



University of Chester



**This work has been submitted to ChesterRep – the University of Chester’s
online research repository**

<http://chesterrep.openrepository.com>

Author(s): John Morrow ; Chantal Davies

Title: A theoretical consideration of academic assessment of students with specific learning difficulties studying for qualifying law degree at a small northern university

Date: 11 September 2014

Originally given at: Approaches to Inequalities: Perspectives from Higher Education Conference 2014

Example citation: Morrow, J., & Davies, C. (2014, September 11). *A theoretical consideration of academic assessment of students with specific learning difficulties studying for qualifying law degree at a small northern university*. Unpublished presentation given at Approaches to Inequalities: Perspectives from Higher Education Conference 2014, University of Northampton.

Version of item: Given at conference

Available at: <http://hdl.handle.net/10034/347440>



***A Theoretical Consideration of Academic Assessment
of Students with Specific Learning Difficulties
Studying for a Qualifying Law Degree at a Small
Northern University***

John Morrow
Chantal Davies
University of Chester

Theoretical Background

- Increased focus on widening participation in higher education
- Equality Act 2010
- SpLD students get lower grades at university - Jelfs and Richardson 2010, Mortimore and Crozier, 2006
- Students with SpLDs struggle with traditional assessment methods (Osborne, 1999)
- 5.61% of undergraduate students declared a SpLD (2009)
- 3.41% of undergraduate law students declared a SpLD in 2009 (Equality Challenge Unit, 2011)

Qualifying Law Degree

- Joint Statement the Law Society and the Bar Council (2001)
- Skills and knowledge required
- Implicit requirement for traditional form of assessment
- Creating conflict with equality legislation, Holms (2002)
- Qualification bodies are under a duty to provide reasonable adjustment s. 53(6) Equality Act 2010
- No longer exempt, as had been in Cox v General Medical Council (GMC) [2003] 70 B.M.L.R. 31
- Burk v College of Law (UKEAT/0301/10/SM)

Research Methodology

- Qualitative longitudinal enquiry
- Adjustments for assessment: experiences of law students with SpLDs
- Comparison with law students without SpLDs
- Beliefs and perceptions of University academic and support staff

Main Themes from Initial Data

- The problematic nature of categorisation (Mortimore, 2008)
- Stigma (Fuller et al. 2004)
- Tension between academic and student support staff (Mortimore & Crozier, 2006)
- The impact of staff interpretation of university policy
- External factors to the university
- The need for inclusive practise

Inclusive Practice

- Nature of Assessment (Osborne, 1999)
- Effectiveness of Adjustments (Hanafin et al. 2007)
- Inclusive Assessment (Waterfield and West, 2009)
- Benefits to inclusive assessment (Cradock & Mathias, 2009)
- Problems with Inclusive Assessment
- Initial implications

Conclusion

- Hurdles exist for law students with SpLDs in HE
- Current methods of assessment may be making law degrees inaccessible for students with SpLDs
- Adjustments appear to struggle to overcome this
- Need to reconsider how far assessment can become more inclusive

Questions to consider

- Do other subject areas face similar problems with ‘traditional assessment mythology’?
- How effective are standardised adjustments in relation to academic assessment?
- Examples of inclusive assessment?

References

- Burk v College of Law (UKEAT/0301/10/SM)
- Cox v General Medical Council (GMC) [2003] 70 B.M.L.R. 31
- Cradock, D., & Mathias, H. (2009). Assessment options in higher education. *Assessment & Evaluation in Higher Education*, 34, 127-140.
- Equality Challenge Unit. (2011). Equality in Higher Education: Statistical Report 2011 part 2: Students. London.
- Gilroy, D.E., & Miles, T.E. (1996). *Dyslexia at College*. (2nd ed.). New York: Routledge.
- Hanafin, J., Shevlin, M., Kenny, M., & Mc Neela, E. (2007). Including young people with disabilities. *Assessment challenges in higher education. High Education*, 54, 435-448.
- Holms, A., (2002). Accessibility in law schools: learning, teaching and assessment. UK Centre for Legal Education. Retrieved on 15/01/2013 from <http://www.ukcle.ac.uk/resources/equality-and-diversity/holmes/>
- Jelfs, A., & Richardson, T., (2010) Perceptions of academic quality and approaches to studying among disabled and nondisabled students in distance education. *Studies in Higher Education*, 35(5) 593-607.
- Mortimore, T. & Crozier, W. R. (2006). Dyslexia and Difficulties with Study Skills in Higher Education. *Studies in Higher Education*, 32 (2), 235-251.
- Mortimore, T. (2012) Dyslexia in higher education: creating a fully inclusive institution. *Journal of Research in Special Educational Needs*, 13(1), 38 - 47.
- Osborne, P., (1999). Pilot Study to Investigate the Performance of Dyslexic Students in Written Assessments. *Innovations in Education & Training International*, 36:2, 155-160.
- The Law Society and Bar Council (2001). A Joint Statement issued by the Law Society and the General Council of the Bar on the Completion of the Initial or Academic Stage of Training by Obtaining an Undergraduate Degree.
- Riddell, S., & Weedon E. (2006). What counts as a reasonable adjustment? Dyslexic students and the concept of fair assessment. *International Studies in Sociology of Education*, 16:1, 57-73.
- Waterfield, J. & West, B., (2009). Inclusive Assessment. *Inclusive Practise E-bulletin series*, 2.

Contact Details

John Morrow
University of Chester
Parkgate Rd, Chester, CH1 4BJ
J.morrow@chester.ac.uk

Chantal Davies
University of Chester
Parkgate Rd, Chester, CH1 4BJ
Chantal.davies@chester.ac.uk

