

The nature of the student cohort and factors influencing first time pass rates

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Background and rationale

The idea for this project emerged from a consideration of the factors impinging on retention levels for undergraduate students. Over the past few years, a great deal of effort has been put into the teaching and assessment side of the equation—evaluating teaching methods and assessment strategies, improving consistency of marking and moderation, student support and guidance. However, little was known about what students themselves were doing. There was anecdotal evidence that students were overburdened by commitments to matters outside of their studies, in particular, that they were employed in demanding jobs which took up a large part of their time, and that the nature of the student population had changed in other ways to include more ‘non-standard’ entrants, more mature students and more single parents. It also appeared to some that many students were responding to assessments by submitting extenuation based on outside commitments.

It was thought necessary, therefore, to look into students’ lives to find out what was going on there and then to determine whether they were devoting sufficient time to their studies and what might be realistic for us to expect of them, given their other commitments.

It was hoped that we would discover who our students were and what they did with their lives, particularly in terms of their lives as students on our undergraduate programmes. Additionally, it was hoped to find out whether there was any link between the characteristics of the students and their ability to pass their modules first time. There were some presumptions that the longer students spent in reading and studying each week, the better would be their results and the more time they spent in paid employment, the worse results would be.

The research

A questionnaire was administered to a group of mainly full-time second year undergraduate Law students¹ late in February 2001 after the second semester had started. It was handed out at the start of a lecture after its purposes were explained, and the completed forms were collected in 25 minutes later. Thus there was a captive audience and a response from 127² students.

Description of the cohort sampled by questionnaire

54% were under 21, with a further 34% aged 21–24 and 12% over 24. Surprisingly, 65% were female. This is one of the major differences between current cohorts and those of 15 years ago when women were in the minority (and, longer ago, a small minority) on Law courses.

Fig.1 Ethnic origin

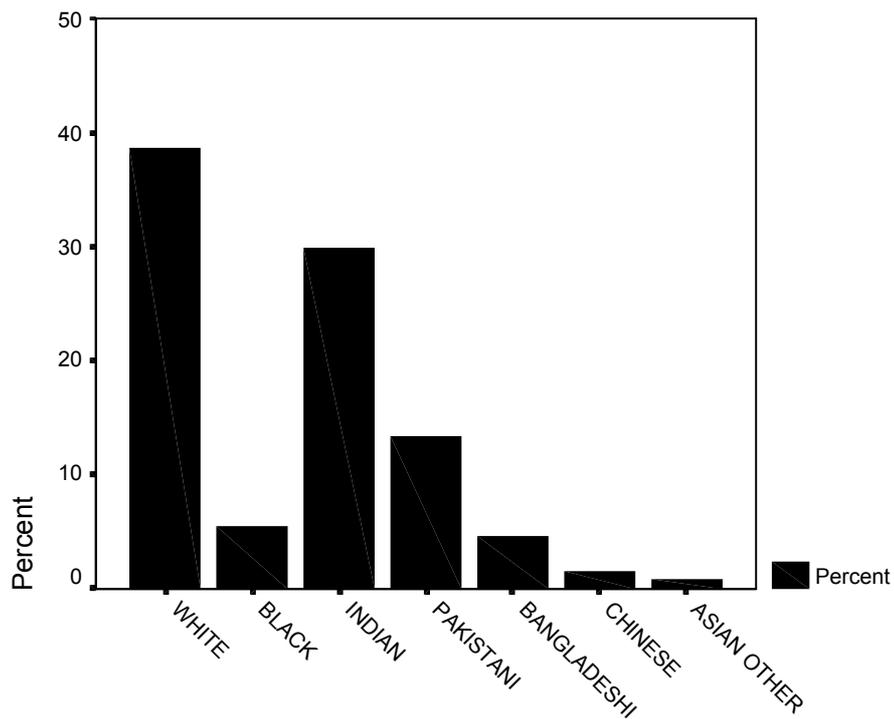
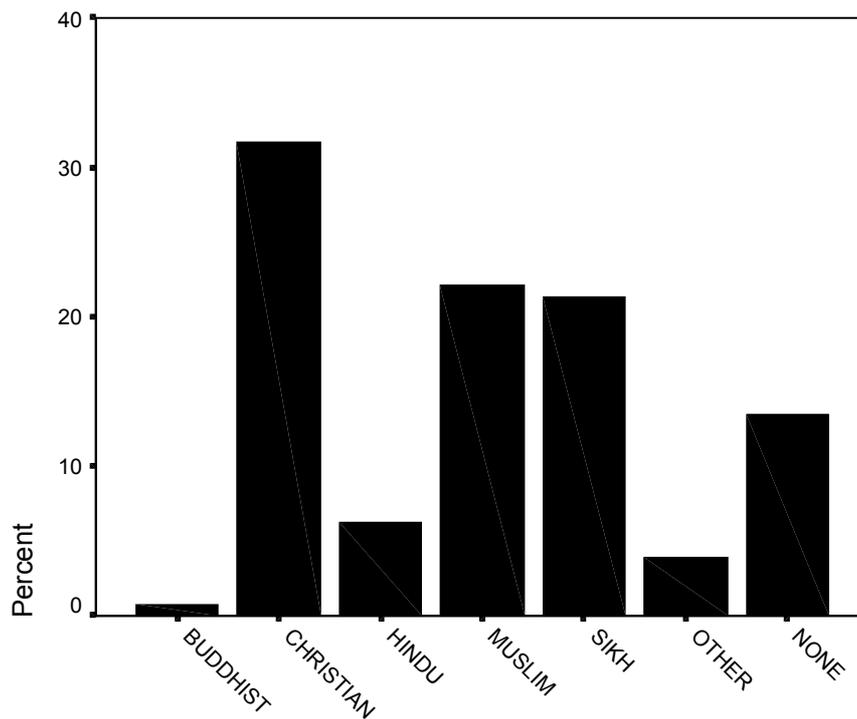


Fig.2 Religion



The two largest ethnic groups are white (38%) and Indian (30%)³ and the three main religious groups are Christian, Muslim and Sikh.

68% of students had a family home in Wolverhampton or the West Midlands region (Dudley, Sandwell, Walsall, Birmingham) and only 3 students came from outside the UK⁴.

Reasons for studying law

More than half of the sample (55%) gave their main reason for studying law as a wish to qualify as a solicitor⁵, with 23% choosing law mainly because they were interested in it. 16%

chose law because they believed it gave a wide range of career options (an additional 3% chose law in order to change their careers). Some of those wishing to become solicitors will be disappointed, since the profession cannot absorb the numbers hoping to qualify.

Students of Asian origin were much more likely to be studying law in order to qualify as a solicitor than their white or black colleagues (Indian: 66%, Pakistani: 71%, Bangladeshi: 100%, white: 46%, black: 33%). This interest was most keenly expressed by the under 21's and decreased with age. Equal proportions of men and women did Law in order to qualify. Within the religious categories, 74% of Muslims, 100% Hindus and 59% of Sikhs chose Law in order to qualify. This compares with 41% of Christians and 44% of those professing no religion.

What studying law is about and what is needed in order to do well

There is a widely held misperception that the study of Law is about memorising facts. Both the legal profession and academic lawyers agree⁶ that studying law is (amongst other things) about analysing legal principles and acquiring problem-solving skills. Respondents to the questionnaire were asked what they believed studying law to be mostly about and were permitted to choose only one⁷ from a list of: memorising facts, analysis of principles, problem-solving, learning skills which would be useful for employment and developing ways of thinking which could be applied to other fields.

Only 8% of the sample responded that they thought memorising facts was what Law was about, with 48% saying that it was about analysing legal principles and 17% believing that it was about solving problems. 14% believed they were learning employment skills and 12% developing a way of thinking which could be transferred to other situations. These are very encouraging statistics, which suggest that students have understood the importance of the development of key skills.

There is nothing significant in these findings in relation to age or gender, but there are variations according to ethnic origin, with 62% of those of Pakistani origin believing law is about analysis of principles and 67% of Bangladeshis believing it to be about problem-solving. If these groups really hold these beliefs, it should be helping to improve their pass rates.

What do I need to do to get a good grade?

Again, respondents were required to choose just one from the following list in answering the question of what was the most important requirement in order to get a good grade: memorising facts; having to understand what they read in order to explain it; understanding that there was no right answer and having therefore to explain conflicting cases; and finally, believing that it was important to include materials other than those given by the lecturer.

Some students (6%) believed that they would get a good grade just by memorising lecture notes (and reproducing them). 62% thought it was important to understand what they read in order to explain it. 20% said they understood there was no right answer and that it was necessary to explain conflicting cases (both are encouraging statistics), but only 12% thought it necessary to include materials in addition to those they were given by the lecturer.

56% relied on a good set of lecture notes for their understanding whilst 41% said they relied on reading up the subject for themselves. A worryingly tiny 4% relied on seminar materials.

Amongst the ethnic groups, only 57% of white students (as compared with 62% for the group as a whole) believed it was important to understand what they read in order to explain it. There was a much higher percentage of the black (83%), Indian (66%) and Pakistani (73%) groups who believed this was important in obtaining good grades.

Assessments

There is a common view that students might be taking a more strategic approach to their learning and only doing what was necessary to get through their assessments. Only 5% said they were not bothered about the grade they achieved so long as they passed and 67% said they aimed to get the best grade they could achieve. 19% said they tried to understand even non-assessed material.

Sadly (these being second year students at the start of their second semester), 10% said they did not know what they needed to do to achieve a pass grade, which seems remarkable in light of all the materials and advice they have been given. The majority of this group was made up of students of black origin (33%) and Chinese origin (50%), though the numbers of each were small.

Is attendance at classes essential to understanding?

64% thought that attendance at both lectures and seminars was essential. 33% believed lectures to be essential but not seminars. Obviously, the sample is biased to the extent that those thinking attendance is not important are less likely to have been included in the first place.

In light of the School's adoption of a strategy to change teaching methods and to drop seminars, it is interesting to note students' opinions on them. Despite the high numbers responding that attendance at both lectures and seminars was important, there has been an increasingly poor attendance at seminars for some years. Some work already done in the School shows a high correlation between non-attendance *at lectures* and failure of assessments.

Belief in the importance of attendance was reflected equally in those who passed their modules first time round and those who did not.

Buying basic texts

Our policy is not to provide multiple copies of basic texts in the Learning Centre and since the bookshop on the campus makes annual returns of a very few sales of the required texts, it is interesting to read the responses to the question: 'Do you buy the basic texts for your modules?'. Law texts are expensive, but casebooks in particular are very important sources for law students.

69% said they bought the basic texts for all their modules with a further 27% buying some but not all. One wonders where these are being purchased—perhaps they are all bought second hand (students are enjoined to ensure they buy up-to-date texts because of the frequency of changes in the law).

Using the Learning Centre

We have had many problems in respect of student use of the Learning Centre (LC). The biggest problem is noise, but the second most common problem is with theft of materials. Some students have reported that they no longer use the LC because of the noise, others that they spend ages searching for materials only to discover that they have been damaged or stolen. What do students use the LC for? (No questions were asked in this questionnaire about student use of IT facilities as this was the focus of the research being undertaken by Martin Cartwright.)

Despite the large numbers who claim to buy the basic texts, 55% say they use the LC frequently for reading basic texts and 30% say they occasionally do. This begs the question why they need to read the texts in the LC if they have already bought their own? It is possible that students are in fact taking their own books into the Learning Centre to read; the question was perhaps not specific enough.

Staff emphasise to students the importance to lawyers of reading cases in their original source (the Law Report). 31% of students say they use the LC for reading law reports frequently and a further 47% read them occasionally. This may come as a surprise to some colleagues!

In terms of the requirement that students develop research skills, the data throw up some interesting conclusions. 51% occasionally read supplementary texts in the LC and 45% occasionally read statutes (44% rarely or never read them); 33% occasionally read Law Commission and other government papers (52% rarely or never look at them). Academic journals, which in our view would be important in respect of assignments at this level, are

frequently consulted by 23%, occasionally read by 35% and rarely or never looked at by 43%. This might indicate a communication breakdown between staff and students and warrants much clearer guidance on what is required to do well in assignments.

Use of technology

In view of the fact that some of this cohort of students was going to be asked to complete another questionnaire which was explicitly concerned with the use of TSL, only a small number of questions were asked here about using technology.

51% were very comfortable with the use of email and 32% quite comfortable, but an astonishing 18% were either not comfortable or never used email. 57% were very comfortable in use of the internet and 32% quite comfortable. Again, 11% were either not comfortable or never used the internet. There were very high numbers of respondents who were very or quite comfortable with word processing (84% and 14%) but 3 students were not comfortable or never used it.

These responses challenge assumptions we have made about the 'modern' students' aptitude in respect of various aspects of technology. It is a cause for concern since all these students were required to do a compulsory IT module in their first year. No analysis has yet been done of the effectiveness of this module and early indications are that some students have simply not submitted themselves for assessment in it, since a pass is not required for progression to level 2.

Factors influencing passing first time

62% (79 students) passed all their level one modules at the first attempt, just over half of the remainder having just one resit attempt. 11% of those failing had mitigation accepted for failure of assessments.

72% of females passed first time, but only 46% of males⁸, which is strong evidence of a significant association between gender and passing first time.

There is fairly strong evidence of significant association between age and pass rate⁹: under 21's and over 36's were much more likely to pass (75%:25%) than the age groups between 21 and 36.

There was strong evidence of association between ethnic origin and passing first time¹⁰, with whites and those of Pakistani origin passing in higher percentages than other ethnic groups. Of whites, 80% passed first time, and for those of Pakistani origin, 71% passed. Indian and Bangladeshi students passed at 54% and 50% respectively, whereas of the three categories of black origin (Black-Caribbean, Black-African and Black other) together, only 33% passed first time.

There are also interesting indications that religion might play a part in passing first time. There were roughly equal percentages of those passing who professed Christianity and Islam (65%), whilst Hindus had a 75% pass rate and Sikhs only 46% (92% of Sikhs in the sample are of Indian origin, the group with the highest failure rate). These results did not turn out, however, to be statistically significant¹¹.

Entry qualifications and pass rates

85% of the sample had A-Levels and of these, 68% passed first time. In contrast, of those who did *not* hold A-Levels, only 28% passed first time¹². This difference is statistically very significant. Of the 8% who had an Access qualification, 44% passed first time. This was, however, better than the pass rate for those without A-Levels although the numbers were small; 9 students had Access qualifications of whom only 4 passed first time.

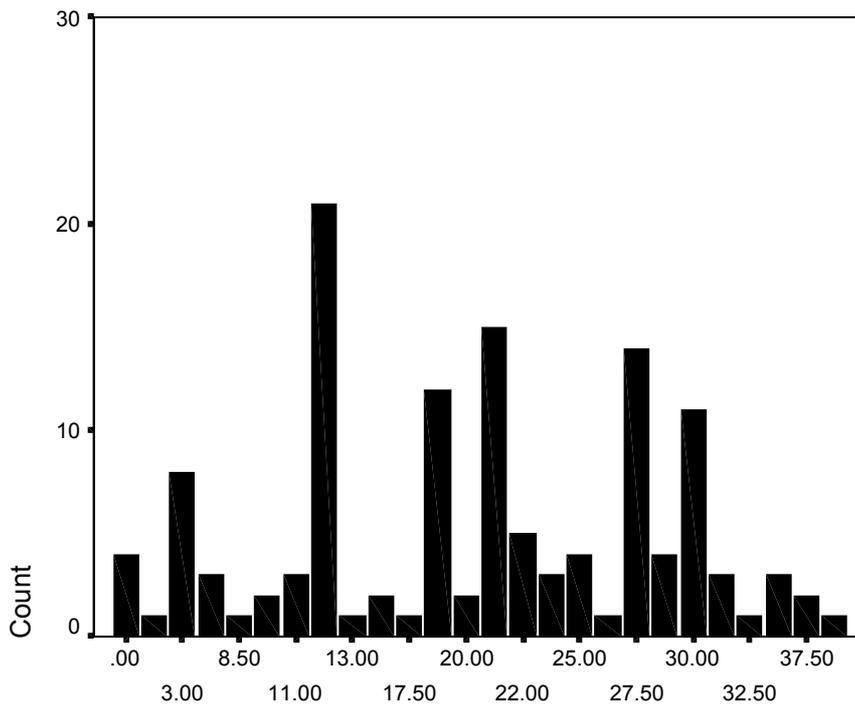
The average A-Level points score for the group was 15.3¹³. The mean point score for those with A-Levels who passed first time was 16.2 and for those who did not pass, it was 13.2. This difference in mean point scores was not, however, statistically significant. The mode was 16–18 (11% each).

Hours of study per week and pass rates

Respondents were asked about the amount of time they spent reading and studying each week in preparation for assignments and seminars and in general background reading. Naturally, one would assume that the more time spent in study, the better the chances of doing well.

The number of hours studied ranged from 2 to 40 per week. The mean was 20. The largest single group (21) studied 12 hours a week. 15 students (12%) spent fewer than 10 hours per week studying. The university describes 15 credits' worth of study as equivalent to 150 hours, or roughly 10 hours per week, including class contact time. Four modules per semester are therefore 'worth' 40 hours work per week of which, Law students have 10 hours class contact per week. As can be seen below, not many students are spending 30 hours in study.

Fig. 3 Total hours spent studying per week



Of those who passed all their modules at the first attempt, the average number of hours spent studying each week was 20, whereas of those who did not pass first time, the average was 18. There was therefore no significant difference between the groups¹⁴.

Motivations and pass rates

Of those who passed at the first attempt, 59% chose to do Law because they wished to qualify as a solicitor, 23% chose it out of interest in the subject and 14% chose it in order to effect a career change (i.e. roughly in line with the proportions for the whole sample).

Of those respondents who chose Law in order to qualify as a solicitor or for a career change, 68% passed first time compared with the percentage for the sample as a whole (63%). None of those doing law because their family were keen for them to do it passed first time (but because numbers in this category were small, this is not statistically significant). Only 33% of those who thought it would be a good idea to do Law passed first time and 56% of those who chose it because of the range of career choice passed first time.

Of those who passed first time, 75% bought the basic texts for all their modules but of those who did not pass first time, only 59% bought all the basic texts. 36% of those passing first time claimed to read Law Reports frequently as compared with 23% who did not pass first time.

Paid employment and pass rates

60% of respondents were in paid employment¹⁵ (only a handful of the sample are officially part-time students). They work in a variety of positions: shops (27%), offices (13%), bars, clubs, pubs and restaurants (25%) and family businesses (3%).

Fig.4 Number of hours in paid employment per week as percentage of those working

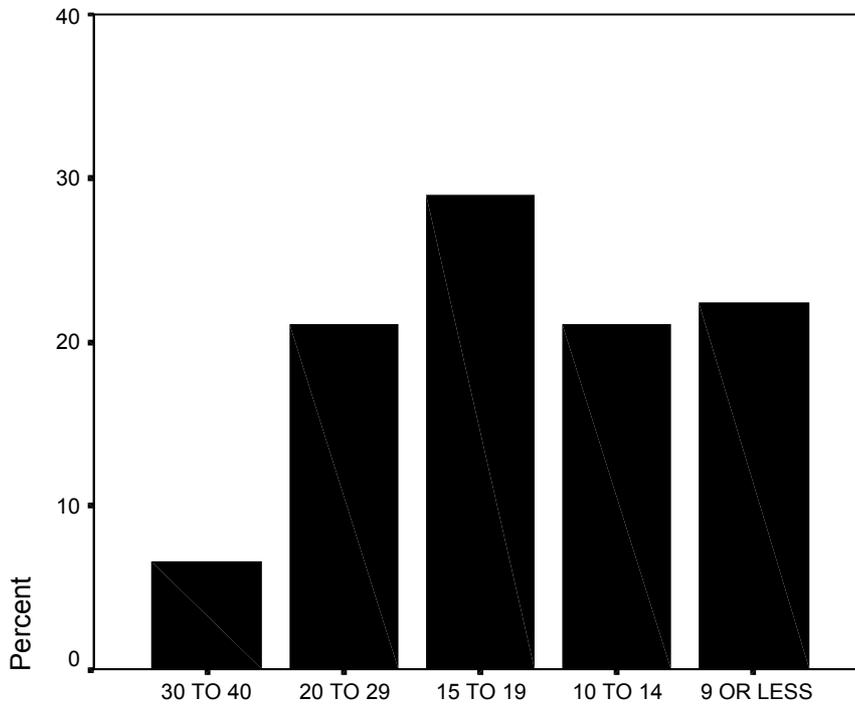
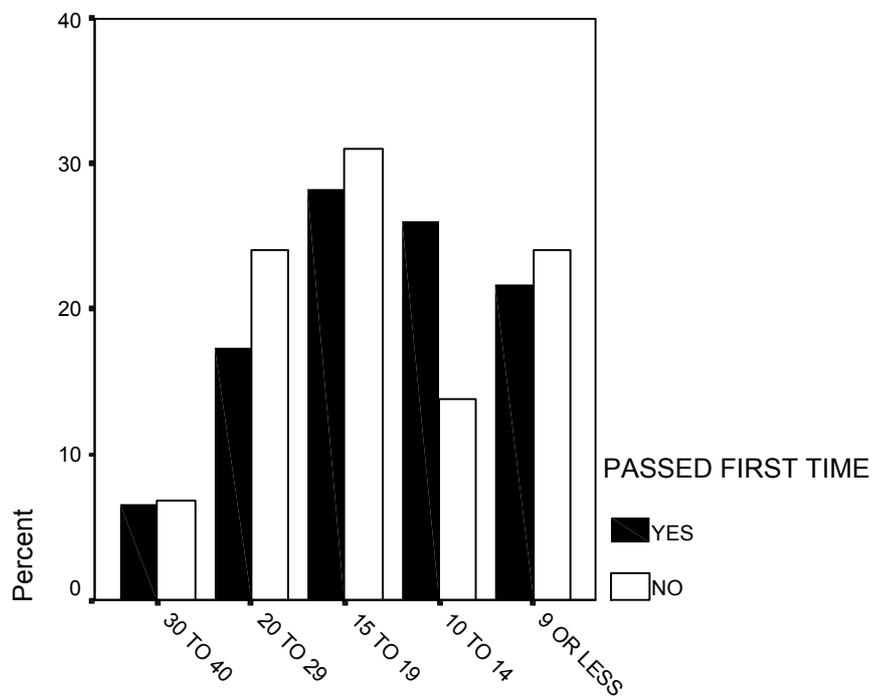


Fig.5 Percentage pass rates for those in employment by hours per week



The table below compares pass rates with number of hours in employment per week.

	HOURS EMPLOYED					TOTAL
	30+	20–29	15–19	10–14	9 OR LESS	
YES	3 60%	8 53%	13 59%	12 75%	10 59%	46 61%
NO	2 40%	7 47%	9 41%	4 25%	7 41%	29 39%
TOTAL	5 100%	15 100%	22 100%	16 100%	17 100%	75 100%

Surprisingly, since the pass first time rate for the whole sample was 63%, the pass rate for all those in employment was not much lower at 61%. Although the rate went down as low as 53% for those working 20–29 hours per week, it is hard to place much importance on this since the pass rate was 75% for those working 10–14 hours! There are relatively small numbers in each category¹⁶ and the surprise is how little difference there is in pass rates between those in employment and those who do not work. Nor does there appear to be any difference according to how many hours students are in employment¹⁷.

Domestic arrangements and pass rates

65% live with their parents, 18% with other students, 5% on their own and 8% with a partner. Where students lived with their parents, the pass rate is the average for the group at 63%. Those living with other students had a higher chance of passing first time of 70%; whereas those who lived on their own had a significantly lower chance of 33%, or with a partner, 50%¹⁸.

Since many students live with their parents, travelling to the university is obviously a feature of their daily lives. 41% live within half an hour's journey, 38% take 30–60 minutes to get in and 18% (23 students) travel for over an hour each way. Length of journey into the university did not appear to affect the pass rate (except that for those travelling for more than 60 minutes, the pass rate is higher than the average for the group at 78%).

39% live in homes with children. 19 respondents have dependent children, partners or parents. Where there were no children in the house, the pass first time rate was 71%. Where there were children, the pass rate was lower than the average for the group as a whole—the lowest being 42%. Where the children were the respondents' dependents, the pass rate slumped. With one child, the first time pass rate was 33% and with more, no one passed first time (but number of respondents in this category was low—8).

Only 9 students did not have to spend any time each week on household chores, with 36% spending up to 3 hours, 32% 4–6 hours, 15% 7–10 hours and 9% over 10 hours per week. Did housework interfere with successful completion of assessments at the first attempt? It appears that chores have not had any impact on pass rates with 74 students passing and 46 students not passing first time even where some respondents were spending more than 11 hours a week on housework.

Those who did not pass first time

Females were much more likely to pass than males (72% of women passed first time as compared with 46% of men). Females were also more likely than men to have submitted, and had accepted, extenuation in respect of failure (57%: 43%). Outstandingly the largest ethnic group having acceptable extenuation were Indians (43% of those granted extenuation). This compares with whites and Bangladeshis: 14%, blacks and Pakistanis: 7%.

56% of those retrieving modules were attempting only one module, with 31% retrieving 2. Of those retrieving one module, 41% were of Indian origin, 23% were white, whilst 9% were

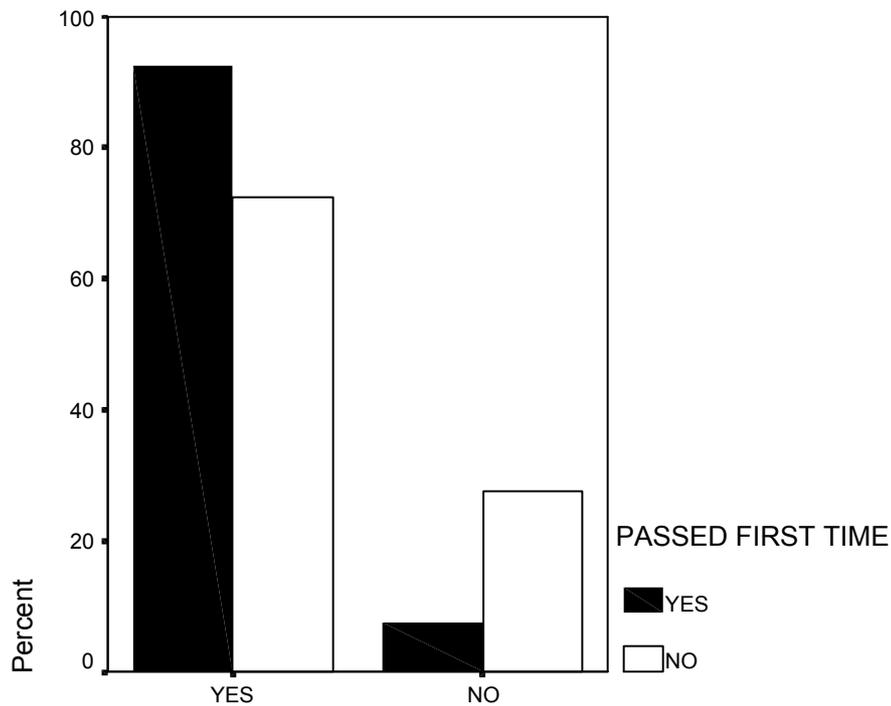
black, 9% Pakistani and 5% Bangladeshi. Indians also accounted for the largest percentage of those retrieving 2 or more modules.

Conclusions¹⁹

The purpose of the project was to find out more about the student population, especially to discover how much time was spent on studying and how much in paid employment and whether these factors had any impact on students' ability to succeed in their assessments. What has emerged is a reasonably clear picture of factors which play a part.

Factors in favour of first time passing appear to be: female, under 21 or over 36, of white or Pakistani origin with A-Levels, wishing to qualify as a solicitor, buying all the basic texts for all their modules, living in term time with other students.

Fig.6 Percentages of those with A-Levels passing first time



Factors against passing first time are: male, between the ages of 21–29; black or of Indian origin, without A-levels, doing law because their family wants them to, and living with dependent children.

Fig.7 Percentages by gender of pass first time rates

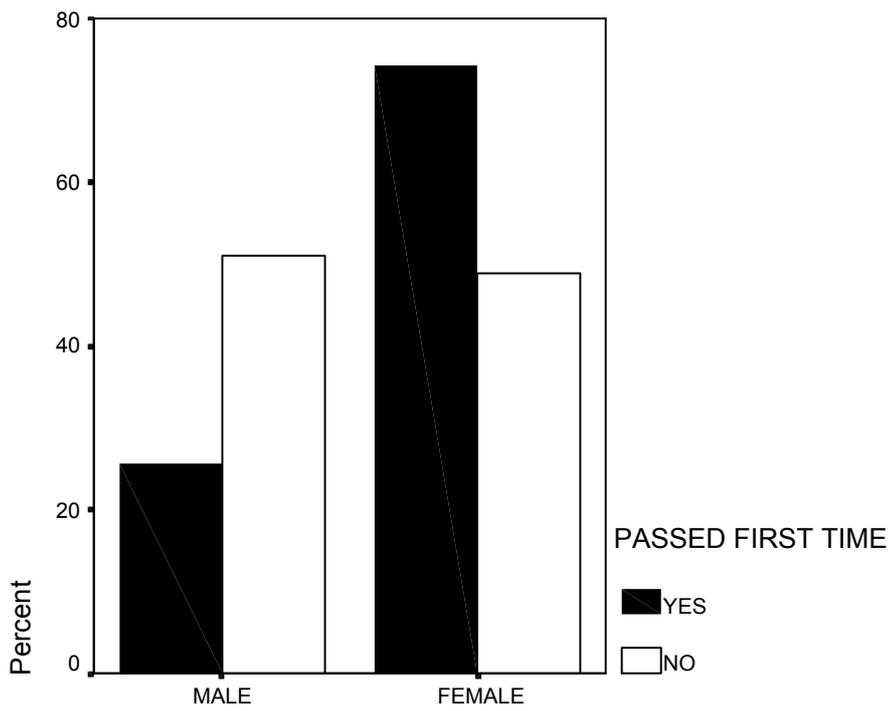
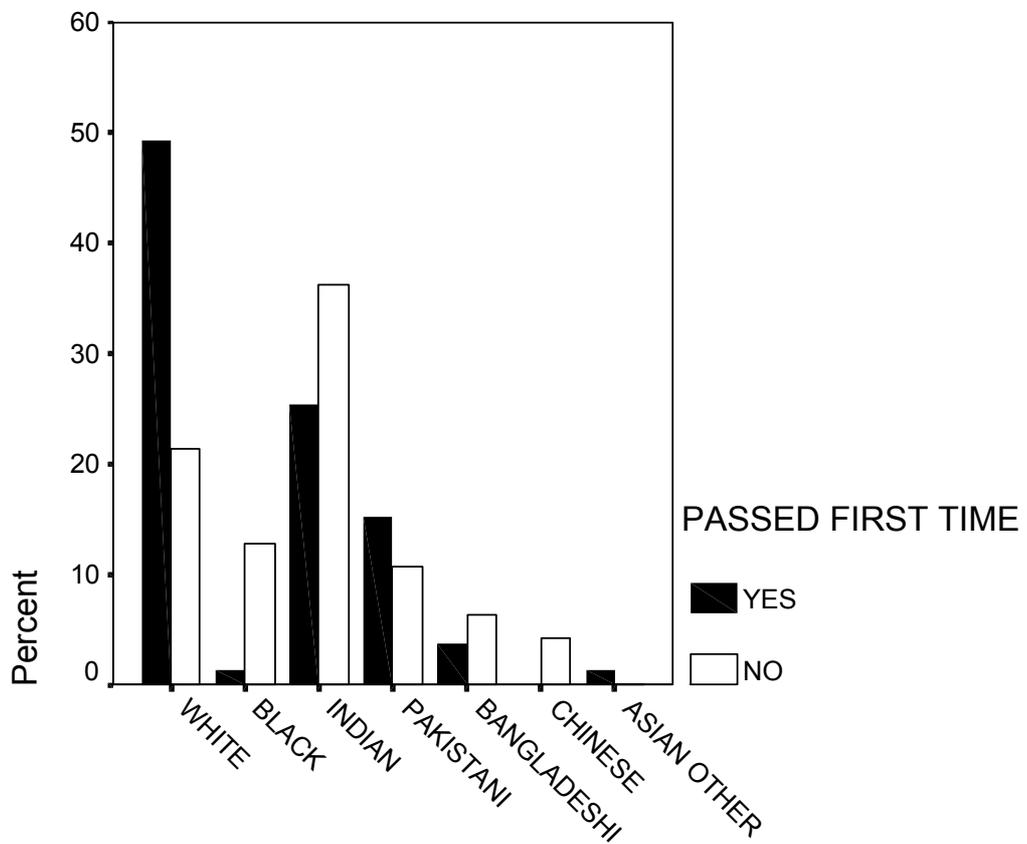


Fig. 8 Percentages by ethnic group of pass first time rates



No very strong conclusions can be drawn about the beneficial effects of studying for longer periods or the negative effects of being in paid employment. It would, however, be dangerous to rely solely on statistical evidence and to draw a conclusion that it makes no difference how many hours students study or spend in employment. Common sense dictates that the individual abilities of students matter; more able students may be able to succeed in their assessments by studying for fewer hours and spending more time in employment than less able students.

There are large numbers of students who are not passing first time and, apart from the human cost in terms of self-esteem, this places a strain on support services in terms of administration of retrieval procedures, including the logging and consideration of extenuation. Those students who do not pass first time may run out of retrieval rights and thus will not complete and this has additional economic consequences for the institution.

The question remaining is whether high risk factors should be taken into account in the School's admissions policy to screen out those whom it might be predicted would fail assessments at least at the first attempt, or whether such students should be targeted for additional support (at extra cost to the School). The easy (and cheaper) option is to change admissions policies and recruit only white and Pakistani women with A-Levels. If, however, the university is to adhere to its mission of widening access beyond the traditional entrant and to reach out to disadvantaged or less successful groups (such as men!), then the latter option should be adopted.

Finally, it should be noted that all conclusions are subject to the usual sampling error, and the group selected may not be fully representative of all students (e.g. even for full-time second year Law students there may be some degree of bias because of non-attending students who are not included).

Acknowledgements

With gratitude for their invaluable work, advice and assistance on the statistical interpretations to Dr Ray Binns and Christopher J Vallely. All errors are mine.

¹ although there were a number (7%) attending day-time classes as part-time students who were hoping to retrieve past failure.

² 128 were handed in, but one was discounted on the basis that the responses were patently false.

³ The Commission for Racial Equality categories were used, but the three groups of Black-Caribbean, Black-African and Black other were amalgamated into one category of Black because numbers in each were small.

⁴ These are two further marked changes from 15 years ago when white students made up a majority of the course and there were more students from overseas

⁵ or barrister

⁶ see for instance the Joint Statement on Qualifying Degrees and the Benchmark statement for Law

⁷ It would have been interesting to have had these ranked by respondents, but it was felt that this would complicate analysis of the data and so students were restricted to choosing what they felt was the most important from the list.

⁸ P value 0.0145

⁹ P value 0.0287

¹⁰ P value 0.0155

¹¹ P value 0.291

¹² P value 0.003

¹³ only 87 of the 108 respondents who had A-Levels indicated a point score

¹⁴ P value 0.364

¹⁵ This confirms other data being gathered in a national longitudinal study of Law students begun last academic year by Mike Cuthbert of University College Northampton.

¹⁶ i.e. of number of hours worked each week

¹⁷ The mean for those who passed was 4.39 hours per week and for those who did not, 4.24.

¹⁸ numbers in these two categories are, however, small at 6 and 10 respectively

¹⁹ It should be remembered that the cohort of students sampled in this questionnaire have got over the hurdle of progression from level one to two and that the retrievals focused on in this study are of up to 60 credits of level one modules. Those who did not progress were not therefore in attendance at the level two class in which the questionnaire was distributed.