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CONTENT & OPINIONS

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FROM THE EDITOR

Promoting Diversity in Teaching and Scholarship

There are many ways to accommodate diverse learners in the classroom, such as including inclusivity and disability statements in syllabi, incorporating multiple identity groups, and selecting content that encourages reflection and dialogue. But how often do we consider diversity in our research? A colleague and I had a conversation last year about a possibility I had not considered before—diversity in sourcing for scholarship and writing.

A recent panel of writers within the Association of Health Care Journalists discussed “source diversity” as a great way to bring new perspectives to a journal or news article. Rather than just relying on the typical experts in an area for opinions—which may be somewhat monolithic—the panel participants encouraged the audience to look for voices that will add rich, diverse perspectives to writing. They recommended taking the time to seek out sources that may better represent, engage, and include readers, and concurrently reflect the many knowledgeable contributions in the world from diverse role models.

As authors writing about the important subjects of business law and ethics, we should consider the process of seeking new and/or different authoritative voices for our articles. This process is important to keep in mind for case writing as well. Several other colleagues recently discussed with me their research on gender inclusiveness in case studies; they found in a review of over 200 cases from a business case journal that just over a third (37%) featured a female protagonist. The Harvard Business Case Publishing Group—one of the leading academic case publishers—featured even fewer female protagonists—only 11% of cases. Too few case studies include underrepresented minorities as well. In 2021, Chair Jan Rivkin of the Harvard MBA Program identified this disparity and said “By studying cases with a wide diversity of protagonists, students learn that talent and leadership come from all background and identities. If students don’t understand that, they’ll worsen inequities, miss out on opportunities for themselves, and miss chances to create opportunities for others.”

In this issue of the *Journal of Business Law & Ethics Pedagogy*, the featured authors provide a number of teaching exercises and research results that will both reach diverse learners and start conversations.

In the first article, *Interactive Videos: An Effective Tool for Improving Learning Outcomes in Business Law*, author Jeffrey Bone discusses his successes with a blended learning program that highlights legal cases. Pairing Face-to-Face instruction with multi-media, Professor Bone explores hybrid learning, which is becoming more and more commonplace in the post-COVID era.

Authors Michael Conklin and Andrew Tiger begin a conversation about potential gender bias in their article *Student Gender Bias in College Class Selection*. They ask the question “When

college students are faced with the real-life decision of choosing classes, does the gender of the instructor influence their decision?" See the surprising and interesting results of this multiple regression analysis, which leads to many more questions and potential future research avenues.

In the teaching exercise *A GOAT Walks into a Copyright Lecture: Using the Jumpman Logo Case to Teach Copyright Law Basics*, author Jason Hildebrand highlights *Rentmeester v. Nike, Inc.*—the Jumpman logo case—as perhaps the “Greatest of All Time” pedagogical case for teaching business students copyright law basics and the importance of making wise intellectual property business decisions. In this informative case discussion, students learn the importance of this unique and interesting copyright case, as well as how to navigate and search government intellectual property records.

In the teaching article *Contract Exercises in the Age of Snapchat*, authors Dale Thompson, Susan Supina and Susan Marsnick offer two in-class expedient contract exercises intended to keep students on the edge of their seats—or screens—as the case may be. Breaking down the known complexities of contract making, the authors simplify and condense procedures, highlight relevant issues, and help students to understand this important process in little more than a *snap*.

* * *

Christine Ladwig
EDITOR-IN-CHIEF

Interactive Videos: An Effective Tool for Improving Learning Outcomes in Business Law

*Jeffrey Bone**¹

ABSTRACT

In legal education, studying the myriad of facts and issues raised in fundamental legal cases has been a long-standing tradition. However, asking students at the undergraduate level, who are outside of the legal discipline, to read lengthy legal cases is an exercise many students find dry and unhelpful. This paper presents the findings from an innovative blended learning program for business law students. The program is based on face-to-face instruction paired with a series of online videos and animations that highlight legal cases. As a result of the program, there is evidence of improved student performance on examinations compared to traditional offerings of the course. In terms of improvement, the program could be augmented to create further incentives for students to participate in class discussions. This may lead to an increase in student public speaking and debating skills.

KEYWORDS: BLENDED LEARNING, CLASSROOM TECHNOLOGY, ENHANCED STUDENT LEARNING, HYBRID LEARNING, WEB-ASSISTED LEARNING

I. Introduction

Prior to class, many law school professors expect and require their students to read copious amounts of case law. Once in class, random students are asked to answer detailed and often intimidating questions about the cases. This Socratic method of teaching is a hallmark of law school life. However, this approach is not as common regarding legal education for students who are not preparing to become lawyers. For instance, those who teach law to business students know that it may be challenging for these students to read case law and retain the relevant information given their limited legal background. Further, students at the undergraduate level may not be interested in reading lengthy cases. At the same time, studying the details of actual cases is a rewarding and important method for learning legal principles. Textbooks somewhat overcome this problem by presenting case briefs in a few paragraphs. Despite these attempts, reading short and rather inert outlines on complex cases does not capture all of the nuances that is achieved when reviewing a case in significant detail.

The course that is the focus of this paper is an introduction to Canadian business law for undergraduate students. Despite that the course focuses on Canadian law, most of the concepts are similar and/or identical to U.S. law. With a competitively awarded grant of \$40,000 CAD from the Center for Teaching and Learning at the University of Alberta, the instructor worked with a team to create six online videos that highlight important legal issues. In traditional classes, textbook and lecture materials would address these issues. The six videos and animations outlined the facts, issues and results of several legal cases that formed part of the course materials. The instructor chose cases primarily based on the relevance of the legal questions raised and the applicability to the course topics. Also of importance in choosing the cases was the relatability of the facts to the typical undergraduate student as well as the overall appeal and interest of the legal issues involved.

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For example, Video 2 (SEE Appendix I) is filmed in a moot courtroom and reviews the procedural requirements for class action lawsuits. Video 3 (SEE Appendix I) covers defamation law with an animation that depicts the instructor in cartoon form outlining the facts of a 2014 defamation case (*Metropolitan Conference Centre Inc v Hunter*, 2014 ABQB 191).

In Video 4 (SEE Appendix I) the tort of negligence is addressed. In this video, students are reminded that in the previous lecture they discussed the famous case of *Donoghue v. Stevenson* 1932 UKHL 100 (i.e. the snail case) about the duty of care concept. The video then goes on to outline a 2018 case on the standard of care expected of children (*Perilli v Marlow*, 2018 BCSC 495). The animated video visually depicts the facts of the case that involve a child riding her bicycle on the road leading to an accident with a jogger. The video ends with the instructor describing various defenses to negligence claims by demonstrating examples of voluntary assumption of risk, contributory negligence and illegality based on a hockey match. Video 5 (SEE Appendix I) features an animation of historical characters explaining a justification for the mailbox rule and why silence alone cannot be a form of acceptance under contract law.

In this way, the videos present the cases in a narrative format to improve learning and performance. More specifically, the videos were created to enrich the learning experience for students, make it easier for them to engage with the material, help them understand the salient points, and help them relate the content to their daily lives. In contrast to reading static sections of the textbook or case law, these videos encourage the students to care about the cases and underlying issues. This blended learning strategy provides students a medium to grapple with the information and make it their own, rather than passively absorbing it in a lecture or through reading the textbook and cases. Blended learning is useful in this regard as the case information can be presented in a highly engaging and vivid story format to help stimulate student interest.

II. What is Blended Learning?

The teaching and learning environment in business school is changing. The student cohort is shifting due to increased enrolments from diverse communities, mature-age students, and students from lower socioeconomic backgrounds (Ross et al., 2018). One potential expectation of this new cohort of students is that courses will be offered partially online and make use of technology for delivery and assessment. For this reason, among others, blended learning techniques have become a common practice. Various blended learning characteristics, models and strategies have been widely utilized and studied to improve student learning and performance (Shu & Gu, 2018; Zhang, Wang, & Zhang, 2012).

So-called blended or hybrid learning is a pedagogical approach that typically embraces a combination of face-to-face and online instruction through various delivery methods and media. In this way, blended learning fosters both independent learning as well as collaboration among students and instructors (Lim & Wang, 2015).

Some commentators have defined blended learning as the “new normal” in course delivery (Norberg et al., 2011, p. 207). However, there has been a persistent lack of precision in the academic literature on what constitutes a blended learning strategy or program (Dringus & Seagull 2015; Bloemer & Swan 2015). Some commentators have argued for the abandonment of the term, or at least a radical reconception of it (Oliver & Trigwell, 2005). Despite this, it is clear that blended learning coalesces around access, engagement, and students’ perception of their learning environments (Dziuban et al., 2018).

Students in courses with a high degree of effective blended learning content perceive greater degrees of teaching presence, social presence, and cognitive presence (Hilliard & Stewart, 2019). Teaching presence refers to the organization and instructional design of the course as well as the ways in which the instructor facilitates discussion to promote learning (Garrison, 2017). Teaching presence is associated with active, student-centered environments in which instructors and students collectively participate in the learning experience (Hilliard & Stewart, 2019). Social presence refers to the ability to engage other students and the instructor with open communication and affective expression, whereas cognitive presence is the extent to which students are able to construct meaning through sustained reflection and discourse (Garrison et al., 2000).

Ensuring the effectiveness of blended learning strategies can also prove challenging. For instance, one concern is to ensure that students can successfully use the technology that has been implemented. A potential

solution is to use the simplest technology possible and ensure that it is publicly available without cost to students (Hofmann, 2011). For this reason, the videos created in the blended learning program that is the subject of this paper are posted to YouTube, which is freely accessible to anyone with access to the internet. It is also a platform that students are likely familiar with and interact with outside of learning activities. Quite simply, if students enjoy watching videos on YouTube in their spare time, they are likely to have positive associations with it and be open to it when asked to watch a video as part of a learning experience on the same website.

Finally, blended learning is similar to the “flipped classroom” where instructors prepare audio or video lectures for students to watch at home and class time is spent working through the concepts being delivered, with the guidance of an instructor (Findlay-Thompson & Mombourquette, 2014). As described below, the six seminars that are included in the blended learning format of the course embrace an approach comparable to the flipped classroom model. For the purpose of this paper, a flipped classroom model is considered one of many blended learning techniques.

III. The Blended Learning Program

The course that is the focus of this paper is an introduction to business law for undergraduate students. It is a semester-long (4 credit) course that is designed for students studying a variety of disciplines; however, the majority of students are in the business program. The course is taught to sections of 80 students that meet three times a week for 50-minute segments. Before the blended learning program was implemented, students would attend approximately 36 classes that embraced a lecture style of instruction. Class discussions were sporadic and informal depending on student engagement and interest. Before the implementation of the blended learning format, the most interactive feature of the course was having students complete an online poll on materials covered in the prior lecture before each class began.

The introduction of the blended learning program introduced elements aimed at facilitating more structured class discussion by designing six seminar style classes taught to smaller sections of students. Under the blended learning format, students still attended several lectures on a particular course topic. However, then the students were asked to watch and self-study a relevant video on a case related to that topic. At the end of the video, students were prompted to consider two to three discussion questions. The aim of the questions was to have students reflect on what their attitudes, arguments and feelings would be if they were in the position of one of the people or organizations presented in the video. In the next class, the students were expected to discuss their viewpoints on the material presented in the video in a smaller setting than the lectures (the “Seminars”). At the Seminars, the students were prompted to discuss and debate their viewpoints on the cases and related issues.

Under the blended learning format, there were approximately 30 lectures and six Seminars. The same instructor taught the lecture sessions and the Seminars. The instructor did not find this change to be overwhelming as the classroom time remained the same and the grading and administrative responsibilities of the course only marginally increased as a result of the blended learning format. Further, the blended learning format continued as a 4 credits course because the content stayed the same as the pre-blended format.

The lectures in the blended learning format had 80 students, whereas the Seminars had under 40 students. Dividing the students in half for the Seminars was done to facilitate better opportunities for students to participate in the discussion. This was meant to encourage the development of analytical skills and a feeling of involvement that otherwise the students would not be exercising in the non-blended format of the class. It also allowed for greater face-to-face contact between the instructor and individual students as non-verbal expressions by teachers, such as eye contact, has been found to positively relate to cognitive learning in students (Kelley & Gorham, 1988).

Typically, during the Seminars, the students were broken up into even smaller groups of five to ten for the purpose of discussing and debating the cases and relevant issues. The students were given different exercises to help facilitate discussion in their small groups. For example, with Video 4 students were provided a chart that set out the elements of negligence. The students then were asked to link the factual components of the case featured in the video to each applicable element of negligence. Another activity for Video 3 required the small groups to act like a jury in determining the outcome of a trial discussed in the video.

After 20 to 30 minutes in their small groups, the students assembled again as one large group of forty students to continue the debate. At the end of that discussion, the instructor concluded with a review of the particular case and described how it was relevant to the legal issues presented in the previous lectures. Unlike the lecture classes, the Seminars were mandatory, and students received a grade for participating. While attendance was not taken during the lectures, in the instructor's view over 80% of students were present for each lecture which is about the same as in the pre-blended format that was made up entirely of lecture style classes.

The blended learning program was designed deliberately to have the in-person Seminars immediately following students' independent review of the videos. This ensured that the content of the video was discussed by the instructor as part of a group setting and in a timely fashion. As such, students were not expected to absorb the material on their own without face-to-face guidance from the instructor. One study found that students undertaking courses that implemented blended learning in a business school environment had positive attitudes towards organized and well-resourced, internet-based learning processes (Osgerby, 2013). However, they preferred programs that maintained in-person guidance from the instructor with step-by-step instructions concerning the blended learning elements rather than complete self-study.

Given that students prefer guidance in a face-to-face setting to support the online activities, the Seminars were set up to provide instruction and clarity on what the students should focus on and understand from the videos. This is why the videos were not stand-alone learning tools. Rather, the students were supposed to reflect on the videos and discussion questions and come prepared to debate the relevant issues with the instructor and their peers.

The foundational course material was still taught in lecture format but adding the blended learning element offered more collaborative exercises to engage students. On account of the videos and Seminars, students were exposed to the material in a more absorbing fashion, as opposed to the prosaic manner in which the material is traditionally presented in the textbook. The blended learning format also allowed for a peer teaching element, as students are exposed to more diverse viewpoints from their peers and were encouraged to teach and learn from each other (Ali et al., 2015).

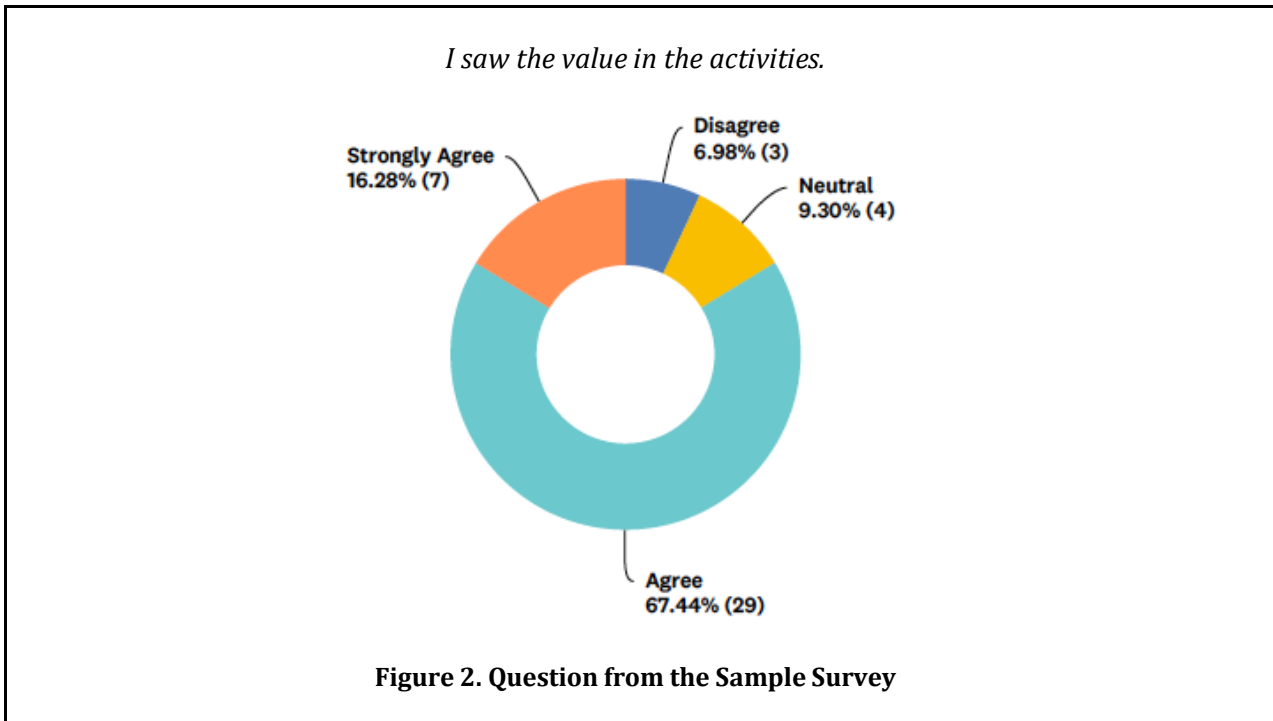
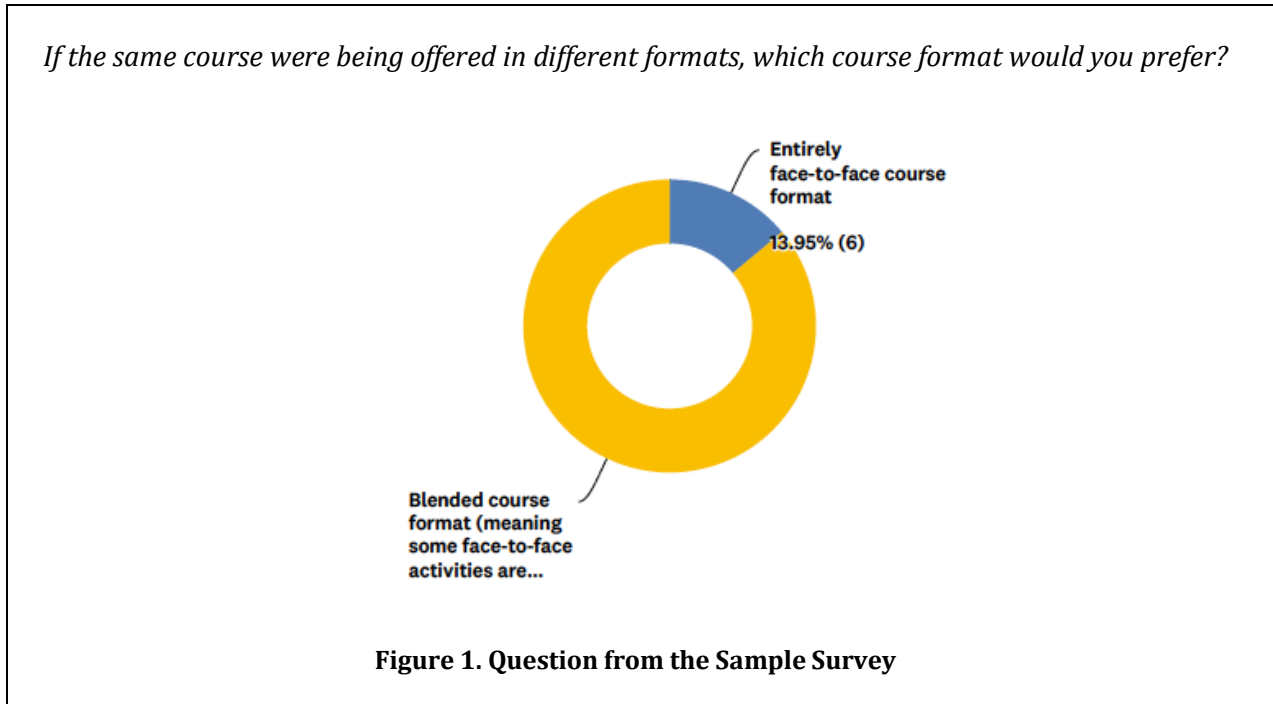
IV. Program Assessment

One of the primary objectives of the blended learning program was to improve student achievement. To this end, the instructor compared students' responses to examination questions between the pre-blended format and the blended format of the course. A comparison was also done based on student exam responses that related to four of the videos presented in the blended learning format. The purpose of this comparison was to examine whether there was a measurable difference in student performance depending on the way in which the content was delivered (i.e., live action versus animated videos).

It was the expectation of the instructor that the blended learning format would foster greater student performance. For example, one study examined the transformative potential of blended learning and found that students achieved as well, or better, on exams and were generally satisfied with the approach (Garrison and Kanuka, 2004). Another study also found that students in blended learning environments had higher average scores than those in non-blended learning environments (Kenney and Newcombe, 2011). This pattern of higher scores was also found in this blended learning program as the findings show an improvement in accuracy of responses on select exam questions.

A voluntary and anonymous survey was conducted at the conclusion of the course to evaluate students' reactions and responses concerning their engagement with the blended learning assignments. The survey was conducted by the Center for Teaching and Learning at the University of [removed as identifying information] to gather data on student satisfaction. It was administered to 240 students; however, only forty-four students completed the survey.

The survey found that over 80% of the students favored the blended learning program over what they would have expected in a traditional (entirely face-to-face) offering of the course (Figure 1). Over 60% of the students responded that they “saw the value in the blended learning activities” (Figure 2). Further, the survey found that students had a strong preference for two of the videos over the others (40% & 35% respectively; Figure 3). Conversely, two of the videos were their least favorite (2% preference for each: Figure 3):



Did you have a favourite video of the ones you watched outside of class?

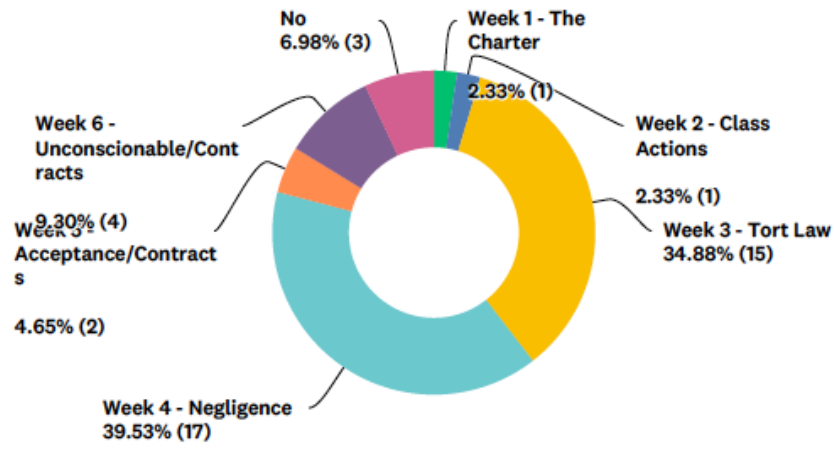


Figure 3. Question from the Sample Survey

The two most popular videos (Week 3–Tort Law and Week 4–Negligence; Figure 4) contained animated graphics and highlighted important legal cases. The two least popular videos (Week 1–The Charter and Week 2–Class Actions; Figure 5) contained footage of the instructor lecturing from select locations on legal topics, as opposed to covering actual legal disputes.



Figure 4. Example Clip from Week 3 (One of the Most Popular)

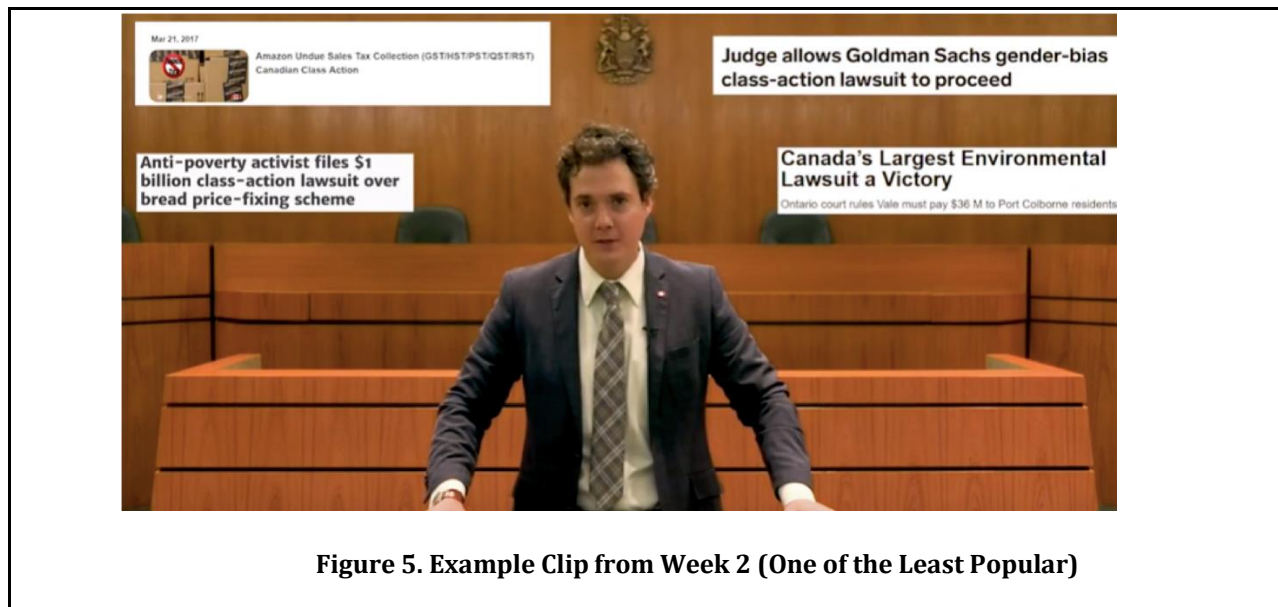


Figure 5. Example Clip from Week 2 (One of the Least Popular)

V. Evidence of Increased Learning

From the outset of this blended learning program, the goal was to examine if it would improve student achievement. As one method to determine whether there was improvement, the instructor compared students' responses to examination questions. These results were contrasted between the pre-blended traditional lecture format and the blended format of the course. Additionally, a comparison was undertaken pertaining to the students' responses on examinations and four of the videos in the blended learning format. The purpose of this comparison was to determine if there was a measurable difference in student performance between the videos that were live action compared to the animated videos. The anonymous survey found that the animated videos were more popular among the students.

The pre-blended traditional format sample of students undertook the course in 2017 and 2018. The sample included results from three different classes totalling approximately 320 students over two semesters. The blended sample was taken during the fall semester of 2018 totalling approximately 240 students. Under the blended format, the exam questions were administered after the students had watched the relevant videos and attended the Seminars.

Four questions were chosen for comparison because they are reflective of learning goals from four of the videos. Two of the questions were closely related to learning goals of each of the two most popular videos and two questions were related to each of the least popular videos. The results demonstrated that for the questions related to the two videos that students enjoyed the most, correct response rates were 5% and 13% higher than rates from the pre-blended traditional lecture classes (Figure 6). For the two videos that were the least popular among the students, correct response rates increased by 1.5% and 3% over the rates from the pre-blended traditional classes (Figure 6).

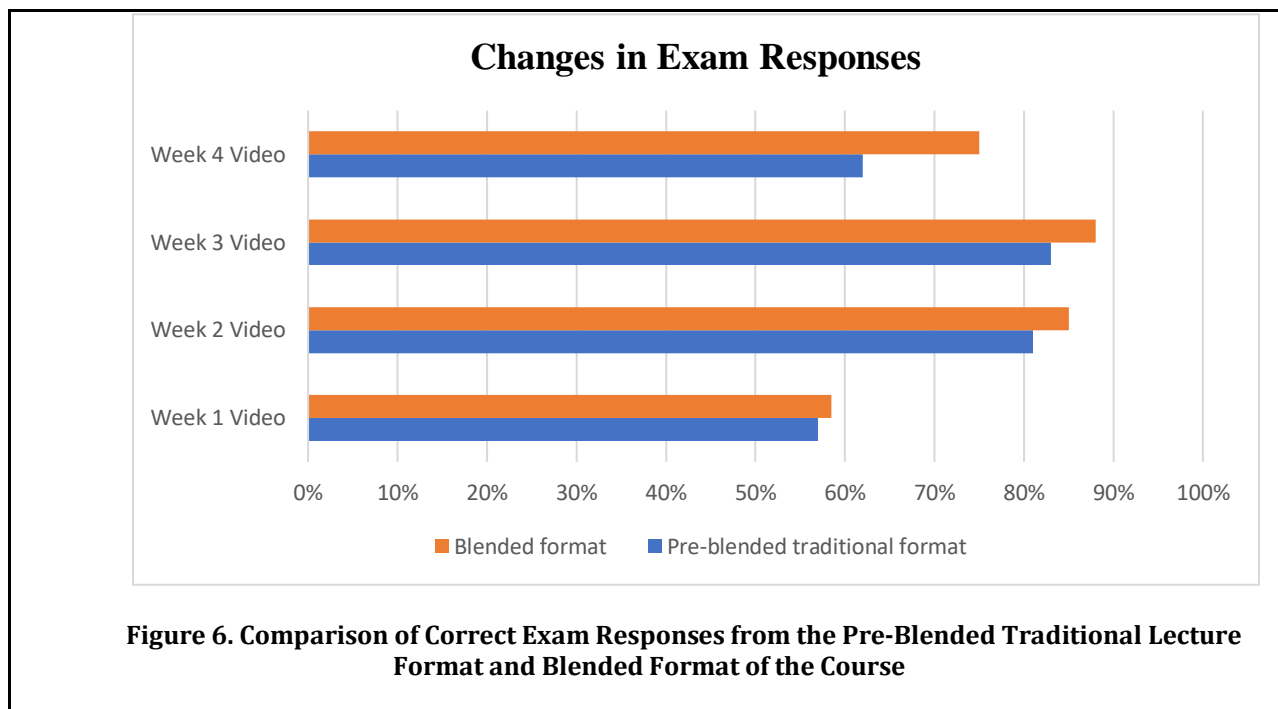


Figure 6. Comparison of Correct Exam Responses from the Pre-Blended Traditional Lecture Format and Blended Format of the Course

The results of this assessment demonstrate that students retained more knowledge from the videos that were animated and involved actual legal disputes, compared to the videos that were formatted in a lecture style and focussed on legal topics. The animated/case-based videos were also the most popular among the students. Further, another goal of the blended learning program was to increase the students' ability to understand complex legal arguments as they apply to particular facts. The nature of some of the reviewed examination questions was to apply legal arguments to hypothetical situations. As such, the findings suggest that the blended learning program increased students' ability to understand complex legal arguments and apply them to fact patterns.

Another objective of the blended learning program was to cultivate students' public speaking and debating skills in the Seminars. These skills were not formally practiced in the pre-blended traditional format of the course. Students were not asked a question as part of the survey whether they felt their public speaking and debating skills had improved. This was an unfortunate oversight at the time the survey was created and delivered. It was unclear whether any students' public speaking and debating skills were improved as a result of undertaking the course. The instructor did not detect a measurable change in the students' public speaking or debating abilities as the class size was simply too large to notice.

According to the survey's written responses, students expressed positive and negative opinions about the utility of the Seminars (Figure 7). One student felt that the discussions in the Seminar allowed for more clarifying questions to arise. Another student felt that the Seminars did not help their understanding of the material any better than the videos on their own.

In another related finding, the instructor observed that the Seminars were too big for productive conversations, as most students were reluctant to participate. In future classes, one improvement could be to divide the students into smaller groups and create incentives to increase student participation. This could include using Kahoot! [an educational game-based platform] or iClicker [a device that allows students to anonymously respond to questions in class]. The idea for using activities such as Kahoot! was also suggested by one student in their written response from the survey. A more person-centered solution could be to employ teaching assistants to facilitate thoughtful discussions in the small groups.

Student comments from the survey:

"I liked the stress it took off the course by watching videos and engaging in class discussion. This allowed for a variance in studying that helped reaffirm the different concepts."

"The in-class portion [The Seminar] of the blended learning program just seemed disconnected compared to the quality of the videos."

"I think the only disconnect was the in-class discussion time [The Seminar]. They were fun to attend, but overall, I didn't feel like they helped my understanding of the material any better than the videos. I think a better way to do it might be for it to be a full class for the discussion portion, and to do different activities as a whole or [K]ahoot! or something to add a bit more substance."

"[The Seminar] allowed for more clarifying questions to arise, and by watching the videos it gave a frame of reference for the class discussions."

"The videos were entertaining and added to the course as a whole."

*Note these comments have been edited for spelling and grammar.

Figure 7. Survey Comments

Concerning the data collected on student satisfaction in the survey, the instructor was mindful that some literature suggests that student preference does not necessarily equate to increased learning outcomes as measured through student responses (Bjork, Dunlosky, & Kornell, 2013; Spooren, Brockx, & Mortelmans, 2013). As such, further research is needed in order to align student satisfaction and engagement with student learning outcomes using interactive videos as part of a blended learning program.

It is acknowledged that the small sample size is a limitation of the survey and warrants further investigation by comparing student satisfaction and results in subsequent iterations of the blended learning program. However, the findings do not rely solely on student satisfaction indicators from the survey. Rather, the examination responses were also investigated and contrasted between the pre-blended traditional format and the blended format of the course. That investigation found that student achievement was greater concerning the animated videos that involved actual legal disputes. These videos were also the most popular among the students according to the results of the survey.

Another limitation of the study is that different students were compared in the pre-blended traditional format and the blended format of the course. Going forward, it will be insightful to compare the same students in assessing their performance pre-study with their performance after completing a blended learning activity.

It should also be noted that positive results in exam responses concerning all four of the comparison questions should be expected given that the videos and Seminars signalled to the students that certain topics were of importance in the course. For this reason, the study results may have been the product of smaller and more intensive student working groups than just the videos and face-to-face activity. At least one study has posited that improved academic performance in blended learning may be attributed to the higher volume of instructional content and learner collaboration on a particular topic (Siemens et al., 2015). As such, it is possible that the positive changes in exam responses could be on account of the student collaboration activities offered during the Seminars that were not provided in the pre-blended traditional lecture environment.

Moreover, it is acknowledged that many variables can impact student performance and comparing the accuracy of responses of only a handful of exam questions has limited weight from which to draw conclusions. Despite this, the findings from the survey data and student comments did show that the videos were engaging, fun for the students, and had meaningful content. In terms of student performance, correct response rates for select multiple choice exam questions also improved. This demonstrates that there is a positive causal effect between blended learning techniques and student learning compared to traditional pedagogical methods.

For instructors wishing to adopt these exercises into their business law courses, attached in Appendix III is an excerpt from the Fall 2018 syllabus used in the study. It outlines this blended learning program and may be used as a template for offering these exercises in class.

Finally, the ability to present this blended learning program online is beneficial for teaching in a post COVID-19 classroom environment. While this delivery method has not been tested to date, these exercises can be integrated effectively into a fully online experience where the Seminars are conducted virtually. For instance, Zoom or similar online platforms may be utilized to assign breakout rooms for groups of students to replace the in-person Seminar experience.

VI. Conclusion

Interactive videos combined with in-class discussions are an effective tool for improving student achievement in business law. The delivery of this course under the blended learning format improved accurate responses on select exam questions and was seen as a valuable course component by the majority of students in an anonymous survey. As such, it can be reasonably deduced that the blended learning program has been well received by students. There is also evidence that the program increased the students' ability to understand complex legal arguments as they apply to particular facts.

On account of the blended learning program, students were exposed to the material in a more engaging fashion, as opposed to the traditional presentation of the course solely via lectures and the textbook. The blended learning format also allowed for a peer teaching element, as students were exposed to more diverse perspectives from their peers and were encouraged to teach and learn from each other. Additionally, these exercises can be performed fully online which can help an instructor pivot in the era of COVID-19 where in-person teaching may be prohibited or not advisable.

In terms of improvement, it would be helpful to divide the in-class discussion groups into even smaller groups and to create incentives to increase student participation. This could include a focus on activities aimed at increasing student public speaking and debating skills. Further, to follow up on this work it will be interesting to continue to monitor accuracy responses on exams and student satisfaction as this blended learning program continues to develop.

Appendix I

Links to the videos through YouTube can be found at:

Week 1 {<https://www.youtube.com/watch?v=17p0sMQNqoI>}

Week 2 {<https://www.youtube.com/watch?v=sXnq39yWVVo>}

Week 3 {<https://www.youtube.com/watch?v=LbNI-0kZWC4>}

Week 4 {<https://www.youtube.com/watch?v=TKl6Kxl6L2I>}

Week 5 {<https://www.youtube.com/watch?v=ielpY8mYIWQ>}

Week 6 {<https://www.youtube.com/watch?v=NYmfdtogioE>}

Appendix II

Multiple choice questions in the examinations used for contrasting results between the pre-blended format and the blended format of the course:

Question on material from Week 1

The Dark Room Bookstore was recently charged under the Criminal Code with selling magazines that contain photographs of people involved in violent and degrading sexual acts. The owner of the bookstore believes, however, that the government should not interfere in the private lives of its citizens and that he has a right to express his sexuality through the sale of such magazines. Which of the following statements is TRUE with respect to the Charter in this situation?

- A) Because the Charter applies only to government actions, it will not apply to this case unless the court is satisfied that at least one of the magazines was sold to a government official.
- B) Once a court decides that the relevant provision of the Criminal Code does violate the right to freedom of expression, it becomes impossible to save that provision under section 1 of the Charter.
- C) Even if the Dark Room Bookstore is a private company, the Charter may apply because the Criminal Code is a government statute.
- D) Because freedom of expression is one of the fundamental rights that is contained in section 2 of the Charter, it cannot be subject to the notwithstanding clause.
- E) The Charter is irrelevant in this case because the corporation that owns the store is not a person and therefore cannot claim the right to freedom of expression.

Answer: C

Question on material from Week 2

The requirements for certification in a class action include:

- A) proof that every potential member of the class has been personally notified of the proceedings.
- B) proof that all of the claimants are being represented by the same law firm.
- C) proof that the class action will be substantially less convenient than individual proceedings.
- D) a clearly defined class and most substantive issues are common to every claimant in that class.
- E) a payment of bond money to the court, to be used to pay for the defendant's costs if the claim is unsuccessful.

Answer: D

Question on material from Week 3

To succeed in a claim for intimidation, the plaintiff must prove that:

- A) the defendant gained a benefit as a result of his or her actions.
- B) the defendant actually committed an unlawful act against either the plaintiff or a third party.
- C) the defendant's action caused the plaintiff to give into that action.
- D) the defendant genuinely scared the plaintiff.
- E) the defendant threatened to commit a crime.

Answer: C

Question on material from Week 4

Which of the following statements is TRUE with respect to the standard of care in negligence?

- A) The defendant can never escape liability by proving a mental disability.
- B) A child is never required to meet the standard of a reasonable adult.
- C) The standard of care never takes account of the defendant's career/background.
- D) The sudden peril doctrine allows the defendant to act in a way that would normally be considered careless.
- E) The standard of care is always met if the defendant followed a practice used within a particular industry.

Answer: D

Appendix III

Excerpts from the Fall 2018 syllabus implementing the blended learning program:

Please note that this is a blended learning course. This means you will engage in six assignments involving online as well as classroom content as described below.

Mark Allocation

Midterm #1	25%	October XX 50 minutes, in class	Chapters X-X; lecture materials
Midterm #2	25%	November XX 50 minutes, in class	Chapters X-XX; lecture materials
Final Exam	40%	2 hours Location, time and date TBA	Chapters XX-XX; lecture materials
Watching Videos & Completing Quizzes	5%	As set out below	
Attending Seminars	5%	As set out below	

Watching Videos and Completing Online Questions (5%)

Students will be awarded 1% for watching each video and completing a short online quiz (up to a maximum of 5%). This allows each student to miss one of the quizzes without receiving a deduction.

Students must retake each question in the quiz that they fail to answer correctly in order to receive the 1%. Students must complete at least five of the six quizzes correctly to receive the full 5%. The quizzes can only be taken at certain times. They will open at 12 (noon) every Friday the week prior to each seminar and will close at 10 am on Wednesday. There will not be any excused absences for not completing the quizzes at the specified times. The videos will be available throughout the course for viewing anytime.

Participation in the Seminar (5%)

Students will be awarded 1% for attending each seminar (up to a maximum of 5%). As such, attendance will be taken. Students must attend at least five of the six seminars to receive the full 5%. This allows each student to miss one of the seminars without receiving a deduction.

After watching each video, students will be prompted to consider 2-3 discussion questions. The aim of the questions will be to reflect upon their attitudes, arguments and feelings about particular legal concepts. In the seminar, students will be expected to discuss and understand these legal concepts based on the case presented in the video.

Each seminar will have under 40 students at a time as opposed to 80. At the end of the discussions, the instructor will conclude with a review of the particular case and describe how it is relevant to the legal issues presented in the previous lectures.

Blended Learning Topic	Seminar Group A	Seminar Group B
Assignment #1 Charter Rights	September XX	September XX
Assignment #2 Class Action Lawsuits	September XX	September XX

Assignment #3 Intentional Torts	October XX	October XX
Assignment #4 Negligence	October XX	October XX
Assignment #5 Forming Contracts	November XX	November XX
Assignment #6 Unfairness in Contract Law	November XX	November XX

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