

# STUDENT ACADEMIC PROGRESS POLICY

## SCOPE

This policy applies to:

- all coursework awards and courses
- all locations.

This policy does not apply to:

- non-award programs
- executive and continuing education programs.

## POLICY STATEMENT

### 1. General principles

- 1.1 Monash is committed to systems and processes that support students to complete their course of study.
- 1.2 Monash is committed to early and ongoing identification of students who are at risk of not meeting progression requirements.
- 1.3 Monash will monitor all students' progress through their studies and assist and promote the progression of students to complete their studies.
- 1.4 This policy and procedures apply to all students enrolled in coursework courses and awards regardless of teaching location, delivery mode, study load or course duration.

### 2. Monitoring risk levels

- 2.1 Assessments will be made of student's academic progress twice a year to ensure early identification of students at risk.
- 2.2 Based on triggers established in the Student Academic Progress Procedure [students'](#) level of risk will be determined on the following scale:
  - Level 1 – Advice
  - Level 2 – Monitoring
  - Level 3 – Intervention
- 2.3 Faculties will provide students with support and advice to enable them to progress satisfactorily.
- 2.4 Where students continue to demonstrate unsatisfactory progress, the faculty may impose conditions on continued enrolment to support the student to regain satisfactory course progression.
- 2.5 If the faculty is convinced that a student is unable progress to course completion, they may call the student to an Academic Progress Committee hearing as set out in Part 4 of the Monah University (Academic Board) Regulations.

## DEFINITIONS

| Key work/abbreviation | Definition |
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## GOVERNANCE

|                                  |  |
|----------------------------------|--|
| Supporting procedures            | <ul style="list-style-type: none"> <li>• Hyperlink to the supporting procedure(s)</li> </ul>   |
| Supporting schedules             | <ul style="list-style-type: none"> <li>• List as appropriate, e.g. Monash University Malaysia-only Schedules</li> </ul>  |
| Associated policies              | <ul style="list-style-type: none"> <li>• Hyperlink to the supporting policies (where applicable. Must reference current, single policy(ies) rather than 'All policies')</li> </ul> |
| Policy owner                     | Title of the relevant Executive or Senior Officer responsible for implementing the policy e.g. Provost (refer approval matrix in the <i>Policy Framework Policy</i> )              |
| Legislation mandating compliance | Hyperlink all relevant legislative instruments.<br>Queries may be addressed to <a href="mailto:riskandcompliance@monash.edu">riskandcompliance@monash.edu</a>                      |
| Category                         | Specify category: Academic OR Operational  |
| Approval                         | Academic Board<br>OR<br>Vice-Chancellor's Executive Committee<br>DATE<br>MEETING NUMBER / AGENDA ITEM  |
| Endorsement                      | Relevant Academic Board Standing Committee e.g. CAPC<br>OR<br>Relevant senior officer e.g. VC, Provost, COO, CFO DATE<br>MEETING NUMBER / AGENDA ITEM (for Academic policies)      |
| Date effective                   | DATE   |
| Review date                      | DATE (3 years from effective date)   |
| Version                          | Version number   |
| Content enquiries                | email address e.g. <a href="mailto:adm-policybank@monash.edu">adm-policybank@monash.edu</a> (Should reflect Policy owner field)  |

# STUDENT ACADEMIC PROGRESS PROCEDURE

## SCOPE

This procedure applies to

- all coursework awards and courses
- all locations. This

policy does not apply to

- non-award programs
- executive and continuing education programs.

## PROCEDURE STATEMENT

These procedures apply to all students enrolled in coursework courses and awards regardless of teaching location, delivery mode, study load or course duration. Where the University has an arrangement for delivering a course in conjunction with a third party, the managing faculty actions listed in these procedures may be shared or supported by the third party. These arrangements will be set out in the agreement with the third party and detailed on the central APC website.

### 1. Monitoring academic progress

- 1.1 The academic progress of all students will be reviewed by the managing faculty at the end of each of the two academic progress assessment periods:
- **Academic progress assessment period 1:**
    - four days after the previous semester two results release date to three days after the semester one results release date
  - **Academic progress assessment period 2:**
    - four days after the semester one results release date to three days after the semester two results release date
- 1.2 A student's academic progress will be assessed on all results finalised within the academic progress period for all units in which the student is enrolled. Any interim results (deferred, supplementary or withheld) not available at that time will not be included in the academic progress assessment.
- 1.3 Where there are interim results recorded for a unit at the end of an academic assessment period, the results will be considered in the academic progress assessment period in which they are finalised.
- 1.4 Any changes to grades after the academic progress assessment period does not invalidate a referral, except where the change is to correct an error.
- 1.5 Students who are at risk of unsatisfactory academic progress will be allocated one of three levels to indicate their level of academic progress risk:
- Level 1 – Advice;
  - Level 2 – Monitoring;
  - Level 3 – Intervention.
- 1.6 In the case of intermission or inactive enrolment, a student's academic progress level will be retained at their next enrolment period.

- 1.7 In addition to the processes outlined above, the dean (or delegate) can review a student's progress at any time during the academic year and implement intervention strategies. Intervention strategies may include meeting with the student, referral to support or assistance, referring to an Academic Progress Committee, and/or the applying conditions on the student's enrolment. The dean's intervention strategies do not include excluding a student from their course or the University.

## 2. Communication to Students

- 2.1 At the end of the academic progress assessment period, students who have been allocated level 1, 2 or 3 will be sent a notice within 14 working days.
- 2.2 All communication to students will use the [university templates](#) approved by the Deputy Vice-Chancellor (Academic).
- 2.3 All communication will be sent to the student's university email address unless the managing faculty is aware by the student that the student will not have access. In these circumstances, the communication can be delivered by other means.
- 2.4 All notices will have a deemed delivery date:
- for email: the date the email was sent and received;
  - for personally delivered notices: the date of delivery;
  - for post, either:
    - four working days after posting within the country in which the campus is located; or
    - five working days after express posting or courier outside the country in which the campus is located.

## 3. Satisfactory progress

- 3.1 Students who are passing all enrolled units in a timely manner are seen as having satisfactory academic progress.

### Level 1 – Advice

- 3.2 Students who fail one or more units, but less than 50% of their credit points for an academic progress assessment period, are deemed to be at risk of unsatisfactory academic progress. These students will be allocated level 1.
- 3.3 The managing faculty will email the student to:
- offer advice on course progression where appropriate and within 10 working days of advice; and
  - ask the student to complete the online progress assessment tool. The online progress assessment tool will direct the student to relevant support services.
- 3.4 Students should follow the course progression advice of the managing faculty and complete the online progress assessment tool.
- 3.5 If a student is required to attend an Academic Progress Committee hearing at a later stage of their enrolment, inaction at this stage may be considered.

## 4. Unsatisfactory progress

- 4.1 A student's academic progress will be deemed unsatisfactory if they meet one or more of the following triggers in an academic progress assessment period:
- receive a fail grade for 50 percent or more of the enrolled credit points;
  - fail a unit for the second time;
  - fail to comply with conditions placed on enrolment;
  - fail to meet a compulsory course requirement;
  - fail to complete half of the credit points within half of the maximum duration of the course save and except special circumstances including parental leave, carer leave, and/or family violence leave.
- 4.2 These students will be allocated level 2 or level 3.
- 4.3 **A Withdrawn Incomplete Grade is not a trigger for the purposes of this procedure.**
- 4.4 The highest level that a student can be allocated following the first academic progress assessment period of their course is level 2, unless the student has failed to meet a critical course requirement as per Monash University (Academic Board) Regulations (section 30(4)), in which case they may be allocated level 3.
- ### Level 2 - Monitoring
- 4.5 A student will be allocated level 2 where they have:
- met one or more academic progress triggers in an academic progress assessment period; and
  - not been at level 2 or level 3 in the previous academic progress assessment period; and
  - not been able to progress due to circumstances beyond their control.
- 4.6 The managing faculty will:
- issue a warning to the student and inform them that they have been identified as making unsatisfactory academic progress;
  - require the student to complete the academic progress assessment tool and attend an advice meeting on course progression; and
  - use the information collected in the online progress assessment tool (including any previous submissions) to provide tailored advice to the student on relevant support services.

- Advise the student of options current or future for an early exit.

4.7 The student will complete the online academic progress assessment tool, attend the advice meeting on course progression and follow the advice of the managing faculty with regard to accessing relevant support services.

4.8 **A student may bring an advocate from their relevant recognised association or a support person of their choice to any level 2 meeting**

4.9 If a student is required to attend an APC hearing at a later stage of their enrolment, inaction at this stage will be considered.

### Level 3 – Intervention

4.10 A student will be allocated level 3 where they have:

- met one or more academic progress triggers in an academic progress assessment period; and
- been at level 2 or level 3 in the previous academic progress assessment period

4.11 The dean (or delegate) of the managing faculty will refer the student to an Academic Progress Committee in accordance with the sections below.

## 5. Academic Progress Committee (APC)

5.1 The dean is responsible for appointing members to one (or more) faculty Academic Progress Committees (APC).

5.2 The APC of the managing faculty is responsible for monitoring double degree students and will assess the academic progress of these students.

5.3 Where the student is concurrently enrolled in a bachelors and a diploma at Monash, and there is more than one managing faculty, the APCs of both managing faculties should confer before making a decision.

5.4 The APC, in determining whether a student can continue their enrolment, will consider:

- the student's academic progress to date;
- their future prospects of success; and
- any factors relevant to the likelihood they will successfully complete their course/s.

### APC membership

5.5 The APC must consist of no more than six members and include:

- the chair of the committee who is the associate dean (education) or nominee of the managing faculty. The nominee must be a member of academic staff at the level of senior lecturer or above;
- two to four staff members, one of which can be a professional staff member with experience in student advice and enrolment matters; and
- a student.

5.6 A staff member from the non-managing faculty (for double degrees) or the other managing faculty (for concurrent enrolments) can be co-opted to be a member of the APC.

5.7 The quorum for an APC Hearing is two-thirds of the members and must include the chair.

5.8 Where possible, the APC should be gender, culturally and racially diverse.

5.9 At least one member must have completed training on the University's obligations to students with a disability.

5.10 **At least one member should be mental health trained in the event the APC is advised or becomes aware the hearing is for a student with a (serious???) mental health condition;**

5.11 The APC will be supported by an APC executive officer.

5.12 Any member that has directly participated in any formal university proceedings regarding the conduct or complaint of the student may be affected by a reasonable perception of bias and must not be a member of the APC. This can apply to:

- a staff member involved in determining a student grievance;
- a staff member reporting or deciding whether a student's work will be disallowed due to academic misconduct;
- a staff member or student participating in a disciplinary committee; and
- a staff member who refers a student to a disciplinary committee.

5.13 A staff member or student who has been the subject of a grievance or complaint made by the student must not be an APC member.

5.14 The APC executive officer must be informed in advance where there is a possible perception of bias.

### Student Membership

5.15 Each year, the faculty will ask the relevant Monash student organisations on each campus for student APC member nominations. For the purposes of all postgraduate APC hearings the student panel member must be a currently enrolled postgraduate student.

5.16 The student whose case is to be heard has the right to be heard without a student member on the committee. In these cases, the student will be heard by an APC comprised of members of staff only.

5.17 Where a student member of the APC is not present due to unforeseen circumstances, the APC hearing may proceed if the student whose case is being heard agrees to a hearing in their absence.

## 6. Notice of referral and hearing

- 6.1 Students who have been allocated to level 3 will be referred to an APC and issued a Notice of Referral and Hearing.
- 6.2 The Notice of Referral and Hearing must be sent to the student within 14 calendar days of the end of the academic progress assessment period, and at least 10 calendar days before the scheduled hearing. The student can agree to a shorter notice period.
- 6.3 The Notice of Referral and Hearing must contain clear advice on:
- the reason/s why the faculty believes the progress is unsatisfactory (the APC trigger)
  - how to submit to the APC information and documentation in support of their case to avoid exclusion
  - the consequences of not responding to the Notice of Referral and Hearing, including that the student's case may be determined in his or her absence and that a failure to respond will limit the student's appeal rights
  - the need to be contactable, regularly check their mail and student email, and to update their contact details on the university student information system
  - **how to seek advice from independent advocacy services offered by relevant recognised representative associations;**
  - how to seek advice from university support services
  - the due date to return documentation
  - the APC review process and the possible outcomes
  - the dates on which APC Hearings may occur
  - student visa implications for international students
  - **what constitutes an authorised translation**
  - **what constitutes notice to the faculty by the student not being able to access their email**
  - **where to obtain information on requesting and eligibility for an early course exit**
- 6.4 The Notice of Referral and Hearing invites the student to:
- demonstrate that they understand their unsatisfactory academic progress;
  - explain the issues that have impacted their academic progress;
  - detail the steps they will take (or have taken) to ensure their satisfactory progress; and
  - explain why they should be permitted to progress in their course..
- 6.5 Where a student receives a Notice of Referral and Hearing and subsequently lodges a grievance related to their academic progress or inability to progress, the grievance must not be decided until the process has concluded.

## 7. Student response form and providing evidence

- 7.1 All students sent a Notice of Referral and Hearing must complete a Student Response Form and submit the required information and documentation online by the specified date. The specified date must not be within the first two days following the University's annual closedown.
- 7.2 Original supporting documentation is not required but must be made available upon request of the APC.
- 7.3 All documentation must be in the English language, or accompanied by an authorised translation.
- 7.4 Where documentation is not available, the student must provide information on when the evidence will be provided.
- 7.5 In exceptional circumstances, the student may seek permission to provide evidence of a sensitive nature in a sealed envelope directly to the APC executive officer.
- 7.6 Students may nominate on their Student Response Form that they wish to discontinue their course. Once the form is received by the faculty, the request will be actioned and cannot be rescinded.

## 8. APC meeting and confirmation of APC hearing

- 8.1 An APC meeting will review the academic progress of all students who are sent a Notice of Referral and Hearing.
- 8.2 The APC meeting will review the available evidence, and may either:
- allow the student to continue their enrolment without conditions;
  - impose conditions on the student's enrolment; or
  - request the student to attend an APC hearing

- 8.3 This APC meeting may be convened without a student member as exclusion is not being considered.

### Considering supporting evidence

- 8.4 The student's entire academic record will be considered in making a decision.
- 8.5 The APC may seek more details of any matters referred to in documentation or any submission provided.
- 8.6 The APC may seek advice or reports from staff members of the university who are not members of the APC.
- 8.7 Any written material that the APC uses in its deliberations will be made available to the student and their advocate if agreed, at least three working days prior to the hearing.
- 8.8 Any proven discipline proceedings may be disclosed to an APC. APC members should not place unnecessary emphasis on discipline matters, but academic misconduct may be relevant to a student's progress or overall ability to undertake their studies.



## Notice of APC hearing

- 8.9 Where the APC requests a student to attend an APC hearing, the student will be sent a Details of Hearing notice, at least five calendar days before the hearing. The hearing date must be one of the dates listed in the Notice of Referral and Hearing.
- 8.10 Where possible, hearings on a Friday afternoon, or hearings that may run past 5pm (when the availability of student support services may be limited) should be avoided.
- 8.11 Additional documentation can be submitted up to two university working days before the APC hearing date. If the documentation will only become available after the deadline, the student must request permission to submit further evidence at the APC hearing.

## 9. Conducting an APC hearing

- 9.1 The APC hearings will normally be held at the student's enrolled campus. Alternative arrangements will be made for online students.
- 9.2 The APC hearing will be conducted in the English language.
- 9.3 Only an APC hearing can consider exclusion, so must include a student member unless the student requests to not have a student member.
- 9.4 Students attending a hearing are entitled to make a written submission and/or be heard personally.
- 9.5 **An APC hearing will accept relevant documents not previously and reasonably available to the student;**
- 9.6 The APC may adjourn the hearing if they decide that due to exceptional circumstances it is necessary to seek further advice, information or assistance for the case to be heard and determined.
- 9.7 The student can make a request to the APC chair to adjourn the meeting due to exceptional circumstances. Any requests must be made in writing prior to the hearing date or at the beginning of the hearing.
- 9.8 The minutes of the APC hearing will be recorded in a hearing record.
- 9.9 The requirements for considering supporting evidence at an APC hearing as the same as those for the APC meeting as set out in section 8 of these procedures.

### Student support person

- 9.10 Students can be accompanied at the hearing by one support person. The name of this person should be communicated to the APC executive officer at least two working days before the hearing. This person may be:
- a student of the university;
  - a member of staff of their campus; or
  - a member of staff of a recognised Monash student association.
- 9.11 Alternately, a student may choose to be accompanied by a person other than those listed in 9.8 above. The name of this person should be communicated to the APC executive officer at least four working days before the hearing. This person cannot be anyone who is legally qualified.
- 9.12 The support person may address the hearing.

### Student attendance

- 9.13 Students who do not respond to the Notice of Referral and Hearing will have their academic progress assessed at the APC hearing and determined in their absence.
- 9.14 For students who are unable to physically attend the hearing due to exceptional circumstances, the faculty must approve for the student to attend the hearing via teleconference or videoconference facilities.

### Discontinuing or transferring courses

- 9.15 A student can request to discontinue from their course during an APC Hearing and prior to the APC members adjourning to decide the case.
- 9.16 Where the student makes a request to discontinue, the APC may have a short adjournment (usually 5 minutes) to allow the student to speak with their support person.
- 9.17 Students wishing to transfer to another course must seek permission from the managing faculty of that course up until the scheduled time of the APC Hearing. The student must communicate this permission to the APC executive officer.
- 9.18 The APC can adjourn the hearing to a later time or date to allow the student time to consider their options. The APC chair will explain the purpose of the adjournment and outline the student's options, which may include to discontinue or transfer prior to a decision being made.
- 9.19 An adjourned APC Hearing must reconvene with the same chair and membership, as far as practicable.
- 9.20 For double degree students, consideration must be given to whether the student should/could continue in a single degree. The dean of the managing faculty of the double degree must be agreeable to this option and can apply any required conditions.
- 9.21 Where a student who meets an APC trigger is enrolled in a double degree, the APC secretaries of both faculties will confer and advise their APC chair. The relevant APC executive officer will obtain from the other faculty details of whether the course structure would permit the student to continue in that degree as a single degree and, if so, whether the faculty dean is agreeable to this option and any conditions the dean would apply if this option is pursued.

## 10. The decision of an APC hearing

- 10.1 The APC decision can be to:
- allow the student to continue their enrolment without conditions;
  - impose conditions on the student's enrolment; or
  - exclude the student from the specific course/s in which the student is enrolled or from all courses offered by the University

## Applying conditions

- 10.2 The APC may apply conditions on the student's enrolment to support the student's academic progress.
- 10.3 The APC can also recommend that the student apply for intermission or seek professional medical or counselling assistance.
- 10.4 The APC must consider the minimum enrolment requirements for students who receive government benefits (e.g. Austudy) or retain the right to remain in Australia (e.g. student visa).

## Decision to exclude

- 10.5 The student can be excluded where a compulsory placement or compulsory certification required for the course of study cannot be obtained.
- 10.6 The student can be excluded where the APC is not satisfied that the student has a reasonable prospect of successfully completing the course of study in the time allowed. This includes consideration of:
- the maximum course duration;
  - the student's academic performance;
  - the significance of the student's unsatisfactory academic performance relative to the course of study, such as the number of failed units and the nature of the failed units (such as being compulsory units, or units with a level of difficulty that is likely to continue, etc);
  - whether the student has taken action to improve their performance, including their response to any condition imposed on their enrolment;
  - the viability of the student's plan to address the factors said to be negatively impacting their academic progress; and
  - the student's responses (or lack of response) to the online progress assessment tool
- 10.7 The decision of the APC to exclude must be communicated to the student at the conclusion of the APC hearing, unless there are compelling reasons not to do so. The APC chair should outline the decision and reasons for the decision, and provide appropriate referral to support services.
- 10.8 The APC may exclude the student from either the specific course/s in which the student is enrolled or from all courses offered by the University.
- 10.9 For students enrolled in double degrees, any decision of an APC to exclude a student applies to both degrees unless the student is permitted to enrol in the single degree by the dean of the non-managing faculty, subject to any conditions imposed by the dean.
- 10.10 Subject to the successful outcome of any appeal, students cannot discontinue or transfer to another course after an APC has decided that they have been excluded.
- 10.11 A student who has been excluded may apply for admission to another faculty or the faculty from which they were excluded. The application will be considered according to the University's normal selection criteria and in competition with all other applications for admission to study, and the student's prior exclusion will be considered when assessing their application.

## 11. Communicating the outcome - notice of decision

- 11.1 The Notice of Decision will be sent to all students (including students who did not attend the hearing) to communicate the APC's decision within seven calendar days from the date of decision.
- 11.2 A student may request a copy of the Hearing Record. This must be provided to the student within seven working days of the request.
- 11.3 A student can request more detailed reasons for a decision. The request must be made to the faculty manager within 30 working days of the deemed delivery date of the Notice of Decision.

## 12. Appeals

### Appeals to the exclusion appeals panel (EAP)

- 12.1 Students who have been excluded, and have submitted a Student Response Form, have the right of appeal to an EAP member as set out in Part 4 of the Monash University (Academic Board) Regulations. These rights depend upon the level of engagement the student made with the APC process.
- 12.2 An appeal must be submitted to the EAP secretary in writing within 30 days of the deemed delivery date of the Notice of Decision and be accompanied by the Notice of Appeal Against Decision to Exclude proforma and indicate the ground/s the appeal relies upon.
- 12.3 An appeal can be made on the grounds of:
- new evidence that was not reasonably available at the time of the APC hearing that could alter the APC decision; and/or
  - a procedural irregularity in the hearing or processing of the case, with the potential to alter the outcome of the student's case under:
- Monash University (Academic Board) Regulations, Part 4; or
  - this procedures document
- 12.4 The following reasons or grounds are not eligible for an appeal:
- failure to pay any outstanding fees;
  - failure to notify the University of the student's changed address;



- failure to make adequate mail forwarding arrangements;
- failure to read email;
- failure to keep copies and records of correspondence;
- failure to follow up on previous correspondence that was not acknowledged as received; and
- failure to make all relevant material reasonably available at the time of the hearing to the APC.

12.5 Students who do not respond to the Notice of Referral and Hearing and do not submit a completed or partially completed Student Response Form cannot appeal to an Exclusion Appeals Panel (EAP) member if they are excluded but may apply to the dean requesting a re-hearing by a new APC.

## Appeals to the dean

12.6 Applications to the dean must be received by the APC executive officer in writing by 5pm within 20 working days of the deemed delivery date of the Notice of Decision.

12.7 **A student may appeal conditions to the Dean the event conditions imposed by an APC are impossible to meet or extremely prejudicial;**

12.8 A re-hearing can only be granted if there are exceptional circumstances affecting the student. The exceptional circumstances must explain why the student did not submit any evidence to the APC.

12.9 The dean or nominee, will consider and decide on the application, and advise the student of the decision.

12.10 Exceptional circumstances beyond the student's control may be:

- serious illness requiring hospitalisation,
- bereavement of close family members or person the student has a significant relationship with,
- major political upheaval or natural disaster in the home country and,
- in cases of international students studying on a visa, emergency travel is required to their home country, or other incident of equivalent seriousness.

12.11 The following would not normally be accepted as exceptional circumstances for grounds for an appeal to the dean:

- failure to have paid any outstanding fees;
- failure to notify the University of the student's changed address;
- failure to make adequate forwarding arrangements for mail;
- failure to read email;
- failure to keep copies and records of correspondence; and
- failure to follow up on non-acknowledgement by the University of previous correspondence sent to the University.

12.12 There are only two possible outcomes to an appeal to the dean:

- the appeal is granted and the exclusion set aside, and the matter referred back to the dean to either:
  - take no further action; or
  - impose conditions on the student's enrolment; or
  - refer the matter to an APC for re-hearing; or
- the appeal is dismissed, and the exclusion stands.

12.13 The decision of the dean is final and may not be subject to any further appeal within the University.

12.14 The dean or nominee will advise the student of the outcome.

## 13. Exclusion Appeal Panel (EAP)

13.1 The EAP is a pool of decision makers appointed by the Academic Board as set out in Part 4 of the Monash University (Academic Board) Regulations.

13.2 Within 10 working days of the appeal being submitted, an EAP member must be appointed to decide the appeal.

13.3 The role of an EAP member is to determine if the appeal is upheld on the ground/s submitted by the student.

13.4 The EAP member is appointed to act fairly and impartially and is responsible for ensuring that the conduct of those present and the process is fair.

13.5 If the EAP member feels unable to fulfil these obligations, the member should ask to be replaced by another EAP member. Where an EAP member does not or cannot fulfil these obligations, their appointment may be revoked.

13.6 The EAP member must not be working in the student's degree managing faculty. An exception can be made when the appeal raises a complex issue of a legal nature and the EAP member must have legal qualifications.

13.7 Where the complexity of the appeal is not clear, the Deputy Vice-Chancellor (Education) or delegate will determine if the appeal raises a complex issue of a legal nature.

### Determining if there is a prima facie case

13.8 The EAP member may find that either:

- no prima facie grounds exist and dismiss the appeal, or
- find prima facie grounds and proceed to make a decision on the appeal.

- 13.9 Prior to making a decision, the EAP member will have the benefit of any comment the student chooses to make on the content of the APC hearing record including any apprehension of bias.
- 13.10 The EAP member can discuss the appeal grounds with the APC chair. If the response raises a substantial new matter, the EAP member can consider dismissing the appeal. If the appeal is dismissed, the student must be given an opportunity to comment on the substance of the faculty response.

### Where prima facie grounds exist

- 13.11 The EAP member must consider how to conduct the appeal. The EAP member may:
- determine the appeal on the material available; or
  - convene a hearing.
- 13.12 The decision about whether to convene a hearing is at the discretion of the EAP member. The decision may consider:
- an assessment of the ground/s of appeal and material available or that could be available to the EAP member;
  - whether full and sufficient evidence is available to determine the appeal;
  - whether the faculty and student have had or could have an adequate opportunity to respond to the issues raised in the appeal without a hearing;
  - whether a hearing would be helpful to resolve any conflicts in the evidence raised in support of the matters to be determined in the appeal; and
  - whether a hearing is likely to decide the appeal.
- 13.13 If the decision is determined without a hearing, the EAP secretary must make any material that the EAP member might use in their deliberations available to the student. The student must be provided with an opportunity to respond.
- 13.14 If there is a hearing held by the EAP member, a Notice of Hearing must be sent to the student with a deemed delivery date is at least 10 calendar days prior to the hearing. The student can agree in writing to a shorter notice period.

### The Hearing

- 13.15 The EAP member is responsible for ensuring a fair and efficient conduct of the hearing and determination of the appeal.
- 13.16 All hearings will be conducted in the English language.
- 13.17 The hearing is held to determine the appeal grounds submitted by the student:
- whether there was procedural irregularity in the processing or hearing of the student's case at the APC; and/or
  - new evidence has become available since that hearing.
- 13.18 The hearing must be confined to the grounds of the appeal. The appeal is not concerned with whether the EAP member agrees with the final decision of the APC.
- 13.19 The process adopted for the hearing must be sufficiently flexible to respond to the circumstances of the particular case. The hearing should provide the student with a reasonable (but not unlimited) opportunity to present their evidence and arguments in support of the appeal grounds.
- 13.20 Where a hearing is held, an APC representative will be present. The APC representative appearing before the EAP member should, except in exceptional circumstances, also have been a member of the original APC.
- 13.21 The APC representative and the student may present evidence and make submissions to the EAP member. The role of the APC representative is to assist the EAP member in their enquiries by informing the EAP member of the procedures followed by the APC.

### Student attendance

- 13.22 A student may appear in person at the hearing, submit written evidence and/or make oral submissions.
- 13.23 A student who does not intend to appear at the hearing should inform the EAP secretary prior to the hearing. The student can submit further written material in support of their appeal to be considered by the EAP member in their absence.
- 13.24 Where a student does not attend the hearing, the appeal will be heard based on the written submissions of the student and any faculty response.
- 13.25 A student who cannot attend the hearing due to circumstances beyond their control should notify the EAP secretary immediately. Where a student is unable to appear in person, alternative arrangements may be made by prior arrangement with the EAP secretary.

### Student support person

- 13.26 The student may be accompanied and assisted by a support person which can be a student of the University, a staff member at the student's campus, a student rights officer or campus equivalent or other person approved by the EAP member. The support person may also speak at the hearing.
- 13.27 A student who wishes to have a support person with legal qualifications must give five working days' notice to the EAP secretary and have prior approval by the EAP member. If approval is given, the APC representative can also be accompanied and assisted by a legal practitioner.

### Witnesses

- 13.28 It is the student's responsibility to make arrangements for any witnesses to attend the hearing and give evidence on matters relevant to the appeal. The details of any witnesses attending should be communicated to the EAP secretary at the time the appeal is lodged.
- 13.29 Any person who attends as a witness to give evidence will be in the hearing room only for the time their evidence is given.

### Conduct of Hearing

- 13.30 The persons who attend the hearing are:
- the EAP member;
  - the EAP secretary;
  - the student;
  - any witnesses;
  - the student support person;
  - the APC representative; and
  - other staff whose services are required.
- 13.31 In the case of double degree students considered for exclusion by one or both faculties, representatives from both faculties must be present.
- 13.32 The EAP member must ask the student and the faculty representative if there are any objections to the hearing proceeding as scheduled. If an objection is raised, the reasons for the objection must be provided.
- 13.33 The EAP member may take a short adjournment to determine the objection. An objection should only be granted if justifiable grounds are raised in support of it.
- 13.34 An objection that the EAP member may be affected by a reasonable perception bias must be raised at the first reasonable opportunity.
- 13.35 When an objection is allowed, the hearing must be conducted according to that decision. This may require adjournment of the hearing or replacement of the EAP member. If the objection is denied, the hearing should proceed.
- 13.36 The APC representative must outline the procedures followed by the APC and any evidence or other matters that they consider should be taken into consideration.
- 13.37 The EAP member must provide an opportunity for the student to comment on the statements made on behalf of the faculty.
- 13.38 The EAP member can ask questions of either party. Any questions raised by the student or faculty should be directed to the EAP member without any direct questioning between the two parties. Except with the EAP member's permission, no direct questioning can occur between the two parties.
- 13.39 The student will be invited by the EAP member to outline their case. The student support person can be invited to add any comments on the appeal.
- 13.40 The faculty representative will be invited to comment on the statements made by or on behalf of the student.

### Making a decision on the appeal

- 13.41 Upon hearing the appeal, the EAP member may either dismiss or uphold the appeal and refer it back to the dean for consideration.
- 13.42 Where the EAP member dismisses the appeal, there is no further right of appeal and the APC exclusion decision stands.
- 13.43 The EAP member has no power to require a faculty in which the student had not been enrolled previously, to admit the student.
- 13.44 The student and the dean must be sent a Notice of Decision including the reasons and clear statement for the EAP member's decision.
- 13.45 Where the decision is that the student remains excluded, the Notice of Decision must include a statement of the implications on visas for international students and advice of the right to apply to the Victorian Ombudsman to review the decision.
- 13.46 When the appeal is referred back to the dean for consideration, the dean may:
- take no further action,
  - impose conditions on the student's enrolment, or
  - refer the student to a re-hearing before a newly convened APC.

### Notice of EAP member's decision

- 13.47 Where possible, students will be informed of the outcome of their appeal at the end of the hearing. Within seven days, the student will be sent a Notice of Decision and the reasons for the decision.
- 13.48 Where the effect of the decision is the student remains excluded, the Notice of Decision must include a statement of the implications on visas for international students and the right to apply to the Victorian Ombudsman for a review of the decision.
- 13.49 The student may request for the EAP secretary to provide more detailed reasons for a decision. Any requests must be made to the EAP secretary within 30 working days from the deemed delivery date of the Notice of Decision.

## 14. APC re-hearings

- 14.1 A successful appeal to the EAP member or dean can result in an APC re-hearing.
- 14.2 The Details of Hearing letter must be sent a minimum of 10 calendar days before the re-hearing date. The student may agree in writing to a shorter time-frame.
- 14.3 The membership of an APC re-hearing must be different to the original APC hearing. The chair of the APC re-hearing must be an EAP member other than the member that decided the appeal.
- 14.4 An APC re-hearing requires the new APC to hear and determine the student's case, including consideration of the new evidence if the appeal is based on these grounds.
- 14.5 In the case of a successful appeal to an EAP member, the chair of any APC re-hearing must not be the EAP member that decided the appeal.
- 14.6 A student may only appeal a decision of an APC re-hearing on the ground of a procedural irregularity.

## 15. Actioning outcomes

- 15.1 The faculty will process the outcome in the student management system.
- 15.2 Any student encumbrances must not be recorded on the student management system until the period for the appeal to be submitted has passed or if an appeal is lodged, until the appeal is finally determined.
- 15.3 If an APC re-hearing is held, no encumbrances can be recorded until the APC re-hearing is finally determined.

## 16. Reporting

- 16.1 An annual report will be provided to Academic Board and report on:
  -

### DEFINITIONS

|                            |  |
|----------------------------|--|
| Associate dean (education) |  |
| Course requirements        |  |
| Deemed delivery date       |  |
| Exclusion                  |  |
| Fail grade                 |  |
| Interim grade              |  |
| Notice of decision         |  |
| Pastoral care              |  |
| Prima facie case           |  |
| Withdrawn grade            |  |
| Working day                |  |

### GOVERNANCE

|                                  |  |
|----------------------------------|--|
| arent policy                     |  |
| upporting schedules              |  |
| ssociated procedures             |  |
| Legislation mandating compliance |  |

|                   |  |
|-------------------|--|
| category          | Academic   |
| approval          | DATE<br>MEETING NUMBER / AGENDA ITEM (for Academic policies) |
| endorsement       | Deputy Vice-Chancellor (Education)<br>DATE                   |
| procedure owner   | Deputy Vice-Chancellor (Education)                           |
| date effective    |  |
| review date       |  |
| version           | .0   |
| content enquiries |  |

Monash University Education Policy Realignment Project  
**DRAFT Student Academic Progress Procedure - MPA comment**

STUDENT ACADEMIC PROGRESS PROCEDURE

| Section                         | Sub-section | Comment   |
|---------------------------------|-------------|---|
| 1. Monitoring academic progress | 1.1         | <p>Is there a clearer or more succinct way of stating the Academic progress assessment periods?</p> <p>For example: Academic progress assessment period 1 includes: All Summer Units, Trimesters x and x, and Semester 1.....</p>   |
|                                 | 1.7         | <p>Is there definition around who can be considered the dean's delegate?</p>  |
| 3. Satisfactory progress        | 3.3         | <p>Will the online assessment tools, once completed by students 'at risk' be thoroughly checked by a staff member?</p> <p>As it stands doing it or NOT doing it can be used as a technical hurdle, but if student do complete the online tool it could actually prove an early-indicator of deeper issues. It would be a huge missed opportunity.</p> |
| 4. Unsatisfactory progress      | 4.1         | <p>Triggers to process - are these no going to be uniform across the campus, OR, will there be differences again?</p> <p>For example: Currently in Engineering a trigger is failing a core unit 3 times, rather than 2. Will this change?</p>   |
|                                 | 4.5         | <p>There is an added dot point:</p> <ul style="list-style-type: none"> <li>● not been able to progress due to circumstances beyond their control</li> </ul> <p>This is confusing.</p>   |
| 5. Academic progress committee  | 5.9         | <p>John Page asked the question: should the member of the panel who has completed training re: disabilities be required for quorum?</p> <p>Yes. This protects the students AND the university's interests.</p>  |
|                                 | 5.10        | <p>All Chairs and Secretaries MUST have MHFA training. At the very least, there must always be at least 1 member who is MHFA trained on every panel.</p>  |



|   |           |   |
|---|-----------|---|
|   |           |   |
|   | 5.11      | Is the APC Executive Officer a single position that is Central, or is it several new positions (one in each faculty)?   |
|   | 5.12      | <p>Can we be clear that this list is NOT exhaustive? While 'may' obviously implies this, it's important to note there are plenty of other daily interactions with students that are not as cut and dry as those listed that may result in bias, unconscious or not.</p> <p>For example: Repeated contact to Student Services / Distressed students sending inappropriate emails or comments to professional and academic staff, etc. etc.</p>   |
| 7. Student response form and providing evidence | 7.1       | <p>John Page asked the question: Must vs should? If they don't they would technically be in breach of procedure.</p> <p>Agreed. Perhaps this needs to be expanded upon. Perhaps:</p> <p><i>7.1 All students sent a Notice of Referral and Hearing should complete a SRF and submit the required information and document online by the specified date. Failure to complete the form as instructed will mean XXXXXXXXXX. The specified date must not be within the first two days following the University's annual closedown.</i></p>   |
| 8. APC meeting and confirmation of APC hearing  | 8.1 - 8.4 | <p>Is this a new process? This seems to include a much more participatory APC (in that they are reviewing and, from the procedure language, requesting more information in the first instance) - is this correct? Onus has always been on students and student alone. This change would be very welcome. The APC are the experts. In the past the student have been required to be.</p> <p>Is the APC meeting convened with the same members that would sit on a students' APC hearing (if called)?</p> <p>Will APC secretaries seek student members for these meetings?</p> <p>Will these meetings be held after the NORH are due back, but well before potential hearing dates?</p> |
|   | 8.2       | Wrong spot for this   |
|   | 8.9       | Unconscious bias needs to be considered here - how can panel members NOT consider discipline matters that have been brought to their attention.   |

|                              |     |  |
|------------------------------|-----|--|
|                              |     | <b>Training in unconscious bias and its role in decision making needs to be mandatory.</b>   |
| 9. Conducting an APC hearing | 9.6 | <p>Often students struggling with the process request the support of the student advocates on the day of the hearing, often right before.</p> <p>This section would prevent that support. Can this be amended? We know that panels - especially Chairs and Secretaries - understand the importance of student advocates to the students and the process.</p> |