Quality Drivers for Sector

- **National context**
  - Respond to quality concerns
    - ‘Standards are falling’
  - Protect ‘Brand Australia’
  - Currently measuring weak proxies
    - Inputs (e.g., Staff/Student Ratio)
    - Indirect evidence of output (e.g., student feedback)
  - Increasing and widening
    - Student participation
    - Range of Higher Education Institutions/Providers
- **International trends**
  - Greater graduate mobility
  - Assuring quality

International discipline standards agenda

**Tuning Europe**
- Since 1999
  - 46 countries
  - 29 subjects
- ‘Dublin Descriptors’ distinguish levels

**Tuning Latin America**
- Since 2003
  - 19 countries

**UK**
- 57 subjects
  - Subject benchmark statements
  - Threshold/minimum and typical outcomes

**OECD**
- Assessment of HE Learning Outcomes (AHELO)
  - Generic testing [www.oecd.org/edu/ahelo](http://www.oecd.org/edu/ahelo)
New HE Quality & Regulatory Framework in development

Establish
Tertiary Education Quality and Standards Agency (TEQSA)

5 Framework elements

<table>
<thead>
<tr>
<th>Provider standards</th>
<th>Qualification standards</th>
<th>Learning &amp; Teaching Standards</th>
<th>Research standards</th>
<th>Information standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>National protocols for non-self accrediting institutions &amp; HE providers</td>
<td>Australian Qualifications Framework</td>
<td>Academic Standards, Learning outcomes, QA</td>
<td>Excellence in Research in Australia (ERA)</td>
<td>For the market and regulators (e.g. ‘My University’ website)</td>
</tr>
</tbody>
</table>

Australian Qualifications Framework
Level/ Degree Descriptors
(Certificate 1 to PhD)

Graduates at the **Bachelor degree** level (AQF level 7) will have:
- Systematic and coherent knowledge and skills for professional work and for further learning

Graduates at the **Masters degree** level (AQF level 9) will have:
- Mastery of a complex specialised knowledge and skills for research, professional practice and for further learning

Government Blueprint (cont)

**TEQSA**
- Evaluate degrees against nationally-agreed standards (measured by threshold learning outcomes)
- Evaluate at-risk areas
- Use a range of measures to promote high quality

**HEIs** may pursue diverse learning outcomes beyond threshold standards

**Discipline communities** develop clearly articulated learning outcomes

“will ‘own’ and take responsibility for implementing teaching and learning standards (working with professional bodies and other stakeholders where appropriate) within the academic traditions of collegiality, peer review, pre-eminence of disciplines and, importantly, academic autonomy”

(Transforming Australia’s HE System, DEEWR 2009, p. 32).
**LTAS Project: Phase 1 of preparing for TEQSA**

- ALTC LTAS Steering Group established
  - Early 2010
- Standards Forum advised Discipline Scholars
  - Feb 2010
- Agreed Threshold LOs provided to DEEWR
  - By Nov 2010
- Commence development of peer reviewed Repository to aid with implementation
  - By end 2010
- Report on process across disciplines to inform future
  - By end 2010

*(Phase 2 = TEQSA and sector negotiating protocols for how determining standards are being met)*


**LTAS ‘Standards’ & ‘Learning Outcomes’**

*Standards*: the threshold learning outcomes that a student of a particular discipline, program, or course of study can be expected to demonstrate upon graduation

- Australian Qualification Framework (AOF) definition (p 4)
  - ‘Learning outcomes’ are clear statements of what a graduate is expected to know, understand and be able to do as a result of learning

- EU Tuning definition
  - ‘Learning outcomes’ are statements of what a learner is expected to know, understand and/or be able to demonstrate after completion of a process of learning

European Credit Transfer System (ECTS) User’s Guide (2005) as agreed to by the 46 countries in the Bologna Process

**LTAS Law**

1. Consult with all relevant stakeholders (academic, professional and students)
2. Work with Expert Advisory and Disciplinary Reference Groups (EAG & DRG)
3. Draft six TLOs for Bachelor degree (LLB)
   - In ‘harmony’ with
     - Australian federal government initiatives (AOF)
     - Disciplinary needs (CALD)
     - Professional accreditation (LACC)
     - University policies (Graduate Attributes)
     - Other DSSs (Convergence)
     - International comparators (Tuning; Dublin Descriptors; UK QAA; ABA; etc)
Drafting the Law TLOs: Guided by relevant national & international statements

EG: Tabular Summary of the Provenance of Skills TLOs

<table>
<thead>
<tr>
<th>Discipline Specific Skills</th>
<th>CALD</th>
<th>AQF</th>
<th>ABA</th>
<th>QAA</th>
<th>Joint S</th>
<th>MacGrate</th>
<th>Weathret</th>
<th>CanTF</th>
<th>Scot</th>
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<tbody>
<tr>
<td>1. Legal reasoning and analysis</td>
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<td>2. Problem solving</td>
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<td>3. Legal research</td>
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<td>4. Critical thinking</td>
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<td>5. Independent learning</td>
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<td>6. Communication</td>
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<td>7. Reflection</td>
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<td>8. Collaboration (team work)</td>
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<td>9. Creative skills</td>
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<td>10. Negotiation and ADR</td>
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<td>11. Professional judgment (including ability to recognize and resolve ethical dilemmas)</td>
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</table>

Additional/Generic transferable skills

- Numeracy
- Information literacy
- Project management

LTAS Phase 1: a discipline consensus

'engage [the] discipline community (professional, academic, regulatory, educational)'

- Consultation and communication strategy
  - Advisory/Reference Groups
  - Meetings
  - Fora/Hubs/Workshops
  - National and international experts

- ALTC website (Resources, Updates, Hub Schedule)
  - Groups – including Associate Deans Learning and Teaching Group; Australian Law Deans Group
Reference Groups

• Academics
  – Council of Australian Law Deans
  – Associate Deans’ National Forum
  – Academics through Regional Hubs
  – Australasian Law Teachers’ Association
  – Australasian Professional Legal Education Council
  – Australian Academy of Law

• Profession
  – Law Council of Australia
  – Law Admissions Consultative Committee
  – Young Lawyers Group
  – Judiciary
  – Australian Academy of Law

• Students
  – Australian Law Students’ Association

Expert Advisory Group

• Professor Clark Cunningham
  – W. Lee Burge Professor of Law & Ethics, Georgia State University College of Law

• Professor Gary Davis
  – Executive Dean, Faculty of Law, Business and Arts, Charles Darwin University

• Professor Jill McKeough
  – Dean, University of Technology Sydney; incoming Chair of Council of Australian Law Deans

• Professor Julian Webb
  – Director, United Kingdom Centre for Legal Education

Discipline Reference Group

• Mr Richard Besley (CEO, Vict Council of Legal Education)

• Associate Professor Donna Buckingham (Uni of Otago, NZ)

• Professor Sandford Clark (Chair, Law Admissions Consultative Committee)

• Ms Melissa Coade (Vice-President, Education, the Australian Law Students’ Association)

• Professor John Dewar (Provost, University of Melbourne)

• W/Professor William Ford (Dean, Faculty of Law UWA; Chair of Council of Australian Law Deans)

• Mr Liam Gaunt (Young Lawyers’ Group)

• Mr Bill Grant (Secretary-General, Law Council of Australia)

Discipline Reference Group (cont)

• Professor Michael Gunn (Pro-Vice Chancellor, University of Derby and former Chair of the UK QAA Subject Benchmark Statement Review Committee for Law)

• Professor Michael Lavarch (Executive Dean, Faculty of Law, QUT; COAG Standing Committee on Legal Practice and Relations with the Legal Profession)

• Professor Rosalind Mason (Chair, Australasian Law Teachers’ Association)

• Associate Professor Janine McMaster-Kirkwood (Chair, Australasian Professional Legal Education Council)

• Justice Ralph Simmonds (Supreme Court of Western Australia)

• Professor David Weisbrot (Australian Academy of Law; Macquarie University)
**Drafting**

- **Drafting Principles for TLOs**
  - Not too general; not too prescriptive
  - Are appropriately pitched
  - Can be implemented
  - Can be assessed and measured
  - Consistent with the range of professional contexts for Law graduates

- **Learning outcomes developed at threshold level** – that is
  - Must achieve/minimum
  - CF: should achieve; nice to achieve; typical or aspirational

**Being careful to avoid**

- **Perverse consequences**
  - Standardisation of curricula
  - ‘Teaching to the test’
  - Stifling of innovation
  - Focus on low-order outcomes
  - Perceived homogeneity

- **Imposing too great a burden**
  - Multiple sets of standards not meshing or articulating
  - Too heavy an evidential burden on Law Schools at audit

**Example: Communication Outcome in Accounting**

<table>
<thead>
<tr>
<th>Domain</th>
<th>Bachelor</th>
<th>Master (Entry)</th>
<th>Master (Advanced)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Justify and communicate accounting advice and ideas in routine collaborative contexts including both accountants and non-accountants</td>
<td>Justify and communicate accounting advice and ideas in a range of routine and non-routine collaborative contexts including both accountants and non-accountants</td>
<td>Justify and communicate specialist accounting advice and ideas in a range of routine and non-routine collaborative contexts including both accountants and non-accountants</td>
</tr>
</tbody>
</table>

**Creative & Performing Arts**

<table>
<thead>
<tr>
<th>Domain</th>
<th>Bachelor</th>
<th>Master (Entry)</th>
<th>Master (Advanced)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Knowledge and skills integration</td>
<td>Demonstrate the skills and knowledge of the practice, languages, forms, materials, technologies and techniques in the creative arts discipline.</td>
<td>Integrate specialised and advanced skills with a developed knowledge of the creative arts discipline.</td>
<td></td>
</tr>
<tr>
<td>Creative thinking and exploration</td>
<td>Develop and evaluate ideas, concepts and processes by thinking creatively, critically and reflectively.</td>
<td>Generate, research and explore ideas, concepts and processes in the field through integrated creative, critical and reflective thinking.</td>
<td></td>
</tr>
<tr>
<td>Realisation and application</td>
<td>Apply relevant skills and knowledge to produce and realise works, artefacts and forms of creative expression.</td>
<td>Apply and refine technical skills and specialist knowledge within a sustained and resolved body of work.</td>
<td></td>
</tr>
</tbody>
</table>
Creative & Performing Arts

<table>
<thead>
<tr>
<th>Interpretation, communication, and presentation</th>
<th>Interpret, communicate and present ideas, problems and arguments in modes suited to a range of audiences.</th>
<th>Interpret, communicate and present complex work and ideas to specialist and non-specialist audiences using professional conventions.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual and collaborative practice</td>
<td>Work independently and collaboratively in the creative arts discipline in response to project demands.</td>
<td>Initiate, lead, negotiate and interact with others in planning, adapting to, and executing creative arts projects.</td>
</tr>
<tr>
<td>Social engagement and contribution</td>
<td>Recognise and reflect on social, cultural and ethical issues, and apply local and international perspectives to practice in the creative arts discipline.</td>
<td>Engage critically with social, cultural and ethical issues, and apply local and international perspectives to extend practice in the creative arts discipline.</td>
</tr>
</tbody>
</table>

Law TLOs: Bachelor of Laws
(Not evenly weighted: structured and integrated across whole-of-curriculum)

1. Knowledge
2. Ethics and Professional Responsibility
3. Thinking Skills
4. Research Skills
5. Communication and Collaboration
6. Self Management

Summary of TLO content

- TLO1 – Knowledge
- TLO 2 – Ethics and professional responsibility
  - Ethical decision making and professional judgement
- TLO 3 – Thinking skills
  - Identifying and formulating legal issues,
  - Critical, creative, problem solving, legal reasoning
  - ADR
- TLO 4 – Research skills
  - Legal research (including information literacy); Fact, policy and legal issue identification for this purpose
- TLO 5 – Communication and collaboration
- TLO 6 – Self management
  - Independent learning; reflective thinking
Progress of project

- Established EAG, DRG and Law AD Network
- Web presence and groups; Repository resources
- TLOs Draft 1.1 to
  - EAG and some DRG (May, 2010)
  - National Forum for all Law Associate/Assistant Deans, Learning & Teaching (7 June, 2010)
  - LACC (17 June, 2010)
- Draft 2.1 (re TLO1 and TLO2) to LACC
- Drafts 1.1 and 2.1 to CALD (8 March, 3 July 2010)
- Draft 2.1 to ALTA 2010
- Draft 3 – consultation document widely disseminated
- Draft 4 – considered by the Law AD network (included first version of Notes)
- Draft 5 – put to the CALD Standing Committee on Legal Education
- Draft 6 – final public dissemination with second version of Notes.

Hubs

LTAS: Law Consultation Paper

Law TLOs: Minimalist or Detailed?

In favour of minimalist Draft 1.1 – eg

- "...identified 'minimalist' TLOs allow individual institutions to develop curricula that support the outcomes, but remain responsive to changes in thinking and developments in learning science..."

- "...ticking off of a 'laundry list' of objectives comes close to the present situation with PLT where competencies have to be addressed and this leaves little room for developing the substance of the course..."

In favour of detailed Draft 1.1 – eg

- "Detailed TLOs are required to provide adequate guidance for curriculum development..."

- "...part of the function is to encourage good practice rather than simply compliance..."

A Middle Path with Accompanying Notes

- Consensus: a ‘middle’ drafting approach, to be supplemented by ‘Notes on the TLOs’ to provide further explanation and guidance.

- Role of Notes: Positive and constructive to support greater
  - Clarity in the interpretation of the TLOs developed
  - Flexibility to allow interpretation of the TLOs as developed in 2010 to evolve over time
  - Legitimacy by involving stakeholders in TLOs’ evolution

- Notes – eg:
  - Background
  - Terminology
  - Examples of TLOs in action

Terminology: For example –

- **TLO 1 ‘Broader contexts’:**
  - The CALD Standards refer to the ‘political, social, historical, philosophical, and economic context’ as examples of the context within which legal issues arise. This list can easily be extended to encompass contexts that reflect, for example: social justice; gender; Indigenous perspectives; cultural and linguistic diversity; the commercial or business environment; globalisation; and issues of sustainability. The United Kingdom QAA Subject Benchmark Statement for Law (2007) mentions ‘social, economic, political, historical, philosophical, ethical, cultural and environmental contexts’.

TLOs in action: For example –

- **TLO1 – ‘International and comparative contexts’**
  - In the context of the criminal law, the Bachelor graduate may have considered how the various international law norms (such as under the *Universal Declaration of Human Rights* and similar instruments) impact on the right of an accused to a fair trial. In the law reform context, in any fundamental area of the law, graduates may have been required to consider the relative merits of comparative law approaches to a particular legal issue.

### Law LLB

#### TLO 1: Knowledge

Graduates of the Bachelor of Laws will demonstrate an understanding of a coherent body of knowledge that includes:

(a) the fundamental areas of legal knowledge, the Australian legal system, and underlying principles and concepts, including international and comparative contexts,

(b) the broader contexts within which legal issues arise,

(c) the principles and values of justice and of ethical practice in lawyers’ roles.

### Notes
TLO 2: Ethics and Professional Responsibility

Graduates of the Bachelor of Laws will demonstrate:

(a) an understanding of approaches to ethical decision-making
(b) an ability to recognise and reflect upon, and a developing ability to respond to, ethical issues likely to arise in professional contexts
(c) an ability to recognise and reflect upon the professional responsibilities of lawyers in promoting justice and in service to the community, and
(d) a developing ability to exercise professional judgement.

Notes

TLO 3: Thinking Skills

Graduates of the Bachelor of Laws will be able to:

(a) identify and articulate legal issues,
(b) apply legal reasoning and research to generate appropriate responses to legal issues,
(c) engage in critical analysis and make a reasoned choice amongst alternatives, and
(d) think creatively in approaching and generating appropriate responses.

Notes

TLO 4: Research Skills

Graduates of the Bachelor of Laws will demonstrate the intellectual and practical skills needed to identify, research, evaluate and synthesise relevant factual, legal, and policy issues.

Notes

TLO 5: Communication and Collaboration

Graduates of the Bachelor of Laws will be able to:

(a) communicate in ways that are effective, appropriate and persuasive for legal and non-legal audiences, and
(b) collaborate effectively.

Notes
Law LLB

TLO 6: Self Management

Graduates of the Bachelor of Laws will be able to:

(a) learn and work independently, and

(b) reflect on and assess their own capabilities and performance, and make use of feedback as appropriate, to support personal and professional development.

Notes

Where to from here?

• CALD signed-off in November 2010.
• Final Report went to ALTC on 6 December 2010.

• **Phase 2: Assuring Standards** - TEQSA

  • What **sampling strategy** (if any) will be used to check achievement of academic standards within an institution and/or discipline?

  • What **evidence** will be sought to verify degree’s claims re achievement of TLOs?

  • **Who** is going to do this assessment/ auditing against the TLOs? (peer reviewing discipline experts?)