

Monash University Procedure

Procedure Title	<u>Graduate Research Termination Procedures</u>
Parent Policy	Graduate Research Progress Management Policy
Date Effective	08-June-2017
Review Date	07-June-2019
Procedure Owner	Vice-Provost (Faculty and Graduate Affairs)
Category	Academic and Quality Standards
Version Number	1.2
Content Enquiries	gr-governance@monash.edu
Scope	<p>All campuses</p> <p>All Higher Degree by Research courses</p> <p>All Higher Degree by Research students</p> <p>This policy and its supporting procedures do not cover:</p> <ul style="list-style-type: none"> Termination of enrolment due to a student not meeting their obligations under Part 5 of the Monash University (Vice-Chancellor) Regulations. The investigation of student misconduct offences under Part 7 of the Monash University (Council) Regulations.
Purpose	<p>This policy and procedures:</p> <ul style="list-style-type: none"> Define a milestone review framework to support HDR students to undertake research of an appropriate quality, originality and depth as required by their course of study for their approved research project; Contribute to the maintenance of academic and research quality at the University; Provide a mechanism to identify and support students who are experiencing progress difficulties in their study program; and Prevent the waste of academic and research resources that may occur if a student remains enrolled at the University when they are not making satisfactory progress.
PROCEDURE STATEMENT	

Purpose of Procedures

- This procedure outlines the process and action that may lead to termination of a student's enrolment as a result of the student's failure to:
 - Meet the requirements of the following milestones: Confirmation, the Mid Candidature Review / Progress Review, or the Pre-Submission Seminar / Final Review;

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- Make satisfactory progress **outside** the milestone review framework; and
 - Comply with the [Monash University \(Academic Board\) Regulations](#), including failing to notify the University within a specified timeframe of a return from an approved period of leave or study away.
2. It also outlines the student's right to appeal a decision to terminate enrolment made under these procedures.

Structure of these Procedures

3. These procedures comprise the following sections:

Section 1: Failure to meet the requirements of a milestone or make satisfactory progress outside of the milestone review framework

Section 2: Failure to comply with the [Monash University \(Academic Board\) Regulations](#)

Section 3: Lodging an Appeal

Section 4: The Appeal Process

Section 5: Order of Hearing

Section 1: Failure to meet the requirements of a milestone or make satisfactory progress outside of the milestone review framework

Recommendation of Milestone Review Panel or Academic Progress Review Panel

4. Where the Milestone Review Panel (MRP) decides that the student has not met the requirements of the milestone and recommends that the student's enrolment be terminated, the Milestone Report Form (Reconvened Panel), along with any relevant supporting documentation, is to be forwarded to the Monash Graduate Research Office (MGRO) within **5 working days** of the date of the MRP's decision.
5. Where the Academic Progress Review Panel (APRP) decides that the student's progress is not satisfactory outside of the milestone review framework and recommends that the student's enrolment be terminated, the Academic Progress Review Panel Report Form, along with any relevant supporting documentation, is to be forwarded to MGE within 5 working days of the date of the APRP's decision.
6. In reviewing the recommendation, the Academic Director (as delegate of the Committee) will provide the student with the opportunity to submit a written statement (via the relevant form) in relation to the Panel's recommendation, outlining, for example, any extenuating circumstances that may be relevant to the matter along with supporting documentation as required.
7. The Academic Director (as delegate of the Committee) may also seek further information from the Chair of the relevant panel (MRP or APRP) if required and any other staff who may be able to assist in understanding the circumstances in which the recommendation has been made.
8. Within **20 working days** of receiving the recommendation to terminate enrolment, along with any other documentation submitted under clauses 6 and 7 above, the Academic Director (as delegate of the Committee) is to review the recommendation and make a determination about whether:
 - a) enrolment is to continue,
 - b) enrolment is to continue subject to conditions,

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- c) the student is offered a transfer to a research master's degree in lieu of termination of enrolment, or
 - d) enrolment is terminated.
9. The determination of the Academic Director (as delegate of the Committee) is to be communicated to the student, the supervisors, faculty and the chair and members of the MRP or the APRP.
10. A student cannot apply to withdraw after receipt of a written notice of termination of enrolment.

Responsibility

Milestone Review Panel or Academic Progress Review Panel
Academic Director (or delegate), Monash Graduate Research Office

Termination of Enrolment

11. Where it is determined that the student's enrolment is to be terminated, the student is to be notified in writing of this decision using the Termination of Enrolment letter which must include:
- The MRP or APRP's recommendations, and reasons for it;
 - The Academic Director's (or delegate's) decision on the student's enrolment and reasons for it;
 - The student's right to appeal the termination decision and how to make an appeal, including the timeframe for lodging an appeal;
 - The available grounds for an appeal;
 - The student's right to be accompanied and assisted at any hearing by another person who is not legally qualified, unless that person is an officer of a recognised student association connected with the student's campus. The student is not to be represented by this person.
 - At any hearing, the right to make oral and written submissions or both;
 - The rights of the student and the appropriate support services available to them, including information on how to seek advice or assistance from the relevant student association (e.g. the Monash Postgraduate Association); and
 - The enrolment status of the student following receipt of the notification of Termination of Enrolment.

Responsibility

Academic Director (or delegate), Monash Graduate Research Office

Continuation of Enrolment

12. Where it is determined that the student's enrolment is to continue, the student is to be notified in writing of this decision using the Continuation of Enrolment letter.
13. Where applicable, the Continuation of Enrolment letter must state any conditions on the student's enrolment, with continuation of enrolment subject to the student agreeing to all conditions
14. This determination is to be communicated to the student, the supervisors, faculty and the chair and members of the MRP or the APRP.

Transfer from a doctoral program to a master's by research degree

15. This section applies to PhD or professional doctorate students who have either failed to meet the requirements of a milestone, or who have been recommended for termination following the convening of an Academic Progress Review Panel (APRP).
16. An offer to transfer to a research master's degree may be made:

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- a. in exceptional cases where the Academic Director (as delegate of the Committee) determines that the material presented at the milestone is not of a doctoral standard, but may meet the requirements and standard of a research master's degree; or
 - b. in exceptional cases where an Academic Progress Review Panel has been convened and the Academic Director (as delegate of the Committee) determines that academic progress is not of a doctoral standard but may meet the requirements and standard of a research master's degree.
17. The decision to offer a student a transfer to a research master's degree as provided for in 13 will only be made where the following conditions are met:
- Where:
 - a Milestone Review Panel is convened, the chair of the panel and the student's main supervisor have provided written confirmation that they are of the view that the material presented at the milestone may meet the requirements and standard of a research master's degree; or
 - an Academic Progress Review Panel has convened, the chair of the panel and the student's main supervisor have provided written confirmation that they are of the view that the student's research may meet the requirements and standard of a research master's degree;
 - the maximum period allowed for the study program of the student's doctoral degree includes sufficient time for the student to complete the research master's degree, or where there is not a sufficient period of enrolment remaining up to the maximum period allowed for the study program, the Academic Director (as delegate of the Committee) agrees to extend the maximum period allowed for the student;
 - the Faculty provides written confirmation that there are adequate supervision and facilities available to continue to support the student;
 - the student has the required training and the demonstrated ability and commitment to carry out independent research;
 - there are no known external constraints prohibiting the student's transfer into a research master's degree, including sponsorship arrangements or other external regulatory requirements that must be met; and
 - the student does not owe any fees or any monies to the university and their enrolment is not in any way encumbered.
18. Where the Academic Director determines that the student should be offered a transfer into a research master's degree in lieu of termination of enrolment, written advice of the offer will be provided to the student, the chair of relevant panel, the academic unit and the faculty, stating any relevant conditions (for example, completion of a confirmation milestone, etc.) and action required from the student.
19. The student must accept or decline the offer in writing within **10 working days** of its deemed date of delivery. Failure to respond to the offer within this time-frame will mean that the offer lapses and enrolment will be terminated according to paragraph 24 of these procedures.
20. Any appeal against the decision to terminate enrolment must be dealt with in accordance with **Section 3: Lodging an Appeal**.

Responsibility

Academic Director (or delegate), Monash Graduate Research Office
Milestone Review Panel
Academic Progress Review Panel
Faculty
Academic Unit
Student

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Section 2: Failure to comply with the Monash University (Academic Board) Regulations

21. A student will be issued with a Notice of Intention to Terminate Enrolment by the Academic Director (or delegate) where the student has, without satisfactory explanation to the University, failed to advise the University of a return from a period of approved leave or study away, failed to complete a milestone within the required timeframe, or failed to re-enrol.
22. The Notice of Intention to Terminate Enrolment will advise the student that they have 20 working days from the deemed delivery date of the letter to lodge a written case to the Academic Director (or delegate) responding to the failure referred to in the Notice, and providing any reasons why they believe their enrolment should not be terminated. Supporting documents must be provided where relevant.
23. Within **10 working days** of the expiry of this period, the Academic Director (or delegate) will consider the student's case and any documentation submitted and make a determination on whether to terminate enrolment. The decision is to be communicated to the student, the supervisors, and the faculty.
24. Where it is determined that the student's enrolment be terminated, the student is to be notified in writing of this decision using the Termination of Enrolment letter which must include:
 - The student's right to appeal the termination decision and how to make an appeal, including the timeframe for lodging an appeal;
 - The student's right to be accompanied and assisted at any hearing by another person who is not legally qualified, unless that person is an officer of a recognised student association connected with the student's campus. The student is not to be represented by this person.
 - At any hearing, the right to make written or oral submissions, or both;
 - The rights of the student and the appropriate support services available to them, including information on how to seek advice or assistance from the relevant student association (e.g. the Monash Postgraduate Association); and
 - The enrolment status of the student following receipt of the notification of Termination of Enrolment.
25. Where it is determined that the student's enrolment is to continue, the student is to be notified in writing of this decision using the **Continuation of Enrolment** letter which must include any conditions, for example, the requirement that the student re-enrol and pay any applicable fees etc.

Responsibility

Academic Director (or delegate), Monash Graduate Research Office

Status of the student following a written notice of Termination of Enrolment

26. The student's enrolment will be maintained until either:
 - The specified timeframe for lodging an appeal has expired and no appeal has been received, in which case the student's enrolment in the degree will be terminated from the date on which the appeal period expires; or
 - If an appeal is lodged, until the appeal has been determined. If the appeal is dismissed, the student's enrolment will be terminated from the date on which the appeal is dismissed.

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27. After being issued with a written notice of termination of enrolment, enrolment is maintained to permit an appeal, but the student will not be permitted to pursue learning opportunities or their research program. Any further progress on the research program stops until the appeal is determined. Access to university facilities such as email and computers will be maintained to assist with the student's preparation for the appeal.
28. If an appeal is not lodged within the specified timeframe, the **Academic Director (or delegate)** will proceed to terminate enrolment and exclude the student from the degree using the No Appeal Letter template. This letter includes information on the student's right to seek external review of the decision by the [Victorian Ombudsman](#).

Responsibility

Student

Academic Director (or delegate), Monash Graduate Research Office

Section 3: Lodging an Appeal

Lodgement of an Appeal

29. The student has 20 working days from the deemed delivery date of the Termination of Enrolment letter to lodge an appeal.
30. The student is to lodge the appeal using the Lodgement of Appeal form which is to be sent to the Vice-Provost (Faculty and Graduate Affairs) (or delegate) and include relevant supporting evidence.

Responsibility

Student

Vice-Provost (Faculty and Graduate Affairs) (or delegate)

Scope of an Appeal

31. A student's right of appeal is limited to one or both of the following grounds:
 - a. **New Evidence – that is**, new evidence that was not reasonably available to the student at the time of the decision to terminate enrolment and which has the potential to alter the outcome of the student's case. Documentation (medical certificates, statutory declarations) or advice about when the documentation will be available must be provided by the student and attached to the *Lodgement of Appeal* form. All documentation must be in the English language or be a certified translation.
 - b. **Procedural Irregularity** – that is, a breach of the rules of procedural fairness (natural justice) or deviation from the requirements of Part 6 of the [Monash University \(Academic Board\) Regulations](#) or related procedures with the potential to alter the outcome of the student's case.
32. The student is required to include the following details on the Lodgement of Appeal form, along with relevant supporting documentation:
 - The ground on which the student appeals the termination of enrolment, including specific details on any new evidence and/or procedural irregularity which the student relies on as the basis for the appeal;
 - How the student wishes to present their case if a Termination Appeal Panel is constituted. The student can request to attend a hearing to present their case, submit written documentation, or both present their case to the hearing and submit written documentation;
 - Whether they wish to be accompanied and assisted at an appeal hearing by another person who is not legally qualified, unless that person is an officer of a recognised student association connected with the student's campus. The student is not to be represented by this person.

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Initial Consideration of the Appeal

33. Within 10 working days of receipt of the Lodgement of Appeal form, the Vice-Provost (Faculty and Graduate Affairs) (or delegate) must inform the student and academic unit and/or faculty staff who recommended termination of enrolment whether he or she has decided to:
- Dismiss the appeal because he or she is satisfied it is frivolous, vexatious, misconceived or lacking in substance; OR
 - Constitute a Termination Appeal Panel to determine the appeal.

Responsibility

Vice-Provost (Faculty and Graduate Affairs) (or delegate)

Dismissal of Appeal without a Hearing

34. If the Vice-Provost (Faculty and Graduate Affairs) (or delegate) dismisses the appeal, the written notification to the student and academic unit and/or faculty staff (using the Dismissal of Appeal template) should:
- State the decision and detailed reasons for it;
 - Refer the student to the [Victorian Ombudsman](#) should they wish to instigate an external review of the decision; and
 - State that enrolment has been terminated effective from the date of the written notice of dismissal of the appeal.

Responsibility

Vice-Provost (Faculty and Graduate Affairs) (or delegate)

Constitution of a Termination Appeal Panel

35. Where the Vice-Provost (Faculty and Graduate Affairs) (or delegate) decides to refer the appeal to a Termination Appeal Panel, the student and academic unit and/or faculty staff must be notified in writing of this decision using the Constitution of a Termination Appeal Panel template which must advise:

- That a Termination Appeal Panel (TAP) will be convened to assess the student's case for appeal;
- Confirmation of whether the hearing will be in person, based on written submission, or both, taking into consideration the student's wishes;
- The time, date and place that the TAP will meet and, if relevant, hear from the student in person;
- A request for the student to lodge any additional submissions, supporting evidence and/or statements to the Chair of the TAP no later than **10 working days** prior to the meeting or hearing date;
- A request for the academic unit and/or faculty staff to submit written documentation and evidence supporting the case of termination of enrolment no later than **10 working days** prior to the meeting or hearing date;
- If there is a hearing, a request for the academic unit and/or faculty staff to nominate a representative/s to attend the TAP;
- If there is a hearing, a request for the student to attend with their support person to present their oral submission and answer questions;
- The membership of the TAP, which is to comprise:

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- The Vice-Provost (Faculty and Graduate Affairs) (or delegate) as Chair
 - A member of the academic staff of the students teaching faculty who has no prior involvement in the case
 - A member of the academic staff of a faculty other than the teaching faculty who is also a member of the GRC
 - A Monash University graduate research student who is not a member of the GRC
 - Any other person nominated by the Chair as appropriate.
- The Vice-Provost (Faculty and Graduate Affairs) (or delegate) may substitute any member should they become unable or unwilling to sit on the panel;
 - An explanation that the TAP determines the process for its meeting or hearing and may take written submissions, or hear, from persons it deems appropriate; and
 - The students right to object to a TAP member on the ground of a reasonable apprehension of bias, and an explanation of the process for doing so.
36. If the student is based at Gippsland, or at an international campus or teaching location, the academic staff members listed above in the TAP membership may be substituted with an academic from the Gippsland, or international campus or teaching location.

Responsibility

Vice-Provost (Faculty and Graduate Affairs) (or delegate)

Objection to a Termination Appeal Panel member

37. An objection to a TAP member must:
- Be lodged in writing, within **10 working days** of notification of the panels membership; and
 - Contain the full particulars of the allegation of reasonable apprehension of bias.
38. The objection cannot be lodged on the day of the appeal hearing.
39. Upon receiving a written objection to a panel member and within **10 working days**, the Vice-Provost (Faculty and Graduate Affairs) (or delegate) must either:
- Without considering the objection, appoint a substitute panel member of the same category of appointment and notify the student; or
 - Request the Dean of the Faculty of Law to appoint an adjudicator to consider and determine the objection.

Responsibility

Student

Vice-Provost (Faculty and Graduate Affairs) (or delegate)

Dean of the Faculty of Law

Appointment of an Adjudicator

40. If an adjudicator is appointed, the Adjudicator must be:
- A member of the academic staff of the Faculty of Law; and
 - Hold an academic position at the equivalent or higher classification to that of the panel member against whom that objection has been made.
41. The Adjudicator will be bound by the rules of natural justice, not by the rules of evidence, and may seek further information and provide an opportunity to respond to the objection.
42. After considering the objection, the Adjudicator must either:
- Dismiss the objection if satisfied it is not substantiated; OR

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- Uphold the objection that there is reasonable apprehension of bias and direct the Vice-Provost (Faculty and Graduate Affairs) (or delegate) to appoint a substitute panel member.

Responsibility

Student

Vice-Provost (Faculty and Graduate Affairs) (or delegate)

Dean of the Faculty of Law

Adjudicator

Section 4: The Appeal Process

43. At least **5 working days** prior to the meeting date, the Chair of the TAP must provide the student and the academic unit with copies of all documents and submissions received, or where the chair decides it is appropriate to do so, for any document submission, a summary setting out critical material.
44. In considering the appeal, the TAP may:
 - make enquiries and inform itself in any manner that it thinks fit; and
 - determine its own procedure; and
 - co-opt any other additional members of the Panel as deemed appropriate; and
 - adjourn a hearing at any time.
45. If a hearing is to be held, the following people may attend:
 - Chair and members of the TAP;
 - the student;
 - the students support person;
 - the nominated representatives of the relevant academic unit and/or faculty; and
 - any other person authorised by the Chair of the TAP to attend.
46. Prior to making its final determination, the TAP may grant the student a further period of no more than **20 working days** in which to meet any requirements set by the TAP.
47. At the end of any further period, the TAP must reconvene with no less than 3 of the original members of the TAP (or no less than 2 members if the student member is unavailable) and determine if the student has met the requirements set, and determine the appeal.
48. The TAP must decide to either:
 - Uphold the appeal allowing the student to continue their enrolment, subject to any conditions imposed by the TAP; OR
 - Dismiss the appeal confirming the original decision to terminate enrolment, effective immediately.
49. *The final decision of the TAP is made by the majority of its members, and in the event that the votes are equal, the Chair will have the casting vote.*
50. *Within **5 working days** of reaching its decision, the TAP must issue a written notice to the student using the Decision of the Termination Appeal Panel template stating:*
 - The decision and its reasons;
 - The status of the students enrolment; and
 - The students options where the appeal has been dismissed, including their right to instigate an external review of the decision to terminate enrolment via the [Victorian Ombudsman](#).

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51. A copy of the correspondence must be sent to the academic unit and faculty representatives who attended the TAP Hearing. The Monash Graduate Research Office will update the student record.
52. A student cannot apply to withdraw where the TAP has dismissed the appeal and confirmed the original decision that enrolment is terminated.

Responsibility

Chair and Members of the TAP
Monash Graduate Research Office

Section 5: Order of Hearing

53. Termination procedures commence from the date the student is notified of a recommendation of termination of enrolment as outlined in **Sections 1 and 2** of these procedures.
54. Should a student lodge a formal written grievance after being notified of a recommendation to terminate enrolment, the termination of enrolment process, including any appeal, must be finalised before the grievance is considered. Where the order of proceedings is unclear, a final determination of the order will be made by the Vice-Provost (Faculty and Graduate Affairs) (or delegate).
55. A student cannot apply to withdraw after receipt of written notice of termination of enrolment.
56. A written record of any TAP proceedings must be retained in the University's central Records Management Office for a minimum period after the last action date regarding the matter, in accordance with the University [policy on retention and disposal of records](#).

Responsibility

Vice-Provost (Faculty and Graduate Affairs) (or delegate)
Chair of the TAP
Records Management Office

Responsibility for implementation	<p>Vice-Provost (Faculty and Graduate Affairs)</p> <p>Academic Director, Monash Graduate Research Office (MGRO)</p> <p>Director, Monash Graduate Research Office (MGRO)</p> <p>Graduate Research Committee</p> <p>Deans</p> <p>Faculty Associate Deans responsible for research degrees</p> <p>Heads of Academic Units</p> <p>Graduate Research Coordinators within academic units</p> <p>Supervisors of Higher Degree by Research students</p> <p>Relevant MGRO and faculty and/or academic unit professional staff.</p>
Status	Revised
Approval Body	<p>Name: Graduate Research Committee</p> <p>Meeting: 4/2017</p> <p>Date: 08-June-2017</p> <p>Agenda item: 11.3</p>

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Definitions	<p>Academic Progress Review Panel (APRP): Panel constituted to review a student’s progress and to determine whether there is unsatisfactory progress outside of the milestone review framework and recommend termination of enrolment.</p> <p>Academic Unit: As defined by the Monash University (Academic Board) Regulations, includes a sub-faculty, school, department, centre, institute or other unit into which a faculty is divided; or a school, department, centre or institute established as a separate entity from a faculty. Typically, is the organisational unit in which the student is enrolled.</p> <p>Associate Dean (Graduate Research) (ADGR): Senior academic staff member appointed at faculty or equivalent level to oversee all matters relating to higher degrees by research students, as defined by the Monash University (Academic Board) Regulations.</p> <p>Deemed date of delivery: The date a notice is treated as having been delivered to the student after applying the delivery times set out in regulation 61 of the Monash University (Academic Board) Regulations. This anticipates a student updating changes to their postal address recorded on the student information system, and regularly checking their Monash student 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>EFT: Equivalent full-time enrolment.</p> <p>GRC: Graduate Research Committee.</p> <p>HDR: Higher Degree by Research. A research masters or doctoral degree of the University. Interchangeable with graduate research degree.</p> <p>MGRO: Monash Graduate Research Office.</p> <p>Milestone: A formal progress review designed to manage student progression, occurring periodically throughout enrolment. In relation to this procedure, refers to the following reviews: Confirmation, Mid-Candidature Review / Progress Review and the Pre-Submission Seminar / Final Review.</p> <p>Milestone Review Framework: Formal review process triggered by reaching a milestone.</p> <p>Milestone Review Panel (MRP): Panel constituted to review a student’s progress as part of the milestone review framework, and which may determine that there is unsatisfactory progress and recommend termination of enrolment.</p> <p>Termination Appeal Panel (TAP): Panel constituted to review a student’s appeal against a decision to terminate enrolment.</p> <p>Termination of Enrolment: The exclusion of the student from Monash University, specifically the program of study in which they were enrolled at the time of termination.</p> <p>Unsatisfactory Progress: When a student does not successfully achieve a milestone or is determined to have not satisfactorily progressed in their study program outside the milestone review framework, and which results in termination of enrolment.</p>
Legislation Mandating Compliance	<p>Monash University (Council) Regulations Part 7 - Student Discipline</p> <p>Monash University (Academic Board) Regulations Part 6 - Student Progress Management</p>

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	<p><u>Australian Commonwealth and Victorian State Governments</u></p> <p>Higher Education Support Act 2003</p> <p>Commonwealth Ombudsman Act 1976</p> <p>Education Services for Overseas Students (ESOS) Act 2000</p> <p>National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007</p> <p>Public Records Act 1973 (Vic)</p> <p><u>South African Government</u></p> <p>Higher Education Act 101 of 1997</p>
Related Policies	
Related Documents	