

# **Exploring the Role of Leadership in Creating and Fostering Learning Communities within Business Law Higher Education.**

## **Background**

Academics within a Western Australian Business School, which includes the schools of Management, Business Law, Marketing, Information Systems, Accounting, Finance and Economics and the Graduate School, have been exploring strategies to increase the teaching quality in their programs. This has been undertaken with a view to increase the reputation of the institution within an increasingly competitive educational market, to meet the quality assurance mechanism (both within and external to the university), to increase the satisfaction levels of students with their learning experiences, to ensure that graduates are of a superior quality and to increase the desirability of our graduates to employers. To this end over the past five years, Academic Development has introduced two major programs called the Professional Skills program and the Unit Effectiveness Program.

**The Professional Skills Program** was an ambitious initiative focused on identifying and introducing into units a set of generic skills that are imperative for success in the business arena. After considerable research and consultation with business and academics, seven skills were identified as essential for business graduates. These were communication (including presentation, written, and speaking out/interaction), team work, problem-solving, computer technology, and information literacy. These skills were included into courses with support for staff made available from educators in Academic Development to support the teaching of the skills, formulation of learning experiences that facilitated the development of the skills. The individual schools were encouraged to take up this initiative and ensure that their students' skill development was monitored and documented. Unfortunately, over the past 2-3 years there has been a decline in progress with the professional skills initiative. With a recent Government policy paper emerging which again is emphasising generic skills, it is crucial for the Business School to re-energise the emphasis and impetus with professional skills.

**The Unit Effectiveness Program** was a more recent initiative from Academic Development focused on creating and fostering learning communities focused on increasing the effectiveness of the learning experiences of students. A questionnaire called the Unit Experience Questionnaire (modelled on the federal Department of Education, Science and Training's (DEST) Course Experience Questionnaire - CEQ) was developed. This survey instrument is administered to

all students offshore and to all undergraduate Business School units with 100 or

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more students enrolled in the onshore situation. Lecturers with smaller classes who want to obtain feedback from their students are also able to have this questionnaire administered to their students. The data is collected, processed and analysed by Academic Development and the resultant unit report is returned to Unit Controllers/Leaders and their respective Head of School. Unit Controllers/Leaders are encouraged to meet with their tutors/demonstrators to discuss as a team the findings of the report. It is recommended that the team identify their strengths and areas requiring improvement. They develop a plan to consolidate their strengths and work on one or two aspects needing attention, and the plan is discussed and lodged with the Head of School. Students are informed of the changes and asked to consider these when they respond to the next administration of the questionnaire. The team then repeat the cycle. This process was devised to assist staff to obtain regular feedback from students about their learning experiences and to promote increased communication between colleagues focused on creating learning communities focused on increasing the quality of teaching and learning.

This paper discusses the issues and challenges for a new leader of a School of Business Law in promoting the creation of learning communities thereby raising the profile and quality of, and overtly valuing teaching and learning.

## **Literature Discussion**

### **The Challenges of Improving Teaching and Learning within Higher Education**

Australian universities are becoming increasingly accountable for producing graduates of a superior quality who are highly competent and competitive within business, industry or other employment markets. Hence there are many initiatives and quality assurance mechanisms designed to increase the quality of teaching within higher education. Unfortunately, lecturers are frequently faced with diverse demands on their time; these include the demands to meet research goals, increased student numbers means increased assessment workload, the need to monitor and support sessional tutors, as well as maintain a high standard in their own teaching practices. As a result many lecturers feel overwhelmed and have to prioritise their available time in relation to these competing demands. Even though over the past five years many Australian universities have attempted to review their reward systems and recognise and promote the value of teaching, research activities still emerge as a priority over teaching with opportunities for promotion, recognition and tenure being closely associated with research activities. In universities that are moving towards overtly valuing and rewarding both teaching and research activities, another tension is emerging between engaging in teaching and in research and how these two aspects can be balanced with an increasing workload. It also creates a dilemma for individuals who desire to be purists, in that they want to only teach or only pursue their research

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(Ramsden, Margetson, Martin, & Clarke, 1995).

In addition to a generally lower value being placed on teaching in higher education institutions there is concern about the decline in collegiality and collaborative activities (Ramsden et al, 1995). This decline in collegiality may be an artefact of the demands of workload but it has an impact on lecturers' capacity to share ideas, reflect on their teaching practices and those of their colleagues, share resources, mentor less experienced members of their faculty and engage in academic dialogue focused on problem-solving teaching and learning-related issues. Over the past ten years within the school situation, collegial learning communities have been identified as highly effective forms of professional development for teachers and yet the power of learning communities are as yet relatively unexplored or unexploited within higher education (Brandt, Dillon-Peterson, Joyce, Calhoun, Wood, Guskey, Fullan, & Schmuck, 1994; Darling-Hammond, 1998; Lieberman & Miller, 2000). Darling-Hammond reported that teachers who "have access to teacher networks, enriched professional roles, and collegial work feel more efficacious" in gaining the knowledge they need to meet the needs of their students and were more positive about staying in the profession (Darling-Hammond, 1996, p.9 Ross, 1994). Unfortunately, many universities are still endorsing and structuring professional development initiatives based on the flawed one-shot-workshop premise where "deficit" lecturers are encouraged or required to attend with the view to "fixing up" their teaching deficiencies (Joyce & Calhoun YEAR? in Brandt et al., 1994, p.4; Goodlad, 1994 CHANGE ORDER). Unfortunately, even though this model holds attraction for administrators who perceive teacher development to be a linear process, it ignores the value of working with colleagues in reducing feelings of isolation, and discussing and reflecting on teaching successes and problems with experts and peers within the context of their discipline.

In addition to the lack of collegial opportunities or established practices is the concern that many lecturers frequently do not have any formal qualifications in education. As stated by Ballantyne, Bain and Packer (1999, p.237) "[a]lthough university lecturers are usually strong in content knowledge relating to their discipline, many have limited knowledge of theories of learning and strategies of teaching". This can result in the perpetuation of traditional, transmissive teaching practices as lecturers resort to their own concepts of what constitutes good teaching and with little depth of understanding of how quality learning occurs.

The issues outlined above tend to relate to lecturers ~~as a group or as~~ individuals, however, there are also many challenges facing leaders within higher education. How do they provide opportunities for both individual professional development, as well as structuring these activities so that they also build positive organisational culture change focused on increasing the learning outcomes for students? Can they use collaborative teacher discussions focused on teaching to re-energise the "vitality" and enthusiasm of a faculty and ward off and/or turn around "disenchantment with ... teaching ... and estrangement from students and colleagues" (Brown, 1996, p.4)? How do they balance the university's research agenda with the demands for increased teaching quality? Can introducing

systematic collaborative and collegial structures be sustained and effective in producing positive teaching and learning outcomes? Although imposing collegial structures on lecturers may be considered to be undesirable, Graham identified that organisationally induced collegiality is useful in “the implementation of educational innovation and may eventually lead to the development of collaborative interdependence”. Additionally, he identified that “innovations are most likely to be successful when dialogue about professional practice is an accepted feature of the educational environment ... learning takes place in social contexts ... [and leads to the] development of shared goals and expectations among members of the educational community” (Graham, 1993 in Ramsden et al, 1995, p.20).

Hargreaves (1992) identified leadership as crucial in establishing and maintaining collaborative forms of culture focused on improving the quality of teaching. Leaders also need to consider other aspects that promote educational advancement; for example, leaders who personally value educational excellence and teaching activities will influence the profile of teaching and learning activities within their school. Fullan (1991) indicated that the school leader is the “person most likely to be in a position to shape the organisational conditions necessary for success, such as the development of shared goals, collaborative work structures and climates, and procedures for monitoring results” (p.76). Although Fullan was referring to school principals, school leaders within higher education share similar capacities and constraints.

## **Theoretical Framework**

Research is generally undertaken in order to better understand a particular phenomenon or aspect of interest through a process of inquiry. This study relied upon the naturalistic approach and sought to gain insights into complexities of the human dimensions of behaviours in the stakeholders’ work lives within an organisational culture in order to utilise these insights for future strategic planning. This research was designed based on naturalistic methods, in particular ethnography, where it was focused on understanding more fully the construction of reality for the individuals and groups involved in the research. Naturalistic methods use the subjective experiences of the participants in order to explore their constructs on a problem or issue. It is interpretive by nature, and situation and context specific (Stringer, 2004). Berger, Berger, and Kellner (1973) indicated that individuals construct their own reality in order to provide coherence and order and this construction tends to shape their interactions and decisions.

Van Manen (1990) proposed that utilising a phenomenological approach in research provides a richer description of events and interpretations of reality. The emphasis in this type of research is to gain insights rather than to explain or be able to generalise from a specific case. This form of methodology can reveal nuances and subtleties that cannot be achieved necessarily by other approaches. Fraenkel and Wallen (2000) indicated that ethnographic, phenomenological approaches lend themselves to the study of individuals, their interactions in

particular settings over time. Usually the sample is small, hence generalisations are not routine and/or possible.

This study has utilised informal interviews and focused reflective writing in order to connect the key stakeholder's experiences. The stakeholder's "stories" reveal the significant issues and concerns related to supporting the advancement of teaching and learning within a non-education secular discipline. Each stakeholder was surveyed at least once and was encouraged to clarify perceptions and issues in subsequent reflective accounts based upon specific questions. This data collection was undertaken within the work situation and at a time that was convenient to the stakeholder. The key aspects of the accounts were identified, developed and distilled to form a clearer focus for proposed action and strategic planning from a leadership perspective. According to Stringer (2004) this type of approach can be valuable in enabling researchers to identify those aspects that are crucial experiences and insights that need to be acknowledged in formulating potential solutions to the problems being investigated.

MORE DETAIL NEEDS TO BE INCLUDED HERE ABOUT THE CONDUCT OF THE STUDY. WHO WAS INTERVIEWED. WHAT DOES 'INFORMAL' MEAN. HOW WERE THE KEY ASPECTS 'DISTILLED'. ETC.

THE FOLLOWING SECTIONS, WHICH PRESUMABLY REPORT ON FINDINGS FROM THE INTERVIEWS AND REFLECTIVE WRITING, BARELY MENTION THE PARTICIPANTS. INDEED, MOST OF WHAT IS WRITTEN COULD BE DONE BY SOMEONE WORKING WITH STANDARD PUBLICATIONS AVAILABLE AT THE UNIVERSITY - POLICY DOCUMENTS, MINUTES OF MEETINGS, PUBLICITY MATERIAL. WHERE ARE THE VOICES OF THE PARTICIPANTS? I WOULD ENCOURAGE THE AUTHOR TO INCLUDE FAR OF THE PARTICIPANT'S OBSERVATIONS. -

## **A Historical Perspective on Teaching and Learning within the Business Law Faculty**

The school has developed a number of key strengths, brought about by being regarded as a service school by the other schools in the division. The term "service school" is coined from Business Law servicing other school degree programs. The School of Business Law has few of its own programs. This is not unusual or surprising as schools which grant a law degree generally only offer one degree. Therefore, Business Law contributes to a range of programs, which means there is a need to be flexible about what is taught and to provide units which are tailored to meet the requirements of other schools. This has an obvious downside, creating a dependency on other schools for teaching direction. Staff within the School have, however, turned this to their advantage by using the first year compulsory units as a marketing tool for the Business Law degree program. This is achieved by paying special attention to the delivery of the core units, and

ensuring they are well organised and resourced. Two key units are *Legal Framework* and *Contract Law*. Both these units have a long history of full time staff input, constant review of materials, innovative assessments and integration of professional skills. *Legal Framework* is the flagship unit, as all first years must undertake this coursework. Review of the assessments in this unit is performed consistently. The key skill is problem-solving so tutorial questions and exams incorporate this higher level of cognitive processing. Additionally, students' learning in this skill is scaffolded through practice obtained in tutorial tests which encompass both content and problem-solving examples. This method tends to reduce the incidents of plagiarism and provides building blocks for the final exam.

*Contract Law* operates on a similar basis, with regular review and re-appraisal. A significant question is whether or not these approaches are translated throughout other units. In general the answer is yes, with some resistance to emphasising professional skills, scaffolding students' learning and including the skills in assessments being exhibited by some staff, which is probably a reasonably normal phenomenon within higher education. Even with this resistance, it is a school requirement to review and re-appraise all units.

Professional skills was not initially well supported by a previous HOS, but was adopted with vigour by the course Unit Controllers in the core units. This kept the initiative alive and has enabled the momentum to develop wherein the school has implemented the professional skills more effectively and consistently than the other schools. It is probably the right time to restate the commitment to these skills implementation and integration and further promote those underlying principles of the program.

## **Strategies for Improving Teaching and Learning**

Although there was a procedure established to promote discussion and reflection on the Unit Experience Questionnaire (UEQ) feedback, the uptake of this collaborative-reflective process within schools across the Division has been variable. Business Law is one of the schools that have instituted regular unit meetings, whereby teaching staff concerned with particular units meet at least once a semester to consider issues related to the teaching of that unit.

The University also has a performance management process called the Management of Continuous Improvement and Growth (MCIG). It requires the Head of School to interview all academic/general staff to discuss planning and objectives for the year ahead. This HOS has utilised this process to support his staff by discussing a range of current issue that can impact on teaching and learning, such as, teaching loads, how teaching loads can be more effectively managed through consideration of course materials and assessments, refining and the development of unit materials. Lecturers are encouraged to discuss their UEQ reports and comment on those findings. The HoS is keen for staff to perceive these meetings as their time to showcase what they have achieved and a time to discuss concerns and issues they want aired with their school leader. It is envisaged that the "accountability" dimension of this type of process will be

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downplayed so that staff are able to feel more comfortable to be honest and use this occasion constructively.

### **Potential Future Strategies for Promoting Quality Teaching and Learning**

#### **Regular meetings focused on teaching and learning**

This School Leader perceives the UEQ data and process as a means to first, achieve an outcome for improving teaching based upon a more student-centred approach; second, to promote the development of learning communities whereby lecturers can talk more openly to the Head of School, their colleagues and educators within Academic Development about their teaching practices and outcomes. Establishing a regular process of team meetings and Head of School discussions focused on teaching achievements and planned improvements is a key strategy and is anticipated to perform an “icebreaker” and regular “touching base” role for staff so that they feel less threatened and more comfortable talking about their teaching. Discussing their own teaching practices is hard for many lecturers as it can be perceived as a potentially threatening management process. Lecturers tend to have a proprietary interest in the content and assessment of their courses and both of these aspects of curriculum are frequently bound together with personal preferences, expertise and ownership issues. Lecturers can get too close to the issues and problems and frequently need an outsider’s perspective in order to discern the need for improvement or options for refinement. The Head of School role (and possibly the Academic support available within the Division) is pivotal because it can offer both of these things hopefully in a non-threatening manner. The UEQ is an entrée into discussions with staff, and with sensitive and appropriate implementation, the Head of School can overcome a potential perception that it is a management or overbearing disciplinary process. This will also facilitate productive and supportive aspects with a view to promoting the development of learning communities focused on increasing student achievement of outcomes.

Overall, almost by necessity, the school has developed a good teaching reputation, with most staff taking pride in their contribution to that image (and the image is generally a reality – based upon higher UEQ scores than other schools). The future plan is to reinforce this emphasis, but also to engage overtly engage all staff in the review process.

#### **Shorter semester reviews as a trigger for refining units**

Recently, the University has undergone a review of the number of contact hours for students (in order to align it with other universities around the state), and as a result lecturers have had to adjust their units to a shorter semester (15 weeks to 13). This Head of School used the initiative to interview all the staff on how they were proposing to change their units in order to reduce the number of teaching hours. This involved discussions on the content and assessment of units. He raised with staff the need to make the assessments consistent with the outcomes and

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objectives of the course and also with the School's Professional Skills program. These discussions prompted some changes to the assessments, usually a reduction in the number of pieces of work, but in other cases a re-think of the types of assessment. As a consequence a chart/matrix was developed, which tracked each unit taught by the school with details of the assessments used in each case. This chart will be amended to include details of UEQ feedback that are obtained for each unit and how that feedback has been actioned. The chart will therefore form the basis of an ongoing review of assessment and feedback. It also facilitates transparency to all colleagues enabling them to make sound decisions which may impact on units other than their own.

Analysis of the School's UEQ results consistently demonstrates weaknesses in assessment and student workload, in as much as students consider these the hardest parts of the program. The future plan is to review all assessments in the school with an eye to eliminating the heavy emphasis on end of semester exams and providing timely feedback.

### **Recognition of quality teaching**

As a recipient of a number of teaching awards himself, this School Leader is aware of the significance and positive reinforcement value that teaching awards can have on lecturers, either individually or as a team. As a result he has encouraged his staff to consider nominating and/or applying for various teaching awards and avenues to showcase their efforts in quality teaching. It is anticipated that lecturers may more willingly engage in this as there is the additional personal benefit in reaching out for these forms of recognition.

### **Financial support for continuing qualifications related to education**

There is currently no requirement for lecturers to have any formal teaching qualifications in order to teach within higher education in Western Australia. Hence the majority of lecturers do not have any teaching qualifications and therefore have limited understandings of curriculum development, practices, strategies and educational issues. With a view to encouraging lecturers to undertake teacher education, this leader has made provision within the School budget to pay the fees for any staff studying the University's Graduate Diploma in Education. A number of staff have taken up this offer and have commenced studies in education. It is anticipated that by lecturers' engagement with educational theories, strategies and curriculum and assessment development practices they will be more able to implement more student centred approaches and increase the overall quality of the educational practices occurring within their units.

### **Conclusion**

Acknowledging that sound leadership is pivotal in promoting quality teaching and learning, the author has identified a number of ongoing issues with which he will have to wrestle in order to make a real difference to students' learning outcomes.

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The first major issue facing staff is that of workload. Staff within the division of business have taken on additional teaching in offshore partnered institutions and this teaching is over and above their normal full time load. Even though there are financial advantages for them to undertake these additional duties, over the long term it can have a deleterious effect on lecturers' capacity to maintain the cycle of continuing refinement and reflection, purely from weariness and preoccupation with too many tasks.

The other real issue related to workload is time. Lecturers in this University, similar to most around the world are being increasingly pressured to engage in more research activities. Research is usually time-intensive and this can result in a tension of how much time, attention and priority should be allocated to research and how much to teaching. There does not appear to be any easy answers to this, other than to encourage lecturers to engage in action research related to their teaching. However, for lecturers who have research interests within law, this may not be perceived as useful or valuable even though it would certainly have a positive impact on the quality of their teaching practices.

In any faculty there are lecturers who are wholeheartedly engaged in their teaching and research activities and some who have become disengaged and mechanistic. The dilemma for a leader is how to include these disengaged lecturers back into the innovative activities occurring around them or how to re-energise them? It is proposed that creating a number of learning communities within the faculty will eventually produce a "critical mass" effect whereby these disenchanted or simply disinterested lecturers feel that they want to re-engage and participate in these teaching-related communities.

Another difficult issue is that which relates to the lecturers' beliefs about teaching, that of not valuing or perceiving student feedback as useful, informative or valid. Even though there is considerable literature that endorses the validity of student feedback as source of information about the value of learning experiences and unit quality, many staff maintain the view that they have superior knowledge and expertise and students are therefore not qualified to comment on the learning that is (or is not) occurring in his/her unit. This unfortunately supports a transmissive perspective of learning; that is that lecturers are the key source of knowledge and students receive that knowledge in a linear manner. What is needed is for lecturers to interrogate their philosophies of learning and investigate constructivist approaches in order to facilitate a shift in this type of underlying conceptual framework. The additional conundrum in this is that even though the leader and educators in Academic Development desire to facilitate lecturers' shift to a more constructivist paradigm, they tend to question the need to shift when they have been successful learners themselves within a largely transmissive mode of learning. The discussion then takes on a personal dimension (Well it worked for me so why change?) rather than perceiving the need for building a repertoire of strategies to meet diverse learning needs of students (How do I structure the learning activities so that they can learn?). This transmissive or "traditional" perspective does not acknowledge the change in our student demographic wherein the students that are entering our courses today are not necessarily the few elite as

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they were twenty or more years ago. The student body now is made of students who have a range of educational backgrounds, cultural and ethnic origins, differing ages and outside-of-university responsibilities, varied learning styles and needs, hence lecturers in today's university **must** be prepared to review and adjust their philosophies and teaching strategies in order to more successfully meet the needs of **all** their students, not just the elite few.

What has been identified as essential was to maintain and increase the progress along a continuum of development in the pursuit of excellence, that all lecturers are included and welcome in the learning-focused communities, there is the overt valuing of teaching, and increased opportunities for recognition of individuals who strive to increase student learning outcomes.

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