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Author(s): John Morrow ; Chantal Davies

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***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?

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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

