online asynchronous environment, the instructor should respond within 24 hours or sooner. Again, this might be more frequently in the days leading up to the due date for a piece of assessment);

- Instructor availability times during the week — for example, contact times/viewing the websites on weekends, public holidays, evenings, etc;

- How the instructor would notify students if availability changed — for example if the instructor was away or sick. Wherever possible, instructors should notify students of their unavailability beforehand so that students will be aware of the reasons for any delay in responding to questions, etc;

- Where students can ask/post questions so that the instructor will see them. (Courses can be designed to visually assist students to intuitively find these places and post to the correct discussion boards or parts of discussion boards);

- What the instructor considers an urgent question (otherwise everything becomes urgent) and what students can do if they require an urgent response (eg, provide a telephone number or email details);

- How frequently students are able to see the instructor's presence online and how that presence may vary in different places within the course website. For example, an instructor's presence in a tutorial discussion board may only be intermittent. This is because to assist an online conversation, the instructor may only need to step in when the group has gone off track or written something inaccurate or incorrect. This can be contrasted with the instructor's presence in a discussion board relating to assessment instructions, where the instructor's presence will be highly visible. In these boards, students should receive a direct and individualised response to their questions within a short time frame; and

- The nature of communication in a text-based course (written responses), as well as the purpose of communication in learning — specifically, to remind students that communication is a two-way process and students have responsibilities too. For example, students need to be mindful about the frequency of their postings, their relevance, length and quality. (Students new to online learning may not be aware of this. Instructors should consider clearly articulating their expectations and consider making postings assessable to monitor and enforce these student responsibilities).

In summary, the recommendations provided suggestions for as many opportunities as realistically possible to increase the frequency and quality of communication between instructors and students. Since 2004, the range of communications tools used has increased considerably to include WebCT email, recorded tutorials (via streaming audio and MP3 downloads), voicemail, online videoconferencing, synchronised voice recording and *PowerPoint* demonstrations. Increased communication has also been supported by greater use of phone contact in some courses for both assessment and feedback.

C *Relevance of Practical Experiences in the Learning Environment: Discussion*

The other curriculum factor that was identified as likely to contribute to a good-heavy workload was the appropriateness of practical exercises. Practical exercises help to develop the necessary skills for legal practice. The more appropriate the student perceived an activity, the more likely they were to participate in that activity. If activities were not properly explained and/or poorly related to the student's own perception of appropriateness, students quickly skimmed them. If these impractically perceived tasks were either necessary or compulsory, then the resulting quality of the students' learning experience was likely to be superficial and undesirable and the heavy workload perceived negatively.

The finding that appropriate and relevant practical activities lead to positive learning experiences is supported by considerable research. In particular, John Biggs identifies that to create a positive learning experience, various aspects of the curriculum need to be aligned as closely as possible, such as the goals of the course, the activities and the course assessment.[30] In a practical postgraduate legal education setting, it was clear that the activities and assessment needed to have a practical focus. But what was it about the transition to online delivery that had caused students to see previously relevant and appropriate activities as suddenly irrelevant and inappropriate? The answer may lie in the medium in which the learning is communicated. Research has shown that the delivery medium can critically impact on student perceptions of relevance. For example, a study on workload in a print-based distance environment in mathematics, Clive Lawless suggested that the congruence between the content of the learning and the technology for delivering it was important.[31] That study (which compared the experiences of computing and maths students) also suggested that computing students studying by distance using computer-based problem activities spent more time engaged in study than their peers studying maths courses by distance and also perceived the course workload to be lighter. Lawless suggests this could be due to the fact that the computing students perceived more immediate and intrinsic relevance in completing *computer-*based problems than the maths students and, therefore, perceived more positively time spent engaging with these online activities than the

maths students. This research supports the view that the student's perception of the relevance of activities will increase if the learning activities are necessarily integrated into an online environment. The workload project developed recommendations about how practical legal course designers could better integrate the activities and the learning medium. These recommendations are outlined below.

D *Relevance of Practical Experiences in the Learning Environment: Recommendations*

Recommendations were designed to assist instructors to make explicit the link between the method of delivery (online) and the course aims and outcomes. The recommendations were:

- To support and train instructors and students to understand and use the technology according to best practice. For students in particular, at the time of the workload project, technology presented some issues (and in some cases still does). Their technology skills may not exceed word processing capabilities, and trying to understand the tricks of a discussion board might be overwhelming and lead to a negative perception of the course workload;

- To provide interactive and helpful information about the technology to help students come 'up to speed' with information communications technology (ICT). As new technologies are introduced, students are provided with instructions on 'how to use'. For example, in 2007, instructions to students on how to use other new technologies included Camtasia, etc;[32]

- To clearly inform students of the level of ICT accessibility (and skills) required to undertake the GDLP program. This information is now included in handbooks, enrolment processes, face-to-face seminars, and is also raised by instructors in courses;

- To clearly explain to students about how the activities and assessment are to enable students to satisfy the APLEC/LACC competencies. At the time of the workload project, it was apparent that students were not fully aware of the reasons for the various course curricula and the relationship to the APLEC/LACC competencies;

- To clearly explain how the development of those competencies is possible and even enhanced in an online environment — for

example, in conducting telephone interviews, instructors should inform students that advising clients may occur as frequently over the phone as in writing or in person;

- To clearly enunciate student-learning course objectives and expected outcomes and to clearly link these with the delivery mode, materials, activities and assessment; and

- To provide prompt and comprehensive feedback, with marks before the next assessment is due and, at the very latest, within two weeks of submission. This feedback turnaround time makes course activities and assessment relevant and practical because it gives students an opportunity to apply the feedback from a previous piece of assessment to a later one. This formative assessment and the opportunity to improve enhances the perceived adequacy of assessment in developing practical skills.

E *Preliminary Evaluation of the Recommendations*

Although some of the recommendations may not be considered specifically educational in nature, they were designed to reduce the perception of 'bad-heavy' workload. Over the ensuing three years, the recommendations of the workload project have been gradually implemented into courses within the GDLP. Anecdotally, student workload no longer appears to be a critical issue for students. The workload issue does not dominate the Legal Workshop student representative forum as it once did. Preliminary analysis of CEQ feedback during 2006 and 2007 suggests that student perceptions of workload are currently appropriately managed. Generally, CEQ data indicates that workload hours are within the accreditation guidelines and not perceived by students to be excessive. Moreover, students generally evaluate the ease with which the instructors can be contacted as appropriate, and the practical activities as relevant.

Now that the recommendations have had sufficient time to be fully implemented, another comprehensive and statistical analysis of the workload in the GDLP is timely. A further analysis is likely to demonstrate how, and to what degree, the implementation of the recommendations has impacted upon student perceptions of workload.[33] Such an analysis will contribute to the ongoing management of student workload through curriculum design in the GDLP.

VII CONCLUSION

The workload project set out to explore the issue of student workload at the ANU Legal Workshop and to develop a response that was educationally sound. While the intuitive response to student complaints about workload might be to reduce study hours, the workload project demonstrated that this was inappropriate. The workload project identified the importance of measuring different qualities of student perceptions of a heavy workload before developing a response.

Measuring different qualities of heavy workload in the GDLP has revealed a very rich understanding of the interaction between the course curriculum and student perceptions of workload. Understanding this picture has enabled Legal Workshop to develop recommendations that assisted instructors to 'finetune' their curriculum in the online legal practice teaching environment.

Changing the curriculum is an appropriate response that can effectively address issues surrounding student perception of workload. However, the specific impact of the curriculum on student perceptions of workload must be investigated in a context-sensitive manner. This may require an in-depth analysis of student evaluations which, in turn, may require developing customised questions that provide more information about the contexts of course delivery and related issues than those questions usually recommended by tertiary educational institutions.

[1] Australian Vice-Chancellors' Committee, *Paying Their Way — A Survey of Australian Undergraduate University Student Finances* (2001) <http://www.universitiesaustralia.edu.au/content.asp?page=/publications/policy/survey/index.htm> at 2 December 2008**.** For more general information about Australian patterns of work, family and study, see Human Rights and Equal Opportunity Commission, *It's About Time: Women, Men, Work and Family — Final Paper* **(2007).**

[2] Paul Ramsden and Noel J Entwistle, 'Effects of Academic Departments on Students' Approaches to Studying' (1981) 27 *British Journal of Educational Psychology* 449; Carolin Kreber, 'The Relationship Between Students' Course Perception and Their Approaches to Studying in Undergraduate Science Courses: A Canadian Experience' (2003) 22 (1) *Higher Education Research and Development* 57.

[3] In this context, the meaning of the word 'curriculum' is used broadly to include all aspects of the course experience. It includes such things as course materials,

activities and assessment, but also other aspects such as student-teacher relationships and the communication of values.

[4] These are often referred to as the APLEC Standards or the APLEC/LACC Standards. The competencies are set for core (or compulsory) courses and the elective courses.

[5] APLEC and LACC, *Competency Standards for Entry Level Lawyers* (2002) <http://www.aplec.asn.au/Pdf/Competency_Standards_for_Entry_Level_Lawyer s.pdf> at 2 December 2008.

[6] This figure is derived from data gathered in Legal Workshop student evaluation surveys collected during 2002.

[7] Anthony G Greenwald and Gerald M Gillmore, 'No Pain, No Gain? The Importance of Measuring Course Workload in Student Ratings of Instruction' (1997) 89(4) *Journal of Educational Psychology* 743.

[8] Ellie A Chambers, 'Work-load and the Quality of Student Learning' (1992) 17(2) *Studies in Higher Education* 141.

[9] David Kember and Doris Y P Leung, 'Influences Upon Students' Perceptions of Workload' (1998) 18(3) *Educational Psychology* 293; David Kember, 'Interpreting Student Workload and the Factors Which Shape Students' Perceptions of Their Workload' (2004) 29(2) *Studies in Higher Education* 165.

[10] Kember and Leung, above n 9.

[11] Ramsden and Entwistle, above n 2.

[12] Kember and Leung, above n 9.

[13] Ellie Chambers 'A Project Component in Architectural History' in Euan S Henderson and Michael Nathenson (eds) *Independent Learning in Higher Education* (1984), cited in Chambers, above n 8, 146.

[14] Ellie Chambers, above n 8.

[15] Kember and Leung, above n 9.

[16] Kember, above n 9.

[17] Kreber, above n 2.

[18] Herbert W Marsh, 'Distinguishing Between Good (Useful) and Bad Workloads on Students' Evaluations of Teaching' (2001) 38 (1) *American Educational Research Journal* 183.

[19] Roy D Gregory, Dr G Harland and Lin Thorley, 'Using a Student Experience Questionnaire for Improving Teaching and Learning' in Graham Gibbs (ed), *Improving Student Learning: Through Assessment and Evaluation* (1995) 529.

[20] Clive Lawless, 'Using Learning Activities in Mathematics: Workload and Study Time' (2000) 25(1) *Studies in Higher Education* 97.

[21] Kember and Leung, above n 9.

[22] Chambers, above n 8.

[23] Marsh, above n 18.

[24] For instance, Chambers discusses workload as the extent to which students feel overburdened and anxious, above n 8, 146**.**

[25] The questionnaire used in 2002 was based on both the student questionnaires recommended for tertiary institutions across Australia. Those questionnaires are known as the Course Experience Questionnaire (CEQ), which assesses the factors in students' perceptions of a course that influence the quality of their learning and approach to learning, and Student Evaluation of Educational Quality (SEET), which is based on factors that make up students' rating of teachers, especially those that influence students' grades.

[26] The responses were anonymous and were returned electronically to the Centre for Educational Development and Academic Methods (CEDAM), ANU.

[27] The GDLP comprises both compulsory courses and elective courses. All courses are offered every six months. This means that a full-time student can complete the GDLP in six months. Students generally must complete the GDLP within

three years of enrolling.

[28] The statistical software package used to conduct the regression analysis was SPSS (Statistical Package for the Social Sciences).

[29] Fred G Lockwood, AI Williams and DW Roberts, 'Improving Teaching at a Distance Within the University of the South Pacific' (1988) 8(3) *International Journal of Educational Development* 265.

[30] John B Biggs, 'Enhancing Teaching Through Constructive Alignment' (1996) 32 *Higher Education* 347

[31] Lawless, above n 20.

[32] With the rapid growth in use of Facebook; YouTube, etc, it would be interesting to see if students now have the same issues with technology generally, as an interactive environment, as they did in 2002–04.

[33] Unfortunately, an analysis of the 2008 course evaluations was not available at the time of writing.