

**UNIVERSITY OF ESSEX**  
**PARTNER INSTITUTIONS:**  
**UNIVERSITÉ JEAN MOULIN LYON 3**  
**UNIVERSITÉ PARIS OUEST NANTERRE LA DÉFENSE**  
**UNIVERSITÉ TOULOUSE 1 CAPITOLE**  
**UNIVERSITÉ CÔTE D'AZUR**

**UNDERGRADUATE RULES OF ASSESSMENT**

Applicable to Students Starting in Academic Year 2020-21

**APPLICABLE TO: LLB English and French Laws (Licence)**

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## 1. PREAMBLE

- a) These Rules of Assessment apply to the LLB English and French Laws (Licence) course, which is delivered collaboratively between the University of Essex and 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 3 Years (36 months), with students undertaking their first 2 Years of study at the University of Essex (NQF Levels 4 and 5), then undertaking the last Year of study at one of the listed Universities in France (NQF Level 6). The following credits are completed and reported through the University of Essex Board of Examiners following each Year of study:
  - **Year One** (12 months) – 120 credits at NQF Level 4
  - **Year Two** (12 months) – 120 credits at NQF Level 5
  - **Final Year** (12 months) – 120 credits at NQF Level 6
- c) Due to the timeframe of the course delivery the normal length of the programme is 3 Years, with the maximum period of study permitted being 5 Years.
- d) At the end of Year One if the Board of Examiners has confirmed that a student may progress to Year Two of the course, the School of Law will notify the Partner Institutions of the final Year One marks.
- e) In order for students to proceed from Year Two to Final Year at one of the Partner Institutions, students must pass the Year Two 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 Two 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 Two 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 following completion of the reassessment for the compulsory modules.
- g) The reassessment for core modules in Year Two will be conducted by coursework (for coursework components) and by take-home exam (for examination components). All reassessment for compulsory modules undertaken in Years One and Two 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 Two core modules and Year Two compulsory modules or if a student is required to undertake reassessment in Year Two 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 Final Year. The School of Law will notify the Partner Institutions of the final Year Two marks.
- i) Students are required to achieve a Year Mark of 40 to pass Final Year. At the end of Final Year the modules marks are provided to Essex by the Partner Institutions. The French modules will be represented by one overall Year Mark representing the equivalent of 120 Essex credits. The mark will be submitted to

the summer term Board of Examiners meeting to consider the mark and confirm the Degree Classification.

- j) The final Degree Classification is calculated using a 40/60 model, with 40% weighting given to Year Two modules (120 credits) and 60% weighting given to Final Year modules (120 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.
- k) If a student is required to undertake reassessment or repeat the Year at the end of Final Year, this will be determined by the regulations, policies and procedures of the Partner Institution.
- l) For Years One and Two, if you submit Extenuating Circumstances and they are accepted as valid, the Board of Examiners may be able to offer additional assessment opportunities such as reassessment for uncapped Module Marks or voluntary reassessment, in line with the Extenuating Circumstances [Policy](#) and [guidelines](#). For Final Year, Extenuating Circumstances (or equivalent processes) will be determined by the regulations, policies and procedures of the Partner Institution.
- m) In addition to the variation to the standard Rules of Assessment for the LLB English and French Laws (Licence) 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.
- n) A separate document entitled “Undertaking Reassessment for Professional Purposes after Graduation” outlines where a student may be able to retake failed module(s) for professional purposes in order to obtain a UK QLD.

- o) 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 One to Year Two 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) A Year Mark of 70 or above; or
- b) 60 Credits at 70 or above with a Year Mark of 68 or 69.

**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) You will be required to leave the University if:
  - Your Year Mark is less than 20; or
  - You were required to take compulsory reassessment and you undertook none of the reassessment; or

- You have failed the same module after three attempts and that module is either a core module or you need the module credits in order to progress to the next Year; or
- You cannot complete your studies in your maximum period.

**2.4** When the Board of Examiners meets after reassessments are completed, the Board of Examiners will consider the following options (the Board of Examiners cannot offer more than three opportunities to undertake the assessment for a module). Where appropriate the Board of Examiners 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;<sup>1</sup> or
- c) To undertake the necessary reassessment at the next available opportunity with the Module Aggregate Mark capped at 40; or
- d) You will be required to leave the University if:
  - Your Year Mark is less than 20; or
  - You were required to take compulsory reassessment and you undertook none of the reassessment; or
  - You have failed the same module after three attempts and that module is either a core module or you need the module credits in order to progress to the next Year; or
  - You cannot complete your studies in your 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

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

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 of Examiners 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 of Examiners will offer the student the choice of either undertaking reassessment in Year One or proceeding to Year Two carrying or trailing the reassessment in the fail(s).
- b) Where a student has already had three attempts at the assessment for the failed module(s) the Board of Examiners 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 Two to Final Year (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 or trailing fails in non-core modules following reassessment from either Year One, or Year Two, 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 you do not pass the Year but have a Year Mark of 20 or above, you may be offered reassessment. The Board of Examiners will offer you the options shown in Table 3.1 below.

**Table 3.1: Options considered by the Board of Examiners if you have a Year Mark of 20 or above**

Your results	Board of Examiners will consider these options
<p>Scenario 1</p> <p>You have either:</p> <p>a. Failed a maximum of 30 non-core credits and passed 120 credits in Year One; or</p> <p>b. Failed a maximum of 15 non-core credits and passed 105 credits in Year One.</p>	<p>You must undertake reassessment but will be permitted to register with your French Institution whilst undertaking this reassessment. You may choose to defer this reassessment until the end of your first Year of Study at your French Institution.</p>
<p>Scenario 2</p> <p>You wish to remain on the Licence/Maîtrise course, and you have failed only core module(s).</p>	<p>Reassessment in failed core module(s) will be offered in July with a virtual Board of Examiners meeting being held in July to ratify these marks. If passed, you will then be eligible to register with the Partner Institution. If failed, Scenario 5 will apply.</p>
<p>Scenario 3</p> <p>You wish to remain on the Licence/Maîtrise course, and you have failed up to 60 credits, including any core credits.</p>	<p>Reassessment in failed core module(s) will be offered in July with a virtual Board of Examiners meeting being held in July to ratify these marks.</p> <p>If the core modules are passed, and the level of failed non-core module falls within Scenario 1, you will then be eligible to register with the Partner Institution.</p> <p>If the core modules are failed or passing the core modules does not mean the level of remaining failed modules falls within Scenario 1, then Scenario 5 will apply.</p>

<p>Scenario 4 You wish to remain on the Licence/Maîtrise course, and you have failed more than 30 non-core credits but not exceeding 60 non-core credits.</p>	<p>You must undertake the necessary reassessment prior to the next Academic Year.</p> <p>Subject to passing the module(s) after reassessment you must apply to intermit for the next Academic Year with a view to proceeding to the French Institution one Year later if places are available.</p> <p>You will also be offered the chance to undertake your reassessment on the standard LLB Law course (M100) instead of remaining on the English &amp; French Law course.</p>
<p>Scenario 5 You have failed more than 60 credits and you have a Year Mark greater than 20</p>	<p>You must either:</p> <ol style="list-style-type: none"> <li>a. Repeat the Year on a full- or part-time basis for uncapped marks; or</li> <li>b. Undertake the necessary reassessment the following Year without attendance with the Module Aggregate capped at 40.</li> </ol> <p>If you do not wish to remain on the English &amp; French Law courses, you can apply to transfer to Year Two of an appropriate course.</p>

**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 of Examiners meets after reassessments are completed, the Board of Examiners will consider the following options (the Board of Examiners cannot offer more than three opportunities to undertake the assessment for a

module). Where appropriate the Board of Examiners 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;<sup>2</sup> or
- c) To undertake the necessary reassessment at the next available opportunity with the Module Aggregate Mark capped at 40; or
- d) You will be required to leave the University if:
  - Your Year Mark is less than 20; or
  - You were required to take compulsory reassessment and you undertook none of the reassessment; or
  - You have failed the same module after three attempts and that module is either a core module or you need the module credits in order to progress to the next Year; or
  - You cannot complete your studies in your maximum period.
- e) 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
- f) 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

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

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 of Examiners 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 of Examiners will offer the student the choice of either undertaking reassessment and deferring entry to Final Year (Licence), proceeding to Final Year (Licence) carrying the fail(s), or proceeding to Final Year (Licence) trailing the reassessment in these failed credits.
- b) Where a student has already had three attempts at the assessment for the failed module(s) the Board of Examiners will permit the student to proceed to Final Year (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 Final Year (Licence), but has not failed more than 30 credits in total across all Years, the Board of Examiners will permit the student to proceed to Final Year of LLB Law (M100), provided none of the failed modules are core for that course.

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

- a) Where a student is required to undertake reassessment for Year Two, they are not permitted to register for Final Year (Licence) at the Partner Institution in France, until the Board of Examiners has met and confirmed

that they are eligible to progress to Final Year (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 failed module(s) for professional purposes in order to obtain a UK QLD. Any marks obtained will not change the Degree Mark or the Classification awarded.

#### **4. FINAL YEAR (LICENCE) – ELIGIBILITY FOR AN AWARD**

**4.1** To be eligible for an Honours Degree, students must:

- a) Achieve 120 credits in the Final Year (Licence),; 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.

**4.2** Students are required to achieve a Year Mark of 40 in order to pass Final Year (Licence).

**4.3** 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.

**4.4** When the Board of Examiners meets following receipt of the marks from the Partner Institution, if the student has failed with a mark below 40, 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.

## 5. AWARD CLASSIFICATION

A student's Degree Class is based upon Year Two and Final Year marks. Year Two and Final Year (Licence) marks are weighted 40 and 60 respectively and combined to give the Degree Mark.

**5.1 First Class Honours** will be awarded to a candidate who has either:

- A Degree Mark of 70 or more; or
- 120 credits (attained from any combination of credits from Year Two and ECTS equivalent achieved at the Partner Institution) at 70 or more and a Degree Mark of 68 or 69.

**5.2 Upper Second Class Honours** will be awarded to a candidate who has either:

- A Degree Mark of 60 or more; or
- 120 credits (attained from any combination of credits from Year Two and ECTS equivalent achieved at the Partner Institution) at 60 or more and a Degree Mark of 58 or 59.

**5.3 Lower Second Class Honours** will be awarded to a candidate who has either:

- A Degree Mark of 50 or more; or
- 120 credits (attained from any combination of credits from Year Two and ECTS equivalent achieved at the Partner Institution) at 50 or more and a Degree Mark of 48 or 49.

**5.4 Third Class Honours** will be awarded to a candidate who meets the criteria for the award of an Honours Degree (see section 4.1) but who does not qualify for any other Class of degree.



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