Memorandum

To: John A. Sebert, ABA Consultant on Legal Education

From: Peter W. Martin, Legal Information Institute, Cornell Law School

Date: 6/30/2005

Subject: **Report on the On-line Social Security Law Course Offered by Cornell's Legal Information Institute, Spring Term 2005.**

I. Background

Interpretation 306-1 to the accreditation standard on distance education, Standard 306, calls for an annual report from schools offering distance courses. This report is submitted on behalf of Cornell Law School and the eight other ABA-accredited schools that participated in the 2005 Social Security Law course offered by Professor Peter Martin through Cornell's Legal Information Institute (or LII). Those other schools are: Boston College, Nova Southeastern, Rutgers-Camden, Rutgers-Newark, St. John's, Texas Tech, Washburn, and William Mitchell College of Law.

If follows the same format as our prior reports on the same course.

This was the fifth year for the course, one of two the LII has created for on-line delivery. The principal components of the LII course design include:

- digital readings (with a print-on-demand option)

- scheduled progression through a sequence of topics paced by Web-based discussion and mandatory written exercises

- hypermedia presentation (streaming audio linked to assigned texts and supplementary materials)

- computer-based tutorials and exercises (similar to those CALI has long distributed) tightly integrated with the readings and presentation material

- asynchronous but paced teacher-student, student-student written discussion

- short writing and problem-solving assignments submitted via the Net for teacher evaluation and feedback

- an end-of-term exam for final evaluation of student performance

All components of this Social Security Law course were created by and are annually revised, as well as conducted by Peter W. Martin of the Cornell faculty. The course has now been through four revision cycles, giving the LII unique perspective on the relationship between course architecture and course maintenance. Annual revision is

essential to take account of changes in the field – caused by adjustments to the benefit formula, amendments to the act and regulations, and important new cases – and to make improvements of other kinds to both content and pedagogy. The shifting landscape of proposals for substantial program restructuring ("Social Security reform" – a particularly salient topic this year) also requires annual attention.

For background on the LII's approach to distance education and further detail on how the Social Security course is structured and conducted and why, see the collection of materials at: < http://www.law.cornell.edu/background/distance/codec/ >. History of our prior distance education activities is set out in the LII's 2001 report, available at the ABA Web site < http://www.abanet.org/legaled/distanceeducation/distance.html >. The 2005 version of the course itself – syllabus and schedule, readings, hypermedia presentations, interactive problems, and mastery exercises – is accessible online at < http://www.law.cornell.edu/socsec/course/ >. While a login name and password are required beyond the first topic, a guest login will be furnished any member of the Council, Standards Review Committee or ABA staff requesting it. A full set of responses to the student questionnaire summarized below is also available upon request. (To receive either send email to < martin@lii.law.cornell.edu >.)

The 2005 Social Security course enrolled 105 students from ten law schools (including one non-ABA-accredited school, Concord) spread across four time zones in the U.S. and at least one in Europe. The participating institutions, like the nine others who have joined with us in past on-line courses, viewed this as an economic way to enrich to their upper-class offerings while also becoming familiar with a fully developed model of asynchronous legal instruction.

The terms and conditions for participating schools remained as described in our prior reports. Each school was responsible for such logistical matters as course registration and exam administration vis-à-vis its own students. Non-Cornell students registered not with Cornell but with their home institution and received local grades and credits. Their performance was graded in relation to that of other students from the same institution.

The Legal Information Institute's responsibilities included: preparation and distribution of course materials (free in digital format to the students), all instruction, performance monitoring (the on-line analog of attendance), student evaluation and grading. Cornell's charge was $500 per student, with a minimum fee of $2,500 per school. Institutions concerned about the fiscal impact of uncontrolled enrollments were free to set an enrollment cap.

II. Student response to the course

As in years past, the student response was, in general, quite positive. A course questionnaire to which 82% of the class responded confirmed that for a substantial majority the model worked as envisioned.

Most of the students who addressed the question "Would you take another course offered in a similar on-line format or have you discovered reasons why this approach doesn't work for you?" responded affirmatively. That is not, however, because they found this

one easy. Seventy-seven percent of the respondents rated the time and effort required by the Social Security course as either much more (33%) or slightly more (44%) in comparison with other upper-level law courses covering similar content at their institutions; none rated it "less." Concerning the quantity and quality of teacher feedback and discussion with teacher and other students, 62% judged it greater than that in conventionally taught law courses with similar enrollment, an additional 23% rated it comparable. Asked to characterize their ultimate success in mastering the course content, 69% reported that they had achieved levels of mastery at least equal to those they achieved in a classroom-taught course.

Did the students from the several institutions respond at all differently? Only to a modest extent. Responses on the level of effort were not significantly different across schools. Concerning level of mastery, the dominant response from all schools was "average"; however, over one-half of the Texas Tech students reported less than average mastery. While a majority of the students at all the other schools judged the level of feedback and interaction either "slightly more" or "much more" than in other courses of the same size, that was not true of Boston College, Texas Tech or William Mitchell where the median rating was "average". (In the case of William Mitchell the school's network reportedly blocked access to the course discussion area from within the building forcing students to connect to the online discussion, though not the other components of the course, from home or work.)

As with any course, some students found the material fascinating; others were bored or overwhelmed by it. Being a course in which both a complex statute and detailed regulations figure prominently and financial calculations play a non-trivial role, students who had not previously encountered similar fields and those with weak mathematic skills found the work particularly challenging. Personal response to presentation style is as varied with an online course as with one taught in conventional classroom sessions. Presentations that most judged to be "just right" or "excellent in pace and tone" or "a good tempo" struck others as "monotonous," "a bit fast," or "a bit slow." (There is software that allows a listener to speed up or slow down audio playback to which the class will be pointed next year.)

Students identified several distinct advantages in the course structure, online delivery, and pedagogical design. One wrote:

> I really enjoyed having the lectures online. I prefer to listen to lectures and not take notes at the same time. This format allowed me to listen once, and then go back and take notes, stopping to figure things out when needed.

Another:

> I would definitely take another online course. I like the ability to interact with several different people from different schools by message board. It has a longer lasting effect than a discussion in the classroom and you can go back later and discuss things from a while back unlike in a classroom setting where once it's covered it's over.

Several noted that it allowed them to take a course their school would not otherwise be offering. But the advantage stressed more than any other was the ability to control the time, place, and pace of instruction. This, of course, has particular value for students juggling additional commitments, to family, a job, or both:

> I enjoyed the flexibility this format gave me in meeting my class attendance obligations. I have 2 children and often have to miss class. With this course, instead of missing class, I simply took the class at my convenience and finished the semester without having missed a single class.

As several students pointed out this flexibility requires self-discipline. One offered this elaboration:

> All in all, it was a new experience for me and it really turned out to be great with my schedule. I haven't taken any other on-line courses, but I do work from home sometimes, so I could compare it to that experience. To have it really work out and get the most from it, you need to be disciplined. Working from home doesn't mean I have the day off and taking an on-line course doesn't mean I'm not in school – it just means I am not at the traditional location. It allows more flexibility – i.e. I can't do the laundry, run an errand, answer questions from my kids, etc. while I am physically at work or school, but I can do those things working from home or studying online. I would recommend the course to those other people who understand the difference and have the self-discipline. Taking an online course to "ease the workload" because your other two courses are work intensive is NOT a good idea. People should recognize that it is a three credit course and plan to spend that much time on it.

Several qualified their endorsement of the online structure suggesting that it would work better for certain types of courses than others or that they found online instruction attractive but would avoid another course with all the readings online (expressing a preference for a conventional casebook).

But the course didn't work for everyone. Some discovered that they missed the pacing and discipline of classroom meetings. One student expressed this reaction as follows:

> The regularity of a class schedule helps me keep up with readings and information. I would advise someone taking the course to take detailed reading notes and notes from the lecture each week.

The second comment illustrates a general challenge posed by any unfamiliar format. During the introductory portions of the course students are given precisely the advice this student suggests. But careful reading of and listening to such preliminary matter is for good numbers of students not a priority. This led another student to offer this advice for prospective course-takers:

> Really take the time to go through and read through the introductory materials (not on the course subject matter but on the platform and overall specifics of the course). Go through the website, clink on things here and there, make sure your RealPlayer works – if anything, be PARANOID and act like you don't know how

to use a computer. I think I benefited a lot by going through the course content and browsing around because it really helped tie everything together for the introduction.

Another expressed ground for preferring the more familiar classroom format was the way it permits real-time interaction. Wrote one student:

> I personally learn more from face to face interaction, as some times questions would come to me and I would want an immediate answer to better understand an issue. Waiting for the answer, which is inevitable to provide time for anyone to respond who may not be logged in at the same time, often left me confused on a topic for longer than desired and at times hampered my progress. Of course, this is to be expected in an on-line course, so I believe the course worked the way it should have.

Yet another noted:

> I think I need more human interaction to fully get engaged in the course. Otherwise, it's just too easy to do the minimum.

Forty-eight percent of the responding students indicated that their regular approach to the online presentations involved pausing them for note-taking and reflection; seventeen percent generally ran them more than once. Wrote one student: "Although I didn't block [and] copy outlines or text to my notes, I did take notes while listening to the presentations. This often required pausing and/or rewinding the presentation to make sure I clearly understood or captured the entire point. I actually felt I was able to take better notes due to the ability to go back and listen to something again if necessary or to stop while I tried to capture a point in my own words." While the students describe numerous approaches to note-taking including printing out the presentation outlines and taking notes on them by hand, eighty percent took advantage of the opportunity provided by the "hypermedia" environment to block and copy presentation outlines and the portions of the Social Security act and regulations visiting during presentations into their notes. Forty-five percent said they did so "often." Many students combined these capabilities in the manner suggested in the course introduction and described as follows by a student:

> I copied your outlines into my notes then added my notes from the lectures, popups and readings. I frequently paused the presentations to take notes, rewind to hear a point again, or review a related document. This is an excellent way to learn material, especially since I type slowly.

Students appreciated the multimedia nature of the presentations. One wrote: "The lectures were well done. They were easy to follow and I found it helpful that the supporting information popped up on the browser in sync with the presentation." From another: "I liked the synchronization of the text and with the spoken content. This made it easy to follow. I also liked how it would automatically take you to the code section."

Two features of the online course structure continue to draw close to unanimous student endorsement: (1) the interactive problems coming at the end of each topic, which allow

students to assess their own level of comprehension immediately after completing the readings and online presentations, and (2) the four mastery exercises spaced at equal intervals through the term.

About the former one student observed: "I learned a great deal from the problems with pop-up answers. I found that I referred to them during the mastery problems to refresh my memory and also referred to them when studying for the final." From another: "I liked the pop-up feature to the problems. That allowed me to work through the problem and then get an answer. I found that very helpful." From a third: "The interactive problems and explanations are VERY helpful. I did them all and found myself wishing there were more, even up to 15 per topic."

About the mastery exercises one student wrote: "I feel like the mastery exercises were a good review of a few topics and they helped prepare me for the exam. I especially liked the feedback because it was very clear and concise and you immediately knew if you were on the right track which is important to know before you get to the end of the semester…." Another observed: I thought the mastery exercises really helped me understand the material better. They focused me in on how the different regulations, the Act, and case law work in real fact situations. I felt like I got a good idea of what I was understanding and not so much understanding. It was nice practice for the final as well." A third: "I think it would be a disaster without the mastery exercises. They force us to do the readings and help us to identify points that we have missed that may have been discussed in a traditional classroom setting. Of course, we law students are not used to exercises like this, but they are well worth the time and energy we must put into them." Not always mentioned in these comments on the mastery exercises but implicit in the favorable response was the value of the generic feedback all students received by email 48 hours after the exercise deadline. Noted one student: "It is rare in law school to actually get an answer to a problem so the exercises were a good tool to measure progress." Many expressed appreciation that the feedback included more than teacher comments: "I liked how you included answers from various students in the class instead of one answer just from you." A few went so far as to ask for more: "Mastery exercises were great and your feedback was particularly helpful. I would have liked to have one each week."

Students were of mixed views about the value of the online discussion area (to be distinguished from the material they submitted for programmatic or teacher feedback). A significant number, whether or not they participated in discussion, expressed positive views. For example: "The discussions were … excellent, I was very surprised at how quickly, thoroughly and efficiently you responded to postings." But from others came views like: "There seemed to be people who had nothing better to do than post questions and answers in the forum – one from my school in particular. After wading into the forum a few times I realized that the discussions were more confusing than helpful – other people's misconceptions led me away from real understanding of the material." The asynchronous nature of the discussion and the fact that a few students were very active and swift to participate led some to a feeling of frustration: "I was discouraged by the domination of the discussion board by some members of the class. … [A] few members of the class took it upon themselves to address every question, idea or comment

before I had a chance to access that section. While I understand it is difficult to limit class participation, it put those of us that were behind [because of the timing of our spring break] in a difficult position as we were essentially left with two options – 1) repeat the same answer as one of our classmates 2) not respond. (In the controlled environment of the classroom a teacher can limit "gunners" by not always calling on them.) This year, for the first time, the class was divided into three separate "discussion sections" following the first month. That measure somewhat mitigated the dominating effect of the online "gunners."

Substantial numbers of students indicated that while having all of the readings for the course online was an asset, they would have liked the option to acquire them printed out and bound at the beginning of the course. Several expressed the same view about the audio presentations, wishing they were available on CD for purchase at the beginning of the course which would among other things, they noted, permit listening to the lectures while commuting. The logistical burden and cost of printing and shipping course materials to such a widely dispersed student body argue against that approach. However, next year we plan on preparing and offering all required materials for local downloading and printing, separated into three items, each represented by a pdf file: 1) a compilation of all assigned cases and articles, 2) Martin on Social Security, and 3) a statutory and regulation supplement. Furthermore, while not offering to ship CDs of the audio presentations we'll instruct students on how they can capture the streaming files for subsequent replay.

III. 2005 course innovations

This year's version of the course incorporated two changes. One has already been noted – the division of the full class into three separate discussion sections. These sections mixed students from all ten participating schools. Assignment was not totally random, but included an attempt to spread the most active posters evenly across sections. While the role of the online discussion in the overall course mix continues to be an area for further work, sectioning did appear to be a positive step and will be repeated in 2006.

An experimental element that proved to be superfluous was "real-time chat office hours." Although the concept (the teacher standing by to respond to questions on-line at a scheduled time) drew a positive reaction when framed as a proposal on last year's questionnaire, it received so little actual use from this year's students that we abandoned it after a short trial, without a single protest. The experiment strongly suggests that the other forms of student-faculty interaction built into the course – email, the weekly submission forms, and the online discussion area – when combined with timely teacher response provide ample opportunity for individual students to resolve points of confusion or concern.

IV. Holding the course against Standard 306

Based on the quality of the student work, the regular monitoring of student participation and effort through weekly pre-discussion submission, the online discussion itself, and the four mastery exercises, we are confident the course meets the requirements of Standard

306(c). Cornell's LII shall offer the course again next year (spring term 2006). We hope to have most if not all this year's schools participating again, and, perhaps, one or two additions.