



## COLLEGE OF LAW ASSESSMENT REGULATIONS (Approved March 12, 2018, Effective July 1, 2018)

University Council Regulations on Examinations apply to students registered in the College of Law except as supplemented or modified by the College of Law Assessment Regulations.

### ***I. General***

1. In these Regulations:

(a) '**deferred work**' means substituted work that has been approved to be done outside the scheduled time for assessment and includes a written examination, an oral examination, a research paper, written work and an oral presentation;

(b) '**major research paper**' means the program requirement that requires the completion of a research paper comprised of a single piece of work 7,500 – 12,500 words (exclusive of footnotes, endnotes, title pages, table of contents, and bibliography) which incorporates a substantial element of original analysis by the student and which is valued at between 70% and 100% of the student's mark in the course;

(c) '**minor research paper**' means the program requirement that requires the completion of a single piece of work 4,000 – 12,500 words (exclusive of footnotes, endnotes, title pages, table of contents, and bibliography) which is analytical in nature and includes a research paper, a case comment, drafting exercise or book or literature review and which is valued for at least 25% of the student's mark in the course;

(d) '**objective-style examination questions**' means multiple choice and true/false examination questions that may or may not also require a short answer and that are differentiated from the rest of the examination;

(e) '**other methods of assessment**' includes written and oral elements of moot court performance, memoranda or other written assignments, an oral presentation, class participation and a mid-term test;

(f) '**seminar requirement**' means an advanced course with limited enrolment taught primarily by discussion of advanced concepts rather than through lecture or practical exercises

i. where student participation in the seminar constitutes at least 10% of the grade in the seminar; and,

ii. where a component of assessment cannot be in the form of a final examination but may be in the form of a test administered prior to the examination period for a maximum of 30% of the grade in the seminar;

(g) '**supplemental work**' means remedial work approved under these Regulations and includes a written examination, an oral examination, a research paper, written work and an oral presentation.

2. The College of Law Assessment Regulations must be made available on the College of Law's web site.

3. Within one week of the commencement of a course the instructor must provide a syllabus to students registered in the course. The syllabus must contain the following matters, so far as

applicable, in terms as specific as the instructor considers appropriate:

- a. expected learning outcomes or learning objectives for the course;
- b. the type and schedule of term assignments, with approximate due dates;
- c. notice if any mid-term examinations or other required class activities are scheduled outside of usual class times;
- d. the type and schedule of mid-term or like examinations;
- e. relative marking weight of all assignments and examinations;
- f. procedures for dealing with missed or late assignments or examinations;
- g. whether any or all of the work assigned in a class including any assignment, examination, or final examination, is mandatory for passing the class;
- h. attendance expectations if applicable, the means by which attendance will be monitored, the consequences of not meeting attendance expectations, and their contribution to the assessment process;
- i. participation expectations if applicable, the means by which participation will be monitored and evaluated, the consequences of not meeting participation expectations, and their contribution to the assessment process;
- j. contact information and consultation availability;
- k. location of rules and guidelines for both academic misconduct and appeal procedures;
- l. course or class website URL, if used; and
- m. notice of whether the instructor intends to record lectures and whether students are permitted to record lectures

4. Within one week of the commencement of a course, the instructor must advise the students registered therein of the areas to be covered in the course. Except where the materials for the course are being developed during the course of the term(s), the instructor must supplement this advice by way of a course outline, course syllabus or a table of contents to materials used in the course.

5. An instructor may require a student to provide additional copies of term work at the student's expense at the time such work is handed in.

6.

- a. At the request of a student, one copy of any of the student's graded examination or supplemental examination answer materials, except for those portions that contain objective- style examination questions and answers, will be provided on payment by the student of a photocopying charge at the rate established from time to time by the College of Law. The request must be made within three months of the release of the grade assigned in the course.
- b. At the request of a student, one copy of any of the student's graded term work, except for that portion of a mid-term examination that contains objective-style examination questions and answers, which has not been returned to the student by the instructor will be provided on payment of the photocopying charge at the rate established from time to time by the College of Law. The request must be made within 15 days of the release of the assigned grade for the term work.

7.

- a. Ordinarily a student must complete the requirements for the Juris Doctor (J.D.) degree within six years of the commencement of studies.
- b. Subject to subsection (a), a student may take one or more leaves of absence totaling a maximum of two years upon notification being given to the Associate

Dean Academic before commencement of each academic year. The permission of the Associate Dean Academic is required for further leave(s) of absence.

- c. First year students must register in 15 credit units each term unless approved by the Studies Committee to register in fewer credit units.

8. Grades will be reported to the Registrar expressed as a percentage. Approved Grading Alternatives may be submitted in appropriate cases.

9. Instructors must report their grades to the Deans' Office by the date that may be established from time to time using only the following numerical grades or letter grades:

#### Numerical and Letter Grade Conversion

Instructor Discretion		91-100%
	A+	90%
	A	86%
	A-	82%
	B+	78%
	B	75%
	B-	72%
	C+	68%
	C	65%
	C-	62%
	D+	58%
	D	55%
	D-	52%
	F	45%
Instructor Discretion		0-44%

10. In order for a non-law course to be credited toward the Juris Doctor (J.D.) degree in law, permission must be obtained from the Associate Dean Academic who must determine that the proposed course is a senior course which would contribute to the student's understanding of the law. It will not be a sufficient justification that the proposed course will allow the student to complete another degree. Students may receive credit for a maximum of 6 credit units from non-law courses towards the J.D. degree.

11. All term work must be completed by the last day of classes each term. Instructors may grant extensions to individual students up to and including the last day of College of Law examinations. Extensions beyond the last day of College of Law examinations may only be granted, with or without a penalty, by the Associate Dean Academic.

12.

- a) Students with a physical or mental disability including a diagnosed learning disability, can apply to Access and Equity Services for Students to receive examination or other accommodation.
- b) Students who attended the Native Law Centre Summer Program and who consistently

attended the Academic Success Program, students whose first language is not English, and students who believe that their circumstances warrant, may apply to the Associate Dean Academic for examination accommodation.

- c) Students who otherwise meet the criteria for receiving extra examination time under the College of Law policy but who are registered with and receive extra examination time through Access and Equity Services for Students are entitled to:

- (i) the extra time provided for under the College of Law policy or under the policies administered by Access and Equity Services for Students whichever is greater; or

- (ii) such specific total extra time as is recommended in a written report to Access and Equity Services for Students by a qualified expert approved by the Associate Dean Academic of Law. The expert must complete a functional assessment of the student demonstrating the need to provide examination accommodation beyond the amount provided for under (i). Access and Equity Services for Students shall consult with the Associate Dean Academic of Law before such additional time is implemented.

13. The content of all examinations must fairly and reasonably reflect material that was either covered in the classroom or for which the students were otherwise made responsible, or a reasonable extension of such material.

14.

- a) Prior to the Board of Examiners meeting, the Deans' Office must prepare a report showing the grade distribution in each section and each course, and showing deviations from the Marking Guidelines where applicable
- b) The compilations referred to in (a) and the grades submitted in each course must be made available to faculty.
- c) The faculty must meet as a Board of Examiners to consider the results in each course and the academic status of each student. With respect to every course and section and every student, the Board of Examiners must make such decisions as to final grades as it considers appropriate.

The following Marking Guidelines apply to all J.D. non-seminar classes with an actual enrollment greater than 20 J.D. students (excluding exchange students):

A grades	10-20%
A plus B grades	50-85%
C-, D & F grades	0-20%
F grades	0-5%

15. Unless under exceptional circumstances the Associate Dean Academic decides otherwise, no examination results are released to students until the faculty has completed its work as a Board of Examiners. However, where a student has had a grade of F recorded for a first-term course which is a prerequisite for a second-term course in which the student has registered, the instructor in the second-term course may use discretion in advising the student that the student has not successfully completed the prerequisite course or in directing the student to the Associate Dean Academic.

## **II. PROCEDURAL ASPECTS OF EVALUATION**

### **16. A student's final grade in first-year courses is determined as follows:**

- (a) subject to (b) and (c), the December examination in Constitutional Law shall count 40% towards a student's final mark in the course, and the December exams in Contracts, Criminal Law Torts and Property shall constitute 20% of a student's final grade in the respective course; and, subject to (d), the April examinations in other courses constitute 80% of a student's final grade except where:
    - i. a student, with the approval of the Board of Examiners or Associate Dean Academic, does not write a December examination, or
    - ii. a student receives a higher mark on the April examination, in which case the April examination constitutes 100% of the student's final grade;
  - (b) subject to (c), a student shall write no December examination in the course associated with the Legal Research and Writing assignments the student completed. Although the Legal Research and Writing course itself shall be marked on a 'Pass/Fail' basis, the marks earned in that course shall constitute 40% of the student's final grade in the course associated with Legal Research and Writing and the April examination in that course shall constitute 60% of the student's final grade; and
  - (c) notwithstanding the above, an instructor may, at his or her option, offer a mode or modes of assessment other than December or April exams, in which case such mode or modes of assessment may constitute up to 25% of a student's final grade in (a) and up to 15% of a student's final grade in (b).
  - (d) A student's final grade in Law 232 - Kwayeskastasowin shall be determined according to a method agreed to between the instructor(s) and the Dean.
17. If a method of assessment is used that consists of one or more oral presentations totaling more than 30 % of the final grade in the course or of an oral examination, a video or audio recording of the presentation(s) or examination must be made. University policy [currently reflected in the 'Academic Courses Policy on Class Delivery, Examinations, and Assessment of Student Learning'] requires students' consent prior to being recorded.
- 18.
- a. The Board of Examiners may, in accordance with the University Council Regulations on Examinations, at its discretion, grant a student deferred, special deferred or special deferred supplemental work in one or more courses. Third year students who fail one or more courses in term one are permitted to complete special supplemental work during term 2 provided that the supplemental marks are counted only for students whose two-term (non-supplemental) average is 60% or higher. The supplemental marks are not used for students whose two-term (non- supplemental) average is lower than 60%.
  - b. The same weight is assigned to deferred or special deferred work as to the work that was to have been completed during term and the same weight is assigned to the deferred supplemental work as to the supplemental work that was to have been completed at the scheduled time in determining a student's final grade.
  - c. In exceptional circumstances, in consultation with the Registrar, a student may be offered aegrotat standing (AEG) in lieu of writing the deferred or special deferred final

examination, or in lieu of a final grade. Aegrotat standing can be considered provided the student has obtained a grade of at least 65 percent in term work in the class(es) in question (where such assessment is possible); or, if there is no means of assessing term work, the student's overall academic performance has otherwise been satisfactory; the instructor of the class, along with the Dean recommends offering Aegrotat standing.

- d. In exceptional circumstances, a student may be offered aegrotat standing in a course in lieu of completing deferred, special deferred or special deferred supplemental work, provided that
  - i. the student has attained a grade of 60 % or better in term work in the course in question (where such evaluation is possible) or, if there is no means of evaluating term work, the student's overall academic performance has otherwise been satisfactory; and,
  - ii. the instructor and the Board of Examiners approve the award of aegrotat standing.

19.

- a. The method or methods of assessment for deferred or supplemental work must be the same as utilized by the instructor during the academic year.
- b. Where it is not practical to use the same method or methods, the instructor with the approval of the Associate Dean Academic may use a method or methods that the circumstances warrant.

20. Where a student has received approval from the Associate Dean Academic for taking a course offered by another College at the University of Saskatchewan for credit towards our J.D. degree, a student's entitlement to complete supplemental work must be determined in accordance with the examination regulations applicable in that other College.

21.

- a. Students are required to attend classes in which they are registered. Persistent failure by a student to attend classes may lead the College of Law's Studies Committee to notify the student of this Regulation and continued failure to attend may lead the Board of Examiners to exclude the student from writing his or her examinations or from being assessed in any course in which there is no examination.
- b. Where an instructor has an attendance requirement that may result in the imposition of a discrete penalty that is not in the form of a component grade based on class participation, he or she within one week of the commencement of the course must advise in writing or electronically the students registered therein of the details of the attendance requirement and of the penalties that may be imposed for non-attendance in the course.

### **III. STANDARDS FOR CONTINUATION OF STUDIES AND FOR SUPPLEMENTAL WORK**

A. General

22.

- a. Only courses taken in the College of Law will be used in determining
  - i. a student's average under Regulations 24 (d), (e), (f), or (g) and 25;
  - ii. a student's class standing;
  - iii. a student's eligibility for scholarships or prizes in the College; and,
  - iv. a recommendation that a student graduate with great distinction or distinction.

- b. Where the number of law credit units in which a student enrolls during an academic year exceeds either 30 credit units or exceeds the number of credit units needed to graduate, the student's average under Regulation 22 a) (i) must be calculated based on all of the courses in which the student is registered during the academic year.
- c. Where a student enrolls in non-Law courses offered at the University of Saskatchewan, the student only receives credit for those courses where the grade recorded is 60% or better.
- d. Where a student enrolls at another institution (either as an exchange student or under a letter of permission) the student receives credit for the term or terms respectively that are successfully completed as defined by the regulations in force at that other institution. Where such a student has successfully completed some but not all courses at the other institution:
  - i. the ADA may determine whether or not to grant the student credit for the courses successfully completed in the case where the student withdrew from one or more courses;
  - ii. the Board of Examiners may determine whether or not to grant the student credit for the courses successfully completed in all other cases.

## B. Standards for Continuation of Studies

### 23.

- a. Where an instructor assigns a grade of less than 45% to a student, that grade must be reported to the Registrar, but a grade of 45% in the course will be used in determining:
  - i. the student's average under Regulations 24 (d), (e), (f), or (g) and 25;
  - ii. the student's class standing;
  - iii. the student's eligibility for scholarships or prizes in the College; and,
  - iv. a recommendation that a student graduate with great distinction or distinction.
- b. Where a grade of INF is assigned to a student in a course, the Board of Examiners must determine what numerical grade is reported to the Registrar, but a grade of 45% or the grade determined by the Board of Examiners if higher will be used in the course in determining:
  - i. a student's average under Regulations 24 (d), (e), (f), or (g) and 25;
  - ii. a student's class standing;
  - iii. a student's eligibility for scholarships or prizes in the College; and,
  - iv. a recommendation that a student graduate with great distinction or distinction.

### 24.

- a. Students admitted to First Year must register in 30 credit units of courses unless they received credit for Property I 208.6 by successfully completing the Native Law Centre Summer Program, in which case they must register in 24 credit units.
- b. First Year students who wish to reduce the number of credit units they are registered in may only do so with permission of the ADA.
- c. Students admitted to First Year must register in Legal Research and Writing and the course associated with it during the student's first academic year of study. Students must complete all First Year requirements within their first two academic years of study, unless special permission has been given by the Studies Committee.
- d. Students must obtain an average of 64% for courses taken during each academic year, attain a grade or 50 % or better in all courses in order to continue in their studies.
- e. In calculating students' averages, College of Law credit units earned during the summer months shall be averaged with marks earned during the immediately following

Fall/Winter terms.

- f. For greater certainty, the GPA of part-time students in First Year Part II is calculated using all courses taken in that academic year, including all completed Upper Year courses.
- g. Students who receive a 'Pass' in Pass/Fail courses are deemed to have attained a grade above 50%.

25.

- a. A student who has previously received credit for 30 First Year credit units of courses must obtain an average of 64 % in each academic year in order to continue in his or her studies. In addition, the student must have attained a grade of 50 % or better in all courses and have attained a grade of 60 % or better in each of the following upper years program requirements:
  - i. the minor writing requirement and the major writing requirement (which can alternatively be satisfied by two major writing requirements), at least one of which must be completed in the academic year immediately succeeding the academic year in which a student has completed the 30 First Year credit units; and
  - ii. the seminar requirement which may be completed in any academic year after a student has completed the 30 First Year credit units.
- b. whenever a program requirement must be completed in a student's second year, the Associate Dean Academic may allow the student to complete the requirement in the student's third year, but may not waive the requirement.

26. Where a student has received one grade of less than 50 % and otherwise meets the applicable standard for continuation of his or her studies or for graduation, the Board of Examiners at its discretion, having regard to the student's overall academic performance, the year of study and other relevant matters, may

- a. grant credit for the course; or
- b. by a two-thirds majority of those present change the grade to 50%.

27.

- a. Subject to subsection (b), a student who has received credit for 90 credit units including at least 60 credit units completed at the University of Saskatchewan is entitled to graduate with a Juris Doctor (J.D.) degree.
- b. A student who attends another institution either under a letter of permission issued by the Associate Dean Academic or under an exchange program may receive credit for courses approved by the Associate Dean Academic totaling up to 30 equivalent credit units.

### C. Standards for Supplemental Work

28. No student who has met the requirements for entitlement to continue his or her studies according to Regulations 24 or 25 may complete supplemental work.

29.

- a. A full-time student in First Year who obtains an average of at least 60% but less than 64% as required by Regulation 24(d) is entitled to complete supplemental work in courses totaling a maximum of 12 credit units. Only courses where a student has obtained a grade of less than 64% can be selected by a student in which supplemental work may be completed but if a student has received a grade of less than 50 % in any course(s), such course(s) must be among those in which supplemental work is completed.



- b. A part-time student in First Year Part I who obtains an average of at least 60% but less than 64% as required by Regulation 24(d) is entitled to complete supplemental work in courses totaling a maximum of 12 credit units. Only courses where a student has obtained a grade of less than 60% can be selected by a student in which supplemental work may be completed but if a student received a grade of less than 50 % in any course(s), the said course(s) must be among those in which supplemental work is completed.
- c. A part-time student in First Year Part II who obtained an average of at least 60% but less than 64% as required by Regulation 24(f) is entitled to complete supplemental work in courses, including Upper Year courses, totaling a maximum of 12 credit units. Only courses where a student has obtained a grade of less than 60% can be selected by a student in which supplemental work may be completed but if a student received a grade of less than 50 % in any course(s), the said course(s) must be among those in which supplemental work is completed.
- d. In the substantive course where Legal Research and Writing constitutes 40% of a student's final grade in a course, supplemental work consists of:
  - i. supplemental work in Legal Research and Writing in the form of a memorandum of law, a factum and/or a moot on an assigned problem where the overall grade in the course is 64 per cent or more and the grade in Legal Research and Writing is less than 60 %; or,
  - ii. supplemental work in the form of a supplemental examination where the overall grade in the course is less than 64 % but the grade in Legal Research and Writing is 60% or more; or,
  - iii. supplemental work in the form of a supplemental examination where the overall grade in the course is less than 64 % and in the form of a memorandum of law, a factum and/or a moot on an assigned problem where the grade in Legal Research and Writing is less than 60 %.

30.

- a. A full or part time student who has previously received credit for the 30 First Year credit units and obtains an average of at least 60% but less than 64% as required by Regulation 28 is entitled to complete supplemental work in courses totaling a maximum of 12 credit units. Only courses where a student has obtained a grade of less than 64% can be selected by a student in which supplemental work may be completed, but if a student has received a grade of less than 50 % in any course(s), such course(s) must be among those in which supplemental work is completed.
- b. Where a written paper(s) was or was to be submitted in a course for part or all of the grade in that course during term, the supplemental work must take the form of a written paper(s) based on material not previously dealt with by that student in fulfilling the requirements of the course. In no case may a student submit a paper that is simply a revision of the paper that was submitted or that was to have been submitted during term.

31.

- a. Subject to subsection (b), the grade obtained for supplemental work replaces the grade originally obtained for the purpose of determining whether the student is entitled to continue in his or her studies or to be recommended for graduation.
- b. In the case of supplemental work completed in accordance with Regulation 29(d)(i) a student will satisfy the Legal Research and Writing program requirement where that student obtains a grade 'Pass'.
- c. A grade obtained by a student for supplemental work is not used for the purpose of determining
  - i. a student's class standing;

- ii. a student's eligibility for scholarships or prizes in the College; or,
- iii. a recommendation that a student graduate with great distinction or distinction.

32.

- a. Where a student after completing supplemental work fails to attain an average sufficient to entitle that student to continue in his or her studies or to graduate, or who does not complete supplemental work being entitled to do so, the Board of Examiners, in its discretion, having regard to the student's overall academic performance, the year of study and other relevant matters, may:
  - i. allow the student to continue in his or her studies taking such additional courses as the Board of Examiners determines;
  - ii. allow the student to continue in his or her studies granting credit for such course or courses as the Board of Examiners determines;
  - iii. allow the student to repeat the year retaining no credit for all courses taken during the academic year; or,
  - iv. require the student to discontinue his or her studies.
- b. Where a student after completing supplemental work has received one grade of less than 50 % and otherwise meets the standard for continuation of his or her studies or for graduation, the Board of Examiners at its discretion, having regard to the student's overall academic performance, the year of study and other relevant matters, may, in addition to the powers set out in (a):
  - i. grant credit for the course; or
  - ii. by a two-thirds majority of those present change the grade to 50 %.

#### ***IV. GRADE DISPUTE MECHANISM***

33.

- a. Where an instructor wishes to dispute the grades approved by the Board of Examiners under Regulation 14 for his or her course, the instructor may apply in writing within 7 days of the decision of the Board of Examiners to the Dean of Law to arbitrate the dispute and the Dean of Law will have final authority to determine the grades for the students in the course.
- b. The Chair of the Board of Examiners and the instructor may submit written submissions with supporting documents, if any, to the Dean of Law prior to the Dean making the final determination of the grades under dispute.
- c. If the Dean of Law changes a grade of any student in the course, the Dean must notify the Registrar of the changed grade or grades. The Registrar will issue, free of charge, corrected transcripts to replace any previously ordered by any affected student.