

Teaching independent learning skills in the first year: A positive psychology strategy for promoting law student well-being

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Abstract

Empirical evidence in Australia and overseas has established that in many university disciplines, students begin to experience elevated levels of psychological distress in their first year of study. There is now a considerable body of empirical data that establishes that this is a significant problem for law students. Psychological distress may hamper a law student's capacity to learn successfully, and certainly hinders their ability to thrive in the tertiary environment. We know from Self-Determination Theory (SDT), a conceptual branch of positive psychology, that supporting students' autonomy in turn supports their well-being. This article seeks to connect the literature on law student well-being and independent learning using Self-Determination Theory (SDT) as the theoretical bridge. We argue that deliberate instruction in the development of independent learning skills in the first year curriculum is autonomy supportive. It can therefore lay the foundation for academic and personal success at university, and may be a protective factor against decline in law student psychological well-being.

Keywords

Australian higher education, legal education, student well-being, Self-Determination Theory, independent learning

Introduction

There is a growing body of evidence that high numbers of Australian university students experience elevated levels of psychological distress, and that this distress often begins in the first year (Larcombe, 2014; Leahy, Peterson, Wilson, Newbury, Tonkin, & Turnbull, 2010; Stallman, 2010, 2011; Townes O'Brien, Tang, & Hall, 2011). Different faculties have responded to this empirical research with varying levels of urgency and enthusiasm. Law schools have been at the forefront of research and action on the issue of student psychological wellbeing – perhaps because

early evidence suggested that law students were faring proportionally worse than other students when it came to elevated levels of psychological distress (Leahy, et al., 2010). The authors believe that legal academics (and academics across the tertiary sector) have an ethical imperative to act on the available evidence (Watson & Field, 2011) to seek ways to address the high levels of psychological distress being experienced, and to seek strategies that promote student well-being. Whilst counselling, equity, and student support services are familiar with this imperative, it is relatively new to informing the philosophical frameworks for intentional curriculum design at the tertiary level. The curriculum can, and should be, a critical place for positive and preventative interventions relating to student well-being (Field, 2014; Huggins, 2012; Stallman, 2011).

There are many potential strategies for harnessing the curriculum in order to promote student well-being (Cranney, Andrews & Morris, 2012; Field, 2014). Sound learning and teaching practices that relate to engagement, active learning, transition, and assessment, for example, will potentially also have positive flow-on consequences for student well-being. Self-Determination Theory (SDT) (see, for example, Ryan & Deci, 2000) provides a strong theoretical foundation for making this assertion (Krieger, 2011). In this article, the focus is on law student well-being and the benefits of teaching independent learning skills in the first year of study. The authors use the lens of SDT to illustrate the ways in which independent learning strategies support students' autonomy, and thereby their well-being.

First, the importance of harnessing intentional curriculum design in order to promote student well-being is established. Second, the key elements of independent learning are briefly described. Third, we show how SDT supports the teaching of independent learning skills as a strategy to promote student autonomy and well-being. Finally, some practical ideas for including independent learning skills in curriculum design are outlined.

The importance of harnessing intentional curriculum design to promote student well-being

There is now a solid and growing body of evidence affirming that concern about the psychological well-being of university students is justified. Stallman (2010, 2011, 2012), one of Australia's leading researchers in this area, has established that Australian university students are an at-risk population who require universal early interventions if their mental health is to be protected. Leahy, et al. (2010) found that 48% of a group of 955 students in various disciplines at the University of Adelaide were exhibiting high levels of psychological distress. Care must be taken when interpreting these results. Leahy, et al. (2010) used the Kessler measure of psychological distress (K-10) which is based upon anxiety and depressive symptoms experienced in the previous four weeks. If a participant scored 22 or greater out of 50 on the K-10 measure, they were classified as psychologically distressed. A score above 22 does not mean that a participant has a mental illness. A simple survey could never make such a diagnosis. A score of 22 or more out of 50 indicates that a participant has a high risk of developing or having a mental health disorder (Leahy, et al., 2010).

In 2011, a range of speakers at the Centre for the Study of Higher Education's (CSHE) *National Summit on the Mental Health of Tertiary Students* in Melbourne discussed the importance of developing "improved policy and practice responses to the growing incidence of mental health difficulties and mental illness on campus" (CSHE, 2011). Further, a recent significant study of more than 5,000 students across six different faculties and graduate schools at the University of Melbourne confirmed the experience of high levels of psychological distress amongst the student body (Larcombe, 2014). Research indicates that psychological well-being declines in the first year of tertiary study (Larcombe, 2012; Townes O'Brien, et al., 2011), suggesting that there is something about the university experience that contributes to this phenomenon.

The available evidence about the decline of student well-being at university is compelling. Tertiary educators who are committed to enabling a positive student learning experience and support quality student learning cannot ignore this evidence. We are not yet certain of the exact causes of

the decline of psychological well-being, and research into the origins of psychological distress at university continues. However, the evidence has established the problem to a sufficient degree to justify strategic intervention (Stallman, 2011).

The provision of on-campus and online student learning support services is clearly one critical component of the necessary response. An examination of Australian university websites indicates that all universities provide centrally administered counselling, equity, academic skills, and learning support services (Field, Duffy, & Huggins, 2014b). These services are extremely valuable. However, as valuable and important as centrally offered services are, they are insufficient on their own for the adequate and appropriate support of student well-being (Field, et al., 2014b). One clear reason for this is that only those students who are willing and able to identify themselves as needing assistance, and who have the motivation to act proactively to seek out support, will benefit from such services (Kift & Field, 2009). Not all students have this motivation or capacity. For this reason alone, the role of supporting and promoting student learning skills and well-being must be enacted beyond the jurisdiction of learning support services and meet students “where they are” – in the classroom, through the curriculum.

Tertiary academic teaching staff must share the responsibility for contributing to the development of strategies and approaches that support the well-being of law students, and the curriculum provides an important opportunity to do this (Krieger, 2011). Indeed the curriculum is a critical site for the creation of learning and teaching environments that not only address the high levels of psychological distress, but also promote student well-being, by empowering and enabling students (Huggins, 2012). This idea of wellness promotion is congruent with the guiding principles of positive psychology, which calls for a focus on, and strengthening of, what is going right, in addition to the fixing of what is going wrong (Peterson, 2006). Under the broad umbrella of positive psychology, psychologists continue to investigate what goes right with human beings at the subjective level (positive emotion and experience), the individual level (positive character traits), and the institutional level (Seligman, Steen, Park, & Peterson, 2005). This means that topics such as interpersonal relationships, personal values, motivations, goals and growth should be of interest to positive psychologists and educators alike. Many things must be going right for a student to be accepted into a law degree, and curriculum initiatives that promote independent student learning should be understood as wellness promoting activities, as well as learning activities.

Self-Determination Theory (SDT) (Niemiec, Ryan, & Deci, 2010) provides a theoretical framework for justifying and informing the explicit teaching of independent learning skills. Harnessing the empowering nature of SDT can help students to become increasingly intrinsically and autonomously motivated, and develop their capacity to self-manage and self-regulate (Field, et al., 2014b). The explicit teaching of independent learning skills is one example of how SDT-informed strategies for student empowerment and capacity building can be integrated with ease into the first year curriculum. Before proceeding with a closer examination of relevant tenets of SDT, a deeper understanding of independent learning is desirable.

Independent learning in higher education

Independent learning skills are one of the “secrets to success” for tertiary level learning, and the importance of such skills is widely acknowledged in Australian universities. There are consistent references to “independent learning” in statements of graduate learning outcomes and capabilities across the sector. The Australian Qualifications Framework (AQF) specification for the Bachelor Degree (2013) refers to graduates at that level having “a broad and coherent body of knowledge ... as a basis for independent lifelong learning,” and “communication skills to present a clear, coherent and independent exposition of knowledge and ideas” (p. 48).

There are many different ways to articulate the nature of independent learning. It is sometimes referred to as “self-regulated learning,” “self-directed learning” or “learning how to learn” (Meyer, Haywood, Sachdev, & Faraday, 2008, p. 2). Zimmerman (1986) identified that self-regulating

learners have the following three key characteristics: “understanding of their own approach to learning and how best to efficiently maximise their learning; motivation to take responsibility for their learning; and ability to work with others to enhance the depth and breadth of their learning” (p. 308).

In 2008, Meyer, et al. (2008) conducted a comprehensive review of the international literature on independent learning and noted broad agreement that independent learners: “develop the values, attitudes, knowledge and skills needed to make responsible decisions and take appropriate actions in regard to their own learning”; are curious, self-confident and self-reliant; understand their own learning needs and interests; and value learning “for its own sake” (p. 15). An independent learner actively (rather than passively) receives knowledge (Boekaerts, 1997) taking a degree of “ownership” of learning. Independent learners can manage their studies, their time and themselves (University of New South Wales, 2013). Being an independent learner does not mean that a student is isolated in their approach to learning (Meyer, et al., 2008; UNSW, 2013). Indeed, it is an important characteristic of independent learners that they are able to identify when they need to seek out the assistance of others, such as tutors, lecturers, or peers to support their learning (Ashford & Cummings, 1983; Damon & Phelps, 1989).

Having the skills and capacity to learn independently at the tertiary level is a key element of student learning success (UNSW, 2013). However, we rarely explicitly teach and develop this skill in our discipline classrooms. Instruction on *how* to be an independent learner is not commonly found in law lectures, physics labs, or English literature classrooms. Rather, university teachers tend to assume that students are already equipped with the necessary independent learning skills to support their transition to tertiary study. In our classrooms we tend to focus on imparting new disciplinary knowledge, rather than asking if students understand what skills are required to support their learning efficacy, both in their first year and throughout their degree. We also make the assumption that where students lack the necessary independent learning skills, that they will identify this for themselves as an issue needing attention, and seek out support for this endeavour on their own.

These expectations and assumptions are problematic. Many first year students, whether they have come to university directly from the final year of secondary schooling, or from another context, simply do not understand how a tertiary student learns. For students who come to university straight from school, they have been sitting in classrooms, only four or five months earlier (and for a period of 12 years previously), where teachers have largely controlled the learning process, telling them what they need to know, when and how they should study, reminding them when work is due, and periodically checking on their progress (UNSW, 2013). It is not yet a common feature of the final years of secondary education around Australia that Year 11 and 12 students are specifically prepared for the different learning environment that is found at university. The sudden shift to an expectation of learning independence and self-management, particularly in the context of the widening participation agenda (Bradley, Noonan, Nugent, & Scales, 2008), is a challenge for many students. Upon entering university, it is no surprise that “some students thrive, [while] others find it difficult to adjust” (UNSW, 2013).

The expectation that students come to university equipped to be independent learners, and the absence of explicit instruction as to the learning skills our students need to be successful learners in our disciplines, is a significant student well-being issue which is discussed in more detail in the following section (Field, Duffy, & Huggins, 2014a). When students lack independent learning skills, they are impeded in terms of successfully transitioning to effective and efficient tertiary learning practices. This can hamper their learning and understanding of discipline knowledge, skills and attitudes. One way to address this problem is to introduce more explicit, classroom level instruction on independent learning (Field, et al., 2014a). These are skills and attitudes that students should not be left to work out for themselves. Rather, central academic skills and learning centres, and academic staff in their classrooms, share a joint responsibility for developing core student learning capacities, such as independent learning.

The linkages between Self-Determination Theory, independent learning skills and student well-being

In this article, the authors seek to connect the literature on law student well-being and independent learning using Self-Determination Theory (SDT) as the theoretical bridge. SDT is an influential and complex meta-theory of educational and positive psychology. It seeks to illuminate how, why, and in what contexts an individual's behaviour is self-motivated and self-determined (Deci & Ryan, 2002; Ryan & Deci, 2008). SDT is relevant to explaining why independent learning skills are important for student well-being and success because it gives us the language and the mechanisms to explain how independent learning and psychological well-being are linked.

Broadly, SDT represents an “organismic dialectical approach” to explaining human motivation (Niemiec, et al., 2010, p. 174). Human beings are active organisms that are inherently oriented towards growth, adaptation, and development, yet vulnerable to amotivation and an absence of psychological well-being in unsupportive environments (Niemiec, et al., 2010). More specifically, SDT is comprised of five mini-theories with the mini-theories most relevant to this article being Basic Psychological Needs Theory (BPNT) and Organismic Integration Theory. BPNT, which is a “unifying principle within SDT” (Vansteenkiste, Niemiec, & Soenens, 2010, p. 131), encompasses three basic psychological needs – autonomy, competence, and relatedness. All three basic psychological needs are contextual and environmental in nature. Autonomy refers to the subjective experience that an individual's behaviour is self-governed, volitional, and congruent with their true beliefs, values, and interests (Niemiec, et al., 2010). Competence refers to an individual's sense of ability, capability, and mastery in relation to tasks and challenges (Krieger, 2011, p. 172). Relatedness refers to the experience of meaningful and reciprocal connections with key others (Niemiec, et al., 2010). Of these three basic psychological needs, autonomy is the “master need” (Sheldon, Williams & Joiner, 2003). As Krieger (2011) noted:

We may also consider autonomy the most important of the three basic psychological needs, since people must have a well-defined sense of self, feel intimately connected to themselves, and express their core values in daily life in order to function in a consistent way and with a sense of security and grounding. (p. 174)

Organismic Integration Theory is another strand of SDT which examines the “properties, determinants and consequences” of extrinsic motivation (Krieger, 2011, p. 174). Extrinsic motivations are reasons for acting that are primarily predicated on external recognition, and are typically a means to an end (Krieger, 2011). Significantly, when interest and enjoyment which are intrinsic motivations are absent, extrinsic motivations may be important for the maintenance of a range of socially important tasks (Vansteenkiste, et al., 2010). A core tenet of this mini-theory is that extrinsic motivations can be internalised to varying degrees, to the extent that they are ultimately experienced as autonomous (Ryan & Deci, 2008). The capacity to cultivate internal reasons for acting for previously extrinsically-motivated behaviours has been well-supported in numerous SDT studies, including in the realm of educational psychology (Black & Deci, 2000; Reeve, Deci & Ryan, 2004). These studies indicate that self-endorsed extrinsic motivation leads to the same types of heightened engagement, improved learning quality and enhanced performance as intrinsic motivation (Manning, 2011). Ultimately, this mini-theory asserts that extrinsic motivations can be integrated to such an extent that people have a sense of autonomy and volition as they act and also regulate themselves in the pursuit of those goals (Ryan & Deci, 2000), which may be highly relevant for students who lack intrinsic motivations for studying law.

In the words of influential SDT researchers, Niemiec and Ryan (2009), “when students' basic psychological needs for autonomy, competence, and relatedness are supported in the classroom, they are more likely to internalize their motivation to learn and to be more autonomously engaged in their studies” (p. 139). Thus, the satisfaction of law students' constructive needs for autonomy, competence, and relatedness sustain intrinsic and autonomous motivations, which facilitate autonomous self-regulation for academic engagement, achievement, and wellbeing. Autonomous self-regulation, which encompasses a range of types of self-endorsed motivations that promote

self-management, has been repeatedly demonstrated to conduce ‘engagement and optimal learning in educational contexts’ (Niemic & Ryan, 2009, p. 133). These understandings are reinforced by empirical research indicating that law students who do not experience law school as supportive of autonomy are more likely to experience elevated levels of psychological distress (Larcombe, et al., 2013; Sheldon & Krieger, 2007).

In learning environments that support autonomous self-regulation, students have opportunities to express their views, take responsibility for their choices, and internalise the rationales behind aspects of the higher education learning experience that are beyond their control (Huggins, 2012). Additionally, when the curriculum is designed to support autonomous self-regulation a number of other important learning objectives are supported, including an increased likelihood that students will be motivated towards deep learning and mastery, and that engagement, creativity and academic performance will be fostered (Niemic & Ryan, 2009).

This article advocates for the importance of explicitly teaching independent learning skills to first year students as a way of intentionally developing curricula that will support autonomous self-regulation and thereby promote student learning, academic performance and well-being (Vansteenkiste, et al., 2010). In other words, equipping students with independent learning skills will assist them to be self-regulated, autonomous, motivated and to be “active participants in their own learning process” (Cubukcu, 2009, p. 54). SDT provides a way of explaining why the teaching of independent learning skills enables tertiary learners to “personally activate, alter, and sustain their learning practices in specific contexts” (Zimmerman, 1986, p. 307).

There are a number of additional arguments as to why independent learning skills should be explicitly taught in the first year of higher education (Field, et al., 2014a). First, as we noted above, the nature of tertiary level education, and the existence of a significant expectation that students will take responsibility for their own learning, means that teaching students how to be independent learners and to be able to self-direct their learning is important. “It should not be assumed that students have these skills when they arrive at university, and it should not be left to chance as to whether they develop the skills or not” (Field, et al., 2014a). Second, and relatedly, independent learning skills should be taught at university because they are a strategy for maximizing student learning success (Field, et al., 2014a). Zimmerman (1986) has noted that “even high-‘ability’ students often do not achieve optimally because of their failure to take an independent learning approach and to self-regulate their learning” (p. 307). The provision of adequate learning support for the first year learning experience therefore requires explicit instruction about independent learning skills through the formal curriculum. In this way, students will be supported to make the necessary connections between independent learning, academic success, and their well-being.

Putting theory into practice in the curriculum

The authors have argued that the teaching of independent learning skills is important for university student learning success and for the promotion of student well-being. We have also argued that the acquisition of independent learning skills should not be left to chance, but rather explicitly taught in the formal curriculum. A question then arises as to how this should best be done? Zimmerman (1986) tells us that teaching skills in planning, organisation, self-instruction, self-monitoring, and self-evaluation will support positive learning outcomes. By teaching these skills and integrating them into the intentionally designed curricula of our disciplines, academic staff can promote students’ shift from dependent to independent learning.

The authors have previously written about macro-level strategies for encouraging independent learning, including:

- Encouraging institutional and faculty level buy-in as to the importance of independent learning skills.

- Developing collegial relations between academic support services staff and discipline academics, so that expertise in terms of learning skills is utilised.
- Cultivating students' self interest in their studies.

(Field, et al., 2014a)

At the micro classroom level, there are a number of ways that independent learning skills and habits can be encouraged in law students. First, flipped classrooms provide many opportunities for students to develop independent learning skills. Flipped classrooms represent a:

... reversal of traditional teaching where students gain first exposure to new material outside of class, usually via reading or lecture videos, and then class time is used to do the harder work of assimilating that knowledge through strategies such as problem-solving, discussion or debates.

(UQ Institute for Teaching and Learning Innovation, 2015, para. 1)

When a student's first exposure to learning materials occurs outside of class, a student must manage when, how, and to what extent they engage with the learning material. When this exercise is followed up with tutorials that explore the reading material, a student can assess how well the independent learning that they have done has prepared them to participate in class discussion. In this fashion, students are implicitly compelled to reflect upon how well their independent learning strategies have prepared them for tutorial work and assessment. If students feel underprepared during class, they can begin to make adjustments to their learning routine, or their engagement with material, so that their independent learning activity better matches the expectations of the classroom.

Second, guided journaling provides an opportunity for students to reflect on their learning process. Hunter Schwartz, Sparrow and Hess (2009, p. 101) argued that structured journaling works best for these purposes and suggest that students can be encouraged to write about three topics:

1. description of the [learning] practice – what did the students do;
2. reflection on that experience – how effective was the strategy, how does the strategy compare to other, alternative strategies the students might have adopted; and,
3. future planning – how will the students' results and reflections affect future efforts to accomplish the same general task.

We agree with these authors' suggestion, and would add that in order for such a task to be autonomy supportive, much depends on when and how the task is introduced, what rationale is given, and what feedback and support mechanisms are available.

A related option is encouraging students to keep a self-monitoring log, which allows them to evaluate their learning strategies. Such a log provides another structured option for encouraging students to reflect upon their learning goals, and which study approaches and environments work best for them, facilitating an ongoing process of self-evaluation of learning (Hunter Schwartz, et al., 2009). According to Hunter Schwartz (2008), these types of evaluative processes complete the cycle of self-regulated learning, and distinguish "expert learners" from their peers (p. 3).

An additional pedagogical strategy to support independent learning is reflective reading, which encourages students to actively engage with prescribed materials and continuously monitor their comprehension of them. For example, if students are asked to read a book excerpt or article before class, they can be asked to come to class having identified three points made by the author(s) that they disagree with, and examples that illustrate the author(s)' key arguments (Hunter Schwartz, et

al., 2009). Further, students' reflection upon their understanding of lecture materials and class discussions is encouraged if they are given time to revise their class notes at the end of each class to identify any gaps in their understandings of the materials, and to brainstorm strategies for addressing these gaps. Such strategies may include asking the lecturer, asking a peer, or reading a supplemental text (Hunter Schwartz, et al., 2009). These strategies are autonomy supportive as they acknowledge students' perspectives and feelings, foster intrinsic motivation, and allow students to exercise agency in relation to aspects of their learning and course experience (Su & Reeve, 2011).

Conclusion

This article has argued that independent learning skills are an important part of legal education as a learning outcome as well as a well-being outcome. SDT allows theoretical links between independent learning, autonomous self-regulation, and psychological well-being to be made. Confronting the university student well-being issue generally, and the law student well-being issue more specifically, requires a number of different strategies. There is no magic panacea for addressing these challenges. Rather, academics who foster environments where students can learn how to learn contribute to autonomy supportive learning environments that promote students' academic success and well-being.

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