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TEACHING DURING EMERGENCY REMOTE LEARNING: LESSONS AND RECOMMENDATIONS

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It always seems impossible until it's done. – Nelson Mandela

7 1 Introduction

To stay abreast with the changes of the current contextual demands in tertiary legal education, it becomes a necessary task to read and study extensive current literature tackling new and constant challenges relating to teaching in the pandemic. There are challenges relating to the medical implications of long term Covid-19 experienced by students, which has posed uncharted territory, in which more support is needed. The online community of students is incongruent to physical and face-to-face student community. Students feedback have communicated that there is a feeling of isolation relating to learning in their homes. Students further conveyed that stable internet connections were problematic, due to geographic location and coupled with loadshedding woes. A further possible challenge with online teaching and emergency remote learning is to encourage active participation, such as students switching on their cameras, to enable the lecturer and other students to see each other's faces. However, it must also be noted that unstable connections do not facilitate such interactions as switching on cameras, which uses more bandwidth and renders the connection unstable. Online teaching and emergency remote learning have exposed different mediums of cheating and plagiarism possibly such as other students paying graduates to write their exams, and exploiting WhatsApp groups, to distribute questions and answers for assessments or even copying verbatim from texts and the internet without proper referencing and conducting unwarranted google searches for answers. Possible collaboration with classmates and taking the assessments together in the same venue with their own computers and further discussing the questions and answers are also possibilities. The independent learning and assessment becomes problematic in these expansive circumstances and unlimited possibilities. If students are not invigilated physically, then the student must devise their own moral integrity which poses a challenge in the current context that we are living in with the peer pressure, competition for attaining the highest marks for securing employment in a depressed economy, where firms are retrenching employees, and withdrew posts of

candidate attorneys. The demand and supply of articles is a smaller pool and achieving the best results does not always guarantee a placement for training as a candidate attorney. The paper navigates these challenges, proposing mechanisms and tools to ensure that a student is individually accountable for their studies. Collaborative learning is necessary for group work, but it is not the aim of all types of assessments, as individualistic learning is quintessential for passing each module that culminates into the obtainment of the degree, which is the end goal for most law students.

7.2 Reflections as a lecturer for fourth year LLB

It is important to undertake a deep reflection after the passing of each week, month and semester, to determine the areas of improvement to enhance the student experience and to improve my skills set as a lecturer. The circumstances, in which we now teach is a platform to fine tune and develop skills and character. It is an enabler for personal and professional growth.

The statistics for 2021 relating to the modules Alternative Dispute Resolution (AGF 420) and Civil Procedure (SIP 421) were as follows:

Module	Total number of students	No Exam entrance	How many qualified for exams	How many qualified for promotion	How many absent/sick	Supplementary exam	Failed after exam
AGF 420	175	1	9	165	0	0	0
SIP421	516	2	25	489	0	0	0

The abovementioned statistics illustrates that the student load for one lecturer is work intensive. The ratio is one lecturer that services 691 students cumulatively. This is an intense workload, as this facilitates at least 50 emails per a day from students setting out various minor queries relating to their work. I used ClickUp to post as many announcements as possible to try and curb the constant flurry of emails from early in the morning until midnight. It meant that one works more than 12 hours a day facilitating the email questions and responses. It is my understanding that some lecturers in the Faculty created a separate email for students to ask questions about the module in order to avoid the overcrowding of their inbox, and to allow for more than one lecturer to address the concern.

However, if you are the sole lecturer, it does not assist to create another email address that you need to respond to queries, as you can simply archive emails in your main inbox to manage the overcrowding of emails, as there are no tutor support for the mentioned modules.

The amended regulations provided that students were automatically promoted if they obtained a cumulative assessment mark of 65 %. This meant for each module there were three assessments that they needed an overall cumulative mark of 65 % to pass the module and this meant they were exempt from writing the final examination. For SIP 421, a 95 % promotion rate was obtained as majority of the students obtained the cumulative mark of 65 % for their three assessments. The three assessments comprised two semester tests and a quiz. The semester tests each equated 20 % each and the quiz was 10 % equated to a final mark out of 50. Each assessment tested different study units covered during the semester. The few students that wrote the exam passed the examination and there were no failures.

AGF 420 was composed of a 94 % promotion rate. The three assessments for this module were one semester test, a quiz, and an oral component, that provided that the student either sends me a voice recording via email that was converted into an MP4, alternatively to upload it on ClickUp, or a narrated PowerPoint or a written assessment that addresses a specific problem question that is posed through upload on ClickUp or email. The semester test was weighted towards 20 % and the oral and quiz components were both 15 % each. The students were incredibly creative in addressing the oral component and did a few aspects that thoroughly impressed me the way they collaborated with their peers in a safe virtual space, using a recorded dialogue on Zoom. The students that wrote the exam passed the exam. There were no supplementary examinations.

For SIP 421 and Alternative AGF 420, ClickUp was used to post all the study material, namely the study guide, announcements, narrated PowerPoint presentations of each study unit that the student had at their disposal together with the scope of assessments as set out in the study guide.

I used ClickUp as a form of support for the students. I used this platform to constantly remind students of important information such as approaching deadlines. Students were grateful for these reminders, which they communicated in email correspondence, though the classes were so big, this enabled that students to not fall through the cracks and fail the modules.

7 3 Literature pertaining to emergency remote learning

Due to the global pandemic the literature surrounding emergency remote learning is evolving, present and current. There is a trend of a common voice relating to the hardship and the access to education from the Global North and Global South respectively. Abel Alvarez exposed the areas of concern, in a study that he had undertaken with five students, relating to their experience of studying during emergency remote learning.¹ The common themes that were exposed by the students was that they felt isolated and lack of support when they were in lockdown by their government.² There were some students in their first year of study that did not have access to laptops or tablets and were forced to use their smartphones to complete the assessments for the year in the Philippines.³ There were no face-to-face lectures at the University of the Philippines. Furthermore, there was limited access to public spaces of computers as the internet cafes did not open due to the strict lockdown conditions imposed by the government.⁴ The reliability of internet connection posed a problem in the submission of assessment, as a secure and stable connection was difficult to obtain due to access.⁵ The stark contrast of the “haves” and “have nots” was an emphasis that the pandemic placed upon the wage earners and their deprivation of wages due to the lockdown conditions that stopped work in certain instances.⁶ The digital divide between the different classes was expanded by the pandemic. Only 22 % of households possess laptops at home.⁷ The way forward that the author proposed was policy amendments to facilitate for digital access to computers as well as providing for different tools that facilitated for the online and offline student.⁸ The similarities with South Africa are evident, as the digital divide, which was exacerbated by strict lockdown conditions preventing access to computers is a similar problem. The response by South African universities to address these issues included the provision of laptops and other devices. This also included the provision of data to allow for them to complete their assessment. This is another type of intervention that

1 Alvarez “The Phenomenon of Learning at a Distance Through Emergency Remote Teaching Amidst the Pandemic Crisis” 2020 *Asian Journal of Distance Education* 144.

2 As above 147–148.

3 As above 148.

4 As above 149.

5 As above.

6 As above 150.

7 As above 149–150.

8 As above 150.

has had a positive and meaningful impact. The creation of zero-rated platforms to submit assignments has also posed as useful mechanism to assist the student that does not have data for their assessments and are in a financial crisis.

Aras Bozkurt and Ramesh Sharma postulate several important aspects of emergency remote learning. The first distinction that is made is the use of terminology, that online learning or distance learning is different to emergency remote learning.⁹ The former was developed for many years; whereas the latter is where we find ourselves for a transient period of time. People are encouraged to vaccinate in the wake of normalisation as campuses open for face-to-face physical interaction, and the traditional teaching methodologies shall return.¹⁰ Bozkurt and Sharma emphasise that online learning tools, must not be used as the saving grace instead of teaching methodologies and pedagogies, as they must accompany each other hand in hand to facilitate for the learning experience of the student.¹¹ The authors stress the importance of the emotional support of the student, and that even if knowledge gained is almost forgotten, students remember how the learning experience made them feel – an aspect of reflection on the positivity or negativities about the University,¹² which may, in turn, affect future student enrolment.

Trust and Whalen elucidated that the pandemic has exposed that teachers and lecturers alike need additional technological skills and further required to be familiar with different types of experience in order to aid the student experience.¹³ The authors used a survey to determine whether the teachers and lecturers felt that they were prepared for the pedagogy of emergency remote learning.¹⁴ The majority of the responses indicated that the teachers and lecturers were overwhelmed by the online tools and were unprepared to navigate the training and skills for emergency remote learning.¹⁵ It surely was a reality that was felt by the lecturers in South Africa. This sentiment must have also been compounded by

9 Bozkurt and Sharma “Emergency Remote Teaching in a Time of Global Crisis due to Coronavirus Pandemic” 2020 *Asian Journal of Distance Education* 1.

10 As above 2.

11 As above 3.

12 As above 3.

13 Trust and Whalen “Should Teachers be Trained in Emergency Remote Teaching? Lessons Learned from the Covid-19 Pandemic” 2020 *Journal of Technology and Teacher Education* 189.

14 As above 191.

15 As above 191–192.

the uncertainties regarding Covid-19. There was a feeling of fear and repudiation as one navigated an unchartered educational shift.

Abdalellah Mohmmmed, Basim Khidhir, Abdul Nazeer and Vigil Vijayan define the phrase “emergency remote learning” as follows:

Emergency remote teaching is defined as a sudden interim shift of instructional delivery to an online delivery mode as result of an immense catastrophe, in contrary to the online courses which are initially planned and designed to be delivered.¹⁶

The catastrophe is the state of disaster that was declared by the government of South Africa, which provided that the online delivery mode was necessary to curb the spread of the virus. Minsun Shin and Kasey Hickey opine there is a need to dedicate more support to some students in the emergency remote learning mode.¹⁷ Their study conducted reveals that students are in crisis and need the extra care and attention to ensure they indeed study and complete their programmes.¹⁸ Some of the issues that the study exposed were “accessibility, digital divide, inequity, and mental/emotional/physical health that more female students experienced”.¹⁹ This is a common narrative that students in South Africa have experienced as well, a culmination of factors have made this difficult for a student to successfully navigate through it. It is necessary that students reward is emphasised for the output that they put into their studies.²⁰

7 4 Online teaching is the forefront of the industrial revolution

In the 4IR, technology is at the forefront of development and the future. However, there are many challenges that present themselves in this realm. Access to these technologies and connectivity issues being examples

16 Mohmmmed, Khidhir, Nazeer and Vijayan “Emergency Remote Teaching During Coronavirus Pandemic: The Current Trend and Future Directive at Middle East College Oman” 2020 *Innovative Infrastructure Solutions* 1, 2. See also Hodges *et al* “The Difference Between Emergency Remote Teaching and Online Learning” *Educause* 2020 <https://er.educause.edu/articles/2020/3/the-difference-between-emergency-remote-teaching-and-online-learning> (last accessed 2022-09-21).

17 Shin and Hickey “Needs a Little TLC: Examining College Students’ Emergency Remote Teaching and Learning Experiences During Covid-19” 2021 *Journal of Further and Higher Education* 973.

18 As above 973–974.

19 Shin and Hickey as above 973.

20 See also Baboolal-Frank “Emergency Remote Learning During the Pandemic from a South African Perspective” 2021 *International Journal for Educational Integrity* 1–9.

thereof. The more demand for a faster network and bandwidth, the more internet traffic, which slows the speed of the user's connection. The Department of Higher Education and Training (DHET) has the potential to ensure that internet access is cheaper by subsidising tertiary and secondary education.

7 5 Online tools to prevent plagiarism

There are universities that use different methods to curb cheating. Unisa used the Iris invigilation software programme – which is an interface that the student downloads through the Google Chrome browser. Iris needs to be downloaded onto a laptop or computer with a camera and sound; this means that speakers need to be functionally operational. The exam has integrated the Iris system. Iris software turns on your camera automatically and your sound, which simultaneously does the recording for the duration of the exam. If you do not look at your screen for long periods at a time or there are irregular sounds, you are flagged. The lecturer is able to tap into the recording to verify whether or not you are cheating. The other tool that Unisa uses is the invigilator application (app), which you can download on your cell phone. This app periodically asks you to take pictures of yourself (“selfies”), your student card and your surroundings to ensure that you do not have any assistance. The systems are not without their issues. There are glitches that occur, such as the Iris software not always activate and switch on. On some of these occasions the student would need to apply to write the aegrotat exam. It may also have its drawbacks from an administrative point of view as it requires constant vigilance in the sphere of checking the recordings of a significant number of students.

Randomise questions, have a timer for questions that close after a period. Have a pool of questions so that students receive different type of questions but maintaining the same standard, so that students are writing different questions that prevent collaboration, even if they take the test next to each other. The time factor prevents collaboration as well as constantly glancing at notes and lectures to figure the answer out. Inserting the reasons for true or false questions, prevent students from manipulating their answers to suit the most desired outcome.

7 6 Challenges faced by students caused by the pandemic

In these unprecedented times a number of deaths have been recorded *vis-a-vis* the information released by the government of South Africa. Notably in the first and second waves, there were backlogs for funeral parlours regarding burial ceremonies for the deceased that had succumbed to

Covid-19. Children and adults were losing both their relatives and loved ones due to Covid-19. The death of parents, loved ones, grandparents and friends hampered the studies of students, as they grappled with numerous losses and to acclimatise to what was happening in the current context and the world at large. It was difficult to unpack the fact that life was so fragile, and that every person began to know someone close that had lost the Covid-19 battle. Fear became the second virus, as people were scared to live or go outside or shop or to interact in fear that they would get Covid-19 and lose the battle.

7 6 1 Funding

Students that had bursaries that failed modules were at risk of losing their bursaries according to the NSFAS contractual conditions. There were delays in disbursement of bursaries covering fees as well as living allowances, which caused students undue stress and pressure; their livelihood was threatened as they could not financially support their families. The economic climate was not kind, as there was a wave of mass retrenchments that affected a significant number of families. Students have communicated in email correspondence there was pressure on the children to find part time work to help with the bills and education bills that needed to be paid. Some of the full-time students communicated by email that they have taken up daytime employment, and I find that they engage with their studies at night and email at midnight hours, querying the work or administrative aspects relating to the course.

7 6 2 Loadshedding

South Africa has an energy crisis. Loadshedding,²¹ has had devastating effects on the functioning of the country as a whole. Those who had the means to do so bought generators, worked in a public space with a generator (for instance in a shopping mall) with Wi-Fi and connection outlets. However, this was a privilege that some may not have enjoyed. The net effect meant that students did not always have a stable connection due to loadshedding, so one had to plan assessments around loadshedding. The pragmatic approach that I adopted was allowing the student to be accountable for their studies, by giving them a week to complete the assessment, in that way they could plan around their loadshedding schedule, part time work and ensuring that they had a stable and

21 Loadshedding is the deliberate shutdown of electric power in a part or parts of a power-distribution system, generally to prevent the failure of the entire system when the demand strains the capacity of the system. <https://www.dictionary.com/browse/loadshedding> (last accessed 2022-08-05).

uninterrupted connection to the internet, as they elected in the week when to sit for their timed assessment.

7 6 3 Access and poverty

A student in emergency remote learning is required to have a device either a tablet or a laptop that they can connect through a stable internet connection. UP provided data and zero-rated platforms for students to submit their assessments without any challenges. However, the economic climate, employment scenario and the crisis that we live in within the pandemic nearly obliterated the middle class overnight. This meant that more and more people live below minimum wage and in poverty. Poverty is not an unknown reality in the South African context. The situation was further exacerbated by the Covid-19 pandemic. There were food parcels being collated for students through various University endeavours such as the Faculty student advisor, where emails were sent to donate money and food, and arrangements would be made for access to the food parcels by the student advisor. These actions were taken because some students were hungry and could not concentrate due to various reasons not being able to feed themselves due to a financial crisis.

7 6 4 Lack of student support community

The traditional university setting facilitated student support that was fostered on campus through physical contact. The residences that students stayed in fostered a community and camaraderie among the students. During the lockdown in 2020, students had to leave their residences, and their community that they knew for a few months. This was a difficult period for many students, as going home to learn remotely was not an option. In 2021, students were allowed back in residence, however, residences cannot be over capacity in order to curb the spread of Covid-19. The first-year students have suffered the most, as this is their final year and they have not gotten to enjoy the community that is the face-to-face contact, making friends and lifelong partnerships with people of different social and culture backgrounds, that they have the same commonality of the attainment of their degree.

7 6 5 Depression, anxiety, mental issues

Nationally students reported that they are suffering with depression, anxiety, and mental issues due to not coping with the new normality that we find ourselves in.²² Lives are easily lost due to robbery and hijacking to

22 Viljoen (2020) "National Survey of Student Mental Health Launched" 2020-04-16

mention a few common causes of mortality.²³ Coupled with the existing crime is the pandemic and the necessary safety precautions that we need to take to protect each other, which we find that there are people that willingly put others in danger and expose them to the virus knowingly causes anxiety. Families, friends, loved ones and parents dying causes emotional disruptions and stagnates the studies as mental wellness is the priority for a student to be functional and excel in their studies. More support is needed for students, suffering from these medical conditions.

7.7 Conclusion and recommendations

The pandemic has changed all our lives. Teaching in the pandemic seemed like an impossible task until it was completed for two years and now, we find ourselves in the third year. There were discussions about contact sessions in structured groups, and to lecture to smaller groups to curb the spread of the virus. The virtual classroom was necessary and working towards contact sessions becomes an avenue for collaboration and meaningful active interaction and engagement, not simply the traditional teaching or lecturing or the sharing of knowledge. The lesson learnt is that we need to adapt to the constant change in the circumstances and the priority is the students and the way they feel emotionally and physically about their learning experience. We are no longer operating within the known paradigms of teaching but the pedagogy of learning through experience, collaboration, active participation is constantly changing.

The recommendations to address the challenges of the student cohort are as follows:

- Make more funding available to students who are detrimentally affected by the pandemic.
- Provide students with food stamps or vouchers for their weekly meals.
- Make counsellors and psychologists available for students who need support for their mental well-being.
- Create a safe space on campus for the student who does not have ideal conditions at home.
- Hold small weekly community meetings for students to foster the student community and allow students to feel and know that they are part of a bigger picture and not isolated and alone in their academic journey.

Stellenbosch University <https://www.sun.ac.za/english/Lists/news/DispForm.aspx?ID=7281> (last accessed 2022-01-10).

23 Ferreira and Koko “Latest Crime Statistics: Murder, Kidnapping and Commercial Crimes Increase” 2022-02-18 *Mail&Guardian* <https://mg.co.za/news/2022-02-18-latest-crime-statistics-murder-kidnapping-and-commercial-crimes-increase/> (last accessed 2022-08-05).

- Make tablets and computers easily accessible for students, whether on campus or remotely.
- Give students more access to campus when they are detrimentally affected by loadshedding.
- Create a mentor or “buddy” system, where mentors and students are partnered so that well-being can be monitored.

