

ADMINISTRATION

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ASSESSMENT METHODS

Alternative assessment procedures: recent trends and experiences from practice

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In current educational practice, a wide variety of alternative assessment procedures has been adopted. The context and setting of teaching and learning law indicate the major trends affecting the nature, content and organisational features of assessment approaches and techniques. In particular, the growing concern to elaborate skills-based curricula in response to calls for a more competency-based orientation and the increasing practice of integrating assessment into the overall instructional process, rather than merely positioning it at the end of the learning/ teaching period, require different assessment techniques.

The importance of entry assessment has increased due to the tendency toward cost reduction and more severe entry criteria in the name of economic efficiency and effectiveness. Furthermore, new psychological insights into learning have redefined the role and function of assessment so that it takes a central position in the instructional setting.

This implies that the teaching/ learning process starts with determining the prior knowledge of a student, in order to adapt the ensuing teaching/ learning process to the specific needs of the student. The traditional culture of testing has recently shifted toward an era of assessment, in which assessment is a tool for supporting students at the start, during and after learning.

The prior knowledge state tests (PKST) establish which students have the background knowledge to do the course and whether students require additional prior instruction. It also allows students to be split into fast track groups, permitting them to utilise their existing knowledge rather than sitting through preliminary material with which they are already familiar. There are several types of PKST, including optimal requisite, subject oriented and domain-specific.

The parties involved in the assessment process are the institution and the students. Traditionally, it was the institution only with its responsibilities for certifying the mastery level of students but there is now a shift in attention to the responsibilities of the individual student. Self and peer assessment or co-assessment are new practices. Students become responsible for their own learning and can independently assess their mastery of the objectives. However, many have been reluctant to put self assessment into practice due to doubt about the acceptability of test results for certification purposes.

There is a growing demand for skills assessment techniques as more law schools use simulations and live client work to develop skills. Assessment centres have been established which measure the prior knowledge acquired

elsewhere. Performance is being assessed through the use of multiple choice answers, short answer questions, open questions, problem solving, simulations and portfolios.

Three examples of innovative assessment approaches are given: an electronic moot court; Roman Law with Hypercard; and prior knowledge state tests and the composition of tailor-made courses as used in an open learning university. These developments clearly illustrate the paradigm shift from an institutionally defined focus on final testing toward a movement in which students are actively involved in testing their own mastery of the objectives.

The impact of modularisation and semesterisation on the assessment of undergraduate law students

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The modular or unitised pattern of study has been gradually introduced over the last 20 years in UK universities. Modularisation allows a subject to be taken at different institutions and the transfer of credit from one institution to another. The rationale underlying the process of modularisation is that it breaks the traditional boundaries of learning by allowing students of all ages and non-traditional backgrounds to take advantage of the opportunity to study in higher education. It also gives some degree of geographical freedom and flexibility and creates new student markets at a time of declining resources for the higher education sector.

Modularisation is usually accompanied by semesterisation,

which splits the academic year into two equal terms. Most UK institutions operate on a three term year. The effect is that a course that would have normally been taught over three terms is either packed into a single semester or run over two semesters, with two assessment periods in contrast to the single assessment period in the three term year.

Such developments raise questions concerning the students' learning experiences, law lecturers' teaching experiences, the role of external examiners and the maintenance of academic standards.

The article discusses the findings from a UK survey about the provision of undergraduate and postgraduate education with respect to data collected about modularisation and semesterisation and their impact upon assessment patterns. The survey data indicate that the combination of modularisation and semesterisation, under which law subjects are split into small segments of information and assessed at increasingly small intervals, results in a real risk that this type of structure significantly affects both course delivery and student learning with corresponding implications for student achievement. It encourages surface learning rather than deep learning by concentrating a student's workload into periods of intense activity, preventing them from studying any subject at depth. Advice is offered as to how to design learning modules which encourage deep rather than surface learning by students.

An experience in peer assessment in LL.B year 1

E Rule

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The article seeks to persuade law teachers to utilise peer and/or self assessment. The pressure of work is forcing even those lecturers who are most resistant to innovation to consider using peer or self assessment. These methods are in keeping with the current trend towards encouraging students to be responsible for their own learning. Students in peer and self assessment programs become more effective learners and develop transferable skills important in the field of employment by being aware of their own competencies.

It is desirable when introducing peer and self assessment regimes to negotiate and discuss with students what the syllabus should contain. However, this is problematic in a law teaching context, as the students have little idea of the content of the course at the beginning and the syllabus is already determined by external bodies, such as admitting authorities. In addition, the criteria used to assess the students' work could not be negotiated because other markers would not necessarily apply them. The peer and self assessment criteria must therefore be applied to the traditional assessment tasks such as problem questions in assignments and exams.

Criteria were given to students in order to allow them to evaluate their work and that of other students. The assessment criteria were as follows: the law must be accurate; the answer must identify the litigants; the principles of law being discussed must be clearly stated; authorities must be used to

support the principles, clarify their meaning and support the argument; the position argued by both parties must be identified; the answer should be written such that a reasonably intelligent client would be able to understand it; and there should be no irrelevant material.

Tutorials were used to teach students how to identify and assess each criterion. Self and peer assessment is a practical skill like mooting and negotiating exercises and writing advices to clients. Such learning techniques encourage deep learning where the student endeavours to understand the material rather than merely to memorise it. As students are given the assessment criteria to be used in assessing the work of peers, they are mindful that their work will be assessed by their own peers. Hence, they use the published criteria as a guide to the content and structure of their own work.

Whilst peer and self assessment has its advantages it flies in the face of traditional university culture. Many lecturers do not believe that students have the competence to assess themselves and feel that they are losing control of the assessment process. However, experience suggests that this is not the case. Student assessment has been found to be in line with staff assessment, with little variation in the marks awarded by staff and students for the same piece of work. Law graduates are going to need to exercise the kind of integrity and ability to self-evaluate that self and peer assessment presuppose if they are going to provide a satisfactory service to their clients.