Developing generic criteria and standards for assessment in law: processes and (by)products

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This paper reports the outcomes of a School of Law project undertaken in response to issues arising during the implementation of an institutional criterion-referenced assessment policy. The project involved the development of a set of generic assessment criteria and standards, or rubric, which could be customized to the requirements of individual law subjects. Of significance are the key decisions that shaped the generic resource and additional outcomes or byproducts of the project which include the professional learning experienced by individual members of the project working party and the identification of mutually reinforcing relationships between criterion-referenced assessment practice and other institutional policies and priorities. The paper concludes that analysis of project processes can produce findings whose value and significance are of equal interest to those resulting from implementation studies.

Introduction

In response to a number of issues that had emerged during the implementation of a criterion-referenced assessment policy, the School of Law at the University of Queensland undertook the development of an assessment resource to support staff in their practice. The issues were significant as they related to fundamental inconsistencies in policy interpretation and implementation and widespread perceptions that the shift from a norm-referenced policy had resulted in grade inflation. Neither the issues that emerged nor the school’s response—a set of generic criteria and standards—is particularly uncommon in higher education contexts where a criterion-referenced approach to assessment is implemented. Both have been addressed comprehensively in the growing body of assessment research literature, much of which, has focused on the impact of assessment interventions on student learning behaviours and outcomes. Far less attention has been paid to the processes undertaken in preparation for such

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interventions. However, in this instance, the preparation phase during which the criteria and standards resource was developed has produced findings of equal interest. The focus of this paper is therefore on elements of the process such as the significance of key decisions taken at particular stages of the project, and on project byproducts including the range of sometimes unanticipated outcomes experienced by members of the working party. Evaluation of the resource itself will be undertaken in conjunction with an implementation trial to begin in 2006.

Definition of key terms

Throughout the paper the terms ‘criteria’ and ‘standards’ are used in accordance with Sadler’s (1987, p. 194) definitions:

- **Criterion**: a property or characteristic by which the quality of something may be judged. Specifying criteria nominates qualities of interest and utility but does not have anything to offer, or make any assumptions about, actual quality.
- **Standard**: a definite level of achievement aspired to or attained. Standards are about definite levels of quality (or achievement, or performance).

The issues

As part of the normal operation of the School of Law, teachers and students are invited to an annual teaching and learning symposium at the end of each academic year. Assessment was one of the items on the agenda of the December 2003 symposium. It became obvious from the different staff perspectives put forward during presentations and discussion on this item that there was not a shared understanding of the institutional criterion-referenced assessment policy introduced six years before. Furthermore, different individual perceptions of university policy and its implications had translated into different assessment practices within and between school subjects. Most staff practice corresponded with two grading models described by Sadler (2005) as ‘overall achievement as measured by total scores’ in the form of marks or percentages or ‘criteria specified for each assessment task’, often with some elaboration in the form of marking intervals or verbal (‘excellent’, ‘good’, ‘poor’) or numerical (1–7) labels. In some instances holistic or analytical verbal descriptions had been used to expand the meaning of selected criteria.

In the weeks following the symposium further issues emerged in forums such as meetings of the school Teaching and Learning Committee (TLC) and through less formal exchanges and conversations. The most troublesome of these appeared to be the different standards applied to assessment across subjects and the tensions arising from the need to justify assessment decisions to an increasingly challenging and ‘customer-oriented’ student body. These factors were compounded by time restrictions on marking and moderation processes which reduced opportunities for thoughtful decision-making and confirmation of assessment judgements through consultation with peers.
The issues identified are by no means confined to this school or this university. A growing body of literature around the experience of criterion-referenced assessment has elaborated on problematic as well as beneficial aspects (Greatorex, 1999; Price & Rust, 1999; Ecclestone, 2001; Rust, 2001; Dunn et al., 2002; Knight, 2002a, b; Hornby, 2003; Miller, 2003; Sadler, 2003, 2005; Taras, 2003; Orsmond et al., 2004; Woolf, 2004; O’Donovan et al., 2005). As suggested by titles such as ‘How criteria-based grading misses the point’ (Sadler, 2003) and ‘Summative assessment in higher education: practices in disarray’ (Knight, 2002b), policy implementation can be far from straightforward.

The school response

After consideration of these issues, early in 2004 the School of Law TLC endorsed a proposal by the school Director of Studies and a consultant from the university Academic Development Unit (ADU) to develop a set of generic criteria and standards, or rubric, to be referred to as the law assessment framework (LAF). This would serve as a resource for all teaching staff within the school and could be customized to the requirements of individual subjects.

The development of the LAF was undertaken by a working party formed from the membership of the TLC, comprising two lecturers, the member of the ADU and two elected representatives of the student association. The group met frequently, though irregularly, throughout 2004 with student participation declining markedly when their examination period commenced. The ‘working party’ referred to throughout the remainder of the paper therefore refers to the lecturers and consultant.

The development process

The project commenced with extensive data collection. First, the consultant from the ADU undertook a literature review of information on criterion-referenced assessment which the working party read and discussed. Engagement with the research literature encouraged the working party to consider a criterion-referenced approach to assessment as one with broad potential to: assist students to use self and peer assessment (Orsmond et al., 2004) in becoming self-monitoring, independent learners (Sadler, 1998); promote assessment equity (Stowell, 2004) and transparency (Taras, 2001); ease the provision of feedback (Price & Rust, 1999); and, account for the qualities and achievements of students (Dunn et al., 2002). In addition, the identification of poorly developed assessment criteria as a factor preventing the effective translation of assessment theory into practice (Woolf, 2004, p. 480) confirmed the need for a resource such as the planned rubric.

However, over-optimistic tendencies regarding the likely impact of the rubric were tempered by cautionary tales such as Rust’s (2001) finding of:

... disappointing evidence that while giving the students the assessment criteria which are to be used when the task is set is certainly better than not doing so, it may not actually make much significant difference to the subsequent quality of the work. (Rust, 2001, p. 10)
The rubric was therefore considered an important step in a ‘continuing journey’ through the intricacies of assessment research and practice (O’Donovan et al., 2005, p. 14) rather than a panacea for all issues in the law school.

Ongoing review of the literature was conducted as necessary throughout the remainder of the project and served as the basis for the selection of published work which promised practical application to the development task (Steneck, 1999; Thomas, 2000; Krathwohl, 2002; Orrell, 2003; Price & Rust, 2004). Next, the published criteria and standards from every subject on offer in the school were collected as it was considered important to maintain as much continuity as possible with current practice. In addition, the student representatives provided an aspirational set of criteria and standards.

The collected documents were copied on to three different colours of paper to enable identification of origin as being the literature review, current school subject documentation or the student generated document. The coloured documents were cut into strips, each of which contained a single description of learning such as ‘Shows an in-depth and advanced knowledge of the law’ or ‘Considerable care has been taken in the preparation of the assignment’.

A criteria and standards framework was required to impose meaningful order on the large number of slips generated during this stage of the process. After an investigation of available options, it was decided to derive the criteria from the university Statement of graduate attributes (University of Queensland, 2004a) and to link the standards to the 7-point grading scale used to report student achievement across all institutional courses (University of Queensland, 2003).

The framework produced consisted of 14 generic criteria grouped into five clusters corresponding with the content and structure of the university policy document (see Table 1) and six of the university’s seven grade descriptors (the grade of ‘1’ omitted because the low level of achievement it represented did not correlate with any of the slips to be organized).

Five large sheets of paper, each one representing one of the five graduate attributes, were then ruled into grids. The 14 generic criteria formed the vertical categories on the grids and the six grades that were used formed the horizontal categories. Judgements were then made about individual slips in order to attach them to the most appropriate ‘cell’ on the large sheets of paper. Figure 1 illustrates how one of the sheets, ‘Effective communication’, appeared when completed.

The placement of individual slips in appropriate cells required the working party to transpose criteria from organizational frameworks used in their original source documents to the new ‘grid’ framework created for this project. In the case of the learning descriptions obtained from current school documents, the qualities or criteria to which they referred were often unspecified which required the working party to infer categories as a basis for their placement. Although it was time-consuming, the ‘placement’ step was extremely beneficial as the discussion involved helped all concerned to develop shared meanings for each of the framework’s components.

All usable slips in each single cell were then synthesized into succinct descriptions or standards. This lengthy and challenging final stage involved extensive discussion,
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The LAF produced by the working party consists of a rubric that is law-specific, but still generic in the sense that it does not apply to any particular law subject, assessment plan or task. As current practice was adopted wherever possible in order to facilitate acceptance when the LAF was made available to teaching staff, the 14 criteria (Table 1) have increased slightly in number where some original categories have been split into smaller components to create matches with criteria in current use.

Six standards or levels of achievement were developed for each criterion. They have generally been framed in positive terms to reflect a focus on outcomes—what

### Table 1. Institutional statement of graduate attributes used as the basis for development of generic criteria

<table>
<thead>
<tr>
<th>In depth knowledge of the field</th>
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<tbody>
<tr>
<td>1. Comprehensiveness and depth of knowledge of legal principles (consistent with professional accreditation requirements)</td>
</tr>
<tr>
<td>2. Understanding of law and the legal system</td>
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<table>
<thead>
<tr>
<th>Effective communication</th>
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<tbody>
<tr>
<td>3. Expression and organisation of spoken or written material</td>
</tr>
<tr>
<td>4. Use of conventions of academic and legal texts (e.g. spelling, grammar, punctuation, referencing, citation)</td>
</tr>
<tr>
<td>5. Effectiveness of interactions with others in the achievement of solutions to legal problems</td>
</tr>
<tr>
<td>6. Effectiveness and appropriateness of use of information and communication technologies relevant to the discipline of law</td>
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<table>
<thead>
<tr>
<th>Independence and creativity</th>
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<tr>
<td>7. Independence in work and learning</td>
</tr>
<tr>
<td>8. Innovation and creativity of approach when solving identified problems (consistent with the promotion of the development of the law)</td>
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<table>
<thead>
<tr>
<th>Critical judgement</th>
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<tbody>
<tr>
<td>9. Analysis and definition of legal problems</td>
</tr>
<tr>
<td>10. Application of critical reasoning to legal matters through independent thought and informed judgement</td>
</tr>
<tr>
<td>11. Evaluation of opinions; decision-making; and reflection on the justifications for decisions in the light of legal principles</td>
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<table>
<thead>
<tr>
<th>Ethical and social understanding</th>
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<tbody>
<tr>
<td>12. Awareness and appreciation of the philosophical and social contexts of law</td>
</tr>
<tr>
<td>13. Knowledge and appreciation of responsibilities associated with the ethics and ethical standards applicable to the legal profession and the practice of law</td>
</tr>
<tr>
<td>14. Knowledge of other legal cultures and times and awareness of divergent approaches to law and legal issues</td>
</tr>
</tbody>
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revision, searches for additional resource material, reference to exemplars, and further revision and refinement.

The outcome

The LAF produced by the working party consists of a rubric that is law-specific, but still generic in the sense that it does not apply to any particular law subject, assessment plan or task. As current practice was adopted wherever possible in order to facilitate acceptance when the LAF was made available to teaching staff, the 14 criteria (Table 1) have increased slightly in number where some original categories have been split into smaller components to create matches with criteria in current use.

Six standards or levels of achievement were developed for each criterion. They have generally been framed in positive terms to reflect a focus on outcomes—what
students *do* to demonstrate learning rather than what they *don’t do*. A focus on outcomes extends to the device of using the term ‘evidence’ as a common stem for each standard. This device also promoted grammatical consistency and emphasized that judgements were of demonstrated *learning*—not of the *student*. Reference to academic integrity and plagiarism is included in the ‘Effective communication’ section to highlight the importance placed on this attribute by the university. Previous references to plagiarism had languished in the end sections of subject outlines where they were often overlooked or not clearly understood by students.

Considerable effort has been taken to explicate terms in ways that would support student learning. For example, ‘sophisticated analysis’ became ‘appreciation of the implications of significant detail’ to make it more readily understood and applied by students and more easily illustrated and defended by teachers. Though the working party attempted to avoid relatively meaningless terms such as ‘sound’, ‘appropriate’ and ‘advanced’, some alternatives such as ‘occasional’, ‘consistent’ or ‘sustained’ while providing incremental improvements in clarity, still fall into the category of what Sadler (1987, p. 202) refers to as ‘fuzzy standards’, those whose understanding presupposes ‘an existential set of referents’. Sadler (p. 205) refutes suppositions that fuzzy standards are inferior to sharp ones and argues that real world standards rarely have crisp boundaries and that verbal descriptors cannot ‘be sharper than or more precise than language will allow’ (p. 205). Therefore, while ongoing refinement of verbal standards based on interrogation of assessment exemplars and student work samples will be a priority for the 2006 trial, of equal importance will be an emphasis on moderation and other processes designed to develop the collective understanding of those using the LAF for assessment judgements.
Discussion

Ongoing reflection undertaken by the working party identified significant aspects of the project process and also a number of unanticipated outcomes or byproducts of interest.

The process—key decisions

Although the working party engaged in many deliberations, the successful operation of the project and the form and content of the LAF were directly shaped by several key decisions related to group composition, the model of criteria and standards adopted, the framework selected and the number of standards described for individual criteria.

Group composition

The inclusion of lecturers and students from the School of Law and a member of the ADU allowed the working party to draw on diverse perspectives and knowledge bases. Though active student participation reduced after the initial stages, the document they contributed was a point of reference for the remaining members throughout the project. Between them, the two lecturers kept the group mindful of the various social and historical legal perspectives that needed to be reflected in the materials. The consultant brought considerable background knowledge of criterion- and standards-referenced assessment and the experience gained from other similar assessment projects in different contexts. Efforts to understand each others’ background knowledge prompted many valuable exchanges. The consultant’s lack of legal knowledge enabled her to adopt the role of persistent ‘interrogator’ of lecturer learning intentions in seeking levels of precision beyond the ‘sound’ or ‘advanced’ terminology inherited from current practice. Lecturers in turn challenged the consultant’s assumptions about the way assessment ‘should be done’ by reminding her of the practicalities of their teaching context and by resisting proposals they considered unrealistic.

The consultant was also able to provide information about ongoing policy development and review in areas with possible impact on the project. In particular the working party needed to be mindful of the deliberations taking place in other university forums—one concerning the alteration of the status of a grade of ‘3’ from a ‘marginal pass’ to a ‘fail’ and another concerning a recommendation to alter the percentage bands linked to particular classes of honours.

The model of criteria and standards adopted

An early decision to adopt Sadler’s (1987) definitions of criteria and standards and accept his (2005) arguments for the primacy of standards as the point of reference for assessment judgements focused the efforts of the working party on the development
of a set of verbal standards. The opinion (Ecclestone, 2001; Sadler, 2005) that standards which are drawn with sufficient precision and comprehensiveness to ensure objectivity of judgements are largely unachievable was heeded. The working party accepted that their verbal standards would need to be complemented by exemplars and moderation when finally implemented.

The graduate attribute framework selected

The selection of the university graduate attribute headings (University of Queensland, 2004a) as the framework for the criteria was another key decision made by the working party. This decision was influenced by the inclusion of a law-specific version of the university graduate attributes in all current School of Law subject material in compliance with institutional policy. Another deciding factor was the absence of competing common frameworks in either the School of Law or the wider university.

Though graduate attributes and assessment criteria and standards can be perceived as serving differing purposes, a strong case can be made for strengthening the links between them. Despite the articulation of graduate attributes by every Australian university, Barrie (2005, p. 3) reports that audits and surveys have generally failed to uncover convincing evidence that teaching and learning strategies are in place for their realization or that assessment practices allow students to demonstrate that such outcomes have been achieved. Barrie concludes that without systematic development, the implementation of graduate attributes will continue to be patchy and proposes an assessment challenge, the development of criteria and standards related to graduate attributes, as a way of making them a reality (p. 5). The adoption of a common assessment framework for every subject also counters the modular fragmentation that often erodes the coherence of the overall student learning experience and complements efforts to introduce student profiling or personal records of achievement (Rust, 2000).

An institutional decision, taken after the adoption of graduate attributes by the project team, is the university-wide introduction of an electronic course profile, which requires the explication of links among learning objectives, assessment and graduate attributes. This increased working party confidence in the appropriateness and utility of their decision.

The number of standards

Deciding the number of standards to be developed was a further key decision for the working party. At first this appeared a purely technical issue—how many levels did the working party feel it could describe with any confidence? University grade descriptors (University of Queensland, 2003) described seven levels or grades but the resources selected by the group described at most four passing levels (Price & Rust, 2004) and one described no failing level at all (Thomas, 2000). Lecturers argued the need to justify fine grade distinctions in a program where entry level requirements were among the institution’s highest and therefore most competitive, and that
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students at this institution, as elsewhere (Ecclestone & Swann, 1999), had proved themselves capable of making assertive challenges to grades assigned. Ideally, lecturers should be able to use the LAF to explain and justify their most difficult assessment judgements, such as those where the grade awarded was high (6) but not the highest possible (7). An initial decision to attempt seven levels of description to correspond with university grade descriptors was later reduced to six, partly in acceptance of the futility of framing Level 1 standards as anything other than an almost total absence of evidence of intended learning, and partly because of the opportunity this offered for a cleaner layout. The adequacy of distinctions made between levels will be determined when the LAF is implemented and evaluated by teaching staff.

Products and byproducts

Evaluation of the LAF in practice has not yet been possible as it is only now in the final stages of revision though extracts have been positively received when shared with colleagues in conference forums. However, a range of largely unanticipated benefits or byproducts of significant interest have already resulted from the project.

A map of current assessment practice in the School of Law

The map of practice provided by the slips coded as originating from current subject documentation (included in Figure 1) was an early byproduct of the LAF development process. This provided a broad analysis of the types of learning objectives emphasized in School of Law assessment plans and the language used to describe them.

The distribution of standard descriptions over the 14 criteria derived from the graduate attributes revealed an overwhelming emphasis on those concerning knowledge and analysis of legal materials and the quality of written communication. Explicit reference to areas such as ‘Independence and creativity’ or ‘Ethical and social understanding’ was negligible. Such emphases are understandable as the assessment of learning in relation to knowledge, understanding, analysis or the application of presentation conventions is considered well-suited to traditional assessment tasks such as essays and short answer or multiple choice question examinations. However, as assessment defines the curriculum for many students in law as in other disciplines (Johnstone et al., 1998) the omission of references to attributes such as ‘creativity’ or the restriction of assessment of ‘ethical development’ to formal ethics subjects must convey particular meaning to students.

The majority of standards in use were expressed in very similar language, in some instances differing by only one or two words. Examples of commonalities included ‘shows superior understanding of the law’, ‘displays a profound knowledge of the law’, ‘the knowledge of the law is profound’, ‘shows an in-depth and advanced knowledge of the law’, ‘understanding of issues and concepts was outstanding’. Such widespread acceptance of common terminology can be viewed positively as an indication that the new language provided through the LAF will enjoy similar staff acceptance.
when it is implemented. However, this situation could also be viewed as illustrative of staff conservatism and possible unwillingness to question current barriers to improved assessment practice.

The significance of the information provided through the map of practice makes it a potentially useful tool for school curriculum leaders in working towards compliance with institutional policy on graduate attribute implementation, assessment review and audit processes, enhanced program coherence and the identification of appropriate professional development activities.

Assessment support for university policies or priorities

The development of the LAF demonstrated that it is possible to incorporate explicit references to university policies and priorities into assessment materials. The overall organizational framework reflects the major categories and sub-categories of institutional graduate attributes as a way of making them a ‘reality in how students approach learning at university’ (Barrie, 2005, p. 5). University approaches to academic integrity and methods of dealing with plagiarism (University of Queensland, 2004b) are referred to in a sub-section of ‘Effective communication’ as illustrated in Table 2 (with relocation to the ‘Ethical and social understanding’ category under consideration for revision in the future). In addition, standards related to research in the law discipline are consistent with the university’s identification of research-led teaching as a current priority area.

An initial exploration of application of the rubric to examinations

While some consider that the development of marking criteria is unnecessary for particular forms of assessment such as multiple choice testing (Johnstone et al., 1998), it has been suggested (Dunn et al., 2004) that marking schemes for short-answer examinations should be as open as those used for other forms of assessment such as essays or assignments. An attempt by one of the law members of the working party to apply the LAF to a coming examination task prompted the realization that the verbal descriptors were better suited to the ‘problem-based’, essay-type assessment tasks endemic to law than to the generic application intended. In particular, the application of the rubric to the short-answer and multiple-choice questions types used in invigilated examinations had been largely overlooked.

The examination task planned by the lecturer was designed to check the acquisition of foundation knowledge through a number of short-answer questions. This presented a major challenge as LAF standards had been developed for grades of 2–7 but the design of the task called for reproduction of knowledge only, a requirement that limited achievement to lower grades according to these standards. Feedback had to be provided to students in such a way as to reward maximum performance on the task without creating a misleading expectation that this type of learning was sufficient for the awarding of the highest final grade. The solution devised was to use the standards to develop a marking guide which omitted references to grades. The task could
Table 2: Standards incorporating explicit reference to institutional policy on ‘Academic Integrity and Plagiarism’

<table>
<thead>
<tr>
<th>Criterion</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5–7</th>
</tr>
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<tbody>
<tr>
<td>Use of conventions of academic and legal texts (e.g. spelling, grammar, punctuation, referencing, citation)</td>
<td>Evidence of significant loss of meaning through:</td>
<td>Evidence of occasional loss of meaning through:</td>
<td>Evidence of meaning conveyed through generally conventional:</td>
<td>Evidence of sustained clarity of meaning through use of conventional:</td>
</tr>
<tr>
<td></td>
<td>● frequent use of unconventional grammar, spelling and/or punctuation</td>
<td>● inconsistencies or inaccuracies in the use of the conventions of grammar, spelling and/or punctuation.</td>
<td>● use of grammar, spelling and punctuation, with some minor inconsistencies or inaccuracies</td>
<td>● referencing and citation appropriate to law discipline conventions (as described in ‘Australian Guide to Legal Citation’) with fair, accurate and consistent acknowledgment of sources of ideas and information throughout</td>
</tr>
<tr>
<td></td>
<td>● frequent omissions, inaccuracies and/or inconsistencies in the use of referencing and citation conventions of legal or academic texts (as described in ‘Australian Guide to Legal Citation’)</td>
<td>● omissions, inaccuracies and/or inconsistencies in the use of referencing and citation conventions of legal or academic texts (as described in ‘Australian Guide to Legal Citation’).</td>
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</tr>
</tbody>
</table>

Note: Where lack of referencing or citation constitutes:

- **poor academic practice**, portions of work where sources are unacknowledged will not be marked and/or correction may be required
- **plagiarism**, action will be based on Section 5 of HUPO 3.40.12 ‘Academic Integrity and Plagiarism’
then be appropriately weighted to convey the importance of its contribution to the
calculation of final grades.

This was a useful exercise as this type of assessment plan—a minor task requiring
recall or identification of basic concepts, facts or procedures followed by a far more
substantial task at the end of semester—was a relatively common assessment design
across a number of programs. It was therefore a dilemma likely to arise during imple-
mentation. A further benefit was the refinement of sections of the LAF initiated by
the development of the marking guide.

Evaluation of the utility of the current statement of graduate attributes

Working so closely with the university graduate attributes and also with the law-
specific version involved the working party in a largely involuntary evaluation of both
documents. The graduate attributes had provided an invaluable framework for the
LAF in the early stages of the project but also presented many barriers in the later
stages. The attributes are stated with no elaboration, so the meaning of each attribute
was ‘constructed’ through conversation and debate among members of the working
party, and is therefore open to different interpretations by different groups.

Deciding where to place ‘standards’ on the large paper grids (Figure 1) was prob-
lematic when no obvious home was immediately apparent for those contributing to
school or institutional priorities such as student engagement in research. In some
cases a relationship was ‘constructed’ between a cluster of related standard slips and
one of the 14 generic criteria. Information retrieval activities required for research-
related learning, for example, after much deliberation were located in the ‘Effective
communication’ section. The results of this collaborative decision-making were a
strengthening of the shared understandings of the framework among members of the
working party but also a realization that meanings they had ascribed to the framework
were unlikely to be shared by others without considerable explanation.

A further difficulty was caused by the transposition of graduate attribute qualities
(Table 1) into assessment criteria, an application unlikely to have been considered at
the time of their development. As well as the need for appropriate grammatical adjust-
ments, it was not easy to develop clear, succinct and ‘elegant’ criteria from the rather
unwieldy version of these qualities developed by the School of Law while retaining
the meaning signified by changes and additions that had been made to the original
wording. For example, the university policy wording of ‘The ability to identify prob-
lems, create solutions, innovate and improve current practice’ became, in the School
of Law version, ‘Be able to identify problems and think innovatively and creatively
about approaches and solutions which will promote the development of the law’. The
LAF criterion wording of ‘Innovation and creativity of approach when solving iden-
tified problems (consistent with the promotion of the development of the law)’
though far from elegant, is a tolerably faithful compromise which may be further
refined with wider use.

A diluted version of some qualities in the law-specific version of the graduate
attributes suggests an understandable wish to evade the pitfalls associated with the
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assessment of contested constructs such as ‘creativity’ or attitudinal qualities such as ‘ethical and social understanding’. Such qualities are notoriously difficult to assess reliably or validly. It was tempting at times for the working party to become equally evasive and omit these from the criteria in the LAF. Nevertheless, they have been included with full acknowledgement that they may be underutilized in comparison with sections related to ‘in-depth knowledge’ or ‘critical judgement’. Their inclusion is intended to provide students with the concepts and terminology to ‘claim’ such qualities for themselves, even though such claims may never be evidenced through summative assessment activities (Knight, 2002a, p. 114). The difficulties experienced in applying the graduate attributes to an assessment framework indicate a need for ongoing review to ensure consistency with policies, objectives or priorities articulated in other institutional documents and for some revision of wording to streamline their incorporation into assessment documents.

Professional development of lecturers

As has been the case in other collaborations on the development of assessment resources (Carlson et al., 2000; Goos & Moni, 2001), participation in this project proved a valuable professional development experience. Both law lecturers commented that the increase in their knowledge through exposure to current assessment literature and the discussions involved in the development task had prompted them to question and challenge personal assumptions about assessment. This resulted in a revitalized and more thoughtful approach to a process that had become increasingly arduous as class sizes had grown at the same time as marking deadlines had become tighter to accommodate administrative arrangements. Engagement in the development of a common language that could be used to describe student learning clarified subject expectations for lecturers and developed confidence in their ability to articulate these expectations to both colleagues and students.

Professional development of consultant

The consultant had not previously worked on an assessment project for a sustained period on such a scale. Being part of the working party, rather than merely providing intermittent advice or feedback, provided valuable insights into the practicalities of maintaining a balance between the aspirations of current assessment theories and a need for responsiveness to contextual factors. This experience has increased the feasibility of the consultant’s assessment advice and provided a store of first-hand anecdotes to boost credibility when working with other groups.

Although the rubric is framed around learning in law, the consultant has already found a high level of transfer of the generic stems provided in the standards and can draw on these when engaged in assessment discussion with members of quite different disciplines such as dentistry, architecture or agronomy and horticulture.
This suggests the feasibility of developing a generic institutional rubric for adaptation by other organizational groups at some future time.

Conclusions

This paper has focused on the process of an assessment intervention and has demonstrated that the reporting of process and unanticipated outcomes can provide insights often lacking from accounts of assessment interventions. The paper made the development process transparent in order to alert those attempting similar tasks to the challenges involved, the key decisions that need to be made, and possible options to consider. As this project has confirmed, the task of developing criteria and standards for an individual subject, program or university is undeniably difficult, with success or failure dependent on the outcomes of a few key decisions. Some factors that contributed most to the success of this project were identified only with hindsight. For example, working party composition was a successful factor which, with a different group could have led to different outcomes.

The project has also confirmed that collaborative efforts are of considerable benefit on a number of levels ranging from the individual to the institutional. The benefits to the lecturers and educational consultant in terms of professional growth constitute a strong case for the extension of opportunities for sustained involvement in collaborative projects of educational substance to all teaching staff. Unfortunately, diminishing resources and increasing workloads have made such opportunities rare in the current higher education context.

Notes on Contributors

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References


