



## Smart Casual

## Towards excellence in sessional teaching in law

### Final report 2018

**Lead institution:** Flinders University

**Partner institutions:** The University of Adelaide, James Cook University, University of New South Wales, The University of Western Australia

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<http://www.smartlawteacher.org>

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<sup>1</sup> The Office for Learning and Teaching ceased on 30 June 2016.

## List of acronyms used

|        |   |
|--------|---|
| BLASST | Benchmarking Leadership and Advancement of Standards for Sessional Teaching |
| CADAD  | Council of Australian Directors of Academic Development                     |
| CALD   | Council of Australian Law Deans   |
| ERG    | expert review group   |
| HERDSA | Higher Education Research and Development Society of Australasia            |
| LEAD   | Legal Education Associate Deans Network                                     |
| TEQSA  | Tertiary Education Quality and Standards Agency                             |

## Executive summary

The Smart Casual project was designed to create and disseminate resources to address a demonstrated national need for discipline-specific professional development for sessional law teachers.

Sessional staff deliver half of Australian tertiary teaching. The quality of that teaching is crucial to student learning, retention and progress. Yet national research, as well as a needs analysis conducted as part of the Smart Casual seed project, suggests that support and training for sessional teachers remain inadequate.

Law confronts specific barriers in responding to this challenge. Discipline-specific skills and content form substantial components of law curricula, which must meet nationally mandated threshold learning outcomes and professional admission requirements. Sessional law teachers are often time-poor legal practitioners or postgraduate researchers who bring vital experience, commitment to quality teaching and professional networks to the students they teach and the law schools in which they work. However, many are only weakly connected to the tertiary sector, and levels of teaching experience and teaching qualifications vary widely. This distinctive context demands discipline-specific sessional staff training, but our needs analysis shows that individual law schools lack the expertise and capacity to provide discipline-specific professional development.

Smart Casual has addressed this national need by:

- creating, trialling and evaluating an extensive program of interactive teaching development modules
- integrating strategic themes of crucial importance to the administration of justice, and hence to the law curriculum and law teaching, across all modules
- designing and delivering resources and workshops for law staff to support best practice implementation
- inviting colleagues from other countries and other disciplines that experience parallel needs for discipline-specific professional development to use the Smart Casual approach as a customisable exemplar.

Law schools across Australia vary widely in size and resources, use of online and blended learning, rural and urban settings, the nature of their programs, and student demographics. To ensure the program met the needs of sessional staff across these diverse contexts, a project team was established with members from diverse institutional types and settings. Smart Casual recruited an expert review group comprising leading Australian and international legal educators with knowledge of a range of institutional settings.

Smart Casual built upon the strong foundation of a seed project funded by the Office for Learning and Teaching. After mapping the extent of the national need for discipline-specific sessional teacher training in law, the seed project responded to that need by developing, trialling and evaluating three interactive professional development modules on engaging students, teaching legal problem-solving and providing feedback. The modules were designed as self-directed professional development activities for use by sessional teachers on a just-in-time basis.

Smart Casual continued the work begun in the seed project by developing and disseminating an additional six professional development modules on teaching discipline-specific skills. The new modules address:

- reading law, the foundational legal skills of case reading and statutory interpretation
- wellbeing in law for both students and sessional teachers
- Indigenous peoples and the law in Australia
- communication and collaboration in law
- critical legal thinking
- legal ethics and professional responsibility.

The topics for the six additional modules were chosen in response to the existing literature on legal education as well as the disciplinary environment in which legal education takes place: a context in which the profession, the judiciary and admitting authorities are all active stakeholders. The approach and proposed content have been endorsed by the Council of Australian Law Deans (CALD) and Legal Education Associate Deans Network (LEAD) and reflect the threshold learning outcomes for law.

Smart Casual integrated a series of strategic themes of crucial importance to legal education within the professional development modules. This augmentation recognised the need for sessional staff to integrate what may be perceived as difficult and unfamiliar themes into their teaching, assessment, support and feedback roles as they develop students’ capacity to work in a changing environment. Without support for teachers, the educational aims of law programs are undermined. The three seed project modules were also fully revised and updated to integrate the themes. Smart Casual consulted with academics with recognised expertise to provide specialist advice regarding each of the strategic themes embedded throughout the modules. A matrix of all nine modules and four strategic themes appears in Figure 1.

| Strategic theme      | Modules (seed project) |          |                 | Modules (innovation and development grant project) |                         |                                |  |             |                  |
|----------------------|------------------------|----------|-----------------|--|-------------------------|--------------------------------|--|-------------|------------------|
|                      | Engagement             | Feedback | Problem solving | Communication and collaboration                    | Critical legal thinking | Indigenous peoples and the law | Legal ethics and professional responsibility | Reading law | Wellbeing in law |
| Digital literacy     |                        |          |                 |  |                         |                                |  |             |                  |
| Diversity            |                        |          |                 |  |                         |                                |  |             |                  |
| Gender               |                        |          |                 |  |                         |                                |  |             |                  |
| Internationalisation |                        |          |                 |  |                         |                                |  |             |                  |

Figure 1. Integration of strategic themes across the Smart Casual modules.

Smart Casual has addressed an established national need for a law-specific professional development program for sessional teachers. Implementation has been supported by the creation of a website on which the modules are freely available. The website also provides resources designed to support law schools in disseminating the modules and implementing high-quality teaching support for sessional teaching staff.



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## Chapter 1

### Project context: sessional teachers in legal education

#### Defining 'sessional' teachers

Given the range of terminology and employment structures in use nationally, Smart Casual chose to adopt the broad definition used by Debra Herbert and colleagues, and focus on 'university instructors who are not in tenured or permanent positions' (Herbert, Hannam, & Chalmers, 2002). Staff with longer-term research and teaching contracts are likely to have access to more of the benefits that come with a balanced role and less precarious employment conditions: benefits that usually include access to professional development.

Despite the title of the project, we adopted the terminology recommended in the *RED report, recognition – enhancement – development* by referring to these instructors as 'sessional teaching staff' (Percy, Scoufis, Parry, Goody, & Hicks, 2008). The term 'sessional' avoids the negative connotations that may be associated with 'casual' teaching (Cowley, 2010, pp. 27–29). As Jill Cowley (2010, p. 29) argues, finding an appropriate definition for this group of academics matters because they are too often excluded from conceptions of the academic workforce, rather than being perceived as valued and vital members of larger teaching teams.

The project recognises that staff who are employed on a sessional basis undertake a wide variety of roles in law schools. However, Smart Casual focused on providing professional development in relation to teaching. The modules recognise that sessional teachers may not have the autonomy to establish curriculum or set assessment, although some sessional teachers will also be undertaking these roles.

#### The challenge: an increasingly casualised workforce

The higher education system is one of the most casualised industries in the Australian economy.<sup>2</sup> The massification of the Australian tertiary sector has been accompanied by a far smaller increase in staff numbers. Where additional staff have been employed to respond to rising student numbers, they have primarily been employed on a sessional basis (Coates, Dobson, Goedegebuure, & Meek, 2009, pp. 47–49). A significant percentage of academic staff are now sessional employees,<sup>3</sup> and non-permanent staff are undertaking up to half of all teaching in Australian higher education (Percy et al., 2008, p. 3). Some researchers suggest that 'on a head-count basis, [sessional] staff comprise over 60 per cent of all

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<sup>2</sup> This phenomenon is international and perhaps even more pronounced in the UK (Bryson & Blackwell, 2006, pp. 207–208).

<sup>3</sup> Junor (2004, p. 276, citing Buckell, 2003) estimates that 40% of academic staff are employed on a sessional basis. Coates, Dobson, Goedegebuure and Meek (2009) suggest casual staff increased from 12.6% of all teaching staff in 1989 to 22.2% in 2007. May, Peetz and Strachan (2013, p. 258) surveyed 19 universities in 2011 and found that, on a headcount basis, 49% of all academic staff and 53% of all teaching and research academic staff (excluding research-only/research-intensive staff) are employed on a sessional basis. The Tertiary Education Quality and Standards Agency (TEQSA, 2017) found that casual staff made up 22% of the academic staff employed at Australian universities in 2012.

academic staff' (May, Strachan, Broadbent, & Peetz, 2011, p. 188).<sup>4</sup> This is a sector-wide phenomenon; all universities rely heavily on casual teaching staff. This is also true of law schools (Crowley, 2010, p. 28; DEEWR, 2008). The work of sessional staff in law now extends well beyond those activities traditionally within the ambit of sessional 'tutors' whose job has been to provide small-group teaching to complement lectures delivered by permanent staff.

It follows that the quality of teaching by law teachers employed on a sessional basis is critical to the experience of law students around the country. It impacts on students' learning, retention and progress. The quality of teaching undertaken by sessional staff is also critical to the capacity of law schools and universities to meet their responsibilities to students and their wider goals in relation to quality assurance and income generation.

Many sessional teachers in law are members of the profession (Cowley, 2010, pp. 37–39; Junor, 2004; p. 286), although it appears to us that this is uneven across institution types. Practitioner-educators have an important role in legal education, as they do in many other disciplines. They have the valuable capacity to deploy their professional experience and knowledge to help students develop reflective practice and bridge the gap between the academic and professional worlds (Chan, 2010, p. 36). However, professional expertise does not guarantee an individual has the skills required to be an effective teacher (McCormack & Kelly, 2013, pp. 94, 106; Salamonson, Halcomb, Andrew, Peters, & Jackson, 2010, pp. 423–424). Sessional law teachers may have limited teaching qualifications and little teaching experience. Despite this, they are 'often marginalized in terms of their access to professional development programs' (Salamonson et al., 2010, p. 424).

### Professional development opportunities for sessional staff

Several national projects have emphasised the need for, and lack of provision of, high-quality professional development opportunities for sessional staff. The 2003 Australian Universities Teaching Committee-funded Training, Support and Management of Sessional Teaching Staff project identified a widespread lack of ongoing professional development and support for sessional teachers (Australian Universities Teaching Committee, 2003). The 2008 *RED report* found that the inadequate level of leadership and management of sessional teachers by course coordinators jeopardises the quality of the student learning environment (Percy et al., 2008). This led to the 2011 Australian Learning and Teaching Council-funded Coordinators Leading Advancement of Sessional Staff and Benchmarking Leadership and Advancement of Standards for Sessional Teaching (BLASST) projects (Lefoe, Parrish, Malfroy, & McKenzie, 2011; Luzia & Harvey, 2013).

Despite these projects, there is evidence that support and training for sessional teachers remains inadequate in the view of both supervisors and sessional teachers.<sup>5</sup> In terms of

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<sup>4</sup> Rothengatter and Hill (2013, pp. 51–52) explain that 'given the high turnover of casual academic staff and the absence of complete records, we may never know the precise number—FTE or otherwise—of those who pass through the university system'. They argue that collection of data about the number of casual academic employees at universities is often 'shoddy and incomplete' and casual employment is calculated on a full-time equivalent basis by universities, which does 'not allow for a clear picture in relation to how many casual staff actually work in universities at any given time'.

<sup>5</sup> This is supported by the data obtained from a survey of sessional law academics employed at The University of Adelaide, Flinders University and The University of Western Australia, which was conducted as part of the

support, Suzanne Ryan and her colleagues' research summarised a variety of forms of exclusion from conditions and benefits, as well as workplace and infrastructure support, experienced by sessional teachers in Australia (Ryan, Burgess, Connell, & Groen, 2013, pp. 161, 165). They include underpayment, poor management, unpredictability of work and delayed access to infrastructure including internet access and library resources. There is also evidence of continued widespread lack of access to opportunities for developing teaching practice and of payment for sessional teachers undertaking professional development (Davis, et al., 2014, p. 46; Knight, Baume, Tait, & Yorke, 2007, p. 420).<sup>6</sup>

This problem is not unique to Australia, nor to the discipline of law; it is recognised around the world in a wide variety of tertiary institutions and across disciplines (Tompkinson, 2013, pp. 21, 30.). Finding a solution is complicated by the fact that different disciplines have varying expectations of sessional staff. It is 'not one size fits all when it comes to the professional development of sessional teachers' (Bevan-Smith, Keogh, & D'Arcy, 2013, pp. 34–36). In law specifically, sessional staff need to be able to teach discipline-specific skills and content to students, some of whom are destined for a socially bound profession.

In the past decade, a new paradigm for learning and teaching has emerged across the Australian higher education sector: a focus on quality. The establishment of the Tertiary Education Quality and Standards Agency (TEQSA) affirms the Australian Government's commitment to 'ensuring that growth in the higher education system will be underpinned by a robust quality assurance and regulatory framework'.<sup>7</sup> This approach continues the work of the Australian Universities Quality Agency, which consistently called for the introduction and systematisation of support for sessional staff across the sector (Harvey, 2013, pp. 1–4).

TEQSA has identified a 'significant reliance on academic staff employed under casual work contracts' as one of the key risks to the reputation of Australian higher education (TEQSA, 2012, p. 25).<sup>8</sup> The regulatory focus on quality teaching and the provision of development opportunities to sessional staff provide further reasons for the development, adoption and use of appropriate development strategies in all institutions.

A Smart Casual seed project survey found that, despite their interest in and willingness to undertake professional development, sessional staff from the participating institutions, The University of Adelaide, Flinders University and The University of Western Australia, were not engaged in professional development because:

- there were not suitable professional development programs available, to the best of their knowledge
- they did not have time to commit to professional development

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Smart Casual seed project, see the summary below. (See also Davis, Perrott, & Perry, 2014, p. 46; Higgins & Harreveld, 2013, p. 189; Leigh, 2014, p. 83)

<sup>6</sup> In one small study (Nadolny & Ryan, 2015, pp. 142, 149–50), 'Only 16% of respondents reported having been paid to attend training and development sessions. Furthermore, more than 60% of respondents had not received any formal evaluation or relevant feedback on their work'. In a National Tertiary Education Union study of casual staff (NTEU, 2012), 51% of respondents had attended 'staff development or training' but only 57.8% of these were paid for attending.

<sup>7</sup> See Tertiary Education Quality and Standards Agency website: <<http://www.teqsa.gov.au/about>>.

<sup>8</sup> These risks have also been recognised in the UK, where regulatory frameworks have been created to respond to them (Bryson & Blackwell, 2006).

- they would not be paid for time spent on professional development activities.

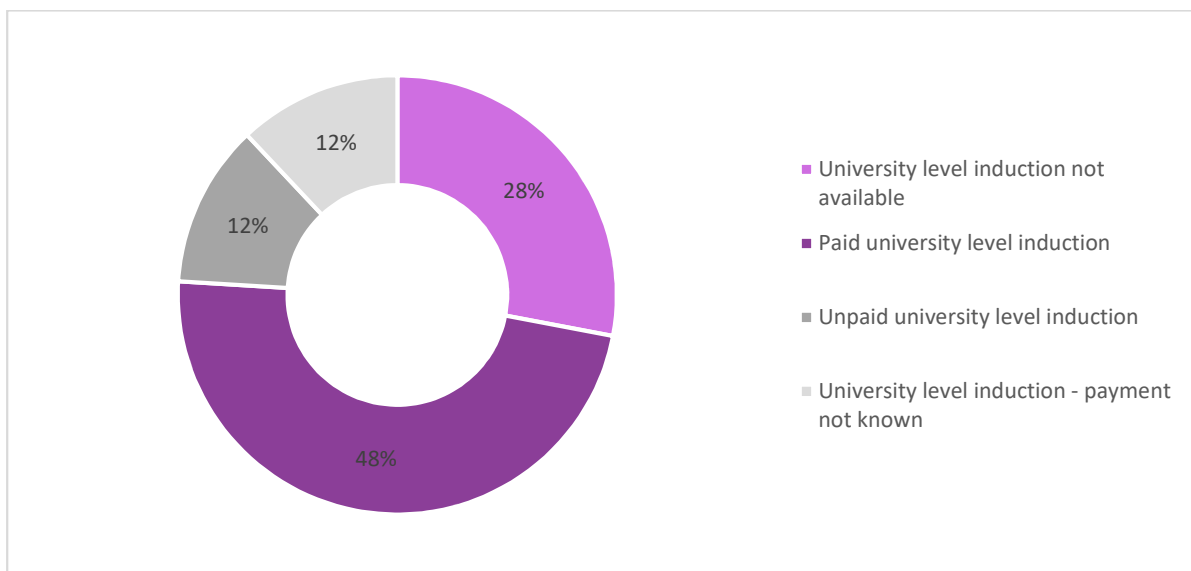
This suggested that if time-effective, paid, suitable professional development resources were available, sessional teachers in law would consider using them.

### Existing development opportunities for sessional staff in law

The Smart Casual seed project surveyed Associate Deans of Learning and Teaching/Associate Deans (Education) (or equivalents) to determine the current practice of law schools around Australia with respect to training and development opportunities available to sessional teachers in law.

Of the 36 Australian law schools, a total of 25 responded, representing a 69.4% response rate.

Based on data provided by the respondents, 72% of responding universities offered formal induction programs for all sessional staff. These programs were generic rather than discipline-specific in nature. Approximately half of all sessional staff were paid to attend these induction programs (48%) (Figure 2).



*Figure 2. Prevalence of university-level induction for sessional teaching staff.*

At the discipline level, 22 of the 25 law schools surveyed (88%) reported that some form of introductory teacher development was offered to sessional teachers by their school. However, not all development opportunities could be categorised as discipline-specific or teaching-focused. Our respondents suggested that most introductory development opportunities offered by law schools could be categorised as generic and primarily focused on administrative matters. Very little training for teaching was offered. Twelve per cent of respondents indicated that sessional staff in law had no access to any training or development.

Finally, while sessional law teachers at most institutions receive some introductory training, the provision of ongoing development and support was much less consistent. Only nine responding schools provided ongoing support and development opportunities for sessional

staff. Although those opportunities were often technically available to sessional staff, our discussions with Associate Deans suggested they are not well advertised or well used, and the vast majority of sessional teaching staff are not paid for undertaking such activities.

While some institutions and some schools offer sessional teachers strong support, there are clearly gaps in provision. Despite the recommendations in the literature, discipline-specific professional development directed at improving teaching quality in law is very limited.

### What is needed

Professional development for sessional teachers (as for other academic staff) has three primary purposes. To:

- enable sessional teachers to support students
- support the development of sessional teachers
- support wider school and university objectives (Gaskell, 2013, pp. 47, 52).

Staff development resources are of value if they contribute to the achievement of one or more of these purposes in an accessible and effective manner.

The limited evidence about student expectations indicates university students ‘expect a high-quality learning and teaching experience, delivered by teaching staff well versed in disciplinary context and teaching methodology’ (Brown, Kelder, Freeman, & Carr, 2013, p. 1). These expectations demonstrate some concordance with the research evidence about the support that sessional staff identify themselves as needing (Bevan-Smith et al., 2013, p. 40; Wilson, 2013, pp. 117, 128).

Law schools and universities have their own objectives, which may overlap with what students expect and what sessional staff seek. Emerging research from outside Australia suggests that if universities want highly skilled, committed and motivated sessional staff, institutions need to demonstrate their commitment to sessional staff. The provision of high-quality professional development is one way universities and schools can demonstrate their side of a mutually committed relationship with sessional staff (Bryson & Blackwell, 2006, pp. 216–17).<sup>9</sup> This may be particularly important in professional disciplines such as law where retention of prestigious and skilled practitioner-teachers may depend more on the relationship between school and staff member than on a purely transactional approach to sessional employment (Bryson & Blackwell, 2006, p. 219–220).

Many Australian universities have invested time and resources in formulating general policies and guidelines to ensure the quality of academic instruction. Generic, systematic and coordinated institution-wide programs play an important part in supporting sessional staff (Bryson & Blackwell, 2006, p. 210). However, university-wide programs have significant limitations if left to stand alone. According to Jacobs (1999, p. 14), ‘[u]niformity of practice may be administratively efficient but [it is] educationally unsound’. Different authors provide a number of reasons for this conclusion. Boud (1999, p. 3) argues that it is in the site of academic practice – the school or faculty in which a sessional teacher works – ‘that academic identity is formed and is most powerfully influenced’. Viskovic (2006, p. 323)

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<sup>9</sup> For recent Australian exemplars, see the approaches documented in Banks 2016, p. 112; Crimmins et al., 2016, p. 427.



concur, arguing that working knowledge and teacher identity develop in the discipline or teaching team. Healey and Jenkins (2003) support a discipline-based approach to academic development because teachers must 'translate' generic forms of teaching into the culture of a discipline, and link curriculum development to a discipline's conception of knowledge (also see Webster, Mertova, & Becker, 2005, p. 75). In law, specifically, Cowley (2010, p. 28) argues that engaging in a discipline-specific development program assists 'sessional academics in law to engage with the students to achieve better student learning outcomes'. Finally, the limited research evidence that we have about the support sessional teachers themselves seek suggests that sessional teachers want discipline-specific support (Bevan-Smith et al., 2013, p. 40).

However, the discipline-specific or generic nature of development tools is not the only factor to be considered in ensuring their effectiveness. Sessional teachers, particularly those in professional practice, may have particular requirements regarding the type of development opportunity they will actually use. Wilson (2013, p. 127) has found professionals require information on an 'as-needs' basis (not supplied to them according to someone else's timetable), and want professional development to be time-efficient.

Gaskell (2013, p. 52) proposes central principles for professional development. First, development cannot be a 'one-off' event; development is an ongoing process. In addition, development should be collaborative, and encourage reflective practice (see also Hunzicker, 2011, p. 177).<sup>10</sup> Hamilton and colleagues argue factors such as these confirm the need for local, discipline-specific development opportunities. As they state, because generic development programs

are offered to sessional academics at the commencement of their contracts or the teaching semester, they (necessarily) provide pre-emptive training and advice, which is encapsulated in the moment of delivery. Local approaches are also needed to address unique faculty contexts with their varied cultures, processes and practices. And ongoing, just-in-time support and advice is needed to enable inexperienced sessional academics to successfully navigate the complexities of their day-to-day teaching. (Hamilton, Fox, & M McEwan, 2013, p. 1)

Based on empirical work with a group of part-time university teachers, which explored how they developed their expertise as teachers, Knight and colleagues (2007, p. 421) propose that effective teacher development is 'ecological', in that it is evoked by engagements with other colleagues. This finding is echoed in the literature on communities of practice (Viskovic, 2006, p. 323).

The resources developed by the Smart Casual project satisfy some, but not all, of these principles. They are available on an 'as-needs' basis, so sessional teachers can use them as required. They have been designed to be time-efficient. However, in isolation the resources will not engage sessional teachers in collaborative endeavour, nor in the collegial discussions that are also important in developing teaching expertise.

We acknowledge the importance of developing situated, non-formal opportunities for connection and learning for sessional teachers. New models for supporting sessional staff in

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<sup>10</sup> Recent studies focusing on mentoring and support for sessional teachers emphasise collaboration and reflection: see Byers & Tani, 2014, p. 13; Bell & Mladenovic, 2015, p. 24; De Four-Babb, Pegg, & Beck, 2015.

this way continue to emerge (see for example Crimmins et al., 2016; Hews, Yule, & Van Winden, 2013, p. 15; Hamilton et al., 2013). Yet, participants in high-quality programs that focus on support and relationship building, as well as opportunities for training and reflection, continue to produce feedback that ‘sessional academics wanted more opportunity to participate in professional development, particularly teaching techniques and student engagement’ (Hews et al., 2013, p. 25). The implementation workshops run as part of the Smart Casual project have both promoted and discovered existing and planned approaches to the use of the modules. These integrate the modules into wider, localised programs of support and development for sessional (and non-sessional) teachers in law.

We have identified a number of other significant issues that cannot be ignored when considering professional development for sessional teachers. For example, the *RED report* determined that development opportunities for sessional staff should be contextualised, accessible, mandatory and paid (Percy et al., 2008, pp. 2, 22).

This project has produced discipline-specific resources that are designed to support the provision of contextualised development opportunities. The project team developed distribution strategies to encourage adoption of the resources by Australian law schools. These strategies are designed to help ensure the resources are accessible to all sessional law teachers. Our implementation resources for universities make recommendations for best practices for using the Smart Casual resources as part of an integrated, paid program that further addresses the professional development needs of sessional teaching staff, including providing opportunities for discussion and reflection among sessional teachers. However, ensuring the national adoption of these best practices lies beyond the scope of this project.

## Conclusion

Smart Casual’s needs survey showed that discipline-specific development focusing on quality teaching is not widely available to sessional teachers in Australian law schools. The sessional teachers we surveyed indicated their willingness to engage with development that is relevant to their needs, accessible, time-efficient and flexible. National and international research offers good reasons to believe discipline-specific professional development would be of significant benefit to sessional staff and the students they teach, as well as assisting law schools and universities to meet their wider teaching quality and staff development objectives.

The research literature suggests that professional development should, wherever possible:

- be situated in context
- be ongoing rather than ‘one-off’
- allow for the development of collegial connections
- be available on an ‘as-needs’ basis.

Smart Casual therefore set out to design and create resources that are:

- **practical** and readily applied in a teaching context
- **available as needed**, allowing sessional teachers to access and refer back to the resources as required
- as **concise** as possible, in order to maximise efficiency, without sacrificing content
- supported by purpose-designed implementation materials, which support **best practice** in the use of the modules.

## Chapter 2

### Project approach

#### Strategic themes

The Smart Casual professional development modules integrate a series of strategic themes of crucial importance to the administration of justice, and hence to legal education. The themes have been integrated across the three revised modules from the seed project as well as the six new modules (Figure 3). This augmentation recognises and responds to the support needed for sessional staff to integrate what may be perceived as difficult and unfamiliar themes into their teaching, assessment, support and feedback roles as they develop students' capacity to work in a changing environment. The themes are:

- digital literacy
- diversity
- gender
- internationalisation.

| Strategic theme      | Modules (seed project) |          |                 | Modules (Innovation and Development grants project) |                         |                                |  |             |                  |
|----------------------|------------------------|----------|-----------------|---|-------------------------|--------------------------------|--|-------------|------------------|
|                      | Engagement             | Feedback | Problem solving | Communication and collaboration                     | Critical legal thinking | Indigenous peoples and the law | Legal ethics and professional responsibility | Reading law | Wellbeing in law |
| Digital literacy     | →                      |          |                 |   |                         |                                |  |             |                  |
| Diversity            | →                      |          |                 |   |                         |                                |  |             |                  |
| Gender               | →                      |          |                 |   |                         |                                |  |             |                  |
| Internationalisation | →                      |          |                 |   |                         |                                |  |             |                  |

Figure 3. Integration of strategic themes across the Smart Casual modules.

The themes of diversity and gender are intended to respond to longstanding criticism of law's assumptions of homogeneity. Critiques of the capacity of the law to deliver justice have focused on its exclusion of Indigenous (Burns, 2013, p. 266) and gendered (Australian Law Reform Commission, 1994) perspectives, beginning in law school. Discrimination within the legal profession remains entrenched (Wallace, Harkness, Holloway, Hatherly, & Fase, 2014) and the embedding of Indigenous perspectives across the law curriculum 'is yet to happen' in many schools (Wood, 2011, p. 251). Equipping graduates to read the law critically in relation to Indigenous inclusion, for example, would not only comply with the threshold learning outcomes for law, which represent a consensus between stakeholders in legal education, but also align with recommendations of the *Review of higher education access and outcomes for Aboriginal and Torres Strait Islander people* (Department of Education and Training, 2012; see also Kift, Israel, & Field, 2010).

Likewise, internationalisation of the law curriculum goes beyond the general needs of higher education (International Legal Services Advisory Council, 2004). International law is a recognised source of Australian law, demanding a working knowledge of the global and local cultural contexts within which law operates (French, 2012). While many professions require

digital literacy, the practice of law faces fundamental disruption, and this has the potential to affect access to justice (Susskind, 2013). Legal research, client communication and legal processes are being transformed. The contemporary teacher must appreciate how legal practice might look in the future, while teaching a discipline whose educational structure and approach are rooted in the past. As curricula develop to meet these needs, sessional staff will need to be able to enhance their capabilities to engage students in these approaches to law. Further information on Smart Casual’s approach to these key themes is provided in Appendix B.

### Implementation support strategies

Smart Casual’s implementation strategies respond to demands for the professionalisation of the academic workforce in the context of the Australian University Teaching Criteria and Standards Framework. In line with the criteria for good practice established by the Office for Learning and Teaching-funded BLASST Sessional Staff Standards Framework (Luzia & Harvey, 2013), purpose-designed implementation resources have been created to assist law schools to place the modules within a wider teacher development program. These resources include best practice implementation templates. These are freely available on the Smart Casual website.

### Developing the modules

Having established the need for professional development for sessional teaching staff in law, and identified best practice principles for providing professional development, the Smart Casual project designed, trialled and evaluated a series of modules. The project was developed in six stages (Figure 4).



Figure 4. The six stages of the Smart Casual project.

#### Stage 1 – establishment

The establishment phase of the project involved building on the research base of the seed project in order to establish the focus of the modules and themes. During this phase the underpinning structures of the project were established.

The team began by undertaking a literature-based needs analysis of proposed topics for the new professional development modules and the proposed strategic themes, and developing a position paper based on this research. This paper provided a basis for engagement with the expert review group (ERG) and our partner organisations. We updated our review of the pedagogical literature on effective, sustainable systems of teacher development. We began the process of engagement with stakeholder organisations, liaised with the Australian Law Students’ Association to invite them to become a stakeholder organisation (to which they enthusiastically agreed) and confirmed the membership of the ERG.

At the same time, the project team applied for research ethics approvals for conducting focus groups with sessional law teachers, developed a detailed engagement and dissemination plan, and engaged and briefed the project evaluator.

### *Stage 2 – consultation*

The consultation phase used the position paper to engage with stakeholder organisations and with the ERG. The team sought feedback on the proposed module topics, strategic themes and implementation resources and finalised the project plan on the basis of input from the ERG and stakeholders (in particular, LEAD). Once the strategic themes were finalised, the project team identified and contracted consultants who could advise and assist in integrating the themes in all modules. In the light of conversation and negotiation with Ambelin Kwaymullina, a law academic at The University of Western Australia, in relation to the Indigenous inclusion theme, a decision was made to add a module on Indigenous peoples and the law, establishing baseline knowledge needed for legal academics engaging with Indigenous students and with Indigenous content in the curriculum for all students, to be authored by Ambelin Kwaymullina. As a consequence, the Indigenous inclusion theme was merged within the broader diversity theme and the number of planned modules increased by one.

### *Stage 3 – construction*

In the construction phase, the team researched and drafted five new modules on the topics finalised during stage 2. Ambelin Kwaymullina commenced construction of the Indigenous peoples and the law module. With the assistance of the theme consultants, each of whom produced a paper to inform the team's work, we worked to integrate the themes established in stage 2 across all Smart Casual modules, including the modules developed in the seed project. Pairs of team members worked on each module, and the wider team reviewed each of the modules, offering feedback, evaluation and proposals for refinement.

Drafting of the implementation support resources and templates, drawing on input from stakeholders in both projects, began during this phase.

Once the modules were available in draft form, they were sent to ERG members with relevant expertise. In some cases, additional experts were recruited to peer review and provide feedback on the modules. This stage of the project allowed us to liaise with other Office for Learning and Teaching-funded projects on legal education, in particular 'Towards growing Indigenous culturally competent legal professionals in Australia', led by Marcelle Burns (University of New England), and 'Stimulating curriculum and teaching innovations to support the mental wellbeing of university students' led by Wendy Larcombe (The University of Melbourne). In each case, members of the other project team agreed to act as reviewers for the relevant Smart Casual modules and consider how they might best relate to the resources in development in associated projects.

The team finalised the modules and implementation resources and held a face-to-face meeting to discuss the strategies it would adopt to trial and disseminate the modules. This built upon the monthly online meetings that were held for the duration of the project, and provided a solid foundation for the online meetings that followed.

During this stage of the project, the team established, but did not promote, an online interactive space for sessional staff on Facebook.

#### *Stage 4 – trial*

In stage 4, we trialled the modules at five representative institutions, which were selected to include inner urban/outer urban/regional law schools, a variety of institution types, various states and a variety of law programs. The seed project experience led us to trial the draft modules in the software in which they would ultimately be made available, Articulate Storyline, rather than using a cheaper and simpler prototype in PowerPoint, which we believed had distracted seed project trial participants from providing feedback on the content, structure, quality and utility of the modules. After distributing the draft modules to sessional staff in the representative institutions, we organised focus group sessions in which participants evaluated and provided feedback on the modules.

The focus group feedback was used to further refine the content and structure of all modules. This resulted in significant rewriting of some modules, with a focus on creating more practical examples, reducing the length of some content, and recalibrating the balance between inviting reflection and providing guidance based on research evidence and experience.

We invited participants in the trial to join the online networking space for sessional staff, and some chose to do so. However, the focus groups were predominantly critical of this space, for a diversity of reasons. Some were opposed to using Facebook, because they did not use it at all, because they saw it as a personal space rather than work space, or because they found it inappropriate for creating or sustaining work-related contacts. Other participants said they would prefer contact with staff at their own institution and would prefer a networking space through the learning management system at their own university.

In the course of the project, there were two high-profile cases of Australian academics suffering employment-related consequences for their activities on social media, and Facebook changed its privacy arrangements. This context, taken in combination with the focus group responses, caused the group to re-evaluate the proposed national online networking space. It could not be nationally available if it were set up within an institutional learning management system. Any free and nationally available setting would have to use a social media platform, raising privacy concerns. Sessional teachers are some of the most vulnerable members of the academic workforce. We believed that the team would be unable to ensure that sessional staff could be protected from potential negative consequences to their present or future employment that might arise from statements made in the national networking space. Ultimately, in consultation with the Office for Learning and Teaching, we made the decision to close that space. We advised all members of the group that it would be closed at a stated future date, and closed it when the advertised date arrived.

As a result of feedback and evaluation, the team made the decision to create an additional smaller module introducing sessional staff to the scholarship of teaching and learning and proposing access points to literature likely to be of particular relevance to them. We also created a short presentation explaining the underpinning rationale for each of the strategic

themes. Shared content that had been included in every module was relocated to the webpage from which all modules could be accessed, making its introductory character clear from the outset and avoiding the necessity for users of the modules to navigate through or around this material in each and every module.

Team members attended a LEAD meeting in order to run a workshop focusing on the implementation support resources and templates. We sought LEAD members' evaluation of and feedback on the draft resources, and discussed strategies for contextualising the modules in specific institutions and disseminating them effectively to all of the staff who might wish to use them. The feedback provided by the LEAD members was incorporated into the implementation resources, and members' ideas for contextualising the modules in their own situations were included in the resources as examples that others might wish to adopt.

### *Stage 5 – dissemination*

Dissemination of project processes, findings and outcomes continued throughout the project, but reached its most important stage as the modules reached completion.

The Smart Casual project materials were presented to Australian law schools through CALD and LEAD. We also sought to share them with non-CALD providers of legal education nationally.

The project reported to CALD at one of its national meetings. CALD members were enthusiastic about the resources and produced several ideas for future projects for the team. CALD provided further feedback on what its members would hope for from the implementation resources. Team members also presented the resources to LEAD and the Council of Australian Directors of Academic Development (CADAD) at their national meetings.

Discipline-specific implementation workshops were run in Adelaide, Brisbane, Melbourne, Sydney and Perth. As the workshops rolled out, each workshop presenter aimed to learn from the experience of those who had presented already. The team received funding from the Law Foundation of South Australia to run face-to-face professional development workshops with sessional teachers from all South Australian law schools in Adelaide in 2017.

Members of the team presented numerous conference papers and sessions about the project throughout its duration. They included papers presented at the Chinese University of Hong Kong Teaching and Learning in Law Conference, a staff seminar at the University of the South Pacific in Vanuatu and a presentation at the Law and Society Annual Conference in New Orleans.

The Australasian Law Teachers' Association conference in 2016 took place prior to finalisation of the modules. Members of the team presented a paper on the project which created interest from Aotearoa/New Zealand as well as from LexisNexis, a major law publisher. The team ran a further discipline-specific national workshop at the Australasian Law Teachers' Association conference in Adelaide in mid-2017, which was accessible to law schools from around Australia and beyond.



Members of the team presented several multidisciplinary workshops using Smart Casual as a showcase. One of these has resulted in a collaboration with health care management researchers at Flinders University on the potential for a similar project that might be taken up by a national consortium. The multidisciplinary presentations revealed a widely shared experience of casualisation as presenting multiple challenges to the tertiary education sector and in relation to professional development for sessional staff in particular. Many professional disciplines, as well as some less obviously tethered to specific professions, expressed their interest and enthusiasm for the Smart Casual approach to addressing some of these issues on a national basis.

The project team wrote multiple peer-reviewed journal articles in relation to the project which will assist in its wider distribution. These publications are listed in Chapter 4.

### *Stage 6 – evaluation*

In addition to ongoing iterative evaluation, as described in Chapter 4, an independent evaluator, Professor Richard Johnstone, undertook an outcomes evaluation of the project (Appendix D).

## Chapter 3

### Project resources and outputs

#### Modules

Building on the research conducted and modules developed in the seed project, Smart Casual developed, evaluated, disseminated and embedded an additional six professional development modules on discipline-specific skills and content. The topics of five of the modules were determined in the planning of project. An additional module, addressing Indigenous peoples and the law in Australia, was developed in the course of the project. The expert author of this module is Ambelin Kwaymullina.

The original modules, which were fully revised and updated, focus on:

- engaging students
- providing feedback
- teaching legal problem-solving.

The new modules address:

- critical legal thinking
- communication and collaboration in law
- Indigenous peoples and the law in Australia
- legal ethics and professional responsibility
- reading law, including the foundational legal skills of case reading and statutory interpretation
- wellbeing in law for both students and sessional teachers.

The modules are self-directed professional development activities with which sessional teachers can engage when required and which provide an ongoing teaching resource for law schools. Each module incorporates a literature review, a guide to resources, and a toolbox of ideas for implementing pedagogical principles in legal education. Each includes short videos in which sessional teaching staff share their experiences as teachers and their high-quality practices. An additional short module introduces the scholarship of teaching and learning.

The modules are freely available at the [Smart Casual website](#), and are also hosted on the [LEAD website](#).

#### Theme presentation

As the modules proceeded through trial, evaluation and feedback processes, it became clear that although the themes were integrated within the modules, they were not independently explained and their underpinning rationale was not set out in the modules. We therefore created a brief presentation designed to communicate this aspect of the project. This was not a promised deliverable but the team decided that it would be a valuable tool in concisely communicating the importance of the themes and how they are presented in the

modules. The theme presentation is freely available on the project website, where it can be accessed along with the other materials that introduce users to the modules (Appendix B).

### Implementation resources

The project's implementation strategies respond to demands for the professionalisation of the academic workforce in the context of the Australian University Teaching Criteria and Standards Framework. The project team's close relationships with CALD and LEAD, both of which endorsed the project's proposed content and approach and registered strong interest in the new modules, assisted in meeting these goals.

In line with the criteria for good practice established by the Office for Learning and Teaching-funded Benchmarking Leadership and Advancement of Standards for Sessional Teaching (BLASST) Sessional Staff Standards Framework (Luzia & Harvey, 2013), purpose-designed implementation resources were created to assist law schools place the modules within a wider teacher development program. These resources include best practice guidelines for integrating the modules into programs of professional development, and templates to assist Deans and Associate Deans (Teaching and Learning) (or equivalent) to disseminate the modules to their staff.

The implementation resources have been distributed to CALD and LEAD and are freely available on our website.

See Appendix E for examples of promotional and implementation materials.

### Implementation workshops

#### *For people responsible for professional development in law schools*

Implementation workshops focused on law as a discipline and sought to engage with the staff responsible for ensuring the professional development needs of law teachers in their schools are met, often Associate Deans (Teaching and Learning), though precise roles and titles vary nationally. These workshops focused on showcasing the modules and setting them in the context of best practice (as described in the literature) and in the context of the quality practices of law schools already using the modules. They also invited participants to discuss how they might best contextualise the modules and make them accessible to the staff who might most value and benefit from using them.

Implementations workshops were run in Adelaide, Brisbane, Cairns, Melbourne, Perth and Sydney.

The workshops were facilitated by team members based in or already visiting these cities. Although enthusiasm for the project and the modules was frequently communicated by invited participants, attendance at many of the implementation workshops was low. In some cases, the team opted to arrange individual meetings rather than run a group workshop.

### *For people in other disciplines*

The project team presented at a range of multidisciplinary forums in the course of the project. Four key implementation presentations were at a UK Higher Education Academy webinar, the national CADAD conference, the Higher Education Research Group of Adelaide conference and the West Australian Network for Dissemination sharing day. At each event there was considerable interest in the project and enthusiasm for the approach being taken in the modules. The conference ultimately generated a collaboration with Health Care Management (initially, at Flinders University). In late 2016, Health Care Management commenced research among sessional staff in their discipline, using a purpose-modified version of one of the modules. They were investigating the possibility of a national collaboration to fund development of their own suite of modules.

The team also presented more focused papers to national and international conferences, including the International Society for the Scholarship of Teaching and Learning conference, the Commonwealth Legal Education Association, the Higher Education Research and Development Society of Australasia (HERDSA) conference, and the Chinese University of Hong Kong Conference on Teaching and Learning in Law.

### **Website and blog**

Smart Casual created a [website](#) to become a repository for the modules and implementation resources. It became a simple way for people to access the modules as they became available. The site includes a blog on which we have published regular posts related to teaching in law. The website has also enabled connections with and links to other websites.

The website was established in November 2015. By the end of 2016, it had been viewed more than 2400 times by more than 1000 unique visitors. The majority of visitors to the site were from Australia; however, there were visitors from around the world including Brazil (160 views), the UK (144 views), US (76 views) and Aotearoa/New Zealand (39 views).

### **Online interactive space**

One of the deliverables we proposed was an online forum hosted on Facebook. This was intended to assist with implementation and to address the need for professional development to promote collaboration and reflective practice.

The Facebook group was established and operated for some months with a number of sessional staff participating. However, changes to Facebook and feedback from participants in our focus groups suggested that Facebook might be an inappropriate context for such a forum. With Office for Learning and Teaching approval, the Smart Casual team opted to close the forum.

We initiated some alternative strategies to address the need for opportunities for sessional teachers in law to develop collegial networks and develop space for reflective practice. Some of the sessional teachers who participated in our focus groups advocated for an online space hosted on their own campus. Although this is something the project clearly could not deliver, this recommendation is reflected in the implementation resources for law schools.

Options for using the modules as part of a program of professional development, with in-person or online opportunities for discussion and reflection, are also provided in the implementation resources.

### **Additional research and publications**

The project produced a significant number of publications in addition to the modules, website and associated project documentation. Some papers are still under preparation, several are in press, and early publications have already appeared.

The video recordings of sessional teachers speaking about their experiences of and approaches to teaching, which were made in order to be included in the modules, produced such a wealth of information and illustrations of points raised in the modules that we sought an extension of our ethics application to carry out emergent research using them together with data from the focus groups.

Some papers emerged from the process of constructing the modules and considering feedback and evaluation of the draft modules. Each module required considerable research and reflection. In some cases, collaboration between team members on this process produced a distinctive approach to the pedagogy of specific legal skills or to classroom interaction. These emergent theories of teaching are reflected in several publications. See Chapter 4 for a list of publications.

### **Disciplinary and interdisciplinary linkages**

The Smart Casual resources have attracted international interest. They have been recognised as having application to law schools in other common law systems; in particular, the Higher Education Academy expressed interest in working to build a parallel project in the UK. To facilitate future collaboration, the HEA's former Discipline Lead for Law (a senior British legal educator), and a New Zealand representative were included in the ERG. Members of the team were invited to present a Smart Casual webinar to HEA, and this took place in May 2016. The University of the South Pacific, Vanuatu is interested in modifying the modules to use in orientation for all teaching staff across levels and disciplines. BABSEACLE, an organisation that supports collaboration between South-East/South Asia and Australia in developing university-based clinical legal education and community empowerment programs, approached Smart Casual indicating interest in its potential as part of a project tender in relation to capacity building in Myanmar. Smart Casual team members have been in discussion with the University of Manchester, Queen Mary University of London, the University of Cape Town, South Africa, the University of Portsmouth, University of Hong Kong, Chinese University of Hong Kong and King's College London.

Smart Casual has initiated discussion of sustainable, discipline-specific teacher development with other disciplines, using the Smart Casual project as an exemplar. The model of professional development created through Smart Casual is likely to be of value to other disciplines, although the distinctive content and skills critical to other disciplines and professions will necessarily be different. The initial focus has been upon professional disciplines facing challenges similar to those in law, such as a high proportion of sessional staff being practitioner-teachers. The project team is in conversation with teachers from

other disciplines in our own institutions (including in behavioural sciences, engineering, education, accounting, nursing and medicine). They have been impressed with the quality and utility of the Smart Casual resources and can see the potential for their own disciplines to create parallel resources. In some cases, the project team has been approached by people from other disciplines, as was the case with The Australian Sociological Association.

### **Analysis of factors critical to the success of the project and factors that impeded success**

The seed project provided a strong foundation upon which to build the methodology, approach, content and disciplinary support for Smart Casual. It also allowed the formation of a strong project team, which was enlarged for the major project by including two of the members of the seed project's ERG.

The research undertaken for the seed project also established the national need and desire for the resources the larger project could build. The success of the seed project created confidence in the outcomes of the larger project on the part of crucial stakeholders such as LEAD and CALD, whose endorsement and support have been crucial. The imprimatur of the Office for Learning and Teaching was a valuable asset in communicating the quality and national recognition of the program to stakeholders and external organisations, including those in other countries.

The involvement of a variety of law schools at different universities – with different geographical locations, institution types, program types and levels of resources – enabled the team and, ultimately, stakeholders, to ensure that the Smart Casual resources would be adaptable to and useful in a wide range of different settings.

The iterative approach to evaluation and feedback taken in this project meant that the resources it created were strengthened by the evaluation, expertise and experience of sessional teachers themselves as well as the ERG and the consultants who supported the project.

Each of these features of the project combined to mean that disseminating the project has been a pleasure. We were able to bring much-needed, high-quality, research-based resources to law schools that need and will use them. People working in other disciplines are nevertheless facing similar challenges and have similar needs. The evidence base for this project meeting an established need was met by the experience of having the resources welcomed and recognised as valuable in the many places we sought to publicise their existence and explain their value. The fact that they were being offered as a free solution to an unmet need was an added benefit to potential users, both institutional and individual.

The team itself has been the central strength of this project. Skilled project management ensured the project was constantly kept on track, on budget and in good humour. Regular online team meetings and preparedness to maintain online task tracking and collaboration systems have supported the ongoing work of the team through all stages. The environment of mutual support and collaboration among a team with a diversity of expertise has enabled us to create high-quality resources. It also allowed the team to weather immense changes in the lives of some team members during the life of the project while continuing to keep the project on track. The strong relationships between team members and the expertise and experience of the team as a whole has formed the ground upon which a wealth of writing

for publications associated with the modules has been able to grow and develop, often in directions that could not have been anticipated at the beginning of the project. We have also had the extreme good fortune to work with and beside leaders in legal education during the project through stakeholder and ERG engagement, as well as with collaborators, on building the project itself. We have had extraordinary support from sessional staff, and have learned much from the time we spent talking with them about the nature of teaching and learning.

### **Insights as to how the Smart Casual approach and outcomes are amenable to wider implementation**

In the course of this project we have investigated multiple opportunities for wider implementation. We have also been approached by people from other disciplines and other countries, and people within our own discipline nationally who believe that these resources are valuable for non-sessional law teachers.

Within our own discipline, we have received requests and suggestions for a wider range of modules, addressing more topics. For example, we have had a request for a module addressing complex staff–student interactions: those that may require higher order skills and a reflective approach from staff and that may involve a disproportionate risk of complaints from students concerning staff conduct. We have had repeated proposals that the resources be made available to all staff in law regardless of the terms of their employment (the resources are, of course, freely available to anyone who may wish to use them). We have been told of schools where sessional and non-sessional law teachers alike are using the resources, where Associate Deans are recommending them to all staff, or where proposals for building staff capacity involve all staff meeting to discuss the modules after working through them. We have had proposals for a further project that would involve discipline-specific professional development for early career academics in law using the Smart Casual model.

Other disciplines approached us as the project became better known, and in the context of presentations in multidisciplinary settings. They immediately recognised features of the landscape that Smart Casual set out to address, including casualisation, the wide variety of skills and aptitudes of sessional staff entering teaching, and the need for discipline-specific professional development. The quality and accessibility of the Smart Casual approach have been widely appreciated and the desirability and efficiency of creating a national response to a national need have been well recognised.

International responses to the project have varied widely, reflecting the diversity of contexts in which legal education occurs internationally. In some countries, casualisation is not widespread and professional development tailored to meet the needs of sessional staff is therefore of less interest. However, this is uncommon. We have spoken with academics from other countries where casualisation is marked and where the issues Smart Casual set out to address are equally evident. Academics in those countries are very interested in the model Smart Casual has created and how it might be adapted for use by sessional staff in their own contexts. However, we have also been approached by academics from countries in which discipline-specific professional development (or professional development of any kind) is unavailable for law teachers. In these contexts, we have spoken with staff who see

great potential for professional development for all law teachers irrespective of the nature of their employment. We have also spoken with Australians working on development projects in which building the skills of the academic workforce is an important feature. All see immense potential in the Smart Casual approach.

In each of these contexts, the limiting factor on further application of the Smart Casual model has been the availability of funds. Even with the potential to use Smart Casual as a template, contraction of funding for tertiary education in Australia, and the limited funds available in some of the countries that have expressed interest, seriously curtails the potential for purpose-designed or suitably modified professional development on this model. We are keen to find sources of funding to continue this work and are happy to partner with other disciplines and countries where that may be appropriate.

### **Links between the project and other projects in Office for Learning and Teaching priority areas**

As discussed, Smart Casual has liaised with the following current Office for Learning and Teaching projects:

- Indigenous cultural competency for legal academics program<sup>11</sup>
- Stimulating curriculum and teaching innovations to support the mental wellbeing of university students
- Shaping the 21st century student experience at regional universities
- Educating diverse learners for local/global citizenship: curriculum and pedagogical frameworks that bring global perspectives from the periphery to the core.

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<sup>11</sup> A Smart Casual team member attended the Indigenous Cultural Competency for Legal Academics Program consultation workshop in Canberra in September 2016. The workshop provided an opportunity to identify how the two projects might work together, and to raise awareness among attendees of the Smart Casual resources.



## Chapter 4

### Impact: project dissemination and evaluation

#### Dissemination

The modules and implementation resources were delivered to all Australian law schools in December 2016. A number of activities to ensure access to, and awareness of, the modules have been undertaken, and others are planned.

The modules have been circulated through both LEAD and CALD electronically. Team members have presented the final outcomes of the project and showcased the new modules at national meetings of LEAD and CALD. The project now has champions at a number of institutions nationally. A second round of electronic dissemination is planned for early in the 2017 academic year, timed to coincide with likely sessional staff recruitment times for 2017.

Information about the resources has also been sent to all project stakeholders and contacts. Three discipline-specific implementation workshops have been held in Adelaide, Melbourne, Perth, Sydney and Brisbane. Several interdisciplinary implementation events have been held. Further conference presentations and workshops designed to disseminate information about the project are planned or in process. In-person dissemination opportunities are being supported through project business cards, USB drives and postcards (see Appendix E for examples).

*Table 1. Presentations about Smart Casual*

| <b>Date</b>       | <b>Event</b>   | <b>Presentation</b>   | <b>Presenters/authors</b>  |
|-------------------|--|---|--|
| 10 April 2015     | 2015 BLASST Summit: Recognising and rewarding good learning and teaching practice with sessional staff, Macquarie University | National keynote, 'The disciplinary level: Smart Casual 2'  | Natalie Skead, Alex Steel, Kate Galloway, Mary Heath, Anne Hewitt, Mark Israel |
| 27 May 2015       | Australian School of Management, Perth   | 'Assessment and feedback principles'  | Mark Israel  |
| 13 June 2015      | Staff seminar at University of the South Pacific in Vanuatu  | ""Smart Casual"": Promoting excellence in (sessional) teaching in law'  | Natalie Skead  |
| 18 July 2015      | Australasian Law Teachers Association Conference, La Trobe University, Melbourne   | 'Smart casual: promoting excellence in sessional teaching in law'   | Kate Galloway, Mary Heath, Anne Hewitt, Mark Israel, Natalie Skead, Alex Steel |
| 21 September 2015 | Higher Education Research Group of Adelaide conference, The University of Adelaide   | 'Smart Casual? A project to identify and respond to the needs to sessional law teachers'  | Kate Galloway, Mary Heath, Anne Hewitt, Mark Israel, Natalie Skead, Alex Steel |
| 30 October 2015   | International Society for the Scholarship of Teaching and Learning conference, Melbourne                                     | 'Smart Casual: promoting excellence in casual teaching in law'  | Anne Hewitt, Mark Israel, Kate Galloway, Mary Heath, Natalie Skead, Alex Steel |
| 2 December 2015   | Law and Society Association of Australia and New Zealand conference, Flinders University, Adelaide                           | 'Empowering engagement: developing skills for embracing, celebrating and accommodating diversity in law school classrooms and beyond' | Kate Galloway, Mary Heath, Anne Hewitt, Mark Israel, Natalie Skead, Alex Steel |
| 10 December 2015  | Teaching Legal Analysis and Writing Skills, Melbourne Law School   | 'Reading Law, a module from Smart Casual: promoting excellence in sessional teaching in law'  | Alex Steel, Kate Galloway, Mary Heath, Anne Hewitt, Mark Israel, Natalie Skead |
| 22 April 2016     | Staff seminar at University of the South Pacific, Vanuatu  | 'Smart Casual'  | Natalie Skead  |
| 2 June 2016       | Law and Society Annual Conference, New Orleans   | 'Building teacher awareness of student learning approaches and issues: reflections from the Smart Casual online initiative'           | Alex Steel, Mark Israel, Mary Heath, Anne Hewitt, Kate Galloway, Natalie Skead |

|                   |   |   |   |
|-------------------|---|---|---|
| 3–4 June 2016     | Chinese University of Hong Kong Teaching and Learning in Law Conference                           | ‘Building the capacity of sessional law teachers to meet the changing demands of legal education’ | Natalie Skead, Mark Israel, Kate Galloway, Mary Heath, Anne Hewitt, Alex Steel                |
| 5 July 2016       | Higher Education Research and Development Society of Australasia Conference, Fremantle            | ‘Fostering “quiet inclusion”: Interaction and diversity in the Australian law classroom’          | Mark Israel, Natalie Skead, Anne Hewitt, Mary Heath, Kate Galloway, Alex Steel                |
| 8 July 2016       | Australasian Law Teachers’ Association conference, Victoria University of Wellington, New Zealand | ‘A thinking, reading, problem solving nexus: the Smart Casual approach’                           | Kate Galloway, Mary Heath, Anne Hewitt, Mark Israel, Natalie Skead, Alex Steel                |
| 15 September 2016 | University of New South Wales Law Teaching and Learning Seminar                                   | ‘How to get students to better read legal materials – ideas from the Smart Casual module’         | Alex Steel, Mary Heath, Anne Hewitt, Kate Galloway, Mark Israel, Natalie Skead                |
| 22 September 2016 | Higher Education Research Group of Adelaide conference, The University of Adelaide                | ‘Smart Casual: Providing discipline-relevant professional development for sessional teachers’     | Mary Heath, Anne Hewitt, Kate Galloway, Mark Israel, Claire Nettle, Natalie Skead, Alex Steel |
| 26 September 2016 | LEAD National Meeting, Flinders University Victoria Square Campus                                 | ‘Smart Casual: professional development for sessional teachers in law’                            | Natalie Skead, Mary Heath   |
| 4 October 2016    | Occasional Learning and Teaching Conversation, The University of Western Australia                | ‘Wellbeing in Law Smart Casual module’  | Natalie Skead, Mary Heath, Anne Hewitt, Kate Galloway, Mark Israel, Alex Steel                |
| 13 October 2016   | CALD  | ‘Smart Casual’  | Mary Heath, Natalie Skead   |
| 4 November 2016   | CADAD conference, Sydney  | ‘Smart Casual: providing discipline-relevant professional development for sessional teachers’     | Alex Steel, Mark Israel, Mary Heath, Anne Hewitt, Kate Galloway, Natalie Skead                |
| 9 November 2016   | HERDSA Rekindled, Western Australia   | ‘Interaction and diversity in the Australian law classroom’                                       | Mark Israel   |
| 22–23 March 2017  | Commonwealth Legal Education Conference, Melbourne  | ‘Smart Casual: using online modules to build teacher confidence and skills’                       | Alex Steel, Mary Heath, Anne Hewitt, Kate Galloway, Mark Israel, Natalie Skead                |
| July 2017         | XXXVth International Congress on Law and Mental Health, Prague                                    | ‘Supporting the mental health of lawyers and law students’  | Natalie Skead   |

### *List of publications*

Galloway, K., Heath, M., Steel, A., Hewitt, A., Israel, M., & Skead, N. (2016). Working the nexus: Teaching students to think, read and problem-solve like a lawyer. *Legal Education Review*, 26, 94–114.

Hewitt, A., Heath, M., Israel, M., & Skead, N. (2015). Beginning to address “the elephant in the classroom”: Investigating and responding to Australian sessional law teachers’ unmet professional development needs. *UNSW Law Journal*, 38(1), 260–63.

Israel, M., Skead, N., Heath, M., Hewitt, A., Galloway, K., & Steel, A. (2016). Fostering “quiet inclusion”: Interaction and diversity in the Australian law classroom. *Journal of Legal Education*, 66(2), 332–356.

Israel, M., Skead, N., Heath, M., Hewitt, A., Galloway, K., & Steel, A. (2016) Interaction and diversity in the Australian law classroom. *Research and Development in Higher Education: The Shape of Higher Education*, 39, 127–136.

Steel, A., Galloway, K., Heath, M., Skead, N., Israel, M., & Hewitt, A. (2016). Critical legal reading: The elements, strategies and dispositions needed to master this essential skill. *Legal Education Review*, 26(1), 1–28.

### *Forthcoming publications*

Heath, M., Galloway, K., Steel, A., Israel, M., & Skead, N., (2017). Feeling like a lawyer. *Griffith review* (in press).

Heath, M., Galloway, K., Steel, A., Hewitt, A., Israel, M., & Skead, N. (2017). Standing at a crossroads: Intersectionality and Australian legal education. Manuscript in preparation.

*Steel, A., Galloway, K., Heath, M., Hewitt, A., Israel, M., & Skead, N. (2017). Threshold concepts: Variation theory and legal education. Manuscript in preparation.*  
*Steel, A., Skead, N., Galloway, K., Heath, M., Hewitt, A., & Israel, M. (2017). Enabling professional development for sessional colleagues: Reflections from the Smart Casual online initiative. Manuscript in preparation.*  
*Web and social media coverage*

In February 2015, a Twitter account was established for the Smart Casual project: @SmartCasualLaw. In December 2016 Smart Casual had published 430 tweets and had 180 followers including law schools and legal education bodies.

*Table 2. Reference to Smart Casual in other social media and websites*

| <b>Date</b>      | <b>What</b>   | <b>Where</b>             | <b>URL</b>  |
|------------------|---|--------------------------|---|
| 23 February 2015 | Post: 'Helping law's sessional teachers stay on top' about Smart Casual project   | <i>Flinders News</i>     | <a href="http://blogs.flinders.edu.au/flinders-news/tag/smart-casual">http://blogs.flinders.edu.au/flinders-news/tag/smart-casual</a>   |
| 12 April 2015    | Twitter discussion about Smart Casual<br>Keynote at BLASST presented on Storify   |                          |   |
| 31 August 2015   | Post about Smart Casual modules   | <i>Law School Vibe</i>   | <a href="https://lawschoolvibe.wordpress.com">https://lawschoolvibe.wordpress.com</a>   |
| January 2016     | Article about Smart Casual presentation at ISSOTL   | <i>BLASST Newsletter</i> | <a href="http://us8.campaign-archive2.com/?u=9e8293544e0b3714c9de44d15&amp;id=7676f96653&amp;e=4ffc33f4e5">http://us8.campaign-archive2.com/?u=9e8293544e0b3714c9de44d15&amp;id=7676f96653&amp;e=4ffc33f4e5</a>                 |
| 11 May 2016      | Kate Galloway profiled in Centre for Professional Legal Education Newsletter (2016, issue 2). Describes Smart Casual project and includes link to website |                          |   |
| 30 August 2016   | Post on Smart Casual presentation at HERDSA conference  | <i>Law School Vibe</i>   | <a href="https://lawschoolvibe.wordpress.com/2016/08/30/interaction-and-diversity-in-the-australian-law-classroom">https://lawschoolvibe.wordpress.com/2016/08/30/interaction-and-diversity-in-the-australian-law-classroom</a> |

### *Engagement examples*

The work of the Smart Casual project team has addressed an area of real need in advancing teaching excellence for casual teaching staff. This well-conceived project has already achieved significant progress by providing resources and initiatives backed by substantive research. The team is to be commended for their thoughtful and thorough approach.

– Associate Professor Suzanne LeMire, Dean, Adelaide Law School

The Council of Australian Law Deans (CALD) is following the progress of this project with considerable interest as all law schools are increasingly compelled to employ sessional staff. These development sessions will benefit not only the casual staff directly involved, but also indirectly the students who may come into contact with them. The real beneficiary here is the quality of legal education which can only improve as a result of Smart Casual.

– Professor Kim Economides, Dean, Flinders Law School

The Smart Casual project has provided a number of benefits in the critical area of enhancing the teaching skills of sessional law teachers. The utilisation of sessional staff in law schools is unlikely to decrease and therefore focusing on skill-building for this subset of teaching staff is well-justified. Not only do these teachers directly benefit from professional development but the skills and expertise can be passed on to other staff, as well as to students who may themselves become sessional tutors in the future.

– Professor Erika Techera, Dean and Head of School, University of Western Australia Law School

See Appendix C for Smart Casual’s impact plan.

## Evaluation

The Smart Casual project incorporated an iterative evaluation process. Evaluation took place at multiple stages, with multiple stakeholders. For example, the team sought endorsement for the project from CALD prior to applying for funding. In the establishment stage of the project, the team consulted with CALD and LEAD. In the consultation stage, the project team sought feedback on its position paper (informed by discussions with LEAD and CALD) from the ERG prior to finalising the topics for the new modules and strategic themes. LEAD and CALD were further informed about and consulted in relation to the implementation resources as the project neared completion.

Mechanisms for ongoing input and evaluation throughout the project included:

- input from ERG and theme consultants
- focus groups
- team member reflective practice
- feedback and questions from people attending conference, seminar and workshop presentations
- input from stakeholder organisations
- unsolicited feedback from users
- input from colleagues in other disciplines and other countries interested in drawing on the Smart Casual approach
- reviewer comments on publications.

### *Formal evaluation*

Finally, the project has been subject to formal outcomes evaluation by independent evaluator, Professor Richard Johnstone. The evaluation report is included as Appendix D.

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## Appendix A

### Certification by Deputy Vice-Chancellor (or equivalent)

I certify that all parts of the final report for this OLT grant provide an accurate representation of the implementation, impact and findings of the project, and that the report is of publishable quality.

Name: *Andrew Parkin*

**Professor Andrew Parkin  
Deputy Vice-Chancellor  
(Academic)**

Date: *27 January 2017*

## Appendix B

### Presentation on themes in the Smart Casual modules



### What is Smart Casual?



Smart Casual is a national project designed to create time-efficient, research-informed online professional development for Australian sessional teachers in law.



The Smart Casual online professional development modules are designed by law teachers, for law teachers. They include videos of sessional law teachers talking about their high quality teaching practices.





Each module has been peer reviewed, trialed by sessional law teachers and modified to respond to their feedback. The modules are free and readily accessible on the web.

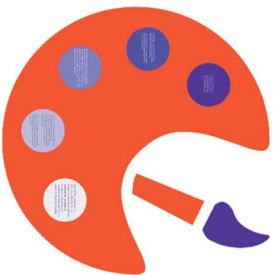


The Smart Casual modules incorporate **four themes** critical to legal education:

- diversity
- internationalisation
- digital literacy
- gender



This presentation provides an overview of the significance of the themes for law students and law teachers.



**Diversity**

Diversity is a reality embodied in university classes, whether we consider Indigeneity, gender, socio-economic status, linguistic and/or cultural heritage, ability, faith, sexuality or learning style.



Recognising the diverse life experiences and identities of our students is one thing. Meeting their diverse needs is more challenging. Responding effectively to uninformed, offensive and/or discriminatory attitudes and behaviour can be even more complex.




Universities are obliged to accommodate the special needs of students with disabilities. We also have legal obligations not to discriminate on the basis of sex, gender identity, race, nationality, cultural or ethnic origin, sexual orientation, age, relationship status or pregnancy.



However, student success and wellbeing require more than the absence of discrimination. Effective teaching means teaching in ways that embrace, celebrate and accommodate the rich variety of students' lives. Teaching with diversity in mind can help prepare students to respond appropriately to the diversity of their future clients and communities.








You will find references to *diversity* embedded in the Smart Casual modules to help develop your capacity to recognise, respond to and embrace student diversity in a variety of teaching contexts.




## Internationalisation



Internationalisation includes:

- international mobility of and collaboration between legal educators
- international mobility of, and collaboration between, students
- internationalisation of the legal curriculum and of teaching methods.



Internationalisation is a key feature of contemporary legal education and legal practice. Global citizenship is a sought-after graduate attribute.

Future lawyers will practice in a global, multi-jurisdictional context in an internationalised profession.

How can we effectively prepare them?



Many sessional teachers do not have control of the curriculum. Yet every teacher can promote an international curriculum by using international content and examples, and building students' cultural awareness.

We can all support students to deepen their understanding of the broader international contexts of the law, and to become international in approach.



Embedded throughout the Smart Casual modules, you will find ways to foster intercultural competency and support student learning of international, multi-jurisdictional, and comparative perspectives and research skills.



**Digital literacy**



Legal practice involves the use of digital technologies:

- database research
- e-discovery
- practice management systems
- legal informatics
- other emerging technologies.

Digital literacy is crucial to every aspect of professional life.



Law graduates need to be digitally literate: competent in professional, social, cultural, and personal communication practices utilising a variety of digital media.



They need the capacity to select the appropriate medium and adapt it to new contexts in the face of continuous change. They must be equipped to think critically about how the law can adapt to meet the challenge of rapid technological change.



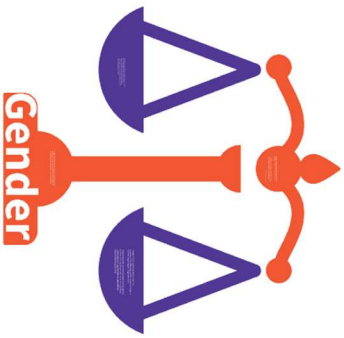
Students need to build awareness of communication technologies, online research tools, ethical issues and professional responsibility in digital contexts, information management, and the broader (digital) contexts within which the law operates.



This theme supports law teachers in building awareness of, and capacity in, using digital technology to facilitate student learning.

It also supports sessional academics to teach law students skills and approaches for using and thinking about technology in professional contexts.

You will find *digital literacy* referred to throughout the Smart Casual modules.



Despite 20 years of equality rhetoric, data shows gender discrimination in the Australian legal profession remains pervasive.

'We still do not take sufficient account of the ways that women's experience is different from that of men whether as practitioners or as people forced to use the law.'

(Baroness Helena Kennedy)



Facilitating students' understanding of gender issues in law and the legal profession requires creating opportunities for critical thinking about the ways stereotypical understandings of gender and gender roles are embedded in the law.



The Australian Law Reform Commission has recognised that achieving equality requires change on all levels, beginning with legal education.

Integrating gender perspectives and creating a gender inclusive learning environment assist in embedding a culture of gender equality that may stay with law students beyond graduation.



You will find references to the *gender* theme throughout the Smart Casual modules, together with strategies for embedding gender awareness in your own teaching.



Smart Casual provides free staff development especially designed for Australian sessional law teachers by Australian law teachers.



Visit <http://smartlawteacher.org/modules> to access self-paced, free professional development modules designed to support your teaching in the following areas:

- Communication and collaboration in law
- Critical legal thinking
- Engagement
- Ethics and professionalism
- Feedback
- Indigenous peoples and the law
- Problem solving in law
- Reading law
- Wellbeing in law



Support for this resource has been provided by the Australian Government Office for Learning and Teaching. The views in this resource do not necessarily reflect the views of the Australian Government Office for Learning and Teaching.

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## Appendix C Impact plan

## Smart Casual impact plan

### What indicators exist that there is a climate of readiness for change in relation to your intended project?

Several national projects have emphasised the need for, and lack of, provision of high quality professional development opportunities for sessional staff<sup>1</sup> who deliver up to half of all teaching in Australian higher education.<sup>2</sup> The Tertiary Education Quality and Standards Agency (TEQSA) has identified a 'significant reliance on academic staff employed under casual work contracts' as one of the key risks to the reputation of Australian higher education.<sup>3</sup> Despite acknowledgment of the need for further training and support, professional development for sessional teachers remains inadequate.

Surveys of sessional teaching staff show a demand for training in topics including:

- giving effective feedback
- assessment and marking
- coping with difficult classroom situations
- planning and managing a class.<sup>4</sup>

In law specifically, many sessional teachers are legal practitioners. They bring valuable professional experience and knowledge but often have little teaching experience and lack teaching qualifications. Sessional staff in law need to be able to teach discipline-specific skills and content to students who must meet Threshold Learning Outcomes and professional admission requirements. Our discipline-specific approach to professional development responds to demand from sessional staff for

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<sup>1</sup> Australian Universities Teaching Committee, *Training, support and management of sessional teaching staff final report*, Teaching and Educational Development Institute, 2003.

A Percy, M Scoufis, S Parry, A Goody & M Hicks, I Macdonald, K Martinez, N Szorenyi-Reischl, Y Ryan, S Wills & L Sheridan, *The RED report, Recognition, Enhancement, Development: The contribution of sessional teachers to higher education*, Australian Learning and Teaching Council, Sydney, 2008.

G Lefoe, D Parrish, J Malfroy & J McKenzie, *Subject coordinators leading professional development for sessional staff*, Australian Learning and Teaching Council, Sydney, 2011

<sup>2</sup> Percy, et al.

<sup>3</sup> Tertiary Education Quality Standards Agency, *Regulatory risk framework*, 2012 p. 25.

<sup>4</sup> B Bevan-Smith, J Keogh & B D'Arcy, 'Determining the support needs of casual academic staff at the frontline', in F Beaton & A Gilbert (eds.), *Developing effective part-time teachers in higher education*, Routledge, London, 2013.

L Wilson, 'Welcome on board: designing support interventions to meet the real needs of new part-time lecturers', in F Beaton & A Gilbert (eds.), *Developing effective part-time teachers in higher education*, Routledge, London, 2013.



discipline-specific training<sup>5</sup> and may achieve ‘better learning outcomes’<sup>6</sup> for students.

Findings from our own research, carried out for the Smart Casual seed project, were consistent with the national and international literature. We found that Australian law schools are committed to offering some training and development opportunities to sessional staff, but that opportunities were inconsistent and there is a notable lack of discipline-specific, teaching-focused development opportunities. Individual law schools lack the expertise and capacity to develop discipline-specific professional development for their sessional teachers. This national problem demands a national solution.

In our survey, sessional teaching staff were found to be willing to engage with development resources if well-tailored to their needs. In focus groups, sessional teachers who tested the modules developed in the Smart Casual seed project expressed a strong desire for law-specific teacher training and felt that the ‘highly-relevant’ content of the modules would make sessional teachers enthusiastic to complete them. They also believed that the self-paced nature of the modules and the ability to focus on topics of interest and relevance made the seed modules accessible and attractive.

This follow up Smart Casual project (Smart Casual) has received expressions of endorsement and support at all levels, from national bodies including Council of Australian Law Deans (CALD) and Council of Australian Directors of Academic Development (CADAD) to law schools and sessional instructors themselves.

### **What are your strategies for engaging with stakeholders throughout the project?**

We have strong, established relationships with key stakeholder organisations representing law deans, associate deans in law with responsibility for teaching and learning, law students and directors of professional development, all of which are represented on our expert reference group. All stakeholders have expressed strong interest in and support for the Smart Casual project.

We will use multiple formal and informal communication channels to engage with identified stakeholders and a wider network of interested groups and individuals. Our strategies will include reports at professional meetings, updates in organisations’ newsletters, and reports on relevant blogs and our project’s Facebook page and Twitter feed. See table below for further detail.

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<sup>5</sup> D Boud, ‘Situating academic development in professional work: using peer Learning’, *International Journal for Academic Development*, vol. 4, no. 1, 1999, p. 3.

M Healey & A Jenkins, ‘Discipline-based educational development’, in H Eggins and R Macdonald (eds.), *The scholarship of academic development*, Open University Press, 2003.

LP Mertova & J Becker, ‘Providing a discipline-based higher education qualification’, *Journal of University Teaching & Learning Practice*, vol. 2, no. 2, 2005, p. 75.

Bevan-Smith, et al.

<sup>6</sup> J Cowley, ‘Confronting the reality of casualisation in Australia: recognising difference and embracing sessional staff in law schools’, *Queensland University of Technology Law and Justice Journal* vol. 10, no. 1, 2010, pp. 27, 28- 29, 28.

We will cultivate relationships with contacts in each organisation. We will send briefings at significant milestones to keep stakeholders informed of our progress. We will make clear requests for specific support or input at strategic times.

Face-to-face communication and relationship building will be facilitated by attendance at key meetings and conferences including CALD, Australasian Law Teachers Association, HERDSA (Higher Education Research and Development Society of Australasia), and the West Australian Network for Dissemination Forum.

### **How will you enable transfer, that is, ensure that your project remains impactful after the funding period?**

We will maintain our close relationships with key stakeholder organisations such as CALD, LEAD (Legal Education Associate Deans) and CADAD. These bodies have agreed to promote, disseminate and champion the Smart Casual modules in law schools throughout Australia.

Take-up after the funding period will be supported by ensuring that the resources respond to the needs of all Australian law schools, taking into account diversity in size and resources, use of online and blended learning, rural and urban settings, the nature of offerings and student demographics.

Purpose-designed implementation resources will assist law schools to place the modules within a wider teacher development program, enabling them to meet their requirements under teaching quality assurance processes.

We have begun to cultivate interest in the approach we are using in other disciplines where discipline-specific professional development for sessional teachers may be of benefit. The potential for this approach to be adopted by other disciplines has already been recognised by an invitation to deliver a keynote about the project at the BLASST (Benchmarking Leadership and Advancement of Standards for Sessional teaching) summit 2015. We intend to continue to cultivate contact with other interested disciplines throughout the life of the project.

See table below for further detail.

### **What barriers may exist to achieving change in your project?**

- Difficulty in tracking and quantifying the extent of impact.
- Differences between law schools and their professional development needs – ways of teaching, urban or rural location, student demographics.
- Lack of budget to pay for sessional teachers' time for professional development beyond the trials funded by this project, and differences in university policy and practice in relation to professional development for sessional teachers.
- Broader issues with casualisation in higher education (turnover of sessional staff; sessional staff as time-poor and resource-poor by comparison with people on a regular wage; just-in-time approaches to sessional staff recruitment that limit time available for pre-employment professional

development; widespread perception of casualisation as a strategy for saving money rather than as requiring investment in professional development and skills).

- Difficulty maintaining changes to established practices in the long term.
- Cultural change – reluctance to use new strategies that have not been part of teachers’ own educational experience and potential reluctance on the part of some responsible staff to undertake the cultural change and curriculum change envisaged by the Threshold Learning Outcomes for Law (and reflected in the modules and themes accordingly).

### How will you keep track of the project’s impact, what analytics may be useful?

Key indicators of the impact of Smart Casual will include:

- the outcomes of focus groups
- the adoption of modules by CALD
- the adoption of modules by LEAD
- the use of Smart Casual implementation resources by CALD, LEAD and others
- presentations about the project and its modules
- take-up of Smart Casual modules in law schools
- relationship with and influence upon BLASST project
- interest in and adoption of the Smart Casual model by other disciplines.

The achievement of each of these indicators will be carefully recorded. In addition, we will track Smart Casual’s impact by monitoring the:

- visits to the online modules using Google and YouTube Analytics
- numbers of participants in ‘live’ workshops through workshop registrations
- satisfaction of workshop participants through exit surveys
- citations of journal articles using Scopus, Web of Knowledge and Google Scholar
- downloads of journal articles through sites such as Academia.edu and Mendeley
- dissemination via Twitter using numbers of followers and retweets
- mentions in newsletters, blogs and other websites using altmetrics
- University of Western Australia Law Library’s Research Impact Measurement Service.

### How will you maintain relevant project materials for others to access after the project is completed?

The modules, supporting resources and final report will remain freely available on the LEAD website. The materials will have a permanent URL that will be linked to from other relevant sites. The online interactive space will be accessible via the LEAD website. Active steps to engage sessional staff in content creation for the online interactive space will be taken during the life of the project in an effort to advance the prospects of ongoing engagement. The team will also investigate the possibilities of a further stage of work.

## Impact matrix

|                     | <b>Project completion</b>   | <b>Six months post-completion</b>   | <b>Twelve months post-completion</b>   | <b>Twenty-four months post-completion</b>   |
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| <b>Team members</b> | <p>Development of team members' knowledge of relevant literature and innovative practice in specific areas, including content of modules, themes and Position Paper.</p> <p>Changes to team members' own teaching practice (for example, embedding gender within teaching of Equity and Land Law at UWA)</p> <p>Changes to team members' engagement in support for sessional teaching staff</p> <p>Team member/s nominated for Office for Learning and Teaching Award/Citation.</p> | <p>Success in Smart Casual supports team member/s application for promotion.</p> <p>Feedback from team members' students about a changed teaching practice.</p> <p>Team member/s invited to share expertise gained from Smart Casual at their institution.</p> <p>Team member/s invited to share expertise gained from Smart Casual at another institution.</p> <p>Team members invited to present on a Smart Casual-related topic at a conference.</p> | <p>Smart Casual used to demonstrate track record for team members' funding applications, promotion applications and applications for professional recognition.</p> | <p>Smart Casual used to support team members' successful nomination for national teaching awards.</p> |

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| <p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>Impact on sessional teachers at our institutions</b></p> | <p>Sessional teaching staff in law have access to discipline-specific teaching resources.</p> <p>Sessional teaching staff in law have access to an online forum for support and advice.</p> <p>In focus groups, sessional teachers report increased confidence in their teaching skills.</p> | <p>All sessional law staff are aware of modules.</p> <p>Take-up of online materials (numbers tracked).</p> <p>Take-up of face-to-face training activities (numbers tracked).</p> <p>Student feedback about sessional instructors reports increased satisfaction with delivery of content and feedback.</p> <p>New confidence in staff who have used the modules, including in introducing activities, content and processes in lectures and tutorials.</p> | <p>Student feedback about sessional instructors demonstrates improvements in learning and teaching.</p> <p>Better retention of sessional teaching staff, greater job satisfaction, and wellness aims achieved.</p> <p>Sessional staff report greater inclusion in their departments, being invited to planning meetings, events, working parties and committees.</p> | <p>Sessional teaching staff connect with peers in other states, share information and resources.</p> <p>Measures of high quality of teaching are used to promote participating law schools to potential students.</p> <p>Sessional staff are nominated for teaching awards.</p> |
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| <b>Spreading the word</b> | <p>Modules completed and available online.</p> <p>Council of Australian Law Deans announces modules through its website and email list.</p> <p>Legal Education Associate Deans Network promotes Smart Casual through its website and to its members.</p> <p>Council of Australian Directors of Academic Development announces the resources on its website and in its bulletin and commends the modules to its members.</p> <p>Australian Law Students Association announces Smart Casual on its website, Facebook page and newsletter.</p> | <p>Numbers of downloads of online modules tracked.</p> <p>Resources linked to by relevant websites.</p> <p>Smart Casual modules reported in relevant newsletters and email lists, such as Australasian Law Teachers Association, Gonzaga/Washburn, <i>Law Teacher, Connect</i> (National Tertiary Education Union newsletter for sessional staff) and <i>LawyerEd</i> (UWA).</p> <p>Journal articles arising from the project published in the Social Sciences Citation Index or A/A* ranked journals.</p> <p>Information tweeted from SmartCasualLaw and by other popular tweeters with links to higher education and legal education.</p> <p>Smart Casual resources referred to in an article on <i>The Conversation</i>.</p> <p>People have joined Smart Casual Facebook group (numbers tracked)</p> | <p>A* journal articles widely cited.</p> <p>Papers delivered at higher education and law conferences.</p> <p>Follow up journal article on impact of Smart Casual.</p> <p>Team members attend and present at professional meetings including CALD, Higher Education Research and Development Society of Australasia conference, LEAD and CADAD.</p> | <p>Modules remain available on LEAD website.</p> <p>Modules and articles regularly referred to in articles about academic professional development and teacher training.</p> <p>Other disciplines adopt Smart Casual approach to professional development.</p> |
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|   |  | <p>Smart Casual resources featured in blogs such as: <a href="#">Council of Australian Postgraduate Associations</a> President's Blog, <a href="#">Casual, Adjunct, Sessional Staff and Allies in Australian Higher Education</a>, <a href="#">Hyperlink Academia</a>, <a href="#">The Smart Casual</a>, <a href="#">Actual Casuals</a>, <a href="#">Adjunct Nation</a>, <a href="#">Adjunct Project</a>, <a href="#">Carrotworkers Collective</a>, <a href="#">Cringing Liberal Elite</a>, <a href="#">New Faculty Majority</a>, <a href="#">Nicky Sa-eun Schildkraut</a>, <a href="#">Precarious Workers Brigade</a>, <a href="#">Slapsista</a>, and <a href="#">Tales from the Adjunctiverse</a>.</p> |  |  |
| <p><b>Narrow opportunistic adoption</b></p> |  | <p>Enthusiastic early adopters spread the word.</p> <p>Associate Deans in other disciplines adopt and adapt modules for sessional staff.</p> <p>Law teachers in permanent positions use modules.</p>   |  | <p>Continuing benefit to students.</p> |

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| <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Narrow systemic adoption</p> |  | <p>Use of modules championed and funded by management and adopted by university centres for learning and teaching.</p> | <p>Use and recommendation of modules enters into policy for new and continuing sessional teaching staff.</p> <p>Shift in budget allocation and practice allows for paid training sessions for sessional staff.</p> <p>Documented processes for new staff include the recommendation to access Smart Casual modules.</p> | <p>Incentives are introduced for casual staff to complete Smart Casual modules, participate in online network.</p> <p>Team members receive funding to expand work started in Smart Casual:</p> <ul style="list-style-type: none"> <li>• internationally</li> <li>• to other disciplines</li> <li>• for early career academics.</li> </ul> |
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| <b>Broad opportunistic adoption</b> | <p>Sessional instructors hear about Smart Casual through the channels above.</p> <p>Interest in Smart Casual is expressed by:</p> <ul style="list-style-type: none"> <li>• law schools outside Australia</li> <li>• other professional disciplines.</li> </ul> | <p>Teaching teams at non-participating universities start using Smart Casual resources.</p> <p>Examples of techniques and content from Smart Casual modules are introduced at non-participating universities:</p> <ul style="list-style-type: none"> <li>• outside Australia</li> <li>• in other disciplines.</li> </ul> <p>Constructive feedback from students and supervisors.</p> | <p>‘Live’ Smart Casual professional development delivered to teachers at participating and non-participating institutions.</p> <p>Increase in number of students taught by instructors with access to Smart Casual information and resources.</p> <p>Evidence of improved student retention and satisfaction.</p> | <p>Content from modules and themes enters into law teaching around the country.</p> <p>Law schools commit to using modules.</p> <p>Quality of delivery of legal education improves.</p> <p>Modules are used as exemplars for teacher training in nursing, medicine, dentistry, education, engineering and other disciplines.</p> <p>Smart Casual resources are taken up by law schools in the UK, NZ and other common law countries.</p> |
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| <p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>Broad systemic adoption</b></p> |  | <p>Smart Casual resources are championed by LEAD and CALD.</p> <p>There is buy-in from people in institutional leadership roles:</p> <ul style="list-style-type: none"> <li>• Associate Deans (Education) from other disciplines</li> <li>• Pro-Vice Chancellors (Education)</li> <li>• Deputy Vice Chancellors (Education)</li> <li>• Directors of university Centres for Learning and Teaching.</li> </ul> | <p>CADAD adopts policy to deliver and/or recommend Smart Casual to sessional law staff.</p> | <p>Participation in Smart Casual modules becomes a requirement for sessional teachers under CALD policy.</p> <p>Smart Casual adopted by law schools to meet good practice criteria under BLASST Sessional Staff Standards Framework.</p> <p>Needs of sessional teaching staff better understood, leading to improved training and induction processes being planned and implemented across disciplines.</p> <p>Smart Casual's strategic themes become further embedded in law curriculum.</p> |
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## Appendix D

### Independent evaluator's report

# Smart Casual: Towards excellence in sessional teaching in law

## Evaluation Report

Evaluator: Richard Johnstone

### Project summary

The project *Smart Casual: Towards excellence in sessional teaching in law* has developed and is disseminating nine web-based interactive teaching development modules on key topics for sessional law teachers. The nine modules address:

- engaging students
- providing feedback
- teaching legal problem-solving
- critical legal thinking
- communication and collaboration in law
- Indigenous peoples and the law in Australia
- legal ethics and professional responsibility
- reading law, including the foundational legal skills of case reading and statutory interpretation
- wellness in law for both students and sessional teachers.

Each module also addresses strategic themes of crucial importance to the administration of justice:

- digital literacy
- diversity (including Indigenous inclusion)
- gender
- internationalisation.

The project has also designed and delivered resources and workshops for law staff to support best practice implementation. Implementation has been facilitated and supported by a project website which includes free access to the modules and resources designed to support law schools seeking to use the modules as part of their support for sessional teaching staff.

Finally, the project team has invited colleagues from other disciplines, and from other countries, to use the *Smart Casual* approach to address similar needs for discipline-specific professional development.

The *Smart Casual* project seeks to address a clear need (identified in the literature review and in the empirical research conducted for the seed project) for *discipline-specific* professional development for sessional law teachers. Sessional law teachers are often legal practitioners or postgraduate researchers, and carry a heavy teaching load in Australian law schools. Without effective support for sessional law teachers, law schools cannot achieve the

educational aims of their law programs, and cannot provide quality teaching that will ensure robust student learning, and student retention and progress.

The *Smart Casual* project was conducted in two stages: it began with a seed project, which found that support and training for sessional law teachers was inadequate, and developed, trialled and evaluated three professional development modules. In the second stage, the Smart Casual project developed a further six professional development modules.

The two stages of the project are very well explained in the final report of the seed project, the position paper sent to the expert reference group established for seed project, and the draft final report for the project.

## Purpose of the evaluation

Project evaluation involves gathering information about a project to understand and make judgments about the project. This evaluation is an **outcomes valuation** of the project, *Smart Casual: Towards excellence in sessional teaching in law*. An outcomes evaluation generally measures project effects on the target population by assessing the progress in achieving the outcomes or outcome objectives that the project is seeking to achieve.

## Methods and questions used in the evaluation

In order to evaluate the outcomes of the project, *Smart Casual: Towards excellence in sessional teaching in law*, I have conducted a **peer outcomes review**, in which I

- reviewed all the documents provided to me by the project team (including the final report of the seed project (Smart Casual 1) in 2014, the application to the Office of Learning and Teaching for the main project (Smart Casual 2), the position paper sent to the expert reference group established for Smart Casual 1, the research ethics application documents, the impact plan, and the draft report for Smart Casual 2 in December 2016)
- worked through the material on the *Smart Casual* website, including the Landing Page that explains the project, how to use the modules and establishes a context for their use, and each of the nine modules developed by the project team.

Even though the evaluation is not a process evaluation, I also considered the methods used in developing the modules, in order to assess the way in which the project team consulted with stakeholders and potential users, and acted on their feedback and suggestions in order to ensure that the modules achieved their objectives.

The evaluation addressed the following questions:

1. What were the objectives of the *Smart Casual* project?
2. How were the modules developed, and in particular, how were they reviewed by experts and experienced teachers, and tested by potential end users?
3. To what extent have the intended outcomes been achieved?
4. How might the outcomes be improved?

## What did the Smart Casual project set out to do?

As the draft final report for the *Smart Casual* project states, the project has been ‘designed to create and disseminate resources to meet a demonstrated national need for discipline-specific professional development for sessional law teachers.’ The outputs developed by the project are principally:

- an extensive program of interactive teaching development modules, within which are integrated strategic themes of crucial importance to the administration of justice, and hence to the law curriculum and law teaching; and
- resources and workshops for law staff to support best practice implementation.

The project committed itself to a particular approach to the provision of professional development resources, based on the research literature which, as the draft report observes suggests that professional development should, wherever possible:

- be situated in context
- ongoing rather than ‘one-off’
- allow for the development of collegial connections
- be available on an ‘as-needs’ basis.

Smart Casual therefore set out to design and create resources which are:

- **practical** and readily applied in a teaching context
- **available as needed**, allowing sessional teachers to access and refer back to the resources as required
- as **concise** as possible, in order to maximise efficiency, without sacrificing content
- supported by purpose-designed implementation materials which support **best practice** in the use of the modules.

## To what extent has the project achieved its objectives?

### Overview

The nine modules produced by the *Smart Casual* project team are excellent, and the team is to be congratulated on the quality of each of the modules, which have been developed in accordance with the design principles outlined on the previous page. I enjoyed working through the modules, and found them all very interesting and helpful. In each I learned a few new things, and in some, I learned a great deal.

### The process of developing the modules

Even though this is an outcomes evaluation, it is important to reflect on the process of developing the modules, because the time allocated for the evaluation of the project outcomes precludes gathering new evidence from module users about their experiences of using the modules. The project reports of 2014 and 2016 explain how the modules were developed, and in particular, how they were tested by potential end users. As both reports explain, the seed project included

- a literature-based analysis of the training and development needs of sessional teachers generally, and of effective and sustainable systems of professional development – this was further developed in Stage 1 of the Smart Casual 2 project
- an online survey of the developmental needs of law sessional teachers at the three seed project host institutions (the University of Adelaide, Flinders University and the University of Western Australia)
- semi-structured interviews with Associate Deans (Learning and Teaching) (or equivalent or nominee) at Australian law schools on the availability, extent and type of development available to sessional law teachers.

The seed project concluded that, while university-wide generic, systematic and coordinated programs are an important part of supporting professional staff, on their own they do not adequately address the developmental needs of law sessional staff. It also concluded that while most law schools did devote resources to support sessional teaching staff, more discipline-specific developmental tools are also required. The literature review and the survey of law sessional staff also found that sessional law teachers, particularly those also working as legal practitioners, require information on an ‘as needed’ basis, and need development that uses their time efficiently. Most important, the seed project established some guiding principles for the development of resources to support sessional staff (see **What did the Smart Casual project set out to do?** above), and, using these principles, sought to create resources that are:

- Specific to the teaching of law
- Meaningful to the needs of law teachers
- Accessible, in the sense of allowing sessional teachers to access and refer back to the resources as required
- Realistic and easily applicable to the varied contexts in which sessional teachers work and their many roles
- Time-efficient by being as concise as possible without sacrificing content.

The seed project developed the first three modules in PowerPoint format, but feedback from sessional teachers recommended that the modules be converted to Articulate Storyline, which, they suggested, is more stable, seamless and easily accessible.

The seed project and Stage 1 of Smart Casual 2 conducted a literature review to work out the topics for new professional development modules and proposed strategic themes, and developed a position paper for consultation with the project’s expert reference group (ERG) and partner organisations.

In Stage 2 of Smart Casual 2 the project team used the position paper to consult with the ERG and stakeholders, including Legal Education Associate Deans Network (LEAD) and the Council of Australian Law Deans (CALD) and to finalise the strategic themes to be addressed in each module. The project team also identified and engaged consultants able to advise and assist in integrating the strategic themes in all modules.

In Stage 3, working in pairs, the project team researched and drafted five new modules (and rewrote the three modules that had been developed in the seed project), and a consultant commenced construction of a ninth module. In consultation with the theme consultants the



themes were integrated throughout all nine modules. Each module was peer reviewed by the full project team, and the modules were refined in response to that feedback. The draft modules were then sent for peer review to the members of the ERG with relevant expertise, in some cases to additional experts, and, where relevant, to project teams conducting related OLT projects.

Once the modules were revised in response to peer feedback, they were each trialled at five representative law schools, selected to include urban/outer urban and regional law schools, a variety of institution types, various states and a variety of law programs. Focus groups evaluating the trial modules were held with sessional law staff at the five institutions. The feedback from the focus groups led to major revisions in the content and structure of the modules, and revisions included creating more practical examples, shorter modules, and an adjustment of the balance between inviting reflection and providing guidance based in research evidence and experience. In addition, a small module was developed to introduce sessional law staff to the scholarship of learning and teaching. The project team also created a short animated presentation to explain the underpinning rationale for each of the themes, and the launching page, which included shared content from each module. The project team also ran a workshop focusing on the implementation support resources and templates at a LEAD meeting, and discussing strategies for contextualising and disseminating the modules in specific institutions.

In Stage 5, the project materials were disseminated to all Australian law schools through LEAD and CALD, and the Council of Australian Directors of Academic Development (CADAD). Discipline-specific workshops were run in Adelaide, Brisbane, Melbourne, Sydney and Perth, and project team members made presentations at conferences, and also presented multidisciplinary workshops. Finally, members of the project team have submitted articles on the project to peer reviewed journals.

This process of developing the modules is admirably rigorous, with an appropriate mix of andragogical principles drawn from the academic literature, expert and peer review, and feedback from stakeholders and, most importantly, end users. The process inspires great confidence that the modules are fit for the purposes for which they are intended. This conclusion was tested by my own peer review of the modules.

### **The evaluator's experience of using the modules**

My own use and review of the modules confirms that the nine modules achieve their purpose of providing sessional law teachers with **practical** teaching development materials covering key generic issues arising in most if not all law subjects and readily applied in a teaching context; **available as needed**, allowing sessional teachers to access and refer back to the resources as required; as **concise** as possible, in order to maximise efficiency, without sacrificing content; and supported by purpose-designed implementation materials which support **best practice** in the use of the modules.

The last criterion in the previous paragraph is largely satisfied by the **Landing Page** on the Smart Casual website, which provides an excellent introduction to the modules and other resources, and includes:

- information about the *Smart Casual* project, describing it as ‘a collaboration of academics from five Australian law schools producing a suite of professional development modules for sessional teachers of law’
- information about the *Smart Casual* team
- a preview of the modules, explaining how they were developed, setting the strategic themes, and outlining the best ways to use the modules
- posts by the *Smart Casual* team, and blogs by respected legal educators
- explanations of how supervisors and professional development coordinators might use the resources to enable sessional law teachers to develop their teaching and feedback skills, and to further their own professional development
- information about the project for visitors to the website from outside Australia
- contact details for the *Smart Casual* team
- endorsements that the project has received.

The Landing Page emphasises that *Smart Casual* focuses on sessional law teachers’ roles in teaching and providing feedback, rather than on curriculum development. It also reminds the viewer that the site provides resources made by law teachers for sessional law teachers. It is careful to acknowledge sessional law teachers’ contexts and often restricted capacities:

As you read, you will need to exercise your judgment about what is appropriate in your teaching team and your specific teaching context, using the facilities available to you (space, furniture, IT and other resources).

**You may not know whether you have the autonomy to implement some of the strategies in these modules. If you are uncertain, we encourage you to clarify your role and level of autonomy with your subject coordinator or supervisor.**

Ideas in the modules that you don’t currently have the freedom to implement may inform your understanding of your current context and influence your work in future roles.

The Landing Page reminds users that good teaching is a reflective practice, and outlines one approach to a ‘cycle of reflection on teaching’. A very helpful presentation (Prezi) introduces the four strategic themes (diversity, internationalisation, gender and digital literacy). The Landing Page also provides a very helpful ‘Key’ explaining how users can click on various icons to move around the modules. The icons enable to user to link to other, related, *Smart Casual* modules; play a short video of a sessional law teacher from a variety of institutions speaking about their teaching experience; return to the index slide in each module; link to a toolkit of ideas to take into the classroom; and link to additional resources, another website, or to another section of the module itself.

Finally the Landing Page includes a short module on **Research on Learning and Teaching**. This module includes a series of links to resources in higher education (and legal education in particular). Particularly useful is the link to Mick Healey’s webpage which includes an extraordinary range of material, including excellent bibliographies.

Overall, in my view and my experience, a new user is sufficiently well acquainted with the *Smart Casual* approach after reading the material on the Landing Page to make optimal use of the nine modules.

The nine modules, in my view, contain concise, available as needed and practical advice for sessional law teachers. They contain a good mix of content, including introductions to topics, quotes from respected teachers and writers about teaching and learning, examples, reflections, activities, links to literature and videos of sessional law teachers speaking about their teaching experience and often providing teaching tips and examples of high quality teaching approaches and activities.

I found the information presented in the modules to be clear, admirably succinct and easily accessible in 'biteable chunks'. Over the years I have used or covered material from most, if not all, of the topics and themes in the modules, but nevertheless discovered a great deal of useful material and many very useful approaches in each module, and learned a great deal – especially in the very excellent modules on **Indigenous Peoples and the Law**, **Reading Law**, **Critical Thinking** and **Ethics and Professionalism**, which each do an exceptional job of helping the user rethink their approaches to the issues in the module. An admirable aspect of each module is the way in which it encourages and assists sessional teachers to be part of a 'pervasive' approach to infusing the subject matter of the module throughout the law curriculum, rather than confining attention to the subject matter to one topic or one subject. A very good example is the **Ethics and Professionalism** module which takes a very broad definition and approach to ethics and professionalism and clearly and helpfully guides sessional law teachers through ways in which they might present learning as an ethical and professional endeavour in itself, through modelling professional and ethical behaviour as well as leading students through practical issues of ethics and professionalism in all kinds of learning activities.

I also note that the decision to modify the project to produce a stand-alone module on **Indigenous Peoples and the Law** has proved to be a successful strategy. The **Indigenous Peoples and the Law** module is very well put together, and provides a very good framework for sessional law teachers to approach issues to do with Indigenous peoples and the law throughout the curriculum. The module starts with a very powerful series of introductory videos that address, amongst other things, the continuing existence and relevance of Indigenous laws, the effect of law on Indigenous peoples, Indigenous identity and higher education, and diversity. The module goes on to facilitate reflection on matters such as the unique position of Indigenous peoples in Australia, where knowledge of Indigenous people comes from, the complexity of Indigenous/non-Indigenous interaction, inequality and discrimination, and Indigenous world views and legal systems. It then works through strategies for dealing with racism and a series of issues and approaches to teaching classes that include Indigenous students.

Although this is not explicitly discussed in any of the project documents, the modules draw on a social constructivist approach to learning and teaching, and do this in exemplary ways. The modules generally present key information very succinctly, link to toolkits, link to other key resources, link to relevant other modules, and engage the user immediately in a practical activity that can be adopted in classroom practice. Often the activities require the user to draw on their own experience of teaching and lawyering. For example, in the **Engagement** module, the user receives a succinct explanation of why teachers need to capture students' **interest** to encourage and facilitate a deep approach to learning. Users are then encouraged, through a series of questions and links to resources (a video in which a number of sessional teachers discuss how they use the 'real world' to engage students, a guide from one of the

universities, and some excellent short literature by James Lang which suggests ways of using the first and last five minutes of a class to stimulate student interest and engage students in the topic), to develop their own strategies (including using 'war stories' from their own experience of legal practice) for gaining student interest, and for ensuring that students see the relevance and importance of the material being studied. This general approach is used very effectively and efficiently in each of the modules.

Particularly useful in each module is the short list of further references for each topic or issue. Sessional teachers can very easily access the literature if they need to read further to be more comfortable with a topic or issue.

The use of **Articulate Storyline** makes for easy, flexible and 'as needed' engagement with the modules. Articulate Storyline enables the user to jump around quickly and easily backwards and forwards within the module, using the menu on the left hand side of the page which provides a link to each page of the module and different levels of page headings to show the structure of the module and to indicate the content of each page. Each module flows smoothly from page to page, and invites the user to resume from where she left off when she returns to the module. (One module was still in PowerPoint form when I reviewed it, and I found it very difficult to navigate in the same way).

The tone of the modules is well pitched, and is couched in an engaging, practical, respectful, thoughtful and collegial peer-to-peer mode. The videos are particularly helpful. Although there were a very small number where I thought the discussion was a little too generalised to address the issue at hand, the vast majority provided excellent, sometimes inspirational, examples and/or advice to the viewer. The interviewees, in particular, are to be congratulated for their contribution in the videos. They are a very impressive group of teachers.

### **How might the outcomes be improved?**

In conclusion, the resources provided by the Smart Casual project team are outstanding and very helpful. In my view they very clearly achieve the objectives of the project.

I only have a few small suggestions for improvement.

One small quibble is that occasionally a link within a module to another module took me back to the Landing Page, rather than to the specific module. It is not difficult to find the cross-referenced module on the Landing Page, but it would save the sessional teacher time if the links could be directly to the relevant page of the linked module.

Some of the videos took a while to download, and in a few isolated cases, were not downloadable, when viewed from off campus locations. Assuming many sessional law teachers are likely to be accessing the modules from home and that their home internet service may be quite slow, this issue of remote access should be monitored.

The **Engagement** module moves between discussing 'deep learning' (see 'Active Participation', 'Encouraging Deep Learning', 'Interest', 'Deep Learning' and 'Resources for Deep Learning') and 'deep' and 'surface' 'approaches' to learning (see 'Context', where Laurence McNamara is quoted). I am not sure that these expressions can be used interchangeably, or that, indeed, 'deep learning' is an accurate label or a helpful concept. The

phenomenographic research leading to the ‘approaches to learning’ literature focuses on metacognitive issues such as student perceptions, motivation and intention, and this is not the same thing as deep cognitive processing (or neural networks), as suggested by deep learning (though, of course, a form of deep learning may indeed follow from deep approaches to learning). My unease with the use of the term ‘deep learning’ might be dismissed as pedantry, but I am not sure that the insights of the literature can be usefully understood unless teachers and students understand that they refer to metacognitive issues.

Another small content issue is the discussion of ‘Socratic dialogue’ in the module on **Critical Legal Thinking**. Many law teachers have been exposed to poor examples of the attempted use of Socratic dialogue, and the use of that method in law has moved a long way from a ‘pure’ Socratic dialogue. The inclusion of a good reading on what a pure Socratic dialogue involves, and how its use in law teaching has derogated from that approach, might be useful here.

In the short module on **Research on Learning and Teaching** on the Landing Page there is an extraordinary range of resources on higher education. To many, it might prove to be overwhelming, and I wonder if the *Smart Casual* team might want to include a short list of its favourite entry level resources on learning and teaching, to assist the enthusiastic sessional teacher to find an accessible and comprehensive introduction to learning and teaching (for example, ‘Not sure where to start? You might like to try one of these: ....’).

Finally, I recommend the *Smart Casual* team and LEAD continue to evaluate the usefulness of the modules for end users, using the usual end user evaluation tools (written diagnostic feedback, online surveys, focus groups, etc.) to refine the materials and to debug problems as they arise. This approach to ongoing evaluation will also have the added benefit of demonstrating to the users of the modules – sessional law teachers – an exemplary approach to seeking diagnostic information for the purposes of improving teaching.

## Conclusion

The *Smart Casual* team is to be congratulated on producing an excellent set of teaching development modules, which comfortably achieve the high standards set out in the project objectives.

## Appendix E

### Examples of promotional and implementation materials

## Letter to deans from Smart Casual

Dear Dean \_\_\_\_\_

We are writing to introduce you to the Smart Casual project, which provides free, specialist professional development for sessional teachers in Law.

Sessional teachers form a crucial and growing part of the workforce of law schools both in Australia and internationally. However, this large body of teaching staff has much less dependable access to professional development than permanently employed, full-time staff, even if they have little teaching experience or training. Frequently, sessional teachers bring their expertise and contacts as practitioners and/or researchers to the role. However, these additional commitments can make it difficult to attend on-campus professional development. In addition, law teachers need skills that the generic teaching support offered in many universities does not address. A national project has created resources that are designed to meet these needs.

Smart Casual has created time-efficient, research-informed online professional development for Australian sessional teachers in law. The Smart Casual online professional development modules are designed by law teachers, for law teachers. Each module has been peer reviewed, trialled by sessional law teachers and modified to respond to their feedback. The modules are free and readily accessible on the web at [smartlawteacher.org](http://smartlawteacher.org)

The Smart Casual suite comprises modules on:

- Communication and Collaboration
- Critical Legal Thinking
- Engaging students
- Ethics and Professional Responsibility
- Providing high quality feedback
- Indigenous Australians and the Law
- Problem Solving
- Reading Law
- Wellbeing in Law

Each of the Smart Casual modules addresses the crucial issues of:

- internationalisation
- digital Literacy
- gender equity
- diversity

Smart Casual has been enthusiastically received by law deans and academics in Australia and internationally. It has been endorsed by the Committee of Australian Law Deans (CALD). The modules are hosted by the Legal Education Associate Deans network (LEAD).

Support for Smart Casual has been provided by the Australian Government Office for Learning and Teaching.

You can use these modules in a range of ways to benefit your school. The Smart Casual modules may support your school's capacity to meet the [Higher Educations Standards Framework](#) requirements; in particular, (3.2.3.b) which requires schools to ensure that all teaching staff possess 'skills in contemporary teaching, learning and assessment principles relevant to the discipline, their role, modes of delivery and the needs of particular student cohorts'. They may assist you in ensuring that your school or unit meets best practice guidelines for supporting sessional staff such as those created by the BLASST (Benchmarking Leadership and Advancement of Standards for Sessional Teaching) Project <http://blasst.edu.au/>. In addition to sessional teachers, the modules may be of benefit to tutors supporting Indigenous law students, and some modules (Engagement, in particular) may be of benefit to peer-assisted study session tutors.

The modules can be used as stand-alone professional development resources or can form the basis of a program that integrates:

- mentoring for sessional teachers
- peer support for sessional staff (such as regular gatherings and an online interactive forum)
- peer review of teaching for professional development
- compliance with best practice guidelines to pay staff for their professional development time
- accreditation and preferential hiring for sessional staff who have completed a program of professional development, critical reflection and mentoring.

The [Smart Casual web site](#) offers further support to schools wishing to develop such a program. We attach a sample email you may wish to send to the person who is responsible for professional development for teaching staff in your school/unit.

We'd be happy to talk to you. You can reach our team by contacting Associate Professor Mary Heath at [mary.heath@flinders.edu.au](mailto:mary.heath@flinders.edu.au)

The Smart Casual team will be running interactive workshops to allow staff responsible for ensuring the ongoing professional development of sessional teaching colleagues to plan ways to use the Smart Casual resources to achieve the goals of their schools/units in their specific contexts. We would welcome your support and participation.

Yours Sincerely,



## Sample email for supervisors to send to new sessional teachers

Dear [sessional teacher's name],

Thank you for joining the dedicated team of teaching staff that support student learning and wellbeing in our School. This email sets out some of the forms of support that we offer to sessional teachers in this School, beginning with law-specific professional development focused on teaching.

Smart Casual is a national project designed to create time-efficient, research-informed online professional development for Australian sessional teachers in law.

The Smart Casual online professional development modules are designed by law teachers, for law teachers. They include videos of sessional law teachers talking about their high quality teaching practices. Each module has been peer reviewed, trialled by sessional law teachers and modified to respond to their feedback. The modules are free and readily accessible on the web at [smartlawteacher.org](http://smartlawteacher.org).

The Smart Casual suite comprises modules on:

Communication and collaboration

- Critical legal thinking
- Engaging students
- Ethics and professional responsibility
- Providing high quality feedback
- Indigenous Australians and the law
- Problem solving
- Reading law
- Wellbeing in law.

Each of the Smart Casual modules addresses the crucial issues of:

- internationalisation
- digital literacy
- gender equity
- diversity.

Smart Casual is funded by the Commonwealth Office for Learning and Teaching.

[Insert a statement of support from the School.]

[Insert a statement about how sessional staff will be paid for undertaking professional development and any conditions attached to that payment (for example, a limit on hours of

paid professional development per semester, a permission process, or an assessment process).]

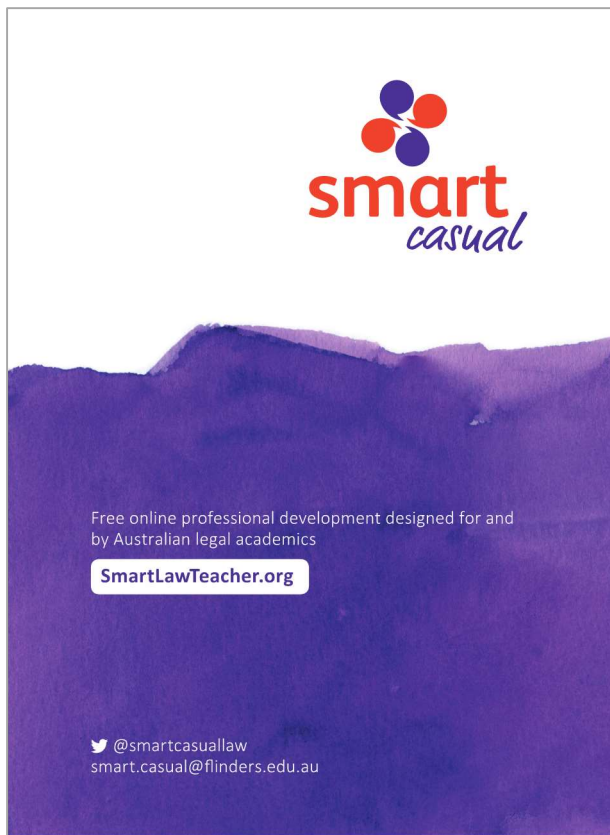
[Insert a statement about the other forms of support offered to sessional staff by your School (for example, key people to contact about pay or library access or answers to questions about the Learning Management System; a mentoring scheme; an accreditation process; a peer support program).]

Yours sincerely,

Insert your name

Insert your position title

## Postcard



## USB drive

