



## Academic Progress in Higher Education Award Courses procedure

This document is pursuant to the [Regulation 5.3\(1\) Assessment and Academic Progress in Higher Education Award Courses](#)

***This procedure came into effect on 9 November 2009 and incorporates all amendments to 22 March 2011.***

### GOVERNING LAW

The law governing academic progress at Deakin University includes:

- *Education Services for Overseas Students Act 2000* (Cth)

and the following Statutes and Regulation of the University:

- [Statute 2.2 The Academic Board](#)
- [Statute 5.3 Assessment and Academic Progress](#)
- [Regulation 5.3\(1\) Assessment and Academic Progress in Higher Education Award Courses](#).

### DEFINITIONS

**Academic Progress:** as defined in [Regulation 5.3\(1\)](#).

**Exclusion:** as defined in [Regulation 5.3\(1\)](#).

**Faculty Committee:** a committee appointed by each Faculty Board to deal with assessment and academic progress matters as specified in [Regulation 5.3\(1\)](#).

**Maximum Period of Study:** the maximum period of time that may be taken by a student to complete a course of study. The maximum period of study will be determined according to the following formula:

Maximum Period of Study =  $2n + 1u$  (not including period of intermission)  
where

'n' is the number of years or trimesters taken to complete the course when undertaking a full-time load (a full-time load is normally 8 credit points per year)

and

'u' is the length of time taken to complete one unit of study (usually a trimester or a year).

### SCOPE

This procedure applies to higher education award courses other than higher degrees by research.

### PROCEDURE

- 1 Faculty Committees will review the Academic Progress of students after each trimester to identify students who have made unsatisfactory Academic Progress and students who are at risk of unsatisfactory Academic Progress.
- 2 Students are considered to have made unsatisfactory Academic Progress, when:

- they have failed at least 50 per cent of credit points in each the preceding two trimesters, or
- they have failed a unit twice, or
- they have failed a compulsory practicum or placement, or
- they will not complete their course within the Maximum Period of Study.

**3** Students are considered to be at risk of unsatisfactory Academic Progress when:

- they have failed one or more units in a trimester, or
- they are unlikely to complete their course within the Maximum Period of Study.

**4** Faculty Boards may vary the maximum period of study for a course or for individual students. If a Faculty Board varies the maximum period of study, affected students must be notified in writing or by email as soon as possible. Faculty Boards will report such variations to Academic Board.

### **Proposed Actions**

**5** When the Faculty Committee has identified a student as being at risk of unsatisfactory Academic Progress, the Committee will:

- notify the student in writing; and
- implement a strategy to assist the student to improve his or her academic performance. The strategy will be in accordance with guidelines contained in the [International Student Compliance at Deakin University: Staff Guide](#) which sets out the University's roles and responsibilities under the [Education Services for Overseas Students National Code 2007](#), irrespective of whether the student is domestic or international.

**6** When a student has made unsatisfactory Academic Progress, the Faculty Committee will notify the student in writing and may propose one or more of the following actions.

**6.1** The Faculty may issue the student with a warning on the following grounds:

- the student has failed 50 per cent or more of his or her enrolled credit points for the course in the trimester under review
- the student is unlikely to be able to complete the course within the Maximum Period of Study
- there are grounds for restricting the student's enrolment, prescribing the student's enrolment, or excluding the student but the Faculty Committee chooses to issue a warning instead.

**6.2** The Faculty may place a restriction on the student's enrolment on the following grounds:

- the student has failed 50 per cent of his or her enrolled credit points for the course in the preceding two active trimesters of enrolment
- the student has failed a non-compulsory unit twice
- the student will otherwise be unlikely to complete his or her course within the Maximum Period of Study
- there are grounds for excluding the student but the Faculty Committee

chooses to impose a restricted enrolment instead.

6.3 The Faculty may prescribe that a student enrol in and satisfactorily complete a specific unit or units on the following grounds:

- the student has failed 50 per cent of his or her enrolled credit points for the course in the preceding two active trimesters of enrolment
- the student has failed a non-compulsory unit twice
- the student is unlikely to complete his or her course within the Maximum Period of Study
- there are grounds for excluding the student but the Faculty Committee chooses to prescribe enrolment instead

6.4 The Faculty may exclude the student from the course for a minimum period of one academic year on the following grounds:

- the student has exceeded the Maximum Period of Study for his or her course
- the student has failed a compulsory unit twice
- the student has failed a compulsory practicum or placement
- the student has failed more than 50 per cent of his or her enrolled credit points in the course in the preceding two active trimesters of enrolment
- the student has failed to comply with an action previously proposed by the Faculty Committee or the Academic Appeals Committee.

7 Faculties will consider proposals to exclude students usually only once a year, and as soon as possible after the results are known for Trimester 2.

### **Notification**

8 Students are responsible for ensuring that the University has their correct contact details and for checking their mail and email for University correspondence.

9 Students who receive a warning are advised to seek assistance from their Faculty to improve their academic performance. It is not possible to show cause against a warning.

10 Students who receive notice of a proposed action, other than a warning, may either:

- accept the proposal by notifying the Faculty Committee in writing, or
- show cause by making a written submission to the Faculty Committee within ten working days of receiving notification of a proposed action.

11 When a student notifies the Faculty Committee that he or she accepts the proposed action, the Faculty Committee will confirm the action in writing and implement it.

12 When a student does not respond, within the specified timeframe, he or she will be deemed to have accepted the proposed action.

13 The academic progress process will proceed for all students who have received correspondence from a Faculty regarding unsatisfactory academic progress, irrespective of whether they withdraw or transfer from their course.

## Show Cause Process

- 14** Students may make a written submission to the Faculty Committee to show cause as to why a proposed decision should not be made. The Faculty Committee will consider the written submission and may decide to:
- take no further action, other than to issue a warning, or
  - continue with the proposed action and invite the student to attend their show cause hearing in person. The student may be accompanied by a person of his or her choice, who is not a practising lawyer. The University will not be legally represented.
- 15** Show cause hearings are conducted in accordance with the [Academic Progress Hearings: Rules of Procedure](#). Timeframes for the show cause process and hearings are published on the [Current Students website](#).
- 16** A student may apply to the Faculty Committee to submit a late show cause application where exceptional circumstances have prevented the student applying within the timeframe. A student may not make a late show cause submission on the basis that they did not collect or check their correspondence or did not advise the University of a change of address.
- 17** After a show cause hearing, the Faculty Committee may decide to withdraw a proposed decision, implement a lesser measure, confirm a proposed action and proceed with implementing it.
- 18** The Faculty Committee will advise students in writing of its decisions within five working days of reaching the decision.

## Appeals

- 19** A student may appeal to the Academic Appeals Committee against a decision of a Faculty Committee by completing the relevant Academic Appeals Committee Appeal Application form (Academic Progress, Automatic Exclusion or Late Appeal) and submitting it to the Secretary of the Academic Board by the deadline specified on the [Current Students website](#).
- 19.1** A student may appeal against a decision, other than decisions of automatic exclusion, on the following grounds:
- there is new mitigating evidence which the student was not reasonably able to present at the show cause hearing that may have affected the Faculty Committee's decision had it been available at the time
  - there was a misapplication of procedures resulting in some disadvantage to the student
  - having regard to the evidence before the Faculty Committee, the penalty imposed was too severe.
- 19.2** In the case of a decision to automatically exclude a student, a student may appeal on the grounds that there were exceptional circumstances beyond the control of the student that prevented them from complying with the previously imposed condition or restriction.
- 20** The student must make a detailed submission addressing the grounds for appeal and including any relevant documentary or other evidence.
- 21** Late appeals will only be considered when, in the view of the Academic Appeals Committee (AAC), there were exceptional circumstances beyond the control of the

student that prevented them from meeting the appeal application deadline. Failure to collect or check correspondence or advise the University of a change of address are not exceptional circumstances.

- 21.1 When the AAC determines that exceptional circumstances existed, the Committee will ask the Faculty Committee to make a decision on the proposed action.
- 21.2 When the AAC determines that exceptional circumstances did not exist, the Committee will advise the student that their late show cause application is not successful.
- 22 The AAC will conduct appeals in accordance with the [Academic Progress Hearings: Rules of Procedure](#).
- 23 The Chair of the AAC will review the appeal application to determine whether the student has grounds for an appeal. The Chair may decide to dismiss the appeal if he or she determines:
  - an appeal application is incomplete or provides insufficient information for the Committee to make a determination, or
  - grounds for appeal do not exist or have not been addressed in the application.
- 24 Any such decision will be reported to the other members of the AAC and to the student within five working days.
- 25 If the Chair determines that there are grounds for an appeal, the appeal will be heard in accordance with the [Academic Progress Hearings: Rules of Procedure](#).
- 26 A student may appear in person before the AAC. The student may be accompanied by a person of his or her choice, who may be a practising lawyer. The University may also have legal representation.
- 27 If the student does not attend the hearing, the AAC will hear the appeal in the student's absence by considering the student's submission and any other available evidence.

### **Appeal Decisions**

- 28 After hearing an appeal, the AAC may:
  - uphold the decision of the Faculty Committee, in which case the original decision will be implemented
  - vary the decision of the Faculty Committee
  - set aside the decision of the Faculty Committee.
- 29 The AAC will advise students, the Chair and Secretary of the Faculty Committee against whose decision the appeal was heard and, where relevant, Deakin International of the hearing outcome, in writing, within five working days of making a decision.
- 30 Students may lodge complaints about administrative actions and decisions of the University with the Victorian Ombudsman. The involvement of the Ombudsman normally occurs after the exhaustion of all internal complaints processes.
- 31 A student's enrolment will not be altered until all appeal processes have concluded and a final decision has been made.

### **Re-admission after Exclusion**

- 32** A student who has been excluded may, during the period of exclusion, apply to the Faculty Committee to be re-admitted to his or her course after the period of exclusion.
- 33** The Faculty Committee will advise students in writing of the processes and timeframes for re-admission after exclusion.
- 34** The Faculty Committee will normally only approve re-admission of a student after exclusion if there is evidence that the student is able to achieve satisfactory academic progress. The Faculty Committee will advise students in writing of their decision.

## **SUPPORTING DOCUMENTS**

- Academic Appeals Committee Appeal Application Form — Academic Progress
- Academic Appeals Committee Appeal Application Form — Automatic Exclusion
- Academic Appeals Committee Appeal Application Form — Late Appeal
- [Academic Progress Hearings: Rules of Procedure](#) (effective for academic progress matters after the conclusion of Trimester 3, 2010)
- [Academic Progress — Show Cause and Appeals Schedule](#)
- [Deakin University Current Students website](#)
- [International Student Compliance at Deakin University: Staff Guide](#)
- [National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007](#)
- [University Handbook](#)
- [Victorian Ombudsman](#)

## **RESPONSIBLE OFFICER**

The Chair, Academic Board is responsible for the development, compliance monitoring and review of this procedure.

## **IMPLEMENTATION OFFICER**

The Chair, Academic Board is responsible for the promulgation and implementation of this procedure throughout the University.