

## ASSESSMENT METHODS

### The influence of assessment in a law program on the adoption of a deep approach to learning

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15 *J Prof L Educ* 2, 1997, pp 203–226

Students learn more effectively by adopting a deep approach to learning which involves a higher level of understanding of a subject. It has become important to structure a course curriculum so that it encourages students to adopt this approach. The type of assessment used in a law subject will also greatly influence a student's approach to learning.

Research has indicated that there are three approaches a student will adopt in learning: surface, deep and achieving (or strategic). The approach will depend largely on the student's motive and the strategy used to complete the task. Many factors may influence why a student decides to adopt a particular approach to learning, one of the most important of which is assessment. Assessment which is portrayed as an intrinsic part of teaching and something which will improve learning and promote an interest in the subject material will not be threatening. Instead, if assessment is viewed as something which must be done in order to pass the subject and is used simply as an evaluative measure, it may affect the primary motivation of the students. One of the most effective ways to alter a student's learning strategy is to change their motivation.

A deep approach to learning is what most teachers strive to instil in their students. This is motivated by an interest in the subject and a desire to learn and understand the material. The motivation behind this approach

is intrinsic to the subject matter itself, rather than some external desire. Such a level of understanding may be achieved in a number of ways. The strategy adopted by the student will be one which tries to integrate all the components in order to form a holistic interpretation of the material. Adopting a deep approach to learning usually will result in better grades. Studies have also shown that a deep approach to learning is usually adopted where the student feels less anxiety and more satisfaction with and fulfilment in a subject.

The achieving approach to learning is the most adaptive of the learning approaches because it effectively uses either a deep or surface strategy, depending on the level of understanding a student feels they require. The amount of understanding thought to be needed will depend on the course and assessment requirements. It is a more cost-effective type of strategy which will assess resources available and outcomes required. The motivation driving a student adopting this approach is, however, very different from that of those who adopt either a deep or surface approach to learning: it usually lies in the need to obtain high grades and compete with others. Although this approach is in effect very practical and efficient and often results in a student at least passing a subject, a thorough understanding of the material cannot always be guaranteed.

One of the major reasons why students are assessed is to motivate them to study. If the purpose for assessment is seen to be a means to grade students and award them a pass or fail in a subject, then a student will use assessment as an extrinsic reason for learning the subject matter. Students perceiving learning to be for the pur-

pose of certification will usually adopt a surface approach to learning.

It is therefore important to formulate summative assessment in a way which decreases anxiety and the threat of failing. Such assessment needs to be viewed as a means to determining the level of knowledge of a student and helping them to understand the material better. This may be achieved by keeping students informed of the assessment criteria, the weighting of each component of assessment and the different types of assessment to be used. Another way to help alleviate this kind of student anxiety is to include formative assessment throughout the course, which provides feedback to students regarding their level of knowledge.

To determine the extent to which different methods of assessment will affect the motivation of students studying a law subject and therefore which approach to learning they adopt, students interviewed in this research study were asked to explain how, if at all, the different types of assessment they had experienced affected their motivation. They were also asked whether other indicia which characterise different approaches to learning, such as level of understanding and strategies used to study, were affected by different assessment techniques.

Most of the students were found to be motivated by a fear of failure or exams, an extrinsic form of motivation. The strategies of those students who were motivated by purely extrinsic factors involved cramming, leaving any study until just before exams, memorising notes, and filling in missing pieces of other notes. The students who were motivated by an interest in the subject always went to lectures, read over their notes shortly after taking them, typed up their notes weekly,

made sure that they understood the material and tried to read about the topic in advance of the lectures.

Prima facie, different methods of assessment did not affect the motivation and strategy for study of the students who were motivated by extrinsic factors. Their motivation was still to pass, or get higher grades, whether it was an exam or an assignment.

The anxiety level of the students who were generally motivated by extrinsic influences and adopted an atomistic approach to learning was affected by different forms of assessment. These people preferred progressive assessment because there was not as much pressure to pass.

Possibly the greatest effect that different forms of assessment had on the respondents was in the level of understanding they felt they had attained. This applied to all the students, whether they had an intrinsic or extrinsic influence to their motivation. Exams were considered to be the worst form of assessment for encouraging students to understand a subject. Assignments and presentations were the types of assessment which encouraged a better understanding of the material.

Although initially it was hypothesised that different methods of assessment would affect the approach to learning a student adopts, a student who already adopts a deep approach to learning is not affected in terms of strategy and motivation by the method of assessment. Other effects of assessment, such as anxiety and level of understanding, seem to have affected all the students. The greatest effect of different methods of assessment relates to the level of understanding students feel they have achieved. It also seems that the greatest effect is upon those

students who generally adopt a surface approach to learning.

The focus of assessment needs to be more student-centred and less teacher-centred. If assignments are considered the best form of assessment in order to encourage a deeper level of understanding but do not cover enough topic areas, a take-home exam may be the answer. It would give students the benefit of having longer time to complete the assessment, without the anxiety associated with exams, and it gives the teacher scope in relation to coverage of topics.

## CONTINUING EDUCATION

### **The need for a conceptual framework for continuing professional development for lawyers**

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*15 J Prof L Educ* 2, 1997, pp 169-179

There is a need, and an opportunity, to develop a conceptual framework for continuing professional development (CPD). Such a framework would assist better practice in CPD by making it more theory-based and thus more professional and less intuitive. The construction of this framework is likely to reveal areas where empirical research programs are needed. The framework might be a basis for the development of standards by which CPD can be judged.

A conceptual framework is a framework which fits together in a structured way these analytical constructs, drawn from a variety of sources. A conceptual framework does two things: it puts the concepts within the general notion of CPD into a structured order and it integrates concepts from other related areas into the overall concept of CPD, thus en-

riching and strengthening it and helping us to make sense of our experiences of CPD.

A beginning could be made on the development of a conceptual framework for CPD by compiling and analysing the major literature on CPD to identify linkages between concepts, and groupings or hierarchies of concepts, constructing a framework which brings these linkages, groups and hierarchies, both within CPD and related areas, into a single conceptual framework. The results of this examination can then be reported in a way which is a useful base for the ongoing development of policy and strategy and the delivery of non-formal CPD.

There are a number of different groups of people and organisations which might benefit from the existence of such a framework. A first group is those responsible for the development of policy and strategy in legal professional bodies. The framework could, for example, contribute to better and less intuitive policy and strategic planning, better deployment of resources, a more orderly implementation of CPD programs, and an overall program providing a more sequenced and orderly progression of learning.

Another obvious group is the providers of non-formal CPD programs to the profession, both generally and in-house. The framework might assist them by, for example, identifying and meeting real needs. Finally, practising lawyers could be beneficiaries, as the framework could help them make sense of their own CPD experience and, to the extent that they are responsible for the CPD of others, do that in a more reflective way.

CPD is increasingly seen as a central and vital aspect of professional