

Monash University Procedure

Procedure Title	Faculty Academic Progress Committee Procedures
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Procedure Owner	
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Scope	These procedures do not apply to higher degree by research students, nor students enrolled in the diploma of tertiary studies or diploma of higher education studies.
Purpose	
PROCEDURE STATEMENT	

1. Committee

1.1. Membership of APC

- 1.1.1. The APC is a committee constituted by the Dean. The Dean appoints members to one (or more) APCs.
- 1.1.2. For a double degree student where faculties share concern about the student's progress, the APC of the managing faculty will undertake the APC process. Where only one faculty is concerned about the student's progress, that faculty undertakes the APC process. Consideration should be given to co-opting a member of the academic staff of the non-managing faculty to be a member of the APC. Any decision of an APC to exclude applies to both degrees unless the student is permitted to by the Dean of the other Faculty to enrol in the single degree, subject to any conditions imposed by the Dean. See 1.3.
- 1.1.3. The APC chair should normally be the Associate Dean - Education (or their nominee). The chair must be a member of academic staff at the level of senior lecturer or above. Faculties should consider appointing an academic staff member with some experience in pastoral care to the APC. The APC appointed by the Dean should consist of no more than six members at any hearing comprising:
 - a chair, who is a member of the academic staff
 - two to four members of the academic staff or this may include one person who is not a member of academic staff who has experience in dealing with student advice and student enrolment matters
 - a student

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Provisions for Faculty of Education APC only

1.1.3.1 The Faculty of Education may establish specialist Academic Progress Committees, in addition to general faculty APCs, to hear matters concerning the academic progress of students in relation to course-specific accreditation and registration requirements (for example, performance in external tests such as the Literacy and Numeracy tests, and professional practice).

Specialist APCs will comprise:

- a chair, who is a senior member of staff with knowledge, understanding or experience relevant to the subject matter of the specialist APC (i.e. the Literacy & Numeracy test, professional experience),
 - two to four members of staff with knowledge, understanding or experience relevant to the subject matter of the specialist APC of which at least one must be a member of academic staff
 - a student at Monash University
- 1.1.4. 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.
- 1.1.5. 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 staff only.
- 1.1.6. 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.
- 1.1.7. Without a hearing and without a student member, an APC may decide to deal with the student's case by taking no further action or imposing a condition/s.
- 1.1.8. Any staff member or student member 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 are affected by a reasonable perception of bias (for example, by having shown preconceived views about the student). For example, this can apply to:
- a 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;
 - a member of staff or a student participating in a disciplinary committee that hears allegations against the student; and
 - any member of the staff who refers a student to a disciplinary committee.
- 1.1.9. A person who has been the subject of the student's grievance should not be an APC member. 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 person should reconsider their participation as an APC member for that student.
- 1.1.10. Members of the APC should consult with the APC Secretary in advance where there is concern about a possible perception of bias. Prior to the APC Hearing commencing, the APC Chair shall prompt members to consider whether 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.

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1.2. Student Membership

- 1.2.1. 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 organisation based at the campus).
- 1.2.2. The student organisations should provide within 14 days a list of potential student members for consideration for appointment by the Dean to an APC.
- 1.2.3. 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 the Dean, then other students may be utilised.
- 1.2.4. The decision to appoint any member of an APC is a decision in the discretion of the Dean.

1.3. Double Degree Students

- 1.3.1. 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.
- 1.3.2. Where a student who meets an APC Trigger is enrolled in a double degree, the APC secretaries of both faculties will confer. The relevant APC secretary 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.
- 1.3.3. The APC of the managing faculty should consider co-opting as a member of the APC, a member of the academic staff from the non-managing faculty.

1.4. APC Re-Hearings

- 1.4.1. The membership of an APC in a re-hearing following a successful appeal to an Exclusion Appeal Panel member or the Dean, must not include a member of the original APC hearing the student's case.
- 1.4.2. In the case of a successful appeal to Exclusion Appeal Panel member, if directed by the EAP member the chair of any APC re-hearing that is held is to be a member of the Exclusion Appeal Panel other than the member that decided the appeal.
- 1.4.3. An APC re-hearing requires the new APC to hear and determine the student's case afresh, including consideration of the new evidence if the appeal is upheld on this ground.
- 1.4.4. A student may only appeal a decision of an APC re-hearing on the ground of a procedural irregularity.

Responsibility

Deans
EAP members
APC members
Student Organisations

2. Communication to Students

- 2.1. Where available, faculties will use the standard proforma templates approved by the Learning and Teaching Committee (LTC) without modification.
- 2.2. Faculties may send all Notices to the student by post (which should be Priority Post, Express Post, or local or international courier) or email to the student's university email address. Where email communication is used, faculties should first check to identify any fee-encumbered students (whose access to email address will have been suspended) and arrange an alternative delivery method for all fee-encumbered students. Emails should be individually sent to protect the privacy of personal information. Where bulk dispatch is used for generic emails, steps must be taken to ensure no

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personal information is disclosed, such as by omitting personal information from the message and using the blind carbon copy (bcc) function to nominate all addresses.

- 2.3. All Notices will have a deemed delivery date. For personally delivered notices, it is the date of delivery. For email, it is the date the email was sent. For priority post it is 4 working days after posting within the country in which the campus is located and 5 working days after express posting or courier outside the country in which the campus is located. Faculties will keep a register of sending or postal details.
- 2.4. When emailing, faculties will use the student's university email address. Students are advised to regularly check their student email account every 48 hours.
- 2.5. When posting, faculties will use the current postal address as recorded on the student information system.
- 2.6. It is the student's responsibility to update their postal address details held by the University, and check their mail each day.

Responsibility

All coursework students
Faculty Student Services Staff
Executive Services

3. Basis of Referral

- 3.1. 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.
- 3.2. The Dean 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.
- 3.3. Except in cases where a student cannot obtain a certification necessary to undertake a requirement of the course or secure a compulsory placement, 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](#). 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.
- 3.4. As results are not always 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.
- 3.5. Following the release of Semester 2 results, all faculties will interrogate the student information system to identify students who meet an APC Trigger, being the criteria for considering exclusion of a student with unsatisfactory academic progress.
- 3.6. The APC Triggers are university-wide except where, with the approval of Academic Board, faculty-specific rules are developed. The application of faculty-specific rules needs to be communicated to

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students in advance of the progress review. Alternatively, the Dean may choose to impose less stringent APC Triggers.

- 3.7. The Dean may form the view that a student meets an APC Trigger where at the end of the academic year:
- 3.7.1. after 2 semesters of enrolment, the student has passed less than 50% of that student's enrolment; or
 - 3.7.2. the student has failed the same compulsory unit twice; or
 - 3.7.3. the student has failed to comply with any terms or conditions imposed by the Dean under regulation 30(1)(a) of the Monash University (Academic Board) Regulations or by an APC; or
 - 3.7.4. the student has been enrolled for two-thirds or more of the maximum duration of the course and satisfactorily completed 50% or less of the course; or
 - 3.7.5. the student is unable to obtain a police check, a working with children's check, or any other certification required to the standard necessary to undertake a requirement of the course; or
 - 3.7.6. the student is unable to complete a placement as the University's usual placement providers will not accept the student (this does not apply where insufficient placements are available).

Provision for Faculty of Education students only

3.7.7 A specialist APC of the Faculty of Education will hear matters where a student has met one or more of the following APC Triggers ('Specialist Triggers'):

- Failing to satisfactorily complete the National Literacy and Numeracy tests by 31 December in the first year of enrolment or after attempting 48 credit points of study, whichever is the later, or;
- Failing in a professional placement; and/ or being unable to complete a professional placement where the usual placement providers will not accept the student (this does not apply where insufficient placements are available).

The APC Triggers listed in paragraphs 3.7.1 to 3.7.6 will continue to apply. Where a student has met a combination of Specialist Triggers and University-wide APC Triggers, the matter is to be heard by a general APC of the faculty.

Where a student has met one or more of the Specialist Triggers above, the Dean will nominate a delegate to consider whether to:

- impose conditions on the student's enrolment, or
- refer the matter to a hearing by a specialist APC.

If the student is being considered for exclusion, the case must be referred to a specialist APC following completion of Semester 2 examinations.

- 3.8. The grades used to assess the APC triggers are the grades recorded by the University on the date of the Notice of Referral and Hearing. A later change of grade does not invalidate a referral, except where made to correct an error.
- 3.9. Where a student has completed two semesters of enrolment, but in the particular academic year has only completed one semester of enrolment, a Dean considering the APC Trigger in 3.7.1 above looks at the enrolment the student has had in that year. For example, if the student was enrolled in 4 units in Semester 1 and intermitted in Semester 2, failing 3 of the 4 units in Semester 1 will meet this APC Trigger. (NB - once the student has met the APC Trigger, the student's entire academic record will be considered in making a decision).

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- 3.10. The managing faculty is responsible to consider whether the student enrolment was subject to a condition that has not been met (APC Trigger 3.73), or whether any other APC Trigger is met.
- 3.11. Where the Dean considers a student's academic results or progression is not satisfactory (i.e. an APC Trigger is met), the student is referred to an APC by issuing a Notice of Referral and Hearing.
- 3.12. 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, regularly check their mail and student email, and to 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 may occur
 - student visa implications for international students

3.12.1 Where a student meets more than one APC Trigger, the Notice of Referral and Hearing should endeavour to list all applicable APC Triggers.

- 3.13. The Notice of Referral and Hearing constitutes the notice required by regulation 32(1) of the Monash University (Academic Board) Regulations.
- 3.14. The Notice of Referral and Hearing should be emailed and/or sent by post or delivered in person to the student 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.
- 3.15. 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

All coursework students
Deans
Associate Dean Education
Faculty Student Services Staff

4. Student Response

- 4.1. 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.
- 4.2. In addition to any personal submission from the student, supporting documentation provided can include one or more of the following:

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1. Evidence provided by a treating medical practitioner, psychologist or psychiatrist. To assist the APC, any medical report is the most valuable where (so far as the student consents) it includes the diagnosis, an explanation of the condition and its likely impact on the student's study during the period the student was impacted, and the treatment plan and prognosis for the student's health and likely future impact on the student's study.
 2. Evidence provided by any other professional, such as a social worker, lawyer and other professional assisting the student with an issue impacting their wellbeing and/or study. To assist the APC this evidence should state the impact of the issue on the student and on 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.
 6. Where the student is registered with Disability Support Services (DSS), information obtained by the student from DSS and provided in the student response form.
- 4.3. 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.
- 4.4. All documentation should be in the English language, or accompanied by an authorised translation.
- 4.5. Students should provide all documentation to the APC for consideration with their Student Response Form by the specified due date, which must not be any of the first 2 days following the University's annual closedown. Where documentation is not available, the student should provide the APC with information on when the evidence will be provided. Documentation is securely stored.
- 4.6. 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, for example a detailed medical report.
- 4.7. 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 explaining the issue (diagnosis and prognosis), its impact on the student in the past, and its likely future impact on the student, particularly as it relates to the student's study. For more information on medical reports, go to [APC Medical Report Guidelines](#).
- 4.8. 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.
- 4.9. Where a student receives a Notice of Referral and Hearing and then lodges a grievance under a University policy or procedure related to their academic progress or inability to progress, the grievance must not be decided until the process under Part 4 of the Monash University (Academic Board) Regulations is fully concluded.

Responsibility

All coursework students

5. Determination of the Next Step of Action

- 5.1. 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.
- 5.2. 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 or impose conditions on the student's enrolment. The faculty APC need not have a student member to make these decisions. Where the student is being considered for

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exclusion, the APC must include a student member unless the student concerned requests to have no student member. 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).

- 5.3. 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.
- 5.4. 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. The faculty APC need not have a student member to make these decisions.

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, and include a student member unless the student requested no student member.

Responsibility

Associate Dean Education
Faculty APC

6. Confirmation of APC Hearing

- 6.1. Where the Faculty APC requests a student to attend an APC Hearing, the student will be sent by email or 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.
- 6.2. Where the hearing is an APC re-hearing following an appeal, 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.
- 6.3. 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
 - Referral to the Disability Services Unit to arrange for accommodation for a disability during the hearing
 - The need to advise the faculty who is attending with the student in 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 Monash University (Academic Board) Regulations and a website from which the regulations and procedures can be accessed.
- 6.4. Where possible hearings on a Friday afternoon are to be avoided, when the availability of student support services may be limited.

Responsibility

Faculty APC Secretary

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7. Conduct of Hearings

- 7.1. 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 available earlier.
- 7.2. The APC Hearing will be conducted in the English language.
- 7.3. 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. If the student seeks an adjournment of the hearing to another time or date the student must raise with the APC chair any exceptional circumstances leading to the adjournment request at the first opportunity, preferably prior to the hearing day or at the beginning of the hearing.
- 7.4. APC Hearings are normally held at the campus of the student's enrolment.
- 7.5. At the absolute discretion of the faculty, a student may be permitted to attend the hearing via teleconference facilities or Skype (or reliable equivalent), 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 alternate participation arrangements and specify the alternate arrangement sought 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 approved, the student must be accompanied by a support person during the hearing or the hearing will not proceed with the alternate participation arrangement and the case will be heard in the student's absence. This local support person is in addition to assistance provided by a student rights officer. Alternate attendance arrangements are available as of right (ie without this approval) for distance education, external and offshore program students.
- 7.6. 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 or campus equivalent,
 - a student of Monash University or staff member at the student's campus of enrolment,
 - a family member, or
 - such other person as approved by the APC (usually through the Chair).
- 7.7. A student cannot be accompanied or assisted by anyone who is legally qualified.
- 7.8. 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.
- 7.9. 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.
- 7.10. Any written material that the APC might use in its deliberations will be made available to the student either as an enclosure with the Details of Hearing letter or following advice to the student that it can be collected from the faculty office, which advice must be given not less than two working days prior to the hearing. At the student's request, the faculty will provide this material to the student by other means.

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- 7.11. 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.
- 7.12. 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.
- 7.13. Students wishing transfer to another course may seek permission from the relevant faculty up until the scheduled time of the APC Hearing.
- 7.14. The APC may elect to adjourn an APC Hearing to a later time or date 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. An adjourned APC Hearing will reconvene with the same APC Chair and membership as the original hearing, as far as practicable.
- 7.15. 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. The application will be considered in competition with all other applications for admission to study, and their exclusion will be considered when assessing their application.
- 7.16. 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 determine 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);
 - conclusions reached about the student's circumstances;
 - recommendations given to the student;
 - the decision; and
 - the reasons for the decision.
- 7.17. 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.
- 7.18. When considering a health issue or disability impacting a student's academic performance or progress, reference may be made to additional guidance for deliberations in [the Academic Progress and Students with a Health Condition or Disability Guidelines](#).
- 7.19. 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. The APC may also make recommendations about steps considered to assist the student, such as to apply for intermission from study or seek professional medical or counselling assistance. Consideration must be given to minimum enrolment requirements for students who receive government benefits (e.g. Austudy) or retain the right to remain in Australia (e.g. student visa).

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- 7.20. Where a student is a double degree student, regard must be had to the advice obtained by the APC secretary about whether the student continue in 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. See 1.3.
- 7.21. The APC may exclude either from the specific course in which the student is enrolled or from all courses offered by the University.

Responsibility

Faculty APC Chair
Faculty APC Secretary
All coursework students

8. The APC Hearing and Making a Decision

- 8.1. 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 require 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 prejudice the issue. Any APC member not able to fulfil these obligations should excuse themselves as an APC member or, in the event that they do not or cannot fulfil these obligations, may have their appointment revoked.
- 8.2. At the commencement of the hearing all mobile devices should be turned off or put away so as not to distract the APC members.
- 8.3. 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.
- 8.4. 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.
- 8.5. 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.
- 8.6. 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. An adjourned APC Hearing will re-convene with the same APC chair and membership as the original hearing, as far as is practicable.
- 8.7. 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.

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- 8.8. The APC chair will invite the student to:
- explain reasons for his or her progress in the past 12 months and during their enrolment at the University
 - explain any personal or other circumstances contributing to this progress
 - explain what steps the student has taken to address the lack of success/progress
 - how he or she plans to succeed/progress in future
 - respond to why he or she should not be excluded
 - comment on any documents before the APC
 - respond to matters concerning any member of the APC relevant to the student's progress and likely future academic success
- 8.9. 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.
- 8.10. 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.
- 8.11. 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.
- 8.12. Before the APC members ask the student to leave the room so a decision can be made, the APC chair will offer a short adjournment for the student to consider their options (including the option to discontinue their studies). Where the student wishes to adjourn, 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). If the student indicates the decision to discontinue their studies, the APC does not need to proceed to make a decision unless the student fails to act on the decision to discontinue (in which case the APC will reconvene to make a decision). If the student decides to continue, the APC will ask the student and any person assisting to leave the room for the APC to proceed to consider and make its decision.
- 8.13. The APC is required to assess whether the student's enrolment should be permitted to continue, having regard to the student's academic progress to date, their future prospects of success, and factors relevant to the likelihood they will complete the course of study.
- 8.14. The student must be excluded where a compulsory placement of compulsory certification required for the course of study cannot be obtained by the student. The student may be excluded where the APC is not satisfied the student has a reasonable prospect of successfully completing the course of study in the time allowed. This involves consideration of:
- the maximum course duration;
 - the student's academic performance to date;
 - 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, such as having regard to their response to any condition imposed on their enrolment;

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- the viability of the student's stated plan for the future to address the factors said to be negatively impacting their academic progress.

8.15. 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 decision and reasons for the decision, and provide any appropriate referral to support services.

Responsibility

APC Chair
APC members

9. Notice of Decision

- 9.1. The Notice of Decision is sent to the student irrespective of attendance at 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.
- 9.2. The Notice of Decision must be given to the student in person or sent by email or post within seven calendar days of the date 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.
- 9.3. Faculties should keep a register of the method used to notify students, and the date, and mode of delivery. This is to ensure the deemed delivery date can be accurately calculated for appeal purposes.
- 9.4. 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
 - any relevant factors about the student's circumstances
 - the decision of the APC
 - the reasons for the decision
 - advice on academic rehabilitation
 - the right of appeal to an EAP member (for excluded students who responded to the Notice of Hearing and Referral or attended any APC hearing held)
 - the right to appeal to the Dean (for excluded students who did not respond to the Notice of Referral and Hearing or attend the APC hearing)
 - relevant website referrals for further information
 - advice to international students regarding visa implications
- 9.5. The reasons for the decision should be a clear concise statement/s explaining why the decision was made.
- 9.6. 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, recommendation to intermit studies, referral to student services, counsellors and learning advisors. These are not recorded in the Student Information System.
- 9.7. 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.
- 9.8. The faculty will store the Notice of Referral and Hearing, Notice of Hearing, Student Response Form, documentary evidence submitted to the APC, Hearing Record Sheet and Notice of Decision on the student file either in hard copy or electronic format (eg TRIM).

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- 9.9. A student may request a copy of the Hearing Record sheet prior to lodging an appeal. This is to be provided within 7 days of receipt of the request. A student may also request 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.
- 9.10. A student who is excluded may apply for admission to a Monash course at any time. Such application will be considered according to the University's usual selection criteria in competition with all other applications for admission to study, and their exclusion will be considered in assessing the application.

Responsibility

Faculty APC Secretary

10. Appeals

- 10.1. Students have the right to appeal 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.
- 10.2. A student who has submitted a Student Response Form has the right of appeal to an Exclusion Appeals Panel member 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 that has the potential to alter the APC decision; and/or
 - a procedural irregularity that has the potential to alter the APC decision.
- 10.3. An appeal must be received by the EAP secretary in writing by 5pm not later than twenty working days from the deemed delivery date of the Notice of Decision.
- 10.4. Additional detail on appeals to an Exclusion Appeals Panel member can be found in the [Exclusion Appeals Panel Procedures](#).
- 10.5. Students who do not respond to the Notice of Referral and Hearing and do not submit a completed or partially completed Student Response Form may not appeal to an Exclusion Appeals Panel (EAP) member if they are excluded. Instead the student may apply to the dean of the faculty requesting a re-hearing by a new 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 to address the circumstances that affected the student and led to their poor academic progress. The Dean, or their nominee, will consider and decide on the application, and advise the student of the decision.
- 10.6. 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.
- 10.7. Exceptional circumstances beyond the student's control may be 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.
- 10.8. No student encumbrance is to be placed on Callista until after the time to appeal is passed and, if an appeal is lodged, until the appeal is finally determined. If an APC re-hearing is held, this is until the APC re-hearing is finally determined.
- 10.9. 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

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- the appeal is dismissed.

10.10. The decision of the Dean is final and may not be subject to any further appeal.

10.11. 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 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 Panel members

Responsibility for implementation	
Status	Revised
Approval Body	<p>Name: Learning and Teaching Committee</p> <p>Meeting: 5/2018</p> <p>Date: 7-August-2018</p> <p>Agenda item: 13</p>
Definitions	<p>Academic year: means the teaching periods with results ordinarily released in the current calendar year.</p> <p>APC: means an Academic Progress Committee constituted by the Dean of a faculty under regulation 29 of the Monash University (Academic Board) Regulations. Each Faculty may have one or more Academic Progress Committee.</p> <p>APC Hearing: means a hearing conducted by an APC whether or not a student concerned is in attendance.</p> <p>APC Trigger: means the criteria that justify referral to an APC.</p> <p>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.</p> <p>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.</p> <p>EAP Member: means a member of the Exclusion Appeals Panel as described in regulation 33 of the Monash University (Academic Board)</p>

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	<p>Regulations.</p> <p>Deemed delivery date: means the date a notice is treated as having been delivered to the student after applying the delivery times set out in regulation 37 of the Monash University (Academic Board) Regulations. This anticipates a student regularly checks their email and postal mail. Any failure by the student to check their email and postal mail does not alter the deemed delivery date.</p> <p>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.</p> <p>Notice: means any notice referred to in these Procedures.</p> <p>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.</p> <p>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.</p> <p>Procedural irregularity: refers to a breach of the rules of procedural fairness (natural justice) or deviation from the requirements of Part 4 of the Monash University (Academic Board) Regulations or related procedures with the potential to alter the outcome of the student's case.</p>
Legislation Mandating Compliance	<p>Monash University (Academic Board) Regulations</p> <p>National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)</p>
Related Policies	<p>Exclusion Appeals Panel Procedures</p>
Related Documents	