

THE AUSTRALIAN NATIONAL UNIVERSITY

Programs and Awards Statute 2006

ACADEMIC PROGRESS RULES (No. 2) 2009

The Council of The Australian National University makes these Rules under section 8 of the Programs and Awards Statute 2006.

Dated: 4 December 2009.

Kim Beazley AC
Chancellor

1 Name of Rules and commencement

- 1(1) These Rules are the Academic Progress Rules (No. 2) 2009.
- (2) These Rules commence on the day after they are registered.

2 Interpretation

2(1) In these Rules:

Academic Progress Committee means the Committee established under subrule 16(1).

award means degree, diploma or certificate offered by the University.

combined program means a program leading to the award of 2 degrees.

course means a subject of scholarly study taught:

- (a) in a connected series of classes or demonstrations; or
- (b) by means of practical work, including the production by students of essays or theses or case studies or the attendance and participation by students in seminars or workshops.

Course Authority, for a course, means the person in charge of a course, appointed under rule 4.

course code means the alphanumeric code used within the University to identify uniquely a particular course.

Delegated Authority means a person appointed under rule 3.

enrol includes re-enrol, and **enrolment** has a corresponding meaning.

equivalent course is any course declared by the relevant Course Authority to have a sufficient similarity of content to another course, despite having a different title or different course code.

non-award program means a course of study that does not lead to an award.

program means a course of study, or a series of courses of study, leading to an award, or a non-award program, as the case requires.

student means a student who is or was enrolled (as the case requires) in a program.

- (2) A reference in these Rules to a particular course includes a reference to an equivalent course.

[Note: These Rules apply in relation to both graduate coursework and undergraduate awards.]

3 Delegated Authority: appointment etc

3(1) An Education Dean may appoint a person to be a Delegated Authority for the purposes of these Rules.

(2) The Delegated Authority must take reasonable steps to ensure that these Rules are applied consistently and fairly within the academic area concerned.

4 Course Authority: appointment

4(1) An Education Dean, or the appropriate Delegated Authority, may appoint a person to be a Course Authority for a course offered by the University in that College.

5 Repeated failure in course

5(1) If a student fails a course twice, the student must apply to obtain the approval of the Course Authority before re-enrolling in the course.

[Note: Failure includes N, NCN and WN and takes no account of the program in which the course is taken.]

(2) A Course Authority may approve, conditionally approve or refuse to approve a student's application to re-enrol in a course.

(3) If the Course Authority refuses to approve a student's application to re-enrol in a course, the Course Authority must specify the duration of that refusal.

6 Notice

6(1) A student to whom subrule 5(1) applies must be advised of the decision in relation to his or her application and of his or her appeal rights.

(2) Advice under subrule (1) in relation to appeal rights may be given to an individual student or generally and must contain information about to whom the appeal must be made and the address to which the appeal must be sent.

7 Appeal after re-enrolment in course refused

7(1) A student whose application under subrule 5(1) to re-enrol in a course is refused may appeal to the Education Dean responsible for the course to determine the matter.

[Note: If a student is refused permission to re-enrol in a compulsory component of a program, that may effectively terminate the student's participation in the program.]

(2) An appeal must be in writing and must be lodged with the Education Dean not later than 20 working days after the date on which the notice of refusal was sent to the student, or within any further period that the Education Dean allows.

(3) At an appeal, the Education Dean must consider any statement of the student in relation to the appeal and any other matters that the Education Dean considers relevant.

(4) An appeal is to be conducted in such manner as the Education Dean conducting the appeal determines.

(5) The Education Dean may decide the appeal with or without a formal hearing, but if the appeal is to be decided after a formal hearing:

(a) the student is entitled to appear in person at the hearing; and

- (b) in default of the appearance of the student at the time and place fixed for the hearing, the hearing may proceed in the absence of the student; and
- (c) the student is entitled to present to the hearing oral or written statements (whether made by the student or another person); and
- (d) the student may, in addition to or instead of appearing in person at the appeal, furnish to the hearing a written statement in relation to the appeal (whether made by the student or another person); and
- (e) the student is entitled to be accompanied at the hearing by another person who may observe the proceedings but not act as an advocate unless expressly invited to do so by the Education Dean.

[NOTE: See rule 19 in relation to enrolment and attending classes pending decision on appeal.]

(6) The Education Dean must decide the appeal, and must notify the appellant of the decision, within 20 working days after the day on which the appeal is lodged.

8 Grounds for appeal

8(1) The grounds for an appeal are as follows:

- (a) severe illness or medical condition (documentary evidence of which must be lodged with the appeal);
- (b) harshness of the effect of refusing to approve the request to re-enrol in the course;
- (c) harshness of the effect of a decision that excludes the student from the program;
- (d) special circumstances set out in the appeal.

9 Decision on appeal

9(1) The Education Dean may uphold the appeal or dismiss the appeal and, if the Education Dean upholds the appeal, the Education Dean may:

- (a) permit re-enrolment in the course; or
- (b) permit re-enrolment in the course conditionally; or
- (c) refuse re-enrolment in the course for a period specified by the Education Dean.

[Note: If a student is refused permission to re-enrol in a compulsory component of a program, that may effectively terminate the student's participation in the program.]

(2) The decision of the Education Dean is final.

10 Graduate coursework: failure to maintain satisfactory standard

10(1) A student undertaking graduate coursework who fails one or more courses attempted in a semester (including a session) of enrolment is considered to have failed to maintain a satisfactory standard of academic progress in his or her program, and may be excluded by the Delegated Authority from the program.

[Note: It is intended that, for this rule, First Semester includes courses taken in Summer and Autumn Sessions and Second Semester includes courses taken in Winter and Spring Sessions.]

(2) A student who is considered to have failed to maintain a satisfactory standard of academic progress in his or her program must be notified as soon as practicable, in writing, of

that fact and whether the student has been placed on academic probation or is to be excluded, by the Delegated Authority, from the program.

[Note: After a single failure, a student is likely to be placed on academic probation but, as College requirements vary, students should check program requirements in the Graduate Handbook.]

(3) After considering any submission by the candidate, the Delegated Authority may decide whether or not to exclude the student from the program.

11 Graduate coursework: failure to achieve results at specified level

11(1) A student undertaking graduate coursework who fails to achieve results in the courses in the program for which he or she has enrolled at the level specified in the Orders for continuation in the program, is considered to have failed to maintain a satisfactory standard of academic progress in his or her program and may be excluded from the program by the Delegated Authority.

12 Graduate coursework: appeal after exclusion from program

12(1) If a student is to be excluded from a program under subrule 10(3) or rule 11, the student must be given written notice, as soon as practicable, of the exclusion.

(2) A notice under this rule must set out the right of the student to whom it is addressed to appeal against the decision in writing to the relevant Education Dean and tell the student to whom an appeal must be sent.

(3) The appeal must set out the grounds on which it is made and, in particular, include a statement demonstrating why the student should be permitted to continue in the program, and must be lodged with the person mentioned in subrule (2) not later than 20 working days after the date on which the notification of the exclusion was sent to the student or within such further time that the Education Dean allows.

(4) The Education Dean must decide the appeal, and must notify the appellant of the decision, within 20 working days after the day on which the appeal is lodged.

(5) The Education Dean may decide the appeal with or without a formal hearing, but if the appeal is to be decided after a formal hearing:

- (a) the student is entitled to appear in person at the hearing; and
- (b) in default of the appearance of the student at the time and place fixed for the hearing, the hearing may proceed in the absence of the student; and
- (c) the student is entitled to present to the hearing oral or written statements (whether made by the student or another person); and
- (d) the student may, in addition to or instead of appearing in person at the inquiry, furnish to the hearing a written statement in relation to the appeal (whether made by the student or another person); and
- (e) the student is entitled to be accompanied at the hearing by another person who may observe the proceedings but not act as an advocate unless expressly invited to do so by the Education Dean.

[NOTE: See rule 19 in relation to enrolment and attending classes pending decision on appeal.]

13 Graduate coursework: decision on appeal

13(1) The Education Dean may uphold an appeal or dismiss the appeal, and, in so doing, may:

- (a) permit the student to re-enrol in the program; or
- (b) permit the student to re-enrol in the program conditionally; or
- (c) require the student to take leave of absence from the program for a period determined by the Education Dean; or
- (d) determine that the student be admitted to an alternate program.

(2) The decision of the Education Dean in a particular case is final.

14 Undergraduate coursework: failure to maintain satisfactory standard

14(1) A student undertaking undergraduate coursework who fails more than 50% of the unit value of the courses attempted in a semester (including a session) of enrolment is considered to have failed to maintain a satisfactory standard of academic progress in his or her program.

[Note: It is intended that, for this rule, First Semester includes courses taken in Summer and Autumn Sessions and Second Semester includes courses taken in Winter and Spring Sessions.]

(2) However, a student in the School of Art or Music who at any stage fails his or her major study (within the meaning of the relevant Order published in the Undergraduate Handbook) is considered to have failed to maintain a satisfactory standard of academic progress in his or her program and may be excluded by the Delegated Authority from the program.

(3) Also, a student in the ANU Medical School must reach a satisfactory standard (within the meaning of the relevant Order made by the Deputy Vice-Chancellor) in all assessment tasks and courses before being permitted to progress to the next level of study.

[Note: The ANU Medical School has its own review processes and matters in relation to that School are not usually referred to the Academic Progress Committee.]

(4) A student who is considered to have failed to maintain a satisfactory standard of academic progress in his or her program must be notified as soon as practicable, in writing, of that fact.

(5) A student undertaking undergraduate coursework who, for the second time, fails more than 50% of the unit value of the courses attempted in a semester (including a session) of enrolment is considered to have failed to maintain a satisfactory standard of academic progress in his or her program and may be excluded by the Delegated Authority from the program.

15 Undergraduate coursework: appeal after exclusion from program

15(1) If a student is to be excluded from a program under subrule 14(2), (3) or (5), the student must, as soon as practicable, be given written notice of the exclusion.

(2) A notice under this rule must set out the right of the student to whom it is addressed to appeal against the decision in writing to the relevant Education Dean and tell the student to whom an appeal must be sent.

(3) The appeal must set out the grounds on which it is made and, in particular, include a statement demonstrating why the student should be permitted to continue in the program, and must be lodged with the person mentioned in subrule (2) not later than 20 working days

after the date on which the notification of the exclusion was sent to the student or within such further time that the Education Dean allows.

(4) After the period for submitting an appeal has expired, the matter and any submission tendered by the student concerned may be sent to the Academic Progress Committee for recommendation and report to the relevant Education Dean.

(5) If a student's academic progress is referred to the Academic Progress Committee, the Academic Progress Committee must consider the matter, and report back to the relevant Education Dean, within 5 working days after the day on which the Academic Progress Committee receives the matter.

[NOTE: See rule 19 in relation to enrolment and attending classes pending decision on appeal.]

16 Academic Progress Committee

16(1) There is to be an Academic Progress Committee for the University consisting of the Registrar as Chair and the Education Dean (or his or her nominee) of each of the ANU Colleges.

(2) If a student's academic progress in a program is referred to the Academic Progress Committee, the Committee may recommend to the relevant Education Dean that the Education Dean:

- (a) exclude the student from the program permanently or for a period determined by the Committee; or
- (b) determine that the student transfer to an alternate program; or
- (c) determine that the student vary his or her load to take account of the impact of external pressures on his or her academic studies; or
- (d) determine that the student take leave of absence from the program for a period determined by the Committee; or
- (e) impose conditions on the student's re-enrolment in the program; or
- (f) refer the student to academic and professional staff for advice and support; or
- (g) determine other strategies as appropriate.

17 Undergraduate coursework: decision on appeal

17(1) The Education Dean may uphold an appeal or dismiss an appeal, and, in so doing, may:

- (a) permit the student to re-enrol in the program; or
- (b) permit the student to re-enrol in the program conditionally; or
- (c) require the student to take leave of absence from the program for a period determined by the Education Dean; or
- (d) determine that the student be admitted to an alternate program.

(2) The decision of the Education Dean must be made within 5 working days of receiving the relevant report from the Academic Progress Committee or, if the matter is not referred to the Academic Progress Committee, within 20 working days after the appeal is received by the Education Dean.

(3) The decision of the Education Dean is final.

18 Appeal on procedural grounds

18(1) A student may, within 20 working days after the relevant decision was notified to the student, appeal against a decision made under subrule 9(1), 13(1) or 17(1) to the Deputy Vice-Chancellor on procedural grounds only.

- (2) The Deputy Vice-Chancellor may:
- (a) confirm the decision; or
 - (b) set aside the original decision and refer the matter to the Education Dean to:
 - (i) reconsider the original decision in light of the Deputy Vice-Chancellor's findings; and
 - (ii) make a new decision.
- (3) In determining an appeal, the Deputy Vice-Chancellor may inform himself or herself as he or she sees fit.
- (4) The decision of the Deputy Vice-Chancellor in a particular case is final.

19 Enrolment and attending classes pending decision on appeal

19(1) A student who appeals against a decision not to approve re-enrolment in a course or program, or a decision that the student be excluded from a program may apply to re-enrol in the next semester or session in another course or program pending the outcome of the appeal.

(2) However, if an appeal is lodged under these Rules and the appellant was enrolled before the decision appealed against was made, the appellant is entitled to remain enrolled pending the outcome of the appeal.

20 Orders

20(1) The Deputy Vice-Chancellor may make Orders for the purpose of subrule 14(3).

21 Saving

21(1) The Academic Progress Rules 2009 as amended and in force immediately before the commencement of these Rules, continue to apply to a student for a course to which these Rules would otherwise apply if:

- (a) before the commencement of these Rules, the student completed work towards that course and elects to be bound by this subrule; and
- (b) not to do so would affect the student adversely.

22 Application of amending Rules

22(1) If an amendment is made to these Rules, and that amendment affects a course to which these Rules relate, the amendment does not apply to a student who, before the making of the amendment, has completed any work towards that course unless:

- (a) the student elects that the amendment apply to the student; or
- (b) the responsible Delegated Authority otherwise determines.

23 Repeal

24(1) The Academic Progress Rules 2009, as amended and in force immediately before the commencement of these Rules, are repealed.