

THE AUSTRALIAN NATIONAL UNIVERSITY

*Programs and Awards Statute 2009*

**ACADEMIC PROGRESS RULES 2010**

The Council of The Australian National University makes these Rules under section 8 of the *Programs and Awards Statute 2009*.

Dated: 24 September 2010.

Professor the Hon Gareth Evans AO QC  
**CHANCELLOR**

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**1 Name of Rules and commencement**

- 1(1) These Rules are the Academic Progress Rules 2010.
- (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.

**award program** means a course of study, or a series of courses of study, leading to an award.

**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.

**student** means a student who is or was enrolled (as the case requires) in an award 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 award 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 an award program, that may effectively terminate the student's participation in the award 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 award 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 an award 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 in an award program is considered to have failed to maintain a satisfactory standard of academic progress in the award 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 award 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 ANU College requirements vary, students should check award 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 award 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 award program for which he or she has enrolled at the level specified in the Orders for continuation in the award program, is considered to have failed to maintain a satisfactory standard of academic progress in his or her award program and may be excluded from the program by the Delegated Authority.

#### **12 Graduate coursework: appeal after exclusion from award program**

12(1) If a student is to be excluded from an award 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 award 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 award program; or
- (b) permit the student to re-enrol in the award program conditionally; or
- (c) require the student to take leave of absence from the award program for a period determined by the Education Dean; or
- (d) determine that the student be admitted to another award 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 in his or her award program is considered to have failed to maintain a satisfactory standard of academic progress in the award 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 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 in the award program referred to in subrule (1) is considered to have failed to maintain a satisfactory standard of academic progress in the award program and may be excluded by the Delegated Authority from the award program.

(3) However, a student in the School of 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 award program and may be excluded by the Delegated Authority from the award program.

(4) 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 may be, but are not usually, referred to the Academic Progress Committee.]

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

(6) To avoid doubt, an award or non-award course completed in the timeframe for which status has been granted in the award program does not count as part of the unit value of the courses attempted in the semester

### **15 Undergraduate coursework: appeal after exclusion from award program**

15(1) If a student is to be excluded from an award 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 award 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) On appeal, if requested by an appellant, the Academic Progress Committee and the Education Dean may take account of any non-award course completed by the appellant in the semester (including a session) of enrolment to which subrule 14(1) refers.

(5) 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.

(6) 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.

(7) However, success in passing non-award courses, even if status is later granted in connection with the 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 the program.

[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 a person (not being a person who was involved in a matter referred to the Committee) appointed by the Education Dean of each of the ANU Colleges.

(2) If a student's academic progress in an award 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 award program permanently or for a period determined by the Committee; or
- (b) determine that the student transfer to another award 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 award program for a period determined by the Committee; or
- (e) impose conditions on the student's re-enrolment in the award 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 award program; or
- (b) permit the student to re-enrol in the award program conditionally; or
- (c) require the student to take leave of absence from the award program for a period determined by the Education Dean; or

- (d) determine that the student be admitted to another award 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 award program, or a decision that the student be excluded from an award program may apply to re-enrol in the next semester or session in another course or award 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(4).

## **21 Saving**

21(1) The Academic Progress Rules (No. 2) 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 (No. 2) 2009, as amended and in force immediately before the commencement of these Rules, are repealed.

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