

E-LEARNING IN CORPORATE LAW: THE VALUE-ADD OF ONLINE RESOURCES

*MARINA NEHME**

*MICHAEL ADAMS***

ABSTRACT

The last decade has seen an amazing growth in the use of online technology in law and the development of e-learning environments generally. One aspect of this growth in the university sector has been the development, in conjunction with the major publishers, of electronic resources to support the main textbooks provided to students. This paper examines one particular set of developments around a new textbook called *Australian Corporate Law* (2008) and the perceived need for supporting e-learning materials to accompany the text. A specific arrangement was entered into with the publisher to provide a series of advanced features to support the textbook, which is primarily designed for business students studying Company Law at an undergraduate level. This paper explains the type of resources created, the pedagogical approach taken, and some of the student feedback received, placing these within the context of and emerging trends within the online learning environment. As 'Generation Y' attitudes towards learning become increasingly prevalent, the addition of e-learning features to traditional textbooks will be essential in order to meet student needs and expectations of learning resources.

I. INTRODUCTION

The last decade has seen an amazing growth in the use of online technologies in law. Universities around the world have been encouraging academics in all disciplines to incorporate information technology (IT) into their teaching for a number of years. In Australia, however, law schools and faculties in particular have been at the forefront of these changes, encouraging and supporting their staff through the process of integrating 'e-learning' into their teaching.

E-learning is a general term that encompasses a range of different approaches to teaching. These include the use of online learning resources, the implementation of formal and informal assessments, and the encouragement of online interaction and collaboration between students. However, all these approaches have one thing in common, namely the use of IT. In short, e-learning is about learning through, and being supported by, the use of IT.¹ However, the level of reliance on IT may vary between subjects.

* Associate Lecturer in Law, School of Law, University of Western Sydney.

** Professor and Head of School of Law, University of Western Sydney.

The authors are indebted to Catherine Gordon (from LexisNexis) for her assistance and would like to thank her and the referees of JALTA for their valuable feedback. This paper was presented at the ALTA conference 2008 with Catherine Gordon. The authors would also like to thank Jennifer Ireland for her useful feedback.

¹ Alan Clarke, *E-Learning Skills* (2004) 1-2.

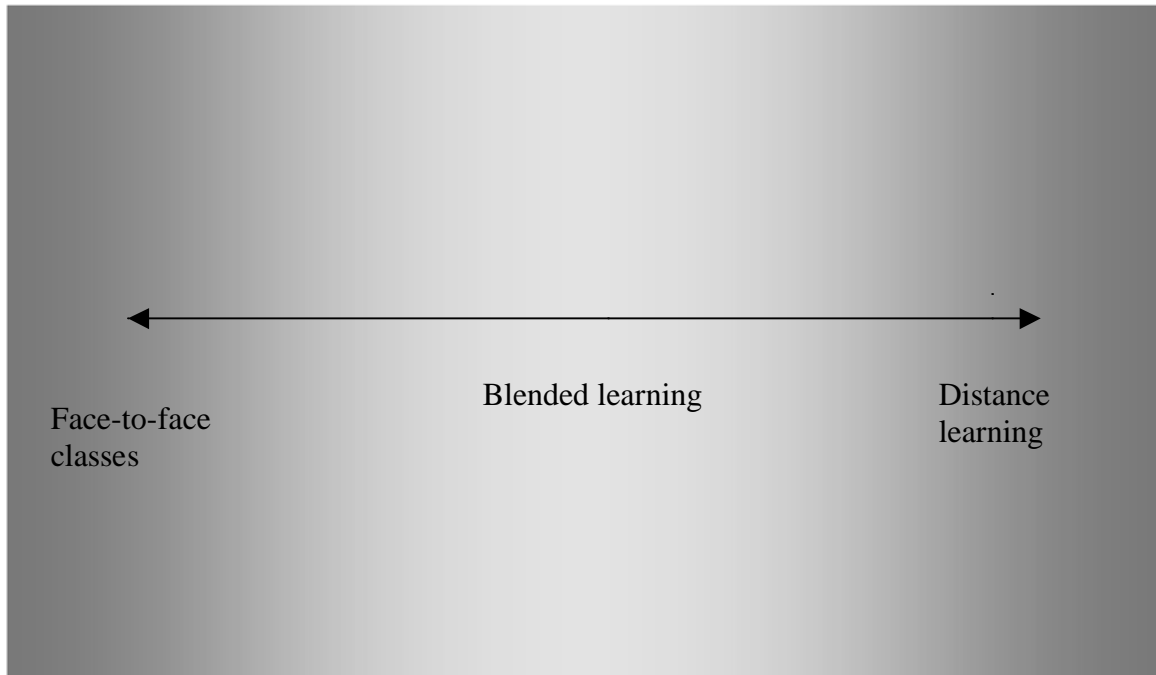


Diagram 1: Continuum of learning

As illustrated in Diagram 1, some subjects are taught entirely online with no face-to-face component. Such classes are referred to, in this article, as ‘online classes’. These online classes are frequently used in distance learning.² However, even though technology today is making it easy for students to enrol in distance learning, such a mode of teaching was established as early as the 18th century. On 20 March 1728, the *Boston Gazette* contained an advertisement placed by Caleb Phillips that was entitled ‘Teacher of the New Method of Short Hand.’ This was the start of teaching shorthand through the post. The material was sent weekly to the students enrolled in those classes.³ In the 20th century, the development of radio and then television allowed the introduction of new teaching methods to improve distance learning. For example, the University of Iowa was the first university to use educational television in its teaching. This was followed, in 1953, by the University of Houston that offered the first televised credit classes via KUHT.⁴ However, the technological tool that truly revolutionised teaching was the World Wide Web (the ‘Web’) which was invented in 1989 by Professor Tim Berners-Lee.⁵

Many universities have also integrated e-learning with face-to-face classes. Such a method of teaching is referred to in this article as ‘blended learning’.⁶ In such blended learning units, the level of inclusion of e-learning varies from a minimal to a major online presence. Some academics may use IT simply to load information onto a website that is

2 Phrases such as ‘distance learning’, ‘distance education’, ‘distance teaching’, ‘tele-work’, ‘tele-learning’, ‘outreach’ and ‘tele-teaching’ have been used to describe one mode of teaching. For the purpose of consistency, distance learning will be used here to describe learning that takes place at a distance. For more information on distance learning, see Barry Willis, *Distance Education: A Practical Guide* (1993).

3 Distance Education and Training Council, *The History of the Distance Education and Training Council: 1926-2001*, 2 <<http://www.detc.org/downloads/DETC%20History%20Book.pdf>> at 2 December 2008.

4 KUHT was the first public television station in the United States. See Desna L Wallin, ‘Televised Interactive Education: Creative Technology for Alternative Learning’ (1990) 14(3) *Community College Quarterly of Research and Practice* 259, 260.

5 Tim Berners-Lee and Mark Fischetti, *Weaving the Web: The Original Design and Ultimate Destiny of the World Wide Web by Its Inventor* (1999).

6 Blended learning has been defined as the integrated combination between traditional learning and IT. See Denise Whitelock and Anne Jelfs, ‘Editorial: Journal of Educational Media Special Issue on Blended Learning’ (2003) 28 *Journal of Educational Media* 99-100. However, the use of such a terminology has been criticised by Martin Oliver and Keith Trigwell who considered that ‘there is little merit in keeping the term blended learning as it is currently understood. It is either inconsistent ... or redundant’. Martin Oliver and Keith Trigwell, ‘Can Blended Learning be Redeemed’ (2005) 2(1) *E-Learning* 17, 19-20.

accessible to students. Others may go further by using IT as a mode of delivery for the unit content or other material and as a mode of communication with students.

The development of IT has not only affected the teaching mode adopted by academics but it has also had a direct impact on teaching materials. This article focuses on the resource materials used in teaching Company Law.⁷ The reason that Company Law is considered here is because, out of the 40 Australian universities, there are 28 law schools and 40 business schools and Company Law is a compulsory subject in all of these schools. Law students are required to study this subject by the Priestley Eleven requirements.⁸ It is also a compulsory subject to be taught in business schools due to s 1280 of the *Corporations Act 2001* (Cth), which requires all auditors to have completed Company Law before being eligible to be registered with the Australian Securities and Investments Commission (ASIC).

Part II of this paper focuses on the impact that e-learning may have on teaching methods and on the ways e-learning features can be used to create different and innovative resource materials. Part II also considers the integration of textbooks and supplementary online materials and explores the benefits of such resources. Part III focuses on the development and use of a particular textbook featuring online enhancements of this kind, entitled *Australian Corporate Law*.⁹

II. E-LEARNING: ITS DEVELOPMENT AND IMPACT ON RESOURCE MATERIALS

The extent of the impact e-learning has recently had on modes of teaching is quite a natural development in view of the historical impact technology has had on teaching practices. This began in the 1920s when Sidney Pressey, an educational psychology professor at Ohio State University, created the first teaching machine. This device offered practice questions and multiple-choice questions to students to improve their learning.¹⁰ In 1991, the use of computers was incorporated into learning and teaching. In 1994, with the improvement of computers, interactive, multimedia, computer-based learning was introduced and this was followed in 1995 by online computer-managed quizzes and videoconference lectures. By 1996, the Web was sufficiently developed to permit internet-assisted learning and online assessments.¹¹ Since that time, the development of online technology has allowed increasingly creative ways of teaching to emerge. Currently, online tools academics can use to enhance the quality of teaching even include virtual worlds, such *Second Life*.¹²

A. Incorporation of Online Tools in Teaching

The availability of the Web has placed a number of resources at the disposal of academics and learners. One of them is 'learning management systems' (LMS).¹³ Australian law schools and faculties have been encouraging their staff to incorporate such teaching environments into their teaching. The widespread adoption of IT in our day-to-day lives has also facilitated the incorporation of online tools into learning and teaching. A

7 Company Law maybe defined in simple terms as the law regulating the formation, operation and dissolution of companies.

8 Lawlink, *Lawyer Regulation in Australia* <http://www.lawlink.nsw.gov.au/lawlink/olsc/ll_olsc.nsf/pages/lra_admission> at 2 December 2008.

9 Jason Harris, Anil Hargovan and Michael Adams, *Australian Corporate Law* (2008).

10 University of Houston, College of Education, *A Hypertext History of Instructional Design: The 1920s — Concepts of Objectives* <<http://www.coe.uh.edu/courses/cuin6373/idhistory/1920.html>> at 2 December 2008.

11 Mark Freeman, 'The Role of the Internet in Teaching Large Undergraduate Classes', *Innovations in Teaching and Learning* (Discussion Paper No 2, University of Technology, Sydney, November 1996) 5.

12 *Second Life* <<http://secondlife.com/>> at 2 December 2008.

13 Examples of virtual environments are WebCT, Blackboard and Vista. WebCT is now owned by Blackboard. A look at the advantages and disadvantages of studying through a controlled online environment is beyond the scope of this paper.

survey conducted in 2006-07 found that 64% of Australian households had home internet access, and 73% had access to a home computer.¹⁴

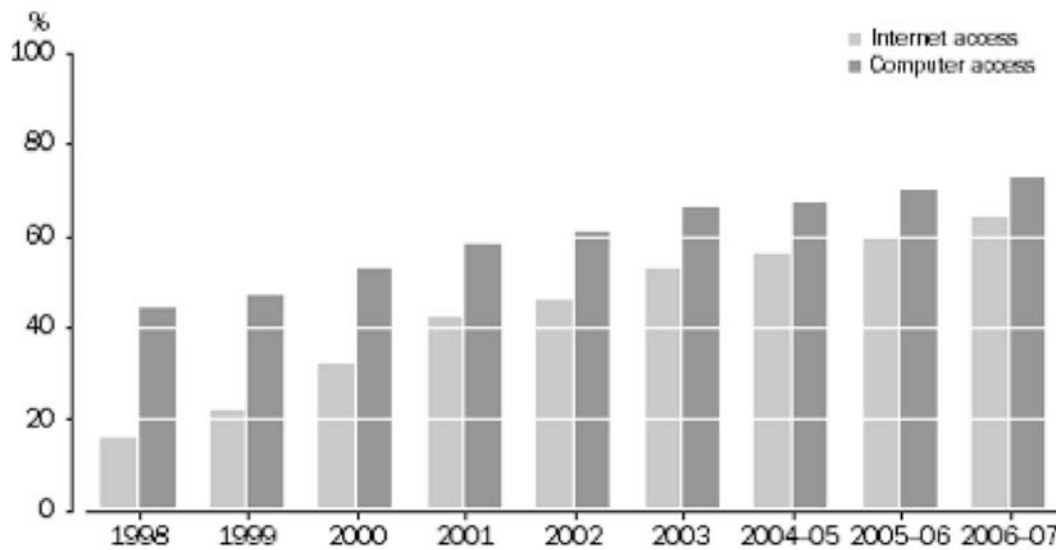


Diagram 2: Household home computer or internet access - 1998 to 2006-07¹⁵

As illustrated in Diagram 2, household computer and internet access has evolved over the years. For example, in 1998 less than 20% of households had internet access. By 2006-07, this figure had drastically changed with 60% of the households having internet access. Similarly, household access to personal computers has skyrocketed over the years.

The general consensus appears to be that e-learning improves the teaching experience of students.¹⁶ Even politicians support the growth of e-learning, referring to it as a ‘digital education revolution’.¹⁷ One of Kevin Rudd’s election promises in 2007 was to buy a computer for every high school student in Australia to enhance student learning.¹⁸

However, it is important to remember that IT is just one of the tools at the disposal of academics. The incorporation of IT may solve certain problems but, like any tool, it can also be misused and may thereby create other problems. ‘Student Course Experience Questionnaires’ completed by students at the University of Sydney’s Faculty of Law show that the incorporation of e-learning in particular law subjects can receive a mixed reaction from learners. Some students noted that the use of ‘WebCT is especially good’.¹⁹ Others stated that ‘law lecturers were not able to integrate the use of technology or online learning at all with their programs’.²⁰ The latter comment was especially true in cases where academics had simply posted ‘chunks’ of content onto the website for students to access. Accordingly, e-learning should not simply consist of offline materials made available electronically. Good e-learning practice should take advantage of the medium by redesigning and presenting ‘courseware’ in new ways that can target particular audiences.

14 Australian Bureau of Statistics, *Household Use of Information Technology, Australia, 2006-07* <<http://www.abs.gov.au/Ausstats/abs@.nsf/0/acc2d18cc958bc7bca2568a9001393ae?OpenDocument>> at 2 December 2008.

15 Ibid.

16 John Biggs, *Teaching for Quality Learning at University* (2nd ed, 2003) 213.

17 Australian Labor Party, *Digital Education Revolution Round One: Delivers More Than 116,000 New Computers to 896 Secondary Schools* <<http://www.alp.org.au/media/0608/msed120.php>> at 2 December 2008.

18 Malcolm Farr, ‘Rudd Computer for Every Kid’, *The Daily Telegraph* (Sydney), 15 November 2007

<<http://www.news.com.au/dailytelegraph/story/0,22049,22759835-5013922,00.html>> at 2 December 2008.

19 University of Sydney, Faculty of Law, *Student Course Experience Questionnaire (SCEQ), Undergraduate Students: Analysis of Open Response Comments* (2005)

<http://www.usyd.edu.au/learning/evaluating/docs/law_sceq_or Ug_2005.pdf> at 2 December 2008.

20 The University of Sydney, *E-Learning at USYD: Comments from the 2005 SCEQ* (2005)

<http://www.usyd.edu.au/learning/evaluating/docs/2005_elearning.pdf> at 2 December 2008.

B. The Importance of Knowing Your Audience

The concept that higher cognitive functions find their origins in social processes may be considered the most widely recognised of Lev Vygotsky's 'theoretical foundations' themes. According to this theory, students' cultural and social experiences may affect the manner in which they study and their levels of motivation.²¹

Applying this theory, academics should be aware of their audience because each audience has different characteristics and different needs. It is important to remember, when using e-learning, that one size does not fit all. What may work for business students studying Company Law may not work for law students studying Company Law. The method of teaching law students and interdisciplinary students is different. For instance, textbooks prescribed for law students are not usually prescribed for non-law students undertaking a law subject such as Company Law, and vice versa.

Accordingly, academics have to consider the characteristics of students in order to be aware of their needs not only when prescribing the textbook but also when creating or prescribing e-resources. Academics should take into consideration the identity of the learner: Are the e-learners mature age students? Are they international students? Are they working full-time? How can they manage their time? How will e-learning improve the quality of their learning experience? Are the students computer literate?

Studies have shown that mature age students are more likely to be motivated to use online technology due to the flexibility it offers them. However, academics who use e-learning do not always ascertain the identity of their audience. There is a tendency to treat all students in the same way in an online environment.²² Such generalising of the needs of students is not always desirable. For instance, even at a Masters level, the characteristics of students may vary widely. Students completing a Master in Professional Accounting (MPA) have different needs from students completing a Master of Business Administration (MBA). In a number of universities, such as the University of Western Sydney or University of Southern Queensland, most of the MPA students are international students. On the other hand, MBA students tend to be working in the industry and, as a result, require less guidance and may be interested in more practical matters than MPA students. Thus, it may be useful for digital resources to be customised, depending on the specific goals of academics and students.²³

Academics can determine the characteristics of their students in a number of ways. They may, for example, access past data to identify the cultural profile of students they will be teaching. Academics may also be proactive, for example, by conducting an online survey of their students before or at the start of the semester. Such information allows an academic to design online learning activities that motivate and encourage the particular cohort of students.²⁴ Furthermore, such information may help to bridge the gap between 'what is' and 'what should be'.²⁵ Barry Willis noted the following in that regard:²⁶

To better understand the distant learners and their needs, consider their ages, cultural backgrounds, interests, and educational levels. In addition, assess their familiarity with the various instructional methods and delivery systems being considered, determine how they will apply the knowledge gained in the course, and note whether the class will consist of a broad mix of students or discrete subgroups with different characteristics (e.g., urban/rural, undergraduate/graduate).

21 Angela M O'Donnell, Cindy E Hmelo-Silver and Gijsbert Erkens (eds), *Collaborative Learning, Reasoning, and Technology* (2006) 19.

22 Rena M Palloff and Keith Pratt, *Building Learning Communities in Cyberspace: Effective Strategies for the Online Classroom* (1999) 8.

23 Janette R Hill and Michael J Hannafin, 'Teaching and Learning in Digital Environments: The Resurgence of Resource-Based Learning' (2001) 49(3) *Educational Technology Research & Development* 37, 37-38.

24 Badrul H Khan, *Managing E-Learning Strategies: Design, Delivery, Implementation and Evaluation* (2005) 183.

25 Barry Willis, *Instructional Development for Distance Education. ERIC Digest*, (1993) <<http://ericae.net/db/edo/ED351007.htm>> at 2 December 2008.

26 Ibid.

As a consequence, the more information obtained about students, the better the academics can customise their teaching to suit their learners.²⁷ Targeting one's audience may also be relevant in relation to the e-resources utilised in the course.

C. Different Resources Available

The concept of 'student-centred learning' was clearly articulated by Carl Rogers in 1965.²⁸ This term may be defined as a way of teaching that focuses on how the students are learning, what they experience and how they engage in the learning context.²⁹ This concept centres all activities and resources on the student.³⁰ Graham Gibbs observed that such a mode of teaching 'gives students greater autonomy and control over choice of subject matter, learning methods and pace of study'.³¹ A student-centred approach helps facilitate a better learning environment in which students can develop their knowledge. Ultimately, the ownership of learning lies with the learner.³² The more traditional teacher-centred method (sometimes referred to as the 'fountain of all knowledge' approach) has been criticised for failing to deliver lifelong learning skills for students and for distorting the learners' views in order to align them with the academic's. Under a teacher-centred approach, learning is viewed as a passive experience from the point of view of students.³³ However, it is important to acknowledge that a 'student-centred approach' is not the only effective method of teaching. It can even fall prey to the above criticism because the academics are the ones who ultimately select the resources surrounding the students as illustrated in Diagram 3.

27 Khan, above n 24, 184.

28 Carl Rogers, *Client-centered Therapy: Its Current Practice, Implications, and Theory* (2nd ed, 1965).

29 Keri Moore, *Student-Centred Learning* (1999) RMIT University
<<http://www.teaching.rmit.edu.au/progimprov/sclearn.html>> at 2 December 2008.

30 Donna Brandes and Paul Ginnis, *A Guide to Student-Centred Learning* (1996) 1.

31 Graham Gibbs, *Assessing More Students* (1992) 23.

32 Rogers, above n 28, 389.

33 Brandes and Ginnis, above n 30, 2.

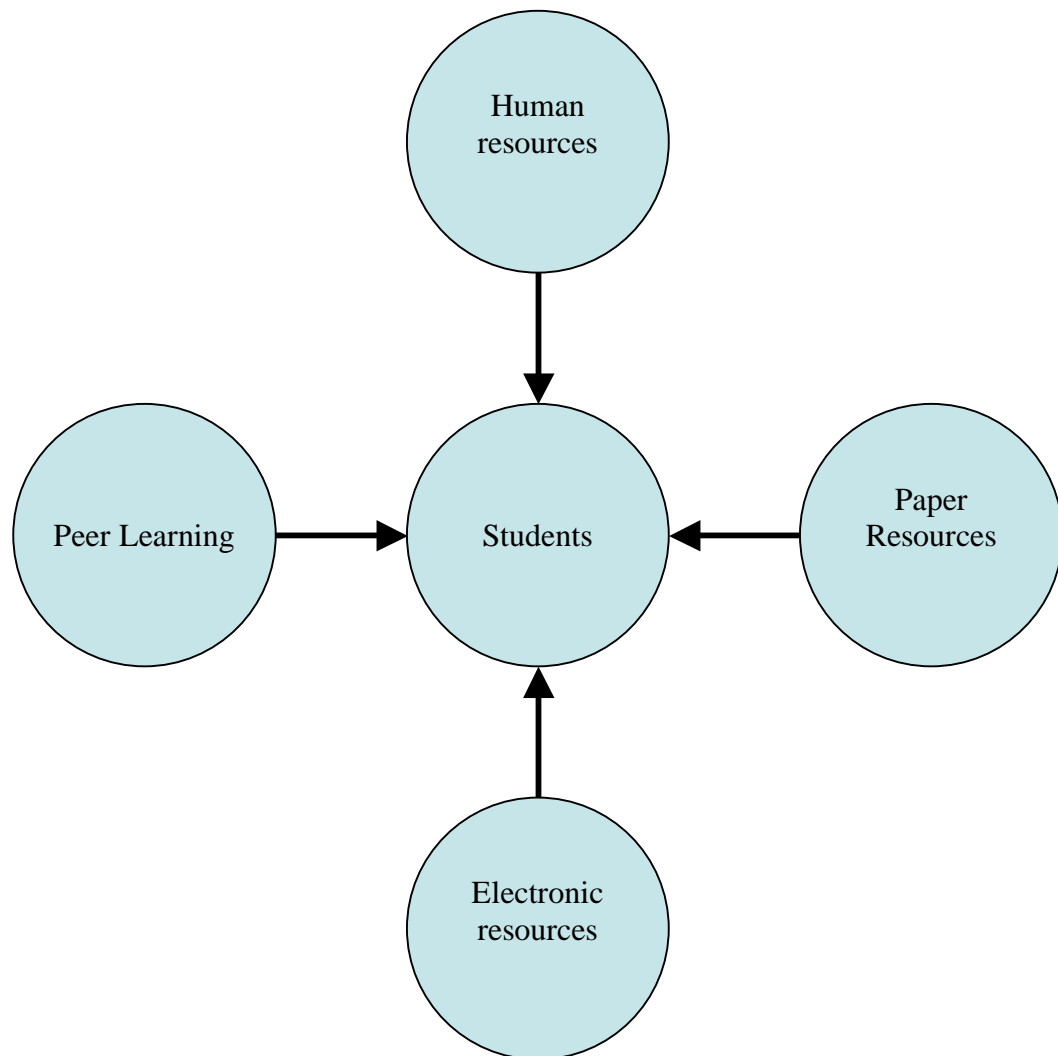


Diagram 3: Student-centred learning

Diagram 3 illustrates that students are at the heart of learning and there are different resources that may help them achieve their learning goals. Students are encouraged to take control of their learning by using all the resources at their disposal.³⁴ Each of the four resources available to support student learning will be dealt with in turn.

The first is human resources. The academic may play the role of a lecturer or a tutor depending on the structure of the course. Lecturing may be viewed as the ‘standard tertiary method of teaching’.³⁵ The lecturer informs the learners about the subjects. The flow of information is one-way, with students’ contributions limited to asking questions and clarifying doubts that they may have about the subject.³⁶

While in lectures the learner is usually passive, in tutorials the students do much of the work. The tutor’s role is limited to monitoring and ensuring that learners do the required tasks. In tutorials, probing questions are raised, misconceptions are challenged and building students’ understanding of the concept is paramount.³⁷ On the other hand,

³⁴ Ibid 3.

³⁵ Biggs, above n 16, 82.

³⁶ Ibid.

³⁷ Ibid 88.

seminars are usually 'a student's presentation on a topic that each student has researched.'³⁸

However, academics, no matter what role they play, should not be subject-centred but student-centred. David Hargreaves has described the subject-centred teacher in the following manner:

The teacher's authority ultimately rests in the authority of his subject. For such a teacher his subject expertise is absolutely central to his identity. He thinks of himself not as a teacher, but as a mathematics teacher, or a history teacher.³⁹

This method of subject-centred teaching does not involve the students and it considers the students as empty vessels waiting to be filled with knowledge. In student-centred learning, by comparison, the academic becomes a facilitator, a source of learning. A teacher will enter into a dialogue with the students in which their needs are exposed. David Ausubel noted that 'the most important single factor influencing learning is what the learner already knows. Ascertain this and teach him accordingly.'⁴⁰ Following this method, the teaching of students who are working in the corporate sector will be conducted in a different way than the teaching of students who have no working experience in the industry. A further factor to consider in determining the best way to construct the course to suit the particular cohort is that different students will prefer different styles of learning.⁴¹ Some students may clearly prefer to be fully directed to the material, while others are more likely to explore the more contentious issues.

Even though this article favours the student-centred approach, the authors also acknowledge that, in this model of teaching, academics still have a strong role in shaping students' learning of the subject matter because they select the material and direct students about how it is best used.

The second resource relates to peer learning. Theoretical and empirical research has demonstrated that students' learning is greatly influenced by peer and teacher interaction.⁴² The relationship between students is very important because students may learn from each other. Research has shown that students are usually more motivated to learn when they are collaborating with other students than when working independently.⁴³ Peer interaction allows students to develop their own questions, search together for solutions and to share resources.⁴⁴ This form of learning requires a dialogue between the students, and interaction of this kind is best established and maintained by the development of a robust learning community within the unit. Collaborative forums can promote effective discussion by allowing the learners to build coherent and cohesive explanations in the process of discussing issues with other learners.

The third category is paper resources. Textbooks, for example, are prescribed by academics because they help achieve established curriculum objectives. They also reinforce certain learning outcomes. However, over time, these books have come to be used together with a range of supplementary materials designed to enhance student learning. Study guides, learning materials, case books and workbooks have been created and incorporated into the curriculum for most legal subjects. John Clarke acknowledged the benefit of these types of resources, quoting L C Taylor: 'I am taught by a teacher; but I learn from a book ... Herein lies the essential difference between teacher-based and resource-based learning systems.'⁴⁵

38 Ibid 89.

39 David H Hargreaves, *The Challenge for the Comprehensive School: Culture, Curriculum and Community* (1982) 195.

40 David P Ausubel, *Educational Psychology: A Cognitive View* (1st ed, 1968) 171.

41 David R Krathwohl, 'A Revision of Bloom's Taxonomy: An Overview' (2002) 41(4) *Theory Into Practice* 212.

42 Paul R Pintrich, Ronald W Marx and Robert A Boyle, 'Beyond Cold Conceptual Change: The Role of Motivational Beliefs and Classroom Contextual Factors in the Process of Conceptual Change' (1993) 63(2) *Review of Educational Research* 167, 172.

43 O'Donnell, Hmelo-Silver and Erkens (eds), above n 21, 63.

44 David McConnell, *E-learning Groups and Communities* (2006) 61.

45 L C Taylor, cited in John Clarke, *Resource-Based Learning For Higher and Continuing Education* (1982) 29.

However, all these resources described above are static and they only capture information that is valid at a particular moment in time. The danger is that such data, while useful for ‘standardizing information’, may quickly become obsolete or inaccurate.⁴⁶ This may be a problem with a subject such as Company Law, where major reforms have taken place over the last 20 years and further reforms are currently proposed. For instance, the Corporations and Markets Advisory Committee (CAMAC) has recently issued a number of important discussion papers dealing with external administration and the treatment of different creditors.⁴⁷ But such discussion papers naturally cannot be dealt with in textbooks published prior to their release.

The problem paper resources have with currency may be remedied through the fourth category of resources available to students — electronic resources. Such resources, if designed appropriately, can be integrated into the curriculum and may enhance the students’ learning experiences as they are dynamic resources.⁴⁸ They can be updated frequently, allowing learners to keep in touch with the latest developments.⁴⁹ In Corporate Law, these resources are abundant. For instance, the Australasian Legal Information Institute (AustLII)⁵⁰ allows students to access a huge number of online sources such as Australian cases, legislation at both state and federal level, discussion papers, reports and journals. Similar sites such as the British and Irish Legal Information Institute (BAILII), the Canadian Legal Information Institute (CanLII) and Droit Francophone are available for overseas laws. ComLaw⁵¹ is another general legal website that can allow students to access to both current and repealed Commonwealth legislation. The ASIC website,⁵² the Australia Securities Exchange website⁵³ and the CAMAC website⁵⁴ also provide information about recent developments in the corporate world. The Commonwealth Treasury website may also be relevant because it may have information on current reforms or proposed reforms in the corporate world.⁵⁵ Various law firms’ websites may also be useful for secondary materials discussing various aspects of the law.

Similarly, textbook publishers have noted the benefit of online resources and they now consider the web to be a new forum for supplementary textbook material.⁵⁶ In Company Law, such material allows students to keep up to date with current corporate law issues and also enhances students’ way of learning. Electronic resources not only assist students, but are an important way in which academics can respond to the needs of Generation Y in relation to e-learning. Further, the published material may help academics in designing online courses that are tailored specifically for their cohort of students.

One of the leading textbooks for Company Law that is often prescribed for interdisciplinary students is *Understanding Company Law*.⁵⁷ This textbook has an online presence⁵⁸ that many learners find very helpful. For instance, it provides links to the most recent cases, such as the *Sons of Gwalia* High Court decision.⁵⁹ This online resource was

46 Hill and Hannafin, above n 23, 42.

47 A copy of all the discussion papers and reports issued by CAMAC can be found on the following website: <<http://www.camac.gov.au>>.

48 Gregor E Kennedy, David M Kennedy and Norm Eizenberg, ‘Integrating Computer Facilitated Learning Resources Into Problem-Based Learning Curricula’ (2001) 3(1) *Interactive Multimedia Electronic Journal of Computer-Enhanced Learning* <<http://imej.wfu.edu/articles/2001/1/02/index.asp>> at 2 December 2008.

49 Hill and Hannafin, above n 23, 42.

50 Australasian Legal Information Institute <www.austlii.edu.au> at 2 December 2008.

51 Attorney-General’s Department, *Commonwealth of Australia Law* <<http://www.comlaw.gov.au/>> at 2 December 2008.

52 Australian Securities and Investments Commission <<http://www.asic.gov.au>> at 2 December 2008.

53 Australian Securities Exchange <<http://www.asx.com.au>> at 2 December 2008.

54 Corporations and Markets Advisory Committee <<http://www.camac.gov.au>> at 2 December 2008.

55 Australian Government, The Treasury, *Review of Sanctions in Corporate Law* <<http://www.treasury.gov.au/contentitem.asp?NavId=013&ContentID=1182>> at 2 December 2008.

56 Brian Massey and Jamie Murphy, *Textbook Publishers in a Networked World* (2000) International Conference on Technology and Education <http://www.ictc.org/T99_Library/T99_45.pdf> at 2 December 2008.

57 Phillip Lipton and Abe Herzberg, *Understanding Company Law* (14th ed, 2008).

58 *Understanding Company Law* <<http://www.lipton-herzberg.com.au>> at 2 December 2008.

59 *Sons of Gwalia Ltd v Margaretic and Another* (2007) 232 ALR 232.

the winner of the of the 2001 and 2003 Tertiary Websites category in the Awards for Excellence in Educational Publishing conducted by the Australian Publishers Association.⁶⁰ However, not all online textbook resources target students. For instance, *Commercial Applications of Company Law*⁶¹ has an online presence that may be considered teacher-oriented rather than student-centred as most of the teaching materials, such as *PowerPoints* and web quizzes, are only available to academics.

A textbook may be oriented toward a different audience and may achieve different goals depending on their pedagogy, the goals that an academic wishes to achieve, and the manner in which students use the material. Similarly, online supplementary material to the textbook may have different aims and outcomes. It is submitted that textbooks accompanied by e-resources are to be preferred because they allow students to maintain much greater current awareness of the subject, and their flexibility provides real scope for courses to be designed and customised by the academic to support the learning styles of the particular cohort of students taking the unit.

The next section looks at one of the textbooks used to teach Company Law to interdisciplinary students and the manner in which its online material may enhance the learning experience of students.⁶² There are a number of books that could have been used for this illustration. However, the authors were involved with the writing of the textbook and the development of the online materials. Thus there is a natural degree of bias in the example, but it is intended as an illustration rather than an endorsement of one textbook's superiority over any other. Australia has a healthy, competitive market in all the main subject areas of law and each academic will determine the most appropriate book to match the students with the substantive material covered.

III. EXAMPLE: AUSTRALIAN CORPORATE LAW AND ONLINE RESOURCES

The previous sections of this paper described the variety of resources available to help students learn the complex subject of Company Law. In Diagram 3 above, the relationship of both paper resources and electronic resources to student learning is illustrated. To illustrate how the mix of paper and electronic resources can be directly linked, the authors' involvement with the textbook *Australian Corporate Law*,⁶³ published by LexisNexis, shall be used as an example.⁶⁴ One of the reasons this textbook was selected as an example of the type of resources available is the fact that there was a clear design philosophy relating to e-resources that was behind its original creation. This textbook has a clear focus and pitch, as do most textbooks. However, not all textbooks are accompanied by e-resources that are explicitly designed to be of benefit to all types of learners and also to help academics in providing additional support.

A. Designing Philosophy of the Textbook

As discussed above, the knowledge that students bring to the class affects how they deal with and assimilate new concepts. When designing *Australian Corporate Law*, the authors gave particular consideration to the fact that their target audience is primarily a non-legal one. Accordingly, the textbook clarifies certain legal terms for the students in margin notes throughout the book. For instance, vicarious liability is defined as 'liability imposed on one person for the wrongful act of another on the basis of the legal relationship between them, for example that of employer and employee.' Such clarification makes it easier for non-law students to grasp certain complex issues such as the nature of different forms of liability of

60 Philip Lipton, Profile page, <<http://www.buseco.monash.edu.au/blt/staff/p-lipton.html>> at 2 December 2008.

61 Pamela Hanrahan, Ian Ramsay and Geof Stapledon, *Commercial Applications of Company Law* (9th ed, 2008).

62 The authors of this article were involved in writing the textbook and the online materials.

63 Jason Harris, Anil Hargovan and Michael Adams, *Australian Corporate Law* (2008).

64 The electronic resources were developed by Marina Nehme and Anne Durie.

companies. It may also serve as a reminder of concepts studied in the past. Accordingly, the textbook identifies the learning needs of the relevant students and caters to them.⁶⁵

Ultimately, the strength of the book's design comes from its student-centred philosophy, complementing face-to-face classes by encouraging students to take responsibility for their own learning. Each chapter has an outline to help students find the material they need. The chapters also have learning objectives. Defining the learning objectives is beneficial to learners as it enables them to understand the desired outcomes. Learning activities, such as revision questions and problem questions, are included for students to test their knowledge and to help them ultimately to achieve those outcomes. The learning objectives are also useful for academics as they allow them to answer the following question: 'Did the student understand, appreciate, or see in a new way?'⁶⁶ Other company law textbooks attempt to resolve these issues in other ways. The background and experience of teaching Company Law of all the authors at a variety of large educational institutions, covering Group of Eight (Go8), Australian Technology Network (ATN) and new universities,⁶⁷ will naturally shape the final outcome of a book and its supporting resources.

A key characteristic of the book is that, at the end of each chapter, there is a guide to answering problem-based questions. This may help guide the students when they attempt to solve questions. A unique feature is the final chapter of the textbook which is entitled 'Researching Corporate Law'. This chapter is targeted toward interdisciplinary students in particular, and explains primary and secondary sources of legal authority to them. It also contains further guidelines for solving typical assessment questions such as problem-based questions and essay questions.

B. The E-Resources Available

Australian Corporate Law has a website that caters specifically for students' needs.⁶⁸ The website is designed and supported by the publisher, LexisNexis, and contains a range of different resources such as case links and journal links. When a student accesses one of the chapters online, he or she is able to check cases relevant to the chapter through LexisNexis. Such a feature is designed to motivate non-law students to go beyond the textbook and check primary sources of the law. Further, the online resources allow students to test their own knowledge through a series of web quizzes. This exercise is very student-orientated because it allows the learner to participate and be personally involved in the learning experience. Ivan Illich confirms that this is a crucial aspect of students' education, noting that 'most learning is not the result of instruction. It is rather the result of unhampered participation in a meaningful setting. Most people learn best by being "with it".'⁶⁹

Students' needs are therefore at the heart of the textbook and the e-resources available. These resources offer students the tools to learn by 'depending far more on materials and far less on face-to-face teaching.'⁷⁰ However, at the end of the day, the advantage that learners derive from having all the resources made available to them really does depend on the teaching pedagogy of each academic and, in particular, whether the academic is student-centred or subject-centred. A student-centred academic will explain to students the benefit of each resource. This is important because explaining the goals that may be achieved may motivate students to learn and to use the resources.

65 It is not possible to know whether this book, or any other textbook, adequately addresses this issue of prior knowledge of law.

66 Diana Laurillard, *Rethinking University Teaching: A Conversational Framework for the Effective Use of Learning Technologies* (2nd ed, 2002) 185.

67 New universities are post-Dawkins (1990) universities.

68 LexisNexis, *Australian Corporate Law*, <<http://www.lexisnexis.com.au/aus/academic/LNConnect/Corporations/AustCorporateLaw/default.asp>> at 2 December 2008.

69 Ivan Illich, *Deschooling Society* (1971) 44

70 Dale Holt, Mary Rice and Christine Armatus, *Issues Arising from an Online Resource-Based Learning Approach in First Year Psychology 2* <<http://www.ascilite.org.au/conferences/auckland02/proceedings/papers/050.pdf>> at 2 December 2008.

C. Highlighting the Goals That May Be Achieved

The selection of different materials to be used in a course usually depends on the learning goals that students need to achieve. These goals, and how the resources will help the students to achieve them, need to be clearly explained by the academic. If learners do not understand why particular resources are useful, they may not use them or they may use them less productively. Accordingly, the academic needs to make the role of all the materials clear.⁷¹ Moreover, students are most likely to be motivated and to want to learn more productively if they understand what the ultimate goals are and how engagement with the selected resources will help them achieve those goals.

Therefore, when prescribing an online resource, it is important for academics to do the following:⁷²

- Explain to students why this online resource is important and interesting to them: How will it improve their learning experience?
- Define the learning objectives. The performance standards that a student needs to meet to reach the desired goals should be identified.⁷³
- Give advice on how students can access the online material. The ability to access the online material and locate the information may be a problem if students do not have clear instructions.⁷⁴

All these elements help students to understand the benefit that may be derived from these materials.

IV. CONCLUSION

Today, a number of resources are available to educate students. In addition to the traditional resources such as face-to-face classes and paper materials, online resources have become an integral part of the learning process. They allow academics and students to take advantage of all the information available online to enhance the teaching and learning process.⁷⁵ However, for online resources to be of benefit to the students, academics need to guide their learning. To do this, they have to develop a process that incorporates multiple resources into a coherent learning environment. Only then will learners maximise the use of all the resources at their disposal.

Australian Corporate Law is one of a number of textbooks designed to enhance student-centred learning. It helps students to be self-sufficient and supports them in achieving their learning goals. It allows students to take ownership of their own learning by helping them to identify, clarify and deal with their concerns.

71 Khan, above n 24, 185.

72 Laurillard, above n 66, 201.

73 Khan, above n 24, 185.

74 Holt, Rice and Armatus, above n 70, 3.

75 Hill and Hannafin, above n 23, 38.