MULTI-LAYERED ASSIGNMENTS FOR TEACHING THE COMPLEXITY OF LAW TO BUSINESS STUDENTS

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Abstract

Students in undergraduate business programs at most American colleges and universities from all business disciplines are required to take one, or occasionally two, law courses before graduation. These classes are meant to provide students with an understanding of the nature of the legal system, and its role and influences on business and business decision-making. This paper describes a new assignment design used by the author in a legal environment of business course to improve student understanding of legal concepts, demonstrate the complexity of the law and illustrate the many ways in which legal issues influence business decision-making.

KEY WORDS: Social and legal environment of business, business law, teaching law to business students, application of legal principles, evaluation of student learning, courses and assignment design, in-class debates, reading quizzes, sequenced and linked assignments, mastery of complex legal concepts and terminology

INTRODUCTION

Students in undergraduate business programs at most American colleges and universities from all business disciplines are required to take one, or occasionally two, law courses before graduation. These classes are meant to provide students with an understanding of the nature of the legal system, and its role and influences on business and business decision-making. The Association to Advance Collegiate Schools of Business (AACSB) does not mandate the study of law in AACSB accredited institutions but it does require that curricula in such institutions include “ethical understanding and reasoning abilities” and “analytical skills.”¹ In many institutions the study of law and the legal environment is one of the content areas used to provide learning experiences in these skills and general knowledge areas.

This paper describes an assessment and the subsequent assignment redesign in a Social and Legal Environment of Business course. The redesigned course used carefully sequenced sets of linked exercises focused on a single case to demonstrate the application of legal principles, the complexity of the law and the many ways in which legal issues influence business decision-making. The new course design, which included other important changes to aid student learning, such as the addition of reading quizzes and in-class debates, was tested in the fall semester of 2004 and the impact of the changes on student learning and outcomes were monitored and are described in the paper.

THE STUDY OF LAW IN BUSINESS SCHOOLS

There are some very good arguments for requiring the study of law by undergraduate business students even though the law might not be considered to be a traditional business discipline. Several studies have shown that business managers themselves view law as an important area of study and rate
knowledge of law and legal issues as important to business decision-makers. Another obvious manifestation of the importance of law to business is the rapid and sustained rise in the amount of litigation and regulation to which businesses are subjected. It is possible to chart the increase in litigation in many areas of law that relate to business. For example, there has been a huge increase in the number of employment discrimination lawsuits filed in the last 20 years alone. George Siedel, Professor of Business Administration at the University of Michigan Business School, in his study of the forces affecting the rise of importance of law in business, lists six forces, which have constantly forced legal issues onto management agendas during the last decades of the 20th century. [Seidel, 2000] In addition to increased litigation and regulation, he includes globalization, technology, compliance and entrepreneurship as important forces in the modern business world which explain the increasing importance of law to business-decision making. Siedel’s conclusion is that law is of tremendous and growing importance to business students and thus the design of undergraduate law courses that properly address the forces described above is an important task for business schools. "Law effectively is a minor for every future manager because it pervades business decision-making and operations." [Seidel, 2000] The challenge is that in a business law class business students are required to master unfamiliar legal material and at the same time acquire and use legal/analytical problem solving skills in thinking about business issues.

THE CLASSROOM ASSESSMENT

Most professors take an ongoing, largely informal, creative problem solving approach to difficulties with learning that evolved in the classroom; implementing some new teaching techniques and discarding others, to improve student learning.

In Spring 2004 the author spent a semester undertaking a more focused assessment of student learning in one of her classes – Social and Legal Environment of Business – in order to understand whether there were common difficulties with specific areas of legal study for students. If so, the aim was to identify which areas were particularly problematic for students and to ascertain why these common difficulties arose. The assessments done were all simple pen and paper, un-graded classroom assessment techniques, many of them developed from Angelo and Cross, “Classroom Assessment Techniques.” At the conclusion of a class, students might be asked to explain the “muddiest point” in the subject discussed, or after the discussion of a topic was concluded, students might be asked to write a one-sentence summary of the topic. Short written questions were constantly used to probe whether students could “spot the principle” learnt in one area and apply it to another problem. Students were told why these assessments were being carried out and they were told that their responses would not be graded or in any way affect their course work. They were also asked for their permission for the retention and use of their written responses in improving the course.

One clear benefit of this type of assessment exercise was that explaining the objectives of the course and discussing the barriers to effective learning became more frequent. This, by itself, improved student participation in the learning process, and contributed to a deeper discussion of legal issues and their effect on business, compared to previous classes where the same type of un-graded student reflection exercises had not taken place.

Stephen Brookfield, who has written widely on adult education, believes that teachers can reframe their teaching by viewing their practice through four lenses: their autobiographies as teachers and learners, their students’ eyes, their colleagues’ perceptions and theoretical literature. In his view, seeing ourselves through student eyes is the most crucial:

Without an appreciation of how students are experiencing learning, any methodological changes we make risk being ill informed, inappropriate, or harmful. That is why, in my opinion, the most fundamental meta-criterion for judging whether or not good teaching is happening is the extent to which teachers systematically try and get inside student heads. [Brookfield, 1995]

Brookfield’s view is that to get anything like students’ honest opinions, anonymity must be guaranteed. In this study it was found that time had to be set aside in class for student reflection and that, while the work might be required, it should not be graded, or at least not for the validity of the responses. Student feedback was extremely helpful in clarifying how students were experiencing learning, since, while student responses sometimes accorded with the instructor’s own feelings about a lesson, often they did not.
EVALUATION OF STUDENT PROBLEMS

One of the problems noticed prior to the undertaking of the assessments described here was that most students did not seem to be reading the relevant chapters in the textbook prior to class. Often classes did not progress to an interesting discussion of competing ideas, or to the completion of questions requiring critical thinking skills, because available class time had to be spent on learning simple legal concepts and ideas – ideas and concepts that were already explained and defined in the textbook. Feedback from the assessments suggested that, contrary to appearances, students had, in fact, completed assigned readings from the textbook prior to class but were gaining little from their reading. A frequent statement was, “I read the book but I didn’t understand [the concept] until you explained it in class.” Although it might be considered flattering that students understood material only once it had been explained by the instructor, this clearly limited coverage of material in class. A chance remark by a student revealed that pre-reading the text improved understanding of legal concepts, only when simultaneous assignments were provided which specifically related to the reading, and when these assignments had to be completed prior to class discussion of a topic. This required students to undertake the reading in order to solve particular problems, rather than allowing them to simply read the text with no aim other than completing the required reading for a particular class.

It has been noted that experts (for example, university faculty in their discipline) differ from non-experts in how they approach information about a topic. Experts have acquired “extensive knowledge that effects what they notice and how the organize, represent and interpret information in their environment.” [Bransford, 1999] Many professors, as experts in their subject, would describe their assigned text as a resource to be used to research information and find the answers to particular questions in their discipline. By contrast, without the extensive knowledge of experts, students, as non-experts or novices, take the injunction to read parts of a text as a requirement to read all material on the relevant pages without consideration of what they are reading or why, since they have little foundation (as non-experts) to determine how to organize and interpret which parts of the information are important and which are not. The author found that it was very helpful for students to be provided with questions that directed and guided their reading since they were unfamiliar with legal concepts and thus unable to determine for themselves the importance and relevance of particular information. If students were provided with questions as a frame of reference, they were more able to “actively” read the text in their search for the answers to the questions posed. This more active use of the book as a reference tool meant that the students were more likely to understand, and be able to recall, what they had read in their search for answers.

Another issue revealed by the assessment was that, even where students felt they did understand material, they often had difficulty linking any theory or concepts explained in the text to new cases or examples given to them in class, and/or to other real-life situations. Often student would be able to explain a concept reasonably well in a one-sentence summary, only to fail to link it to a new problem or different area of law.

Students frequently failed to see the repetition of major ideas and important principles, which were central to, and reappeared across, many legal topics. For example, the concept of jurisdiction, taught early on in most legal environment courses, is a central principle of the legal system. In order to hear a case and pass judgment, a court must have jurisdiction over the subject matter of the case and the parties to the dispute. This principle applies to all types of courts and all types of legal disputes. It is a fundamental first question in determining the likely success of any legal claim. Students could often provide a one-sentence summary of the concept after learning about it for the first time and, in assessments, stated that they understood the concept. However, when given problems where they had to determine whether a court had jurisdiction in particular instances, they often demonstrated that they could not apply the concept to the facts of real-life cases. If they were given problems involving a jurisdiction issue to identify and solve later in the course (especially problems not clearly “labeled” as jurisdiction problems) their difficulties with identifying and applying the previously learned concept were even more evident. It seemed to be “out of sight, out of mind.” Once a topic had been covered in class, students appeared to consign it to an area of their brain that would only be reactivated shortly prior to any exam for cramming purposes.
Student learning often also seemed hampered by students' own prior knowledge (which was generally incomplete or inaccurate) about the legal system. It has been noted for years by educational psychologists that one of the most important factors influencing learning is what the learner already knows. [Ausubel, 1968] In the legal environment class it was found that students had some legal knowledge, generally from television and movies on criminal trials. They tended to continue to apply their own conceptions or opinions to solve legal problems even in the face of contrary principles and concepts taught in class. For example, students in the author's Social and Legal Environment of Business class would routinely continue to use terminology learned from the media which applied to the criminal law system, (for example, "the accused," "guilty" and "fines") to civil cases, (relevant terminology should be "the defendant," "liability" and "damages") even after the difference between the two systems and their terminology and concepts had been discussed in class. They also tended to use their "gut reactions" to assess liability, in place of legal analysis. For example, in negligence cases, courts generally apply a three-stepped approach to determining liability: Does the plaintiff owe the defendant a duty of care? If so, was that duty of care breached by the plaintiff's action, and did damages result from the breach? After learning these principles and analysis, and discussing their application to a variety of factual situations, students would, when given fresh problems, revert to assessing and explaining whether a party was likely to be successful in a negligence suit, based on their own opinions of the "guilt" of the parties involved, rather than using the legal test.

REVISING THE SUBSTANCE AND DELIVERY OF THE COURSE

After these common problems were identified, it was decided that a number of changes would be tried to assist students in three main areas. It was clear that students needed to gain some basic content knowledge through reading the text so that they could move on to applying this knowledge in class. Students needed to practice applying legal concepts to different fact situations, to see that there were certain legal concepts, which were so important that they ran throughout the course material, and, finally, they required help in avoiding transmitting their old (mis)conceptions about law to their understanding and application of legal principles.

Nancy Oppenheim in her "Cognitive Bridges" article presents research from a business law class that suggests that student-knowledge centered classes organized around the student's existing knowledge of the law are more effective than traditionally organized law classes in strengthening a student's legal knowledge networks for application to business contexts. [Oppenheim, 1999] Other academics have commented that the traditional lecture format fails adequately to convey the skills that students need. The shift in many areas of academic study is away from lecture to a cooperative learning format, which emphasizes integrated knowledge with the student as co-producer of the learning. [Johnson, 1998]

Basic Content Knowledge and Active Reading

The first change made in the course was to choose a simpler textbook. The book by Reed, "The Legal and Regulatory Environment of Business," was divided into short, fairly simple, chapters. Each chapter included a glossary of the important terms, as well as a summary of the most important concepts and definitions introduced in that chapter. Each chapter also contained a themed problem on the tobacco industry, which emphasized the links between different areas of law. It was felt that this book would serve the needs of the students better as a reference book than the old book, which had included many cases and reprints of interesting newspaper and magazine articles on relevant topics. Experts tend to organize their knowledge around the big ideas and concepts in a discipline and are effective at retrieving the knowledge relevant to a particular problem whereas non-experts, like students, do not. [Bransford, 1999] It could be that the more colorful text encouraged the students to get off-track and overloaded them with too much new information, which they could not effectively organize and use.

The aim in using the new text was to introduce the students to more effective, active-reading habits. To ensure students learned something from reading the new textbook before class, some short, simple questions were devised for each topic, targeted at helping students understand the big ideas and important definitions for that topic. Students had to complete a ten-question multiple choice quiz on each chapter electronically before class. The object of this exercise was to enable class time to be spent practicing the application of concepts and ideas, rather than in the instructor lecturing on what was in the textbook. It was explained to students that answering the quizzes should be done with the book in front of
them. Using Blackboard software available at the author’s school, the questions were computerized so that students could complete the quiz from any location. Blackboard technology was also used to ensure that any quiz was only accessible prior to the discussion of the topic to which it related in class. Once discussion of an area of law commenced in class, the relevant quiz could no longer be accessed and completed on Blackboard. Students had, therefore, to read ahead in the syllabus, and make sure that they completed the relevant chapters of the book, directing their reading to the specific parts of the book that helped answer the quiz questions before class.

Students were also told why they were doing the quizzes and provided with a tips sheet on active reading. The task of summarizing a case, for later use in class, was made one of the first assignments, in an attempt to further reinforce the importance of active reading and summarizing information.

There were ten short quizzes during the semester and the completion of each one was worth a small percentage of the student’s final grade. The instructor made clear that the main goal of the quizzes was to aid students in actively reading the textbook and to help them focus on the important definitions and ideas for each topic. It was explained to the students that class time could then be devoted to acquiring and practicing higher-level thinking skills, such as the application of knowledge to solving problems, or an evaluation of recent trends in a legal area.

Applying Legal Knowledge and Assignments

Many of the class work and homework assignments were reworked so that most included several linked stages. Since a simpler textbook, without large numbers of excerpts from cases or case-based problems, had been chosen for the course, students were assigned to finding an actual reported legal decision outside class. A case was chosen that was fairly short, had facts that would be interesting to students, and concerned an area of law that would be discussed more than once during the semester. Before class, students used their research skills to locate the case through Internet research. To do this, they had to become familiar with legal citation and learn something about the structure of the court system, in order to look in the right place. For the next class, students were required to summarize the important facts and law in the case they had found. Later in the course, the same case was used to illustrate a substantive principle of law and students were given an in-class exercise, which involved applying the case as precedent to different sets of facts.

For example, one assignment used a Supreme Court case on free speech and the Internet, to link material on the court system and constitutional law. At the start of the course, students were given a citation to the case, Ashcroft v. ACLU, which concerned a long running attempt by Congress to restrict access to pornography on the Internet to children. Finding the case required some understanding of legal citation and the structure of the federal court system. The following week, students were asked to brief (summarize) the same case. This revealed to them the details of the progression of the case through the legal system, the work of the Supreme Court in interpreting laws passed by Congress, and the role of legal precedent, as well as the particular legal principles involved in this case. Several weeks later, students were asked to revisit the same case when the topic of constitutional law was discussed in class. Now they were able to recognize that the case was an important precedent on the limits of the government’s ability to restrict free speech on the Internet. Students were then given some new fact patterns and asked to identify when the case they had briefed would be a relevant precedent, and when it would not. The beauty of using one case for the whole set of exercises was that students appreciated that the law was not a set of disparate concepts, but that there were links between many legal areas and concepts embodied in the application of one decision.

Legal Concepts That Run Through The Course Material

In another assignment, students were not immediately directed to find a legal decision. This time, they were put in the position of thinking critically about the legal issue first, and then told about a relevant court decision. Students were given a set of facts from a real case involving a man who choked on a dish containing a chicken bone in a restaurant, injuring his throat. The first part of the assignment required them to use the facts to draft a Complaint on behalf of the injured man. A Complaint is the legal document filed by the plaintiff to commence legal proceedings and is, therefore, an extremely important document and one, which must contain all the relevant facts and the legal basis for the plaintiff’s claim. Every civil legal claim is commenced by a Complaint. Drafting this document required students to apply their legal knowledge to the facts and to determine what legal claim or claims were supported by the particular facts
in this dispute. Once the students had drafted their own Complaints, the important facts and all the possible legal claims in this scenario were identified, and discussed in class. At that point, it was revealed to the students that the facts they had been given were, in fact, from a real case. The students practiced legal research again by locating the appeal decision in the case, Mexicali Rose v. Superior Court.\(^6\) While practicing their research skills, they saw once more that the facts and law in this case were not theoretical, but involved a real dispute and its resolution. Reviewing the decision also enabled them to “test” their own Complaints and find out how the real case was pleaded, and then dealt with by an actual court. The subsequent assignment used the students’ Complaints and the decision in the appeal. Students were told that after the appeal the parties wanted to settle the legal dispute without returning to the trial court for a rehearing (the appeal decision, having stated the law to be applied, remanded the case to the trial court). This reflected the important fact that the vast majority of cases do settle outside court and that, given the expenditure of time and money in legal proceedings, most businesses do indeed often prefer to settle disputes, as far as possible, without recourse to the legal system. Students had to decide which type of alternative dispute resolution (ADR) would be most appropriate in this case, and they were then given a chance to practice the type of negotiation skills often called for in settling a legal dispute on behalf of a business. Finally, students used their knowledge about the legal claims in the case, the litigation and court systems, and the strengths and weaknesses of the ADR process, to prepare a matrix setting out the pros and cons of ADR versus litigation.

Assignments such as those using the legal cases, Ashcroft v. ACLU and Mexicali Rose v. Superior Court, were carefully sequenced and clear instructions were given on the course Blackboard website concerning what students had to do prior to class and what would be done in class. Care was taken to build the assignments in small, incremental steps, and use cases that would be relevant as well as interesting to students. Students started by doing the simple parts of the assignment before class, such as locating or summarizing cases. Once they became comfortable with the material, through class discussion and collaborative work with their peers in class, they moved to the more complicated parts of the projects, such as applying legal principles to determine the outcome of subsequent cases, and applying the law in order to draft documents and negotiate settlements. Finally, these assignments brought together everything the students had learnt, to create a greater understanding of the complex legal environment and its influence on business.

### Avoiding Prior Misconceptions About the Law

Each of the three units of study in the described course was ended with an in-class debate on an area of controversy, which was linked to the material covered in the unit. Short readings were assigned on the debate topic, with different readings illustrated different viewpoints on the topic. For each debate some students presented the pro and con positions to the class. Students who were not involved in the oral arguments functioned as the audience for that debate. The pre-debate assignment for the audience members was to post their own short response to the pre-debate readings on the Blackboard Discussion Board for the debate. Their post had to indicate their views on the topic and, using the readings, or some other material from the course, they had to justify their views. This ensured that there was some level of preparation for the debate by the audience members, and that they did not treat the debate as a “free” class. The students presenting the pro and con sides of the argument in front of the class were required to do further research and produce a paper setting out the issues, their arguments, and evidence to substantiate their position. Students were not permitted to choose which debate topic, or which side of the debate, they would present. This meant that some students had to argue against their own previously held convictions and opinions. This was a very useful exercise because it forced them to discard (for the purposes of the debate at least) their preconceptions about a topic.

Perry found that students typically enter college with a simple view of knowledge that precludes them from understanding complex issues. Many students never progress to more effective modes of thinking. [Perry, 1970, 1981] As students encounter uncertainty they start to perceive opinion as insufficient and learn to use relevant criteria and argument to decide which ideas to accept. [Nelson, 1999] Many students agreed in their pre-debate writings that the debate assignment made them think much more about a topic and question the basis for their own beliefs and opinions. In class, after listening to the debaters and asking questions, the audience members were again required to put down on paper a post-debate response, recording whether or not listening to the debaters had caused them to change their minds, and if so why, trying, if possible, to reconcile both sides of the arguments they had heard. The pre-
and post-debate writings were graded; not on the student’s opinions, but on how well they substantiated these opinions from the readings and debate presentations.

The debates were helpful in getting students to discuss complex and controversial topics, which in prior classes they would have avoided. Previously, when controversial topics were discussed, students would appear to accept either the instructor’s views or those in the textbook in class, and would then revert to their own opinions whether substantiated or not, in written assignments. The debate assignment forced students to test their own pre-conceptions, and even if they did not change their views, they did at least have to substantiate them with more than their gut feelings. Many students said that the preparation for the debate forced them to do research, articulate and defend their views.

MONITORING THE LEARNING EXPERIENCE

It is important to try and ascertain if any new instructional method is helping students learn. During the course discussed in this paper, student knowledge of key concepts was assessed with the instructor’s usual in-class application problems and mid- and end-of-term exams. The semester, during which the multi-layered assignments were used, saw a clear improvement in the amount of in-class participation, and the quality of class discussions. While there was an increase in some technical problems due to the use of Blackboard, there was also an increase in dialog with students using some Blackboard features such as the Discussion Boards. A real improvement was also found, by the end of the course, in students’ ability to challenge their own prior understanding of a topic and reconsider and substantiate their opinions with relevant evidence. There was less evidence of an improvement in student ability to identify legal concepts and apply these to facts. However, the increased class participation, and more critically reflective attitude to controversy on the part of the students, was great improvements to the course because they enabled the instructor to identify more quickly and easily what it was that students did not understand and provide assistance.

Class Discussion

Students showed a greater willingness to engage in class discussion and problem-solving activities, which was ascribed by students and the instructor, at least in part, to the introduction of the reading quizzes. The majority of students acknowledged that they were better prepared for class, having had to complete some basic definitional questions prior to class. This seemed to make them more willing to risk speaking in class. Class discussions improved through this increase in the number of students participating. The quality of student participation also improved since the students generally had a better understanding of the material before class. However, the most important aspect of improvements in class discussion was that student misconceptions and problems with particular concepts or material became evident more quickly, since they were more likely to be verbalized in class. This meant that the instructor could address these misconceptions and correct problems immediately, rather than by the more usual feedback on written work, which might or might not be read.

Blackboard and Technical Issues

More technical problems were noted because of the use of Blackboard to deliver the quizzes. Several times students complained that Blackboard was down or that for some inexplicable reason they could not access a particular quiz prior to class and the instructor had to spend time tracking down the problem or making quizzes available again – sometimes after the topic had been discussed in class. Many students learning the more complicated system of completing a quiz on Blackboard before class and researching the information to be used in an assignment spent the first three weeks of term. Students made a number of general complaints about the new “complications” of staged assignments and finding quizzes on the Blackboard website, but by the end of the semester their evaluations of the use of Blackboard in the course to deliver quizzes and provide assignment instructions were generally positive. A typical comment was, “I found it hard at first but now I appreciate how convenient it is for me to see that so many areas of the course content are linked.” Students who lived off campus (about one third of the class) were the least positive about the use of Blackboard to deliver quizzes, often complaining about the difficulty of getting on to it, or the slowness of the links. However, both the students and instructor found the use of Blackboard very positive in ensuring that the audience was prepared for the debates. The Discussion Boards gave students the ability to access pre-debate readings easily and to post their responses simply
and quickly. Accessing the readings via the Discussion Board meant that students could look at the material before the debate from anywhere and at any time. Posting responses on a Discussion Board gave them a chance to read others’ responses if they wished, and also provided a record for the instructor of all the responses in one place. Students were unable to argue that they had been unable to do the reading or post their response since this was possible from any location with access to the Internet. Using Blackboard, so that everyone in class could read material and contribute to a discussion at a time and place of their choosing, was one of the best improvements to this particular course. It made student contributions to discussion easier to make and easier to collect.

Knowledge and Application of Concepts

It took some students a while to appreciate that since assignments were linked, they could not work hard only at the end of an assignment but had to “keep up” and complete all the steps to get the necessary points for the grade. It became clear that many students did not read long or complex assignment instructions and did not always know which part of the work was required to be handed in and which was a preparatory step. Extra time had to be spent at the beginning of some classes on “housekeeping” items, such as which pieces of work had to be handed in, even though these issues had been dealt with in detailed instructions on the Blackboard site. Despite the explanation problems, some staged assignments definitely improved student understanding of important legal concepts. *Mexicali Rose v. Superior Court* was a good assignment because it kept student interest, much like a detective story, and demonstrated that many important legal concepts ran through different stages of a lawsuit. Students spent some time on drafting their Complaints. This was due to the fact that that they knew they would use these Complaints in the next part of the assignment. The fact that they then learnt that the facts belonged to a real case helped maintain interest. Reading the appeal demonstrated that the legal concepts they had identified in the Complaint remained important throughout the case. So many interesting and relevant legal cases could be found to illustrate topics and concepts that the course probably still contained too many staged, case-based assignments. It is intended in future courses, to limit the number of multi-layered assignments further, to avoid student confusion about which, and how many, assignments are required and which steps will be graded. Although student involvement in class did get much better, the quality of student written materials in general did not improve markedly with the multi-layered approach, nor did student ability to identify important legal concepts and link them to different fact patterns. It is possible that cutting the number of linked assignments further may make it easier to demonstrate the main ideas and linked concepts that run through the course.

Prior Conceptions

The debate assignments were particularly helpful in getting students to challenge their own prior conceptions about particular topics in the legal environment. By the last debate, which concerned whether Affirmative Action was still needed in American schools and workplaces, students had learned that they had to justify any positions they took by reference to outside readings. Almost all students indicated that they already held opinions on the subject. About ten students in a class of thirty, stated, in their pre-debate writing, that having to review the basis of their own position and read about the topic, had caused them to alter their views. Most of the others also indicated that they had at least thought more deeply about why they held particular opinions. In the post-debate writing assignment, many students filled far more than the requisite page in explaining the basis for their opinions and discussing changes, which could be made to Affirmative Action programs to make them more responsive to the needs of today’s society. In previous classes other methods had been used to consider the advantages and disadvantages of Affirmative Action programs. These methods had not been as effective in getting students to reflect on and examine their own opinions and the basis for their beliefs. The type of critical reflection students engaged in during the debate on this topic is an important skill, and it is to be hoped that they will transfer it to other areas of their learning.

**CONCLUSION**

One of the most useful outcomes of this research into the issue of how to teach law to business students was the increased focus it required on student assessment, which resulted in an improved
“dialog” with the students. As Brookfield states, knowing something about “how students are experiencing learning helps us build convincing connections between what we want them to do and their own concerns and expectations.” [Brookfield, 1995] It is important to continue to ask questions of students to understand how they learn in order to develop the curriculum in a way that makes class time and assignments most effective in promoting understanding. It was also clear that explaining the learning objectives for the legal environment course helped students to understand why it was so important for them to learn about the law and how it would affect them as business people.

ENDNOTES


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