**Portfolio Assessment: Should we start with the academics having a go?**

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**Summary**

In this paper I shall consider potential benefits of using portfolios as a summative assessment tool for all undergraduate law modules. Although this has been piloted in one module it was not a success. The main concern this raised is that unless academics undertake a process of portfolio assessment themselves they will not be equipped to assist students in a process of portfolio assessment.

***Key words:***

Portfoilo. Viabilty. Academic Teaching Rationale.

If we are to acknowledge that the ‘liberal’ model for higher education (Dearing Report 1997) has been replaced with the expectation that graduates must be able to contribute to an increasingly competitive world, universities are going to need to ‘shape’ as well as ‘react’ to what it is individual students need in an effort to optimise the successful survival of our students once they leave university. As outcome-based learning is the pointer for how successful institutions are at meeting these goals, more will be expected from academics in terms of ‘how’ they shape the goals students are required to meet. Governments are requiring universities to justify their practice as never before. As a consequence, teaching students to be enquiring in their approach to learning “is not just a throwback to enlightenment or liberalism but central to the hard-nosed skills required for the future graduate workforce” (Jenkins Healey Zetter 2007: 5). More than ever, educators need to make higher education meaningful to assist in the transformation of how students think “by promoting the progression from novice to expert in both attitudes and approaches to the discipline” (Weiman 2007: 5). If we are to contend that students no-longer need ‘pre-defined’ bodies of knowledge but the skills of ‘how’ to find out for themselves curriculum design needs to enable students to maximise this opportunity.

Biggs observes that “knowledge should not only be gained in order to tell others about it. Students must be able to put knowledge to work, to make it function …as it is the understanding of this knowledge which makes us see and behave differently to the world”. This is the process of turning declaratory into functioning knowledge. Present methods of assessment (exams, phase tests and essay writing) encourage students only to display a ‘declarative’ knowledge of subject material (Biggs and Tang 2007). Unless students are engaged in an assessment process which teaches them how to find out for themselves, to enable them to construct their own meaning through relevant learning activities to develop this functioning knowledge (Biggs and Tang 2007) education is less likely to be meaningful as we have not transformed ‘how’ our students think about the subject (Weiman 2007).

Portfolio assessment gives us the opportunity to successfully prepare students for employability as during the assessment process students evidence and demonstrate how they have been taught to think. Portfolio assessment gives tutors the opportunity to give students explicit rationale for the purpose of their assessment because intended learning outcomes and associated rationale for the learning tasks can be communicated to students as they commence their law modules. Intended learning outcomes should be explicitly defined and teaching and learning activities so designed to optimise the likelihood of students achieving their learning outcomes. Biggs terms this as ‘constructive alignment’. Stated learning objectives and their associated learning tasks are designed in such a way as to require students to show their understanding of the subject. Understanding (an individual construction) would be assessed by summative assessment of the portfolio content at the end of the module thus demonstrating whether students’ individual constructions of understanding are compatible with the test (Savery and Duffy 2001).

Portfolio assessment could serve as a useful tool as effects of the recession continue to bite. As universities are increasingly corporative and competing for market space, portfolio assessment provides an ideal opportunity for collaboration with the legal profession and businesses in design of the portfolio content. Recent conferences considering the future of teaching in Higher education are emphasising the importance of collaboration between the potential student employers and higher education institutions to design programmes which meet with employer expectation (Responding to Employers: Moving into the Mainstream 2010). In designing learning tasks to achieve these aims, there is the potential for the development of use of creative and stimulating teaching methods with primary focus on what the student (and not the teacher) does in the classroom. Such assessment then embodies principles of critical reflection of the given assessment tasks. If formative feedback is given during the assessment process students will be encouraged to use this feedback in a constructive manner as they reflect on how they might improve for the summative assessment of their portfolio at the end of the assessment period. As Biggs observes most students will turn declaratory into functioning knowledge... but only if they have to (Biggs and Tang 2007: 9). As a consequence of such transformation of knowledge, portfolio assessment should become a valuable tool for a life-long learning process in the legal or indeed any other profession. In transforming the way students think by the process of critical reflection we are more likely to promote a required progression from novice to expert in both attitudes and approaches to the discipline and to future problem solving required for students to be successful after university (Weiman 2007). If education is to be meaningful we should be doing our best to transform the way in which students think to optimise their chances of gaining employment.

By adopting portfolio assessment in collaboration with other stake-holders there is the potential to ensure that individual students achievement in their performance of the portfolio content is not simply a matter of ‘counting marks’, instead it is of making holistic judgements about the individual (Biggs). Intended learning outcomes would incorporate the sought for qualities of performance as determined by the academic institution in collaboration with other stake-holders.

It is recognised that ideas suggested above are not new. During my research for my Post Graduate Certificate in Higher Education I considered and was influenced by other academics. In particular projects developed by the Glasgow Graduate Law School (Maharg 2007: 5).

It is contended that the potential benefits of portfolio assessment will not be realised unless academics have undertaken portfolio assessment of their own teaching. In 2009 I and a colleague piloted a portfolio assessment for first year undergraduate students. Unfortunately this was not a success. On reflection we considered that in order for this to have been successful we would have needed to have undertaken portfolio assessment of our own teaching practice to properly facilitate the process as we had not learned through the process of ‘doing’ (portfolio assessment) ourselves. It is therefore suggested that until such a process is undertaken by academics this form of assessment is unlikely to be effective as academics will not themselves have learned the skills of how to facilitate student learning within this form of assessment.

Is it likely that academics would be willing to subject themselves to this form of assessment? Evidence provides that for teaching to be effective “reflection that uses theoretical models as an analytic tool produces qualitatively different insights into teaching and learning and provides teachers with the conceptual tools to establish links between what they know and what they do” (Winkler 2002: 439). Rogers observes how “reflective learning encourages active engagement between the self and the world around” (2002; 93). Similarly, Biggs and Tang (2007: 50) provide that “learning through reflection is a core part of reflective teaching”. So why is it that historically most academics who teach in higher education have not been subject to any form of assessment of their own teaching methods excepting in-house annual appraisal by colleagues?

Evidence suggests there is a logical relationship between diagnosed as opposed to the implicit intentions of lecturers and the teaching strategies they claim to adopt. Those who intend to transmit ‘pre-defined’ bodies of information (which it is contended in this paper should no-longer be the focus) adopt teacher-focused strategies. Those who believe in the conceptual development of students adopt student-focused strategies (Trigwell et al 1994).Similarly there is evidence to suggest that there are links between the ways teachers approach their teaching and students approach their learning (Trigwell et al 1997: 57). Related studies determine that student awareness of their learning environment is related to the approach to learning they adopt because approaches to learning are relational (Ramsden: 1992). In identifying teacher-centred and student-centred approaches to teaching it is considered that the more active students are in their learning situation, the more student centred the teaching orientation is likely to be (Tigelaar et al 2004: 254). It is contended a large proportion of academics continue to operate within the teacher-focused framework merely transmitting the pre-defined bodies of knowledge using various ‘chalk and talk’ methods of teaching. These methods continue to encourage passivity in the student audience. It is unfortunate that evidence suggests this ‘objectivist’ model of teaching (with associated links to positivism concerned with quantitative measurement of outcomes) is still very much alive in higher education. Adopting this model of teaching, academics are implicitly likely to be more concerned with delivering quantities of materials’ which can be summatively assessed and measured (Biggs 1996: 27 portfolio). It is also suggested that as long as lecturers continue to see themselves as a breed apart from teachers in further education, hardly considering themselves teachers at all (Becker 1989) knowledge will remain decontextualised. Decontextualised knowledge is learned, tested and applied more or less independently of particular contexts. Such approaches to teaching lead to assessment policies and practice which distort the quality of teaching and learning (Biggs 1996:348). These approaches and practice are in direct conflict with the underlying principles of portfolio assessment. We cannot facilitate the process of teaching students how to find out for themselves whereby they can evidence their ‘performance of understanding’ in that “knowledge which has been understood cannot be de-understood” (Biggs and Tang 2007: 9) when academics continue to focus on practices which promote rote learning.

The purpose of this paper is to raise a debate around an assertion which claims that only when academics ‘critically confront’ the rationale for their own teaching practices will we start to see a shift from teacher to student focused strategies which I believe to be the essential requirement for effective portfolio assessment of law students. This then raises the question as to whether there should be compulsory portfolio assessment for all academics teaching in higher education to enable them to appraise their practice through a process of reflection which would facilitate critical insight into held beliefs and values concerning personal rationale for teaching methods adopted.

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