

UNIVERSITY OF ESSEX

**PARTNER INSTITUTIONS: UNIVERSITÉ JEAN MOULIN LYON 3
UNIVERSITÉ PARIS OUEST NANTERRE LA DÉFENSE
UNIVERSITÉ TOULOUSE 1 CAPITOLE**

UNDERGRADUATE RULES OF ASSESSMENT

Applied to all cohorts with effect from 2018/19 onwards

APPLICABLE TO: LLB English and French Laws (Maitrise)

1. PREAMBLE

- a) These rules of assessment apply to the LLB English and French Laws (Maitrise) course, which is delivered collaboratively between the University of Essex and one of three Partner Institutions in France (listed above). They should be read in conjunction with the relevant Course Structure, Programme Specification and module outlines. The Course Structure will identify which modules are core.
- b) The course is delivered over 4 years (48 months), with students undertaking their first 2 years of study at the University of Essex (NQF Levels 4 and 5), then undertaking the last 2 years at one of the three listed Universities in France (NQF Levels 5 and 6). The following credits are completed and reported through the University of Essex Board of Examiners following each Year of study:
 - **Year 1** (12 months) – 120 credits at NQF Level 4
 - **Year 2** (12 months) – 120 credits at NQF Level 5
 - **Year 3** (12 months) – 30 credits at NQF Level 5 (year mark only)
 - **Year 4** (12 months) – 120 credits at NQF Level 6 (comprising four 30 credit modules)
- c) Due to the timeframe of the course delivery the normal length of the programme is 4 years, with the maximum period of study permitted being 6 years.
- d) At the end of Year 1 if the Board of Examiners has confirmed that a student may progress to Year 2 of the course, the School of Law will notify the Partner Institutions of the final Year 1 marks.
- e) In order for students to proceed from Year 2 to Year 3 at one of the Partner Institutions, students must pass the Year 2 core modules. The Partner Institutions require confirmation from the University of Essex that a student has passed the core modules by the end of July each year for pre-registration purposes, as the French Universities are closed for the month of August each year.

- f) Where a student is required to undertake reassessment in any of the Year 2 core modules, reassessment will be carried out in June/July each year, with a Board of Examiners meeting held virtually in July to confirm the marks. If a student has passed the core modules and all compulsory modules, the Board of Examiners will also confirm progression to the next year of study and the School of Law will notify the Partner Institutions of the final Year 2 marks. If reassessment is also required for compulsory modules, the marks for the core modules will be confirmed to the Partner Institutions following approval by the Board of Examiners meeting in July. The progression decision will be made at the September Board of Examiners meeting.
- g) The reassessment for core modules in Year 2 will be conducted by coursework (for coursework components) and by take-home exam (for examination components). All reassessment for compulsory modules undertaken in Years 1 and 2 will be conducted in line with the standard reassessment strategy for the School of Law.
- h) If a student is required to undertake reassessment in Year 2 core modules and Year 2 compulsory modules or if a student is required to undertake reassessment in Year 2 compulsory modules only (up to the maximum number of credits allowed for reassessment under the standard Rules of Assessment), the reassessment for the core modules will be conducted as outlined in f) above and will be considered by a Board of Examiners meeting in July. The compulsory modules will be reassessed in line with the University of Essex standard arrangements. The reassessment marks for the compulsory modules will be considered by a Board of Examiners meeting in September, alongside confirmation of progression to Year 3. The School of Law will notify the Partner Institutions of the final Year 2 marks.
- i) Following reassessment in Year 2 modules, if a student has failed core module(s), the student will be granted a third assessment attempt in line with the standard Rules of Assessment and will be required to intermit from the forthcoming academic year, deferring entry to Year 3 at the Partner Institution by one year. If a student has a failed compulsory module(s) the student will be granted a third assessment attempt in line with the standard Rules of Assessment and will be required to intermit from the forthcoming academic year, deferring entry to Year 3 at the Partner Institution by one year or to repeat Year 2 full-time or part-time. Alternatively, the student may choose to carry the failed compulsory module(s), in up to a maximum of 30 non-core credits, in line with the standard Rules of Assessment and proceed immediately to Year 3 at the Partner Institution.
- j) At the end of Year 3, the Partner Institutions will provide the University of Essex with the year mark for each student. If a student is required to undertake reassessment or repeat the year, this will be determined by the regulations, policies and procedures of the Partner Institution.

- k) Students are required to achieve a year mark of 50% to pass Year 3. The final Year 3 mark will be submitted to the summer term Board of Examiners meeting to consider the marks and confirm progression to Year 4.
- l) Students are required to achieve a year mark of 50% to pass Year 4. At the end of Year 4 the modules marks are provided to Essex by the Partner Institutions. The marks will be aggregated across four 30 credit modules and submitted to the summer term Board of Examiners meeting to consider the marks and confirm the degree classification.
- m) The final degree classification is calculated using a 40%-0%-60% model, with 40% weighting given to Year 2 modules (120 credits), 60% weighting given to Year 4 modules (120 credits) and 0% weighting given to Year 3 modules (30 credits). (see the Award Classification section for further details). Students must pass 120 credits in the final year and meet any additional course or module specific requirements as set out in the regulations, policies and procedures of the Partner Institution at which they are studying.
- n) If a student is required to undertake reassessment or repeat the year at the end of Year 4, this will be determined by the regulations, policies and procedures of the Partner Institution.
- o) For Years 1 and 2 extenuating circumstances can only be considered by the Board of Examiners if the student has submitted an extenuating circumstances form by the agreed deadline. When substantial extenuating circumstances are accepted by the Board of Examiners it may use its discretion to depart from the rules of assessment when this is necessary to achieve a fair result. For Years 3 and 4 extenuating circumstances (or equivalent processes) will be determined by the regulations, policies and procedures of the Partner Institution
- p) In addition to the variation to the standard Rules of Assessment for the LLB English and French Laws (Maitr ise) students, there are also rules set by the Solicitors Regulatory Authority and the Bar Standards Board which set the criteria for obtaining a UK qualifying law degree (QLD). Students wishing to undertake professional practice in Law in the UK are recommended to refer to these when making decisions on progression between Years of a degree in cases where they have been offered the chance to proceed to the next Year carrying failed credits.
- q) A separate document entitled "Undertaking Reassessment for Professional Purposes after Graduation" outlines where a student may be able to retake for professional purposes failed module(s) in order to obtain a UK QLD.
- r) Except in the case of extenuating circumstances, the Board of Examiners does not have powers of discretion in relation to the application of the rules of assessment.

2. PROGRESSION FROM YEAR ONE TO YEAR TWO

2.1 In order to progress from Year 1 to Year 2 students must achieve 120 credits at NQF Level 4 and pass all core modules [Note: where a student has a fail mark below 40 in a maximum of 30 credits' worth of non-core modules it is possible for a student to progress to the next year of study in the circumstances set out in section 2.5].

2.2 In order to be awarded a **Distinction** in Year One, students must meet at least one of the following criteria:

- a) Achieve an overall Year mark of 69.5 at the first attempt, or;
- b) Achieve marks of 69.5 in at least 60 credits at the first attempt, with no credits below 59.5.

2.3 If a student does not meet the requirements to progress:

- a) Where the student has failed a **maximum of 60 credits**, they must undertake the necessary reassessment prior to the next academic Year in order to fulfil the requirement to progress. The module aggregate mark will be capped at 40.
- b) Where the student has failed **more than 60 credits** and has a Year mark greater than 20, they must repeat the Year of study on a full or part-time basis for uncapped marks or undertake the necessary reassessment the following Year without attendance. The module aggregate mark will be capped at 40.
- c) Where a student has no substantiated extenuating circumstances, they must withdraw from the University in any of the following situations:
 - where the Year mark is **below 20**;
 - where a student was absent from all assessment which was due to be undertaken in the most recent assessment period;
 - where a student cannot complete their studies within the maximum period.

2.4 When the Board meets after re-sits/resubmissions are completed, the Board will consider the following options (Boards cannot offer more than three opportunities to undertake the assessment for a module). Where appropriate the Board will offer more than one option to the student:

- a) To repeat the Year of study full-time for uncapped module marks; or
- b) To repeat the Year of study part-time for uncapped module marks;¹ or

¹ This option is only permissible where the student's UK immigration permission allows part-time study.

- c) To undertake the necessary reassessment at the next available opportunity with the module aggregate mark capped at 40; or
- d) Where the student has not met the requirements to proceed having had three opportunities to undertake the assessment for a module, they would be required to withdraw from the University; or
- e) Where a student has no substantiated extenuating circumstances, they must withdraw from the University in any of the following situations:
 - where the year mark is **below 20**;
 - where a student has undertaken none of the required reassessment;
 - where a student cannot complete their studies within the maximum period.

Note: An undergraduate Board of Examiners will reinstate the module mark for a previous attempt at a failed module if it is higher than the mark for the most recent attempt. The reassessment must be attempted in order for a higher mark to be reinstated. This will not apply where students are repeating an entire Year for uncapped marks. In such cases the marks achieved at the end of the repeat Year will stand.

2.5 Following reassessment, where a student has a fail mark below 40 in a maximum of 30 credits' worth of non-core modules, the Board will treat the fail in the following way:

- a) Where a student has not had three attempts at the assessment for the failed module(s), the Board will offer the student the choice of either undertaking reassessment in Year One or proceeding to Year Two carrying the fail(s).
- b) Where a student has already had three attempts at the assessment for the failed module(s) the Board will permit the student to proceed to Year Two carrying the fail(s).
- c) Students will not be permitted to transfer to a course which regards the failed modules as core.

3. PROGRESSION FROM YEAR TWO TO YEAR THREE (LICENCE)

3.1 In order to progress from Year 2 to Year 3 (Licence) students must achieve 120 credits at NQF Level 5 or above and pass all core modules [Note: where a student has a fail mark below 40 in a maximum of 30 credits' worth of non-core modules it is possible for a student to progress to the next year of study in the circumstances set out in section 3.5]:

- a) Where a student has been permitted to proceed carrying fails in non-core modules following reassessment from either Year 1, or Year 2, the total number of fails across all Years cannot exceed 30 credits.

- b) Where a student is permitted to proceed carrying the maximum number of 30 failed credits, the student must pass all credits in future Years.

3.2 If a student does not meet the requirements to progress:

- a) Where the student has failed **a maximum of 60 credits**, they must undertake the necessary reassessment, prior to Year 3, in order to fulfil the requirement to progress. The module aggregate mark will be capped at 40.
- b) Where the student has failed **more than 60 credits** and has a Year mark greater than 20, they must repeat the Year of study on a full-time or part-time basis for uncapped marks **or** undertake the necessary reassessment the following Year without attendance with the module aggregate mark capped at 40.
- c) Where a student has no substantiated extenuating circumstances, they must withdraw from the University in any of the following situations:
- where the Year mark **is below 20**;
 - where a student was absent from all assessment which was due to be undertaken in the most recent assessment period;
 - where a student cannot complete their studies within the maximum period.
- d) If 120 credits at level 4 or above have been passed, the student will be considered for the award of a Certificate of Higher Education.
- e) If 240 credits (including a minimum of 120 at level 5) have been attempted and 225 have been passed, the student will be considered for the award of a Diploma of Higher Education.

3.3 Where reassessment is required in core module(s), the reassessment will be undertaken in June/July, with a virtual Board of Examiners meeting held in July, in order to advise the Partner Institution of the core module mark by the end of July each year (see Preamble Section f).

3.4 When the Board meets after re-sits/resubmissions are completed, the Board will consider the following options (Boards cannot offer more than three opportunities to undertake the assessment for a module). Where appropriate the Board will offer more than one option to the student:

- a) to repeat the Year of study full-time for uncapped module marks; or
- b) to repeat the Year of study part-time for uncapped module marks;² or

² This option is only permissible where the student's UK immigration permission allows part-time study.

- c) to undertake the necessary reassessment at the next available opportunity with the module aggregate mark capped at 40; or
- d) where the student has not met the requirements to proceed having had three opportunities to undertake the assessment for a module, they would be required to withdraw from the University; or
- e) where a student has no substantiated extenuating circumstances, they must withdraw from the University in any of the following situations:
 - where the year mark is **below 20**;
 - where a student has undertaken none of the required reassessment;
 - where a student cannot complete their studies within the maximum period.
- f) if 120 credits at level 4 or above have been passed, the student will be considered for the award of a Certificate of Higher Education; or
- g) if 240 credits (including a minimum of 120 at NQF Level 5) have been attempted and 225 have been passed, the student will be considered for the award of a Diploma of Higher Education.

Note: An undergraduate Board of Examiners will reinstate the module mark for a previous attempt at a failed module if it is higher than the mark for the most recent attempt. The reassessment must be attempted in order for a higher mark to be reinstated. This will not apply where students are repeating an entire Year for uncapped marks. In such cases the marks achieved at the end of the repeat Year will stand.

3.5 Following reassessment, where a student has a fail mark below 40 in a maximum of 30 credits' worth of non-core modules and has not failed more than 30 non-core credits in total across all Years, the Board will treat the fail in the following way:

- a) where a student has not had three attempts at the assessment for the failed module(s), the Board will offer the student the choice of either undertaking reassessment and deferring entry to Year 3 (Licence), or proceeding to Year 3 (Licence) carrying the fail(s).
- b) Where a student has already had three attempts at the assessment for the failed module(s) the Board will permit the student to proceed to Year 3 (Licence) carrying the fail(s).

3.6 Fail marks following reassessment in a core module in Year Two:

- a) Following reassessment, where a student has a fail mark **below 40** in a core module and cannot proceed to Year 3 (Licence), but has not failed more than 30 credits in total

across all Years, the Board will permit the student to proceed to Year 3 of LLB Law (M100), provided none of the failed modules are core for that course.

3.7 Registration for Year 3 (Licence) at Partner Institutions following reassessment:

- a) Where a student is required to undertake reassessment for Year 2, they are not permitted to register for Year 3 (Licence) at the Partner Institution in France, until the Board of Examiners has met and confirmed that they are eligible to progress to Year 3 (Licence) (see Preamble Sections e-i).

3.8 The Solicitors Regulatory Authority and the Bar Standards Board set the criteria for obtaining a UK qualifying law degree (QLD). Students wishing to undertake professional practice in UK Law may be able to retake for professional purposes failed module(s) in order to obtain a UK QLD. Any marks obtained will not change the degree mark or the classification awarded.

4. PROGRESSION FROM YEAR 3 (LICENCE) TO YEAR 4 (MAÎTRISE)

- 4.1** In order to progress from Year 3 (Licence) to the Final Year (Maîtrise) students must achieve a Year mark of 50 and achieve 30 credits at NQF Level 5 or above and pass all core modules.
 - 4.2** Students will be required to meet any additional course or module specific requirements as set out in the regulations, policies and procedures of the Partner Institution at which they are studying.
 - 4.3** If a student does not meet the requirements to progress:
 - a) they must undertake the necessary reassessment, in accordance with the regulations, policies and procedures of the Partner Institution at which they are studying.
 - b) If 240 credits (including a minimum of 120 at NQF Level 5) have been attempted and 225 have been passed, the student will be considered for the award of a Diploma of Higher Education; or
 - b) Transfer to the Final Year of the LLB Law (M100), provided none of the failed modules are core for that course.
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5. FINAL YEAR (YEAR 4) (MAÎTRISE) – ELIGIBILITY FOR AN AWARD

- 5.1** To be eligible for an Honours degree, students must:
 - a) achieve 120 credits in the Final Year (Maîtrise), pass at least 90 credits at NQF Level 6; pass core modules; and

- b) meet any additional course or module specific requirements as set out in the regulations, policies and procedures of the Partner Institution at which they are studying.

- 5.2** Students are required to achieve a Year mark of 50 in order to pass Year 4 (Maîtrise).
- 5.3** If a student does not meet the requirements to achieve an award they must undertake the necessary reassessment, in accordance with the regulations, policies and procedures of the Partner Institution at which they are studying.
- 5.4** When the Board of Examiners meets following receipt of the marks from the Partner Institution, if the student has failed with a mark **below 50**, if 240 credits (including a minimum of 120 at NQF Level 5) have been attempted and 225 have been passed, the student will be considered for the award of a Diploma of Higher Education.
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6. AWARD CLASSIFICATION

A student's degree class is based upon Year 2 and Year 4 marks. Year 2 and Year 4 (Maîtrise) marks are weighted 40 and 60 respectively and combined to give the Degree Mark. Year 3 (Licence) is weighted at 0.

- 6.1 First Class Honours** will be awarded to a candidate who has:
- *Either* a Degree Mark of 70 or more; *or*
 - 120 credits at 70 or more and a Degree Mark of at least 68.
- 6.2 Upper Second Class Honours** will be awarded to a candidate who has:
- *Either* a Degree Mark of 60 or more; *or*
 - 120 credits at 60 or more and a Degree Mark of at least 58.
- 6.3 Lower Second Class Honours** will be awarded to a candidate who has:
- *Either* a Degree Mark of 50 or more; *or*
 - 120 credits at 50 or more and a Degree Mark of at least 48.
- 6.4 Third Class Honours** will be awarded to a candidate who meets the criteria for the award of an Honours degree (see section 5.1) but who does not qualify for any other class of degree.
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