International Journal of Social Sciences and Education **ISSN: 2223-4934**

Volume: 1 Issue: 3 July 2011

Students Perceptions of Inhibiting and Enhancing Factors which Impinge on Second Year, Undergraduate Construction Law Education

Tim McLernon[1] Robert Eadie[2]

Email: t.mclernon@ulster.ac.uk; r.eadie@ulster.ac.uk

ABSTRACT

Higher education in the UK continues to progress through a changing operating environment. In particular, the economic environment of the past two years is likely to affect higher education. It has already impacted significantly on the construction industry and associated professions and indicators suggest a decline in the number of applications to built environment programmes. This paper reports on a specific element of a longitudinal study which aims to find out more about how best to facilitate the learning of undergraduate students in the operating environment that is likely to subsist over the next five years. The specific element is a study of second year, undergraduate students on a construction law module and the study will focus on those inhibiting and enhancing factors that impinge on the teaching, learning and assessment regime associated with this module. The study draws on data obtained from participant observation, minutes of meetings, discussions with colleagues and a dedicated survey of immediately past and present students of the module. The findings will be used to inform the design of a model for a programme structure and a teaching, learning and assessment regime that engenders graduates with individual, embedded knowledge, skills, abilities and attributes that allow them to better contribute to the built environment disciplines, to the growth of the economy and to societal needs.

Keywords: **Impingements, undergraduate, construction law, education.**

INTRODUCTION

This paper reports on an element of a larger longitudinal study of higher education that will bring together a critical examination and analysis of current teaching, learning and assessment regimes in the built environment. It will further evaluate learning traits, behaviours and attitudes of students in the built environment disciplines. The purpose of the overall study is to determine whether or not educational methods currently in use produce graduates with the individual, embedded knowledge, skills, abilities and attributes that allow them to excel in their contribution to the built environment disciplines in which they will

[1] ***School of the Built Environment,University of Ulster, Newtownabbey, BT37 0QB United Kingdom***

[2] ***School of the Built Environment,University of Ulster, Newtownabbey, BT37 0QB United Kingdom***

Students Perceptions of Inhibiting and Enhancing Factors which Impinge on Second Year, Undergraduate Construction Law Education

ultimately make their career. In this paper, we shall use the term 'students' to refer to observed, common, generic traits, behaviours and attitudes of students. However, this is not to discount the fact that students have their own individual traits behaviours and attitudes. This paper is specifically concerned with construction law education of second year, (level 5) students studying a module that has learning outcomes associated with:

- The legal systems of the UK;
- The law of Tort;
- The law of Contract; and
- Construction contracts.

The study was conducted to inform curriculum development of the subject in a rapidly changing operating environment. The design of the teaching, learning and assessment regime associated with this module is, as with the greater number of modules in higher education, a satisfactory compromise that meets the requirements of policy, strategies and stakeholders.

The two key research questions that are posed by this study are:

(i) What do students think about the teaching, learning and assessment regime associated with this module?; and
(ii) Using the outcomes of (i), what improvements to the teaching, learning and assessment regime associated with this module might be proposed?

The Operating Environment

UK Higher Education has changed significantly over, particularly, the last 25 years. The transformation from an elite to a mass system of higher education in the UK brought with it many demands of policy, practice and management that continue to challenge the system. Fifteen years ago, Eriksen (1995) discussed the changes needed in degree course management to create a system which would be sufficiently flexible and efficient to cope with more students without loss of quality. He advocated the application of the theory of total quality management to higher education, indicating the need to treat degree courses 'as continuous production systems, rather than batch runs with standardized components and early detection of faults (unlearned work) to reduce quality costs (student failures and exam resits)'. He proposed, at that time, that the US higher education system should be used as a model for the UK.

Higher education in the UK continues to progress through a changing operating environment. The past decade has seen particular challenges arising for higher education in the UK that impact on the student experience. These include:

- Funding and top-up fees;
- Attracting overseas students to contribute to income;

- Global competition;
- Advances in ICT;
- On-line provision and competition;
- Blended learning delivery and assessment; virtual learning environments;
- The teaching-research nexus;
- Teaching quality assessments;
- The National Student Survey;
- Research assessment exercises and the current Research Excellence Framework;
- Criticisms of standards of UK higher education; and
- Student numbers.

In addition, there are two particular facets of this changing and challenging operating environment that have changed the nature of student learning in recent years. The first is that students now have to make a significant financial contribution to their studies. In order to fund this financial contribution, the greater proportion of undergraduate students work in employment on a regular basis. The second relates to the advances in information and communications technology which change the ways in which students socialise, source information and communicate with one another.

The policy of the recently replaced Labour government, that 50% of young people should enter higher education by 2010 has been, arguably, the key challenge over the last decade. It has brought with it a parallel challenge on how to fund higher education. Williams (2010) reports that the Association of Graduate Recruiters, which represents 750 employers, many of them blue-chip companies, are calling for the abolition of the Labour target of sending 50% of young people to university, justifying the call with the statement that: '[t]he government's strategy has driven down standards and devalued degrees'. Whether or not standards have, in fact, fallen is difficult to judge on the evidence. However, there is a prevailing perception and some concern amongst some academics that the UK degree is no longer the gold standard. This perception was recently expressed anonymously in an article in The *Times Higher Education Supplement* of 25th February 2010 in which a university lecturer suggested that 'poor student attendance' and 'generous exam marking' are 'making a mockery of higher education'. The thrust of the arguments of this lecturer is as follows:

> 'It is obvious that the current policy to increase participation in higher education has led to too many students attending who are not suited to studying at university level. And, as a consequence, standards fall. … The crisis in university funding could be solved overnight by reducing participation to 20 per cent (from the current level of 43 per cent). Standards would rise, staff morale would rocket, and engaged students would get the education they deserve. … Degrees would regain their value… .' (Anon, 2010).

In particular, the economic environment of the past two years is likely to affect higher education. It has already impacted significantly on the construction industry and associated

professions and indicators suggest a decline in the number of applications to built environment programmes. The new Conservative and Liberal Democrat government alliance is expected to make significant changes and impact on higher education over the next five to ten years. Nevertheless, demand for places in higher education, and student numbers in higher education continue to rise. The media release from UCAS on 21st January 2010 reported that in 1999 there were 334,594 accepted applicants into university or college. Ten years later in 2009 there were 481,854 - an increase of 44%. This represents an increase of 25,227 (5.5%) on entry for 2008. There was an overall increase in the number of applicants of 8.7%. Applicants aged 20 and under showed a 6.9% increase. In this UCAS media release, Mary Curnock Cook, UCAS Chief Executive was quoted as saying:

> '2009 saw an unprecedented demand for places at university or college, but significantly more students have been accepted into higher education than ever before. Whilst there have been increases across the board, our figures show that there has been a particularly large increase in applicants aged 25 years and over - 89,133 in 2009, compared to 77,286 in 2008 - a 15.3% increase (see Table [1]). Males aged 25 and over have seen the biggest rise in acceptances - up 10.8% to 20,963.'

Table 1. Applicants and acceptances by gender (all domiciles)
(Source: The media release from UCAS on 21st January 2010).

Year	**Applicants**			**Accepted applicants**		
	Male	**Female**	**Total**	**Male**	**Female**	**Total**
2009	284,757	355,103	639,860	218,185	263,669	481,854
2008	259,878	328,811	588,689	204,695	251,932	456,627
% change	9.6%	8.0%	8.7%	6.6%	4.7%	5.5%

She went on to report that:

> 'last year's cycle was record breaking for UCAS in terms of acceptances and applications. There are many factors that drive people to consider higher education, including the current economic situation, with more people looking to long term retraining in the traditionally more secure or transferable careers, such as nursing (+19.9%) and combinations within business and administrative studies (+11.4%).'

Table 2 below illustrates the increase in number of accepted applicants of UK domiciled students by age and by gender. It is noticeable that the greatest increase is in the category of male students of 25 years and over.

Students Perceptions of Inhibiting and Enhancing Factors which Impinge on Second Year, Undergraduate Construction Law Education

Table 2. Accepted applicants (UK domiciled) by age and gender
(Source: The media release from UCAS on 21st January 2010).

Year		**Female**	**Male**	**Total**
20 years and under	**2009**	177,831	148,943	326,774
	2008	172,925	141,643	314,568
	% change	+2.8%	+5.2%	+3.9%
21 to 24 years	**2009**	24,565	22,017	46,582
	2008	22,851	20,389	43,240
	% change	+7.5%	+8.0%	+7.7%
25 years and over	**2009**	33,248	18,459	51,707
	2008	30,893	16,323	47,216
	% change	+7.6%	+13.1%	+9.5%
Total	**2009**	235,644	189,419	425,063
	2008	226,669	178,355	405,024
	% change	+4.0%	+6.2%	+4.9%

In the design and delivery of the teaching, learning and assessment regime for a module or for a programme, attention must be paid to those key assessment elements that can impact on the quality and reputation of the module, programme and the institution. For example, the various teaching quality assessment exercises over the past fifteen years have impacted significantly on policies, strategies, procedures and methods associated with the management and delivery of higher education. The outcomes of these exercises suggest a hierarchical assessment of quality in the disciplines and in the institutions. Similarly, but perhaps more dramatically because of the direct relationship to funding, the various research assessment exercises over the past eighteen years have likewise significantly impacted on policies, strategies, procedures and methods associated with the management and delivery of higher education and which affect the student learning experience. Virtually all of research funding from HEFCE is distributed to higher education institutions according to the quality and amount of research done. The first research assessment exercise to cover the entire higher education sector was undertaken in 1992. More recently, the National Student Survey was introduced. The National Student Survey (NSS) aims to provide information on teaching quality and the student experience at higher education institutions across the UK. The NSS ran for the first time between January and April 2005; it was repeated between January and April 2006. Students in their final semester at a higher education institution are asked to give quantitative responses to 21 statements organised into six sections that deal with:

1. The teaching on this course
2. Assessment and Feedback
3. Academic Support
4. Organisation and management
5. Learning Resources
6. Personal development.

Students Perceptions of Inhibiting and Enhancing Factors which Impinge on Second Year, Undergraduate Construction Law Education

The students are additionally asked to quantitatively respond to the statement: 'Overall, I am satisfied with the quality of the course'. A consequence of this survey is the production of 'league tables' of institutions based on the outcomes of the survey.

The student experience is central to higher education. It is imperative that the design and delivery of the teaching, learning and assessment regime is founded on students enjoying a good, robust learning experience. There is however a view that, probably because students now pay tuition fees, students are to be treated as 'customers'. Such a view brings with it key challenges for a robust educational experience because knowledge is not a commodity that can be acquired passively. Little *et al* (2009) posit the following view:

> 'Institutions view student engagement as central to enhancing the student experience, but *more emphasis seems to be placed on viewing students as consumers and rather less on viewing students as partners in a learning community* [authors' italics]. For students' unions, the emphasis tends to be on the latter aspect. Notions of students as 'partners in a learning community' seem to be stronger in certain subject areas than others. The study goes on to make a number of recommendations to lead the sector towards working more closely together when developing student representation practices.'

Viewing students as partners in a learning community should create a more robust institutional culture and ideology for advancing learning.

On arrival at University the student learning experience is vital to retention and engagement with staff and peers (University of Ulster, 2002). It is therefore vital that the course content and learning environment is of a high standard. In order that this is achieved responsible members of staff have linked content to theory. Three main methods of delivery are used on the module. These are lectures, tutorials and seminars. These may be linked to Kolb's Learning cycle (Kolb, 1984). It can be seen from Figure 1 that the different learning styles of the students are all catered for in the mix of these modes of delivery.

In lectures students assimilate the information given based on the facts they are presented with. This provides them with the essential background to law and introduces them to concepts from case law. The content of the lectures is assessed through an end of year project.

This learning is linked into the seminars where further research is carried out to enable a duo or individual seminar to be given by the students. Their research into the cases is presented for tutor and peer review and forms part of the module assessment. Having a construction background which leads to heavily analytical skills being developed most of the students favoured the converging mode of learning with many focussing on the result. Their creativity skills are also tested by the seminars in the examination of other cases which come to bear on the result of the case they have chosen. Very often in the critique session cases which they

had not considered which are not directly related to the case in hand are used by their peers. The two seminars are assessed jointly by tutors and peers with a percentage of 90/10.

The tutorials cater for those students who are active learners and learn from carrying out the work. The tutorials are based on cases which have happened and students work through the conditions of contract to identify what the decision should be for each scenario. Each tutorial is assessed the following week on an ongoing weekly basis. The learning is further assessed through a weekly log. Each student completes a log which details what they have learned, read and assimilated during the week.

This variety of teaching modes provides a mix of teacher–centred and student-centred approaches in the delivery. This paper seeks to identify if this mix of modes is appreciated by the majority of students.

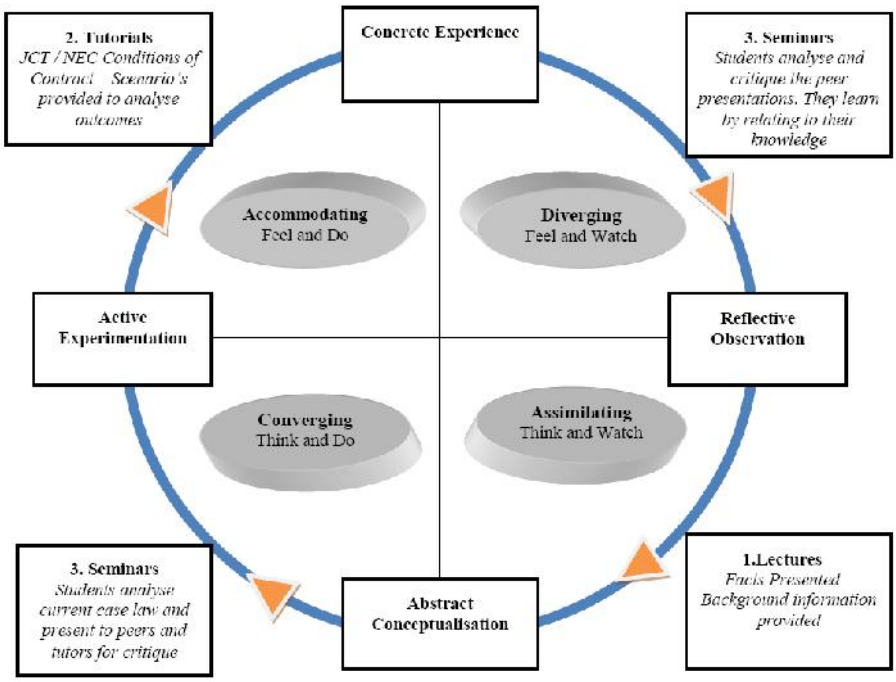


Figure 1 Links between modes of delivery on the module with learning styles (After Atherton, 2010 based on an adaption of Kolb's Learning cycle Kolb,1984)

Data Collection and Analysis

The research context for the study is founded on qualitative data obtained from participant observation, policy documents, procedural codes of practice, discussions with academics and focus group discussions with students during tutorial sessions on a construction law module.

This section of the paper deals with the quantitative and qualitative data obtained from a survey of two groups of students: one group who studied the construction law module this academic year (2009/2010) and the other group who studied the module the previous academic year (2008/2009). This construction law module, on which the survey was carried out, is a level 5 module taken by second year students studying on three different programmes, namely: BSc (Hons) Construction Engineering and Management; BSc Construction Engineering; and BSc (Hons) Architectural Technology and Management. These are modular undergraduate degrees, with the construction law module equating to 20 credit points from a total of 120 credit points for the second year. As the degree classification for these courses is based on final year performance the module does not currently contribute towards final classification. The survey was conducted to elicit from students their views on key areas of the construction law curriculum. The identified inhibiting and enhancing impingements were constructed from a priority list prepared from issues raised in several fora, including course committee meetings, School Board meetings, Faculty Teaching and Learning Committee meetings and other fora, and including discussions with colleagues internally and externally. These identified areas were considered by us, the authors, on the basis of the above data, to be key, inhibiting and enhancing impingements on second year, undergraduate construction law education. They are as follows:

- Attendance;
- Class size;
- Preferred attendance times;
- Amount of contact time;
- Assessment methods;
- Modes of delivery;
- Relevance to the construction industry;
- Using electronic learning resources and support; and
- Likes and dislikes about the module.

Methodology

Data collection was carried out in 2010 using Limesurvey™, a system similar to that used by Solomon (2001). This software allows responses to the web-based interface to be collected and stored in an on-line MySQL database. Simple statistical analysis can be carried out internally without the need to retype data. For the purposes of this survey data was exported directly to Microsoft Excel™ for additional in-depth analysis and confirmation purposes.

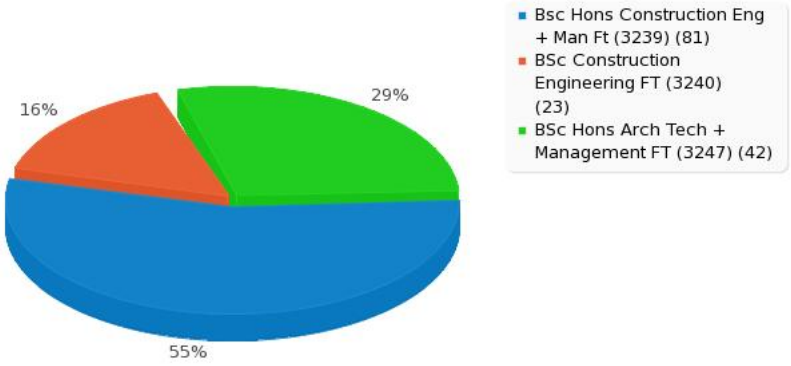
Sample size

To be statistically viable Bartlett *et al* (2001) suggest sample numbers for various population sizes. These numbers are based on type of data required and a 65% response rate. For a population size of 300 Bartlett *et al* (2001) suggest that the sample size must be 143 to provide an alpha margin of error of 0.05 (finding a difference that does not exist in a population), a p of 0.5 and a t of 1.65. p is the probability and t is the test statistic. A possible error level of 5% (Krejcie & Morgan, 1970) is statistically acceptable for relationships and

differences. The 302 student population, creating a sample size of 143 and requiring a 65% response rate, therefore requires 93 responses to result in a statistically defendable result. In order to ensure that this value was exceeded oversampling took place with questionnaires sent to the complete population. One hundred and forty six (146) responses were obtained well above the statistical requirements of Bartlett (2001). Rubin and Babbie (2004) and OIG (1997) indicate that a 50% response rate is acceptable. The response rate was 48%, minimally below the 50% threshold. However, Holbrook et al. (2005) examined surveys with 4 to 70 percent response rates and concluded "*lower response rates do not notably reduce the quality*".

Sample Breakdown

Figure 2 identifies the breakdown of the responses. The question asked appears in the top row of each table. It can be seen that the response rates from the various different courses involved in the module range from 41 to 58%. This shows that "buy-in" from the different courses occurred.



On which of the following courses are you enrolled?				
Answer	Count	Percentage	Possible	Percentage of course total
Bsc Hons Construction Eng + Man Ft	81	55.48%	174	47%
BSc Construction Engineering FT	23	15.75%	56	41%
BSc Hons Arch Tech + Management FT	42	28.77%	72	58%
Overall Response Rate	146		302	48%

Figure 2 Breakdown of Sample

Attendance

Chan and Kumaraswamy, (2001) provide a methodology to determine the importance of each of a number of factors. They call this the Relative Importance Index(RII).

$RII = \sum w / (A \times N)$

Where w = Weighting given to each factor, A = Highest Weight (6) and N = Number of Respondents. It the question below w is 1 for 0-2 weeks up to 6 for 11-12 weeks, A is 6 and N is equal to 146. A similar methodology is used throughout the paper wherever RII is calculated. RII was calculated for the lectures, tutorials and seminars in the current mode of delivery. It can be seen from Table 1 that attendance at lectures was deemed most important with a value of 0.76, closely followed by tutorials at 0.75 and lastly by seminars at 0.71.

Table 1 Attendance Statistics

Out of 12 weeks, how many weeks did you attend	**Lectures**		**Tutorials**		**Seminars**	
Answer	**Count**	**%**	**Count**	**%**	**Count**	**%**
0-2	3	2.05%	4	2.74%	9	6.16%
3-4	9	6.16%	12	8.22%	9	6.16%
5-6	11	7.53%	17	11.64 %	25	17.12 %
7-8	40	27.40 %	30	20.55 %	29	19.86 %
9-10	46	31.51 %	42	28.77 %	36	24.66 %
11-12	37	25.34 %	41	28.08 %	38	26.03 %
Relative Importance Index (RII) value	0.76		0.75		0.71	
Mode	9-10		9-10		11-12	

It can be further seen from the statistics 84% attended more than half the lectures, 77% attended more than half the tutorials and 70% attended more than half the seminars. These statistics vary significantly from the tutor recorded attendance that asserts lower attendance figures. The students' perceive that their attendance is more regular than their actual attendance. While the statistics gathered by tutors drop these figures by on average 2 weeks across the three modes, the students may have exaggerated their attendance in order that the penalty for non-attendance may be avoided. As the exaggeration is uniform it will not effect the overall RII findings in the question.

Usefulness of modes of delivery

A similar procedure was used to determine the usefulness of the lectures, tutorials and seminars in terms of delivery mode. Usefulness in this context was defined during the questionnaire as being the ability of the delivery mode to support the learning experience. Once learned the information can be used to complete assessments and more importantly aid the decision making process in students future careers. It can be seen from Table 2 that tutorials were considered to be the most useful mode of delivery with a value of 0.68, followed by lectures with 0.66 and seminars at 0.61.

Students Perceptions of Inhibiting and Enhancing Factors which Impinge on Second Year, Undergraduate Construction Law Education

Table 2 Usefulness of Delivery mode

How useful did you find:-	**Lectures**		**Tutorials**		**Seminars**	
Answer Scale 1 not useful, 5 very useful.	**Count**	**%**	**Count**	**%**	**Count**	**%**
1	6	4.11%	12	8.22%	19	13.01 %
2	17	11.64 %	21	14.38 %	22	15.07 %
3	56	38.36 %	36	24.66 %	49	33.56 %
4	58	39.73 %	52	35.62 %	45	30.82 %
5	9	6.16%	25	17.12 %	11	7.53%
Relative Importance Index (RII) value	0.66		0.68		0.61	
Mode	4		4		3	

Each respondent was asked to state the class size for each of the modes of delivery that most effectively assisted their learning. Modal size preferred for lectures was 21-30. The preferred size of tutorials was divided equally between those who wanted 2-10 and those who considered 11-20 as the optimum size. The optimum size for seminars was considered to be the latter of these two groups at 11-20.

As the actual sizes of classes were much larger than the stated sizes this question was followed by one asking if they considered sizes greater than these to be detrimental to their learning. The majority in each case considered this to be the case: Lectures 79%, Tutorials 84% and Seminars 63%. The extent of the disruption to learning by larger class sizes was then determined from those who considered their learning to be disrupted.

Table 3 Disruption due to class sizes

Disruption due to larger class sizes:-	**Lectures**		**Tutorials**		**Seminars**	
Answer Scale 1 little disruption, 5 large disruption.	**Count**	**%**	**Count**	**%**	**Count**	**%**
1	0	0.00 %	1	0.82 %	0	0.00 %
2	4	3.48 %	4	3.28 %	3	3.23 %
3	28	24.35 %	29	23.77 %	25	26.88 %
4	51	44.35 %	50	40.98 %	36	38.71 %
5	23	20.00 %	28	22.95 %	23	24.73 %

Relative Importance Index (RII) value	0.714		0.714		0.731	
Mode	4		4		3	

Table 3 indicates that students considered class sizes larger than their preferred values would adversely affect the seminars more than the lectures or tutorials. The lectures and tutorials would be affected equally.

Mix and timing of modes of delivery

An in-depth analysis was then carried out into the way in which the module was being delivered. Responses proposed an average of 4.53 hours per week contact time with a standard deviation of 4.04. Students currently on the module have 4 hours per week so this substantiates the *status quo*. Eighty-four percent (84%) considered that they had enough contact time with teaching staff. Sixteen percent (16%) suggested they required extra contact time. These were further probed as to where this extra contact time should be allocated. It can be seen from Figure 3 that 39% suggested it should be added to lecture allocation, 36% to tutorial allocation and 25% to seminar allocation.

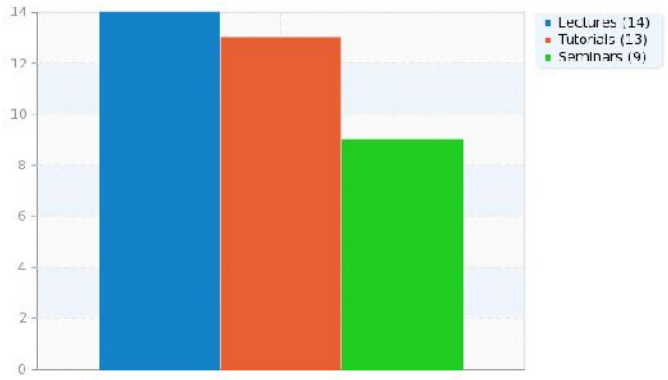
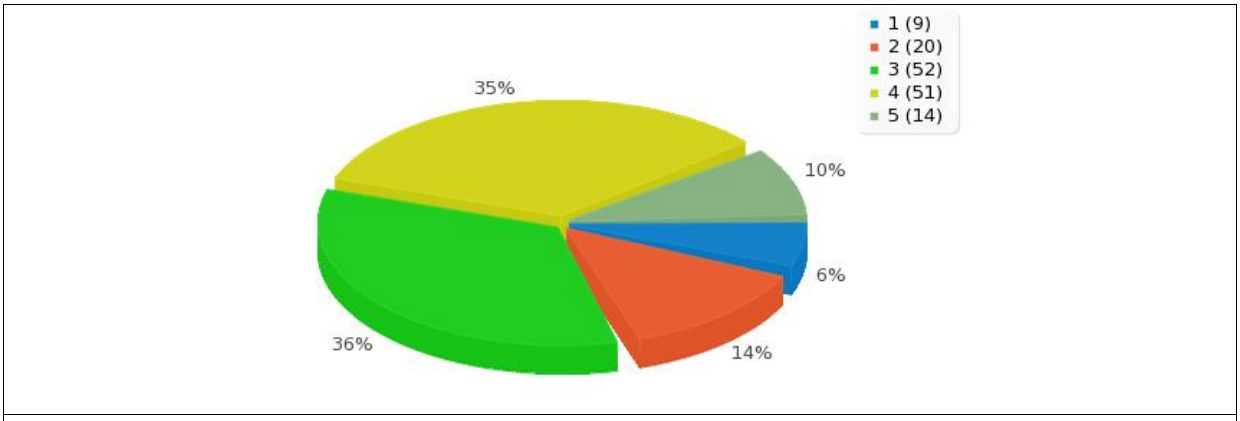


Figure 3 Allocation of extra contact time.

Currently contact time is spread throughout the week. A further question resulted in 50.68% suggesting that they would like it condensed into a single day with the remainder happy with the current provision.

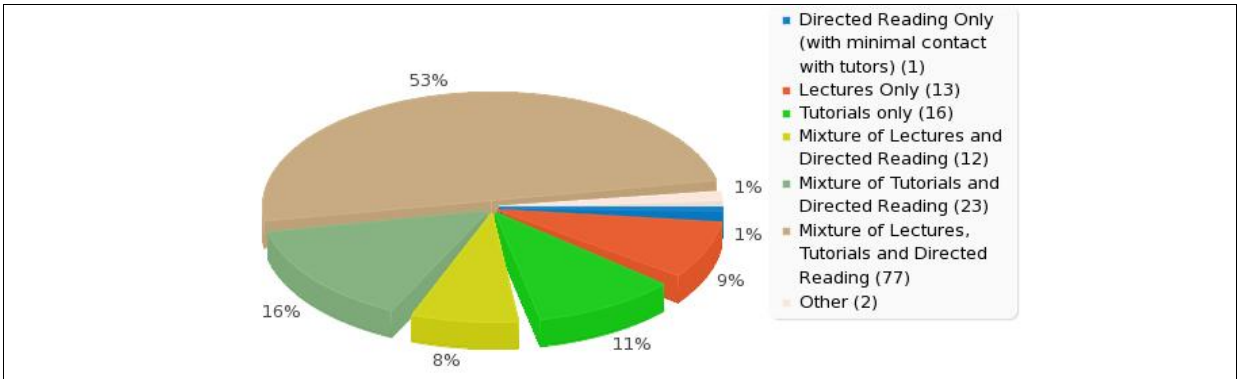
It can be seen from Figure 4 verification that the mix of lectures, seminars and tutorials suits 45% of the cohort, with 35% remaining neutral and only 20% feeling it did not help them learn effectively.



Do you consider the mix of lectures, tutorials and seminars to be a format that helps you learn effectively?		
Answer 1-Not very 5-Substantially	Count	%
1	9	6.16%
2	20	13.70%
3	52	35.62%
4	51	34.93%
5	14	9.59%

Figure 4 Learning effectiveness of lectures, tutorials and seminars

A question followed which probed some other delivery options available and left an option as to state alternatives. Two students suggested that a mixture of lectures and tutorials would be the best option. The rest suggested the options indicated in Figure 5. The current system was already established as the preferred option and Figure 5 indicates the second preference to be a 'Mixture of Lectures, Tutorials and Directed Reading'. Only a minority held other views.



Would you prefer any of the following formats?		
Answer	Count	Percentage
Directed Reading Only (with minimal contact with tutors)	1	0.69%
Lectures Only	13	9.03%
Tutorials only	16	11.11%

Students Perceptions of Inhibiting and Enhancing Factors which Impinge on Second Year, Undergraduate Construction Law Education

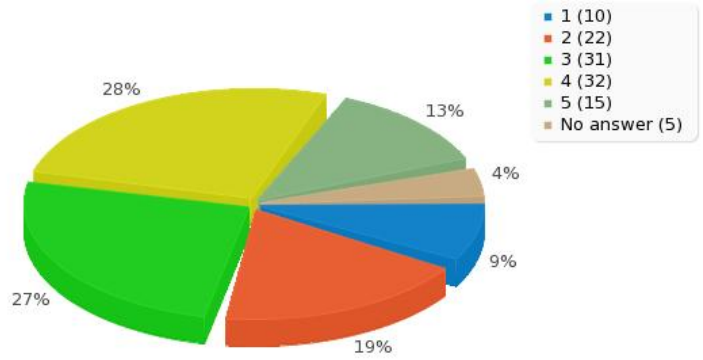
Mixture of Lectures and Directed Reading	12	8.33%
Mixture of Tutorials and Directed Reading	23	15.97%
Mixture of Lectures, Tutorials and Directed Reading	77	53.47%
Other	2	1.39%

Figure 5 Format Preferences

Relevance to the construction industry

The next section was limited to responses from those who had worked in the construction industry. This may have been through summer jobs, placement or prior to entry to university. This equated to 115 of the 146 (79%) who completed the questionnaire. Of these 115, (83%) considered that the content of the module met the needs of those forming a career in the construction industry. They were also asked to suggest other topics which may be helpful to those going into the industry. A variety of answers were received. Most were already covered during the module, possibly in weeks those suggesting them had missed. It was noted that some considered that it was too general and should have been more specific. Two suggested that JCT conditions of contract should have been taught alongside the NEC conditions to give a broader perspective. Sullivan (2004, 2007) suggests the Joint Contracts Tribunal (JCT) is still the most regularly used with 79% of all building contracts employing one of the JCT standard forms. This has increased from 78% in the 2004 survey. The module focuses on the JCT conditions of contract as it is used to a much greater extent than the NEC. It covers some aspects of the NEC conditions of contract to a lesser degree. Students suggested they would like the same depth given to each of these standard forms of contract. However, the statistics Sullivan (2004,2007) provide indicate that the balance should still focus on the JCT conditions of contract.

Figure 6 confirms the module's relevance to the construction industry. It indicates that 41% of students considered it relevant to their experience in the construction industry, with 28% considering it lacked relevance and the remainder remaining neutral or refusing to answer. This was not a mandatory question and five chose not to respond. As experience in the industry is limited during the period of summer jobs, placement year or prior to entry to University the 41% figure is pleasing. Even though the students have not reached the heights of responsibility and depth of experience they will eventually achieve in their careers, they still recognise the importance of the module. The others who recognised it was not currently relevant to their position will eventually realise it will be vital as they gain experience within the industry.

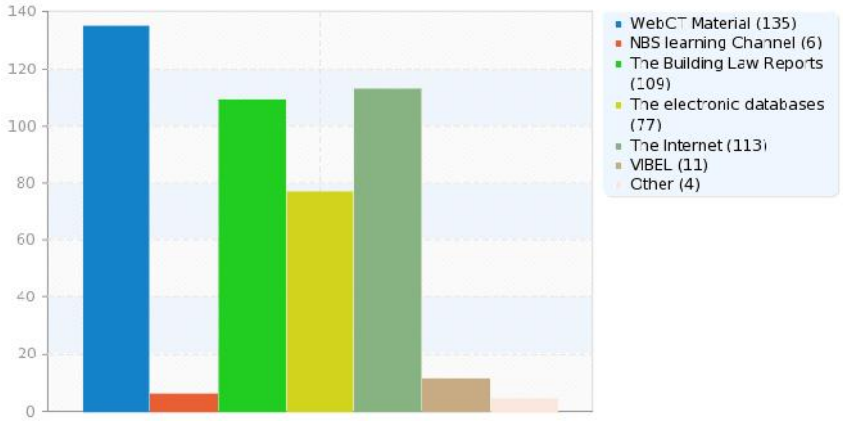


On a scale of 1-5 rate how the curriculum of this module was of relevance to your work in the construction industry?		
Answer 1-Little relevant 5- very relevant	Count	%
1	10	8.70%
2	22	19.13 %
3	31	26.96 %
4	32	27.83 %
5	15	13.04 %
No answer	5	4.35%

Figure 6 Module content relevance to the construction industry

Use of electronic resources

Although electronic resources were widely used throughout the module, 83% would not prefer these as a replacement to classroom teaching. This may emphasise the importance that students attach to personal contact between lecturers and students. It can be seen from Figure 7 that the most widely used resource was the lecture notes and other material provided through WebCT, the online learning environment. This was followed by the internet and the building law reports.



What electronic resources did you use to help your learning during this module?		
Answer	Count	Percentage
WebCT Material	135	92.47%
NBS learning Channel	6	4.11%
The Building Law Reports	109	74.66%
The electronic databases	77	52.74%
The Internet	113	77.40%
VIBEL	11	7.53%
Other	4	2.74%

Figure 7 Use of electronic resources during the module.

Students were asked to rank the usefulness of the electronic resources provided on the module. The ranking initially mirrored the use of the resources with WebCT ranked in first place. However, the Internet and the building law reports swapped places, with building law reports ranked second and the Internet third. Little use was made of the resources on the NBS learning channel and the Virtual Built Environment Library (VIBEL).

Table 4 Ranking of usefulness of electronic resources on the module

Please place the electronic resources listed below in rank order from "most helpful to your learning" to "least helpful to your learning" during the module?	RII	Rank
Answer		
WebCT Material	0.91	1
The Building Law Reports	0.72	2
The Internet	0.69	3
The electronic databases	0.61	4
NBS learning Channel	0.29	5
VIBEL	0.28	6

Students Perceptions of Inhibiting and Enhancing Factors which Impinge on Second Year, Undergraduate Construction Law Education

Analysis of assessment methods used

Similar to the electronic methods of teaching, 63% considered electronic methods of assessment less preferable than traditional forms. The remainder of the questionnaire provides reasons for the preference for electronic assessment, set out in Table 5. No definite conclusions could be drawn from these responses.

Table 5 Responses as to why electronic assessment is preferred [extracted verbatim from students' responses]

4	less pressure
6	It is alot more relaxing and does not have same stresses involved as an exam has.
20	I felt that when we had webCT test there wasnt as much pressure on people thereofre they may preform better under less stress
37	I thought they were a less pressurising method of assessment.
40	less writing involved gives more time to answer the questions set
43	The WebCT class test was quite enjoyable to do because 1. it gave me a good idea of what I did and didn't know 2. the results were back fairly quickly 3. I enjoy doing computer assessments and quizzes... except for this one that is!!
47	MULTIPLE CHOICE IS GOOD
49	Thery're alot less stressful and seem more organised. Also less chance of having a bad marker or loosing your script.
60	Used to working more with electronic methods
67	They are a quick and easy means of testing a students capability.
68	I believe they are easier to understand and carryout. I liked the idea of the assessment being on WebCT as i feel there wasnt as much pressure so I could concentrate easier rather than be under strict exam conditions.
82	Tests are completed faster and submitted for marking with limited effort.
84	more independent learning
85	I feel pressured in written tests and they are never a true reflection of my true ability.
86	I feel that some people may be disadvantaged when it comes to speed of completing assessments (written)
89	Impartiality.
100	Carry out assessment in a quiet environment
101	more relaxed approach, felt under no pressure for webct exam for heather!
102	Maybe just as effective and saves on travel to campus to complete a single assessment

103	Its esier slightly less demanding, but you cant waffle
104	more relaxed atomsphere, think clearer.
106	can work anywhere
113	Instant results
116	No need to come to Jordanstown
118	Easier to look over where you have gone wrong and quicker feedback.
120	there is not as much pressure
121	it makes it easier to change parts that have already been written, and if part of a webct test the opertuntity to breakdown modules into questions that can be more easily understood
122	Easier to complete and a lot less time consuming considering work for other modules.
123	it means you can access the assessment from your own home instead of travelling for 2 hours to do a 2 hour exam and then drive home again!
133	i feel underpressure by paper assessments
147	.
152	if they have multiple choice?
158	Find it more beneficial
161	Even though the presentations etc. was useful they were very time consuming and affected the time i had for other modules.
167	Doesnt seem to be as much pressure as in written assessments
168	helps save the enviroment from unneeded paperwork
171	The Assessments in relation to examinations, I feel, adds more pressure by carrying it out within an exam hall than using a electronis method.

The process of *continual assessment* currently used within the module was the preferred assessment method. This was substantially the highest ranked method of assessment with a value of 0.83. The next highest value was 0.65 for 'Continual Assessment during the module and end Examination'. The least preferred method was 'no assessment'. This may indicate that the students understand the value of assessment as a learning tool which adds value to their qualification.

Table 6 Ranking of the most effective methods of assessment to promote learning

Please rank the methods of assessment that would help you learn most effectively in general if used in this module?	RII	Rank

Answer		
Continual Assessment during the module	0.83	1
Continual Assessment during the module and end Examination	0.65	2
End examination of open book format	0.64	3
End of module case-study	0.61	4
Unseen, written, end of module Examination	0.41	5
No Assessment	0.36	6

Six methods of assessment are currently being used within the module. These are indicated in Table 7 below. It can be seen that the final case study assessment is most successful in promoting learning. The first five assessment methods below are quite closely grouped in order of importance with the sixth method – the reflective log – lagging far behind.

Table 7 Specific to the module, effectiveness of assessment in promoting learning

Specifically in relation to the module, how effective were each of the following assessment methods in helping you to learn	RII	Rank
Answer		
The final Case Study Assessment	0.74	1
The on-line WebCT Law assessment	0.71	2
The Individual Seminar on a building law case	0.67	3
The Duo Seminar (carried out in pairs and focusing on Contract or Tort)	0.65	4
Composing a contract exercise	0.63	5
The Reflective Log	0.43	6

Section of module liked and disliked most

This section of the survey produced a lot of contradictory answers. What some students enjoyed, others disliked. Some of the responses to this section were illogical and lacked focus. Some took the opportunity to provide feedback on other elements of the course, the institution and other matters of concern to them but not relevant to, or associated with this module. For this reason these two questions did not provide substantive feedback on the module and consensus of opinion could not be achieved from the responses.

CONCLUSIONS

From the data analysis, the students' responses relating to the identified inhibiting and enhancing 'impingements' were considered within the context of the two research questions, i.e.:

(i) What do students think about the teaching, learning and assessment regime associated with this module?; and
(ii) Using the outcomes of (i), what improvements to the teaching, learning and assessment regime associated with this module might be proposed?

Students Perceptions of Inhibiting and Enhancing Factors which Impinge on Second Year, Undergraduate Construction Law Education

The conclusions for this paper focus on two unexpected aspects of the study:

(i) The first relates to a specific area of the survey, namely, student attendance.
(ii) The second is more general in nature. The expectation, prior to the survey, was that student responses would suggest radical changes to the teaching, learning and assessment regime of this construction law module. However, with some exceptions, the students' responses suggest that the status quo should prevail.

Student Attendance

There is a general concern across higher education that students are not attending classes as they should be. There is a concern that standards may be detrimentally affected as a consequence of general bad attendance. Construction law is a textual subject that requires explanation, debate, discussion and real life scenarios to help understanding. The classroom environment is best for these learning support methods. The survey suggests that students agree that the various classroom mechanisms used to support and enhance their learning do, in fact, support and enhance their learning. The attendance requirement is four hours per week for 12 weeks; equating to 48 hours contact time. The notional learning time requirement for such a module is 200 hours; thus leaving 152 notional hours for private study, research and completing assessments. The survey indicates that only, approximately, 25% of the students stated that they attended 11 or 12 weeks. Students generally perceive their attendance at classes to be sufficient. The statistics gathered in the survey in respect of attendance vary significantly from the tutor recorded attendance that asserts lower attendance figures. For the reasons specified the students' perceive that their attendance is more regular than their actual attendance.

Students are satisfied with the status quo?

A generic observation and interpretation of the data collected from this student survey is that students don't offer any radical criticism or suggest any radical changes to the teaching, learning and assessment regime of this construction law module. There are suggestions of some tinkering around the edges of the module design, but, generally, the suggestion from the data is to leave as is. There are probably two (at least) answers to this. The first is that students are satisfied with the teaching learning and assessment regime and have no radical changes to offer. The second is a more contrived interpretation of the phenomenon. Second year students have limited contextual knowledge of higher education and the system associated with higher education. Educational policy and curriculum design are not of fundamental importance to the student. The key focus of students' attention is on the timetable, the assessments and what free time is available. The ultimate attainment of the degree is important, but possibly only for the exchange value of the degree with learning and understanding secondary to these matters. Consequently, students want to be given these learning parameters and will work within the set parameters.

Students Perceptions of Inhibiting and Enhancing Factors which Impinge on Second Year, Undergraduate Construction Law Education

The answer to the first research question: "What do students think about the teaching, learning and assessment regime associated with this module?" is probably that they accept what has been designed by the 'experts'. The answer to the second research question: "Using the outcomes of (i), what improvements to the teaching, learning and assessment regime associated with this module might be proposed?" is that no significant improvements were proposed and the reason is probably that students do not see themselves as key stakeholders or authorities in curriculum design. Although this is a study involving a single university department and the findings might not be able to be generalized across all academia owing to this, the findings indicate control of inhibiting and enhancing impingements on second year, undergraduate construction law education lies with the academics and the higher education system.

REFERENCES

Anon, (2010), 'Wise up to the Naked Truth', article in *The Times Higher Education Supplement* (25th February 2011).

Atherton J., (2011), 'Learning and Teaching; Experiential Learning', http://www.learningandteaching.info/learning/experience.htm, viewed 01/06/ 2011

Bartlett, J., Kotrlik, J, and Higgins,C, (2001), 'Organizational Research: Determining Appropriate Sample Size in Survey Research', in *Information Technology, Learning, and Performance Journal*, **Volume 19**, (1), Spring 2001, pp 43-50.

Chan D and Kumaraswamy D (2001), "A comparative study of causes of time overruns in Hong Kong construction projects", in *International Journal of Project Management*, **Volume 15**, (1), pp. 55-63.

Eriksen, S,D., (1995), 'TQM and the Transformation from an Elite to a Mass System of Higher Education in the UK', in *Quality Assurance in Education*, **Volume 3,** (1), pp14-29.

HEFCE, (2010), 'The Higher Education Workforce Framework 2010', HEFCE Issues paper, February 2010/05a, http://www.hefce.ac.uk/pubs/hefce/2010/10_05a/#exec, viewed 12/05/2011.

Holbrook, A, Krosnick, J, and Pfent, A., (2007), 'The Causes and Consequences of Response Rates in Surveys by the News Media and Government Contractor Survey Research Firms', http://comm.stanford.edu/faculty/krosnick/docs/TSMII%20chapter%20proof.pdf, viewed 2/05/2011.

Kolb, D., (1984), 'Experiential learning: experience as the source of learning and development.' Englewood Cliffs, New Jersey: Prentice Hall.

Krejcie, R, and Morgan, W, (1970), 'Determining sample size for research activities'. In *Educational and Psychological Measurement*, **Volume 30**, pp 607-610.

Little, B., Locke, W., Scesa, A. and Williams,R., (2009), '*Report to HEFCE on Student Engagement'*, Centre for Higher Education Research and Information, February 2009, The Open University, p4.

Office of the Inspector General(OIG) (1997), 'Audit of the Office of Program and Integrity Reviews` Special Studies',http://www.ssa.gov/oig/ADOBEPDF/audit_htms/96-51142.htm, viewed 3/12/2011.

Rubin, A, and Babbie, E, (2004), *'Research Methods of Social Work'*, Thomson Wadsworth, UK, pp 288-289.

Solomon, D., (2001), 'Conducting Web-based Surveys', *Practical Assessment, Research & Evaluation A peer-reviewed electronic journal*, http://pareonline.net/getvn.asp?v=7&n=19, viewed 20/05/2011.

Sullivan, M. (2007) RICS Contracts in Use Survey 2004, London, Royal Institution of Chartered Surveyors, Available From: http://www.rics.org/site/download_feed.aspx?fileID=5853&fileExtension=PDF, viewed 01/07/2011.

Sullivan, M. (2004) RICS Contracts in Use Survey 2004, London, Royal Institution of Chartered Surveyors, Available From: http://www.rics.org/site/download_feed.aspx?fileID=4688&fileExtension=PDF, viewed 01/07/2011.

UCAS,(2010), 'Media Release; 21st January 2010'; http://www.ucas.ac.uk/about_us/media_enquiries/media_releases/2010/210110; viewed 11/04/2011.

University of Ulster (2002), Student Induction Guidelines, available on-line at http://www.ulster.ac.uk/academicoffice/download/Policies/Student%20Induction%20Guidelines.doc, accessed 01/07/11

Williams, R., (2010), 'Abolish Labour Target of Sending 50% to University, Report Urges', The Guardian,http://www.guardian.co.uk/education/2010/mar/09/abolish-50percent-target#history-link-box, viewed 09/04/2011.