

THE AUSTRALIAN NATIONAL UNIVERSITY

ACADEMIC PROGRESS RULE 2015

I, Professor Ian Young AO, Vice-Chancellor of the Australian National University, make the following rule.

Dated: 11 December 2015

Professor Ian Young AO
VICE-CHANCELLOR

Part 1 Preliminary

1 Name

This is the *Academic Progress Rule 2015*.

2 Commencement

This instrument commences on the day after it is registered.

3 Authority

This instrument is made under section 8 of the *Programs and Awards Statute 2013*.

[Note: Under section 50(3) of the *Australian University Act 1991* a statute may empower any authority or officer of the University to make rules or orders. Section 9.5 of the Vice-Chancellorship Statute authorises the Vice-Chancellor to make rules and orders for a number of statutes, including the Programs and Awards Statute.]

4 Definitions

In this instrument:

Academic Progress Committee means a committee established under section 11.

Associate Dean, for an ANU College, means an Associate Dean appointed under the ANU College Governance Rules by the College Dean for the college.

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

course means a subject of scholarly study, whether it is taught:

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

- (c) by clinical or professional practice; or
- (d) in another way or in a combination of ways.

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

Delegated Authority, in relation to a program offered by an ANU College for an award, means a person who is appointed under section 19 (Appointment of Delegated Authorities) as a Delegated Authority for the program.

enrol includes re-enrol.

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

exercise a function includes perform the function.

function includes duty and power.

order means an order made under or for the purposes of this instrument.

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

5 Application

This instrument applies in relation to both graduate coursework and undergraduate awards.

6 References to particular course

A reference in this instrument to a particular course includes a reference to an equivalent course.

7 Delegated Authority to ensure instrument applied consistently and fairly

A Delegated Authority for a program must take reasonable steps to ensure that this instrument is applied consistently and fairly within the program.

Part 2 Academic progress rules

8 Repeated failures in courses

(1) If a student fails an undergraduate or graduate course in any award program for a second time, the Registrar must, by written notice given to the student, tell the student:

- (a) that the student is on probation for the repeated failure; and
- (b) that the student may be excluded from undergraduate or graduate coursework, as the case requires, if the student fails the course for a third time.

[Note: Failure includes N, NCN and WN.]

(2) If the student fails the course for a third time, the Delegated Authority may, in writing, exclude the student from undergraduate or graduate coursework, as the case requires, for a specified period of no longer than 5 years.

(3) If the Delegated Authority excludes the student from undergraduate or graduate coursework, the Registrar must, by written notice given to the student, tell the student:

- (a) that the student has been excluded from undergraduate or graduate coursework, as the case requires; and
- (b) the period that the student has been excluded; and

(c) that the student may appeal to the Academic Progress Committee against the exclusion.

(4) To remove any doubt, if a student fails a course, nothing in this instrument prevents, by implication, this section and another provision of this Part from both applying in relation to the student in accordance with their terms.

9 Failure to maintain satisfactory coursework standard

(1) If a student undertaking undergraduate coursework fails more than 50% of the unit value of the courses attempted in a semester (including session) of enrolment, the student is considered to have failed to maintain a satisfactory standard of academic progress in the student's coursework, and is regarded as being on probation.

[Note: It is intended that, for this section, Semester 1 includes courses taken in Summer and Autumn Sessions and Semester 2 includes courses taken in Winter and Spring Sessions.]

(2) If a student undertaking graduate coursework fails more than 50% of the unit value of the courses attempted in a semester (including session) or trimester of enrolment, the student is considered to have failed to maintain a satisfactory standard of academic progress in the student's coursework, and is regarded as being on probation.

(3) If a student undertaking undergraduate coursework fails, for a second or subsequent time, more than 50% of the unit value of the courses attempted in a semester (including session) of enrolment, or fails to meet any condition imposed in relation to the student because an appeal under Part 3 (Academic progress appeals), the student is considered to have failed to maintain a satisfactory standard of academic progress in the student's coursework, and may be excluded by the Delegated Authority from undergraduate coursework for a specified period of no longer than 5 years.

(4) If a student undertaking graduate coursework fails, for a second or subsequent time, more than 50% of the unit value of the courses attempted in a semester (including session) or trimester of enrolment, or fails to meet any condition imposed in relation to the student because of an appeal under Part 3, the student is considered to have failed to maintain a satisfactory standard of academic progress in the student's coursework, and may be excluded by the Delegated Authority from graduate coursework for a specified period of no longer than 5 years.

(5) If a student is considered under this section to have failed to maintain a satisfactory standard of academic progress in the student's coursework, the student must be notified by the Registrar as soon as practicable, in writing, of that fact.

(6) If the Delegated Authority excludes a student under this section from undergraduate or graduate coursework, the Registrar must, by written notice given to the student, tell the student:

- (a) that the student has been excluded from undergraduate or graduate coursework, as the case requires; and
- (b) the period that the student has been excluded; and
- (c) that the student may appeal to the Academic Progress Committee against the exclusion.

(7) To remove any doubt, a course completed in the timeframe for which credit has been granted in the award program does not count as part of the unit value of the courses attempted in the relevant semester (including session) or trimester of enrolment.

(8) Also, to remove any doubt, if a student is considered under this section to have failed to maintain a satisfactory standard of academic progress in the student's coursework, nothing

in this instrument prevents, by implication, this section and another provision of this Part from both applying in relation to the student in accordance with their terms.

10 Failure to achieve coursework results at specified level

(1) If a student undertaking graduate or undergraduate coursework fails to achieve results in the courses in the award program for which the student has enrolled at the level specified in an order for continuation in the award program, the student is considered to have failed to maintain a satisfactory standard of academic progress in the student's award program and may be excluded from graduate or undergraduate coursework, as the case requires, by the Delegated Authority for a specified period of no longer than 5 years.

(2) If the Delegated Authority excludes a student under this section from undergraduate or graduate coursework, the Registrar must, by written notice given to the student, tell the student:

- (a) that the student has been excluded from undergraduate or graduate coursework, as the case requires; and
- (b) the period that the student has been excluded; and
- (c) that the student may appeal to the Academic Progress Committee against the exclusion.

(3) To remove any doubt, if a student is considered under this section to have failed to maintain a satisfactory standard of academic progress in the student's award program, nothing in this instrument prevents, by implication, this section and another provision of this Part from both applying in relation to the student in accordance with their terms.

Part 3 Academic progress appeals

11 Establishment of committees

(1) There is to be an Academic Progress Committee for the University in relation to graduate coursework, and another in relation to undergraduate coursework.

(2) Each committee is to consist of the following members:

- (a) the Registrar;
- (b) a person appointed, in writing, by the College Dean of each ANU College;
- (c) a further person appointed, in writing, by the Dean of Medicine and Health Sciences.

(3) A person must not be appointed to a committee in relation to a matter if the person was previously involved in making a decision in relation to the matter.

(4) The Registrar is the chair of each Academic Progress Committee.

12 Appeal against exclusion

(1) If a student is excluded from undergraduate or graduate coursework under Part 2 (Academic progress rules), the student may appeal to the appropriate Academic Progress Committee against the exclusion.

(2) The appeal must:

- (a) be in writing; and
- (b) set out reasons why the student should be permitted to continue to undertake the coursework; and
- (c) include, or be accompanied by, any evidence in support of the reasons; and

- (d) be given to the Registrar within 20 working days after the day the student is given written notice of the student's exclusion from undergraduate or graduate coursework.
- (3) If the student appeals to the Academic Progress Committee under this section, the student is entitled to be enrolled in undergraduate or graduate coursework until the appeal is finally decided.

13 Exclusion appeal: hearing and decision

(1) This section applies if a student is excluded from undergraduate and graduate coursework under Part 2 (Academic progress rules) and the student appeals to the Academic Progress Committee under section 12 against the exclusion.

(2) The Academic Progress Committee may decide the appeal solely on the basis of the notice of appeal and any material accompanying it, but may make the inquiries, and have regard to anything else, that the committee considers appropriate.

(3) The Academic Progress Committee may, if requested by the student, take account of any non-award enrolment completed by the student in the relevant semester (including session) or trimester of enrolment.

(4) However, success in passing a course as part of a non-award enrolment, even if credit is later granted in connection with a program being undertaken by the student, is not to be regarded as conclusive evidence of the ability of the student to meet the remaining academic requirements of a program.

(5) The Academic Progress Committee may dismiss or uphold the appeal and, in doing so, may:

- (a) permit the student to continue to undertake coursework; or
- (b) permit the student to re-enrol in coursework conditionally; or
- (c) exclude the student from coursework for a specified period of no longer than 5 years; or
- (d) require the student to transfer to another award program; or
- (e) require the student to vary student's load to take account of the impact of external pressures on the student's academic studies; or
- (f) require the student to take leave of absence from the award program for a specified period; or
- (g) require the student to undertake specified clinical or professional practice; or
- (h) refer the student to academic or professional staff for advice and support; or
- (i) decide other strategies as appropriate.

(6) The Academic Progress Committee must endeavour make a decision on the appeal within 20 working days after the day the appeal is made to the committee.

(7) Within 7 working days after the day the Academic Progress Committee makes a decision on the application, the Registrar must:

- (a) by written notice given to the student, tell the student about the decision made on the application; and
- (b) give the student a statement of reasons for the decision.

(8) Subject to the outcome of any appeal made to the Deputy Vice-Chancellor under section 14, the decision of the Academic Progress Committee is final.

14 Application for procedural appeal to Deputy Vice-Chancellor

- (1) This section applies if a student who appeals to the Academic Progress Committee under this Part is dissatisfied with the decision of the committee because procedures that were required to be observed by this instrument in connection with the appeal were not observed.
- (2) The student may appeal to the Deputy Vice-Chancellor against the Academic Progress Committee's decision, but only on the ground that procedures that were required to be observed by this instrument in connection with the appeal were not observed.
- (3) The appeal must:
 - (a) be in writing; and
 - (b) state clearly the procedures required by this instrument that were not observed in connection with the appeal; and
 - (c) include, or be accompanied by, any evidence in support of the appeal; and
 - (d) be given to the Registrar within 20 working days after the day the student is given written notice of the Academic Progress Committee's decision.

15 Procedural appeal to Deputy Vice-Chancellor

- (1) This section applies if a student appeals under section 14 (Application for procedural appeal to Deputy Vice-Chancellor) against a decision of the Academic Progress Committee.
- (2) The Deputy Vice-Chancellor may decide the appeal solely on the basis of the notice of appeal and any material accompanying it, but may make the inquiries, and have regard to anything else, that the Deputy Vice-Chancellor considers appropriate.
- (3) The Deputy Vice-Chancellor must:
 - (a) confirm the Academic Progress Committee's decision; or
 - (b) set aside the committee's decision, and do any of the following:
 - (i) confirm the original decision of the Delegated Authority;
 - (ii) refer the matter back to the committee to further consider its decision, taking into account the directions (if any) of the Deputy Vice-Chancellor, and to make a new decision;
 - (iii) dismiss or uphold the original appeal and, in doing so, take any action that the committee could have taken.
- (4) The Deputy Vice-Chancellor must endeavour to make a decision on the appeal within 20 working days after the day the appeal is made.
- (5) If the Deputy Vice-Chancellor is unable to make a decision on the appeal within the 20-day period mentioned in subsection (4), the Deputy Vice-Chancellor must tell the student and give the student a date by which the appeal will be decided.
- (6) Within 7 working days after the day the Deputy Vice-Chancellor makes a decision on the appeal, the Deputy Vice-Chancellor must:
 - (a) by written notice given to the student, tell the student about the decision made on the appeal; and
 - (b) give the student a statement of reasons for the decision.
- (7) The Deputy Vice-Chancellor's decision is final.

Part 4 Miscellaneous

16 Enrolment application after period of exclusion

If a student is excluded from graduate or undergraduate coursework under this Part, the student may apply the Registrar for enrolment to undertake undergraduate or graduate coursework, as the case may be, after the expiration of the period of exclusion.

17 Application of instrument to medical students

- (1) Part 2 (Academic progress rules) does not apply a medical student.
- (2) An order may make provision about the academic performance of medical students, including the effect of unsatisfactory performance.
- (3) If a medical student is excluded from graduate or undergraduate coursework under an order:
 - (a) the student is taken, for the application of this instrument to the student, to have been excluded under Part 2; and
 - (b) this instrument applies in relation to the student with all necessary changes and any changes prescribed by order.
- (4) In this section:

medical student means a student enrolled, at any level, in:

 - (a) the Bachelor of Medicine, Bachelor of Surgery (MBBS) program; or
 - (b) the Medicinae ac Chirurgiae Doctoranda (Doctor of Medicine and Surgery) (MChD) program.

18 Approved forms

- (1) The Registrar may, in writing, approve forms for this instrument.
- (2) If the Registrar approves a form for a particular purpose, the form must be used for that purpose.
- (3) The Registrar must ensure that approved forms are publicly available on the University's website or any other way that the Registrar considers appropriate.

19 Appointment of Delegated Authorities

The Associate Dean for an ANU College may, in writing, appoint a member of the staff of the college to be a Delegated Authority for a program offered by the college for an award.

20 Nominees of Registrar

- (1) The Registrar may, in writing, appoint a member of the staff of the University (the **nominee**) to exercise all or any of the Registrar's functions under this instrument (other than this section).
- (2) A function exercised by the nominee under the appointment is taken to have been exercised by the Registrar.
- (3) This section does not prevent the Registrar from exercising a function in relation which the nominee has been appointed.

21 Service of notices etc.

- (1) This section applies to a notice or other document that is required or permitted to be served on an individual under this instrument (whether the word 'give', 'notify', 'send', 'tell' or another word is used).
- (2) The document may be served on an individual:
 - (a) by giving it to the individual; or
 - (b) by sending it by prepaid post, addressed to the individual, to an address shown in the University's records as the individual's semester address, work address or permanent home address; or
 - (c) emailing it to:
 - (i) if the individual is a student at the University—an email address provided by the University to the individual; or
 - (ii) if the individual is not a student at the University—an email address otherwise recorded by the University as the individual's email address.
- (3) A document served by post on an individual under subsection (2)(b) is taken to have been served on the day it would have been delivered in the ordinary course of post.
- (4) A document served by email on an individual under subsection (2)(c) is taken to have been served on the day it would have been received in the ordinary course of email transmission.

22 Orders

The Deputy Vice-Chancellor may make orders about matters mentioned in this instrument.

Part 6 Repeal and transitional

23 Repeal etc.

- (1) The *Academic Progress Rules 2014* are repealed.
- (2) To remove any doubt, a reference in a rule, order or other document of the University to the ***Academic Progress Rules*** (whether with or without the year of its making or the year and number of the year of its making) includes a reference to this instrument.

24 Transitional: repeated failure in course

- (1) Section 8 (Repeated failure in courses) does not apply to a student in relation to a failure of a course if the student failed the course before the commencement of this section.
- (2) Despite the repeal of the *Academic Progress Rules 2014* by this instrument, section 5 (Repeated failure in course) of those rules continues to apply in relation to a student if the student:
 - (a) had failed a course twice before the commencement of this section; or
 - (b) had failed a course once before the commencement of this section and fails the course for a second time after the commencement of this section.