

## **What if second year is your first? Supporting VE to HE pathway students in a law based subject.**

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### **Abstract**

Increasing numbers of students in Australian universities are entering Higher Education (HE) in Australia having completed a preliminary Vocational Education (VE) program, either in Australia or offshore. A typical profile for these students is the completion of a two year diploma qualification, which functions as a pathway into the second year of a related HE program. As a result, lecturers find an increasing number of students in what are ostensibly second year, or second semester, subjects and who are effectively experiencing HE for the first time. Whilst diploma level subjects are deemed functionally equivalent to corresponding first year HE subjects, the leap for these students often remains large, and needs to be made without the aid of support initiatives offered as a matter of course to traditional first year students. Pathwaying students, in other words, often miss out both on key foundational concepts as well as the benefit of exposure to the learning culture that characterises the generally more guided first year HE environment. The challenge in these cases therefore is to find ways to provide a suitable range of supports to enable these students to succeed.

This session will focus on a number of initiatives that have been carried out in the HE subject Corporate Law, at Victoria University, in which there are significant numbers of Chinese students enrolled in a four-year combined Diploma/Degree program, before moving on to discussion regarding the challenges of provision of first year first-year style support initiatives within second year, or second semester subjects.

### **Session Plan**

15 minutes – outline of initiatives at VU.

15 minutes – discussion of issues, focussing on 2 or 3 key questions.

### **Context of VU initiatives**

Increased numbers of Chinese students are undertaking the complex subject Corporate Law, both onshore and offshore at partnerships institution locations. These students often have significant gaps in their conceptual understandings of the foundations of the Australian legal system when they transition into the HE subject Corporate Law.

While these students have successfully undertaken a VE subject deemed functionally equivalent to the foundation HE subject (Business Law), they often lack

understanding of key concepts – a situation compounded by the fact that these students come from a different jurisdiction where there is no common law tradition, therefore they do not have first-hand familiarity with a common law-based system. At the same time there is often a lack of familiarity with the different academic requirements of legal assessment tasks at HE level.

In Corporate Law students are expected to write extended responses (including 2000 word essays), address multi-issue problem questions, develop research skills for essay tasks, demonstrate the ability to critically analyse and synthesise a range of factual material, demonstrate understanding of particular rules for argumentation, operate as an independent learner. By contrast in VE subjects students are expected to produce written responses that focus on short descriptions and explanations of legal concepts, draw on a contained set of reading materials, operate in a more teacher guided environment. This gap results in these VE-HE pathwaying students experiencing Corporate Law, and other law-based subjects, as particularly challenging.

In their study *Making articulation work: TAFE to higher education at Victoria University* Milne et al. (2006) found that articulation from VE to HE worked best when “‘synergies’ in the knowledge and skills developed in students across courses in both sectors [and that] staff working together to help students bridge the gap between sectors [were] hallmarks of effective pathways”. It is with this in mind that the staff involved in these initiatives have designed and implemented a number of responses.

## **Responses**

Responses include targeted workshops, development of an online component embedded into the subject, and the development of a transition DVD.

The targeted workshops and weekly classes are used to support students’ transition into this subject, both onshore and offshore, by focussing on examination preparation, and the presentation of resource materials in the subject guide to explicate assessment tasks, including genre requirements.

The embedded online component aims to building on the skills and conceptual understandings students acquired in the VE Business Law module and includes key content modules, together with revision activities and assessment tasks as well as language and learning materials and resources.

The transition DVD has been produced to assist particularly offshore students’ transition into HE culture and teaching and learning practices in Corporate Law. It includes advice from past students, subject lecturers, and language and learning practitioners about strategies for studying Corporate Law. It focuses on 5 areas 1) orientation to HE culture of learning, 2) an overview of the Australian Legal System, 3) a review of key concepts in Corporate Law, including Business Structures in Australia and Common Law and Statute Law and their interrelationship (with a specific focus on legal language), 4) an overview of the different genres of writing in Corporate Law, and 5) a section on reading strategies for legal texts.

The development of these initiatives has been enabled by a number of Teaching and Learning grants, and the staff involved have included the subject coordinator (Angelo), an academic skills advisor (Helen) and a second language expert (Tao). Staff are based in both sectors of the university.

### **Cross-sectoral collaboration**

Evolving from these projects, amongst others, has been a broader Legal Discourse Community of Practice (LDCOP) at VU, the purpose of which is the promotion of a cross-sectoral (VE & HE) and cross disciplinary (law and language & learning) approach to supporting students who are articulating from VE to HE.

The LDCOP is currently situated within the VU College, a unique Faculty at VU which is tasked, amongst other things, with responsibility of assisting students' transition across both sectors of the institution.

### **Prompts for discussion**

1. With an anticipated increase in VET-HE pathways stemming from the Federal Government's social inclusion and increased participation targets, how well-aligned are Diploma subjects that function as equivalent to HE 'foundational' first year subjects (such as Business Law)? How should any disparities be addressed? Implicit in these questions are: what are the issues re different cultures of learning between two sectors and the different expectations re assessment tasks and learning requirements.
2. Given that issues have been identified re the different learning requirements between the two sectors, what strategies could be employed to facilitate a smoother transition for articulating students?
3. What are other people's experiences of the VE to HE transition (in HE-dedicated institutions?) What kinds of approaches have been used? Are the same issues present? Are there different issues?

### **References**

Milne, L., Glaisher, S., Keating, S. (2006), Making articulation work: TAFE to higher education at Victoria University, Postcompulsory Education Centre, Victoria University.