

Faculty Academic Progress Committee Procedures

These procedures were approved at Education Committee meeting 2/11/11.

The Faculty Academic Progress Committee (APC) Procedures provide additional guidance to faculty boards on the monitoring of students in accordance with *Statute 6.2 Exclusion for Unsatisfactory Progress or Inability to Progress* and the Regulations made pursuant to this Statute. The procedures aim to provide staff and students with a consistent and transparent process irrespective of faculty or campus.

Definitions

Academic year – means the teaching periods with results ordinarily released in the current calendar year.

APC – means the Academic Progress Committee constituted by a faculty board under section 3 of Statute 6.2. Each faculty may have one or more Academic Progress Committee.

APC Hearing – means a hearing conducted by an APC whether or not a student concerned is in attendance.

APC trigger – means the criteria that justify referral to an APC by the faculty board.

Bias – refers to a reasonable perception of bias on the part of an APC member. Such a reasonable perception can exist where the person has a closed mind to the student's circumstances or has pre-judged the case or is influenced by personal factors in deciding the student's case.

By post- where the statute requires notices to be served by post, Express Post or Registered Mail or courier (for Australian addresses) or by International Courier (for international addresses) should be used. The use of electronic mail is a supplementary method of delivery.

Details of Hearing letter – means the letter that provides a student with the time, date and venue of an APC Hearing which they may attend.

EAC – means the Exclusion Appeals Committee as described in section 4 of Statute 6.2

Deemed delivery date - means the date a notice is treated as having been delivered to the student by post after applying normal delivery times advised by the organization delivering the notice. This anticipates a student regularly checks their mail. Any failure by the student to check their mail does not alter the deemed delivery date.

New evidence – means evidence that was not reasonably available to the student at the time of the APC Hearing with the potential to alter the outcome of the student's case.

Notice – means any notice referred to in these Procedures.

Notice of Decision – means the Notice of Decision letter that formally advises the student of the outcome of the APC hearing, the reasons for the decision and any right to appeal.

Notice of Referral and Hearing – means the Notice of Referral and Hearing letter which has the purposes of advising the student that they have been referred to the APC for consideration for exclusion, and advising the dates of the APC Hearings for the faculty, and inviting the student to respond in writing, giving reasons why they should not be excluded and describing what has impacted their studies in the academic year being considered and what is their plan to achieve academic success in future.

Procedural irregularity – refers to a breach of the rules of procedural fairness (natural justice) or deviation from the requirements of Statute 6.2, its regulations or procedures with the potential to alter the outcome of the student's case.

1. Membership of APC

The APC is a committee constituted by faculty board. Faculty board appoints members to one (or more) APC's.

For a double degree student, the APC of the managing faculty will undertake the APC process on behalf of both faculty boards for the two degrees. Consideration should be made to co-opt a member of the teaching staff of the non-managing faculty where practical.

The APC chair should normally be the Associate Dean Teaching (or their nominee). Faculties should consider appointing a teaching staff member with some experience in pastoral care to the APC. The APC should consist of no more than six members at any hearing comprising:

- a chair
- three to four members of the teaching staff and/or faculty board
- one student representative

Where possible, faculties should provide gender balance in the membership. At least one member of each APC should have completed training on the University's obligations to students with a disability.

The quorum for an APC Hearing is two-thirds of the members of the committee including the chair, which is four where there are six members or three where there are five or four members.

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 the faculty only.

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.

Any staff member or student representative having recent direct participation in any formal university proceedings inquiring into the conduct or complaint of the student needs to consider whether it is appropriate that they participate as a member of the APC, by having regard to whether they can be reasonably said to be affected by a conflict of interest or reasonable perception of bias (for example, having shown preconceived views about the student). For example, this can apply to:

- any member of staff involved in determining a grievance made by the student;
- a member of staff reporting or deciding whether a student's work is to be disallowed by reason of plagiarism/cheating,
- any member of staff or a student participating in a disciplinary committee that hears allegations against the student;
- any member of the staff who refers a student to a disciplinary committee.

For instance, where a person has been the subject of a student's grievance should not be present in determining that student's case. Where a person has had the interaction with the student (as set out above) that has been recent and on a matter relevant to the APC Hearing, the APC member should consider their continued participation.

Members of the APC should consult with the APC Secretary in advance where there is concern about a potential reasonable perception of bias. Prior to the APC Hearing commencing, the APC Chair shall prompt members to consider whether or not a reasonable perception of bias could affect their participation as APC member for any particular student. Where so affected, the APC member should withdraw while that student's case is considered and determined.

Student Membership

Faculties should first seek nominations for student members on the APC from the relevant Monash student organisation on each campus (that is, the appropriate undergraduate or postgraduate student organization based at the campus).

The student organisations should provide within 14 days a list of potential student members for consideration for appointment by faculty board to an APC.

Faculties may prefer student members to be of their faculty, and specify gender or study mode. Where the student organisations do not provide sufficient suitable nominations to faculty board, then other students may be utilised.

Double Degree Students

It is the responsibility of the managing faculty to monitor the candidature of double degree students, and conduct an APC review for double degree students irrespective of the teaching faculty for the failed units.

The APC of the managing faculty should consider co-opting as a member of the APC, a member of the teaching staff from the non-managing faculty. Prior to any decision to exclude, the APC should seek advice from the non-managing faculty on its willingness to accept the student as a student of the non-managing faculty in the event that the student makes an application to transfer.

Rehearings

The membership of an APC Re-Hearing, where the student has successfully appealed to the Exclusion Appeals Committee on the grounds of new evidence only, is the same membership as the original APC Hearing with the addition of the Chair of the Exclusion Appeals Committee as an ordinary member. A rehearing granted by the Dean is conducted by an ordinarily constituted APC, which may have the same membership as the original APC hearing. Any staff or student member not available to resit on the APC, may be replaced by another member where necessary to achieve a quorum.

The APC will re-hear the case having regard to the new evidence submitted by the student. A rehearing involves hearing again the evidence before the original APC plus the new evidence determined relevant by the EAC or, in the case of a Dean directed rehearing, any further evidence produced by the student. If new members are included in the APC, the evidence before the original APC will need to be heard again in full.

A student may only appeal a decision of an APC rehearing on the ground of procedural irregularity.

De Novo Hearings

A de novo hearing is granted where a procedural irregularity is found by an EAC to have taken place. The APC will include no members of the APC that made the original decision to exclude the student. If the EAC directs, the new APC must include and be chaired by the chair of the EAC. Where the matter is referred back to the Faculty of Law and the EAC directs the new APC is to be independently chaired, then the chair of the new APC is the chair of an APC of another faculty.

A de novo hearing involves a fresh hearing having regard to all the evidence available at the time the de novo hearing takes place. So the new faculty APC will hear the matter as if it were a first hearing by the APC.

A student may only appeal a decision of an APC in a denovo hearing on the ground of procedural irregularity.

Responsibility:
Faculty Boards

EAC members
APC members
Student Organisations

2. Communication to Students

Faculties will use the standard proforma templates approved by the Education Policy Committee (EPC) without modification. Where local circumstances require modification of the proforma, approval from Executive Services must be obtained in advance. Where necessary, advice from the University Solicitor's Office shall be obtained.

Faculties may, in addition to the sending notices by post, also send notices by electronic mail using the student's university email address. Students are advised to regularly check their student email account every 48 hours.

Faculties will send all Notices to the student by post, as defined, which should be Express Post, Registered Mail, or local or international courier.

All Notices will have a deemed delivery date which, starting on the day after posting, is calculated as the number of days published as the standard delivery timeframe for Australia Post or the local/international courier, whichever is used. Faculties will keep a register of postal tracking details.

Faculties will use the current postal address as recorded on the student information system.

It is the student's responsibility to update their postal address details held by the University.

Responsibility:

All coursework students
Faculty Student Services Staff
Executive Services

3. Basis of Referral

Prior to referral to an APC, where applicable the intervention strategy in the [Academic Progress Intervention Strategy Procedures](#) should be implemented. This usually involves sending a warning letter to students whose academic results indicate that they are not achieving satisfactory academic progress.

The faculty board may at any time review a student's progress during the academic year and implement intervention strategies. Intervention strategies may include meeting with the student, referral to support/assistance, and/or the imposition of a condition/s on their enrolment. The intervention cannot include exclusion. Only an

APC can exclude a student and then only after referral to the APC following completion of Semester 2 examinations.

A single review cycle to consider student exclusion is held based upon student work completed after Semester 2 examinations conclude, where a student has completed at least two semesters of enrolment.

Students who commenced their course at the start of semester 2 and have completed only one semester of enrolment are not included in the review cycle for possible referral to an APC to consider exclusion. Students with one semester of enrolment only are subject to the [Academic Progress Intervention Strategy Procedures](#).

As results are not always all immediately finalised faculties may adopt the following timelines for the exclusion review cycle for two groups of students:

- Round 1 - those students who, after the December release of results, show that they have not met the Faculty's academic progress requirements; and
- Round 2 – those students who have deferred exams or withheld results and who are not currently in the Round 1 category, but who may have not met the faculty's academic progress requirements after the release of deferred and withheld results.

Following the release of semester two results, all faculties will interrogate the student information system to identify students who meet the APC triggers, being the criteria for considering exclusion of a student with unsatisfactory academic progress.

The APC triggers are university-wide except where, with the approval of Academic Board, faculty-specific rules are developed that are more comprehensive. The application of faculty-specific rules needs to be communicated to students in advance of the progress review. Alternatively the faculty board may choose to impose less stringent APC triggers.

Where the faculty board considers a student's academic results does not meet progress requirements (i.e. an APC trigger is set off), the student is referred to an APC by issuing a Notice of Referral and Hearing.

The Notice of Referral and Hearing invites the student to show cause why they should not be excluded from the course and/or faculty. The Notice 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 and update their contact details on the university student information system

- 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 will occur
- student visa implications for international students.

The Notice of Referral and Hearing constitutes both the Notice of Referral (pursuant to Section 3.2) and the Notice of Hearing (pursuant to Section 5.1) of the regulations.

The Notice of Referral and Hearing should be sent to the student by post or delivered in person within 14 days of the release of results in December, and must not be less than 10 calendar days before the scheduled hearing (unless the student agrees to a shorter notice period). Delivery occurs on the deemed delivery date. Additionally, the faculty may elect to send an email to the student's email account address alerting them to the Notice of Referral and Hearing.

Notices of Referral and Hearing sent to Round 2 students will not require the student to provide a written response to the faculty until a nominated date, which will be not less than seven days after the release of deferred and supplementary examination results. It will notify the student they may be referred to an APC Hearing subject to their final results.

Responsibility:

Faculty student services staff
 All coursework students
 Faculty Boards
 Associate Dean Teaching
 Faculty Student Services Staff

4. Student Response

Students will be supplied with a Student Response Form to facilitate their submission of information and documentation to the APC to avoid exclusion, and obtain additional relevant information by the specified date.

In addition to any personal submission from the student, supporting documentation provided can include one or more of the following:

1. evidence provided by a medical practitioner. To assist the APC a medical certificate should state the impact of the condition on the student and their academic progress and the relevant dates that the student was affected
2. evidence provided by any other professional, such as social worker, lawyer and psychologist. To assist the APC this evidence should state the impact of the condition/issue on the student and their academic progress and the relevant dates that the student was affected
3. death notice or certificate
4. a police report

5. statutory declaration from the student or other person with relevant information relevant to their past academic performance and/or likely future academic performance.

Original documentation supporting the student's case is not required. However unless originals are available to be verified by the faculty and/or the APC upon request, the document may be disregarded.

All documentation should be in the English language, or accompanied by an authorised translation.

Students should provide all documentation to the APC for consideration with their Student Response Form by the specified due date. Where documentation is not available, the student should provide the APC with information on when the evidence will be provided.

In exceptional circumstances, the student may seek permission to provide documentary evidence of a sensitive nature in a sealed envelope directly to the APC Secretary.

Documentation should be comprehensive. For example, a medical certificate that states only that the student has "a medical condition" (not specified) may not be helpful to the student's case. Students need to provide comprehensive information and documentation in support of their case.

Given the seriousness of the decision, the APC may seek from the student more details of any matters referred to in documentation or any submission provided.

Responsibility:

All coursework students

5. Determination of Action

The faculty APC will review the academic progress of all students who are sent a Notice of Referral and Hearing, irrespective of whether the student has responded. A decision must be made by the APC in each case, and Notice of Decision given to all of these students advising the outcome.

Students who do not respond to the Notice of Referral and Hearing will have their academic progress assessed and determined in their absence. After reviewing the available evidence the faculty APC may take no further action, impose conditions on the student's enrolment or exclude the student. If excluded, the student's appeal rights are more limited than for students who responded to the Notice of Referral and Hearing (refer to Appeals to the Dean).

Students may nominate on their Student Response form that they wish to discontinue their course. Once received by the faculty, this request is deemed processed and is not able to be rescinded.

Students who respond to the Notice of Referral and Hearing but do not wish to discontinue, will have their case reviewed by the faculty APC. The faculty APC may take no further action, or impose conditions on the student's enrolment. Where the student is being considered for exclusion, the case must be referred to an APC hearing to decide this question after full consideration of the student's submission and circumstances.

Responsibility:

Associate Dean Teaching
Faculty APC

6. Confirmation of APC Hearing

Where the Faculty APC requests a student to attend an APC Hearing, the student will be sent by post or have delivered in person a Details of Hearing letter, three to five calendar days in advance. The hearing date should be one of the dates listed in the Notice of Referral and Hearing. Where the hearing is due to an appeal (including a rehearing or de novo hearing), the Details of Hearing letter is to be sent a minimum of 10 calendar days (using the deemed delivery date) prior to the hearing date.. The timeframe may be shortened if agreed to by the student. Such agreement should be confirmed in a letter or email.

The Details of Hearing letter must include:

- Time and date of the hearing
- Venue
- Members of the APC
- The right to object to the APC membership
- Persons eligible to attend the APC Hearing
- The need to advise the faculty who is attending with the student a minimum of 2 working days in advance of the hearing
- Outline the possible outcomes
- Information about submission of further documentation a minimum of 2 working days in advance of the hearing
- Reference to the Statute and Regulations website

Responsibility:

Faculty APC Secretary

7. Conduct of Hearings

Students invited to attend a hearing are entitled to make a written submission and/or to be heard personally. The student may submit additional documentation to the APC up to two working days prior to the advised APC Hearing date. If a student cannot meet this deadline because documentation will become available only after

the deadline, the student may request permission to submit further evidence at the APC Hearing. When making this request the student must ensure that the student brings to the hearing sufficient copies of this documentation to provide to each of the APC Members and be ready to respond to questions from the APC about why the documents were not reasonably available earlier.

The APC Hearing will be conducted in the English language.

If the APC decides that, due to exceptional circumstances it is necessary to seek further advice or information or assistance for the student's case to be heard and determined, the APC may adjourn the hearing to obtain that advice, information or assistance.

APC Hearings are normally held at the campus of the student's enrolment.

At the absolute discretion of the faculty, a student may be permitted to attend the hearing via teleconference facilities, but only where it is not possible for the student to be physically present due to exceptional circumstances. A student needs to apply to the faculty for permission to attend via teleconference not less than 2 working days prior to the hearing date by the method prescribed by the faculty. The faculty will advise the outcome of the application in writing to the student's email account. If a teleconference is approved, the student must be accompanied by support person during the teleconference call or the hearing will not proceed via teleconference and the case will be heard in the student's absence. Teleconferences are available as of right (ie without this approval) for distance education, external and offshore program students.

Students are entitled to be accompanied at the APC Hearing by one person who may provide assistance, support, or both. The name of this person should be notified to the faculty APC Secretary at least two working days in advance. This person may be:

- a counsellor
- a student rights officer
- a staff or student member of Monash University
- family member or
- such other person as approved by the APC (usually through the Chair).

A student who wishes to be accompanied by a person with legal qualifications must give five working days notice to the faculty APC Secretary. A student is not entitled to be assisted by a lawyer without prior approval from the APC. Where the student is represented by a lawyer, the APC may be assisted by a legally qualified person.

Students who do not attend the APC Hearing will have their case heard in their absence based on any written material provided and available to the APC, including the student's academic results and information on their student file.

The APC may seek advice or reports from general and/or academic staff members of the university who are not members of the APC. For example, information may be

obtained from, but not limited to, the course director and through enquiries made by APC Secretary at the request of the APC.

Any written material that the APC might use in its deliberations will be made available to the student as an enclosure with the Details of Hearing letter or following advice to the student that it can be collected from the faculty office at least two days prior to the hearing. At the student's request, the faculty will provide this material to the student by other means.

Discipline proceedings found proven may be disclosed to an APC considering the student's academic progress. APC members should not place undue emphasis on discipline matters, but student misconduct (particularly academic misconduct) may be relevant to a student's progress or overall ability to undertake their studies.

A student may only seek to discontinue from their course during an APC Hearing prior to the APC members adjourning to decide the student's case. Where requested by the student, the APC Hearing may have a short adjournment (usually 5 minutes) to allow the student to speak in private with their support person.

Students wishing transfer to another course may seek permission from the relevant faculty up until the scheduled time of the APC Hearing.

The APC may elect to adjourn an APC Hearing to later in the day to allow the student time to consider their options. In this situation the APC chair will explain the purpose of the adjournment and may outline the student's options, which may include to discontinue or transfer prior to a decision being made. No indication should be given to the student of the possible outcome of the hearing.

Subject to the successful outcome of any appeal, students cannot discontinue or transfer to another course after an APC has decided that they are excluded. A student who has been excluded may apply for admission to another faculty but their exclusion will be considered when determining that application.

The APC Secretary will take minutes of the APC Hearing using the APC Hearing Record Sheet proforma and may annex other pages if insufficient space is provided. The minutes are not a verbatim record or transcript, but should be a detailed and accurate record of what took place. The minutes will outline:

- the panel members who determined the case;
- whether any objection was raised to a panel member and the decision on the objection;
- a summary of student's case (e.g. health, family, personal, financial issues etc);
- a list of material/evidence on which the decision is based (e.g. medical certificates, reports, statutory declarations, verbal advice);
- recommendations given to the student;
- the reasons for the decision; and
- the decision.

The minutes should not set out the private deliberations or discussions of the panel before it makes its decision. The minutes may be referred to in an appeal. The APC Secretary assists the APC and plays no role in the decision making itself.

The APC may impose conditions on enrolment to alert the student of the serious risk of exclusion and to support and direct rehabilitation of their academic progress. Consideration must be given to minimum enrolment requirements for students who receive government benefits (eg Austudy) or retain the right to remain in Australia (e.g. student visa).

The APC may exclude either from the specific course in which the student is enrolled or from all courses offered by the faculty.

Responsibility:

Faculty APC Chair

Faculty APC Secretary

All coursework students

8. APC Hearing Structure

APC members are appointed to act fairly and impartially and to cooperate with the chair. The chair is responsible to ensure the conduct of those present and the process is fair. APC members must respect the sensitivity of the information which they acquire through the process and not use or disclose it for any purpose not relevant to the university's management of student progress. Importantly the confidentiality of the APC's private deliberations must be maintained. APC members must bring an open mind to the matter to be determined and not prejudge the issue. Any APC member not able to fulfil these obligations should excuse themselves as a APC member or, in the event that they do not or cannot fulfil these obligations, may have their appointment revoked.

At the start of the hearing, the APC chair should introduce the members of the APC to the student and explain the process of the hearing to all parties. The APC chair should then ask the student if he or she has any objection to the hearing proceeding at that time or to any of the APC members hearing their case, for example on the ground of a reasonable perception of bias. If the student raises an objection, the chair must ask the reasons for the objection and the APC must determine the objection. The APC may take a short adjournment to determine the objection. An objection will only be granted if justifiable grounds are raised in support of it. An objection that an APC member is affected by a reasonable perception of bias must be raised by the student at the first reasonable opportunity and must not be withheld until an adverse decision is known.

Where the objection is allowed, the APC Hearing must be conducted according to that decision. This may necessitate the hearing being adjourned to a timeframe set by the APC chair, or for the APC membership to be altered and then the APC Hearing to proceed. If the objection is denied, the APC Hearing should proceed.

The APC chair should confirm the material submitted by the student is available to each of the APC members. The APC chair should also confirm the student received, or had available to them, the substance of the material before the APC as prepared by the Faculty. The APC chair should ensure that the substance of the outcome of any further enquiries made by or on behalf of the APC are made known to the student.

Where circumstances necessitate, the APC may adjourn in order to obtain additional information. Where the student is enrolled in a summer unit, the APC may determine to adjourn an APC Hearing until the official release of summer semester results. Such a decision is in the absolute discretion of the APC and only with the consent of the student. An adjourned APC Hearing will re-convene with the same APC chair and membership as the original hearing, as far as is practicable.

The procedure adopted for the hearing needs to be sufficiently flexible to respond to the circumstances of the particular case. The chair is to ensure the hearing is conducted in a respectful manner providing a reasonable (but not unlimited) opportunity for the student to respond to concerns about their academic progress before a decision is made.

The APC chair will invite the student to:

- explain reasons for his or her progress in the past 12 months and during candidature
- how he or she plans to succeed in future
- explain why he or she should not be excluded
- comment on any documents presented in the written submission
- respond to matters concerning any member of the APC relevant to the student's progress and likely future academic success.

The APC chair may invite the person assisting the student to add any further comments or a closing statement prior to the APC making a decision.

The person assisting the student may request permission to speak to the APC, with the student's consent, on the following grounds:

- to clarify or highlight a query of process; or
- to provide assistance in situations of physical or emotional distress to the student or other difficulty experienced by the student.

APC members may ask any questions of the student or the person assisting the student relevant to the decision the APC must make. Once the APC members have completed their questioning, the student and any person assisting or accompanying the student will be asked to leave the room to allow APC members to speak in private to consider the evidence and make a decision. In the event that the student requests an adjournment to consider their options (including the option to discontinue their studies), the APC Members shall not discuss nor deliberate on the case until after the student has had a chance to consider and advise their decision (usually 5 minutes).

The decision of the APC 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 reasons for the decision and provide any appropriate referral to support services.

Responsibility:

APC Chair

APC members

9. Notice of Decision

The Notice of Decision is sent to the student irrespective of attendance at or any invitation to attend the APC Hearing. This is the decision on the student's continuing enrolment at the University. This may be to allow them to continue without impediment, impose enrolment conditions or exclude the student from any course/s in which they are enrolled.

The Notice of Decision must be given to the student in person or sent by post within seven calendar days of the date of the decision has been made (usually the decision is made at the APC Hearing). Faculties may elect to provide the Notice at the APC Hearing or shortly after.

Faculties should keep a register of the method used to notify students and, where posted, record when it was posted and the mode of delivery. This is to ensure the deemed delivery date can be accurately calculated for appeal purposes.

The Notice of Decision should contain, but need not be limited to, the following information:

- whether the student attended the APC Hearing and/or submitted evidence
- the decision of the APC
- the reasons for the decision
- advice on academic rehabilitation and readmission (for excluded students only)
- the right of appeal available (for excluded students only)
- the timeframe of appeal (for excluded students only)
- appeal to the dean information (for excluded students who did not respond to the Notice of Referral and Hearing only)
- relevant website referrals for further information
- advice to International students regarding visa implications

The reasons for the decision should be a clear concise statement/s explaining why the decision was made.

The Notice of Decision where the student is permitted to continue their candidature may also contain recommendations that the Faculty APC believes would be beneficial to the student. This may include, but is not limited to, referral to student services, counsellors and learning advisors. These are not recorded in the Student Information System.

The faculty will ensure that the appropriate administrative action on the Student Information System is undertaken in a timely manner. Students whose enrolment in the current academic year is conditional shall have the condition(s) end-dated at the semester one census date of the following year.

A student may request that faculties provide more detailed reasons for a decision. Any such request must be made to the faculty manager within thirty days from deemed delivery date of the Notice of Decision.

Responsibility:

Faculty APC Secretary

10. Appeals

Students have the right to appeal set out in the [Statute](#) and [Regulations](#). These rights depend upon the level of engagement the student made with the APC process.

A student who has submitted a Student Response Form has the right of appeal to the Exclusion Appeals Committee if excluded. An appeal can be made on the ground of:

- new evidence that was not reasonably available to the student at the time of the APC Hearing; and/or
- procedural irregularity.

An appeal must be received by the EAC secretary in writing by 5pm not later than twenty working days from the deemed delivery date of the Notice of Decision.

Additional detail on EAC appeals can be found in the [Exclusion Appeals Committee Procedures](#).

Students who do not respond to the Notice of Referral and Hearing and do not submit a completed or partially completed Student Response Form may not appeal to the Exclusion Appeals Committee (EAC) if they are excluded. Instead the student may apply to the dean of the faculty requesting a rehearing by the APC, which will only be granted if there are exceptional circumstances affecting the student. Exceptional circumstances may explain why the student did not submit any material to the APC address the circumstances that affected the student and led to their poor academic progress. The dean, or their nominee, will consider the application and advise the student of the outcome.

Applications to the dean must be received by the Faculty APC Secretary in writing by 5pm, not later than twenty working days from the deemed delivery date of the Notice of Decision.

Exceptional circumstances beyond the student's control should be restricted to serious illness, hospitalisation, bereavement of close family members, 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.

No student encumbrance is to be placed on Calista until after the time to appeal is passed and, if an appeal is lodged, until the appeal is finally determined. If a re-hearing is granted, this is until the outcome of the hearing is finally determined.

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

- the matter is referred to an APC to be reheard; or
- the application is dismissed.

The decision of the dean is final and may not be subject to any form of appeal.

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 keep copies and records of correspondence; and
- failure to follow up on non-acknowledgement by the University of previous correspondence sent to the University.

Responsibility:

All coursework students

Deans

Faculty APC

Exclusion Appeals Committee