

University of Canberra (Academic Progress) Rules 2022

made under the

University of Canberra (Academic Progress) Statute 2017 and University of Canberra Act 1989.

1 Name of instrument

These Rules are the *University of Canberra (Academic Progress) Rules 2022*.

2 Commencement

These Rules commence on the day they are made.

3 Repeal

The *University of Canberra Academic Progress Rules 2017* are repealed. All decisions made under the repealed Rules are taken to be made under these Rules.

4 Definitions

In these Rules:

address includes email address;

Academic Board means the Academic Board of the University established by section 19 of the Act;

academic probation means the imposition of one or more conditions on a student's academic progress under these Rules;

Academic Probation Agreement means an agreement in relation to a research student's academic probation signed by the research student and their supervisor, as updated from time to time;

Academic Progress Officer means a person, being a Deputy Vice Chancellor, Pro Vice Chancellor, Director of Student Connect, Faculty Dean, Associate Dean or Deputy Dean, appointed to this role by the Academic Board from time to time;

academic requirements has the meaning given by the *University of Canberra Courses and Awards (Courses of Study) Rules 2022*;

academic suitability has the meaning given by section 19-42 of the *Higher Education Support Act 2003*;

course has the same meaning as the *University of Canberra Courses and Awards (Courses of Study) Rules 2022*;

coursework student means a person who is undertaking a coursework course as defined in the University register of courses, as published at the relevant time;

course convener in relation to an offering of a course provided by the University, means a member of the University staff appointed by a Faculty Dean to coordinate that offering and may also be referred to as a program director;

Deputy Vice Chancellor means a person appointed as Deputy Vice Chancellor having responsibility either for academic, education or research functions of the University;

Faculty Board means a Faculty Board appointed under subsection 11(1)(e) of the *University of Canberra (Academic Board) Rules 2021*.

inherent requirement means the inherent requirements determined by the University as applicable for a course, as in force at the relevant time;

Progress Support Agreement means a written plan of work signed by a research student and their supervisor, as updated from time to time;

research student means a person who is undertaking a higher degree by research course as defined in the University register of courses, as in force from time to time;

suspended means the cancellation of enrolment of a student in a course or a unit and may include the withdrawal for a specified time of all rights and privileges as a student of the University, including the right to re-enrol and the right to enter or to be on University grounds.

Student Grievance Resolution Policy means the Student Grievance Resolution Policy by that name made by the University Council, as in force from time to time; and

teaching period, in relation to a course or unit, means a semester, term or such other period that corresponds to the way in which the course or unit is offered.

Note A reference to a statute or rule includes a reference to that statute or rule as repealed and remade since the reference was made, see the Legislation Act, s 102.

Note Terms used in these Rules have the same meaning that they have in the Act, see the Legislation Act, s 148. For example, the following terms are defined in the Act:

- academic board
- council
- university
- the Act

5 Review of Academic Progress

- (1) An Academic Progress Officer may, at any time, review the academic progress made by a student in a course or a unit of such a course.
- (2) In undertaking a review, an Academic Progress Officer shall consider the following:
 - (a) any steps taken by the relevant faculty to implement an early intervention strategy, including monitoring the student's academic

- performance and providing the student with support or assistance in relation to their academic progress;
 - (b) the student's performance following the implementation of any early intervention strategy imposed in accordance with subrule (2)(a) as appropriate;
 - (c) criteria for academic probation in Rule 6; and
 - (d) whether the student has previously failed to satisfy a condition of academic probation.
- (3) An Academic Progress Officer may impose academic probation upon a student.

6 Criteria for academic probation

- (1) A coursework student or a research student has met the criteria for academic probation for a course or unit if the student:
- (a) has failed to achieve progress requirements prescribed for the course by the Academic Board from time to time, as published; or
 - (b) has failed, or will fail, to meet:
 - (i) the academic requirements for a course or unit; or
 - (ii) a written course variation provided by the course convenor and approved by the relevant Faculty Board; or
 - (c) will be unable to meet an inherent requirement of a course.

7 Imposition of Academic Probation

Coursework students

- (1) An Academic Progress Officer may impose one or more of the following conditions on a coursework student who satisfies the criteria for academic probation:
- (a) that the student must achieve all standard and non-standard progress requirements prescribed for the course by the Academic Board from time to time;
 - (b) that the student must pass a specified unit or units in a specified period;
 - (c) that the student must not fail a specified unit;
 - (d) that the student must satisfy one or more conditions approved by the Academic Board or its delegate;
 - (e) extend one or more existing conditions for a further period of time; or
 - (f) that the student must meet with a member of the wellbeing, study skills or student support team in relation to their academic progress.

Research students

- (2) An Academic Progress Officer may impose one or more of the following conditions on a research student that satisfies the criteria for academic probation on academic probation:
- (a) that the student must achieve all standard and non-standard progress requirements prescribed for the higher degree research course by the Academic Board from time to time; or

- (b) that the student comply with a direction to do one or more of the following:
 - (i) vary the student's supervisory arrangements;
 - (ii) vary the student's study load;
 - (iii) take a period of intermission; or
 - (iv) vary the student's enrolment or
 - (c) that the student must meet with a member of the wellbeing, study skills, and student support team in relation to their Academic Progress.
- (3) Except for a condition imposed under 7(1)(c), a condition imposed on a coursework student under this rule must be no shorter than a teaching period for the course or unit and in any other circumstance, no longer than a year.
- (4) A condition imposed under this rule for a research student must be no shorter than 3 months and in any other circumstance, no longer than 3 years.

8 Notification of academic probation

- (1) If an Academic Progress Officer imposes one or more conditions on a student under Rule 7, a notice must be given to the student before the commencement of the standard teaching period following the imposition of the condition(s) and must:
- (a) be in writing; and
 - (b) be sent to the address of the student shown in the records of the University; and
 - (c) set out the following:
 - (i) that the student has been placed on academic probation;
 - (ii) the date on which the student was placed on Academic Probation;
 - (iii) the relevant review period within which the student's academic progress was found to meet the criteria for academic probation in accordance with Rule 6;
 - (iv) the condition imposed upon the student in accordance with the relevant subsection of Rule 7;
 - (v) the reasons the student was placed on academic probation, including the details of any relevant policy that is relevant to the decision;
 - (vi) the name of the person who made the decision, their position within the University, and source of the decision-maker's authority to make the decision; and
 - (vii) the details of the University staff member the student may contact to receive further information about the decision and how to comply.

9 Failure to meet condition of academic probation

- (1) An Academic Progress Officer may take one or more of the following actions in respect of a student who has not met a condition of academic probation:
 - (a) direct that the student must not continue with a course in relation to which the academic probation was given or condition imposed;
 - (b) direct that the student not continue with or commence an internship or placement or take an examination in a unit;
 - (c) direct that the student must not apply for admission in a course or enrol in a unit specified in the direction;
 - (d) direct that the student must not, except in accordance with a specified condition or conditions, continue with, or apply for admission or enrol in, a course or unit specified in the direction;
 - (e) impose one or more conditions under Rule 7;
 - (f) subject to Rule 10, direct that the student be suspended from a course or units.
- (2) The maximum period of suspension which may be imposed is 12 months.

10 Suspension for breach of Academic Probation

- (1) If an Academic Progress Officer considers that a student satisfies the criteria to be suspended for breach of academic probation, the Academic Progress Officer will give notice to the student of this preliminary view.
- (2) A notice to a student under Rule 10(1) must:
 - (a) be in writing;
 - (b) sent to the address of the student shown in the records of the University;
 - (c) set out the following:
 - (i) the reasons the student is at risk of being suspended for failure to meet conditions of academic probation;
 - (ii) the Rule(s) relevant to the decision;
 - (iii) the name of the person who may make the decision, their position within the University, and source of the decision-maker's authority to make the decision;
 - (d) offer the opportunity for the student to make representations in writing to the Academic Progress Officer within 20 days from the date of the notice.
- (3) Prior to making a decision to suspend a student, an Academic Progress Officer must consider any representations made by the student under this rule.
- (4) The Academic Progress Officer must decide whether a student is to be suspended within 14 days of receiving the written representations from the student per rule 10(2)(d).
- (5) The Academic Progress Officer must give notice to a student in the form specified in rule 10(2) of the outcome of a decision about whether the student is to be suspended within 7 days of making the decision, and must advise the student that, unless otherwise advised by the University, the student has the right to re-enrol to recommence their studies at the end of the suspension;

11 Review of decisions

- (1) A student subject to a decision under these Rules (the applicant) may apply for review of the decision by making an application to the Student Appeals Committee in accordance with the Student Grievance Resolution Policy.
- (2) An application for review must be in the form prescribed in the Student Grievance Resolution Policy.
- (3) A student may rely on either of the following grounds in their application for review of the decision:
 - (a) that the student was not afforded procedural fairness in relation to the decision; or
 - (b) that the decision-maker incorrectly applied these Rules in making their decision.
- (4) The applicant must be given notice of the decision on review within 10 days of the decision and before the census date that immediately follows the decision, whichever occurs first.

The foregoing rules are made by Council under section 40 of the *University of Canberra Act 1989*.

In making these Rules the Council had regard to the provisions of section 40B(1)(b) of the *Human Rights Act 2004*.

Approved by Council on 26 August 2022.