DEPARTMENT OF LAW

**General Policy on Continuous Assessment (CA)**

**2nd Edition**

The following is a general policy on continuous assessment exercises submitted as part of the annual assessment for modules offered by the Department of Law. This includes essays and other forms of continuous assessment. It does not apply to examinations and dissertations. Separate requirements apply in respect of the submission of dissertations.

For ease of reference this policy generally refers to ‘essays’, which for the purpose of this policy are deemed to include all forms of continuous assessment.

This policy applies with effect from March 1, 2009. Unless otherwise indicated, this policy applies equally to full-time and part-time students.

While every effort has been made to ensure that this policy complies with the General Assessment Regulations, where there is a conflict between this policy and the General Assessment Regulations, the latter will prevail. It is the responsibility of students to familiarise themselves with the terms of the General Assessment Regulations.

**General Context**

The general requirements for assessment in each module are set out in the module descriptors for each module. The relevant module lecturer should also provide students with written notice of these general requirements for assessment at the start of each module.

Where there is a requirement for continuous assessment as part of the assessment for a particular module, this requirement will usually be set out in the relevant module descriptor. The relevant module descriptor should also indicate the proportion of final marks available for continuous assessment.

*Unless otherwise stated in the module descriptor or by the lecturer,* all continuous assessments set out in the module descriptor are **compulsory.**

**What is the default format for essays?**

In the absence of indication to the contrary from the relevant lecturer, all continuous assessment must meet the following requirements:

1. Unless otherwise permitted by the relevant lecturer, essays must be in the English language.
2. The essay must be **typed or printed**, and submitted in hard copy, on paper of a reasonable quality. Handwritten essays will only be accepted with the express prior consent of the relevant lecturer.
3. On the front of each essay submitted for consideration, students must include a completed **Departmental cover sheet**, as formulated by the Department for this purpose. This completed cover sheet should include the name, student number, programme and module for which the essay is being submitted, the date of submission and a statement to the effect that the essay is the student’s own work.
4. All essays should be **stapled.**
5. For environmental and storage reasons, essays **will not be accepted where bound or enclosed in plastic or metal (other than a staple).** In particular, essays will not be accepted where enclosed in a plastic folder, envelope or sleeve, in a ring binder, or bound otherwise than by means of a staple. Without prejudice to the above requirements, students may, however, submit their essays in a paper envelope.
6. Essays should be printed on one side of each page only, in a legible font of **at least 12 points** in size. Lines of text should be **double-spaced.** Paper of any colour will be accepted, subject to the requirement that the essay should be legible.
7. The margins on each page should be at least half an inch in width on both sides, and on the top and bottom of each page.
8. Essays should be properly referenced, with all sources acknowledged in either footnotes, or endnotes as appropriate. For this purpose, students are required to follow the norms set out in the Departmental policy on referencing, incorporating Donnelly, Fahey, Kennedy and Schweppe, “A Manual to the Citation of Primary and Secondary Sources of Law” (2008).
9. All essays should include a bibliography identifying the materials used in the completion of the essay.
10. Word counts will be set for each essay by the relevant lecturers. In default of a specified wordcount, the standard wordcount will be a maximum of 3,000 words for each essay. Students who exceed the wordcount by 10% or more may be penalised through loss of marks for the relevant essay.
11. Students should state the wordcount on the front of each essay. The wordcount includes all text, but excludes footnotes, endnotes and the bibliography.
12. Unless otherwise instructed, essays will not be marked anonymously.

The Department of Law reserves the right (subject to the principle of proportionality) not to accept essays for submission where they fail to comply with the above requirements. Students may also lose marks, at the relevant lecturer’s discretion, for failure to comply with the above requirements.

Individual lecturers will assign essay titles and clarify the specific details regarding the submission of essays in each subject. Broadly it is proposed that the continuous assessment will operate as set out below. Individual lecturers may choose to deviate from this model but *unless otherwise stated by the lecturer in charge of an individual module,* the following is applicable to all modules:

# CA deadlines

All essays must be submitted directly to the relevant lecturer.

Essays handed in **up to 3 p.m. on the same weekday two weeks following this deadline, but no later,** may be accepted subject to a penalty: 10% of the final mark allotted to the essay will be deducted *per week or part of a week’s* delay. E.g. 70% - 7% = 63% for one week. 70% - 14% = 56% for two weeks

***N.B. Unless extraordinary circumstances apply, essays ordinarily will not be accepted beyond 3 p.m. on the same weekday two weeks after the relevant deadline. This will result in a mark of zero being allocated in respect of the essay. It will not be possible to compensate in respect of this mark, e.g. by answering additional exam questions.***

Where a deferral has been granted in respect of an essay, the above penalties will not apply, except where the relevant student fails (without further deferral being granted) to submit an essay by the deferred deadline. In such a case, the term ‘deadline’, where used above, will be read as if it referred to the deferred deadline for the relevant essay.

The foregoing rules are subject to the academic freedom of a lecturer to make an independent determination. Ordinarily, the Head of Department will not overturn a lecturer’s decision.

**Consequences of a failure to submit an essay**

1. Unless a deferral has been granted, a student who fails to submit a required essay for a subject within two weeks of the set deadline will not be permitted to submit an essay.

2. Students who have failed to submit an essay will not be entitled to have any remaining assessments or examinations marked out of a percentage that exceeds the proportion of marks normally available for the relevant remaining assessment(s). E.g. if 20% of final marks are available for an essay, and 80% for the exam, a student who fails to submit an essay will still only be entitled (in this case) to a maximum of 80% for the examination.

3. Failure to submit an essay, or the receipt of a failing mark for the essay, will not in itself result in failure in the overall assessment for a module. In other words, it is not strictly necessary to pass the essay in order to pass the assessment as whole for each subject, though failing the essay clearly will put the relevant student at a disadvantage.

4. In the case of a failing grade in the essay or essays, **it will not normally be possible to resubmit an essay.** The sole exception arises where a student has failed in the overall annual assessment for a module, having failed in the essay component or failed to submit an essay. In such a case, a student will be entitled to resubmit an essay for the module, (known as a ‘repeat’ essay) subject to the following stipulations:

(a) The maximum mark available on reassessment of the essay component will be 40% of the marks available for the essay component.

(b) The essay must be on a topic different from that originally assigned for completion.

5. Where a student completes a repeat essay, and the aggregate mark for the repeat essay and a examination in the same subject taken prior to the completion of the repeat essay, is 40% or higher, the student will be awarded a pass mark for the module as a whole, subject to the following stipulation:

(a) The maximum mark available on reassessment of the essay component will be 40% of the marks available for the essay component.

(b) The maximum mark available for the module as a whole will be 40% of the marks available for the module as a whole.

**F. Feedback on essays.**

Lecturers will attempt to give timely feedback on essays, but this is not always possible due to heavy work commitments. Students who submit late may not receive a mark until final grades are calculated.

**V. Deferrals (Essays and Exams Only)**

**A. Examinations**

A failed exam or a failure to sit an exam will be counted as an ‘attempt’ such that the next attempt will be deemed to be a ‘second attempt’, ‘third attempt’ or ‘fourth attempt’ as the case may be. However, an attempt at an exam may not be counted if a student has obtained a deferral.

## *What happens if I can’t sit an exam?* Students who discover or think that they will not be able to sit an exam (for instance because of illness, family events or conflicting work requirements) should write to the Head of Department at the earliest possible opportunity seeking a deferral.

**PLEASE NOTE:** If on the day of the exam you are unable to sit the exam due to illness, documentary evidence of illness *will* be required.

***Who grants deferrals?*** The Head of Department, at his or her discretion, may grant deferrals at the written request of the student before the relevant examination takes place. After the relevant examination takes place, the Examination Board for the relevant programme may grant a deferral.

**PLEASE NOTE:** A deferral must formally be sought from the Head of Department or the Exam Board for Law. Students who choose ‘to defer themselves’ (without obtaining a formal deferral) will lose exam attempts.

***How do I get a deferral?*** Students seeking a deferral should write to the Head of Department of Law, DIT, Aungier Street, Dublin 2, giving reasons for seeking the deferral. An application for a deferral must be in writing and signed by the person seeking the deferral. While we are happy to discuss problems with students, in confidence, **formal requests for deferrals should not be made by e-mail or by phone but by** **signed letter**.

***On what basis are deferrals granted?***

Deferrals sought before the commencement of exams may be granted, at the discretion of the Head of Department on the following grounds only:

* Illness (supported by a medical note)
* Bereavement or serious illness of a close family member[[1]](#footnote-1) or close friend necessitating absence
* Pregnancy or recent childbirth (father or mother or spouse/partner of a pregnant parent) necessitating absence
* An important family or personal event requiring the attendance of the student, where such event cannot feasibly be rearranged.
* Unavoidable circumstances requiring absence from exams
* Excessive personal stress where certified by a doctor or counsellor
* Significant conflicting work commitments (for part-time students only), where backed up by an employer’s letter
* Other unavoidable factors preventing the sitting of exams.

Deferrals will not be granted, in particular, in the following circumstances:

* Lack of preparedness for exams (without other mitigating factors)
* Uncertified illness or stress

In particular, unless extraordinary circumstances apply, a deferral will not be granted to a whole-time student in respect of conflicting work commitments. Additionally, deferrals will not be granted for the purpose of sitting exams on another programme or to sit professional exams.

A deferral is a privilege and not a right. It increases administrative burdens and consumes scare resources to trace deferrals. Please make sure you can commit yourself to your programme before undertaking it or withdraw and re-enrol ‘from scratch’ if you cannot keep up.

#### *If I am granted a deferral, may I still sit an Exam?* Provided you have registered for exams, you may sit any or all of those exams, notwithstanding the Deferral.

**PLEASE NOTE:** A deferral in respect of Summer exams only counts for that sitting. If you wish also to defer Autumn exams, a separate deferral is required and may entail more expense.

**B. Essays and Dissertations**

***Can I get a deferral in respect of my essay?*** The principles set out above apply equally to essays and other forms of continuous assessment, as well as to dissertations, subject to the following modifications:

1. In the case of an essay, a deferral may be granted by either the Head of Department or by the relevant lecturer for the relevant module, provided that the student requests the deferral in writing. In either case, a record of the deferral should be made and the deferral should be notified to the Head of Department and to the relevant lecturer, as appropriate.

2. In the case of a dissertation, a deferral may only be granted by the Head of Department.

**C. General points**

1. Ordinarily a deferral of an exam or dissertation will apply, unless otherwise stated, until the next sitting of examinations or the next due date for dissertations.

2. It is important to note that a deferral of examinations, of an essay or a dissertation from one academic year to the next does not result in the deferral of a place or the carrying forward of fees from one academic year to the next. In a case where a student defers assessment from one academic year to the next, the student will only be registered in the subsequent year on payment of the relevant registration and tuition fee for that year. The student, of course, may still register externally for exams, but may not have access to college facilities in the interim.

***In other words, even with a deferral of assessment, a student will have to pay the full fee to register in the subsequent year.***

1. “Close family member” includes but is not limited to a spouse, partner, a child or grandchild, the child or grandchild of a spouse or partner, a sibling, and a parent or grandparent, as well as a sibling, parent or grandparent of a spouse or partner. [↑](#footnote-ref-1)