POLICY PAPER

Responding to a Pandemic: Refocusing on Welfare, Quality of Learning and Reducing Inequalities in Legal Education

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1. **COVID 19 Pandemic in the country.** As of April 16, 2020, official data from the Department of Health shows close to 6,000 individuals have been infected in the pandemic in the Philippines.[ii]

   The geographical disaggregation of this data shows the spread of the disease in all regions of the country. **Hardest hit are the National Capital Region (NCR) and its adjacent provinces comprising the Greater Manila Area (GMA).** Other key cities across the country have also been affected.

Figure 1. Heat map

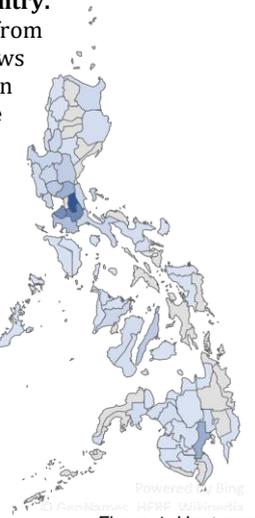   To date, the country has the greatest number of infections in South East Asia.[iii]

2. **Projections past April.** Several studies have been made to scientifically determine the most probable scenarios in the crisis as we proceed with the year.

Table 1. Provinces highly projected to have local outbreaks

Province	Population	Probability of Outbreak
Metro Manila	12,877,253	99% or more
Cebu	4,632,359	99% or more
Cavite	3,678,301	99% or more
Bulacan	3,292,071	99% or more
Laguna	3,035,081	99% or more
Rizal	2,884,227	99% or more
Batangas	2,694,335	99% or more
Pampanga	2,609,744	99% or more
Davao del Sur	2,265,579	99% or more
Benguet	791,590	99% or more
Bataan	760,650	99% or more

SOURCE: UP Pandemic Response Team Study

   A study from the University of the Philippines (UP) projects extremely **high probability of local outbreaks in a number of major areas in the country, notably the GMA, and regional centers Cebu province and Davao del Sur.**[iv] The earlier data from UP shows the pandemic could peak at 600,000 to 1.4 million infections in the country between April to June with 80% being in NCR.[v]

   A similar report from the Philippine Institute of Development Studies (PIDS) show that even with the most aggressive interventions the projected peak of the pandemic is 904,000 infections at around June to May 2021 with up to 431,000 deaths by that time.[vi]

   These different studies have highlighted the tremendous pressures on the capacity of our healthcare system to manage the pandemic. In fact, an Ateneo de Manila University study tracked the great vulnerability of the GMA where the next surge of the pandemic is projected from its current epicenter in the country in the NCR.[vii]

Table 2. Provinces and key cities with most cases of COVID-19

Provinces	Cases	Major Cities	Cases
Rizal	384	Quezon City	1,438
Laguna	245	Manila City	651
Cavite	225	Makati City	464
Davao del Sur	145	Paranaque City	418
Bulacan	134	Mandaluyong City	357
Batangas	95	Pasig City	348
Pampanga	69	San Juan City	306
Cebu	64	Taguig City	255
Nueva Ecija	60	Muntinlupa City	167
Bataan	40	Las Piñas City	161
Pangasinan	38	Pasay City	161
Quezon	34	Caloocan City	159
Tarlac	34	Marikina City	148
Iloilo	33	Davao City	76
Benguet	30	Valenzuela City	68

SOURCE: DOH Tracker

   The crisis has also had a deep impact on the economy with a global recession being expected. The PIDS study in particular shows the probability of greater exit from the workforce that has negative impacts on household incomes, job security and families.

3. **Initial impact on legal education.** The first class suspension was declared from March 10 to 14, 2020 in NCR.

   By March 16, the entire of Luzon island was placed under Enhanced Community Quarantine (ECQ) which extended class suspensions up to April 12. On April 7, however, the ECQ, as well as the class cancellations were further extended to April 30, 2020.

   Outside Luzon, local government units were tasked to determine their own level of community quarantine and the appropriate response for their areas. As part of their local declarations, as of March 16, 2020, all law schools in the Visayas and Mindanao islands have declared class suspensions. **Currently, the entire legal education system has suspended all physical classes.**

   In response to the cancellation of all in-person instruction, law schools were encouraged to pursue alternatives learning mechanisms to ensure minimal disruption to studies. Available data show that at least twenty-five (25) law schools have migrated to online platforms for remote learning, but almost all of these institutions – twenty-one (21) to be specific, have suspended all classes including online ones.

   With the putting of large areas of the country, and NCR in particular, under community quarantine a large movement of students has also been noted for them to get back to their home provinces or areas.[viii]

4. **Mapping the stakeholders.** The scope of the legal education system is national with 124 Higher Education Institutions (HEI) authorized to operate law programs. Data from the Law School Information Reportorial system

(LSIR) of the Legal Education Board (LEB) shows the presence of a law school in every region of the country.

Breaking down this data shows important baseline information on the legal academic stakeholders who are affected by the pandemic.

Figure 3. Students by island region

4.1. Student demographic data. In Academic Year (AY) 2019-2020, LSIR data show that there are an estimated **30,000 students** in the country. The biggest chunk (41%) of this population is enrolled in NCR, followed by Luzon (24%) and Visayas (20%). The least number of law students are enrolled in Mindanao schools at only 15% of the student population.
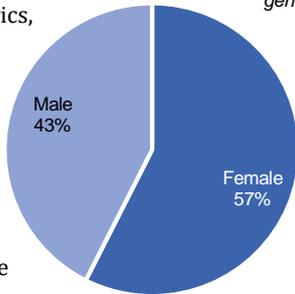
This 30,000 population may also be disaggregated into the five year-levels. Close to **2/5 of the student population are freshmen students**. Sophomores, Juniors and Seniors roughly make 1/5 each.

Figure 2. Students by year level

Identifying gender metrics, LSIR data show that **majority of law students are women** at 57%, and men comprise 43%. This women majority is maintained across the major regional categories (as seen in Figure 5) and year-levels (as seen in Figure 6).

Figure 4. Students by gender

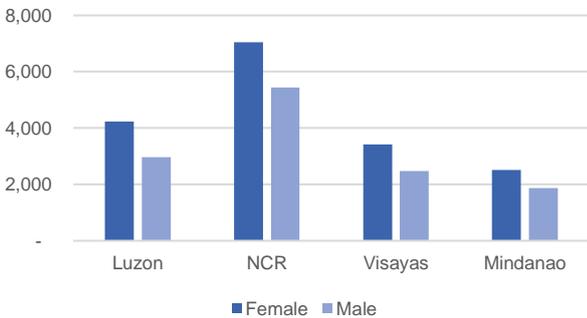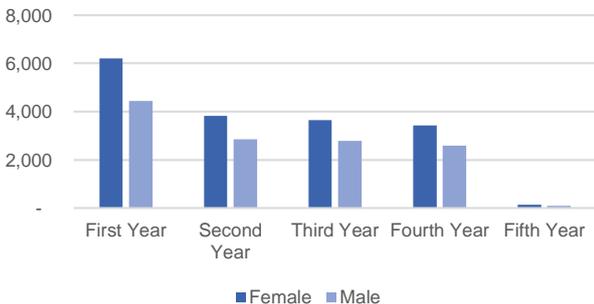Figure 5. Students by gender and region

Figure 6. Students by gender and year-level

Lastly, the student population may also be grouped by their type in relation to the concurrence of employment with studies. Students who are also concurrently employed are termed as working students, while those who are not employed are referred to as full time students.

LSIR data shows that a slim **majority of the student population are working students** (52%), while the rest (48%) are full time students. This working type majority is also maintained across the major regional categories (as seen in Figure 8) and year-levels, though less marked (as seen in Figure 9).
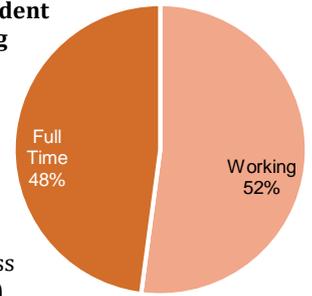
Figure 7. Students by type

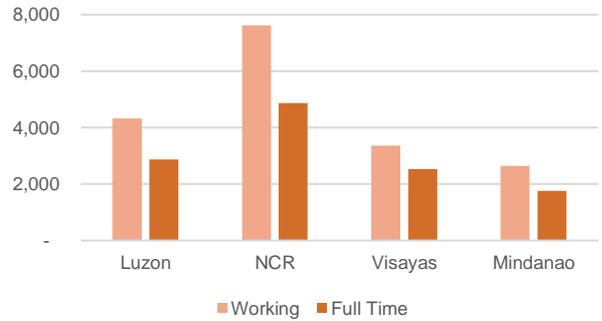

Figure 8. Students by type and region
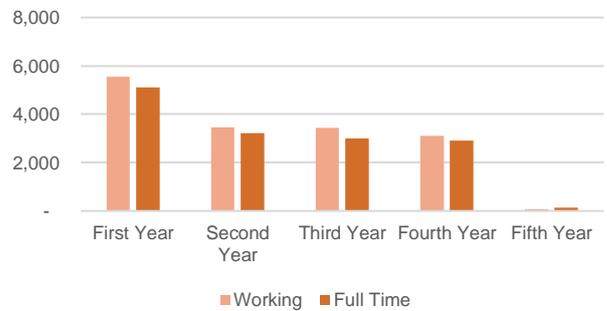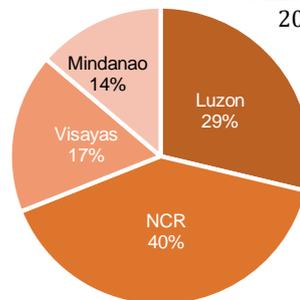
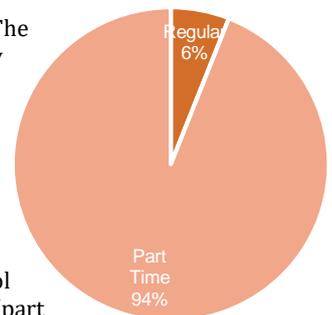

Figure 9. Students by type and year-level

4.2. Faculty demographic data. For faculty, LSIR data show that there are an estimated **2,900 law professors** in AY 2019-2020. Similar to the student population, the biggest group of faculty members can be found in NCR law schools (40%), followed by Luzon (29%) and Visayas (17%). Similarly, Mindanao also hosts the least number (14%) of law faculty.

Figure 10. Faculty by island region

The faculty population may also be categorized based on the status of their engagement. The first type is "regular" who may or may not enjoy tenure but are considered as a regular employee under school policy. The other type is "part time" who are those engaged not as a regular employee. Based on LSIR data, **an overwhelming majority (94%) of law professors are part time**, while the rest

Figure 11. Faculty by engagement type

(6%) are considered as regular. This part time faculty majority is overwhelmingly maintained across the different major regional categories as seen in Figure 12.

Figure 12. Faculty by type and region
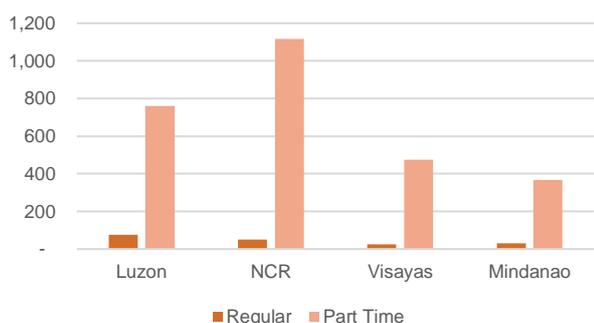
Disaggregating the data by gender, it shows that a **large majority (65%) of law faculty are men**, while the rest (35%) are women.

This male majority is maintained across the different regional categories (as seen in Figure 14), and engagement type (as seen in Figure 15).
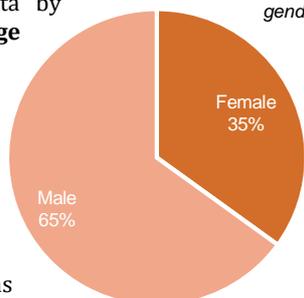
Figure 13. Faculty by gender
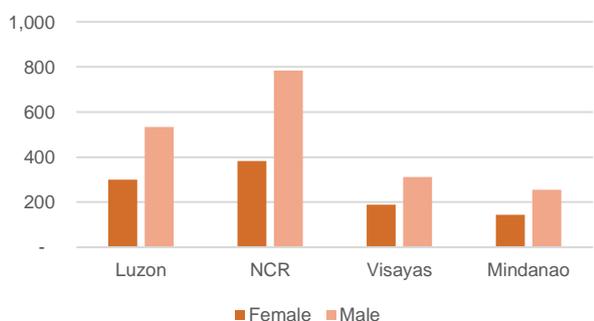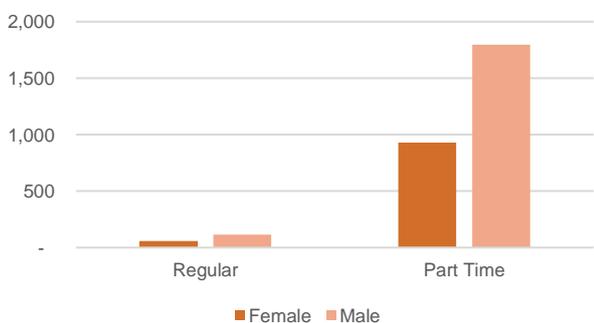

Figure 14. Faculty by gender and region

Figure 15. Faculty by gender and engagement type

As seen in the demographic data from the LSIR, there are **different key frames that have to be considered in measuring the impact of the pandemic on legal education**, such as gender, concurrent work and socioeconomic variances in the intertwining contexts of national concerns and diverse local issues.

5. **Understanding stakeholder challenges.** The LEB launched two key community surveys to gather vital information on the experiences of stakeholders in pursuing learning while coping with the crisis. The tools were hosted online and used convenience sampling to gather responses.

The faculty survey had 175 respondents[ix], while the student survey had 2730 respondents.[x] While data from the two stakeholder surveys do not represent the entire academic population, they do provide insights and guide the identification of areas of concern.

5.1. Profile of respondents. Majority of student respondents were female and between ages 21 to 30, while majority of faculty respondents were male and between ages 31 to 50.
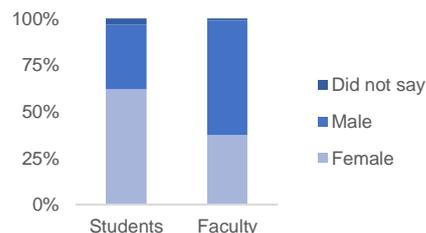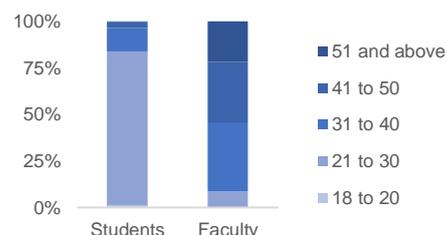
Figure 16. Respondents by gender

Figure 17. Respondents by age

5.2. Faculty experience. In the faculty survey, the research goal was to identify the coping strategies implemented by law schools and their faculties to manage the interruption of the traditional class setup. Respondents were also asked to share their perceptions about these strategies.

Firstly, faculty respondents were asked to identify what institutional directives were given to them by their HEI because of the cancellation of classes, and in turn, what measures they implemented for the courses that they handled.

The **most common response was that the law schools provided faculty members the discretion how to proceed** (40%). Using this discretion, **majority of the faculty respondents (63%) used self-paced learning as the alternative strategy**. The second most common alternative learning mechanism was open-time assignments (44%). Table 4 shows other methods employed.

For the rest of HEIs, a quarter (24%) of the respondents related that they were directed to migrate to online learning platforms, while 14% were instructed to suspend all classes including online ones. Table 3 outlines the different institutional directives received by the faculty respondents.

Table 3. Directives given to faculty in light of the pandemic

Institutional directive (single answer)	Respondents
Gave professors discretion how to proceed	40%
Directed professors to migrate to online learning platforms	24%
Directed professors to only give assignments to students without online classes	12%
Directed the suspension of all offline and online classes	14%
Others	10%

Table 4. Strategies employed by faculty

Measure implemented by professors (multiple answers)	Respondents
Self-paced learning	63%
Open-time assignments	44%
Live online classes	26%
Suspended classes entirely	23%
Timed exercises or quizzes	17%

In the course of the cancellation of physical classes, law schools used alternative modes of communication, including the internet, to get in touch with their faculty and students. Faculty respondents were then asked to measure their perceptions about the shift to the delivery of classes via online platforms.

Table 5. Faculty experiences with online classes

Question	Positive Responses	Negative Responses	Mean Experience (Out of 4)	Description
Did you expect the long suspension of classes?	40%	60%	2.3	No, I had low expectation
How prepared were you for online delivery of classes?	37%	63%	2.3	Somewhat not prepared
How effective are online classes for the delivery of law courses?	36%	64%	2.2	Somewhat not effective
How easy is it to teach your subject/s remotely or without the traditional classroom setup?	32%	68%	2.1	Somewhat difficult

The average experience of the faculty respondents (as seen in Table 5) showed that they had low expectations that classes would be suspended for such a long time. The average response also showed that **the faculty respondents were somewhat not prepared for online-based instruction**.

When asked to rate their perception of the effectiveness of online classes for the delivery of law courses, the average rating of the respondent group was that it was somewhat not effective. They had a slightly lower average rating of the ease of teaching remotely which **indicates a somewhat difficult experience for the faculty respondents.**

Comparatively, a big majority (67% to 69%) of the faculty respondents perceived that **both student preparedness and engagement in the emergency online classes were lower than that in the traditional class setup**. 25% to 31% believed the levels of student preparedness and engagement was probably the same, while only 2% to 6% of the respondents saw an improvement.

Figure 18. Faculty perceptions of impact on learning environment
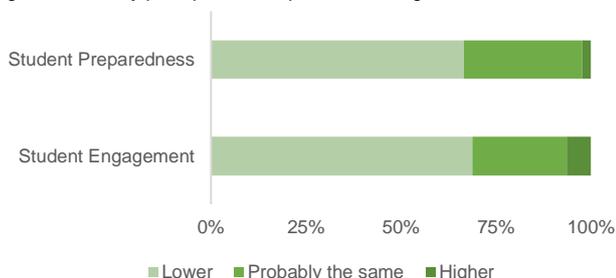
Looking into the factors that affect the experience of remote teaching, 57% of faculty respondents mentioned familiarity with technology, while 52% mentioned lack of technical support. 28% in turn cited employment and other engagements and 22% referred to care work responsibilities as factors. But **the most common factor for the faculty respondents was internet connectivity** at 82%. This data motivates a need to understand better the aspects of internet connectivity in the experience of both students and faculty in emergency remote learning.

5.3. *Technological divides.* Looking at access issues in the context of heavy reliance on technology, particularly gadgets and the internet for both faculty and students, a comparative approach was used to understand possibly important differences in the experience between respondent groups**.**

Given the diversity of localities where faculty and students have been operating from as they access technologies, respondents were asked about the reach of public electrification in their areas. A good majority (about 65%) equally of both faculty and student respondents had very reliable electricity. However, **a significant number of respondents (35%) from both surveys had either rotational or frequent power outages**.

Figure 19. Reliability of electricity
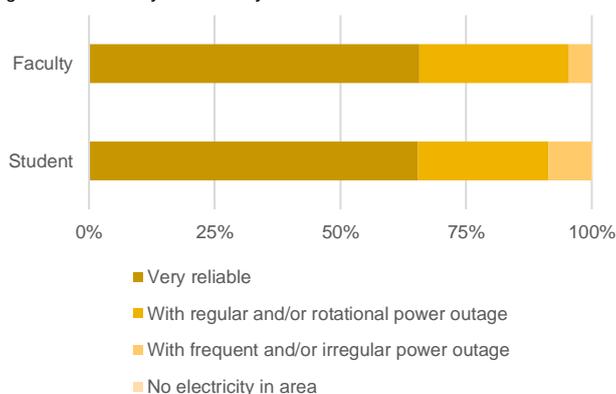
Access to electronic technology was also investigated. Among faculty respondents, the most common accessible gadget was a desktop or laptop computer (94%) followed by the mobile phone or tablet computer (77%). Maintaining relatively high access, the reverse order is true for student respondents for mobile phone or tablets (90%) and desktop or laptops (77%). Only 1/3 of both respondent groups had printers, and even less had scanners.

Figure 20. Access to gadgets
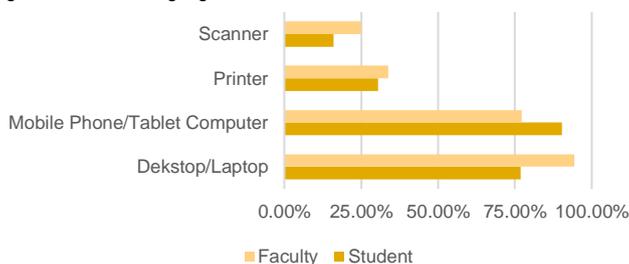
In the context of heavy reliance on internet-based communication for alternative learning strategies, the surveys also asked the quality of access to the internet. A majority of faculty respondents (56%) had stable internet, while only 35% of student respondents answered the same. **Significant portion of both groups (44% to 64%) had intermittent quality of internet access**.

Figure 21. Quality of internet access
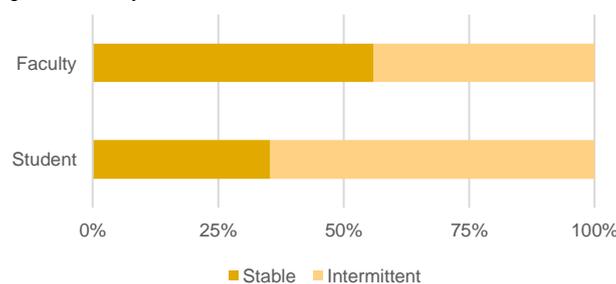
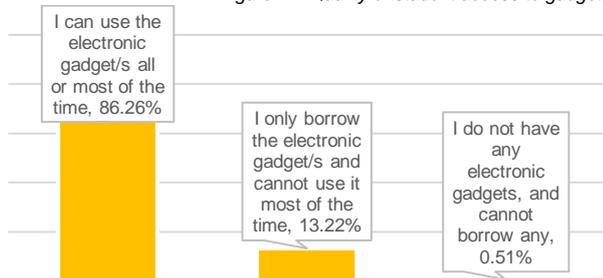For the student respondent group, the high level of experience with intermittent internet was further investigated.

The student respondents were asked to describe their access to electronic technology during the pandemic. **A large majority (86%) of the group responded that they can use the electronic gadget they have all or most of the time.** A small segment (13%) said that they had to borrow an electronic gadget and would not be able to use it most of the time.

Figure 22. Quality of student access to gadgets

I can use the electronic gadget/s all or most of the time, 86.26%

I only borrow the electronic gadget/s and cannot use it most of the time, 13.22%

I do not have any electronic gadgets, and cannot borrow any, 0.51%

Additionally, to understand better the student responses, the respondents' places of residence during the quarantine were mapped. Using national census data from the Philippine Statistics Authority[xi] and matching it with data from the student survey, household internet connectivity of the respondent's residences were measured and then aggregated.
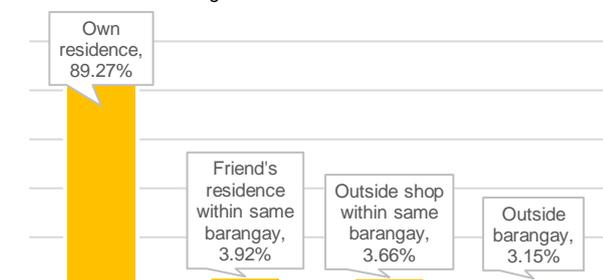
Based on the aggregated data on household internet connectivity, the student respondents are currently residing in areas with varying levels of access. As Figure 23 shows, **majority of student respondents (61%) are living in areas where only 1% to less than 20% of households had an internet connection**. A significant segment (38%) of the respondent group, however, were living in areas where there were 20 to less than 30 in 100 households that had internet connectivity.

Figure 23. Student household internet connectivity

50.00%

25.00%

0.00%
Less than 1 in 100 Households | 1 to less than 10 in 100 Households | 10 to less than 20 in 100 Households | 20 to less than 30 in 100 Households
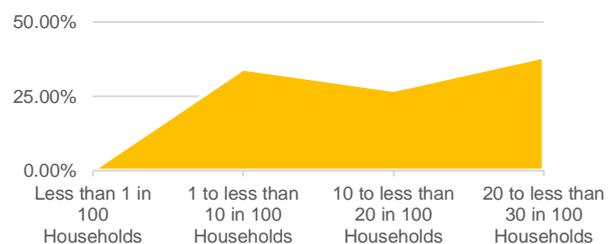
Subjectively, the student respondents, nonetheless, noted that to access the internet during quarantine, **majority of them (89%) will be able to access it in their own residence either using broadband or mobile data technologies**. A segment (11%) did answer that they will have to leave their residence to access the internet.

Figure 24. Nature of student access to the internet

Own residence, 89.27%

Friend's residence within same barangay, 3.92%

Outside shop within same barangay, 3.66%

Outside barangay, 3.15%

5.4. Student experience. Delving deeper into the experiences of students, and factors affecting this, the student survey also looked at employment and household background of the respondents using labor and gender frames.

The student respondents were first asked to determine whether they were dependent on others for their sustenance and education. **A near half (46%) of the respondent group said they were fully independent.** While the remaining majority (54%) were either partially or fully dependent on others.

Figure 25. Student financial background

Partially or Fully Dependent 54%

Fully independent 46%
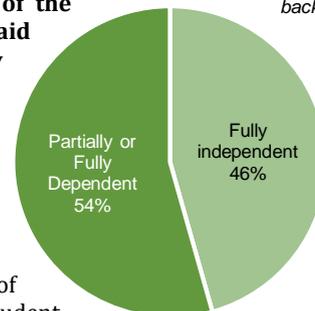
In terms of employment, the student respondents categorized themselves in a spectrum of choices. Coinciding with the dependent type majority, **53% of the student respondents said they were not employed** which can be assumed refers to full time students.

Figure 26. Student employment during the pandemic

Full Time Employment 34%

Not Employed 53%

Part Time Employment 8%

Recently Unemployed 5%
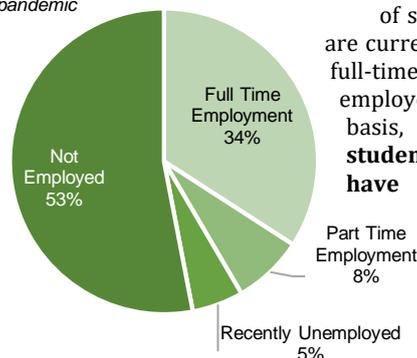
Meanwhile, 34% of student respondents are currently employed on a full-time basis and 8% are employed on a part-time basis, However, **5% of student respondents have become recently unemployed because of the pandemic**.

Of those currently employed, majority (78%) were working from home, but **over a 1/5 segment was required to report to their physical offices**.

Figure 27. Student employment setup

Work in office 22%

Work from home 78%
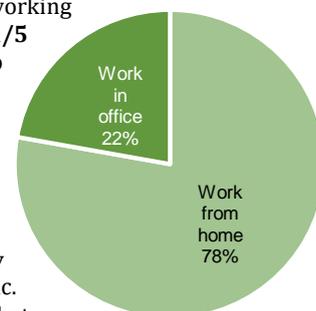
Finally, student respondents were asked to describe the current household factors they face during the pandemic. Nearly half (49%) stated that they had no dependents. **But close to 1/3 were financially responsible for others, while 1/5 were not financial providers but had care work responsibilities for their families or relatives.**

Figure 28. Student household factors in relation to gender of respondents

100%

75%

50%

25%

0%
Financially responsible for others | Care work | Unpaid industry | No dependents

■ Did not say
■ Male
■ Female
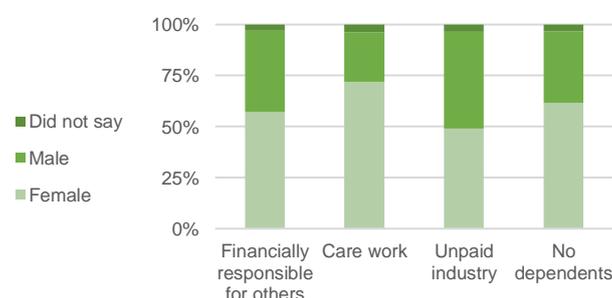
6. **Key Findings.** Based on the data presented in this paper, some key insights can be made about the deep implications on the legal education system revolving around the need for an unprecedented approach in dealing with the pandemic.

   6.1. *Profound disruption to learning.* Because of the community quarantine imposed on large parts of the country, law schools have had their physical classes suspended for up to six (6) weeks now. A regular semester is 18 weeks long which means 1/3 of the period has been incredibly disrupted.

   While a number of law schools have been able to shift to alternative learning mechanisms, where most of them have used technology and internet-heavy models, the shift was marked with difficult adjustments.

   Thus, the disruption is not just seen quantitatively in the amount of the time left for studies, but also qualitatively on the impact on the strategies for teaching (on the side of the faculty), and strategies for learning (on the side of the students) in the of face a wholly unfamiliar situation for education. The online learning environment, in particular, because it has only been *ad hoc* in nature, has presented roadblocks to student engagement and participation. While this study does not measure precisely how much impact the pandemic has on learning, it does outline key points of further investigation.

   6.2. *Lack of adaptability of instructional methods.* As a number of HEIs have decided to maintain alternative learning systems, there is a level of unfamiliarity by the faculty in employing technology-reliant teaching methods.

   This observed difficulty in translating traditional classroom setups and assessment methodologies to be appropriate for remote learning raises critical questions as to the robustness of the legal education system to adapt to changing circumstances. The ease of certain schools with the emergency online shift, for example, is not shared by majority in the legal education system. This implies that there is a remarkable need for present legal education theory to develop more modern and adaptable pedagogy and methods.

   6.3. *Divides in legal education.* As is present in the bigger educational system, there are existing inequalities in legal education that are threatened to be worsened by the pandemic. These inequalities exist between schools in terms of resources and knowhow, but also between students in the same schools.

   While this study has also not precisely measured the effect on access to and quality of access to education, it has enabled us to highlight areas of concern.

   Primarily, the technological divide shows significant segments of the student population do not have stable internet access. There is also a similar divide, perhaps to a lesser degree, among the faculty. Technology-heavy learning methodologies may work to expand this gap.

   Baseline data also show that majority of students are women and working. The study shows that even during the

pandemic, a significant number continue to work. A segment is also expected to provide care work even if unemployed.

These factors present vulnerabilities to specific sectors within the student population that cuts across the different geographical divisions. With the effect of the crisis on the economy, jobs and families, using labor and gender frames is important to identify how students are being uniquely affected and even prejudiced.

   6.4. *Incredibly diversified concerns among schools.* Even as it is important to understand the macro situation in the legal education system, what the data shows are the presence of varied concerns in the pandemic for law schools that are unique to each HEI.

   Depending on their locality and the crisis conditions there, their access to resource and ability to mobilize such, familiarity with alternative learning methodologies, and demographic background of faculty and students, to say the least, schools are affected differently.

   The exploration of effective solutions will have to rely on innovation developed and forwarded by law schools and enriched through sharing of best practices. HEIs would then require the flexibility of regulatory tools to help them manage their concerns.

   6.5. *Adapting to the new normal.* As the world struggles to understand and survive the unprecedented times, there is a need to reimagine learning and legal education in this new context.

   The threat for example of local outbreaks in key cities and regional centers until the year 2021 continue to threaten the welfare of education stakeholders. In all these, the life and welfare of individuals take precedence. The legal education community must work with an acceptance of the new normal that has upended the assumptions of what it has been accustomed to in its efforts to ensure the quality of education.

7. **Recommendations:** It is hereby recommended that:

   1. The legal education community must emphasize compassion, and solidarity in these incredibly difficult times. Maximum leniency and understanding must be exercised for students, and focus must be made on bridging learning with assessment methods appropriate in the context of massive challenges to families and communities.
   2. Law schools are also expected to prioritize the health and welfare of their academic community. Academic goals should prove subservient to the integrity of the human person, and the inherent right to life and health.
   3. Diversified and highly-localized concerns require a policy easing to encourage innovation and provide flexibility to schools to manage their unique issues.
   4. If able, law schools are encouraged to explore economic support to their faculty and personnel.
   5. LEB interventions should focus on bridging gaps in inequalities in education poised to be exacerbated by the pandemic, concerning technological, economic, gender and cultural variances.

[i] Lawyer, LEB Regulatory Division Head, LIB from University of Santo Tomas – Legazpi 2018, MA in Women and Development student, University of the Philippines Diliman, with key inputs from Atty. Tanya Karina Lat especially in the design of the faculty survey, and research from Atty. Jorell Sto. Domingo, and Atty. Jerome Antonis II.
[ii] https://ncovtracker.doh.gov.ph/
[iii] https://www.csis.org/programs/southeast-asia-program/southeast-asia-covid-19-tracker-0
[iv] https://www.up.edu.ph/modified-community-quarantine-beyond-april-30-analysis-and-recommendations/

[v] https://www.philstar.com/headlines/2020/04/03/2005234/covid-19-strategy-heres-how-philippines-can-combat-pandemic-according-data-scientist
[vi] https://www.pids.gov.ph/publications/7022
[vii] http://ateneo.edu/sites/default/files/downloadable-files/Policy%20Brief%202020-11.pdf
[viii] LEB Quick Student Survey on Emergency Remote Learning, 2020
[ix] LEB Faculty Survey on Emergency Remote Teaching, 2020
[x] See note viii
[xi] https://psa.gov.ph/sites/default/files/attachments/hsd/pressrelease/Table%209_PR_Philippines_housing%20tables_0.pdf