

COVID-19 and Assessment of the Teaching-Learning Process in Law Students

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How to cite this article: Astudillo Meza, C. (2023). COVID-19 and Assessment of the Teaching-Learning Process in Law Students. *Revista Digital de Investigación en Docencia Universitaria*, 17(2), e1279. <https://doi.org/10.19083/ridu.2023.1279>

Received: 04/09/2020. **Revised:** 06/12/2020. **Accepted:** 30/05/2023. **Published:** 30/06/2023.

Abstract

Introduction: The COVID-19 pandemic modified all aspects of life including the educational field, where higher education institutions implemented classes through digital platforms, in all areas of knowledge, including Law. **Objective:** To describe the assessment of law students regarding the virtual teaching-learning process and teaching innovation in the context of the COVID-19 pandemic in a higher education institution in northern Chile. **Method:** A questionnaire was applied to evaluate the participants' evaluation of the e-learning and teaching innovation process in the context of the COVID-19 pandemic. Descriptive analyses and differences in proportions were performed. **Results:** The evaluation of the teaching-learning process was mostly regular. On the other hand, among the advantages, the organization of time and the possibility of visualizing the class recordings were highlighted. **Conclusions:** There is a need to address factors that influence the quality of learning, the causes of which are not academic.

Keywords: pandemic; distance education; distance learning; university; Chile.

El COVID-19 y la valoración del proceso enseñanza - aprendizaje en estudiantes de derecho

Resumen

Introducción: la pandemia COVID-19 modificó todos los aspectos de la vida, incluso en el ámbito educativo, donde instituciones de educación superior implementaron clases por medio de plataformas digitales en todas las áreas del conocimiento, incluyendo el Derecho. **Objetivo:** escribir la valoración de estudiantes de la carrera de Derecho respecto del proceso de enseñanza - aprendizaje virtual e innovación de la docencia en el marco de la pandemia de COVID-19 en una institución de educación superior en el norte de Chile. **Método:** se aplicó un cuestionario exprofeso orientado a evaluar la valoración de los participantes respecto del proceso de enseñanza - aprendizaje virtual e innovación de la docencia en el marco de la pandemia de COVID-19. Se realizaron análisis descriptivos y diferencias de proporciones. **Resultados:** la valoración respecto del proceso de enseñanza-aprendizaje fue mayoritariamente regular. Por su parte dentro de las ventajas destacaron la organización del tiempo y la posibilidad de visualizar las grabaciones de las clases. **Conclusiones:** existe la necesidad de abordar factores que influyen en la calidad del aprendizaje, cuyas causas son ajenas a lo académico.

Palabras clave. pandemia; educación a distancia; aprendizaje a distancia; universidad; Chile.

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Introduction

The teaching of Law has evolved from the traditional approach, i.e., unidirectional, where the teacher is the one who recites the contents. In this sense, the teacher is the center of the teaching learning process. This responds not only to the discipline of Law but also to the behaviorist model that has been present for a long time in education at all levels. This educational approach, addressed from psychology, presupposes uncritical, passive, and disciplined students, with a secondary role within the teaching learning process ([Mazorco Irueta, 2010](#)). Under this paradigm, students do not develop critical thinking and limit themselves to reproducing content and knowledge is something unilateral from the teacher.

Particularly in Law, teaching was characterized by transmitting or reproducing content as accurately as possible ([Valle, 2006](#)). Notwithstanding the above, the teaching of Law has undergone profound changes in recent times, moving from this traditional or banking model, in the words of [Freire \(2005\)](#), and unidirectional teaching based on lectures ([Elgueta & Palma, 2014](#)), to a model based on the development of skills, dialogue between teacher and student, aimed at improving the graduate profile of students and provide them with generic and specific skills for the practice of the legal profession.

At the same time, substantial progress has been made in the incorporation of teaching and learning methodologies and strategies aimed at enhancing the student's conceptual knowledge and expertise ([Salas, 2016](#)). This knowledge requires techniques that are called active and are focused on the construction of meaningful and deep knowledge for students, who participate in the processes as active agents in the construction and reconstruction of knowledge and not as mere receivers ([Universidad Santo Tomás, 2019](#)).

Although progress has been made with incorporating the constructivist approach to teaching and the inclusion of active methodologies, many teachers are reluctant to modify their pedagogical practices and replicate

the model with which they were educated, which in most cases is the traditional one. As a result, higher education institutions provide their professors with training in the field of university pedagogy in order to improve the pedagogical process and to be able to apply active participatory techniques and methodologies. In this context, the center of the teaching-learning process is student-oriented. Additionally, the incorporation and use of information and communications technologies (hereinafter ICT) is promoted, which in the context of COVID-19 have been extremely useful since society has had to adapt to the changes resulting from the pandemic that has affected all areas of daily life.

Aspects such as work, family, and education have been disrupted by the implementation of health measures in the face of the state of emergency, particularly maintaining social distance, the most widely agreed and reiterated recommendation. This scenario led to the use of remote and telepresence means of communication, used transversally at all levels of education, including higher education, which began to be taught from digital platforms. This format enables the recording of classes, allowing the student to repeat their activities, visualize errors without being questioned for this, thus contributing to an improvement in their academic performance ([Guerrero & Flores, 2009](#)). It is important to note that ICTs currently have several advantages, and it is increasingly common for graduate profiles to declare the use of ICTs as a generic competency. In fact, it has been reported that the use of ICTs favors creativity, group work, and other skills increasingly valued in the labor market ([Marcello-Ruiz et al., 2019](#)).

The above could prove to be an obstacle in the teaching of Law which, as has been stated, is still regularly taught in a traditional way, with a clear verticality in the student-teacher relationship, where the emphasis is on teaching and not on learning ([Veas & González, 2015](#)). The traditional methodology in which face-to-face classes are taught in Law could be incompatible with virtual classes, since these demand a proactive role from the student,

oriented to the development of self management, self regulation, and intrinsic motivation skills ([Moreno Candil et al., 2021](#)). Consequently, the teacher must be able to provide a learning environment that stimulates and fosters critical thinking and the students' capacity for analysis. In this scenario, the role of the teacher is vital, as they are in charge of challenging the students' thinking and supporting the process of knowledge construction, as opposed to the role they previously exercised focused on being a transmitter of knowledge ([Campillay Briones & Meléndez Araya, 2015](#)).

The importance of this study lies in the fact that it will allow to investigate the perceptions of Law students about their teaching and learning process, mainly considering that, although universities in Chile managed to implement the virtual modality in a fast and effective way, this has not been free of criticism from the students. With respect to the above, the Report of the UNESCO International Institute for Higher Education in Latin America and the Caribbean (2020) states that the difficulties experienced in this modality range from low connectivity and the lack of adequate online content for the national curricula to an unprepared faculty for this new modality.

In addition to the above, in the area of Law, there are still teachers who do not use technological resources for their classes; because, despite the training in the field of university pedagogy, they continue with the classical teaching model. This, in the context of distance and remote teaching, could hinder the teaching learning process for students, due to the scarce use of technologies and digital applications that were used just in a complementary and partial way, that is, as an instrumental support to the face-to-face task ([Guzmán Droguett et al., 2021](#)). This is especially relevant since distance education requires an autonomous and self sufficient teacher.

It is necessary to emphasize that the evidence generated in terms of the perception of Law students about their teaching learning process in virtual scenarios due to the COVID-19 pandemic is nonexistent.

The available evidence focuses on investigating and measuring the impact on higher education in general. Therefore, the objective of this paper is to describe the assessment of Law students regarding the e learning and teaching innovation process in the context of the COVID-19 pandemic in a higher education institution in northern Chile.

Method

Design

A nonexperimental, cross sectional, descriptive study.

Participants

The total sample consisted of 53 law students from a university in northern Chile, of whom 30 were women (56.6%) and 23 were men (43.4%).

Instrument

A special questionnaire was used to evaluate the participants' assessment of the virtual teaching learning process and teaching innovation within the framework of the COVID-19 pandemic. The instrument had five questions. The first question, oriented to the evaluation of the teaching-learning process, had a response range from 1 to 4, where 1 indicated poor and 4 excellent. Questions 2 and 3, oriented to innovation and maintenance of virtuality, had a dichotomous response range. Questions 4 and 5 were aimed at determining the advantages and disadvantages of virtualizing subjects. The content of the instrument was subjected to content validation by a committee of experts composed of six professors, three of them experts in Law and three experts in higher education. After considering the observations made by the experts, the final instrument was refined.

Procedures and Ethical Aspects

This research was reviewed and approved by the Scientific Ethical Committee of the sponsoring university, under the role or acceptance code 01 20. This research is part of a larger project that

includes Law students taking the Legal Clinic course taught in 11 schools throughout Chile. The 53 participants were selected using the snowball technique combined with purposive convenience sampling. It should be noted that each participant signed two copies of the informed consent form when they agreed to participate, one copy for the support of the research team and the other for the participants. Data collection was carried out during the second semester of the year 2020.

Statistical Analysis

The data were entered into a spreadsheet in the statistical program IBM SPSS V24, and distribution of frequencies analyses were performed to evaluate the results of the participants.

Results

Table 1 describes the students' assessment of their teaching-learning process in the context of COVID 19. In this regard, only 5.7% of the participants rated the process as excellent.

Table 2 describes the perception of students regarding teacher innovation in their usual teaching and learning practices. In this sense, it is reported that most students did not consider that their teachers innovate in their pedagogical practices.

Table 3 describes the students' consideration of the possibility of continuing with the virtual modality during the next few months. A large majority consider that it is possible.

Table 1

Assessment of the Teaching-Learning Process in the Context of COVID-19

| Responses | n | % |
|-----------|----|------|
| Excellent | 3 | 5.7 |
| Good | 21 | 39.6 |
| Regular | 23 | 43.4 |
| Poor | 6 | 11.3 |

Table 2

Perception of Innovation of Teaching-Learning Practices during the COVID-19 Pandemic

| Responses | n | % |
|-----------|----|------|
| Yes | 21 | 39.6 |
| No | 32 | 60.4 |

Table 3

Continuity with the Virtual Modality in the Next Semesters

| Responses | n | % |
|-----------|----|------|
| Yes | 45 | 84.9 |
| No | 8 | 15.1 |

Table 4 indicates the advantages perceived by the students regarding their learning process during the COVID-19 pandemic. In this regard, the two most frequently reported advantages were greater organization of free time and reiteration of content through recorded lectures.

Table 5 indicates the disadvantages perceived by students regarding their learning process during the COVID-19 pandemic. In this line, the most frequently reported disadvantage was lack of concentration and attention.

Table 4

Advantages in their Learning in the Context of COVID-19

| Responses | n | % |
|---|---|------|
| Increased organization of available time | 9 | 16.9 |
| Flexibility | 1 | 1.9 |
| Greater interaction than in the face-to-face system | 1 | 1.9 |
| Immediate availability of study material | 1 | 1.9 |
| Not leaving home | 1 | 1.9 |
| None | 5 | 9.4 |
| Spending time with the family | 1 | 1.9 |
| Reiteration of content through recorded lectures | 9 | 16.9 |
| Infections are avoided | 4 | 7.5 |
| More time to study | 8 | 15.1 |
| Increased comfort | 4 | 7.5 |
| Increased application of the subject matter because more case studies are conducted | 3 | 5.7 |
| Increased dedication | 1 | 1.9 |
| Class attendance | 1 | 1.9 |
| No response | 1 | 1.9 |
| Elimination of travel time to the university | 3 | 5.7 |

Table 5

Perceived Learning Disadvantages during COVID-19

| Responses | n | % |
|---|----|------|
| Lack of space in homes to pay attention to classes | 5 | 9.4 |
| Lack of concentration and attention | 10 | 18.8 |
| Anxiety, stress, and lack of motivation | 6 | 11.3 |
| Internet connectivity problems | 11 | 20.7 |
| Lack or nonexistence of feedback and interaction between teacher and students | 6 | 11.3 |
| Very long classes and excessive academic load | 3 | 5.7 |
| Not being able to apply the subject matter to practical cases | 4 | 7.5 |
| I do not learn, and it is difficult to understand | 3 | 5.7 |
| Computer exposure | 1 | 1.9 |
| No disadvantages | 1 | 1.9 |
| Quarantine period extension causes sleeping problems | 1 | 1.9 |
| Change of study method | 1 | 1.9 |
| No response | 1 | 1.9 |

Discussion

The objective of this study was to describe the assessment of Law students regarding the virtual teaching-learning process and teaching innovation in the context of the COVID-19 pandemic in a higher education institution in northern Chile.

It has been reported in the literature that the pandemic generated certain changes that required an abrupt adaptation, but that developed experience along the way to generate real processes of change in the innovation of Law teaching ([Puebla Fortunato, 2021](#)). Following the previous idea, even though the opportunity to rethink the teaching of Law is generated, it cannot be ignored that virtuality for this science and for higher education, in general, impacts the way in which students manage to acquire knowledge, although the bibliographical evidence is scarce due to the recentness of the subject under investigation. In this sense, within the literature, it has been evidenced that the use of virtual platforms and/or digital applications did not contribute to the consolidation of learning due to the lack of knowledge of how they work ([Aguilar Gordón, 2020](#); [Elgueta Rosas, 2020](#); [Ruiz, 2020](#)).

Students indicated that their evaluation of the teaching learning process in the context of COVID 19, in general terms, is fair. This is in line with the findings of those who evidenced an essentially fair appreciation (Ramírez Jaliri et al., 2020). This situation can be explained by the inexperience of teachers regarding methodologies for the development of virtual classes and the difficulties of implementing a format diametrically different from the traditional one in a context of uncertainty and improvisation.

Regarding the students' perception of the educational innovation of their teachers during the pandemic period, most of them consider that they did not include innovative activities within the telepresence classes. The students' appreciation can be explained by the fact that the teachers did not make any adaptations in their way of teaching face-to-face classes according to a new context given by virtuality. Therefore, what essentially occurred was the reproduction of the face-to-face scenario in virtual mode. This has

been previously described with respect to the fact that the educational praxis styles of ICT-mediated teachers at all educational levels remain tacit, and each teacher works intuitively without adequate training ([Ojeda-Beltrán et al., 2020](#)). What has been expressed does not prevent teachers from trying to adapt to the context of change since teaching innovation takes on a relevant role and allows all teachers to be concerned with active teaching that fosters dialogue with students ([Castellanos Claramunt, 2020](#)).

Among the advantages most frequently described by students, the organization of time and the reiteration of content with recorded classes stand out. Time organization becomes an opportunity for improvement since it has been reported that higher education students present difficulties in time management ([Jiménez Carrasco, 2015](#)) because they distribute it arbitrarily without prioritizing what is urgent and yielding to other distractions. Although time and its organization are cross-cutting issues, it is considered that they become especially relevant in higher education students since, at this stage, they must develop their activities independently and autonomously, without an adult to monitor or report to them. Therefore, it is important that virtualized teaching and learning environments are visualized as an advantage in this pandemic scenario and also, subsequently, because every hour spent in effective planning saves three to four hours of execution and produces better results ([Jiménez Carrasco, 2015](#)).

Regarding the repetition of content such as an advantage identified by the students in this work, it is possible to argue that it is a direct reference to the traditional model of teaching Law. They state this possibility as positive since it would allow them to memorize the professor's discourse better. Without prejudice to the above, it should be borne in mind that the process of teaching and learning includes the teacher, and the student, who must play a role that allows them to be the protagonist and builder of their knowledge, the teacher being a mere facilitator of contents. This process is where both parties are involved, without evolving towards a teaching of Law with more active techniques and methodologies.

In this line, if a different role is not considered in students, outside of the rote, passive, and closed-question role under the classical approach to teaching Law, it is complicated to include innovative techniques or tools in the context of teaching Law ([Bayuelo Schoonewolff, 2015](#)).

It is worth mentioning that, according to the appreciation of some students, no advantage has been generated in their teaching learning process in the context of COVID-19. The reasons for this are varied, since they report that they do not learn, that there is an unstable Internet connection, and that this modality does not motivate them, which means that they do not identify any advantage. These reasons cause inequity and exclusion, since students' learning takes place in socioeconomic contexts that are at a disadvantage ([Lovón Cueva & Cisneros Terrones, 2020](#)). According to the above reasoning, and in the face of inequality, it is logical that no advantages are identified in virtual teaching.

In relation to the disadvantages identified, it is possible to indicate that lack of concentration, lack of connectivity, anxiety and stress, and lack of space are mentioned. It is necessary to recognize the importance of concentration in the teaching learning process, considered basic in the approach to new content and information processing, as well as in the development of learning, memory, language, and orientation ([Granados Ramos et al., 2016](#)). The absence of this is detrimental, because currently higher education is oriented towards a competency-based model. In this sense, it is sought that the student acquires an ability and manifests a certain capacity or skill when developing a task ([González Ferreras & Wagenaar, 2003](#)). Therefore, this demonstration can only be achieved if the student understands, and in order to understand, they must necessarily develop their concentration and attention skills.

On the other hand, regarding the lack of Internet connectivity, it is important to mention that, in 2005, it was stated that in Chile there was an economic barrier to access a computer and the Internet, which generates a digital divide ([Fernández-Medina, 2005](#)). Fifteen years after this diagnosis, economic factors continue to

be a determining factor in the digital divide; in addition, it should be considered that a sizable number of users do not know how to use the technological tools and programs provided by computers. This is exacerbated by the massive invasion of smartphones, which have adapted versions of computer programs. Consequently, the digital divide not only encompasses inequality in the acquisition and/or access to ICTs, but also refers to the skills required to use these technologies for a given purpose ([Moreno Candil et al., 2021](#)).

It should be considered that the geography of Chile prevents having complete Internet coverage, since the country is more than 4,000 kilometers long with urban and rural localities. Urban communities have a 67.8% connection rate while rural communities a 16.7% ([Tapia, 2020](#)). If the reality in terms of connectivity was already complex before the pandemic, nowadays it is even more difficult, since it is a public and notorious fact that Internet data traffic has increased, slowing down the connection. For all these reasons, it is reasonable that students identify this fact as a disadvantage, since many of them have siblings who must also enter virtual classes or parents who are working remotely from home, with insufficient Internet speed for the weight of the videos and audio, which makes access difficult.

Anxiety, stress, and lack of motivation are also identified as disadvantages. The fact that university students consider these emotions as a disadvantage shows how problematic mental health is in Chile. At present, the relevant health authority has implemented an accompaniment program called "SaludableMente" in this COVID-19 scenario.

A series of psychological reactions and states observed in the population have been reported, including effects on mental health, the first emotional responses of people include extreme fear and uncertainty ([Urzúa et al., 2020](#); [Asociación Latinoamericana de Psicología de la Salud, 2020](#)). Although it cannot be affirmed that there is an increase in anxiety, but it is possible to argue that it is unusual for such high proportions of negative feelings to exist within the distance learning context ([Castillo Riquelme et al., 2021](#)).

In this framework, the results obtained are in harmony with the results of the survey #EstamosConectados of the organization Educación 2020 where 63% of the students indicated feeling boredom, 41% expressed feeling anxiety or stress, followed by frustration and annoyance (35%); while 21% said they felt calm and only 3% indicated feeling "happy" to be at home.

Finally, regarding the lack of space at home to pay attention to classes, it is argued that this disadvantage indicated by students points to the notion of educational environment that refers to the scenario where favorable learning conditions exist and develop (Duarte Duarte, 2003). Although the idea of learning environment is not limited to the classroom and may include the use of other spaces by students, the home is not conditioned in the same way as an educational institution, since it is thought of as a place for family gatherings and rest. Therefore, it seems coherent that attending classes from such a place would be considered a disadvantage.

It should be considered that virtual education is not limited to teaching classes remotely and replicating the way teachers teach in the classroom, as there are several variables to consider (course level, internet data, theoretical or practical content, etc.). The belief of recreating what is done in the classroom without the context of pandemic does nothing but generate in students the feeling of lack of innovation from the teachers, which, according to the data obtained in this study, is estimated at 60.4%.

Higher education teachers must pay attention to this new pandemic context, and redouble efforts to interact with students, as there are many hidden factors (such as connectivity, anxiety, or stress) that can influence their performance. The above has been detected as a disadvantage in this work.

In conclusion, it should be noted that the students' perception of the teaching and learning process is varied. On one hand, students consider the management in the organization of their time, having more time to study, and the possibility of repeating the subject through class recordings as the greatest advantages of this virtual system. On the other hand, they consider poor connection, lack of concentration, anxiety,

and little feedback from the teacher as the main disadvantages. These are due to external factors, outside the teaching and learning process from the university, and they are present in the student community in general, without being exclusively the opinion of Law students.

Finally, it is relevant to point out that the study presented had as limitations the intentional sampling by convenience, the number of students, and the localities included, since the Law School is present in other cities of Chile and not only in the north, so the appreciations could be different from those collected in this work. Also, in the future, more variables could be included, relevant to the context of virtual or online education. Notwithstanding the above, the proposed research leads to rethink the teaching of Law, and the inexorable relationship of information technologies that will be a permanent input for teachers today and in the future.

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