

## Curriculum change management

### 4.1 Introduction

This book proposes a Curriculum Change Management Model (CCMM) to facilitate comprehensive LLB curriculum change at South African universities. Chapter 2 reported on the context in which the LLB CCMM was developed. The third chapter explored the concepts of curriculum and curriculum planning. This chapter deals with the nature of the draft principles (DPs) of a Draft LLB CMM that can potentially facilitate comprehensive LLB curriculum change at South African universities.

The chapter consists of four parts. In the first part I briefly describe strategic planning and its implications for curriculum change. Numerous studies<sup>1</sup> have indicated that Kotter's Change Management Model (CMM)<sup>2</sup> plays a crucial role in facilitating curriculum change, which is the focus of the second part of this chapter. In the third part I construct a conceptual framework for the study. I use this framework as the foundation for compiling the Draft LLB CCMM in the final part of

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- 1 See, eg, T Pfeifer, R Schmitt & T Voigt 'Managing change: Quality-oriented design of strategic change processes' (2005) 17 *The TQM Magazine* 63; Y Steinert and others 'Faculty development as an instrument of change: A case study on teaching professionalism' (2007) 82 *Academic Medicine* 1057; B de la Harpe & I Thomas 'Curriculum change in universities: Conditions that facilitate education for sustainable development' (2009) 3 *Journal of Education for Sustainable Development* 75; D Quinn and others 'Leading change: Applying change management approaches to engage students in blended learning' (2012) 28 *Australasian Journal of Educational Technology* 16; KP Beischel & DS Davis 'A time for change: QSENizing the curriculum' (2014) 39 *Nurse Educator* 65; KA Nitta and others 'Leading change of a school district reorganisation' (2014) 3 *Public Performance and Management Review* 465; MRC Haas and others 'Didactics revolution: Applying Kotter's 8-step change management model to residency didactics' (2020) 1 *Western Journal of Emergency Medicine* 65; E Aagaard 'Change leadership and crisis management: Curriculum transformation before, during, and after a pandemic' (2022) 132 *Transactions of the American Clinical and Climatological Association* 184; K Shigli and others 'Inclusion of gerodontology in dental curriculum: An urgent case for India' (2022) *Gerontology & Geriatrics Education* 1.
  - 2 JP Kotter *Leading change* (1996).

the chapter. This CCMM is the product of the insights gained from the literature reviews in chapters 2 to 4, and my experience and expertise in legal education and curriculum development.<sup>3</sup> The chapter ends with a brief description of the implications of the Draft LLB CCMM on the proposal of the Final LLB CCMM.

## 4.2 Strategic planning

Numerous researchers have reported on the critical role of strategic planning in curriculum change.<sup>4</sup> Given the importance of strategic planning and the fact that lawyers and law academics are often unfamiliar with strategic management, I regard it apposite to provide some insight into this business management concept in this part. Also, I aim to illustrate how curriculum change may be integrated into a strategic planning framework.

Strategic management theory dates back to the early 1900s when Taylor published *The principles of scientific management*.<sup>5</sup> Numerous strategic planning models are available, most of which originated from business models. I adopted the curriculum-centred strategic model of Dolence since it incorporates the best practices of formal strategic planning models, is curriculum-centred and provides for systematic strategic planning in higher education.<sup>6</sup> An adapted version of this model is presented in Figure 4.1.

This figure depicts the five interlocking stages of strategic planning, namely, (i) defining key performance indicators; (ii) considering the structure for a student-centred-curriculum framework; (iii) performing an external environmental scan; (iv) conducting continuous self-assessment of the micro-environment; and (v) developing, implementing and monitoring the strategic plan. It is clear from the figure that student-

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3 See part 1.3.

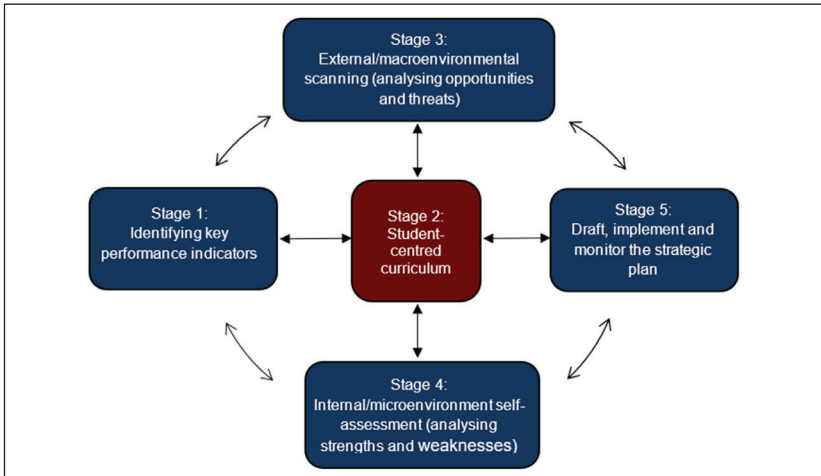
4 See, eg, MG Dolence 'The curriculum centred strategic planning model' (2004) 11 *Educause Centre for Applied Research Bulletin* 6; H Hubball and others 'Supporting the implementation of externally generated learning outcomes and learning-centred curriculum development: An integrated framework' in P Wolf & JC Hughes (eds) *New directions for higher education: Curriculum development in higher education: Faculty-driven processes and practices* (2007) 101; J McKimm & PK Jones 'Twelve tips for applying change models to curriculum design, development' (2018) 40 *Medical Teacher* 255.

5 FW Taylor *The principles of scientific management* (1911).

6 Dolence (n 4) 3.

centredness forms the core of strategic planning. Strategic planning is not a once-off or episodic exercise, but a continuous process that requires regular revision.

**Figure 4.1:** *The curriculum- and student-centred strategic planning model*



The key performance indicators in the first stage encompass a range of measures to monitor institutional or faculty performance.<sup>7</sup> In this regard, DP A2 of the Draft LLB CCMM in part 4.5.1 provides the following:

Staff members consider key performance indicators (for example, programme accreditation, student enrolment numbers, pass rates, throughput rates, graduation rates, student satisfaction scores, lecturer-to-student ratios, employment rates of graduates within six months from graduating and employer satisfaction ratings) when drafting the faculty's strategic plan and its curriculum change strategy.

The student-centred curriculum in stage 2 provides a structure for curriculum design.<sup>8</sup> I concluded in the previous chapter that the new LLB curriculum would be developed by adopting the 'curriculum as product' planning model.<sup>9</sup> According to this model, the desired learning outcomes, as described in part 3.4.1, stand at the centre of the three curriculum elements (teaching and learning, curriculum and

<sup>7</sup> Dolence (n 4) 4.

<sup>8</sup> As above.

<sup>9</sup> See part 3.3.1.

assessment) and comprise, in essence, the curriculum. A curriculum map or framework is then developed through a backward design approach that aims for constructive alignment and appropriate sequencing of the curriculum elements.<sup>10</sup>

The external or macro-environmental scanning process in stage three commences by dividing the external (macro) environment into the economic, political, socio-cultural, technological, geographic and social environments.<sup>11</sup> When planning or strategising for higher education curriculum change, information about these environments can, for example, be obtained from the requirements of accreditation bodies such as the Higher Education Qualification Committee (HEQC) mentioned in part 3.4.2, scientific and professional journals, non-professional literature and newspapers.<sup>12</sup> In addition, higher education institutions or faculties can undertake market and consumer analyses to gain more insight into the characteristics and expectations of the students it aims to attract and the employers of their graduates.<sup>13</sup> Being aware of external change drivers and agendas can assist in making the curriculum as 'future-proofed' as possible.<sup>14</sup> Based on the information obtained from the environmental scan, strategists need to identify opportunities that can be utilised for the faculty's benefit and threats that should be avoided or blocked.<sup>15</sup>

Self-study of the internal or micro-environment entails an assessment of the faculty's performance against programme accreditation standards; identified goals and objectives; physical, human and economic resources;<sup>16</sup> and the way in which the curriculum is delivered.<sup>17</sup> Although the analyses mentioned above can, to a large extent, be objectively assessed, one should also be mindful of the fundamental values and assumptions that appear not just below the surface, but at the core of the faculty. These fundamental values and assumptions or beliefs relate to

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10 See part 3.4.3.

11 McKimm & Jones (n 4) 523.

12 EJ Layman & R Bamberg 'Environmental scanning and the health care manager' (2005) 24 *The Health Care Manager* 200.

13 Dolence (n 4) 5; McKimm & Jones (n 4) 522.

14 McKimm & Jones (n 4) 521.

15 Dolence (n 4) 6.

16 As above.

17 McKimm & Jones (n 4) 522.

the hidden curriculum,<sup>18</sup> hidden power structures, rituals and routines.<sup>19</sup> Based on analyses in the fourth stage, strategists identify strengths that the faculty can build on to obtain maximum benefits and weaknesses that should be overcome and improved.<sup>20</sup>

The analysis of the emerging strengths (S), weaknesses, (W) opportunities (O) and threats (T) is known as a SWOT analysis.<sup>21</sup> Strategists use this analysis to assess organisational opportunities and threats within the external environment (Stage 3) and to explore strengths and weaknesses in the internal environment (Stage 4).<sup>22</sup> The analysis continues to be commonly used in both business and educational environments.<sup>23</sup> It is praised for its simplicity<sup>24</sup> and has become the most common approach used in strategic planning.<sup>25</sup>

The last stage encompasses the drafting, implementation and evaluation of the strategic plan. The strategic plan for a faculty usually includes the faculty's vision, mission, values, strategies, goals, objectives and implementation plan.<sup>26</sup> The vision and mission are two separate concepts that reflect different time frames.<sup>27</sup> The vision provides an 'idealistic projection' of the faculty in the indefinite future. However, it is neither a dream nor a fantasy. It should be 'imaginable, desirable, feasible, focused, flexible and communicable'.<sup>28</sup> Ultimately, the vision should indicate what the faculty may achieve.<sup>29</sup> The mission indicates

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18 See part 3.2.5.

19 McKimm & Jones (n 4) 522.

20 Dolence (n 4) 6.

21 KB Farris and others 'Assessment to transform competency-based curricula' (2009) 73 *American Journal of Pharmaceutical Education* 5.

22 See DP A3 in part 4.5.1.

23 FS Berry & B Wechsle 'State agencies' experience with strategic planning: Findings from a national survey' (1995) 55 *Public Administration Review* 159; S Ghazinoory, M Abdi & AM Mandana 'SWOT methodology: A state-of-the-art review for the past, a framework for the future' (2011) 12 *Journal of Business Economics and Management* 31.

24 B Phadermroda, RM Crowder & GB Wills 'Importance-performance analysis based SWOT analysis' (2019) 44 *International Journal of Information Management* 195.

25 Berry & Wechsle (n 23) 159; Ghazinoory and others (n 23) 25.

26 Dolence (n 4) 6.

27 C Brătianu & GV Bălănescu 'Vision, mission and corporate values. A comparative analysis of the top 50 US companies' (2008) 3 *Management and Marketing* (2008) 20.

28 Farris and others (n 21) 5.

29 Brătianu & Bălănescu (n 27) 22.

how the vision can be transformed into existence.<sup>30</sup> It represents the faculty's overarching purpose, its core ideology, what it stands for, the reasons for its existence,<sup>31</sup> and why a faculty is unique and different.<sup>32</sup> Corporate values can be included in the mission statement or in an independent statement.<sup>33</sup>

Once the vision and mission of a faculty have been developed, specific strategies must be designed to realise the aspirations set forth in the vision and mission statements. An example of a strategy that needs to be incorporated into the strategic plan of a faculty is a curriculum change strategy. Such a strategy forms the blueprint for changing, developing and implementing the curriculum.<sup>34</sup> It needs to identify the purpose and scope of the curriculum change.<sup>35</sup> In part 1.2 I differentiated between minor and comprehensive curriculum change strategies that faculties can adopt.

Dolence emphasised the importance of implementing the strategic plan.<sup>36</sup> He suggested that an implementation plan or schedule be drafted to guide the execution of strategies, such as the curriculum change strategy.<sup>37</sup> Stakeholders need to support and understand the strategic plan to ensure effective implementation.<sup>38</sup> Continuous consultation and communication are of utmost importance during each stage of the strategic planning process.<sup>39</sup> A range of strategic planning workshops can play a crucial role in this regard.<sup>40</sup>

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30 Brătianu & Bălănescu (n 27) 20.

31 McKimm & Jones (n 4) 521.

32 D Lumpkin, GT Lumpkin & AB Eisner *Strategic management: Text and cases* (2006) 29.

33 TJ Peters & RH Waterman *In search of excellence: Lessons from America's best run companies* (1995) 285.

34 McKimm & Jones (n 4) 521.

35 As above.

36 Dolence (n 4) 9.

Dolence (n 4) 10; MJB Kabeyi 'Organizational strategic planning, implementation and evaluation with analysis of challenges and benefits' (2019) 5 *International Journal of Applied Research* 31.

37 Dolence (n 4) 6.

Dolence (n 4) 10; Kabeyi (n 36) 31.

38 O Osunkunle & MJ Hadji 'The South African higher education strategic planning process: Compliance or shaping the future' (2020) 10 *African Journal of Development* 208. Also see DP A4 in part 4.5.1.

39 As above. Also see DP A1 in part 4.5.1.

40 JE Pregmark & RB Berggren 'Strategy workshops with wider participation: Trust as enabler' (2020) *Management Decision* 600.

Figure 4.1 illustrates that strategic planning is a complex and challenging process that should not be considered an event with a specific ending date. Therefore, the progress with the implementation of the strategic plan's objective, goals, strategies and plans should be regularly monitored.<sup>41</sup> The following part explains how Kotter's CMM<sup>42</sup> can be used to achieve the intended curriculum change strategy.

### 4.3 Kotter's Change Management Model

Kotter's eight-step process for successful large-scale change was for the first time published in an article in the *Harvard Business Review* in 1995.<sup>43</sup> The following year, his classic book entitled *Leading change* provided more insights into his model. He based his CMM on his business and research experience as a professor at Harvard University and his observations of over 100 businesses.<sup>44</sup>

The efficacy of the CMM of Kotter has been widely supported in the literature and acknowledged as an 'exemplar in the change management literature',<sup>45</sup> 'the definitive change model';<sup>46</sup> 'the mainstream wisdom in leading organizational change';<sup>47</sup> 'the most compelling formula for successful organizational change management'; the orthodoxy for change

41 Dolence (n 4) 9. Also see Kabeyi (n 36) 30 and DP A5 in part 4.5.1

42 Kotter (n 2) 62. Although a revised edition of this book was published in 2012, the book remained substantially the same. In the preface to the 2012 book, Kotter wrote: '[T]he material in this book is not only still relevant now, sixteen years after it was published, but I believe it is more relevant, and for one reason the speed of change continues to increase.'

43 Kotter (n 2).

44 These businesses included small businesses (Landmark Communications); large businesses (Ford Motor); USA companies (General Motors); foreign companies (British Airways); companies in crisis (Eastern Airlines); and also those performing well (Bristol-Myers Squibb).

45 AJ Mento, RM Jones & W Dirndorfer 'A change management process: Grounded in both theory and practice' (2002) 3 *Journal of Change Management* 45.

46 W Friesen 'Change management: A key to a successful future' (2016) *Business Credit* 42.

47 Nitta and others (n 1) 467.



leadership’;<sup>48</sup> ‘a key reference in the field of change management’;<sup>49</sup> and ‘the most quoted framework for enacting organizational change’.<sup>50</sup>

Kotter’s CMM has enjoyed ‘tremendous academic as well as practical success’.<sup>51</sup> A literature review revealed that researchers applied Kotter’s model, mostly with self-evaluated success, to manage change efforts in numerous fields. These changes were brought about in businesses and corporations,<sup>52</sup> public sector organisations,<sup>53</sup> healthcare organisations,<sup>54</sup> aerospace<sup>55</sup> and the military.<sup>56</sup>

Kotter’s CMM has also been used in basic education<sup>57</sup> and in the higher education context. Numerous research initiatives employed his

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- 48 TR By, M Hughes & J Ford ‘Change leadership: Oxymoron and myths’ (2016) 16 *Journal of Change Management* 11.
- 49 SH Appelbaum and others ‘Back to the future: Revisiting Kotter’s 1996 change model’ (2012) 31 *Journal of Management Development* 765.
- 50 R Amin & J Servey ‘Lessons of leading organizational change in quality and process improvement training’ (2018) 183 *Military Medicine* 249.
- 51 Appelbaum and others (n 49) 765.
- 52 DJ Paper, JA Rodger & PC Pendharkar ‘A BPR case study Honeywell’ (2001) 7 *Business Process Management Journal* 85; M Joffe & S Glynn ‘Facilitating change and empowering employees’ (2002) 2 *Journal of Change Management* 369; K Lintukangas, S Peltola & V Virolainen ‘Some issues of supply management integration’ (2009) 15 *Journal of Purchasing and Supply Management* 240; S Ansari & J Bell ‘Five easy pieces: A case study of cost management as organizational change’ (2009) 5 *Journal of Accounting and Organizational Change* 139; BJ Hurn ‘Management of change in a multinational company’ (2012) 44 *Industrial and Commercial Training* 41; J Pollack & R Pollack ‘Using Kotter’s eight stage process to manage an organisational change programme: Presentation and practice’ (2015) 28 *Systemic Practice and Action Research* 54.
- 53 KL Wright & JA Thompson ‘Building’ (1997) 9 *The Total Quality Management Magazine* 36; D Bamford & S Daniel ‘A case study of change management effectiveness within the NHS’ (2005) 5 *Journal of Change Management* 391; B Gammelgaard ‘The emergence of city logistics: The case of Copenhagen’s Citylogistik-kbh’ (2015) 45 *International Journal of Physical Distribution and Logistics Management* 333.
- 54 J Auguste ‘Applying Kotter’s 8-step process for leading change to the digital transformation of an orthopaedic surgical practice group in Toronto, Canada’ (2013) 4 *Journal of Health and Medical Informatics* 1; J Morrison ‘Nursing leadership in ACO payment reform’ (2016) 34 *Nursing Economics* 230; A Mørk and others ‘Using Kotter’s change framework to implement and sustain multiple complementary ICU initiatives’ (2018) 33 *Journal of Nursing Care Quality* 38; AB Townsend, M Valle-Ortiz & T Sansweet ‘A successful ED fall risk program using the KINDER 1’ (2016) 42 *Journal of Emergency Nursing* 492.
- 55 M Day & DJ Atkinson ‘Large-scale transitional procurement change in the aerospace industry’ (2004) 10 *Journal of Purchasing and Supply Management* 257.
- 56 Amin & Servey (n 50) 249.
- 57 K Barcelona ‘21st century curriculum change initiative: A focus on STEM education as an integrated approach to teaching and learning’ (2014) 10 *American Journal of Educational Research* 862; Nitta and others (n 1) 467.



CMM to bring about changes that relate to higher education corporate culture, teaching and learning and curriculum development. Concerning corporate culture, Kotter's CMM, for example, was used to improve the organisational culture and climate in a school of nursing,<sup>58</sup> encourage the engagement and participation of faculty members in activities to attain accreditation,<sup>59</sup> plan a university campus sustainability programme, and transform a university's library and support services.<sup>60</sup> Examples of research initiatives that applied Kotter's CMM to bring about teaching, learning and assessment changes include implementing a new student evaluation teaching system, changing a dental school's clinical assessment system,<sup>61</sup> and engaging students in blended learning.<sup>62</sup> Numerous researchers have also applied Kotter's model to institute higher education curriculum change.<sup>63</sup> For example, his CMM was used for curriculum change management during the COVID-19 pandemic;<sup>64</sup> to improve the residency didactic curriculum of a four-year emergency medicine programme;<sup>65</sup> to change the curriculum at medical schools;<sup>66</sup> to investigate the conditions that underpin curriculum changes;<sup>67</sup> and

58 P Springer and others 'Using transformational change to improve organizational culture and climate in a school of nursing' (2012) 51 *The Journal of Nursing Education* 81.

59 MF Calegari, RE Sibley & ME Turner 'A roadmap for using Kotter's organizational change model to build faculty engagement in accreditation' (2015) 19 *Academy of Educational Leadership Journal* 31.

60 PE Sidorko 'Transforming library and higher education support services: Can change models help?' (2005) 29 *Library Management* 307.

61 WZ Guzmán and others 'Transformation of a dental school's clinical assessment system through Kotter's eight-step change process' (2011) 75 *Journal of Dental Education* 485.

62 Quinn and others (n 1) 627.

63 MRC Haas 'Didactics revolution: Applying Kotter's 8-step change management model to residency didactics' (2020) 21 *Western Journal of Emergency Medicine* 63.

64 DCP Leong 'Curriculum change management amidst pandemic crisis: Comparative study of academic leadership in quantity surveying program' (2022) 7 *Malaysian Journal of Social Sciences and Humanities* 1.

65 (n 63) 65.

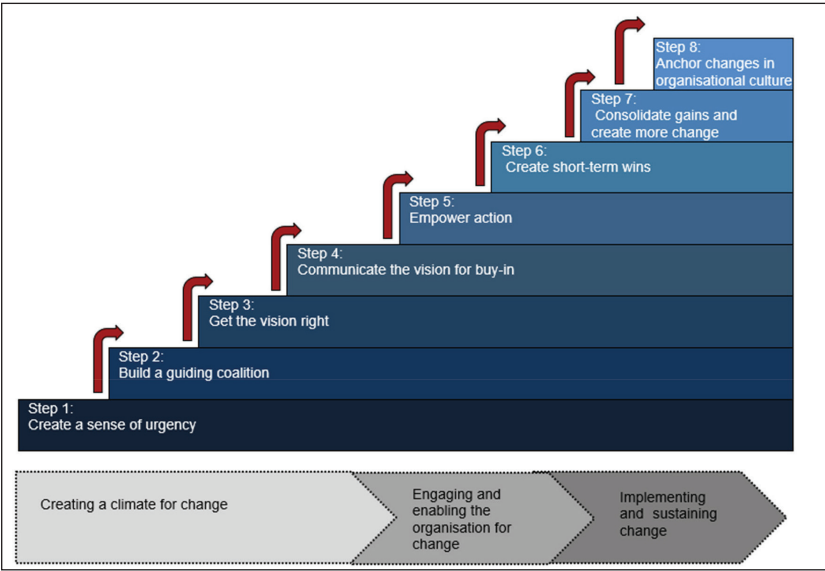
66 Steinert and others (n 1); Aagaard (n 1) 184; L Graves and others 'Creating change: Kotter's change management model in action' (2023) 14 *Canadian Medical Education Journal* 136.

67 De la Harpe & Thomas (n 1) 75.

to effect change in undergraduate dental,<sup>68</sup> nursing curricula<sup>69</sup> and pharmacy curricula.<sup>70</sup>

Figure 4.2 depicts the eight steps of Kotter’s CMM. These steps can be grouped into three main categories: (i) creating a climate for change (steps 1 to 4); (ii) engaging and enabling the organisation for change (steps 5 to 7); and (iii) implementing and sustaining change (steps 7 and 8).<sup>71</sup>

**Figure 4.2:** *Kotter’s eight-step CMM for successful large-scale change*



68 P Kadagad and others 'Restructuring an undergraduate dental curriculum to global standards – A case study in an Indian dental school' (2012) 16 *European Journal of Dental Education* 63; Shigli and others (n 1) 627.

69 Beischel & Davis (n 1) 627.

70 J Lemay & P Moreau 'Managing a curriculum innovation process' (2020) 8 *Pharmacy* 153.

71 JP Kotter & DS Cohen *The heart of change: Real-life stories of how people change their organizations* (2005) 3.

Researchers have described Kotter's CMM as 'structured linear steps',<sup>72</sup> 'a linear progression'<sup>73</sup> and a 'sequential procedure'.<sup>74</sup> Kotter emphasised that every step needs to be carried out, since each provides a solid foundation for the next step. However, Kotter and Cohen acknowledged that there could be some overlap among the eight steps.<sup>75</sup> For example, overlap can occur between steps 1 and 2 (a guiding coalition can be set up while creating a sense of urgency among employees with a low complacency level), steps 4 and 5 (the vision can be communicated to employees while they are also empowered for the change), and steps 5 and 6 (obstacles can be removed while planning the short-term wins and milestones). Although Kotter acknowledged that several of the steps could occur simultaneously and continuously, he cautioned that skipping a single step, progressing too far ahead or following another order could result in problems. For example, one cannot empower a person who does not feel an urgency to change.<sup>76</sup> Such occurrences could give way to a change process that is perceived as unnatural, mechanistic or forced. Furthermore, it could prevent the creation of sufficient momentum to overcome a powerful unwillingness to change.<sup>77</sup>

In the following parts I elaborate on each of the eight steps of Kotter's CMM as it applies to LLB curriculum change in SA.

#### 4.3.1 Step 1: Create a sense of urgency

The first step of the CMM, creating a sense of urgency is a crucial driver for change.<sup>78</sup> Although this step arguably is the most important,<sup>79</sup> it seems to be the most challenging and misunderstood step in Kotter's CMM.<sup>80</sup>

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72 Day & Atkinson (n 55) 265.

73 Nitta and others (n 1) 483.

74 Pfeifer and others (n 1) 63.

75 Kotter & Cohen (n 71) 58.

76 Kotter (n 2) 23.

77 Kotter (n 2) 25.

78 Kotter (n 2) 36.

79 HM Kamara 'Military transformation: Applying the Kotter eight-step methodology for change in the US armed services' (2018) 91 *Joint Force Quarterly* 75.

80 JP Kotter 'Leading change: It all starts with urgency' (2013) 30 *Leadership Excellence* 6.

In addition to leaders and managers creating a sense of urgency, Kotter recommended recruiting external consultants to assist with this task.<sup>81</sup> However, he cautioned that external consultants were mostly ineffective in creating a sense of urgency. They tend to be very analytical but often neglect the side of the brain that deals with emotions.<sup>82</sup> By the same token, Ansari and Bell found that the experience and culture of an organisation are usually much more powerful than a sense of urgency created by an external change agent.<sup>83</sup> Consequently, the Draft LLB CCMM proposes that the dean and curriculum change leader create a sense of urgency to change the LLB curriculum.<sup>84</sup>

Frequent and effective communication is crucial for creating a sense of urgency for change. A study conducted by Jansen on the influence of a range of change-related events and social processes on momentum during the early stages of organisational change confirmed Kotter's viewpoint by stating that 'the more news relevant to the focal change, the better'.<sup>85</sup>

Although Kotter did not refer to specific actions that can be taken to create a sense of urgency for curriculum change, research has suggested that leaders use both internal and external evaluations or reviews to support curriculum change initiatives. Internal evaluations of the curriculum could be performed among academics,<sup>86</sup> students,<sup>87</sup> graduates,<sup>88</sup> employers<sup>89</sup> and curriculum change committees.<sup>90</sup> It is also advisable to share information regarding external reviews by higher

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81 Kotter (n 2) 44.

82 JP Kotter 'Developing a change-friendly culture' (2008) 48 *Executive Forum* 35.

83 Ansari & Bell (n 52) 158.

84 See DP B1 in part 4.5.2.

85 KJ Jansen 'From persistence to pursuit: A longitudinal examination of momentum during the early stages of strategic change' (2004) 15 *Organization Science* 292.

86 MH Davis & RM Harden 'Planning and implementing an undergraduate medical curriculum: The lessons learned' (2003) 25 *Medical Teacher* 597; H Hubball & H Burt 'An integrated approach to developing and implementing learning-centred curricula' (2004) 9 *International Journal for Academic Development* 58; C Spiel, B Schober & R Reimann 'Evaluation of curricula in higher education: Challenges for evaluators' (2006) 30 *Evaluation Review* 439; JA Kitzes and others 'Fitting it all in: Integration of 12 cross-cutting themes into a school of medicine curriculum' (2007) 29 *Medical Teacher* 439; S Sturm & L Guinier 'The law school matrix: Reforming legal education in a culture of competition and conformity' (2007) 60 *Vanderbilt Law Review* 550.

87 Hubball & Burt (n 86) 58; Spiel and others (n 86) 439; Kitzes and others (n 86) 440; Sturm & Guinier (n 86) 550.

88 Spiel and others (n 86) 439.

89 As above; Sturm & Guinier (n 86) 550.

90 Kitzes and others (n 86) 439.

education quality assurance bodies, professional bodies<sup>91</sup> and new accreditation standards<sup>92</sup> with staff members. For example, Hubball and others found that accreditation self-evaluation is the most significant factor influencing curriculum change.<sup>93</sup>

In line with the abovementioned studies, the Draft LLB CCMM suggests that the dean and curriculum change leader provide compelling evidence of why and how the LLB curriculum has to change.<sup>94</sup> For this purpose, the curriculum change leader should share with academics feedback regarding group discussions with role players,<sup>95</sup> institutional reviews<sup>96</sup> and accreditation reviews.<sup>97</sup> In the context of this study, academics should also be familiarised with the prescriptions of the LLB Qualification Standard.<sup>98</sup>

Using information or data from radio, news, television, newspapers, and magazines can contribute towards creating a sense of urgency due to the impression of objectivity they portray.<sup>99</sup>

The first step creates the force that will drive subsequent steps.<sup>100</sup> If the urgency level is low, the change process will not gain momentum; it will be impossible to convince others to spend time creating a vision for change, and people will withhold their cooperation from the process.<sup>101</sup> Klement, Paulsen & Wineski suggest that it takes about a year to reach an agreement that curriculum change is required among all the parties

91 Davis & Harden (n 86); Kitzes and others (n 86) 438; Sturm & Guinier (n 86) 438.

92 AL McCann, WJ Babler & PA Cohen 'Lessons learned from the competency-based curriculum initiative at Baylor College of Dentistry' (1998) 62 *Journal of Dental Education* 197; JE des Marchais & G Bordage 'Sustaining curricular change at Sherbrooke through external, formative programme evaluations' (1998) 73 *Academic Medicine: Journal of the Association of American Medical Colleges* 494; Hubball & Burt (n 86) 58; Kitzes and others (n 86) 438.

93 Hubball and others (n 4) 101.

94 See DP B6 in part 4.5.2.

95 See DP B3 in part 4.5.2.

96 See DP B4 in part 4.5.2.

97 See DP B5 in part 4.5.2.

98 See DP B18 in part 4.5.2.

99 AA Armenakis, SG Harris & KW Mossholder 'Creating readiness for organizational change' (1993) 46 *Human Relations* 681. Also see DP B2 in part 4.5.2.

100 Kamara (n 79) 75.

101 Kotter (n 2) 36.

in a faculty.<sup>102</sup> It requires leadership to take bold actions and provide evidence that change is necessary.<sup>103</sup>

A key implementation challenge that leaders must address is removing barriers to change.<sup>104</sup> Research suggests that higher education academics, due to the culture of higher education, are far more likely to resist change when compared to people in other sectors.<sup>105</sup> Therefore, the Draft LLB CCMM in part 4.5.3 proposes that the curriculum change leader must continuously and effectively manage barriers or opposition to curriculum change.<sup>106</sup>

I have identified six triggers for resistance to curriculum change from the literature: (i) academics are unaware of potential weaknesses or problems in the existing curriculum;<sup>107</sup> (ii) academics are complacent about the current curriculum;<sup>108</sup> (iii) academics argue that curriculum change is too costly in terms of time, money and resources;<sup>109</sup> (iv) academics perceive curriculum change as an infringement of their academic freedom;<sup>110</sup> (v) academics may think that they will lose something due to the change;<sup>111</sup> (vi) two or more camps of academics engage in an 'under the surface' power struggle;<sup>112</sup> and there is a lack of trust in the curriculum change leader.

Creating a sense of urgency is critical in gaining the cooperation of others.<sup>113</sup> Kotter emphasised that a single person will not be able

102 B Klement, DF Paulsen & L Wineski 'Anatomy as the backbone of an integrated first year medical curriculum: Design and implementation' (2011) 4 *Anatomical Sciences Education* 158.

103 Kotter (n 2) 42-44.

104 Kotter & Cohen (n 71) 21.

105 N Chandler 'Braced for turbulence: Understanding and managing resistance to change in the higher education sector' (2013) 3 *Management* 243.

106 See DP C5 in part 4.5.2.

107 FC Lunenburg 'Forces for and resistance to organizational change' (2010) 27 *National Forum of Educational Administration and Supervision Journal* 5.

108 DP Sklar 'Implementing curriculum change: Choosing strategies, overcoming resistance, and embracing values' (2018) 93 *Academic Medicine* 1418.

109 As above.

110 A Sapir & A Oliver 'Loose coupling, conflict, and resistance: The case of IPR policy conflict in an Israeli university' (2017) 73 *Higher Education* (2017) 722; JD Aberbach & T Christensen 'Academic autonomy and freedom under pressure: Severely limited, or alive and kicking?' (2018) 18 *Public Organisation Review* 487.

111 C Schriener and others 'Collaboration of nursing faculty and college administration in creating organizational change' (2010) 30 *Administrative Change* 381.

112 JP Kotter & LA Schlesinger 'Choosing strategies for change' (2008) 86 *Harvard Business Review* 132.

113 Kotter (n 2) 36; JP Kotter 'Shared urgency' (2008) 25 *Leadership Excellence* 3.

to accomplish change, regardless of what a great leader that person is.<sup>114</sup> Consequently, a guiding coalition to direct the change needs to be established as soon as possible in the change process.<sup>115</sup> A guiding coalition, as described below, can play a significant role in removing barriers to change.

#### 4.3.2 Step 2: Build a guiding coalition

Authors suggest the establishment of a guiding coalition or curriculum change committee as soon as possible to drive the curriculum change process.<sup>116</sup> The curriculum change committee should be broadly representative of the department or faculty undertaking the curriculum change.<sup>117</sup> Ideally, membership of this committee should include the dean, heads of department, module leaders, high-profile lecturers and a group of faculty innovators.<sup>118</sup> Detractors and opponents can also be included, since their exclusion could lead to confrontation at a later stage.

Some of the key implementation challenges during this step are appointing the right change leader and members of the guiding coalition, keeping the coalition focused, having the members internalise the true nature of the change, and creating an environment for candid, short and heartfelt communication.<sup>119</sup>

The faculty needs to appoint a curriculum change leader to head the curriculum change committee as soon as possible in the curriculum

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114 Kotter (n 2) 51.

115 Kotter (n 2) 57, 62. Also see Farris and others (n 21) 4; Guzmán and others (n 61) 487; Calegari and others (n 59) 36-37; PM Dwyer 'Transforming a core curriculum – and minimising the battle scars' (2017) 103 *Liberal Education* 48; DK Wentworth, SJ Behson & CL Kelley 'Implementing a new student evaluation of teaching system using the Kotter change model' (2020) 45 *Studies in Higher Education* 514; Shigli and others (n 1) 6-7.

116 Hubball and others (n 4) 99; SL Oliver & E Hyun 'Comprehensive curriculum reform in higher education: Collaborative engagement of faculty and administrators' (2011) 2 *Journal of Case Studies in Education* 1; P McLeod & Y Steinert 'Twelve tips for curriculum renewal' (2015) 37 *Medical Teacher* 233. Also see DP B7 in part 4.5.2.

117 Hubball and others (n 4) 99; Oliver & Hyun (n 116) 1; McLeod & Steinert (n 116) 233.

118 Farris and others (n 21) 4; D Dawson, J Mighty & J Britnell 'Moving from the periphery to the centre of the academy: Faculty developers as leaders of change' (2010) 74; McLeod & Steinert (n 116) 233.

119 Kotter & Cohen (n 71) 28, 44-45, 56, 78, 135, 155.



change process.<sup>120</sup> Preferably, the leader should be a senior academic in a key post, such as the vice-dean of academics.<sup>121</sup> The curriculum change leader should display leadership skills and a style that includes coaching, directing, supporting and delegating.<sup>122</sup> Also, the leader must display sufficient curriculum change knowledge.<sup>123</sup>

A shared vision, responsibility, collaboration and a sense of community and connectedness within the curriculum change committee are critical to any faculty's curriculum change effort.<sup>124</sup> The curriculum change committee requires people who do not usually work together to work interdependently and perform non-routine activities in uncertain circumstances.<sup>125</sup> Therefore, the curriculum change leader should manage group dynamics effectively.<sup>126</sup>

Kotter emphasised that a coalition can only maintain momentum and function well as a team if it is built on trust.<sup>127</sup> Research has confirmed the importance of committee members' trust in the change leader, an issue of particular importance in higher education.<sup>128</sup> The curriculum leader should continuously be aware of a lack of trust that could hinder the change process. Kotter and Schlesinger cautioned that very few organisations are characterised by high levels of trust between employees and managers.<sup>129</sup> Consequently, employees often think that managers have a hidden agenda when it comes to change and that the change will cost them more than the benefits that would accrue to them.<sup>130</sup> Especially academics in higher education tend to feel that

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120 Oliver & Hyun (n 54) 6.

121 McLeod & Steinert (n 116) 233.

122 Lemay & Moreau (n 70) 4. Also see DP B8 in part 4.5.2.

123 S Murray 'The challenges of designing a common, standards-based curriculum for all South Africa's languages' (2012) 28 *Per Linguam: A Journal of Language Learning* 91. Also see DP B9 in part 4.5.2.

124 Oliver & Hyun (n 116) 13-14.

125 McKimm & Jones (n 4) 523-524.

126 K Pyhältö, J Pietarinen & T Soini 'Dynamic and shared sense-making in large-scale curriculum reform in school districts' (2018) 29 *Curriculum Journal* 197. Also see DP B10 in part 4.5.2.

127 Kotter (n 2) 65; Kotter & Cohen (n 71) 50.

128 CA Yue, LR Men & MA Ferguson 'Bridging transformational leadership, transparent communication, and employee openness to change: The mediating role of trust' (2019) 45 *Public Relations Review* 10; Pregmark & Berggren (n 40) 597-599. Also see DP B11 in part 4.5.2.

129 Kotter & Schlesinger (n 112) 131.

130 Kotter & Schlesinger (n 112) 132.

change has been forced on them and seek solace in other colleagues.<sup>131</sup> It causes some staff members to unite as a team against the shared 'enemy', the change leader.

Pregmark and Berggren found that change leaders can enhance trust by motivating members to voice their ideas and opinions openly and for the change leader to listen and reflect truthfully.<sup>132</sup> A safe space for discussion must be created. One or more off-site retreats usually play an essential role in developing communication and trust among members.<sup>133</sup> The curriculum change leader must have an honest and transparent intent to get members' input to questions.<sup>134</sup> Members may feel manipulated, and their trust undermined if a decision was made before the members' inputs were requested. Important decisions concerning curriculum development need to serve at the curriculum change committee and faculty board for approval before the changes are submitted to the senate or accreditation body for final endorsement.<sup>135</sup>

A inadequate meeting structure can hurt teamwork.<sup>136</sup> For example, members should know what will be discussed and how their ideas will be collected and presented.<sup>137</sup> An agenda for discussion plays a significant role in this regard.

Staff members must know where they fit into the curriculum change process, what they should do, and when the activities should be completed.<sup>138</sup> These aspects require the curriculum change leader to perform a critical path analysis and develop an implementation plan for the curriculum change strategy that was drafted in the last stage of the strategic planning process.<sup>139</sup> This plan must identify the stages of the curriculum change, the sequence of the stages, activities that depend on one another, people who will be involved in the different activities and the timeframes for the various stages.<sup>140</sup>

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131 Chandler (n 105) 249.

132 Pregmark & Berggren (n 40) 597.

133 Kotter (n 2) 65; Kotter & Cohen (n 71) 63; Farris and others (n 21) 5.

134 Pregmark & Berggren (n 40) 666.

135 AS Malik & RH Malik 'Twelve tips for developing an integrated curriculum' (2011) 33 *Medical Teacher* 100.

136 Kotter (n 2) 65; Kotter & Cohen (n 71) 66.

137 Pregmark & Berggren (n 40) 598.

138 McLeod & Steinert (n 116) 233. Also see DPs B12 to B14 in part 4.5.2.

139 See part 4.2.

140 McLeod & Steinert (n 116) 233.

A curriculum change committee requires a clear direction and purpose. The vision for change created in the third step of Kotter's CMM plays a significant role in this regard.

### 4.3.3 Step 3: Get the vision right

One of the first tasks the guiding coalition must perform is developing a vision for the change.<sup>141</sup> The importance of developing a vision for change is well supported in change management literature and research.<sup>142</sup> The primary implementation challenge during this step is to communicate the vision for change to followers in a motivating and straightforward manner.<sup>143</sup>

The first draft of the vision is usually somewhat blurry and the product of an individual's experiences, dreams and values.<sup>144</sup> Over a period that could take several months, the guiding team, through analytical thinking and open discussions, needs to modify the proposed vision and develop sensible strategies for achieving the vision.<sup>145</sup> The proposed change can be uncomfortable and painful for some members, while others may experience it as a refreshing experience.<sup>146</sup> Getting the vision for change right intersects with the last stage of the strategic planning process. The last stage deals with drafting the curriculum change strategy, which forms the blueprint for changing, developing and implementing the curriculum. I omitted this step of Kotter's CMM in the Draft LLB CCMM since the strategic plan of a faculty ideally should provide for getting the vision for curriculum change right. The Final LLB CCMM in chapter 6 provides for faculties whose strategic planning was recently reviewed to change only their curriculum change objectives and strategies in their strategic plans before commencing with the first step of the curriculum change management process.

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141 Kotter (n 2) 79.

142 De la Harpe & Thomas (note 1) 83; Kamara (n 79) 75.

143 Kotter & Cohen (n 71) 68-69.

144 Kotter (n 2) 79.

145 As above.

146 Sidorko (n 60) 310.

#### 4.3.4 Step 4: Communicate the vision for buy-in

Organisational change cannot take place in a vacuum. Consequently, to raise staff members' levels of understanding and obtain their commitment, Kotter emphasised the importance of effectively communicating the vision and conveying how it will be achieved.<sup>147</sup> Kotter and Cohen identified seven critical elements for communicating the vision for buy-in.<sup>148</sup> These elements build on communication as part of executing the curriculum change strategy described in part 4.2 and are also applicable to curriculum change.

First, communication should be simple, concise and clear.<sup>149</sup> Using 'jargon and technobabble' should be limited, since it can alienate and make some people feel confused. Staff members need to understand the reasons for the curriculum change, where they fit into the curriculum change process, the progress that has been made with the change process, the new curriculum structure, and the effects that the new curriculum will have on their activities.<sup>150</sup>

Second, Kotter supported the notion that 'a verbal picture is worth a thousand words'.<sup>151</sup> Accordingly, metaphors, analogies and examples can be used to portray change initiatives. For example, from a curriculum change perspective, the 'Curricular Spider Web' metaphor can assist staff members in addressing ten interconnected issues related to curriculum change.<sup>152</sup> Other metaphors used to describe curriculum change include weaving a tapestry<sup>153</sup> and making a quilt.<sup>154</sup>

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147 Kotter (n 2) 79.

148 Kotter & Cohen (n 71) 104-105.

149 Kotter (n 2) 90-91. Also see Pfeifer and others (n 1) 302. Also see McKimm & Jones (n 4) 524.

150 Kotter (n 2) 90-91.

151 Kotter (n 2) 90. Also see MA Roberto & LC Levesque 'The art of making change initiatives stick' (2005) 40 *MIT Sloan Management Review* 56.

152 A Handelzalts, N Nieveen & J van den Akker 'Teacher design teams for school-wide curriculum development: Reflections on an early study' in J Pieters, J Voogt & NP Roblin (eds) *Collaborative curriculum design for sustainable innovation and teacher learning* (2019) 60.

153 SE Simon 'The weaving of a tapestry: A metaphor for teacher education curriculum development' (2013) 38 *The Australian Journal of Teacher Education* 73.

154 LF Ettlinger & E Hoffman 'Quilt making in art education: Toward a participatory curriculum metaphor' (1990) 43 *Art Education* 40.

Third, leaders and managers are advised to use multiple fora for communication.<sup>155</sup> In this regard, the curriculum change leader can use faculty meetings, faculty retreats, town hall meetings,<sup>156</sup> notice boards, emails, websites and intranet displays to continuously inform staff members of the curriculum change and progress made.<sup>157</sup>

Kotter claims that our brains are so cluttered that a single idea usually competes with a hundred others. Consequently, the fourth critical element requires leaders and managers to ‘repeat, repeat, repeat’ the message as often as possible so the vision can sink in deeply.<sup>158</sup>

The fifth critical communication element encourages leaders to ‘walk the talk’ by showing commitment to the vision through their behaviour.<sup>159</sup> Curriculum scholars referred to this as ‘leadership by example’<sup>160</sup> or ‘role modelling’.<sup>161</sup> It implies that curriculum leaders should act as role models for planning and implementing curriculum change.

The sixth critical element advises leaders and managers to explain seeming inconsistencies to employees, since it can undermine other communication efforts. Honest, open and straightforward discussions about apparent inconsistencies can enhance credibility and trust among staff members.<sup>162</sup>

The last critical element emphasises the importance of two-way communication.<sup>163</sup> Kotter cautions the leader not to assume that people have bought into a change initiative when they have not.<sup>164</sup> Staff members should be encouraged to argue, challenge and raise questions about the vision for change.<sup>165</sup> They need to feel that their expertise and views are

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155 Kotter (n 2) 93-94; JP Kotter ‘Sense of urgency’ (2008) 25 *Leadership Excellence* 10.

156 Town hall meetings are discussion forums where academics, administrative members of staff, students and professionals discuss curriculum issues.

157 Hubball and others (n 4) 93.

158 Kotter (n 2) 94. Also see Pfeifer and others (n 1) 302; De la Harpe & Thomas (n 1) 77.

159 Kotter (n 2) 98-99.

160 Farris and others (n 21) 5.

161 Guzmán and others (n 61) 489.

162 Kotter (n 2) 99.

163 Kotter (n 2) 90, 99.

164 Kotter (n 2) 99.

165 As above.

valued.<sup>166</sup> Effective two-way communication will ultimately enhance staff members' trust in the change process.<sup>167</sup>

The role of communication is emphasised in every step of Kotter's CMM. Also, curriculum scholars have underlined the importance of communication throughout the curriculum change process.<sup>168</sup> Similarly, Kotter and Cohen added communication to each of the eight steps of Kotter's CMM.<sup>169</sup> Consequently, I have decided to remove Kotter's fourth step in the conceptual framework for LLB change in part 4.4 and the Draft LLB CCMM in part 4.5. Instead, I added communication as a change management function that needs to be carried out throughout the change management process.<sup>170</sup>

#### 4.3.5 Step 5: Empower action

Staff members should be empowered for change<sup>171</sup> and must believe that change is possible.<sup>172</sup> Curriculum training can equip staff members with the skills and expertise required for curriculum change.<sup>173</sup> Academics may experience difficulty in understanding educational concepts and terms.<sup>174</sup> In a South African context, National Qualifications Framework (NQF) jargon such as 'learning outcomes', 'specific outcomes', 'objectives', 'constructive alignment' and 'assessment criteria' can lead to confusion and misunderstandings that could cloud the discussions

166 S Honkimäki and others 'University-wide, top-down curriculum reform at a Finnish university: Perceptions of the academic staff' (2021) *European Journal of Higher Education* 1.

167 Pregmark & Berggren (n 40) 597.

168 De la Harpe & Thomas (n 1) 83; Calegari and others (n 59) 38; Dwyer (n 115) 49; Klement and others (n 102) 66; A Alkahtani 'Curriculum change management and workload' (2017) 20 *Improving Schools* 2; McKimm & Jones (n 4) 524; J Voogt, J Pieters & NP Roblin 'Collaborative curriculum design in teacher teams: Foundations' in J Pieters, J Voogt & NP Roblin (eds) *Collaborative curriculum design for sustainable innovation and teacher learning* (2019) 8-9.

169 Kotter & Cohen (n 71) 28, 56, 78, 135, 155, 181, 201.

170 DPs C1 to C3 of the Draft LLB CCMM in part 4.5.2 encapsulate the six elements of Kotter's model for communicating the vision for buy-in.

171 Kotter (n 2) 108. Also see DP B15 in part 4.5.2.

172 See DPs B16 in part 4.5.2.

173 McKimm & Jones (n 4) 524; A Chowthi-Williams, J Curzio & S Lerman 'Evaluation of how a curriculum change in nurse education was managed through the application of a business change management model: A qualitative case study' (2016) 36 *Nurse Education Today* 134.

174 McLeod & Steinert (n 116) 234.

between academics and curriculum developers.<sup>175</sup> Consequently, academics should be familiarised with the theoretical underpinnings of curriculum design.<sup>176</sup> Staff members should also be familiar with the LLB Qualification Standard,<sup>177</sup> the graduate attributes it requires to be developed,<sup>178</sup> and the curriculum imperatives that the LLB curriculum should address.<sup>179</sup> Curriculum scholars concur that a critical review of teaching methods, assessment methods and practices, learning resources and educational strategies may lead to training and development needs among staff members.<sup>180</sup>

As explained in part 3.4.1, drafting learning outcomes can be daunting for academics. Consequently, staff members should be trained to write meaningful learning outcomes.<sup>181</sup> Furthermore, academics should be assisted in this task,<sup>182</sup> while the LLB learning outcomes of other South African universities can provide guidance when drafting the outcomes.<sup>183</sup>

Scholars support showcasing and highlighting the work of faculty innovators to convince and eventually capacitate other staff members to implement similar teaching, learning and assessment innovations in their modules.<sup>184</sup> The innovations of these role models should be presented in a way that is not overwhelming or perceived as bragging.<sup>185</sup> More staff members will engage if confronted with evidence that the innovations bear fruit.

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175 S McKenna *Teaching and learning in South African higher education reviewed: Two decades of democracy* (2016) 158.

176 See DP B17 in part 4.5.2.

177 See DP B18 in part 4.5.2.

178 See part 2.3.2 and DP B18 in part 4.5.2.

179 See part 2.3.2 and DP B19 in part 4.5.2.

180 McLeod & Steinert (n 116) 234-235; Chowthi-Williams and others (n 173) 134. See DPs B20 and B21 in part 4.5.2.

181 See DP B23 in part 4.5.2.

182 See DP B24 in part 4.5.2.

183 See DP B25 in part 4.5.2.

184 Farris and others (n 21) 4; GM Powell, J James & CW Johnson 'With their permission: Skeptics, resisters, and supporters' (2013) 28 *A Journal of Leisure Studies and Recreation Education* 119; Calegari and others (n 59) 35. Also see DP B22 in part 4.5.2.

185 Powell and others (n 184) 119.



#### 4.3.6 Step 6: Create and celebrate short-term wins and milestones

Kotter acknowledged that change takes time and advised that the process will lose momentum if short-term wins and milestones are not planned, created and celebrated.<sup>186</sup> Therefore, staff members must experience progress within 12 to 24 months of initiating the transformation process. According to Kotter, short-term wins share three characteristics: (i) they are visible, and numerous people can see that the results do indeed exist; (ii) the wins are unambiguous; and (iii) they are directly related to the change effort.<sup>187</sup>

Short-term wins and milestones provide evidence that the immediate sacrifices and costs are worth it, build the morale and motivation of change agents, assist the coalition in fine-tuning the vision and strategies, undermine cynics, keep supervisors onboard and maintain and build momentum.<sup>188</sup> Usually, celebrating short-term wins and milestones gives staff members renewed energy for the change process and can assist in avoiding burnout.<sup>189</sup>

Giving those involved in the curriculum change process some form of recognition and reward is essential.<sup>190</sup> Stipends,<sup>191</sup> public awards or recognition for performance during the curriculum change,<sup>192</sup> administrative support and time off<sup>193</sup> can be considered. However, creating and achieving short-term wins and milestones are not always easy.<sup>194</sup>

The importance of short-term wins and milestones is evident in curriculum change research.<sup>195</sup> Examples of these wins from curriculum change research include approving an assessment plan;<sup>196</sup> receiving

186 JP Kotter 'Leading change: Why transformation efforts fail' (1995) *Harvard Business Review* 64.

187 Kotter (n 2) 121-122.

188 Kotter (n 2) 122-124.

189 Kotter (n 155) 10.

190 Guzmán and others (n 61) 491.

191 Farris and others (n 21) 6; Calegari and others (n 59) 39; Shigli and others (n 1) 627.

192 Farris and others (n 21) 6; Calegari and others (n 59) 39.

193 Farris and others (n 21) 6.

194 Kotter & Cohen (n 71) 148.

195 Farris and others (n 21) 6-7; Guzmán and others (n 61) 491-494; Beischel & Davis (n 1) 68; Calegari and others (n 59) 39; Dwyer (n 115) 50-51; Shigli and others (n 1) 627.

196 Calegari and others (n 59) 39.

positive and meaningful feedback about intended curriculum changes;<sup>197</sup> performing a curriculum content analysis;<sup>198</sup> and having papers about curriculum change initiatives accepted for publication or presentation at national conferences.<sup>199</sup>

The decision to replace the old LLB with a new curriculum,<sup>200</sup> the drafting and approval of the strategic plan,<sup>201</sup> the curriculum matrix,<sup>202</sup> curriculum imperative and graduate attribute map,<sup>203</sup> the module learning outcomes,<sup>204</sup> the accreditation application<sup>205</sup> and the phasing-in-and-phasing-out plan<sup>206</sup> can be considered short-term wins and milestones for the changing of an LLB curriculum.<sup>207</sup>

#### 4.3.7 Step 7: Consolidate gains and create more change

Kotter cautioned that one should not celebrate victory prematurely: '[W]hile celebrating a win is fine, declaring the war won can be catastrophic.'<sup>208</sup> In the penultimate step, short-term wins should be consolidated to pave the way for more changes.<sup>209</sup> Kotter advocated the following: (i) more change to confront additional and more significant transformation efforts; (ii) more assistance and additional people to assist with the change; (iii) leadership from top management continues to maintain the levels of urgency; (iv) leadership and managers from lower ranks take responsibility for specific projects; and (v) managers identify and eliminate unnecessary interdependencies.<sup>210</sup>

The curriculum change is usually implemented during step 7 of Kotter's CMM.<sup>211</sup> However, before the curriculum change can be

197 Guzmán and others (n 61) 489; Dwyer (n 115) 50.

198 Farris and others (n 21) 6.

199 Dwyer (n 37) 50.

200 See part 1.2.

201 See part 5.2.

202 See part 5.5.2.

203 See part 5.3.4.

204 See part 5.3.3.

205 See parts 5.3.5 and 5.5.2.

206 See part 5.3.5.

207 See DP B26 in part 4.5.2.

208 Kotter (n 186) 66.

209 As above. Also see DP B27 in part 4.5.2.

210 Kotter (n 2) 143.

211 See Dwyer (n 115) 51.

implemented, the change must be approved by all relevant institutional bodies and accreditation authorities (if required).<sup>212</sup>

Implementing curriculum change is a vigorous and continuous process.<sup>213</sup> Consequently, executing step 7 of Kotter's CMM takes time.<sup>214</sup> Researchers caution that institutions should not be content once a curriculum change has been implemented.<sup>215</sup> Implementing the curriculum change does not mean '[w]e're done for a few years'.<sup>216</sup> Instead, the faculty must implement continuous improvement and quality assurance processes.<sup>217</sup> The LLB curriculum change process should pave the way for a continuous improvement model for the faculty.<sup>218</sup> Existing admission criteria should be reviewed and aligned with the demands of the new curriculum.<sup>219</sup> New data and evidence must be collected to determine the effectiveness of the implemented curriculum change<sup>220</sup> and to support further changes.<sup>221</sup> Such data can be obtained from various sources, which include formative and summative assessments and feedback from students, alumni, staff members and employers.<sup>222</sup>

Curriculum changes often impact staff members' workloads.<sup>223</sup> Consequently, curriculum change research has confirmed the critical role of workload analysis in preventing staff members from being overburdened.<sup>224</sup> Also, a staff development needs analysis should be performed to pinpoint staff development trajectories,<sup>225</sup> identify the appointment of new or additional staff members and the allocation of other resources (for example, time, money and information technology) to maintain and create further or extra change.<sup>226</sup>

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212 Wentworth and others (n 115) 517.

213 Shigli and others (n 1) 627.

214 Dawson and others (n 118) 74.

215 Calegari and others (n 59) 40; Shigli and others (n 1) 627.

216 Calegari and others (n 59) 40.

217 Guzmán and others (n 61) 488; Calegari and others (n 59) 40.

218 See DP B28 in part 4.5.2.

219 JL Callahan & CE Watkins 'The science of training: Admissions, curriculum, and research training' (2018) 12 *Training and Education in Professional Psychology* 224. Also see DP B35 in part 4.5.2.

220 Farris and others (n 21) 14.

221 Calegari and others (n 59) 35.

222 Shigli and others (n 1) 627. Also see DPs B21 and B31 to B34.

223 Calegari and others (n 59) 40.

224 Farris and others (n 21) 14.

225 As above.

226 As above. Also see Dawson and others (n 118) 74.

Although a curriculum change is often associated with appointing new staff members or restructuring existing human resources, it is imperative to identify and nurture leaders with diverse skills to sustain changes over time.<sup>227</sup> Andrade cautioned that much of the momentum of the change can be lost due to a turnover in such leaders.<sup>228</sup> It can result in a lack of understanding of what must be done. Also, it often affects innovations and further refinement and improvement of the curriculum change.<sup>229</sup>

There will be a transition period when the faculty or institution moves from the old to the new curriculum.<sup>230</sup> A phasing-in-and-phasing-out plan addressing numerous questions should be developed.<sup>231</sup> For example, questions to be addressed are: How long will the phasing-in of the new curriculum take? What modules will students of the old curriculum and students of the new curriculum study? Will elements of the new curriculum be incorporated into the old curriculum? How will the faculty structure and individuals' roles change to accommodate the phasing-in of the new curriculum and the phasing-out of the old curriculum?

Kotter emphasised that '[u]ntil changed practices attain a new equilibrium and have been driven into the culture, they can be very fragile.'<sup>232</sup> That is why the following step in his CMM is so essential.

#### 4.3.8 Step 8: Anchoring the change in the systems, practices, and organisational culture of the institution

In the final step, the new approaches need to be anchored in the culture of the organisation. Kotter defined organisational culture as the 'norms of behavior and shared values among a group of people'.<sup>233</sup> The norms of behaviour explain how staff members are expected to act, while the

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227 Farris and others (n 21) 7.

228 MS Andrade 'Innovations in higher education in a responsive higher education curriculum: Change and disruptive innovations in higher education' in D Parrish & J Joyce-McCoach (eds) *Higher education – Cases on transforming and advancing practice* (2020) 10, <https://www.intechopen.com/chapters/63117> (accessed 9 November 2022).

229 As above.

230 McKimm & Jones (n 4) 520.

231 See DP B30 in part 4.5.2.

232 Kotter (n 2) 133.

233 Kotter (n 2) 791.

shared values reflect the goals shared by most of the staff members in an organisation or institution. The implementation challenge during this step of the CMM is that the change initiative can oppose the established organisational culture.<sup>234</sup>

Although the new curriculum should be flexible, staff members need to understand that the curriculum is now ‘the way we do things around here.’<sup>235</sup> Therefore, the new LLB curriculum has to become part of the faculty’s systems, practices and organisational culture.<sup>236</sup>

Periodic evaluations must address issues of concern and maintain oversight of the new curriculum and its implementation.<sup>237</sup> Faculty workshops and follow-up sessions play a significant role in this regard.<sup>238</sup>

#### 4.3.9 Limitations

Despite the wide acceptance and success of Kotter’s CMM, it is not free from critique. In the following parts, I review eight limitations of Kotter’s CMM.

##### *The model lacks a rigorous foundation and empirical evidence*

Kotter’s CMM is often portrayed as being verified and tested by research, although this is not the case.<sup>239</sup> Appelbaum and others, for example, commented: ‘Kotter’s change management appears to derive its popularity more from its direct and usable format than from any scientific consensus on the results.’<sup>240</sup> It can be ascribed to Kotter’s reliance on his business and research experience, not empirical evidence in developing the model. Following a critical review of organisational change management theory, Appelbaum and others concluded that almost all theoretical approaches to change management are not based on empirical evidence and that these models are mostly supported by unopposed hypotheses about the character of organisational change

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234 Kotter (n 2) 149.

235 McKimm & Jones (n 4) 525.

236 See DP B39 in part 4.5.2.

237 Shigli and others (n 1) 627.

238 Guzmán and others (n 61) 489; Calegari and others (n 59) 36. Also see DP B40 in part 4.5.2.

239 Pollack & Pollack (n 52) 52; Appelbaum and others (n 49) 765.

240 Appelbaum and others (n 49) 764.

management.<sup>241</sup> Despite this, the authors recommended the use of Kotter's CMM and acknowledged that, compared to other CMMs, the strengths of his model far outweigh its weaknesses. The authors By, Hughes and Ford came to the same conclusion: '[T]he reality is that empirical evidence about it is rare, inconsistent and virtually impossible to integrate into a coherent set of conclusions and recommendations.'<sup>242</sup>

*The model follows a rigid approach of sequential linear steps*

Researchers have claimed that the emphasis on structured linear steps could create inflexibility in dealing with the numerous challenges and problems that may occur during the change management process.<sup>243</sup> Other researchers argued that change is not linear<sup>244</sup> and often has no clear beginning or end.<sup>245</sup> Applying the CMM in practice, Pollack and Pollack found the process much more complex than merely following linear steps. The authors found that 'multiple concurrent occurrences were required, the steps overlapped, each step was completed over different time periods, and the guiding coalition had to provide strategic alignment throughout the process.'<sup>246</sup>

Although Pfeifer, Schmitt and Thorsten based their CMM on Kotter's model, they criticised Kotter's CMM that ends in step 8.<sup>247</sup> The researchers argue that no change management process can be considered final once the changes have been reinforced and anchored in company culture. Instead of the sequential process portrayed in Figure 4.3, they proposed a cyclical CMM and referred to it as 'the control loop for strategic change'. Despite Cameron and Green's support for Kotter's CMM, they preferred to display his model as a continuous cycle rather than a linear progression of steps.<sup>248</sup> Based on the critique, the conceptual framework in Figure 4.3 portrays the curriculum change management process as continuous instead of linear.

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241 As above.

242 By and others (n 48) 11.

243 Sidorko (n 60) 315; By and others (n 48) 11.

244 JW Moran & BK Brightman 'Leading organizational change' (2000) 12 *Journal of Workplace Learning: Employee Counselling Today* 67; By and others (n 48) 11.

245 JA Gonzalez 'Diversity change in organizations: A systemic, multilevel, and nonlinear process' (2010) 46 *The Journal of Applied Behavioral Science* 197.

246 Pollack & Pollack (n 52) 63-67.

247 Pfeifer and others (n 1) 299.

248 E Cameron & M Green *Making sense of change management* (2009) 116.

*The model makes provision for only one guiding coalition*

Some researchers argue that Kotter's CMM refers to a single guiding coalition and that the model is silent about implementing more guiding coalitions.<sup>249</sup> For example, Day and Atkinson questioned the ability of a single guiding coalition to address a multiplicity of agendas.<sup>250</sup> Sidorko also observed a need to appoint more guiding coalitions to complement and assist the change management process. Each of these coalitions had its own distinct purpose and was appointed at different times in the change management process.<sup>251</sup>

I do not support the critique that Kotter had only a single guiding coalition in mind to manage a change initiative. The researchers did not consider Kotter's acknowledgment that 'major change initiatives are made up of a number smaller projects' and that each project needs to follow the eight steps of the CMM.<sup>252</sup> Consequently, a major change initiative may involve the appointment of a guiding coalition for each of the projects.

*The model is not in line with democratic organisational change management principles*

Authors claim that Kotter's model suggests a top-down approach to change that does not consider democratic organisational change principles.<sup>253</sup> This traditional approach to leadership tends to focus on the individual leader as the source of change outcomes.<sup>254</sup> Instead of consulting widely with others to co-create change outcomes, leaders are perceived to 'bestow' change on their followers. The vision for change is not developed in collaboration with staff members. Furthermore, employees are regarded as resisters to change.

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249 Sidorko (n 60) 310; Pollack & Pollack (n 52) 62.

250 Day & Atkinson (n 55) 265.

251 Sidorko (n 60) 310. The researcher made the following comment: '[W]hat eventuated was that several "guiding coalitions" were established, not necessarily at the same time and with different yet complementary charges that were appropriate to the need at the particular point of time in the change process.' Kotter makes no allowance for such complexities.

252 Kotter (n 2) 24.

253 S Reissnera, V Pagana & C Smith 'Our iceberg is melting: Story, metaphor and the management of organisational change' (2011) 17 *Culture and Organisation* 426.

254 By and others (n 48) 13.



The research conducted by Kraft, Sparr and Peus among leaders and employers who had experienced at least two episodic change projects in enterprises with over 1 000 employees in Germany and Austria did not support Kotter's top-down communication of a vision by the leaders of organisations.<sup>255</sup> In line with the findings of Bartunek and others,<sup>256</sup> Kraft, Sparr and Peus found that the vision for change should be developed in collaboration with employees.<sup>257</sup> All steps of the CMM should focus on the employees affected by the change. Employees will only align their values and behaviour with the new vision when leaders and managers nurture their participation, involvement and acceptance.<sup>258</sup>

De la Harpe and Thomas also cautioned that, in the higher education context, the responsibility for change cannot vest in merely a guiding coalition.<sup>259</sup> Individuals who were consulted or not consulted will considerably impact the success of the change management process. Similarly, Hubball and Burt emphasised that curriculum change should be an open and inclusive process, not a closed one administered by a select few.<sup>260</sup>

*The model does not acknowledge the psychological impact of the change on staff members*

Although change can often result in human distress, some authors have claimed that Kotter's CMM does not deal with the human dimension of change.<sup>261</sup> It was the case in his original work. In a later work, Kotter and Cohen distinguished between the emotions that undermine change (anger, anxiety, arrogance, cynicism, panic, exhaustion, false pride, insecurity and pessimism) and the emotions that facilitate change

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255 A Kraft, JL Sparr & C Peus 'Giving and making sense about change: The back and forth between leaders and employees' (2018) 33 *Journal of Business Psychology* 82.

256 JM Bartunek and others 'On the receiving end: Sensemaking, emotion, and assessments of an organizational change initiated by others' (2006) 42 *Journal of Applied Behavioral Science* 182.

257 Kraft and others (n 255) 82.

258 As above.

259 De la Harpe & Thomas (n 1) 78.

260 Hubball & Burt (n 86) 55.

261 Sidorko (n 60) 312; De la Harpe & Thomas (n 1) 78; SA Furst & DM Cable 'Employee resistance to organizational change: Managerial influence tactics and leader member exchange' (2008) 93 *Journal of Applied Psychology* 458.

(enthusiasm, excitement, faith, hope, optimism, passion, reality-based pride, trust and urgency).<sup>262</sup>

Curriculum change leaders should not underestimate the physiological impact of curriculum change on staff members. Change leaders must understand that individuals experience change differently; they must be mindful of others' concerns, find ways to motivate them and ensure that others feel engaged in the curriculum change process.<sup>263</sup> Acknowledging the psychological impact of curriculum change could assist the change leader in ensuring that academics and members of the administrative staff are on board to ensure a successful curriculum change.<sup>264</sup>

Acknowledging the psychological impact of change on staff members implies that curriculum change leaders should work empathically and show emotional intelligence when carrying out their tasks.<sup>265</sup> Scholars perceive empathy as a multidimensional attribute with multiple abilities. It refers to recognising and understanding someone else's emotions (cognitive empathy) and articulating the other person's emotional response to a situation (affective empathy).<sup>266</sup>

Research suggests that law students<sup>267</sup> and lawyers<sup>268</sup> have low levels of empathy. It can be attributed to the educational process emphasising logic at the expense of emotions.<sup>269</sup> Legal education tends to suppress the

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262 Kotter & Cohen (n 71).

263 D Kralik, K Visentin & A van Loon 'Transition: A literature review' (2006) 55 *Journal of Advanced Nursing* 327.

264 McKimm & Jones (n 4) 523-524.

265 JD Mayer, P Salovey & DR Caruso 'Emotional intelligence: Theory, findings, and implications' (2004) 15 *Psychological Inquiry* 197; McKimm & Jones (n 4) 523-524.

266 R Reniers and others 'The QCAE: A questionnaire of cognitive and affective empathy' (2011) 93 *Journal of Personality Assessment* 84-85; B Spivak, B Batagol & B Williams 'Measuring empathy in undergraduate law students: Examining the factorial validity of the Jefferson Scale of Empathy – Law Students (JSE-LS)' (2018) 58 *International Journal of Law and Psychiatry* 144.

267 SE Wilson, J Prescott & G Becket 'Empathy levels in first- and third-years students in health and non-health disciplines' (2012) 76 *American Journal of Pharmaceutical Education* 24.

268 B Williams, A Sifris & M Lynch 'A psychometric appraisal of the Jefferson Scale of Empathy using law students' (2016) 9 *Psychology Research and Behavior Management* 177.

269 I Gallacher 'Thinking like non-lawyers: Why empathy is a core lawyering skill and why legal education should change to reflect its importance' (2011) 8 *Journal of the Association of Legal Writing Directors* 114.

affective domain, and a pattern of ignoring feelings in decision making continues within legal practice.<sup>270</sup>

In all steps of the CMM, leaders need to find ways to reduce the feelings that undermine change and boost those emotions that facilitate change.<sup>271</sup> It needs to be done throughout the change process in ways that are as compelling, yet also as emotionally engaging as possible.<sup>272</sup> Considering the importance of all the steps of Kotter's CMM, the conceptual framework for LLB curriculum change in part 4.4 and the Draft LLB CCMM in part 4.5 suggest that faculty management should continuously consider the psychological impact of the curriculum change process on academic staff members.<sup>273</sup>

#### *Limited research studies report on steps 7 and 8*

Kotter acknowledges that successful change is time-consuming.<sup>274</sup> Since most change initiatives take several years to complete, few research studies report on steps 7 and 8 of Kotter's CMM.<sup>275</sup> For example, Sidorko found that a long-term analysis of the success of the transformation of the library was not possible.<sup>276</sup> Similarly, Pollack and Pollack<sup>277</sup> and Appelbaum and others acknowledged that it would take several years before any conclusive statements could be drawn about the successful implementation of change initiatives in the culture of the investigated organisations.<sup>278</sup>

#### *Some steps are not relevant to all contexts*

Some authors believe that change initiatives do not have to go through all the steps of Kotter's CMM. Appelbaum and others, for example, provided scenarios where all eight steps would not be required.<sup>279</sup> For

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270 C. James 'Seeing things as we are. Emotional intelligence and clinical legal education' (2005) 8 *Journal of Clinical Legal Education* 134; E Jones 'One size fits all? Multiple intelligences and legal education' (2017) 51 *The Law Teacher* 65.

271 Kotter & Cohen (n 71) 180.

272 As above.

273 See DP C04 in part 4.5.2.

274 Kotter (n 186) 15.

275 Appelbaum and others (n 49) 776.

276 Sidorko (n 60) 314-315.

277 Pollack & Pollack (n 52) 60.

278 As above.

279 Pollack & Pollack (n 52) (n 73) 75.

example, steps 7 and 8 will not be relevant when the equipment on a manufacturing line is changed.<sup>280</sup> Steps 1 and 4 should not be followed if an organisation's change initiative requires substantial secrecy. Sidorko critically evaluated the suitability of Kotter's CMM.<sup>281</sup> He concluded that the key to the successful implementation of any CMM did not rest so much on a prescriptive following of the model, but rather on the ability to select and adapt the model to best align with the environment and culture of the organisation. Therefore, some steps of Kotter's CMM may be irrelevant for some change initiatives.

Although the importance and celebration of short-term wins and milestones (step 6) are well documented in research,<sup>282</sup> Ansari and Bell found that the short-term wins or 'low hanging fruit' is not a universal principle that applies to all cases, but that it is dependent on the nature of the change initiative.<sup>283</sup>

#### 4.4 Conceptual framework for the LLB curriculum change process

The literature review and the insights gained about the context of the study in chapter 2, the concept of curriculum and curriculum planning in chapter 3 and the strategic and change management theorising in the parts above assisted me with constructing a conceptual framework for LLB curriculum change. This framework is depicted in Figure 4.3.

Figure 4.3 shows that the conceptual framework for LLB curriculum change consists of three interlinked circles. The outer circle represents the strategic planning process that informs the change management process (depicted in the middle circle) and the curriculum planning process (in the inner circle).

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280 See above.

281 Sidorko (n 60) 316.

282 R Ford, W Heisler & W McCreary 'Leading change with the 5-p model: "Complexing" the Swan and Dolphin hotels at Walt Disney World' (2008) 49 *Cornell Hospitality Quarterly* 191.

283 Ansari & Bell (n 52) 159. The researchers stated the following in this regard: 'An initiative such as making an organization cost conscious and practicing cost management "as a way of life" is not a scalable initiative. In fact, the pressure for small successes or low-hanging fruit can be counterproductive to a long-range cost management program trying to instill cost discipline in the organisation.'

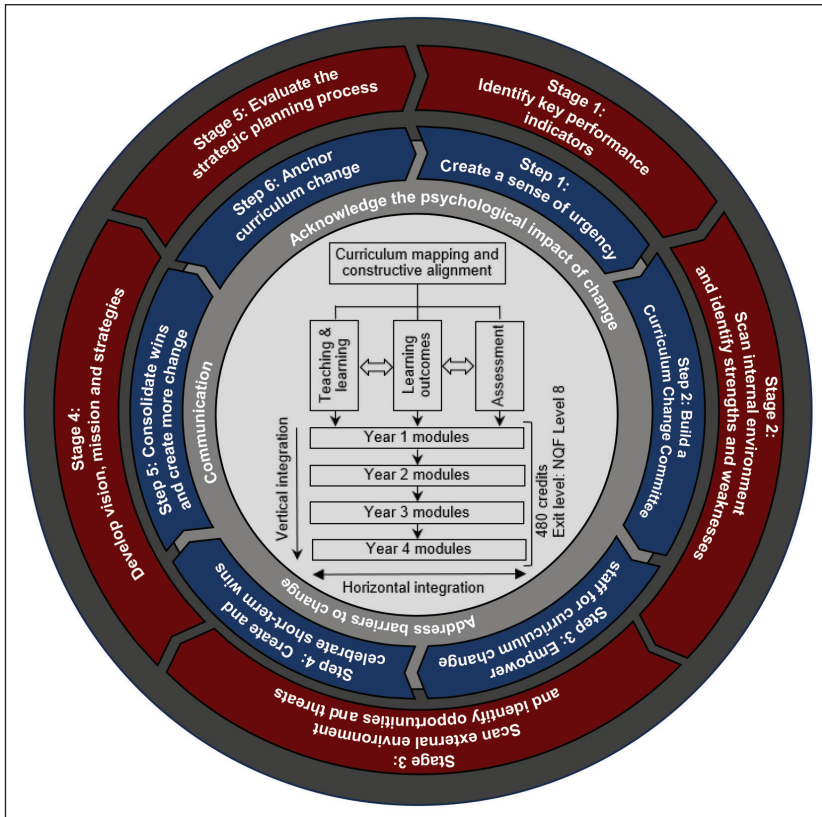
The strategic management process represents an adapted version of the Curriculum-Centred Strategic Model of Dolence.<sup>284</sup> It depicts strategic planning as a continuous process requiring regular revision. Figure 4.3 identifies five interlocking stages for strategic planning: (i) defining the key performance indicators; (ii) performing an internal environmental scan and identifying strengths and weaknesses; (iii) performing an external environmental scan and identifying opportunities and threats; (iv) developing a vision, mission and strategies; and (v) evaluating the strategic planning process.

The middle circle depicts six of the eight interlinked steps of Kotter's CMM: (i) creating a sense of urgency; (ii) building a curriculum change committee; (iii) getting the vision right for curriculum change; (iii) empowering action for curriculum change; (iv) creating and celebrating short-term wins and milestones; (v) consolidating wins to create more change; and (vi) anchoring curriculum change in the systems, practices and organisational culture of the institution.

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284 (n 4) 3.

Figure 4.3: Conceptual framework for curriculum change



The two steps of Kotter's CMM that were not included as interlinked steps in the change management process were getting the vision right and communicating the vision for buy-in. I explained in part 4.3.4 that there is a significant overlap between getting the vision for change right (step 7) and the last stage of the strategic planning process dealing with drafting the curriculum change strategy that forms the blueprint for changing, developing and implementing the curriculum; hence, the omission of this step of Kotter's CMM.

I did not include communicating the vision for buy-in as a separate interlinked step in the change management process. Instead, I stated in part 4.3.4 the importance of the curriculum change leader continuously communicating with staff members and stakeholders throughout the change management process. Similarly, curriculum change leaders should

continuously address potential barriers to change. Also, the limitations of Kotter's CMM in part 4.3.9 emphasised that curriculum change leaders should constantly consider the psychological impact that change can have on staff members and potential barriers to change. Also, the discussion in part 4.3 showed that potential barriers to change must be addressed in each step of the CMM, hence its inclusion as a continuous change management function.

The inner circle in Figure 4.3 shows that I have also adopted a nested approach to curriculum design.<sup>285</sup> The inner circle of the figure shows my adoption of the 'curriculum as product' as the primary curriculum planning model.<sup>286</sup> This approach requires the three components of the curriculum (desired learning outcomes, teaching and learning activities and assessment) to be constructively aligned. The inner circle also depicts the central position that the curriculum elements play during the strategic planning, change management and curriculum planning processes. Consequently, I perceive the new LLB curriculum as a product of these processes.

The inner circle furthermore shows that curriculum mapping needs to be employed to carefully map the required graduate attributes and curriculum imperatives in terms of the LLB Qualification Standard across appropriate modules, the four years of the LLB and 480 minimum credits. Through scaffolding and vertical integration, modules need to build on the knowledge and skills that students have acquired in previous modules, and by complementing concurrent modules, horizontal development of graduate attributes will take place.

#### **4.5 The Draft LLB Curriculum Change Management Model**

The conceptual framework proposed in the previous part provided a foundation for developing the Draft LLB CCMM. The Draft LLB CCMM comprises 61 DPs. The literature review in chapters 2 to 4 and my own knowledge and experience in curriculum change and legal education informed the development of these DPs. The DPs provide guidelines or strategies for facilitating curriculum change. Implementing these DPs can assist faculties in creating a climate for curriculum change

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285 See part 3.4.2.

286 See part 3.3.1.

and sustaining such change. In contrast to the Final LLB CCMM presented in the last chapter of this book, the Draft LLB CCMM is not supplemented with recommended practices for complying with the DPs.

I organised the 61 DPs into the three distinct processes of the conceptual framework for the LLB curriculum change process: strategic planning, curriculum change management and curriculum planning.

#### 4.5.1 The strategic planning process

The strategic planning process consists of five DPs that were extracted from the literature review in part 4.2:

- DP A1 The dean and curriculum change leader satisfactorily consult staff members on drafting the strategic plan for the faculty.
- DP A2 Staff members consider key performance indicators (for example, programme accreditation, student enrolment numbers, pass rates, throughput rates, graduation rates, student satisfaction scores, lecturer-to-student ratios, employment rates of graduates within six months from graduating and employer satisfaction ratings) when drafting the faculty's strategic plan and its curriculum change strategy.
- DP A3 Staff members perform a SWOT (strengths, weaknesses, opportunities and threats) analysis to provide clear guidance for the vision, mission, and, particularly, the LLB curriculum change objective and strategy that will be incorporated into the faculty's strategic plan.
- DP A4 Faculty management ensured that staff members support the vision and mission, and especially the LLB curriculum change objective and strategy in the strategic plan of the faculty.
- DP A5 Faculty management and staff members regularly monitor and evaluate progress with the implementation of the strategic plan.

#### 4.5.2 The curriculum change management process

The curriculum change management process encompasses six interlinked change management functions (DPs B1 to B40) and three continuous change management functions (DPs C1 to C5). These DPs are straightforward to use and not cumbersome as they are closely aligned.

##### *The six interlinked change management functions*

As expected, all 40 DPs of the curriculum change management process were developed from the literature review in this chapter. Furthermore, chapter 2 (DPs B18 to B21) and chapter 3 (DPs B2 to B7, B18 to B25, B28 to B38) confirmed the importance of 29 of the 40 DPs related to the



interlinked change management functions. The six interlinked change management functions and their corresponding DPs are listed below.

***Step 1: Create a sense of urgency to change the LLB curriculum (DP B1)***

- DP B2 The curriculum change leader provides evidence from the media and scholarly and non-scholarly articles on why and how the LLB curriculum had to change.
- DP B3 The curriculum change leader uses the feedback from focus group discussions held with members of staff, students, alumni and employers to demonstrate why and how the LLB curriculum needs to change.
- DP B4 The curriculum change leader uses the faculty's self-evaluation report and the report on the external institutional review of the faculty's LLB to motivate why and how the LLB curriculum had to change.
- DP B5 The curriculum change leader uses the faculty's LLB self-evaluation report, Higher Education Qualification Committee (HEQC) report on the review of the faculty's LLB and the Report on the National Review of the LLB to motivate why and how the LLB curriculum had to change.
- DP B6 The dean and curriculum change leader provided compelling evidence of why and how the LLB curriculum had to change.

***Step 2: Build a curriculum change committee that works effectively as a team (DP B7)***

- DP B8 In terms of the institution's human resources policies, faculty management appoints a curriculum change leader who demonstrates the leadership skills required to lead the LLB curriculum change process.
- DP B9 The curriculum change leader displays sufficient curriculum change knowledge.
- DP B10 The curriculum change leader continuously and effectively manages group dynamics and interactions during the curriculum change process.
- DP B11 The curriculum change leader carries out the LLB curriculum change process with trust.
- DP B12 The curriculum change leader ensures that staff members know where they fit into the LLB curriculum change process.
- DP B13 The curriculum change leader ensures that staff members know the activities they should perform during the curriculum change process.
- DP B14 The curriculum change leader ensures that staff members are aware of the timeframes for the different activities of the University of the Free State (UFS) LLB curriculum change process.

***Step 3: Empower staff members for curriculum change (DP B15)***

- DP B16 The dean and curriculum change leader assist staff members in believing and feeling that change is possible.

- DP B17 The curriculum change leader ensures that staff members are familiar with the theoretical underpinnings of curriculum design (for example, constructive alignment, the NQF, NQF levels, level descriptors, notional hours and credits).
- DP B18 The curriculum change leader ensures that staff members are familiar with the LLB Qualification Standard and the graduate attributes it requires to be developed in LLB students.
- DP B19 The curriculum change leader ensures that staff members are empowered to introduce the LLB curriculum imperatives (for example, transformative constitutionalism, decolonisation, globalisation and internationalisation, and the Fourth Industrial Revolution) into the new modules of the LLB curriculum.
- DP B20 The curriculum change leader ensures that staff members are empowered to introduce innovative teaching and learning practices in the modules of the new LLB curriculum.
- DP B21 The curriculum change leader ensures that staff members are empowered to introduce innovative assessment practices in the modules of the new LLB curriculum.
- DP B22 Showcasing faculty innovators' work inspires and encourages staff members to incorporate innovative teaching, learning and assessment practices into the module(s) for which they are responsible.
- DP B23 Staff members receive information and training on writing learning outcomes so as to empower them to write meaningful outcomes for the LLB modules for which they are responsible.
- DP B24 The curriculum change leader assists staff members in writing meaningful module outcomes and provides constructive feedback on the draft learning outcomes presented to him or her for input.
- DP B25 The curriculum change leader provides staff members with the LLB learning outcomes of other South African universities, which assist them in writing learning outcomes for the modules for which they are responsible.

#### *Step 4: Create and celebrate short-term wins and milestones*

- DP B26 The faculty identifies and celebrates short-term wins and milestones (for example, the drafting and approval of the strategic plan, curriculum matrix, graduate attribute map, module learning outcomes, accreditation application and the phasing-in-and-phasing-out plan during the LLB curriculum change process).

#### *Step 5: Consolidate wins to create more changes in the faculty (DP B27)*

- DP B28 The LLB curriculum change process paves the way for a continuous improvement model for the faculty.
- DP B29 A system of quality assurance is implemented to ensure that the LLB curriculum changes will be of benefit.

- DP B30 The curriculum change leader develops, in collaboration with staff members, a phasing-in-and-phasing-out plan for a seamless transition from the old to the new LLB curriculum.
- DP B31 Modules are evaluated at the end of each year by, for example, external reviewers and students to guide new change initiatives.
- DP B32 Student pass rates, throughput rates and retention rates are regularly reviewed to identify additional student support interventions and new teaching, learning and assessment initiatives.
- DP B33 Graduate tracking surveys to assess graduates' employability are introduced one year after the first cohort of the new LLB has graduated.
- DP B34 Employer satisfaction surveys are introduced one year after the first cohort of the new LLB has graduated.
- DP B35 The admission criteria for the new LLB are amended.
- DP B36 Faculty management performs a workload analysis to prevent the possible overloading of academics due to the implementation of the new LLB curriculum.
- DP B37 Due to the demands of the new LLB curriculum, department heads evaluate the staff development trajectories of academics reporting to them.
- DP B38 Faculty management makes sufficient resources (time, money, human resources and information technology) available for implementing the new LLB curriculum.
- Step 6: Anchor the curriculum change in the faculty's systems, practices, and organisational culture (DP B39)
- DP B40 Faculty management conducts regular follow-up sessions and workshops to support the new LLB curriculum and its implementation.

### *The three continuous change management functions*

Three of the five continuous change management DPs relate to communication (DPs C1 to C3). The other two relate to faculty management that must continuously consider the psychological impact of the curriculum change process on staff members (DP C4) and the curriculum change leader continuously and effectively managing barriers or opposition to change as continuous change management functions (DP C5). The DPs for the three continuous change management functions are listed below.

- DP C1 The curriculum change leader continuously communicates the progress made with the LLB curriculum change to staff members.
- DP C2 The curriculum change leader uses a range of communication methods to share information with staff members.
- DP C3 Staff members have open and honest discussions about problems, conflicts, issues and progress during the curriculum change process.
- DP C4 Faculty management continuously considers the psychological impact of the curriculum change process on staff members.

- DP C5 Faculty management continuously and effectively manages barriers or opposition to change.

### 4.5.3 The curriculum planning process

The curriculum planning process comprises 11 DPs (D1 to D11). These DPs were collected from the literature review on the South African legal education context in part 2.3 (DPs D1 to D6 and D8 to D11) and chapter 3 (D1 to D7), dealing with curriculum theorising and curriculum planning. The 11 DPs related to the curriculum planning process are listed below.

- DP D1 The credits and corresponding notional hours of the new LLB modules represent a realistic volume for teaching, learning and assessment.
- DP D2 Modules are appropriately classified as semester and year modules in the new LLB curriculum.
- DP D3 Modules of the new LLB curriculum build on the knowledge and skills that students have acquired in previous modules.
- DP D4 Modules of the new LLB curriculum are presented in an integrated manner and not in silos or in isolation.
- DP D5 The curriculum imperatives and graduate attributes specified in the LLB Qualification Standard are appropriately mapped across modules of the new LLB curriculum.
- DP D6 The modules, including the graduate attributes and curriculum imperatives, are appropriately mapped across the years of study of the new LLB.
- DP D7 The learning outcomes, teaching, learning and assessments are constructively aligned in the new LLB curriculum.
- DP D8 The new LLB curriculum maintains the strengths of the old curriculum and addresses the concerns and weaknesses identified by stakeholders (for example, academics, students, alumni and employers).
- DP D9 The new LLB curriculum addresses the concerns raised in the report of the external institutional review of the faculty's LLB.
- DP D10 Overall, the new LLB curriculum addresses the concerns raised in the HEQC report on the faculty's LLB and the Report on the National Review of the LLB.
- DP D11 The new LLB curriculum is validated by students, employers and alumni prior to its submission to the HEQC of the Council on Higher Education (CHE) to enhance staff members' confidence in the curriculum.

### 4.5.4 Summary

It is evident from the discussion above that there are multiple functions and occurrences taking place during the curriculum change process. Some of these activities occur at the same time. For example, while the faculty is developing its curriculum change strategy as part of the

strategic planning process, the curriculum change leader can commence creating a sense of urgency to change the curriculum (first interlinked change management function). Furthermore, some staff members may be involved in other curriculum change management functions while fulfilling their roles as members of the Curriculum Change Committee (second interlinked change management function).

Although I took considerable care to meaningfully organise the DPs of the Draft LLB CCMM, I acknowledge that subjectivity could have played a role in compiling the Draft LLB CCMM. Some of the DPs could have been phrased differently or organised differently by other researchers. Furthermore, I also acknowledge that some of the DPs may overlap and may be interrelated to one another.

The compilation of the Draft LLB CCMM concluded phase 1 of the study. I was concerned that the model may be perceived as being too elaborate and not a workable or practicable framework for facilitating LLB curriculum change at South African universities. I recalled several authors emphasising the challenging, multifaceted and complex nature of curriculum change.<sup>287</sup> Kotter himself described his CMM as ‘often complex, dynamic, messy and scary.’<sup>288</sup> Hence, I realised that it would be naive to assume that a simple linear CCMM could facilitate the complex task of curriculum change.

To address the concern of the Final LLB CCMM potentially being too elaborate, only those DPs of the Draft LLB CCMM that selected UFS law academics regarded as important for facilitating curriculum change were incorporated in the Final LLB CCMM (see part 1.4.2). To ensure that the use of the LLB CCMM is feasible and practicable, part 1.4.2 states that the same academics had to agree that the UFS curriculum change process had complied with the DPs of the Draft LLB CCMM. Thus, if the UFS curriculum change process complied with the DPs of the Draft LLB, it was deemed that this could also be achieved at other universities. The quantitative questionnaire used in Phase 2 played a meaningful role in addressing the concerns of the Final LLB CCMM being too intricate and not a workable and practicable framework for facilitating LLB curriculum change at South African universities.

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287 Dwyer (n 115) 46. Also see Andrade (n 228); T Gibbs ‘Curriculum development: A dynamic change inside the chrysalis’ (2018) 40 *Medical Teacher* 435.

288 Kotter (n 2) 25.

## 4.6 Conclusion

This chapter showed how the different stages of the student-centred strategic planning process contribute to developing and evaluating a curriculum change strategy. The discussion of Kotter's CMM model revealed that the model could assist in managing LLB curriculum change at South African universities. However, the curriculum change process for this study is not limited to strategic planning and managing curriculum change. The curriculum change process should also provide for the curriculum planning process described in the previous chapter.

The insights gained from the literature review in this chapter and chapters 2 and 3 enabled me to construct a conceptual framework for curriculum change. This framework was used as a foundation for compiling the Draft LLB CCMMs. Furthermore, the literature reviews, the DPs extracted from these reviews and my knowledge of and experience in curriculum change described in part 1.3 assisted me in compiling the Draft LLB CCMM consisting of 61 DPs. In the next chapter, the CCMM will be used to evaluate the importance of these DPs for curriculum change and the compliance of the UFS curriculum change management to these DPs.